



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Special Concurrent City Council, Housing and Redevelopment Authority and Planning Commission Work Session

October 9, 2018

CALL TO ORDER

The work session was called to order by Mayor Pro Tempore Regan Gonzalez at 6:15 p.m. in the Bartholomew Room.

Council Members Present: Maria Regan Gonzalez, Mayor Pro Tempore; Edwina Garcia; Michael Howard (arrived at 6:21 p.m.); and Simon Trautmann (arrived at 6:31 p.m.)

Council Members Absent: Pat Elliott, Mayor.

HRA Members Present: Mary Supple, Chair; Erin Vrieze Daniels; and Michael Howard (arrived at 6:21 p.m.).

HRA Members Absent: Sue Sandahl and Pat Elliott.

Planning Commission Members Present: Sean Hayford Oleary, Chair; Susan Rosenberg; Bryan Pynn; Kathryn Quam; and James Rudolph.

Planning Commission Absent: Daniel Kitzberger and Allysen Hoberg.

Staff Present: Steven L. Devich, City Manager; John Stark, Community Development Director; and Jared Voto, Executive Aide/Analyst.

Item #1	DISCUSSION OF POTENTIAL MULTI-FAMILY DEVELOPMENT AT LUNDS & BYERLYS (6228 PENN AVE)
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Community Development Director Stark discussed the Lunds & Byerlys site, stating it is underdeveloped with a large parking area. He stated Lunds and Byerlys approached the City with a new concept for the area.

Brad List and Mitch Avery, Lunds and Byerlys, introduced themselves and began their presentation. Mr. Avery stated Lunds and Byerlys have been in Richfield since 1967. He said people are interested in living above a Lunds and Byerlys and they are looking at this as an opportunity to grow. He discussed the ability to make an impact in a very visible area at Crosstown and Penn Avenue and their hope to create more of a community feel and a gateway into the community; including housing that is attractive to all ages and income levels.

Council Member Garcia asked about the customer base of Lunds and Byerlys.

Mr. Avery responded that it is a majority of Richfield residents and people located within a 1-mile radius of the store.

Mr. List discussed the proposed development. He stated it is about 130 units of residential and their goal was to have one space of parking for every bedroom. They propose a drive-thru for the Caribou Coffee. Housing includes underground parking, parking on ground level, and an amenity deck on the 2nd floor, and rooftop amenities. He discussed the sizing and remodeling of the Lunds store so exteriors of the store and new residential building match. Lastly, he discussed the connection from the residential building to the Lunds and Byerlys store, the sizing of the residential units from studio to two-bedroom, the market study they completed that supports the smaller square foot unit sizes, and future discussions with City on affordable units.

Chair Supple commented on creating residential units that are accessible as well as affordable, as that is a need in the community.

Chair Hayford Oleary stated he was excited about the concept and commented on his concern about the location of the building in the back of the site rather than on Penn Avenue. He also discussed his concern for drive thru and his wish for having the storefront and principle entrance facing Penn Avenue.

Mr. Avery responded that they looked at placing the building along Penn Avenue and the parking behind but it was difficult to place that on this site. He also discussed the natural tree buffer between the residential building and single-family homes.

Chair Hayford Oleary also commented the single-family homes may have a negative reaction to a six story building near them, so if the building could be moved toward Penn it would fix two issues. He commented if the building cannot be moved toward Penn to create an inviting transition/landscaped path from the residential building to Penn Avenue.

Mr. List agreed that is their intention and they also hope to keep the large oak tree on the site.

Commissioner Quam asked about the retail pad proposed near Penn Avenue and commented that would be right near Penn Avenue.

Mr. Avery commented the retail pad will invite people into the area.

Commissioner Rudolph commented about the tree buffer on the west of the site.

Mr. Avery responded that they would definitely be keeping the tree buffer.

Commissioner Vrieze Daniels asked if the project is financially viable or will it need financial assistance from the City.

Mr. List responded that if it has affordable units assistance would be needed.

Council Member Howard asked about plans on getting feedback from neighbors and what that process would be.

Mr. Avery stated they want to work with the neighbors because they are their customers. Mr. List stated they plan on working on organizing neighborhood meetings. They said they get good feedback and ideas from meeting with neighbors. Mr. List discussed a bit of the timeline for beginning construction in spring of 2019 and opening a year from then (spring 2020).

Commissioner Pynn commented on echoing Chair Hayford O'Leary's comments and asked if they couldn't do the drive thru would there be a chance to add an addition to the Lunds and Byerlys building to increase its size and move it toward Penn.

Mr. Avery stated it was possible but they believe they need the access point to keep traffic flowing on the site.

Community Development Director Stark stated from a big picture level there are not a lot of City approvals needed and no issues. He discussed the financial assistance and stated that in Richfield financial assistance has been always need if it had one of two things, structured parking or affordable housing, and this proposed development has both. He also mentioned the retail pad and if timing had been better that this could have been the Penn Avenue Liquor Store, but since the the Penn Store has been recently remodeled it might not be feasible, although the door isn't closed on that.

Mr. Avery stated they would like to have a Richfield liquor store at that site.

City Manager Devich commented about the different sites that have redeveloped along Penn Avenue and shared his excitement with these plans as it's a major site along the corridor and entrance to Richfield.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:57 p.m.

Date Approved: October 23, 2018

Maria Regan Gonzalez
Mayor Pro Tempore

Jared Voto
Executive Aide/Analyst

Pam Dmytrenko
Acting City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

October 9, 2018

CALL TO ORDER

The meeting was called to order by Mayor Elliott at 7:01 p.m. in the Council Chambers.

Council Members Present: Pat Elliott, Mayor; Edwina Garcia; Maria Regan Gonzalez; Michael Howard; and Simon Trautmann.

Staff Present: Steven L. Devich, City Manager; Mary Tietjen, City Attorney; Pam Dmytrenko, Assistant City Manager/HR Manager; John Stark, Community Development Director; Jay Henthorne, Chief of Police; Chris Regis, Finance Director; Kris Weiby, Facilities Manager; Chris Link, Operations Superintendent; and Jared Voto, Executive Aide/Analyst.

OPEN FORUM

Dana Collins, 10785 Tamarack Circle NW, Coon Rapids, spoke regarding lowering the price of the enterprise massage therapists' license.

Council Members thanked her for her comments and asked her to share the information she had with them and staff.

PLEDGE OF ALLEGIANCE

Mayor Elliott led the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Elliott, S/Regan Gonzalez to approve the minutes of the: (1) Special City Council work session of September 17, 2018; (2) Special City Council work session of September 25, 2018; and (3) Regular City Council meeting of September 25, 2018.

Motion carried 5-0.

Item #1

COUNCIL DISCUSSION

- Hats Off to Hometown Hits

Council Member Regan Gonzalez spoke regarding the Great Pumpkin Giveaway at Fairwood Park (6700 Logan Avenue) on October 13 from 10 a.m. to 12 p.m.; the historical society’s annual meeting on October 13 at 6 p.m. at the American Legion; and thanked all the community members who participated in Church of the Assumption’s health fair.

Council Member Howard spoke regarding the Half Haunted Halloween at Wood Lake Nature Center on October 20 from 2 to 6 p.m.

Mayor Elliott spoke regarding speaking at a press conference about the need for infrastructure funding and the low rating of infrastructure in the State of Minnesota, and discussed the work Richfield has done to ensure we aren’t in the same situation even though it is a cost to our residents.

Council Member Trautmann spoke regarding the Richfield Foundation’s annual wine tasting event on October 11; and Dr. Joyce Marie, who received Richfield’s Person of the Year honor, had a book signing at Barnes and Noble for her new book *We’re All on a Journey to Find Truth*.

Council Member Garcia spoke regarding Hennepin County Clinic, at Lyndale and 66th Street, has opened a medicine drop box for unused or unwanted drugs; the Richfield Police Department seized a large quantity of narcotics in a recent raid, in partnership with Hennepin County Sheriff’s Office; the Richfield annual fall boutique and market on October 27 from 9 a.m. to 2 p.m. at the Community Center; the Richfield Historical Center is having a display of the old Lyndale Hardware Store until January 2019, the Center is open to the public on Wednesday and Saturday from 12 to 4 p.m.; the Richfield Historical Society is continuing a series titled *Richfield Village to Richfield City* at the Community Center at 11 a.m. on October 17; and discussed the American Society of Civil Engineers’ infrastructure report card.

Item #2	APPROVAL OF THE AGENDA
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M/Howard, S/Elliott to approve the agenda.

Motion carried 5-0.

Item #3	CONSENT CALENDAR
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City Manager Devich presented the consent calendar.

- A. Consideration of the approval of the purchase of an Elgin street sweeper in 2019 from MacQueen Equipment Inc. in the amount of \$197,701, including trade-in, for use by the Public Works Department. (S.R. No. 172)
- B. Consideration of the adoption of a resolution authorizing an amendment to extend the expiration date of the partnership agreement with the State of Minnesota Department of Transportation (MnDOT) for the purchase of fuel to June 30, 2019. (S.R. No. 173)

RESOLUTION NO. 11550
 RESOLUTION AUTHORIZING THE CITY OF RICHFIELD TO ENTER
 INTO MnDOT PARTNERSHIP AGREEMENT AMENDMENT NO
 04963A01 WITH THE MINNESOTA DEPARTMENT OF
 TRANSPORTATION FOR PURCHASE OF FUEL UNTIL JUNE 30, 2019

This resolution appears as Resolution No. 11550.

- C. Consideration of the approval of a license agreement with E-Clan, Inc. d/b/a B&J Trees, to sell trees under the picnic pavilion at Veterans Park. (S.R. No. 174)
- D. Consideration of the approval of first reading of an ordinance rezoning property at 7301 Penn Avenue S from Single Family Residential (R) to Neighborhood Business (C-1). (S.R. No. 175)
- E. Consideration of the approval of first reading of an ordinance amending the Zoning Code to make tattoo businesses 'permitted' rather than 'conditionally permitted' in the C-2 General Business Zoning District. (S.R. No. 176)

M/Elliott, S/Regan Gonzalez to approve the consent calendar.

Council Member Trautmann commented that he is happy that Christmas trees are sold at Veterans Park.

Mayor Elliott commented that body art are successful businesses and was glad the City could be flexible to accommodate the ordinances to new businesses.

Motion carried 5-0.

Item #4	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #5	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF RESOLUTIONS REGARDING THE ANNUAL INTERSTATE/LYNDALE/NICOLLET (ILN) PROJECT AREA ASSESSMENT AND PROPOSED WORK FOR 2019. (S.R. NO. 177)
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Council Member Garcia presented Staff Report No. 177 and opened the public hearing.

M/Howard, S/Elliott to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Elliott to adopt a resolution adopting the assessment on the ILN Project Area for costs incurred to maintain the area for 2017 and adopt a resolution ordering the undertaking of the current service project within the ILN Project Area for 2019.

RESOLUTION NO. 11551
 RESOLUTION ADOPTING ASSESSMENT ON INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA MAINTENANCE FOR THE PERIOD JANUARY 1, 2017 TO DECEMBER 31, 2017

RESOLUTION NO. 11552
 RESOLUTION ORDERING THE UNDERTAKING OF CURRENT SERVICE PROJECT WITHIN THE INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019

Motion carried 5-0. These resolutions appear as Resolution No. 11551 and No. 11552.

Item #6	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF RESOLUTIONS REGARDING THE ANNUAL LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE DISTRICT ASSESSMENT AND PROPOSED WORK FOR 2019. (S.R. NO. 178)
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Council Member Garcia presented Staff Report No. 178 and opened the public hearing.

M/Elliott, S/Howard to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Elliott to adopt a resolution adopting the assessment on the Lyndale/HUB/Nicollet (LHN) district for costs incurred to maintain the area for 2017 and adopt a resolution ordering the undertaking of the current service project within the Lyndale/HUB/Nicollet (LHN) district for 2019.

RESOLUTION NO. 11553
RESOLUTION ADOPTING ASSESSMENT FOR THE
LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD
JANUARY 1, 2017 TO DECEMBER 31, 2017

RESOLUTION NO. 11554
RESOLUTION ORDERING UNDERTAKING OF CURRENT SERVICE
PROJECT LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE
PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019

Motion carried 5-0. These resolutions appear as Resolution No. 11553 and No. 11554.

Item #7	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED FROM JANUARY 1, 2017, THROUGH DECEMBER 31, 2017. (S.R. NO. 179)
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Council Member Regan Gonzalez presented Staff Report No. 179 and opened the public hearing.

Mayor Elliott read a letter from Tim Grutzik and Martha Miller, 6221 5th Avenue S, regarding their opposition to the assessment for a tree removed at their property.

Operations Superintendent Link stated this was the first time hearing about this and discussed the tree removal process. He stated he would look into this particular tree removal and will follow-up.

M/Trautmann, S/Howard to close the public hearing.

Motion carried 5-0.

M/Regan Gonzalez, S/Trautmann to adopt a resolution adopting the assessment for removal of diseased trees from private property for work ordered from January 1, 2017, through December 31, 2017.

RESOLUTION NO. 11555
 RESOLUTION ADOPTING ASSESSMENT FOR THE REMOVAL OF
 DISEASED TREES FROM PRIVATE PROPERTY FOR WORK
 ORDERED DURING JANUARY 1, 2017 THROUGH DECEMBER 31,
 2017

Motion carried 5-0. This resolution appears as Resolution No. 11555.

Item #8	PUBLIC HEARING AND CONSIDERATION OF THE APPROVAL OF A SECOND READING OF A TRANSITORY ORDINANCE VACATING 64TH STREET RIGHT-OF-WAY BETWEEN 16TH AVENUE AND RICHFIELD PARKWAY. (S.R. NO. 180)
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Council Member Howard presented Staff Report No. 180 and opened the public hearing.

M/Elliott, S/Trautmann to close the public hearing.

Motion carried 5-0.

M/Howard, S/Trautmann to approve the Transitory Ordinance vacating 64th Street right-of-way between 16th Avenue and Richfield Parkway.

Motion carried 5-0.

Item #9	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR UNPAID FALSE ALARM USER FEES AGAINST PRIVATE PROPERTY. (S.R. NO. 181)
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Council Member Trautmann presented Staff Report No. 181 and opened the public hearing.

Council Member Trautmann asked if there was an appeal process if someone felt they were good faith alarm users.

City Manager Devich responded this is when there are repetitive problems with alarms.

Mayor Elliott commented on his experience when his office has had false alarms.

City Attorney Tietjen commented that the City Code does provide for a process, in Section 915.07, that a written appeal of the charge may be submitted to the Director of Public Safety within 15 days, and the Director of Public Safety makes the final determination.

M/Elliott, S/Howard to close the public hearing.

Motion carried 5-0.

M/Trautmann, S/Regan Gonzalez to adopt a resolution adopting the assessment for unpaid false alarm user fees against private property.

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

Motion carried 5-0. This resolution appears as Resolution No. 11556.

Item #10	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY. (S.R. NO. 182)
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Council Member Howard presented Staff Report No. 182 and opened the public hearing.

M/Elliott, S/Regan Gonzalez to close the public hearing.

Motion carried 5-0.

Council Member Howard commented that it appears that the amount of the assessments has decreased over the years and asked if that was correct.

Finance Director Regis responded that was correct and commented it has a lot to do with the market improving.

Council Member Trautmann thanked staff for addressing these issues.

M/Howard, S/Trautmann to adopt a resolution adopting the assessment for weed elimination from private property and removal or elimination of public health or safety hazards from private property.

RESOLUTION NO. 11557
RESOLUTION ADOPTING ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY

Motion carried 5-0. This resolution appears as Resolution No. 11557.

Item #11	CANCEL THE PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION FOR A PRELIMINARY PLAT OF THE "CEDAR POINT II" ADDITION. (S.R. NO. 183)
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Council Member Regan Gonzalez presented Staff Report No. 183.

Community Development Director stated that there are 13 privately-owned properties near the site and the developer has 11 under contract or closed. The developer is working on acquiring the final two properties and it did not make sense to complete the preliminary plat without those properties, since they are optimistic they will acquire the final two properties, and then have to go through the plat process again to add those final properties.

M/Regan Gonzalez, S/Elliott to cancel the public hearing to consider a resolution for a preliminary plat of the "Cedar Point II" Addition.

Motion carried 5-0.

Item #12	CONSIDERATION OF A REQUEST FOR THE CITY COUNCIL TO CONFIRM THE APPOINTMENT OF PAM DYMARENKO AS ADMINISTRATIVE SERVICES DIRECTOR/ASSISTANT CITY MANAGER FOR THE CITY OF RICHFIELD. (S.R. NO. 184)
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Mayor Elliott presented Staff Report No. 184.

M/Elliott, S/Regan Gonzalez to confirm the appointment of Pam Dmytrenko as Administrative Services Director/Assistant City Manager for the City of Richfield.

Motion carried 5-0.

Item #13	CITY MANAGER’S REPORT
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City Manager Devich discussed the work session held earlier in the evening from Lunds and Byerlys on the proposal to remodel their store on Penn Avenue and add housing to the site. He stated it continues all the interest in redevelopment in Richfield and reiterated the Mayor’s comments on the City being on the forefront of reinvesting in infrastructure.

Item #14	CLAIMS AND PAYROLLS
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M/Garcia, S/Elliott that the following claims and payrolls be approved:

U.S. Bank	10/09/18
A/P Checks: 271661 - 272022	\$ 1,379,851.07
Payroll: 139985 - 140302 ; 42870 - 42871	616,594.97
TOTAL	\$ 1,996,446.04

Motion carried 5-0.

OPEN FORUM

None.

Item #15	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 7:53 p.m.

Date Approved: October 23, 2018

Maria Regan Gonzalez
Mayor Pro Tempore

Jared Voto
Executive Aide/Analyst

Pam Dmytrenko
Acting City Manager