



# CITY COUNCIL MINUTES

Richfield, Minnesota

## Special Concurrent City Council and Planning Commission Worksession

November 15, 2016

<b>CALL TO ORDER</b>
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The worksession was called to order by Mayor Goettel at 5:45 p.m. in the Bartholomew Room.

*Council Members Present:* Debbie Goettel, Mayor; Michael Howard; Edwina Garcia; and Tom Fitzhenry

*Council Members Absent:* Pat Elliott

*Planning Commission Members Present:* Erin Vrieze Daniels, Chair; Rick Jabs; Charles Standfuss; and Daniel Kitzberger

*Planning Commission Members Absent:* Susan Rosenberg; Sean Hayford Oleary; Gordon Vizecky

*Community Services Commission Present:* Reed Bornholdt, Chair

*Transportation Commission Present:* Ted Weidenbach, Chair

*Staff Present:* Steven L. Devich, City Manager; John Stark, Community Development Director; Melissa Poehlman, City Planner; Chris Link, Operations Superintendent; Jack Broz, Transportation Engineer; Kari Sinning, Deputy City Clerk.

<b>ITEM #1</b>	<b>DISCUSSION REGARDING THE COMPREHENSIVE PLAN CONSULTANT SELECTION (COUNCIL MEMO NO. 78)</b>
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City Planner Melissa Poehlman opened the joint worksession with a brief discussion of the City of Richfield's requirement to revisit and update the Comprehensive Plan every 10 years. Poehlman discussed the solicitation and review process that led up to this worksession with leading candidate SRF Consulting Group.

Lance Bernard and Craig Vaughn of SRF Consulting Group presented an overview of their proposal, fielding a variety of questions from Council Members and Commissioners. Most questions focused on how they would involve historically underrepresented populations in this process.

**ADJOURNMENT**

The worksession was adjourned by unanimous consent at 6:25 p.m.

Date Approved: December 13, 2016

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Debbie Goettel  
Mayor

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Kari Sinning  
Deputy City Clerk

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Steven L. Devich  
City Manager



# CITY COUNCIL MINUTES

Richfield, Minnesota

## Special City Council Worksession

### November 15, 2016

**CALL TO ORDER**

The worksession was called to order by Mayor Goettel at 6:30 p.m. in the Bartholomew Room.

*Council Members Present:* Debbie Goettel, Mayor; Michael Howard; Edwina Garcia; and Tom Fitzhenry

*Council Members Absent:* Pat Elliott

*Staff Present:* Steven L. Devich, City Manager; Kristin Asher, Public Works Director; Kari Sinning, Deputy City Clerk.

<b>Item #1</b>	<b>Discussion regarding the Gypsy Moth Communication and Eradication Plan (Council Memo No. 79)</b>
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Public Works Director, Kristin Asher, introduced Kimberly Thielen Cremers, Pest Mitigation and Regulatory Response Unit Supervisor from the Minnesota Department of Agriculture (MDA). Thielen Cremers presented a slideshow about what the Gypsy Moth is and the MDA's plan to eradicate the Gypsy Moth infestation between Washburn and Logan Avenues; Minnesota State Highway 62 and West 67<sup>th</sup> Street. Quarantine has been placed upon the area restricting regulated articles, such as trees and shrubs, logs, firewood, and any other outdoor household items transfer out of the area until June 15, 2017. Residents will be notified before any treatments will be sprayed on the area. In early January, there will be an open house regarding the proposal for treatment from the MDA.

Mayor Goettel posed a question regarding the safety of the Monarch butterflies, as the eradication plan includes a spray that will affect small caterpillars. However, Thielen Cremers reassured the Mayor that the Monarch butterfly population will not be affected by this treatment.

**ADJOURNMENT**

The worksession was adjourned by unanimous consent at 6:55 p.m.

Date Approved: December 13, 2016

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Debbie Goettel  
Mayor

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Kari Sinning  
Deputy City Clerk

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES Richfield, Minnesota

## Regular Meeting

### November 15, 2016

#### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

*Council Members Present:* Debbie Goettel, Mayor; Michael Howard; Edwina Garcia; and Tom Fitzhenry.

*Council Members Absent:* Pat Elliott

*Staff Present:* Steven L. Devich, City Manager; John Stark, Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; Wayne Kewitsch, Fire Chief, Pam Dmytrenko, Assistant City Manager/HR Manager; Mary Tietjen, City Attorney; and Kari Sinning, Deputy City Clerk.

#### PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

#### OPEN FORUM

None.

#### APPROVAL OF MINUTES

M/Garcia, S/Howard to approve the minutes of the Regular City Council Meeting of October 25, 2016.

Motion carried 4-0.

**Item #1**

**ANNUAL MEETING WITH THE COMMUNITY SERVICES COMMISSION**

Mayor Goettel introduced Reed Bornholdt, Community Services Commission Chair, who gave a summary of the events that the commission has accomplished this year.

<b>Item #2</b>	<b>PRESENTATION BY HENNEPIN COUNTY SHERIFF RICH STANEK</b>
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Council Member Fitzhenry introduced Major Jeff Storms as Sheriff Rich Stanek was not available for the presentation.

Major Storms addressed the Hennepin County Sheriff’s Office involvement with the City of Richfield and throughout the entire County.

Mayor Goettel thanked the involvement of the Hennepin County Sheriff’s Office during the 4<sup>th</sup> of July event.

<b>Item #3</b>	<b>COUNCIL DISCUSSION</b> Hats Off to Hometown Hits
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Council Member Fitzhenry discussed the ceremony held at the Veteran’s Memorial for Veteran’s Day that he attended with the Mayor. Fitzhenry also announced that the Cedar Avenue Liquor store is now open after the remodel.

Council Member Howard discussed the election and how the election affected the community. From aftermath of the election, Council Member Howard believes that there is now an opportunity to create a resolution that would communicate the City’s Values of Inclusion.

Mayor Goettel stated her support of the Inclusion resolution that Council Member Howard would like to create. The Richfield Fire Department held their Operation Warm – Coats for Kids event where they gave every child at an Elementary School in Richfield a coat for winter; the Mayor along with the City Manager and Fire Chief were in attendance. Mayor Goettel also wanted to let the community know that Xcel Energy is changing out lightbulbs in the city to LED, which is more cost effective.

<b>Item #4</b>	<b>COUNCIL APPROVAL OF AGENDA</b>
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M/Fitzhenry, S/Howard to approve the agenda.

Motion carried 4-0.

<b>Item #5</b>	<b>CONSENT CALENDAR</b>
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- A. Consideration of the approval of the renewal of the contract with Chief’s Towing, Inc., for Public Safety towing services for December 1, 2016 through November 30, 2017. S.R. No. 191
- B. Consideration of the approval of the first reading of an ordinance amendment to the Richfield City Code Appendix D (Fee Schedule) and schedule a Public Hearing and a second reading for December 13, 2016. S.R. No. 192

- C. Consideration of the approval of a second amendment to the Consent Decree in State of Minnesota by City of Minneapolis, et al. v. Metropolitan Airports Commission, et al., Hennepin County Case No. 27-CV-0S-S474. S.R. No. 193
- D. Consideration of the approval of the second reading of an amendment to the City's Zoning Ordinance that modifies regulations related to outdoor animal relief areas and a resolution authorizing summary publication of said ordinance; and consideration of a resolution granting a conditional use permit amendment and variances to allow an animal kennel business with an accessory outdoor relief area at 6244 Cedar Avenue. S.R. No. 194

BILL NO. 2016-20

AN ORDINANCE AMENDING THE RICHFIELD CITY CODE REGULATIONS  
RELATED TO OUTDOOR ANIMAL RELIEF AREAS

This constitutes the second reading of Bill No. 2016-20, amending the Richfield City Code regulations related to outdoor animal relief areas, that a summary publication be published in the official newspaper and that it be made part of these minutes.

RESOLUTION NO. 11283

A RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE  
AMENDING REGULATIONS RELATED TO OUTDOOR ANIMAL RELIEF AREAS

RESOLUTION NO. 11284

RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT AND  
VARIANCES FOR AN ANIMAL KENNEL BUSINESS WITH AN ACCESSORY OUTDOOR  
RELIEF AREA AT 6244 CEDAR AVENUE

These resolutions appear as Resolution No. 11283 and Resolution No. 11284.

- E. Consideration of the approval of a request for a new Therapeutic Massage Enterprise license for Health Fitness Corporation, d/b/a Health Fitness, located at 7601 Penn Avenue South, D building of the Best Buy Corporate Campus. S.R. No. 195
- F. Consideration of the approval of the setting of a public hearing to be held on December 13, 2016, for the consideration of the renewal of On-Sale Intoxicating and Sunday Liquor licenses for 2017 for El Tejaban Mexican Grill, LLC d/b/a El Tejaban Mexican Grill, Thompson's Fireside Pizza, Inc. d/b/a Fireside Foundry, GM Richfield, LLC d/b/a Four Points by Sheraton Minneapolis Airport, Frenchman's Pub, Inc. d/b/a Frenchman's, VPC Richfield Pizza, LLC d/b/a Giordano's of Richfield, Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, Paisan, Inc. d/b/a Khan's Mongolian Barbeque, Lyn 65, LLC d/b/a Lyn 65 Kitchen & Bar, Pizza Luce VII, Inc. d/b/a Pizza Luce, Minneapolis-Richfield American Legion Post 435 and Fred Babcock VFW Post 5555 d/b/a Four Nickels Food & Drink. S.R. No. 196
- G. Consideration of the approval of the setting of a public hearing to be held on December 13, 2016, for the consideration of the renewal of On-Sale Wine and On-Sale 3.2 Percent Malt Liquor licenses for 2017 for Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, Davanni's, Inc. d/b/a Davanni's Pizza & Hot Hoagies, Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant, Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians (located in the Richfield Ice Arena), My Burger Operations, LLC, d/b/a

My Burger, The Noodle Shop Co. Colorado, Inc. d/b/a Noodles & Company (two locations), Patrick's French Bakery, Inc. d/b/a Patrick's Bakery & Café, Henry Thou d/b/a Red Pepper Chinese Restaurant. S.R. No. 197

- H. Consideration of the approval of the setting of a public hearing to be held on December 13, 2016, for the consideration of the renewal of Pawnbroker and Secondhand Goods Dealer licenses for 2017 for University Cash Company, LLC d/b/a Avi's Pawn and Jewelry and Metro Pawn and Gun, Inc. S.R. No. 198
- I. Consideration of the approval of a first reading of an ordinance authorizing the conveyance of property owned by the City of Richfield to the Richfield Housing and Redevelopment Authority. S.R. No. 199
- J. Consideration of the approval of the purchase of a Fire Rescue Truck from Custom Fire for \$179,894 plus taxes and licensing in 2017. S.R. No. 200
- K. Consideration of the approval of a resolution ordering the abatement of conditions creating a hazardous building and a public health and safety nuisance existing at 7144 4th Avenue South, Richfield, Minnesota. S.R. No. 201

RESOLUTION NO. 11285

ORDERING THE ABATEMENT OF CONDITIONS CREATING A HAZARDOUS BUILDING AND A PUBLIC HEALTH AND SAFETY NUISANCE EXISTING AT 7144 4TH AVENUE S, RICHFIELD, MINNESOTA 55423

This resolution appears as Resolution No. 11285.

- L. Consideration of the approval of a resolution ordering the abatement of conditions creating a hazardous building and a public health and safety nuisance existing at 7301 Garfield Avenue South, Richfield, Minnesota. S.R. No. 202

RESOLUTION NO. 11286

ORDERING THE ABATEMENT OF CONDITIONS CREATING A HAZARDOUS BUILDING AND A PUBLIC HEALTH AND SAFETY NUISANCE EXISTING AT 7144 4TH AVENUE S, RICHFIELD, MINNESOTA 55423

This resolution appears as Resolution No. 11286.

- M. Consideration of the approval of the first reading of a transitory ordinance authorizing the conversion of the existing R-22 direct refrigeration system at the Richfield Ice Arena and scheduling of a public hearing and second reading for December 13, 2016. S.R. No. 205

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 4-0.

<b>Item #6</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>Item #7</b>	<b>CONSIDERATION OF A RESOLUTION APPROVING THE CONTRACT WITH THE LABOR AND TRADES LOCAL 49 FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2018 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT. (STAFF REPORT NO. 203)</b>
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Councilmember Howard presented Staff Report No. 203.

M/Howard, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11287

APPROVING LABOR AGREEMENT BETWEEN THE CITY OF RICHFIELD AND INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 49 BARGAINING UNIT FOR YEARS 2017 AND 2018

Motion carried 4-0. This resolution appears as Resolution No. 11287.

<b>Item #8</b>	<b>CONSIDERATION OF A RESOLUTION DETERMINING THE RESULTS OF THE CITY GENERAL ELECTION HELD ON TUESDAY, NOVEMBER 8, 2016. S.R. NO. 204</b>
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Council Member Garcia presented Staff Report No. 204 and stated that there was a 81.3% voter turnout.

City Manager Devich also added that Minnesota typically leads the nation at 70% of voter turnout.

The council thanked the precinct judges, student judges and those that helped out with absentee voting.

M/Garcia, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11288

DETERMINING RESULTS OF THE GENERAL ELECTION OF THE CITY OF RICHFIELD HELD ON TUESDAY, NOVEMBER 8, 2016

Motion carried 4-0. This resolution appears as Resolution No. 11288.

<b>Item #9</b>	<b>CONSIDERATION OF A RESOLUTION AUTHORIZING THE REFUNDING OF THE \$9,480,000 G.O. CAPITAL IMPROVEMENT PLAN BONDS, SERIES 2008A, DATED DECEMBER 23, 2008 WITH THE \$6,130,000 G.O. REFUNDING BONDS, SERIES 2016C. (COUNCIL MEMO NO. 80) S.R. NO. 206</b>
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Mayor Goettel presented Staff Report No. 206.



A representative from Ehlers & Associates, Inc., Rebecca Kurtz gave a summary of the bid tabulations and their advice to the City Council.

Mayor Goettel stated that the City should lock in a good interest rate now as the interest rates might be rising.

M/Goettel, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11289

AWARDING THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016C, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$6,130,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; PROVIDING FOR THEIR PAYMENT; PROVIDING FOR THE ESCROWING AND INVESTMENT OF THE PROCEEDS THEREOF; PROVIDING FOR THE REDEMPTION OF BONDS REFUNDED THEREBY; AND RESCINDING A PRIOR RESOLUTION OF THE CITY

Motion carried 4-0. This resolution appears as Resolution No. 11289.

<b>Item #13</b>	<b>CITY MANAGER’S REPORT</b>
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City Manager Devich brought up to the City Council that the implementation of the renaming of 76<sup>th</sup>/77<sup>th</sup> Street to International Boulevard, which will be discussed at the December 13 Worksession. The City Manager also asked the Council to start thinking about the commission interview date to be scheduled.

<b>Item #11</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Garcia, S/Goettel that the following claims and payrolls be approved:

<b>U.S. Bank</b>		<b>11/8/16</b>
A/P Checks: 254344 - 254689	\$	1,741,358.97
Payroll: 123209 – 123524, 42534		<u>592,082.58</u>
TOTAL	\$	2,333,441.55
<b>U.S. Bank</b>		<b>11/22/16</b>
A/P Checks: 254690 - 255009	\$	1,710,664.42
Payroll: 122891-123208 42533		<u>610,594.77</u>
TOTAL	\$	2,321,259.19

Motion carried 4-0.

<b>OPEN FORUM</b>
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None.

<b>Item #12</b>	<b>ADJOURNMENT</b>
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The City Council Meeting was adjourned by unanimous consent at 8:12 p.m.

Date Approved: December 13, 2016

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Debbie Goettel  
Mayor

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Kari Sinning  
Deputy City Clerk

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Steven L. Devich  
City Manager