Call to order

1. 6:15 p.m. - 6:45 p.m.
   Discussion regarding 66th Reconstruction Updates (Council Memo No. 64)

2. 6:45 p.m. - 7:00 p.m.
   Discussion regarding 69th Street Pedestrian Pilot Project (Council Memo No. 64)

Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.
September 22, 2016

Council Memorandum No. 64

The Honorable Mayor
and
Members of the City Council

Subject: 66th Street Reconstruction Updates (Worksession Agenda Item #1)
69th Street Pedestrian Pilot Project (Worksession Agenda Item #2)

Council Members:

At the upcoming Council Worksession Public Works staff will discuss the following:

66th Street Reconstruction Updates
- Metro Transit’s Proposed Alternate Routes during the road reconstruction will be shared for discussion. Metro Transit staff will be available at the worksession to address questions.
- The Streetscape detail design and construction plans will be discussed.
- Construction Schedule for the roadway construction along with MCES construction will be discussed.

69th Street Pedestrian Pilot Project
- The Transportation Commission has been discussing the segment of 69th Street between Xerxes and Penn Avenues because the corridor is identified as a “gap” on the Sidewalk Plan within the City’s Comprehensive Plan.
- Recently an open house was held to gather public input on several alternatives to improve pedestrian safety. The public open house meeting summary is attached.
- At their September meeting, the Transportation Commission recommended a 69th St Pedestrian Pilot Project which will be discussed at the worksession.

Please contact Kristin Asher, Director of Public Works, at 612-861-9795 with questions.

Respectfully submitted,

Steven L. Devich
City Manager

SLD: jb
Email: Assistant City Manager
Department Directors

Attachments
69th Street Pedestrian Improvements
Xerxes Avenue to Penn Avenue

Meeting Purpose
The goal of the meeting was to let the public know about the upcoming project and project’s alternatives:
- Sidewalk with boulevard
- Wide Sidewalk
- Wide Sidewalk with shifted curb (requires “No Parking” restriction)
- Painted edge line (requires “No Parking” restriction)
- Painted edge line with tube delineators (requires “No Parking” restriction)
- Painted edge line with “curbed delineators” (requires “No Parking” restriction)

Meeting Notice
- Approximately 400 invitations were mailed to the property owners in the area bounded by 68th Street, Penn Avenue, 70th Street and Xerxes Avenue
- Posted on the City’s website calendar
- Sweet Streets Website updated with project information
- Open House “Facebook events” were created on the Sweet Streets Page

Public Response
Approximately 30 residents attended and 22 comment cards were filled out along with one comment via a phone conversation prior to the meeting.

Written comment summary:
Do you agree that there is a pedestrian problem on 69th St?
- 8 respondents indicated Yes
- 14 respondents indicated No
- 1 respondent indicated Uncertain

Please check the one of the six design alternative that is most appropriate for 69th St:
1 - Sidewalk with boulevard
1 - Wide Sidewalk
3 - Wide Sidewalk with shifted curb (requires “No Parking” restriction)
2 - Painted edge line (requires “No Parking” restriction)
2 - Painted edge line with tube delineators (requires “No Parking” restriction)
4 - Painted edge line with “curbed delineators” (requires “No Parking” restriction)

Additional Comments
- The majority of attendees agreed that speeding on 69th Street is a problem, including six of the respondents that indicated “no” to a pedestrian problem on the corridor.
- Concern about the cars running through the stop signs at Vincent/69th
- Concern about the costs leading to an increase in taxes
- Consider short term painted option with long term sidewalk construction
- Pedestrians can use 68th & 70th Street
- Delineators will be hard to maintain
- Delineators and paint can be easily removed if necessary
REGULAR CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
SEPTEMBER 27, 2016
7:00 PM

INTRODUCTORY PROCEEDINGS

Call to order

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Pledge of Allegiance

Approval of the minutes of the Regular City Council Meeting of September 13, 2016

PRESENTATIONS

1. Presentation of the Richfield Sweet Streets Award (Council Memo No. 65)
2. Presentation regarding the #richfieldnow launch (Council Memo No. 66)

COUNCIL DISCUSSION

3. Discussion regarding the rescheduling of the November 8, 2016 Regular City Council Meeting to Tuesday, November 15, 2016
   • Hats Off to Hometown Hits

AGENDA APPROVAL

4. Approval of the agenda.

5. Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.

   A. Consideration of the approval of the resolution designating the City's contribution towards health, dental, term life, and disability insurance premiums for General Services and Management employees for 2017. 
      Staff Report No. 145
   B. Consideration of the approval of a resolution certifying delinquent water, sanitary sewer, and storm water charges to the Hennepin County Auditor.
C. Consideration of the approval of a first reading of an ordinance repealing and replacing City Code Section 550 pertaining to Floodplain Management Regulations and schedule a second reading for October 11, 2016.

Staff Report No. 147

D. Consideration of the approval of two resolutions supporting grant applications to Hennepin County for the Cedar Point II Housing redevelopment project and the Cedar Point South project.

Staff Report No. 148

E. Consideration of the approval of resolutions pertaining to the annual 77th Street maintenance district assessment process and scheduling a public hearing for October 25, 2016.

Staff Report No. 149

F. Consideration of the approval of resolutions pertaining to the annual Lyndale/HUB/Nicollet (LHN) maintenance assessment process and scheduling a public hearing for October 25, 2016.

Staff Report No. 150

G. Consideration of the approval of a resolution declaring costs to be assessed for removal of diseased trees from private property for work ordered in 2015 and scheduling a public hearing for October 25, 2016.

Staff Report No. 151

H. Consideration of the approval of a resolution authorizing the filing of the James Metzen Mighty Ducks Grant Application for the phase one conversion of the existing R-22 direct refrigeration system.

Staff Report No. 152

6. Consideration of items, if any, removed from Consent Calendar

PUBLIC HEARINGS

7. Public hearing regarding a resolution for a final plat of the Richfield Properties LLC Addition that will combine four parcels (1400-78th Street East, 1420-78th Street East, 1500-78th Street East, and 7711-14th Avenue) on which a new Audi car dealership is being constructed.

Staff Report No. 153

PROPOSED ORDINANCES

8. Consideration of a zoning amendment and site plan for parking lot modifications at the Cedar Avenue Liquor Store (6600 Cedar Avenue).

Staff Report No. 154

RESOLUTIONS

9. Consideration of an amendment to the City's Comprehensive Plan and adoption of a new Cedar Corridor Master Plan. The proposed amendment changes the guiding properties east of 17th Avenue between 66th and 77th Streets.

Staff Report No. 155

CITY MANAGER'S REPORT

10. City Manager's Report

CLAIMS AND PAYROLLS

11. Claims and payrolls

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

12. Adjournment
Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.
CITY COUNCIL MEETING MINUTES
Richfield, Minnesota

Regular Meeting

September 13, 2016

CALL TO ORDER

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

Council Members Present: Michael Howard, Mayor Pro Tempore; Edwina Garcia; Tom Fitzhenry; and Pat Elliott.

Council Member Absent: Debbie Goettel, Mayor.

Staff Present: Steven L. Devich, City Manager; John Stark, Community Development Director; Kristin Asher, Public Works Director; Jay Henthorne, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Chris Regis, Finance Manager; Jack Broz, Transportation Engineer; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Howard led the audience in the Pledge of Allegiance.

OPEN FORUM

None.

APPROVAL OF MINUTES

M/Garcia, S/Fitzhenry to approve the minutes of the (1) Special Concurrent City Council & Planning Commission Worksession of August 23, 2016; (2) Special City Council Worksession of August 23, 2016; (3) Regular City Council Meeting of August 23, 2016; and (4) Special City Council Meeting of August 31, 2016.

Motion carried 4-0.

Item #1 PRESENTATION REGARDING RICHFIELD’S OPEN STREETS AT PENN FEST ON SEPTEMBER 18, 2106

Gordon Hanson, 6311 Sheridan Avenue, made the presentation.
Item #2 | COUNCIL DISCUSSION  
• Hats Off to Hometown Hits

Recreation Services Director Topitzhofer announced the Richfield Community Center would be closing for the next three weeks for renovations and office staff would be relocating to the Water Plant. He added that programs would not be impacted.

Council Member Fitzhenry provided a Beyond the Yellow Ribbon update and an airport update.

Council Member Fitzhenry announced the Bandshell Sound Testing would be on September 19, 2016 at Veterans Memorial Park. The public is welcome to observe the testing.

Council Member Elliott acknowledged the quick responses from staff on recent complaints he received from residents.

Mayor Pro Tempore Howard announced a letter will be mailed to residents regarding the water line service warranty program for private home water service lines. The National League of Cities is endorsing this company and it is completely voluntary warranty program.

Item #3 | COUNCIL APPROVAL OF AGENDA

M/Howard, S/Fitzhenry to approve the agenda.

Motion carried 4-0.

Item #4 | CONSENT CALENDAR

A. Consideration of the approval of a resolution granting an interim use permit to allow Minnesota Life College to use the property at 2000 West 76th Street for social, meeting and office space for their Community Living Program. S.R. No. 128

RESOLUTION 11232

APPROVING AN INTERIM USE PERMIT TO ALLOW SOCIAL, MEETING, AND OFFICE SPACE FOR USE BY MINNESOTA LIFE COLLEGE AT 2000 WEST 76TH STREET

This resolution appears as Resolution No. 11232.

B. Consideration of the approval of a resolution relating to the residency of youth appointments to City advisory boards and commissions to allow for the appointment of non-residents who are actively enrolled in a Richfield high school or equivalent within the City of Richfield. S.R. No. 129

RESOLUTION NO. 11233

RESOLUTION RELATING TO THE RESIDENCY OF YOUTH APPOINTMENTS TO CITY ADVISORY BOARDS AND COMMISSIONS
This resolution appears as Resolution No. 11233.

C. Consideration of the approval of a resolution to accept a grant of $5,830.00 from the Office of Justice Programs for bullet proof vests. S.R. No. 130

RESOLUTION NO. 11234

RESOLUTION APPROVING THE GRANT WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS AND RICHFIELD POLICE FOR BULLETPROOF VESTS

This resolution appears as Resolution No. 11234.

D. Consideration of the approval of a request for the temporary expansion of the licensed premises for Davanni’s, located at 6345 Penn Avenue South, to allow for the outside service of strong beer on Sunday, September 18, 2016, in conjunction with Richfield’s Open Streets at Penn Fest event. S.R. No. 131

E. Consideration of the approval of a request for the temporary expansion of the licensed premises for Thompson’s Fireside Pizza, Inc., d/b/a Fireside Foundry, located at 6736 Penn Avenue South, to allow for the outside service of strong beer in their parking lot on Sunday, September 18, 2016, in conjunction with Richfield’s Open Streets at Penn Fest event. S.R. No. 132

F. Consideration of the approval of the resolution declaring costs to be assessed for removal of diseased trees from private property for work ordered in 2015 and scheduling a public hearing for October 11, 2016. S.R. No. 133

RESOLUTION NO. 11235

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR THE PERIOD OF JANUARY 1, 2015 TO DECEMBER 31, 2015.

This resolution appears as Resolution No. 11235.

G. Consideration of the approval of the resolutions pertaining to the annual Lyndale/HUB/Nicollet (LHN) maintenance assessment process and scheduling a public hearing for October 11, 2016. S.R. No. 134

RESOLUTION NO. 11236

RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

This resolution appears as Resolution No. 11236.

RESOLUTION NO. 11237

RESOLUTION PROPOSING TO SPECIALLY ASSESS FOR THE COSTS OF CURRENT SERVICES PROVIDED WITHIN THE LYNDALE/HUB/NICOLLET (LHN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017
This resolution appears as Resolution No. 11237.

H. Consideration of the approval of the resolutions pertaining to the annual 77th Street maintenance district assessment process and scheduling a public hearing for October 11, 2016. S.R. No. 135

RESOLUTION NO. 11238

RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR 77TH STREET MAINTENANCE FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

This resolution appears as Resolution No. 11238.

RESOLUTION NO. 11239

RESOLUTION PROPOSING TO SPECIALLY ASSESS FOR THE COSTS OF CURRENT SERVICES PROVIDED WITHIN THE 77TH STREET PROJECT AREA FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

This resolution appears as Resolution No. 11239.

I. Consideration of the approval of a Temporary On Sale Intoxicating Liquor license for the Richfield Foundation's Wine and Cheese event to take place on Thursday, October 6, 2016, in the atrium area of Houlihan's Restaurant and Bar, located at 6601 Lyndale Ave South. S.R. No. 136

J. Consideration of the approval of the purchase of a front-end loader from Ziegler Inc. for $242,205.00, less $26,000.00 trade-in allowance, totaling $216,205.00 plus taxes and licensing, for use by the Public Works Department. S.R. No. 137

K. Consideration of the approval of the hiring of Kimley-Horn & Associates to perform utility observations services for the 66th Street Reconstruction Project for a fee not to exceed $671,815. S.R. No. 138

L. Consideration of the approval of a resolution declaring costs to be assessed for unpaid false alarm user fees against private property. S.R. No. 139

RESOLUTION NO. 11240

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

This resolution appears as Resolution No. 11240.

M. Consideration of the approval of a resolution declaring costs to be assessed for current services performed for weed elimination from private property and removal or elimination of public health or safety hazards from private property. S.R. No. 140

RESOLUTION NO. 11241

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS
FROM PRIVATE PROPERTY

This resolution appears as Resolution No. 11241.

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

Motion carried 4-0.

<table>
<thead>
<tr>
<th>Item #5</th>
<th>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</th>
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<tbody>
<tr>
<td>None.</td>
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<thead>
<tr>
<th>Item #6</th>
<th>CONSIDERATION OF THE 70TH STREET BICYCLE ROUTE AND ADOPTION OF A RESOLUTION RESTRICTING PARKING ALONG PORTIONS OF THE ROUTE S.R. NO. 141</th>
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<tbody>
<tr>
<td>Council Member Garcia presented Staff Report No. 141.</td>
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<tr>
<td>Transportation Engineer Broz explained the proposed parking restrictions and funding for the project.</td>
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<tr>
<td>M/Garcia, S/Howard to approve the 70th Street Bicycle Route plans as recommended by the Transportation Commission and authorize the City and Three Rivers Park District staff to proceed with bidding and construction of the project and that the following resolution be adopted and that it be made part of these minutes:</td>
<td></td>
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<tr>
<td>RESOLUTION NO. 11242</td>
<td></td>
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<tr>
<td>RESOLUTION RELATING TO TRAFFIC CONTROL SIGNS “NO PARKING” ON 70TH STREET</td>
<td></td>
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<td>Motion carried 4-0. This resolution appears as Resolution No. 11242.</td>
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<tbody>
<tr>
<td>Council Member Fitzhenry introduced Staff Report No. 142.</td>
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<tr>
<td>Rebecca Kurtz, Ehlers &amp; Associates, Inc. reviewed the refunding process.</td>
<td></td>
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<tr>
<td>M/Fitzhenry, S/Howard that the following resolution be adopted and that it be made part of these minutes:</td>
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<tr>
<td>RESOLUTION NO. 11243</td>
<td></td>
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<tr>
<td>RESOLUTION PROVIDING FOR THE SALE OF $5,450,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016B</td>
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</table>
Motion carried 4-0. This resolution appears as Resolution No. 11243.

| Item #8 | 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 $6,305,000 G.O. REFUNDING BONDS, SERIES 2016C S.R. NO. 143 |

Council Member Elliott presented Staff Report No. 143.

Rebecca Kurtz, Ehlers & Associates, Inc. reviewed the refunding process.

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

RESOLUTION NO. 11247

A RESOLUTION PROVIDING FOR THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016C; ESTABLISHING A PRICING COMMITTEE; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; PROVIDING FOR THEIR PAYMENT; PROVIDING FOR THE ESCROWING AND INVESTMENT OF THE PROCEEDS THEREOF; AND PROVIDING FOR THE REDEMPTION OF BONDS REFUNDED THEREBY

Motion carried 4-0. This resolution appears as Resolution No. 11247.


Mayor Pro Tempore Howard presented Staff Report No. 144.

Finance Manager Regis made a PowerPoint presentation on the budget.

Mayor Pro Tempore Howard stated that Mayor Goettel informed him that she supported the proposed resolutions.

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

RESOLUTION NO. 11244

RESOLUTION AUTHORIZING BUDGET REVISIONS

RESOLUTION NO. 11245

RESOLUTION AUTHORIZING REVISION OF 2016 BUDGET OF VARIOUS DEPARTMENTS
RESOLUTION NO. 11246

RESOLUTION ADOPTING A PROPOSED BUDGET AND TAX LEVY FOR THE YEAR 2017

Motion carried 4-0. These resolutions appear as Resolution Nos. 11244, 11245, and 11246.

Item #10  CITY MANAGER’S REPORT

City Manager Devich provided an update on the 77th Street Underpass.

Item #11  CLAIMS AND PAYROLLS

M/Fitzhenry, S/Elliott that the following claims and payrolls be approved:

<table>
<thead>
<tr>
<th>U.S. Bank</th>
<th>09/13/16</th>
</tr>
</thead>
<tbody>
<tr>
<td>A/P Checks: 252736-253243</td>
<td>$ 2,592,247.32</td>
</tr>
<tr>
<td>Payroll: 121551-122258, 42462-42529</td>
<td>$ 1,253,824.50</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$ 3,846,071.82</td>
</tr>
</tbody>
</table>

Motion carried 4-0.

OPEN FORUM

None.

Item #9  ADJOURNMENT

The City Council Meeting was adjourned by unanimous consent at 8:25 p.m.

Date Approved: September 27, 2016

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager
CITY OF RICHFIELD, MINNESOTA
Office of City Manager

September 22, 2016

Council Memorandum No. 65

The Honorable Mayor
and
Members of the City Council

Subject: Richfield Sweet Streets Award (Agenda Item #1)

Council Members:

At the September 27, 2016 City Council meeting, a representative from the local American Public Works Association (APWA) Chapter will present the City of Richfield with a national award for Exceptional Performance in Journalism for the Richfield Sweet Streets® Website and efforts to engage and communicate with those impacted by our Public Works projects.

The award was presented to City of Richfield Public Works Director, Kristin Asher, and Sweet Streets designer, Scott Barsuhn, at the annual PWX conference held in Minneapolis in August.

APWA is an international association with over 28,500 members through 63 local chapters world-wide. APWA membership includes personnel from local, county, state/province, and federal agencies, as well as private sector personnel and vendors.

Respectfully submitted,

Steven L. Devich
City Manager

SLD:kda

Email: Assistant City Manager
Department Directors

APWA Past President Brian Usher, Kristin Asher, Scott Barsuhn
CITY OF RICHFIELD, MINNESOTA
Office of City Manager

September 22, 2016

Council Memorandum No. 66

The Honorable Mayor

and

Members of the City Council

Subject: #richfieldnow launch

Council Members:

With the goal of increasing awareness of all the City events, projects and daily work happening RIGHT NOW in Richfield, the Alliance for Innovation Ambassador Team is launching the #richfieldnow initiative.

#richfieldnow is a hashtag used on all of the City's social media platforms: Instagram, Facebook and Twitter. Employees in all City departments have been instructed how to use the hashtag to promote and inform our social media followers on what is happening in Richfield now. For example, when Public Works crews were striping the soccer fields for the upcoming season, they posted a picture and used the hashtag #richfieldnow. They also used it to warn of a main break at 76th & Penn. At Penn Fest this past Sunday, staff posted several pictures of people enjoying the event and used the hashtag #richfieldnow.

It is also hoped that the public will start using the hashtag in their posts of outings, activities or scenes they are enjoying in our community. To encourage public participation, a contest will be kicked off at the September 27th City Council meeting.

If you have any questions about #richfieldnow, please contact Assistant City Manager/HR Manager Pam Dmytrenko.

Respectfully submitted,

[Signature]

Steven L. Devish
City Manager

SLD:pd
Email: Assistant City Manager
Department Directors
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of the resolution designating the City's contribution towards health, dental, term life, and disability insurance premiums for General Services and Management employees for 2017.

EXECUTIVE SUMMARY:
The City contributes to the cost of premiums for four kinds of insurance coverages available to City employees. Full-time General Services and Management employee contributions are discussed within this staff report as well as contributions toward health insurance for part-time regular General Services employees. Other employees are covered under terms of labor agreements.

The Local Government Information Systems Association (LOGIS) group will change insurance carriers in 2017 from Blue Cross Blue Shield (BCBS) to HealthPartners Health Insurance. In early 2016, LOGIS went out to bid for health insurance. Of a total two bidders, HealthPartners gave the best rate guarantees as part of a five year contract. Because rate banding was introduced, the City will realize an initial 3.5% decrease in premiums for 2017. Rate banding provides a spectrum of 5% premium increases or decreases based on each LOGIS member's claims experience. In subsequent contract years, the rates are capped at 9%, 10%, 11% and 12% respectively.

The 2017 dental rates have increased by $0.25 for employee only coverage. The City self-insures its dental coverage. Life insurance is in its third year of a three year contract with SunLife/NJPA. The rates will remain the same as the 2016 contract year. Long term disability will be in its second year of a three year contract with CIGNA. The rates will remain the same as the 2016 contract year.

RECOMMENDED ACTION:
By motion: Adopt the resolution designating the City's contribution toward health, dental, term life, and disability insurance premiums for General Services and Management employees for 2017.

BASIS OF RECOMMENDATION:
A. HISTORICAL CONTEXT
   HEALTH INSURANCE FOR FULL-TIME EMPLOYEES
   The first type of insurance coverage available to full-time General Services and Management
employees is group health coverage. Beginning in 2017, LOGIS will offer plans through HealthPartners (HP).

In 2017, the City will offer employees a choice of three HP plans, with the choice of three networks for all plans. The plans include three high deductible plans with a Health Savings Account (HSA). Employees can choose between the Open Access, Perform, and the Achieve networks. The Perform network is slightly less costly because it does not include Mayo in its network, and the Achieve network is up to five percent less than the other networks because it includes only HealthPartners and Park Nicollet Care Systems.

In an effort to remain flexible and keep rate increases as low as possible, LOGIS will continue to offer a four-tier system, giving employees the choice of employee only, employee plus spouse, employee plus child(ren) and family option coverage. By providing this four-tier rating system, some employees are able to benefit by choosing the employee plus spouse option or employee plus child(ren) option.

The City will continue to pay the full individual employee premium and provide an additional contribution toward dependent coverage up to a specified maximum insurance premium. The health insurance premium decrease for 2017 is 3.5%. Staff is proposing that the City contribution would remain at $1,135 for the employee plus spouse and employee plus child(ren) tiers and $1,215 for the family coverage tier.

Full-time employees have the option to waive health insurance coverage through the City. Employees electing to waive coverage will not receive an additional monthly stipend because of the Patient Protection and Affordable Care Act (ACA). The ACA could deem any incentive to employees to waive coverage as a violation of anti-discrimination rules.

The City’s contribution for Management and General Services employees, as a percent of premium over the past several years, is shown in Attachment 1.

The 2017 monthly premium costs of the three offered health plans are dependent on the type of network selected.

HEALTH INSURANCE FOR PART-TIME REGULAR EMPLOYEES
The City will continue to contribute 75% of the single health care premium for part-time regular employees. The City will also continue to pay one-half of what it pays for full-time employees towards dependent coverage. In 2017, City contributions will remain at $567.50 per month for the employee plus spouse and employee plus child(ren) tiers and $607.50 per month for the family coverage tier. Part-time employees may opt out of health insurance altogether.

DENTAL
The second type of insurance provided to full-time General Services and Management employees is a self-funded group dental insurance. In 2016, the City contributed $59.00 per month per employee for the total cost of employee (not dependent) coverage. For 2017, the City’s contribution will increase to $59.25 per month per employee. Employees who desire family coverage must pay the full cost of such additional premium, which will be $64.25 per month for 2017 – a twenty-five cent increase from 2016. Since dental insurance is self-funded, the City establishes the dental rates from year to year internally, based upon administrative and benefit payout cost data. Analysis of the dental fund performance for the past three years indicates that a rate increase is necessary.

LIFE
The third type of insurance provided to full-time General Services and Management employees is a $35,000 term life insurance policy. The City pays the full premium for this insurance. The rate for 2017 will remain at $1.75 per month per employee.

LONG-TERM DISABILITY (LTD)
The fourth type of insurance provided, and fully-funded by the City, to all full-time employees in all employee groups is long-term disability insurance (LTD). LTD is provided through a group policy secured by the City. 2017 is the second year of a three year contract with the provider, CIGNA. CIGNA’s 3-year rate guarantee came in at 13% under the City 2015 LTD rates. The LTD rate for 2016-2018 is 21 cents per $100 of covered payroll.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
   - The City continues to provide adequate insurance protection for the General Services and Management employee groups, which are comparable to other City employee groups, as well as employees performing similar jobs in comparable communities.
   - By providing the same coverages, greater benefit equality is achieved between female classes found in General Services and Management groups and male classes found in the contracted labor units.

C. CRITICAL TIMING ISSUES:
   - The City should implement the premium increases for coverage by December 1, 2016. Payroll deductions for January 2017 insurance payments - the beginning of the new insurance period - are calculated in December.
   - Premiums for all coverages should be determined at the September 27, 2016 City Council meeting in order for staff to be adequately prepared for open enrollment, scheduled to begin October 26, 2016.

D. FINANCIAL IMPACT:
   - The funding necessary to provide for the premium contributions, as recommended, will be addressed in the 2017 Budget and within the current proposed 2017 tax levy.
   - Richfield’s contribution will remain about average with those of comparable metro cities.

E. LEGAL CONSIDERATION:
   - In order to provide the requested insurance benefit changes, the City Council must approve the resolution designating the City’s contribution toward health, term life, long-term disability, and dental insurance premiums for General Services and Management employees.

ALTERNATIVE RECOMMENDATION(S):
   - The Council may decide to adjust the City’s contribution to dependent health insurance by an amount other than $90 per month and $115 per month.
   - The Council may take no action which would maintain the insurance premiums at the current 2016 funding level.
   - Defer discussion to another date.

PRINCIPAL PARTIES EXPECTED AT MEETING:
None.

ATTACHMENTS:

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</table>
RESOLUTION NO. _____

RESOLUTION DESIGNATING CITY’S CONTRIBUTION
TOWARD HEALTH, DENTAL, TERM LIFE, AND DISABILITY INSURANCE
PREMIUM FOR GENERAL SERVICES AND MANAGEMENT EMPLOYEES

WHEREAS, the hospital-medical/surgical group health insurance plan is available from the LOGIS Health Insurance program for City employees and their families; and

WHEREAS, a self-funded group dental insurance plan is available to full-time City General Services and Management employees and their families; and

WHEREAS, a term life and accidental death and dismemberment insurance plan is available from the Local Government Information Systems Association (LOGIS) for City employees; and

WHEREAS, a group long-term disability program is available to City General Services and Management employees; and

WHEREAS, the City Council is required to determine by resolution the City's contribution toward the premium for employee group insurance coverages.

NOW, THEREFORE, BE IT RESOLVED that the City shall contribute a maximum of $1,215 per month for family health insurance to full-time employees, and in any event, said contributions shall not exceed the cost of single coverage for employees selecting that option. For all full-time General Services and Management employees, the City shall also pay the $59.25 monthly premium for the offered dental insurance plan, and the $1.75 monthly premium for the term life and accidental death and dismemberment insurance plan, for a total possible maximum 2017 insurance premium contribution of $1,276.00 per month. The City shall contribute 75% of the single health care premium for part-time regular employees and a maximum of $607.50 per month towards dependent coverage. Such contributions shall be for coverage effective January 1, 2017.

BE IT FURTHER RESOLVED that the City shall contribute the full cost of long-term disability insurance for full-time General Services and Management employees.

BE IT FURTHER RESOLVED that the City Council shall determine the City's contribution toward insurance premiums for all organized employee groups by the adoption of the appropriate resolutions concerning labor contracts with the respective organized employee groups.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September 2016.

______________________________
Debbie Goettel, Mayor

ATTEST:

_________________________
Elizabeth VanHoose, City Clerk
### The City's Contribution Toward Dependent Health Insurance as a Percent of Total Premium Cost

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<th>HEALTH CONTRIBUTION</th>
<th>DEPENDENT PLAN</th>
<th>DEPENDENT PREMIUM</th>
<th>CITY CONTRIBUTION MGMT./GEN. SVCS</th>
<th>CITY AVERAGE % OF PREMIUM</th>
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2016 Blue Cross Blue Shield
Distinctions
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<tr>
<th>Plan Details</th>
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<th>Employee Premium</th>
<th>Family Premium</th>
<th>Employee/Spouse Premium Percentage</th>
</tr>
</thead>
</table>
| * Employee +  
  Spouse | $1734.50 | $1135 | 65% |
| * Employee +  
  Children | $1651.00 | $1135 | 69% |
| * Family | $2147.00 | $1215 | 57% |
| **Total 2017** | **High Deductible HSA $2600** | | |
| * Employee +  
  Spouse | $1294.00 | $1135 | 88% |
| * Employee +  
  Children | $1233.00 | $1135 | 92% |
| * Family | $1602.00 | $1215 | 76% |
| **Total 2017** | **High Deductible HSA $4000** | | |
| * Employee +  
  Spouse | $1182.50 | $1135 | 96% |
| * Employee +  
  Children | $1126.00 | $1135 | 101% |
| * Family | $1463.50 | $1215 | 83% |
| **2017 HealthPartners** | **High Deductible HSA $2600** | | |
| * Employee +  
  Spouse | $1218.00 | $1135 | 93% |
| * Employee +  
  Children | $1160.00 | $1135 | 98% |
| * Family | $1507.50 | $1215 | 81% |
| **Total 2017** | **High Deductible HSA $4000** | | |
| * Employee +  
  Spouse | $1113.00 | $1135 | 102% |
| * Employee +  
  Children | $1060.00 | $1135 | 107% |
| * Family | $1378.00 | $1215 | 88% |
STAFF REPORT NO. 146
CITY COUNCIL MEETING
9/27/2016

ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a resolution certifying delinquent water, sanitary sewer, and storm water charges to the Hennepin County Auditor.

EXECUTIVE SUMMARY:
Minnesota State Statute 444.075 and Chapter VII of the Richfield Code of Ordinances provides that delinquent water, sanitary sewer, and storm water charges may be certified to the County Auditor to be included in a property owner’s annual property tax bill. The City Code also authorizes a certification fee to be charged against each delinquent account. By certifying the delinquent charges to the property taxes of properties, the City is assured of collection of the charges. The pending delinquent 2016 utility charges are $426,307.72 for 905 properties.

RECOMMENDED ACTION:
By Motion: Adopt the resolution certifying unpaid water, sanitary sewer, and storm water charges to the County Auditor to be collected with the taxes on said properties.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- Below is a history of certified amounts since 2011:
  - 2011 - Certification totaled $298,977.55 for 591 properties.
  - 2012 - Certification totaled $312,060.07 for 572 properties.
  - 2013 - Certification totaled $295,213.77 for 561 properties.
  - 2014 - Certification totaled $306,712.27 for 544 properties.
  - 2015 - Certification totaled $355,454.74 for 570 properties.
  - 2016 - Certification currently totals $426,307.72 for 905 properties, an average of $471.06 per account.
- Staff expects that, as in years past, many of the now delinquent accounts will be paid before certification.
- Throughout the year, the Utilities Division bills and collects charges for water, sanitary sewer, and storm water from accounts within the City. Accounts are billed quarterly.
- A penalty of 6.5% is applied to unpaid balances quarterly.
The delinquent accounts must be certified to the County Auditor in order for the City to collect the charges through the property tax process.

- A $50 certification fee is added to each certified account.
- The certified amount is spread over a period of one year at the rate of 8% per annum.

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Minnesota State Statute 444.075 and Chapter VII of the Richfield Code of Ordinances provide that unpaid water, sanitary sewer, and storm water charges may be certified to the county auditor to be included in a property owner’s annual property tax bill.
- A First Notice of Certification to Property Taxes (attached) was mailed on August 2, 2016 to Richfield property owners with delinquent accounts.
- A second notice will be mailed on September 28, 2016 to Richfield property owners with delinquent accounts.

C. **CRITICAL TIMING ISSUES:**

To prepay the delinquent amount and avoid certification, the entire past due amount must be paid by October 31, 2016 as stated in the attached Notice of Certification to Property Taxes.

D. **FINANCIAL IMPACT:**

- The pending delinquent 2016 utility charges are $426,307.72, compared to $460,528.52 at the same time last year.
- In 2015, the City certified $355,454.74 because property owners paid their delinquent bills prior to the October 30 deadline.

E. **LEGAL CONSIDERATION:**

No legal issues are apparent at this time. The City Attorney will be in attendance at the Council meeting should a legal question arise.

**ALTERNATIVE RECOMMENDATION(S):**

None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

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RESOLUTION NO. _______

RESOLUTION AUTHORIZING CERTIFICATION OF UNPAID WATER, SANITARY SEWER, AND STORM WATER CHARGES TO THE COUNTY AUDITOR TO BE COLLECTED WITH OTHER TAXES ON SAID PROPERTIES

WHEREAS, Ordinance Code 705 establishes rules, rates, and charges for sanitary sewer service in the City of Richfield and provides that all delinquent accounts for sewer and water services may be certified against the properties served, including an added certification charge; and

WHEREAS, Ordinance Code 715 establishes rules, rates, and charges for water service in the City of Richfield and provides that all delinquent accounts for water services may be certified against the properties served; and

WHEREAS, Ordinance Code 720 establishes rules, rates, and charges for storm water service in the City of Richfield; and

WHEREAS, Minnesota Statutes 444.075 provides that unpaid charges for water, sanitary sewer, and storm water services may be certified to the county auditor with taxes against the property served for collection as other taxes are collected; and

WHEREAS, the certification list has been prepared specifying the amount that shall be certified against each particular property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota:

1. There is hereby determined to be a total uncollected amount for water, sanitary sewer, and storm water service of $426,307.72.

2. That a $50 certification charge shall be levied against each delinquent account, such charges totaling $45,250.00.

3. That the above-described certification list be spread over a period of one year at the rate of 8% per annum.

4. That such amount be hereby certified to the County Auditor for collection with other taxes on said properties.

5. That a copy of the resolution shall be sent to the Hennepin County Auditor.
Adopted by the City Council of the City of Richfield, Minnesota, this 27th day of September, 2016.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk
**FINAL NOTICE OF CERTIFICATION TO 2017 PROPERTY TAXES**

Dear Richfield Utility Customer:

Pursuant to Minnesota State Statutes, the City of Richfield certifies all delinquent (water, wastewater, storm water) charges to the Hennepin County annual property tax roll.

Your unpaid water utility balance is scheduled to be assessed to your 2017 Hennepin County property taxes. To prepay these delinquent charges and to avoid certification, please pay the entire past due amount by **October 31, 2016**. Failure to pay the entire past-due amount will result in an additional 8% interest charge and a $50.00 service fee when applied to your 2017 property taxes.

If you have recently paid your past due water bill, thank you and please disregard this notice.

Contact the Utility Billing Division at 612-861-9164 or 612-861-9165 if you have any questions regarding your past-due amount or processing procedures.

**Información Importante:** Si usted no entiende el contenido de esta carta, alguien tendrá que traducirla para usted. ¡Gracias!

Payment must be received by **October 31, 2016** to avoid certification to your 2017 property taxes. Mail payment to: **City of Richfield, Utility Payments, 6700 Portland Ave S, Richfield, MN  55423**
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a first reading of an ordinance repealing and replacing City Code Section 550 pertaining to Floodplain Management Regulations and schedule a second reading for October 11, 2016.

EXECUTIVE SUMMARY:
Department of Homeland Security’s Federal Emergency Management Agency (FEMA) issued Flood Insurance Rate Maps that identified Special Flood Hazard Areas, the areas subject to inundation by the base (1-percent-annual-chance) flood, in Richfield. A portion of northeast Richfield is located in the floodplain (map attached). There are no residential structures in this area.

The City is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt floodplain management regulations that meet the standards of the NFIP regulations. Adoption of this updated ordinance will meet these standards and continue eligibility in the NFIP.

RECOMMENDED ACTION:
By Motion: Approve first reading of an ordinance repealing and replacing City Code Section 550 pertaining to Floodplain Management Regulations and schedule a second reading for October 11, 2016.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
   - On September 2, 2004, the Department of Homeland Security’s Federal Emergency Management Agency (FEMA) issued Flood Insurance Rate Maps (FIRMs) that identified the Special Flood Hazard Areas, the areas subject to inundation by the base (1-percent-annual-chance) flood, in Richfield. Recently, FEMA completed a re-evaluation of flood hazards in Richfield.
   - On December 31, 2005, and August 17, 2012, and FEMA provided the City with Preliminary copies of the FIRMs and Flood Insurance Study (FIS) report that identify existing flood hazards in Richfield, including Base Flood Elevations.
   - The proposed flood hazard determinations (FHDs) for Richfield were published by FEMA in the Star Tribune on March 29, 2013, and April 5, 2013.
   - During a statutory 90-day appeal period, FEMA did not receive any appeals of the proposed FHDs and therefore the FHDs for Richfield are considered final.
On May 4, 2016, the City was formally notified through a Letter of Final Determination that the FIRMs for Richfield will become effective on November 4, 2016.

Prior to November 4, 2016, the City is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of the NFIP regulations (44 CFR 59, etc.).

City staff provided the Minnesota Department of Natural Resources (DNR) a draft floodplain management ordinance on August 17, 2016.

The DNR reviewed the draft ordinance and on September 2, 2016, gave conditional state approval, provided one definition addition. City staff included the definition of Flood Insurance Rate Map, as requested by the DNR, into the ordinance presented here.

The Planning Commission will hold a Public Hearing and consider recommendation of approval of the ordinance at their September 26 meeting.

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Regulations for floodplain management are necessary to ensure Richfield’s eligibility in the National Flood Insurance Program.

C. **CRITICAL TIMING ISSUES:**

- The City must adopt the updated floodplain management regulations ordinance to maintain Richfield’s eligibility in the National Flood Insurance Program.
- Approval is required by November 4, 2016 to maintain Richfield’s eligibility in the National Flood Insurance Program.

D. **FINANCIAL IMPACT:**

- None.

E. **LEGAL CONSIDERATION:**

- Legal notice was published in the *Sun Current* on September 15, 2016.
- The Planning Commission will hold a Public Hearing on September 26, 2016.

**ALTERNATIVE RECOMMENDATION(S):**

None.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None.

**ATTACHMENTS:**

<table>
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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Ordinance</td>
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<tr>
<td>Map</td>
<td>Backup Material</td>
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</table>
THE CITY OF RICHFIELD DOES ORDAIN:

SECTION 1. Section 550 of the Richfield City Code is hereby deleted in its entirety and replaced as follows:

SECTION 550 - FLOODPLAIN MANAGEMENT REGULATIONS.

550.01. - Statutory Authorization and Purpose.

Subdivision 1. Statutory Authorization. The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462, delegated the responsibility to local government units to adopt regulations designed to minimize flood losses.

Subd. 2. Purpose.

(a) This ordinance regulates development in the flood hazard areas of Richfield. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.

(b) National Flood Insurance Program Compliance. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59-78, as amended, so as to maintain the community’s eligibility in the National Flood Insurance Program.

(c) This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

550.03. - General Provisions.

Subdivision 1. Lands to Which Ordinance Applies. This ordinance applies to all lands within the jurisdiction of the City of Richfield shown on the Flood Insurance Rate Maps adopted in Subsection 550.03, Subdivision 2 as being located within the boundaries of the Floodplain District. The Floodplain District is an overlay district that is superimposed on all existing zoning districts. The standards imposed in the overlay districts are in
addition to any other requirements in this ordinance. In case of a conflict, the more restrictive standards will apply.

**Subd. 2. Adoption of Flood Insurance Study and Maps.** The following maps together with all attached material are hereby adopted by reference and declared to be a part of the Official Zoning Map and this ordinance. The attached material includes the Flood Insurance Study for Hennepin County, Minnesota, and Incorporated Areas, dated November 4, 2016 and the Flood Insurance Rate Map panels enumerated below, dated November 4, 2016, all prepared by the Federal Emergency Management Agency. These materials are on file in the Public Works Maintenance Facility at 1901 E 66th St, Richfield, MN 55423.

Effective Flood Insurance Rate Map panels:

- 27053C0364F
- 27053C0369F
- 27053C0452F
- 27053C0457F
- 27053C0368F
- 27053C0388F
- 27053C0456F
- 27053C0476F

**Subd. 3. Interpretation.** The boundaries of the Floodplain District are determined by scaling distances on the Flood Insurance Rate Map.

(a) Where a conflict exists between the floodplain limits illustrated on the official zoning map and actual field conditions, the flood elevations must be the governing factor. The Zoning Administrator must interpret the boundary location based on the ground elevations that existed on the site on the date of the first National Flood Insurance Program map showing the area within the regulatory floodplain, and other available technical data.

(b) Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the Planning Commission and to submit technical evidence.

**Subd. 4. Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

**Subd. 5. Warning and Disclaimer of Liability.** This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This ordinance does not create liability on the part of the City of Richfield or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

**Subd. 6. Severability.** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.
Subd. 7. Definitions. Unless specifically defined below, words or phrases used in this ordinance must be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

(a) Base Flood – the flood having a one percent chance of being equaled or exceeded in any given year.

(b) Base Flood Elevation – The elevation of the “regional flood,” as defined. The term “base flood elevation” is used in the flood insurance survey.

(c) Development – any man-made change to improved or unimproved real estate including, but not limited to, buildings, manufactured homes, and other structures, recreational vehicles, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of materials or equipment.

(d) Farm Fence – A fence as defined by Minn. Statute §344.02 Subd. 1(a)-(d). An open type fence of posts and wire is not considered to be a structure under this ordinance. Fences that have the potential to obstruct flood flows, such as chain link fences and rigid walls, are not permitted in the Floodplain District.

(e) Flood Fringe – the portion of the floodplain located outside of the floodway. Flood fringe is synonymous with the term “floodway fringe” used in the Flood Insurance Study, Hennepin County, Minnesota and Incorporated Areas.

(f) Flood Insurance Rate Map – an official map on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

(g) Floodplain – the areas adjoining a watercourse which have been or hereafter may be covered by the regional flood.

(h) Floodway – the bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry or store the regional flood discharge.

(i) Manufactured Home – a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include the term “recreational vehicle.”

(j) Obstruction – any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence (with the exception of farm fences), stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede,
retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

(k) Recreational Vehicle – a vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this ordinance, the term recreational vehicle is synonymous with the term “travel trailer/travel vehicle.”

(l) Regional Flood – a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 1% chance / 100-year recurrence interval. Regional flood is synonymous with the term “base flood” used in the Flood Insurance Study.

(m) Regulatory Flood Protection Elevation – an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.

(n) Structure – anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, and other similar items.

(o) Substantial Damage - damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

(p) Substantial Improvement - within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

(i) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

(ii) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” For the purpose of this ordinance, “historic structure” is as defined in 44 Code of Federal Regulations, Part 59.1.
550.05. - Establishment of Floodplain District.

Subdivision 1. Areas Included. The Floodplain District for the City of Richfield includes those areas designated as Zone AE on the Flood Insurance Rate Maps adopted in Subsection 550.03, Subdivision 2. The Floodplain District is an overlay district to all existing land use districts. The requirements of this ordinance apply in addition to other legally established regulations of the community. Where this ordinance imposes greater restrictions, the provisions of this ordinance apply.

Subd. 2. Compliance. No new structure or land shall hereafter be used and no structure shall be constructed, located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations. Within the Floodplain District, all uses not listed as permitted uses in Subsection 550.07 are prohibited.

550.07. - Permitted Uses and Standards in the Floodplain District.

Subdivision 1. Permitted Uses. The following uses are permitted within the Floodplain District without a permit provided that they are allowed in any underlying zoning district and not prohibited by any other ordinance; and provided that they do not require structures, fill, obstructions, excavations, drilling operations, storage of materials or equipment or any other form of development as defined in Subsection 550.03, Subdivision 7 of this ordinance. If the use does require fill, obstruction, excavation, storage of materials or any other form of development as defined in Subsection 550.03, Subdivision 7 of this ordinance, a permit and compliance with Subsection 550.07, Subdivision 2 of this ordinance is required. The permit requirement may be waived if there is an application for a public waters work permit from the Department of Natural Resources.

(a) Agricultural uses such as general farming, pasture, grazing, forestry, sod farming, and wild crop harvesting. Farm fences that do not obstruct flood flows are permitted.

(b) Outdoor plant nurseries and horticulture.

(c) Private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, shooting preserves, target ranges, hunting and fishing areas, and single or multiple purpose recreational trails.

(d) Lawns, gardens, parking areas, and play areas.

(e) Railroads, roads, bridges, utility transmission lines, pipelines and other public utilities, provided that the Department of Natural Resources is notified at least ten (10) days prior to issuance of any permit.
Subd. 2. Standards for Permitted Uses.

(a) The use must have low flood damage potential.

(b) The use must not cause any increase in the stage of the 1% chance or regional flood or cause an increase in flood damages in the reach or reaches affected. This provision applies to structures (temporary or permanent), fill (including fill for roads and levees), deposits, obstructions, storage of materials or equipment, and all other uses.

(c) Floodplain developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.

(d) Public utilities, roads, railroad tracks and bridges to be located within the floodplain must be designed in accordance with Subsection 550.07, Subdivision 2, Clauses (b) and (c) above, or must obtain a Conditional Letter of Map Revision meeting the requirements of 44 CFR 603(d).

(i) When failure or interruption of these public facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area, such facilities must be elevated to the regulatory flood protection elevation.

(ii) Where failure or interruption of service would not endanger public health or safety, minor or auxiliary roads, railroads or utilities may be constructed at a lower elevation.

(e) New or replacement water supply systems and sanitary sewage systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

550.09. - Administration.

Subdivision 1. Zoning Administrator. A Zoning Administrator or other official designated by the City Council must administer and enforce this ordinance.

Subd. 2. Development Approvals. Any construction, enlargement, alteration, repair, improvement, moving or demolition of any building or structure must comply with the requirements of this ordinance. No mining, dredging, filling, grading, paving, excavation, obstruction, drilling operation or other form of development as defined in Subsection 550.03 of this ordinance are allowed, other than the uses permitted in Subsection 550.07, Subdivision 1 and the activities allowed under Subsection 550.11.

Subd. 3. Permit Required. A permit must be obtained from the Zoning Administrator prior to conducting the following activities:

(i) Expansion, change, enlargement, or alteration of a nonconforming use as specified in Subsection 550.11 of this ordinance. Normal maintenance and repair also
requires a permit if such work, separately or in conjunction with other planned work, constitutes a substantial improvement as defined in Subsection 550.03, Subdivision 7 of this ordinance.

(ii) Any use that requires fill, obstruction, excavation, storage of materials, or any other form of development as defined in Subsection 550.03, Subdivision 7 of this ordinance.

(a) Permit applications must be submitted to the Zoning Administrator on forms provided for that purpose and shall include the following where applicable: plans drawn to scale, showing the nature, location, dimensions, and elevations of the lot; existing or proposed structures, fill, or storage of materials; and the location of the foregoing in relation to the stream channel.

(b) Prior to granting a permit, the Zoning Administrator must verify that the applicant has obtained all necessary state and federal permits.

Subd. 4. Variances. An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with applicable state statutes. A variance to the standards outlined in this Section may be requested under City zoning code Section 547.11.

(a) A variance must not allow a use that is not allowed in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law.

(b) The following additional variance criteria of the Federal Emergency Management Agency must be met:

(i) Variances must not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

(ii) Variances may only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(iii) Variances may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(c) The City Council must submit hearing notices for proposed variances to the Department of Natural Resources sufficiently in advance to provide at least ten days’ notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
(d) A copy of all decisions granting variances must be forwarded to the Commissioner of the Department of Natural Resources within ten days of such action. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

(e) The Zoning Administrator must notify the applicant for a variance that: 1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage and 2) Such construction below the base or regional flood level increases risks to life and property.

(f) The Zoning Administrator must maintain a record of all variance actions, including justification for their issuance, and must report such variances in an annual or biennial report to the Administrator of the National Flood Insurance Program, when requested by the Federal Emergency Management Agency.

Subd. 5. Notifications for Watercourse Alterations. Before authorizing any alteration or relocation of a river or stream, the Zoning Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters pursuant to Minnesota Statute, Chapter 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to the Chicago Regional Office of the Federal Emergency Management Agency (FEMA).

Subd. 6. Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations. As soon as is practicable, but not later than six months after the date such supporting information becomes available, the Zoning Administrator must notify the Chicago Regional Office of FEMA of the changes by submitting a copy of the relevant technical or scientific data.

550.11. - Nonconformities.

Subdivision 1. Continuance of Nonconformities. A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions. Historic structures, as defined in Subsection 550.03, Subdivision 7, Clause (o)(2) of this ordinance, are subject to the provisions of Subsection 550.11, Subdivision 1, Clauses (a) - (d) of this ordinance.

(a) A nonconforming use, structure, or occupancy must not be expanded, changed, enlarged, or altered in a way that increases its nonconformity. There shall be no expansion to the outside dimensions of any portion of a nonconforming structure located within the Floodplain District.

(b) The cost of all structural alterations or additions to any nonconforming structure over the life of the structure may not exceed 50 percent of the market value of the
structure unless the conditions of this Subsection are satisfied. The cost of all structural alterations and additions must include all costs such as construction materials and a reasonable cost placed on all manpower or labor. If the cost of all previous and proposed alterations and additions exceeds 50 percent of the market value of the structure, then the structure must meet the standards of Subsection 550.11, Subdivision 2 of this ordinance.

(c) If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance. The Assessor must notify the Zoning Administrator in writing of instances of nonconformities that have been discontinued for a period of more than one year.

(d) If any nonconformity is substantially damaged, as defined in Subsection 550.03, Subdivision 7 of this ordinance, it may not be reconstructed unless it is located in the flood fringe portion of the floodplain and it is reconstructed in accordance with the standards of Subsection 550.11, Subdivision 2 of this ordinance.

(e) Any substantial improvement, as defined in Subsection 550.03, Subdivision 7 of this ordinance, to a nonconforming structure, then the existing nonconforming structure must be located in the flood fringe portion of the floodplain and meet the requirements of Subsection 550.11, Subdivision 2 of this ordinance.

Subd. 2. Standards for Reconstruction of Nonconforming Structures. The following standards and procedures apply to nonconforming structures in the flood fringe portion of the floodplain, as allowed under Subsection 550.11, Subdivision 1.

(a) All structures, including manufactured homes, must be elevated on fill so that the lowest floor including basement floor is at or above the regulatory flood protection elevation. The finished fill elevation for structures shall be no lower than one foot below the regulatory flood protection elevation and the fill shall extend at such elevation at least 15 feet beyond the outside limits of the structure.

(b) Fill must be properly compacted and the slopes must be properly protected by the use of riprap, vegetative cover or other acceptable method.

(c) Floodplain developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.

(d) All manufactured homes must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.
On-site Sewage Treatment and Water Supply Systems. Where public utilities are not provided: 1) On-site water supply systems must be designed to minimize or eliminate infiltration of flood waters into the systems; and 2) New or replacement on-site sewage treatment systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the State’s current statewide standards for on-site sewage treatment systems shall be determined to be in compliance with this Subsection.

Certification. The applicant is required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this ordinance. Floodproofing measures must be certified by a registered professional engineer or registered architect.

Record of First Floor Elevation. The Zoning Administrator must maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations to existing structures in the floodplain. The Zoning Administrator must also maintain a record of the elevation to which structures and alterations or additions to structures are floodproofed.

550.13. - Penalties and Enforcement.

Subdivision 1. Violation Constitutes a Misdemeanor. Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances) constitutes a misdemeanor and is punishable as defined by law.

Subd. 2. Other Lawful Action. Nothing in this ordinance restricts the City of Richfield from taking such other lawful action as is necessary to prevent or remedy any violation. If the responsible party does not appropriately respond to the Zoning Administrator within the specified period of time, each additional day that lapses will constitute an additional violation of this ordinance and will be prosecuted accordingly.

Subd. 3. Enforcement. In responding to a suspected ordinance violation, the Zoning Administrator and City Council may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance availability to the guilty party. The City must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

550.15. - Amendments.
Subdivision 1. Floodplain Designation – Restrictions on Removal. The floodplain designation on the Official Zoning Map shall not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regulatory flood protection elevation and is contiguous to lands outside the floodplain. Special exceptions to this rule may be permitted by the Commissioner of the Department of Natural Resources if the Commissioner determines that, through other measures, lands are adequately protected for the intended use.

Subd. 2. Amendments Require DNR and FEMA Approval. All amendments to this ordinance must be submitted to and approved by the Commissioner of the Department of Natural Resources (DNR) prior to adoption. The Commissioner of the DNR must approve the amendment prior to community approval.

Subd. 3. Map Amendments Require Ordinance Amendments. The floodplain district regulations must be amended to incorporate any revisions by the Federal Emergency Management Agency to the floodplain maps adopted in Subsection 550.03, Subdivision 2 of this ordinance.

SECTION 2. This Ordinance will be effective in accordance with Section 3.09 of the City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 11th day of October, 2016.

_____________________________________
Debbie Goettel, Mayor

ATTEST:

_____________________________________
Elizabeth VanHoose, City Clerk
City of Richfield Flood Zones

City Limits
FIRM Panels
FEMA Flood Zones
- 500 year flood plain
- 100 year flood plain
- 100 year flood plain (A)

Date: 9/9/2016
1:\GIS\Public Works\Engineering\WatershedMgmt\Projects\2016FloodZones.mxd
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of two resolutions supporting grant applications to Hennepin County for the Cedar Point II Housing redevelopment project and the Cedar Point South project.

EXECUTIVE SUMMARY:
Hennepin County released a Transit Oriented Development (TOD) Program Request for Proposals in early September. The TOD program offers grants and loans to support redevelopment and new construction that enhances transit usage. $1,125,000 is available in the fall 2016 funding round and applications are due on October 6, 2016.

City staff is proposing to submit two grant applications for the Cedar Point II Housing project and the Cedar Point South project.

$925,000 in grant funding will be requested for acquisition of up to five of the remaining single-family homes in the Cedar Point II Housing redevelopment area.

$200,000 in grant funding will be requested to construct a segment of the Three Rivers Parks regional trail through the proposed Cedar Point South project.

RECOMMENDED ACTION:
By motion: Approve the resolutions supporting the submittal of grant applications to Hennepin County for Transit Oriented Development funds for Cedar Point II Housing and Cedar Point South.

BASIS OF RECOMMENDATION:
A. HISTORICAL CONTEXT
- The Cedar Corridor Redevelopment Area was established in 2004 to provide a transition between the airport/commercial development areas to the east and the single-family residential areas to the west.
- Boisclair Corporation is proposing to redevelop the Cedar Point II Housing Area with multi-family housing.
- 12 single-family houses remain in the Cedar Point II Housing redevelopment project area and
must be acquired for the project to move forward.

- Anderson Companies is proposing to redevelop a portion of the Cedar Corridor south of 66th Street with high-density multi-family housing.
- As part of the Cedar Point South redevelopment project, two blocks of Richfield Parkway will be constructed through the development.
- Grant funding for construction of Richfield Parkway through the project area has been requested through the Met Council. However, the trail is not an eligible expense as part of that grant request.

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**
- Hennepin County requires the applicant to submit a resolution in support of the grant application.
- It is the City’s policy to seek grant funding when available and as appropriate.

C. **CRITICAL TIMING ISSUES:**
- The grant applications are due on October 6, 2016.
- Funds would be awarded in December 2016 or January 2017.
- Funds must be expended by June 30, 2019.

D. **FINANCIAL IMPACT:**
- Grant funding in the amount of $925,000 is being requested for the Cedar Point II Housing project.
- Grant funding in the amount of $200,000 is being requested for the Cedar Point South project.

E. **LEGAL CONSIDERATION:**
- The City will be required to enter into grant agreements with Hennepin County, if funding is awarded.
- The City Attorney will review the grant agreements prior to execution.

**ALTERNATIVE RECOMMENDATION(S):**
- Do not approve one or both of the resolutions.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
N/A

**ATTACHMENTS:**

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<tr>
<td>Cedar Point South - HC TOD grant application Resolution</td>
<td>Resolution Letter</td>
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</table>
RESOLUTION NO.

RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO HENNEPIN COUNTY FOR TRANSIT ORIENTED DEVELOPMENT PROGRAM FUNDS FOR CEDAR POINT II HOUSING

WHEREAS, the City of Richfield (the “City”) is a city located within Hennepin county and is therefore eligible to access the Transit Oriented Development (TOD) Grant; and

WHEREAS, the City had identified certain property for redevelopment within the Cedar Point Housing Redevelopment Area; and

WHEREAS, Boisclair Companies, LLC has proposed a redevelopment project within the Cedar Point Housing Redevelopment Area;

WHEREAS, the City approves participation in this program as a multi-jurisdictional project; and

WHEREAS, the City recognizes the need for, and benefit of, transit oriented improvements as part of this proposed development.

NOW, THEREFORE BE IT RESOLVED, that the City Council supports and otherwise affirms and ratifies the submittal of application (in accordance with Minnesota Statutes § 383B.77, Subd. 3.), for the Transit Oriented Design Program administered by Hennepin County Housing and Redevelopment Authority and authorizes the Mayor and City Manager to execute any agreements as are necessary to implement the project on behalf of the applicant.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September, 2016.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk
RESOLUTION NO.

RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO HENNEPIN COUNTY FOR TRANSIT ORIENTED DEVELOPMENT PROGRAM FUNDS FOR CEDAR POINT SOUTH

WHEREAS, the City of Richfield (the “City”) is a city located within Hennepin county and is therefore eligible to access the Transit Oriented Development (TOD) Grant; and

WHEREAS, the City had identified certain property for redevelopment within the Cedar Corridor Redevelopment Area; and

WHEREAS, Anderson Companies, LLC has proposed a redevelopment project within the Cedar Corridor Redevelopment Area;

WHEREAS, the City approves participation in this program as a multi-jurisdictional project; and

WHEREAS, the City recognizes the need for, and benefit of, transit oriented improvements as part of this proposed development.

NOW, THEREFORE BE IT RESOLVED, that the City Council supports and otherwise affirms and ratifies the submittal of application (in accordance with Minnesota Statutes § 383B.77, Subd. 3.), for the Transit Oriented Design Program administered by Hennepin County Housing and Redevelopment Authority and authorizes the Mayor and City Manager to execute any agreements as are necessary to implement the project on behalf of the applicant.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September, 2016.

__________________________
Debbie Goettel, Mayor

ATTEST:

_________________________
Elizabeth VanHoose, City Clerk
STAFF REPORT NO. 149
CITY COUNCIL MEETING
9/27/2016

REPORT PREPARED BY: Chris Link, Operations Superintendent

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director
9/21/2016

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: STEVEN L. DEVICH
9/21/2016

ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of resolutions pertaining to the annual 77th Street maintenance district assessment process and scheduling a public hearing for October 25, 2016.

EXECUTIVE SUMMARY:
This item was approved at the September 13, 2016, Regular City Council meeting and a public hearing was set for October 11, 2016. State statute requires notice of a public hearing be published in the official newspaper at least fourteen days before the hearing. An internal error precluded notice of the public hearing from appearing in the official newspaper at least fourteen days before the hearing; therefore, the public hearing must be moved to October 25, 2016. Notice will be published in the official newspaper on October 6 and a new public hearing notice will be sent to affected property owners on September 29.

Since 1988, the City has been performing special maintenance along the 77th Street redevelopment area between I-35W and Cedar Avenue. The special maintenance services include:
- Maintenance and operation of irrigation systems
- Mowing
- Fertilization
- Weed control
- Trash and litter removal

These services are provided on both sides of the 77th Street wall. The maintenance functions, known as current services, are funded through a maintenance assessment on 77th Street commercial properties.

Staff is recommending the City Council:
- Approve resolution declaring the 2015 assessment costs, order the preparation of the proposed assessment for 2015, and schedule a public hearing for October 25, 2016.
- Approve resolution proposing a similar assessment process for 2017 and schedule a public hearing for October 25, 2016.

RECOMMENDED ACTION:
By Motion:
1. Adopt a resolution declaring costs to be assessed, ordering preparation of the proposed assessment roll for the 2015 77th Street maintenance, and schedule a public hearing for October
Adopt a resolution proposing a similar assessment process to be implemented for 2017 and
schedule a public hearing for October 25, 2016.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
   ♦ City staff has determined actual costs of current services to be assessed for the 2015
     maintenance of this area to be $59,557.56, and estimate the cost for 2017 maintenance to be
     $80,000.
   ♦ Fluctuations in expenditures for maintenance of the 77th Street assessment district are caused by
     a number of factors:
     ♦ Weather determines water usage and irrigation costs
     ♦ Concrete repair varies from year to year
     ♦ Updating aging infrastructure
     ♦ Replantings

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
   ♦ Section 825 of the City Code indicates “current services” mean one or more of the following:
     (a) snow, ice, or rubbish removal from sidewalks;
     (b) weed elimination from streets or private property;
     (c) removal or elimination of public health or safety hazards from private property, excluding
       any structure included under the provisions of Minnesota Statutes, sections 463.15 to
       463.26;
     (d) installation or repair of water service lines;
     (e) street sprinkling, sweeping, or other dust treatment of streets;
     (f) the trimming and care of trees and the removal of unsound trees from any street;
     (g) the treatment and removal of insect-infested or diseased trees on private property;
     (h) the repair of sidewalks and alleys;
     (i) the operation of a street lighting system;
     (j) the maintenance of landscaped areas, decorative parks and other public amenities on or
       adjacent to street right-of-way; and,
     (k) snow removal and other maintenance of streets in commercial redevelopment areas.
   ♦ Resolution No. 7405, adopted in 1988, established a policy for assessing the costs.
   ♦ Commercial property owners will be assessed on a per-square-foot basis. Residential properties
     and the two churches in the area are exempt from the special assessment levy.
   ♦ Council ordered the work and the work was done in 2015.
   ♦ Council needs to order the work for 2017.

C. CRITICAL TIMING ISSUES:
   ♦ Each year, the City shall list the total unpaid charges for current services against each
     separate lot or parcel to which they are attributable under section 825 of the City Code.
   ♦ This list is available at the offices of the City Clerk, Assessing, and Public Works.

D. FINANCIAL IMPACT:
   ♦ All costs to the City will be recovered through this assessment.
   ♦ Estimated and actual costs for the 77th Street maintenance services from 2003-2015 are:

<table>
<thead>
<tr>
<th>Year</th>
<th>Estimate</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
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<tr>
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<td>2007</td>
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<td>2008</td>
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</tr>
<tr>
<td>2009</td>
<td>$80,000</td>
<td>$62,894.55</td>
</tr>
</tbody>
</table>
2010  $80,000  $64,124.81  
2011  $80,000  $72,427.48  
2012  $80,000  $78,286.46  
2013  $80,000  $59,779.82  
2014  $80,000  $71,499.01  
2015  $80,000  $59,557.56  

E. **LEGAL CONSIDERATION:**
   - No legal issues are apparent at this time. The City Attorney will be in attendance at the Council meeting should a legal question arise.
   - Section 825, Subd. 2 states that “the City Clerk, under the Council’s direction, shall publish notice that the Council will meet to consider the undertaking of current services and levying of special assessments to pay costs thereof.”
   - The notification is scheduled to be published on October 6, 2016.

**ALTERNATIVE RECOMMENDATION(S):**
Council may make any changes to the assessment roll as deemed necessary after the public hearing.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
None

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
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<tbody>
<tr>
<td>Resolution (2015)</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>Resolution (2017)</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>ILN/77th Street Assessment Letter</td>
<td>Backup Material</td>
</tr>
<tr>
<td>Map of ILN/77th St Assessment District</td>
<td>Backup Material</td>
</tr>
</tbody>
</table>
RESOLUTION NO.

RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR 77TH STREET MAINTENANCE FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

WHEREAS, costs have been determined for the maintenance of the 77th Street Redevelopment Area the boundaries of which are approximately east of I-35W and west of Cedar Avenue in the City of Richfield and the expenses incurred or to be incurred for such maintenance amount to $59,557.56 for the period of January 1, 2015 through December 31, 2015; and,

WHEREAS, at the Regular City Council Meeting on September 13, 2016, Richfield City Council adopted Resolution No. 11238 setting a public hearing for October 11, 2016; and,

WHEREAS, notice of a public hearing is required in the official newspaper at least two weeks prior to the hearing; and,

WHEREAS, notice of the hearing on the proposed assessment was not published in the official newspaper at least two weeks prior to the October 11, 2016 public hearing; and,

WHEREAS, affected property owners will be provided notification of the cancelled October 11, 2016 public hearing and new October 25, 2016 public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota:

1. Resolution No. 11238, setting a public hearing for October 11, 2016, is hereby rescinded and superseded by this Resolution.

2. The portion of the cost to be assessed against benefited property owners is declared to be $59,557.56.

3. The City Clerk shall forthwith calculate the proper amount to be specially assessed for such maintenance against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in his office for public inspection.

4. The City Clerk shall, upon the completion of such proposed assessment, notify the City Council thereof.

5. A hearing shall be held on the 25th day of October, 2016, in the Council Chambers of the City Hall at 7:00 p.m. or as soon thereafter as the matter can be reached on
the agenda to pass upon such proposed assessment and at such time and place all persons owning property affected by said maintenance assessment will be given an opportunity to be heard in reference to such assessment.

6. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the maintenance. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September, 2016.

_________________________________
Debbie Goettel, Mayor

ATTEST:

_________________________________
Elizabeth VanHoose, City Clerk
RESOLUTION NO.

RESOLUTION PROPOSING TO SPECIALLY ASSESS FOR THE COSTS OF CURRENT SERVICES PROVIDED WITHIN THE 77TH STREET PROJECT AREA FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, at the Regular City Council Meeting on September 13, 2016, Richfield City Council adopted Resolution No. 11239 setting a public hearing for October 11, 2016; and,

WHEREAS, notice of a public hearing is required in the official newspaper at least two weeks prior to the hearing; and,

WHEREAS, notice of the hearing on the proposed assessment was not published in the official newspaper at least two weeks prior to the October 11, 2016 public hearing; and,

WHEREAS, affected property owners will be provided notification of the cancelled October 11, 2016 public hearing and new October 25, 2016 public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota as follows:

1. Resolution No. 11239, setting a public hearing for October 11, 2016, is hereby rescinded and superseded by this Resolution.

2. There is hereby established a special assessment district, the boundaries of which are east of I-35W and west of Cedar Avenue, for the purposes of assessing for current services provided by the City.

3. The following current services of the City are hereby proposed to be undertaken by the City in the District with the cost of such services to be specially assessed against benefited property within the District;
   - The trimming and care of trees and shrubs and the removal of any unsound trees from any street;
   - The repair of sidewalks;
   - The maintenance of landscaped areas and other public amenities on or adjacent to street rights-of-way;
   - Trash and litter removal.

4. The area proposed to be specially assessed for such current services consists of each and every commercial lot and parcel of land within the District. It is proposed that the special assessments on the commercial property be made on the basis of area.

5. The City Clerk is hereby authorized and directed to publish notice of a hearing by this Council at which the Council will consider the undertaking of such current services and the levying of special assessments to bear the costs thereof. Such notice shall be published in the official newspaper at least once, at least two weeks prior to the date of hearing. The City Clerk shall also give mailed notice of such hearing as required by law. Such hearing shall be held Tuesday, October 25, 2016, commencing at 7:00 p.m. or as soon thereafter as the matter can be reached on the agenda.
6. It is hereby proposed that the project consist of the aforementioned services for the period from January 1, 2017 through December 31, 2017. The estimated cost of providing all of the aforementioned services during that period is $80,000.

Passed by the City Council of the City of Richfield, Minnesota this 27th day of September, 2016.

_____________________________________
Debbie Goettel, Mayor

ATTEST:

_______________________
Elizabeth VanHoose, City Clerk
OCTOBER 11, 2016 PUBLIC HEARING CANCELLED
PUBLIC HEARING NOW SCHEDULED FOR OCTOBER 25, 2016

September 29, 2016

NOTICE OF ASSESSMENT HEARING

NOTICE OF HEARING ON PROPOSED ASSESSMENT FOR CERTAIN SERVICES OF THE CITY WITHIN THE 77TH STREET PROJECT AREA FROM JANUARY 1, 2015 - DECEMBER 31, 2015

Property ID: «PID»
Property Address: «BLDG_NUM» «STREETNAME»

NOTICE IS HEREBY GIVEN that the Richfield City Council will hold an assessment hearing on the date and at the time and place given below, to pass upon the proposed assessment for the maintenance services of the 77th Street Project Area in the City.

DATE, TIME AND PLACE OF HEARING: Tuesday, October 25, 2016 at 7:00 p.m. or as soon thereafter as the matter can be reached on the agenda, at Richfield Municipal Center, 6700 Portland Avenue South, Richfield, Minnesota 55423.

NATURE OF IMPROVEMENT AND AREA TO BE ASSESSED: From January 1, 2015 through December 31, 2015 the City of Richfield incurred costs for maintenance of the 77th Street Project area, including such work as landscape maintenance of common properties, including mowing, fertilizing, irrigation repair and other maintenance services. The City proposes to assess the costs for maintenance in the 77th Street Project area, which totaled $59,557.56, against the properties that benefited from this work.

THE SPECIAL ASSESSMENT TO YOUR PROPERTY IS: «Assessment».
Payment can be made after the assessment is adopted and before November 10, 2016 at the City of Richfield Assessor’s office, 6700 Portland Avenue South, Richfield, MN 55423. Please make your check payable to the City of Richfield.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THIS ASSESSMENT. NO SEPARATE BILLING WILL OCCUR.
A copy of the proposed assessment roll is on file for public inspection at the City Clerk’s office, 6700 Portland Avenue South, Richfield, Minnesota 55423.

PAYMENT OF ASSESSMENT: You may pay your assessment at any time after the assessment has been adopted by presenting a check to the City Treasurer at the Assessor’s Office, 6700 Portland Avenue South, Richfield, Minnesota 55423.
Portland Avenue South, Richfield, Minnesota 55423. Unpaid assessments accrue interest at the rate of five percent (5%) per year. The amount of interest payable depends upon when your payment is made, and the following deadlines apply:

**Payment within 30 days of adopted assessment:** The property owner may pay the original principal amount without interest within 30 days from the date the Council adopts the assessment, scheduled for October 25, 2016. If the original principal amount is not paid, the assessment will be charged five percent (5%) interest.

**Payment on or after November 10, 2016:** Payments received on or after November 10, 2016 will be charged interest at the rate of 5% through the date of payment. Payments are not accepted between November 15, 2016 and January 1, 2017. If no prepayment is made the assessments are spread over one year. Questions regarding the assessment payment procedure should be directed to Debbie Guiher at 612-861-9710.

**HEARING PROCEDURE AND OBJECTIONS:** The City Council will continue a public hearing on the proposed assessment on the date and time listed. Written and oral objections will be considered at the meeting, but the Council may consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon further notice to the affected property owners, as the Council deems advisable. The Council may adopt the proposed assessment at the same meeting as the hearing.

**RIGHT TO APPEAL:** You have the right to appeal the City Council’s adoption of the assessment. To appeal, you must serve notice of an appeal upon the Mayor or City Clerk within 30 days after the adoption of the assessment, and you must also file the notice of appeal with the Hennepin County District Court within 10 days after service upon the Mayor or City Clerk. You may not appeal unless you file a written objection, signed by you, with the City Clerk prior to the hearing on October 25, 2016, or present the written objection to the presiding officer at the hearing on October 25, 2016.

**BY ORDER OF THE CITY COUNCIL THIS 27TH DAY OF SEPTEMBER, 2016.**

Elizabeth VanHoose, City Clerk

Questions concerning this assessment amount should be directed to Chris Link, Operations Superintendent at 612-861-9174.
The City of Richfield makes no representation or warranties, express or implied, with respect to the reuse of the data provided herewith, regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability, or reliability of this data for any purpose. The user accepts the data "as is", and assumes all risks associated with its use.
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of resolutions pertaining to the annual Lyndale/HUB/Nicollet (LHN) maintenance assessment process and scheduling a public hearing for October 25, 2016.

EXECUTIVE SUMMARY:
This item was approved at the September 13, 2016, Regular City Council meeting and a public hearing was set for October 11, 2016. State statute requires notice of a public hearing be published in the official newspaper at least fourteen days before the hearing. An internal error precluded notice of the public hearing from appearing in the official newspaper at least fourteen days before the hearing; therefore, the public hearing must be moved to October 25, 2016. Notice will be published in the official newspaper on October 6 and a new public hearing notice will be sent to affected property owners on September 29.

The Lyndale/HUB/Nicollet (LHN) maintenance assessment was established to recover special maintenance expenses in the LHN area in 1981. The special services include:
- Maintenance and operation of irrigation systems
- Mowing
- Fertilization
- Weed control
- Trash and litter removal
- Maintenance of street lighting system

The LHN Redevelopment Area is approximately bounded by 64th Street, First Avenue, 67th Street and Emerson Avenue.

Staff recommends the City Council:
- Approve resolution declaring the 2015 assessment costs, ordering the preparation of the proposed assessment for 2015, and schedule a public hearing for October 25, 2016.
- Approve resolution proposing a similar assessment process for 2017 and schedule a public hearing for October 25, 2016.

RECOMMENDED ACTION:
By Motion:
1. Adopt a resolution declaring costs to be assessed, ordering preparation of the proposed
assessment roll for 2015 Lyndale/HUB/Nicollet (LHN) maintenance, and schedule a public hearing for October 25, 2016.

2. Adopt a resolution proposing a similar assessment process to be implemented for 2017 and schedule a public hearing for October 25, 2016.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
   - City staff has determined actual costs of current services to be assessed for the 2015 maintenance of this area to be $27,321.07, and the estimated cost for 2017 maintenance to be $50,000.
   - Fluctuations in expenditures for LHN maintenance are caused by a number of factors:
     - Weather determines water usage and irrigation costs
     - Concrete repair vary from year to year
     - Repairs are never foreseeable
     - Update aging infrastructure

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
   - Section 825 of the City Code indicates “current services” mean one or more of the following:
     (a) snow, ice, or rubbish removal from sidewalks;
     (b) weed elimination from streets or private property;
     (c) removal or elimination of public health or safety hazards from private property, excluding any structure included under the provisions of Minnesota Statutes, sections 463.15 to 463.26;
     (d) installation or repair of water service lines;
     (e) street sprinkling, sweeping, or other dust treatment of streets;
     (f) the trimming and care of trees and the removal of unsound trees from any street;
     (g) the treatment and removal of insect-infested or diseased trees on private property;
     (h) the repair of sidewalks and alleys;
     (i) the operation of a street lighting system;
     (j) the maintenance of landscaped areas, decorative parks and other public amenities on or adjacent to street right-of-way; and,
     (k) snow removal and other maintenance of streets in commercial redevelopment areas.
   - Council ordered the work and the work was done for 2015.
   - Council needs to order the work for 2017.

C. CRITICAL TIMING ISSUES:
   - Each year, the City shall list the total unpaid charges for current services against each separate lot or parcel to which they are attributable under section 825 of the City Code.
   - This list is available at the offices of the City Clerk, Assessing, and Public Works.

D. FINANCIAL IMPACT:
   - All costs to the City will be recovered through this assessment.
   - Estimated and actual costs for the LHN maintenance services from 2003-2015 are:

<table>
<thead>
<tr>
<th>Year</th>
<th>Estimated</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
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</tr>
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<td>2011</td>
<td>$50,000</td>
<td>$39,090.87</td>
</tr>
</tbody>
</table>
2012 $50,000 $32,244.51
2013 $50,000 $25,522.16
2014 $50,000 $29,415.52
2015 $50,000 $27,321.07

E. **LEGAL CONSIDERATION:**
   - No legal issues are apparent at this time. The City Attorney will be in attendance at the Council meeting should a legal question arise.
   - Section 825, Subd. 2 states that “the City Clerk, under the Council’s direction, shall publish notice that the Council will meet to consider the undertaking of current services and levying of special assessments to pay costs thereof.”
   - The notice is scheduled to be published on October 6, 2016.

**ALTERNATIVE RECOMMENDATION(S):**
Council may make any changes to the assessment roll as deemed necessary after the public hearing.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
None

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution (2015)</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>Resolution (2017)</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>LHN Assessment Letter</td>
<td>Backup Material</td>
</tr>
<tr>
<td>Map of LHN Assesment District</td>
<td>Backup Material</td>
</tr>
</tbody>
</table>
RESOLUTION NO.

RESOLUTION DECLARING COST TO BE ASSESSED
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT
FOR LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE
FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

WHEREAS, costs have been determined for the maintenance of the Lyndale/Hub/Nicollet (LHN) Redevelopment Area which is approximately bounded by 64th Street, First Avenue, 67th Street and Emerson Avenue in the City of Richfield and the expenses incurred or to be incurred for such maintenance amount to $27,321.07 for the period of January 1, 2015 through December 31, 2015.

WHEREAS, at the Regular City Council Meeting on September 13, 2016, Richfield City Council adopted Resolution No. 11236 setting a public hearing for October 11, 2016; and,

WHEREAS, notice of a public hearing is required in the official newspaper at least two weeks prior to the hearing; and,

WHEREAS, notice of the hearing on the proposed assessment was not published in the official newspaper at least two weeks prior to the October 11, 2016 public hearing; and,

WHEREAS, affected property owners will be provided notification of the cancelled October 11, 2016 public hearing and new October 25, 2016 public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota:

1. Resolution No. 11236, setting a public hearing for October 11, 2016, is hereby rescinded and superseded by this Resolution.

2. The portion of the cost to be assessed against benefited property owners is declared to be $27,321.07.

3. The City Clerk shall forthwith calculate the proper amount to be specially assessed for such maintenance against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in his office for public inspection.

4. The City Clerk shall, upon the completion of such proposed assessment, notify the City Council thereof.

5. A hearing shall be held on the 25th day of October, 2016, in the Council Chambers of the City Hall at 7:00 p.m. or as soon thereafter as the matter can be reached on
the agenda to pass upon such proposed assessment and at such time and place all persons owning property affected by said maintenance assessment will be given an opportunity to be heard in reference to such assessment.

6. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the maintenance. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September, 2016.

__________________________________
Debbie Goettel, Mayor

ATTEST:

_______________________________
Elizabeth VanHoose, City Clerk
RESOLUTION NO.
RESOLUTION PROPOSING TO SPECIALLY ASSESS
FOR THE COSTS OF CURRENT SERVICES PROVIDED
WITHIN THE LYNDALE/HUB/NICOLLET (LHN) PROJECT AREA
FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, at the Regular City Council Meeting on September 13, 2016, Richfield City Council adopted Resolution No. 11237 setting a public hearing for October 11, 2016; and,

WHEREAS, notice of a public hearing is required in the official newspaper at least two weeks prior to the hearing; and,

WHEREAS, notice of the hearing on the proposed assessment was not published in the official newspaper at least two weeks prior to the October 11, 2016 public hearing; and,

WHEREAS, affected property owners will be provided notification of the cancelled October 11, 2016 public hearing and new October 25, 2016 public hearing.

BE IT RESOLVED by the City Council of the City of Richfield, Minnesota as follows:

1. Resolution No. 11237, setting a public hearing for October 11, 2016, is hereby rescinded and superseded by this Resolution.

2. There is hereby established a special assessment district, the boundaries of which are conterminous with the Lyndale/Hub/Nicollet (LHN) Redevelopment Project Area, for the purposes of assessing for current services provided by the City.

3. The following current services of the City are hereby proposed to be undertaken by the City in the district, with the costs of such services to be specially assessed against benefited property within the district:
   • Snow, ice or rubbish removal;
   • Weed elimination;
   • Elimination or removal of public health or safety hazards from private property, excluding any structure included under the provisions of Minnesota Statutes Section 463.15 to 463.26;
   • Installation or repair of water service lines;
   • Street sprinkling or other dust treatment of streets;
   • Trimming and care of trees and the removal of unsound trees;
   • Repair of sidewalks, crosswalks, and other pedestrian walkways;
   • Operation of the street lighting system;
   • Maintenance of landscaped areas and other public amenities on or adjacent to street right-of-way;
• Maintenance of Civic Plaza;
• Snow removal and other maintenance of streets;
• Painting and repair of wood furniture;
• General maintenance, including repairs and replacement.

4. The area proposed to be specially assessed for such current services consists of every assessable lot and parcel of land within the district. It is proposed that special assessments on commercial property be made on the basis of the area with each square foot of assessable commercial property within the district being assessed an equal amount for maintenance of common area. Exempt from the special assessment levy shall be all single family, two-family, multiple family residential property within the LHN redevelopment district. Special maintenance of individual commercial properties shall be assessed directly for costs incurred in performing said maintenance to said property.

5. The City Clerk is authorized and directed to give public notice of a hearing by this Council at which the Council will consider the undertaking of such current services and the levying of special assessments to bear the costs thereof. The City Clerk shall also give mailed and published notice of such hearing as required by law. Such hearing shall be held on Tuesday, October 25, 2016, commencing at 7:00 p.m. or as soon thereafter as the matter can be reached on the agenda.

6. It is hereby proposed that the project consist of the costs of the aforementioned services for the period of January 1, 2017 through December 31, 2017. The estimated cost of providing all the aforementioned current services during that period is $50,000.

Adopted by the City Council of the City of Richfield, Minnesota this 27th of September, 2016.

____________________________
Debbie Goettel, Mayor

ATTEST:

____________________________
Elizabeth VanHoose, City Clerk
OCTOBER 11, 2016 PUBLIC HEARING CANCELLED
PUBLIC HEARING NOW SCHEDULED FOR OCTOBER 25, 2016

September 29, 2016

NOTICE OF ASSESSMENT HEARING

NOTICE OF HEARING ON PROPOSED ASSESSMENT FOR CERTAIN SERVICES OF THE CITY WITHIN THE LYNDALE/HUB/NICOLLET REDEVELOPMENT AREA FROM JANUARY 1, 2015 - DECEMBER 31, 2015

Property ID: «PID»
Property Address: «BLDG_NUM» «STREETNAME»

NOTICE IS HEREBY GIVEN that the Richfield City Council will hold an assessment hearing on the date and at the time and place given below, to pass upon the proposed assessment for the maintenance services to that area known as the Lyndale/Hub/Nicollet (LHN) Redevelopment Area in the City.

DATE, TIME AND PLACE OF HEARING: Tuesday, October 25, 2016 at 7:00 p.m. or as soon thereafter as the matter can be reached on the agenda, at Richfield Municipal Center, 6700 Portland Avenue South, Richfield, Minnesota 55423.

NATURE OF IMPROVEMENT AND AREA TO BE ASSESSED: From January 1, 2015 through December 31, 2015 the City of Richfield incurred costs for maintenance of the LHN Redevelopment Area, including such work as landscape maintenance of common properties, including mowing, fertilizing, irrigation repair and other maintenance services. The City proposes to assess the costs for maintenance in the LHN Redevelopment Area, which totaled $27,321.07 against the properties that benefited from this work.

THE SPECIAL ASSESSMENT TO YOUR PROPERTY IS: «Assessment».

Payment can be made after the assessment is adopted and before November 10, 2016 at the City of Richfield Assessor’s office, 6700 Portland Avenue South, Richfield, MN 55423. Please make your check payable to the City of Richfield.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THIS ASSESSMENT. NO SEPARATE BILLING WILL OCCUR.

A copy of the proposed assessment roll is on file for public inspection at the City Clerk’s office, 6700 Portland Avenue South, Richfield, Minnesota 55423.
PAYMENT OF ASSESSMENT: You may pay your assessment at any time after the assessment has been adopted by presenting a check to the City Treasurer at the Assessor’s Office, 6700 Portland Avenue South, Richfield, Minnesota 55423. Unpaid assessments accrue interest at the rate of five percent (5%) per year. The amount of interest payable depends upon when your payment is made, and the following deadlines apply:

Payment within 30 days of adopted assessment: The property owner may pay the original principal amount without interest within 30 days from the date the Council adopts the assessment, scheduled for October 25, 2016. If the original principal amount is not paid, the assessment will be charged five percent (5%) interest.

Payment on or after November 10, 2016: Payments received on or after November 10, 2016 will be charged interest at the rate of 5% through the date of payment. Payments are not accepted between November 15, 2016 and January 1, 2017. If no prepayment is made the assessments are spread over one year. Questions regarding the assessment payment procedure should be directed to Debbie Guiher at 612-861-9710.

HEARING PROCEDURE AND OBJECTIONS: The City Council will conduct a public hearing on the proposed assessment on the date and time listed. Written and oral objections will be considered at the meeting, but the Council may consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon further notice to the affected property owners, as the Council deems advisable. The Council may adopt the proposed assessment at the same meeting as the hearing.

RIGHT TO APPEAL: You have the right to appeal the City Council’s adoption of the assessment. To appeal, you must serve notice of an appeal upon the Mayor or City Clerk within 30 days after the adoption of the assessment, and you must also file the notice of appeal with the Hennepin County District Court within 10 days after service upon the Mayor or City Clerk. You may not appeal unless you file a written objection, signed by you, with the City Clerk prior to the hearing on October 25, 2016, or present the written objection to the presiding officer at the hearing on October 25, 2016.


Questions regarding this assessment amount should be directed to Chris Link at 612-861-9174.
The City of Richfield makes no representation or warranties, express or implied, with respect to the reuse of the data provided herewith, regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability, or reliability of this data for any purpose. The user accepts the data "as is", and assumes all risks associated with its use.
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a resolution declaring costs to be assessed for removal of diseased trees from private property for work ordered in 2015 and scheduling a public hearing for October 25, 2016.

EXECUTIVE SUMMARY:
This item was approved at the September 13, 2016, Regular City Council meeting and a public hearing was set for October 11, 2016. State statute requires notice of a public hearing be published in the official newspaper at least fourteen days before the hearing. An internal error precluded notice of the public hearing from appearing in the official newspaper at least fourteen days before the hearing; therefore, the public hearing must be moved to October 25, 2016. Notice will be published in the official newspaper on October 6 and a new public hearing notice will be sent to affected property owners on September 29.

The health of trees within municipal limits is threatened by shade tree diseases and it is the City’s responsibility to control and prevent the spread of these diseases.

If the City deems it necessary to remove a diseased tree on private property, the property owners have three options available for removal:

1. Remove the tree themselves.
2. Hire and pay a contractor.
3. Hire a contractor and request the cost of the tree removal be assessed against their property tax.

In the period from January 1, 2015 through December 31, 2015, 23 property owners chose the third option. The total amount to be assessed is $60,688.53.

RECOMMENDED ACTION:
By Motion: Adopt a resolution declaring costs to be assessed and ordering the preparation for the proposed assessment roll for the removal of diseased trees from private property for work ordered in 2015 and set the public hearing date for October 25, 2016.

BASIS OF RECOMMENDATION:
A. HISTORICAL CONTEXT
In the early 1970’s, the City of Richfield began a shade tree disease program to assist homeowners in the removal of diseased trees on private property. The following process is how the City ensures property owners are aware of their diseased tree(s).

**Notification to Property Owners**
At time of marking for removal, paperwork is left at the property which includes:
- Removal deadline
- Why the tree was marked for removal
- Assessment information
- Information regarding private contractors
- Card informing City of owners removal plans
- City staff contacts for more information

If the tree becomes hazardous or is past the removal time limit an additional deadline letter is sent to the property owner. The letter is sent to the last known owner, obtained from Hennepin County Property Records and verified with Richfield utility billing records.

**Occupied Properties**
As stated above, property owners of diseased trees have three options available for private tree removal:
1. Remove the tree themselves.
2. Hire and pay a contractor.
3. Hire a contractor and request the cost of the tree removal be assessed against their property tax.

**Vacant Properties**
In cases where the property is vacant and no owner can be found, removals must be ordered when trees have passed the removal time limit or become hazardous. A contractor then performs the removal and the cost is assessed to the property.

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**
- The work has been completed with prior approval from the affected residents; except in cases of vacant properties.
- Minnesota State Statute requires the County to be notified of all special assessments.
- A notice of the hearing on the proposed assessment will be mailed at least two weeks prior to the hearing and shall state in the notice the total cost of the diseased tree removal to the owner.

C. **CRITICAL TIMING ISSUES:**
- The unpaid charges for the removal of the diseased trees must be special assessed for certification to the County Director of Property Taxation and Collection along with current taxes as stated in City Code 825.05 Subd. 3.
- Unpaid assessments must be reported to Hennepin County by November 30th of each year.

D. **FINANCIAL IMPACT:**
- The costs to be assessed for the removal of diseased trees on private property for work ordered during the period January 1, 2015, through December 31, 2015, have been determined to be $60,688.53.
- The property owner may pay the original principal amount without interest within 30 days from the date the Council adopts the assessment. The unpaid balance will be spread over five years with a five percent interest rate.
- The original source of funding to have the work done is through the City’s Permanent Improvement Revolving Fund.

E. **LEGAL CONSIDERATION:**
- The City Attorney will be in attendance at the Council meeting should a legal question arise.

**ALTERNATIVE RECOMMENDATION(S):**
Council may revise the special assessment roll as deemed necessary following the public hearing.

PRINCIPAL PARTIES EXPECTED AT MEETING:
None

ATTACHMENTS:

<table>
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<tr>
<td>Resolution</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>Tree Assessment Letter</td>
<td>Backup Material</td>
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RESOLUTION NO.

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR THE PERIOD OF JANUARY 1, 2015 TO DECEMBER 31, 2015.

WHEREAS, costs have been determined for the removal of diseased trees from private properties in the City of Richfield and the expenses incurred or to be incurred for such work ordered during the period of January 1, 2015 through December 31, 2015 amount to $60,688.53.

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<td><strong>TOTAL</strong></td>
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WHEREAS, at the Regular City Council Meeting on September 13, 2016, Richfield City Council adopted Resolution No. 11235 setting a public hearing for October 11, 2016; and,

WHEREAS, notice of a public hearing is required in the official newspaper at least two weeks prior to the hearing; and,

WHEREAS, notice of the hearing on the proposed assessment was not published in the official newspaper at least two weeks prior to the October 11, 2016 public hearing; and,
WHEREAS, affected property owners will be provided notification of the cancelled October 11, 2016 public hearing and new October 25, 2016 public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota:

1. Resolution No. 11235, setting a public hearing for October 11, 2016, is hereby rescinded and superseded by this Resolution.

2. The total cost to be assessed against benefited property owners is declared to be $60,688.53.

3. The City Clerk shall forthwith calculate the proper amount to be specially assessed for such work against each benefited property, and shall file a copy of such proposed assessment in her office for public inspection.

4. The Clerk shall, upon the completion of such proposed assessment, notify the City Council thereof.

5. A hearing shall be held on the 25th day of October, 2016 in the Richfield Municipal Center - Council Chambers at 7:00 p.m., or as soon as hereafter it may be reached on the agenda, to pass upon such proposed assessment and at such time and place all persons owning property affected by said diseased tree removal assessment will be given an opportunity to be heard in reference to such assessment.

6. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment at least two weeks prior to the hearing and shall state in the notice the total cost of the diseased tree removal. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

Adopted by the City Council of the City of Richfield this 27th day of September, 2016.

__________________________________________
Debbie Goettel, Mayor

ATTEST:

____________________________________
Elizabeth VanHoose, City Clerk
NOTICE OF ASSESSMENT HEARING

NOTICE OF HEARING ON PROPOSED ASSESSMENT
FOR CERTAIN SERVICES OF THE CITY
FOR REMOVAL OF DISEASED TREES ON PRIVATE PROPERTY
(JANUARY 1, 2015 - DECEMBER 31, 2015)

PID: «F3»
Property Address: «M_2015_Private_Property_Removals_for_201»

NOTICE IS HEREBY GIVEN that the Richfield City Council will hold an assessment hearing on the date and at the time and place given below, to pass upon the proposed assessment for the removal and disposal of diseased trees on private property.

DATE, TIME AND PLACE OF HEARING: Tuesday, October 25, 2016 at 7:00 p.m. or as soon thereafter as the matter can be reached on the agenda, at Richfield Municipal Center, 6700 Portland Avenue South, Richfield, Minnesota 55423.

NATURE OF IMPROVEMENT AND AREA TO BE ASSESSED: Costs incurred for removal of diseased trees from private property with the consent and approval of the property owners for work ordered from the City of Richfield, January 1, 2015 through December 31, 2015. The City proposes to assess the costs for this work, which totaled $60,688.53.

THE SPECIAL ASSESSMENT TO YOUR PROPERTY IS: «F4».

Payment can be made after the assessment is adopted and before November 10, 2016 at the City of Richfield Assessor’s office, 6700 Portland Avenue, Richfield, MN 55423. Please make your check payable to the City of Richfield.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THIS ASSESSMENT. NO SEPARATE BILLING WILL OCCUR.

A copy of the proposed assessment roll is on file for public inspection at the City Clerk’s office, 6700 Portland Avenue South, Richfield, Minnesota.

PAYMENT OF ASSESSMENT: You may pay your assessment at any time after the assessment has been adopted by presenting a check to the City Treasurer at the Assessor’s office, 6700 Portland Avenue South, Richfield, Minnesota 55423. Unpaid assessments accrue interest at the rate of five percent (5%) per year. The amount of interest payable depends upon when your payment is made, and the following deadlines apply:

(OVER)
Payment within 30 days of adopted assessment: The property owner may pay the original principal amount without interest within 30 days from the date the Council adopts the assessment, scheduled for October 25, 2016. If the original principal amount is not paid, the assessment will be charged five percent (5%) interest.

Payment on or after November 10, 2016: Payments received on or after November 10, 2016 will be charged interest at the rate of 5% through the date of payment. Payments are not accepted between November 15, 2016 and January 1, 2017. After January 1, 2017 payments can be made on the outstanding balance not certified to the current year taxes anytime with interest through December 31 of the year in which payment is made. If no prepayment is made, the tree assessments are spread over five years. Interest is calculated for 14 months on the first year of the assessment and 12 months thereafter. There is a $2.50 surcharge per year over the five year life of the assessment when certified to the property tax. Questions regarding the assessment payment procedure should be directed to Debbie Guiher at 612-861-9710.

DEFERRED ASSESSMENTS: Under Minnesota Stat. Secs. 435.193 to 435.195, the Council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person who meets certain age, disability restrictions, or active military service requirement and for whom it would be a hardship to make the payments. The policy and procedure for deferment is set forth in City Resolution No. 11216, which may be obtained from the City Clerk. When deferment of the special assessment has been granted and is terminated for any reason provided in law, all amounts accumulated plus applicable interest become due. Any assessed property owner meeting the requirements of the law and the resolution may, within 30 days of the confirmation of the assessment, apply to the City Clerk for the prescribed form for deferral of this special assessment.

HEARING PROCEDURE AND OBJECTIONS: The City Council will conduct a public hearing on the proposed assessment on the date and time listed. Written and oral objections will be considered at the meeting, but the Council may consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon further notice to the affected property owners as the Council deems advisable. The Council may adopt the proposed assessment at the same meeting as the hearing.

RIGHT TO APPEAL: You have the right to appeal the City Council’s adoption of the assessment. To appeal, you must serve notice of an appeal upon the Mayor or City Clerk within 30 days after the adoption of the assessment, and you must also file the notice of appeal with the Hennepin County District Court within 10 days after service upon the Mayor or City Clerk. You may not appeal unless you file a written objection, signed by you, with the City Clerk prior to the hearing on October 25, 2016 or present the written objection to the presiding officer at the hearing on October 25, 2016.


Elizabeth VanHoose, City Clerk

Questions concerning this assessment amount should be directed to Chris Link, Operations Superintendent at 612-861-9174.
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a resolution authorizing the filing of the James Metzen Mighty Ducks Grant Application for the phase one conversion of the existing R-22 direct refrigeration system.

EXECUTIVE SUMMARY:
By the year 2020, R-22 refrigerant will no longer be produced or imported. The City currently has R-22 direct refrigeration systems in both rinks at the Richfield Ice Arena. Staff has met with three separate engineering consultants to determine the best course of action. Staff has found that that a single ammonia-based refrigeration system to serve the two existing ice rinks is the most efficient and cost effective solution. Switching to a single ammonia-based refrigeration system will have a significant savings in terms of equipment maintenance throughout the year. The new system is designed using screw compressors which require very little annual maintenance. Ammonia is a natural based refrigerant and is more environmentally friendly.

The total cost of the project is estimated at $2,816,000. Staff recommends splitting the project into two phases with the first phase dedicated to replacing the piping in the floor of rink one and constructing the combined refrigeration equipment for both rinks. Rink two would remain a direct R-22 system. Phase two of the project includes the replacement of piping in rink two and connecting it to the ammonia based system that was installed in phase one. Phase two can be delayed a few years to aid in the availability of funding. R-22 refrigerant from rink one can be stored and made available in rink two in case of a leak until rink two is converted in phase two.

The City is eligible to apply for a James Metzen Mighty Ducks Grant. The maximum grant award for a direct system conversion is $400,000. If awarded and accepted, the City would have to complete phase one by December 31, 2017.

Sources of funding for the project come from the James Metzen Mighty Ducks Grant in the amount of $400,000 and the remainder of Special Revenue Funds and other City Funds in the amount of $2,418,000. Funding for Phase One of this project was included in the approved 2017 Capital Improvement Budget and the 2018 - 2021 Capital Improvement Plan, with the completion date in 2019.

RECOMMENDED ACTION:
By motion: Approve the attached resolution authorizing the filing of the James Metzen Mighty Ducks
Grant Application for the phase one conversion of the existing R-22 direct refrigeration system.

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

As a continued effort to improve the mechanical operations and financial success of the Richfield Ice Arena, staff has researched and planned over the last three years for the elimination of its dependency on R-22 to operate its ice arenas. The City of Richfield has a great history of delivering a great product to its customers. The Richfield Ice arena is used by the Minnesota Magicians, Adult Hockey Association, Academy of Holy Angels High School, Richfield/Southwest Christian Coop High school, Richfield youth hockey association, Edina youth hockey association, and the Minneapolis storm youth hockey association.

The Richfield Ice Arena was constructed in 1971 using a direct R-22 Holmsten Ice Rink system. This rink is a NHL sized rink with a sand floor. The City built another ice sheet in 1999 to meet the growing demand of ice time in the metro area. Richfield again went with an R-22 Holmsten Ice Rink system for the second sheet of ice. The second rink is also NHL size, but with a concrete floor instead of sand. The facility has been well maintained throughout its lifetime and gotten a great shelf life from its mechanical equipment.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

A signed resolution by City Council authorizing the filing of the James Metzen Mighty Ducks Grant is a requirement in the grant application.

**C. CRITICAL TIMING ISSUES:**

The grant deadline is October 3, 2016.

**D. FINANCIAL IMPACT:**

**Cost Estimate for Conversion Project Phase 1**

1. Removal and install of dasher board system $35,000
2. Demolition of existing refrigeration system $20,000
3. Misc. demolition of perimeter concrete $20,000
4. Common Ammonia refrigeration system. $970,000
5. Computer based ice rink control system. $60,000
6. New stainless snowmelt coil in Rink 1. $20,000
7. NHL size concrete ice rink floor for Rink 1. $550,000
8. New dasher boards for Rink 1. $175,000
9. New perimeter concrete. $20,000
10. Contingency (10%) $187,000

**Total Phase 1 Cost** $2,057,000

**Cost Estimate for Conversion Project Phase 2**

1. Removal and reinstallation of dasher board on Rink 2. $35,000
2. Demolition of existing concrete floor. $70,000
3. NHL size concrete ice rink floor for Rink 2. $550,000
4. Piping connection from new refrigeration room. $35,000
5. Contingency (10%) $69,000

**Total Phase 2 Cost** $759,000

**Total Estimated Project Cost = $2,816,000**

**Source of Funding**

- James Metzen Mighty Ducks Grant $400,000
- Special Recreation Funds and Other City Funds $2,416,000

**Total Funding** $2,816,000

**Operating Cost Savings**

Going to a single ammonia-based refrigeration system will have a significant savings in terms of equipment maintenance throughout the year. The new system is designed using screw compressors
which require very little annual maintenance. Additionally should we ever experience a leak in the system the cost of ammonia is roughly seven times cheaper per pound than R-22. This new system will save us an estimated $40,000 per year on maintenance costs.

E. **LEGAL CONSIDERATION:**

There are no legal considerations associated with this item.

**ALTERNATIVE RECOMMENDATION(S):**
The City could decide to forgo the grant and apply at a future date. Unfortunately there is no guarantee the State will continue issuing grants beyond 2017. This would be a higher cost alternative as construction costs will increase over time.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
Kris Weiby, Facility Manager

**ATTACHMENTS:**

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<th>Description</th>
<th>Type</th>
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<tr>
<td>Mighty Ducks Grant Resolution</td>
<td>Cover Memo</td>
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RESOLUTION NO.

RESOLUTION AUTHORIZING FILING OF THE JAMES METZEN MIGHTY DUCKS GRANT APPLICATION FOR THE PHASE ONE CONVERSION OF THE EXISTING R-22 DIRECT REFRIGERATION SYSTEM AT THE RICHFIELD ICE ARENA.

WHEREAS, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides for general funds to assist political subdivisions of the State of Minnesota for the fulfillment of the purpose and goals of the James Metzen Mighty Ducks Grant Program, and

WHEREAS, the City of Richfield desires to complete the Phase One Conversion of the existing R-22 direct refrigeration system at the Richfield Ice Arena located at 636 East 66th Street, Richfield, Minnesota.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1) That the total cost of completing the project phase one is estimated at $2,057,000 and the City of Richfield is requesting $400,000 from the James Metzen Mighty Ducks Grant Program and will assume responsibility for a matching contribution of $1,657,000.

2) The City of Richfield agrees to own, assume 100 percent operational costs for the facility or equipment, and will operate the facility or equipment for its intended purpose for the functional life of the facility or equipment which is estimated to be 40 years.

3) The City of Richfield agrees to enter into necessary and required agreements with the MASC for the specific purpose of completing the project.

4) That a request for reimbursement be made to the MASC for the amount awarded after the completion of the project.

5) That Jim Topitzhofer, Recreation Services Director of the City of Richfield is authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September, 2016.

Debbie Goettel, Mayor

ATTEST:
092716 Mighty Ducks Grant Resolution
CERTIFICATION
I hereby certify that the foregoing resolution is a true and correct copy of the resolution presented to and adopted by the Richfield City Council at a duly authorized meeting thereof held on the 27th day of September 20, 2016, as shown by the minutes of said meeting in my possession.

_________________________________________
Elizabeth VanHoose, City Clerk
ITEM FOR COUNCIL CONSIDERATION:
Public hearing regarding a resolution for a final plat of the Richfield Properties LLC Addition that will combine four parcels (1400-78th Street East, 1420-78th Street East, 1500-78th Street East, and 7711-14th Avenue) on which a new Audi car dealership is being constructed.

EXECUTIVE SUMMARY:
The City Council approved plans for a new Audi car dealership at the intersection of 14th Avenue and 77th Street on April 28, 2015. The proposed plat for Richfield Properties LLC consolidates a number of parcels of land into a single legal parcel on which the new dealership will be located. The preliminary plat was approved by the City Council on July 14, 2015 and all comments by the Minnesota Department of Transportation, the City's Engineering Department, and the City Attorney's Office have been addressed.

RECOMMENDED ACTION:
Conduct and close a public hearing and by motion: Approve the attached resolution granting approval of the final plat of the Richfield Properties LLC Addition.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
   None

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
   ♦ All plats or subdivisions of land in the City must be approved by Council resolution pursuant to the provisions of Minnesota State Statutes 462.357.

C. CRITICAL TIMING ISSUES:
   ♦ Per State Statute, the City has 120 days from the date of submittal of a complete application to issue a decision regarding plat unless the applicant agrees to an extension.
   ♦ The final plat application was received by the City on August 18, 2016. The City Council must render a decision by December 16, 2016.

D. FINANCIAL IMPACT:
   None
E. **LEGAL CONSIDERATION:**

Notice of this public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the site.

**ALTERNATIVE RECOMMENDATION(S):**

None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

David Phillips, PHILLIPS Architects

**ATTACHMENTS:**

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<td>Resolution Letter</td>
</tr>
<tr>
<td>Final Plat</td>
<td>Exhibit</td>
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</tbody>
</table>
RESOLUTION NO.
RESOLUTION GRANTING APPROVAL
OF A PLAT FOR
RICHFIELD PROPERTIES LLC

WHEREAS, Phillips Architects on behalf of property owner Richfield Properties, LLC (“Applicant”) has requested final approval of a plat that combines properties located at 1400–78th Street East, 1420–78th Street East, 1500–78th Street East, and 7711–14th Avenue; and

WHEREAS, the proposed subdivision is to be known as RICHFIELD PROPERTIES LLC; and

WHEREAS, a public hearing was held on the proposed plat of RICHFIELD PROPERTIES LLC on September 27, 2016 at which all interested persons were given the opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, as follows:

1. The proposed plat of RICHFIELD PROPERTIES LLC satisfies the requirements of the City’s subdivision ordinances.
2. Final approval is granted to the Applicant for the plat of RICHFIELD PROPERTIES LLC subject to the following conditions:
   a. The Applicant must submit two mylar copies of the plat for signature by the City.
   b. The Applicant must file the final plat with the Hennepin County Recorder or Registrar of Titles, within 30 days of the approval of this resolution.
3. Staff is authorized to make changes as required by the Hennepin County Surveyor’s Office.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September, 2016.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk
KNOW ALL PERSONS BY THESE PRESENTS: That Richfield Properties, LLC, an Illinois limited liability company, fee owner, of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

That part of the West 175 feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter, lying North of the South 339.5 feet thereof, Section 35, Township 28, Range 24.

AND

The South 339.5 feet of the West 175 feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 35, Township 28, Range 24.

AND

The East 125 feet of the West 300 feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 35, Township 28, Range 24.

AND

The Southeast Quarter of the Southwest Quarter of the Southeast Quarter, except the East 198 feet and except the West 300 feet thereof, of Section 35, Township 28, Range 24.

Has caused the same to be surveyed and platted as RICHFIELD PROPERTIES, and does hereby dedicate to the public for public use forever the public ways and drainage and utility easements as shown on this plat.

In witness whereof said Richfield Properties, LLC, an Illinois limited liability company, has caused these presents to be signed by its proper officer this _______ day of ____________________, 20___.

SIGNED: Richfield Properties, LLC
By: , Member

Ralph Gesualdo

STATE OF
COUNTY OF
The foregoing instrument was acknowledged before me this _______ day of ____________________, 20___, by Ralph Gesualdo, Member of Richfield Properties, LLC, an Illinois limited liability company, on behalf of the company.

Notary Public,
County, Minnesota
Notary Printed Name

Rick M. Blom, a Licensed Land Surveyor.

Notary Public, Minnesota
Notary Printed Name

My Commission Expires

I, Rick M. Blom, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this Plat; and all public ways are shown and labeled on this plat.

Dated this _______ day of __________, 20___.

Rick M. Blom, Licensed Land Surveyor,
Minnesota License No. 21729

STATE OF MINNESOTA
COUNTY OF
The foregoing instrument was acknowledged before me this _______ day of ____________________, 20___, by Rick M. Blom, a Licensed Land Surveyor.

Notary Public, County, Minnesota
Notary Printed Name

I hereby certify that taxes payable in 20___ and prior years have been paid for land described on this plat, dated this _______ day of _________________, 20___.

Mark V. Chapin, County Auditor
By: , Deputy

SURVEY DIVISION, Hennepin County, Minnesota
Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _______ day of _________________, 20___.

Chris F. Mavis, County Surveyor
By: 

REGISTRAR OF TITLES, Hennepin County, Minnesota
I hereby certify that the within plat of RICHFIELD PROPERTIES was filed in this office this _______ day of _________________, 20___, at ______ o'clock ____ M.

Martin McCormick, Registrar of Titles
By: , Deputy

This plat of RICHFIELD PROPERTIES was approved and adopted by the City Council of Richfield, Minnesota, at a regular meeting held on the _______ day of ____________________, 20___, if applicable, the words comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the plan has been adopted without receipt of any comments or recommendations, as provided by Minnesota Statutes, Section 505.03, Subdivision 2.

City Council, Richfield, Minnesota
By: Mayor
By: Manager

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota
I hereby certify that the plat was approved _______ day of _______ year, as shown and described on this plat, dated _______ day of _______.

Mark V. Chapin, County Auditor
By: 

RESIDENTS OF TITLES, Hennepin County, Minnesota
I hereby certify that the within plat of RICHFIELD PROPERTIES was filed _______ day of _______ year, as shown and described on this plat, dated _______ day of _______.

Mark MacCormick, Registrar of Titles
By: 

DETAIL OF THE
SE 1/4 OF SEC. 35, T. 28, R. 24

DENOTES 1/2 INCH BY 14 INCH IRON MONUMENT SET AND MARKED BY LICENSE NO. 21729.

DENOTES FOUND HENNEPIN COUNTY CAST IRON MONUMENT, UNLESS OTHERWISE NOTED.

THE SOUTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SEC. 35, T. 28, R. 24 IS ASSUMED TO HAVE A BEARING OF NORTH 89 DEGREES 50 MINUTES 57 SECONDS EAST.

RICHFIELD, MINNESOTA
ITEM FOR COUNCIL CONSIDERATION:
Consideration of a zoning amendment and site plan for parking lot modifications at the Cedar Avenue Liquor Store (6600 Cedar Avenue).

EXECUTIVE SUMMARY:
In conjunction with the remodeling of the Cedar Avenue Liquor Store, the City is acquiring additional adjacent land from the Minnesota Department of Transportation (Mn-DOT) in order to expand and reconfigure the parking lot. A primary concern is removal and replacement of six parking stalls from the north side of the building. Use of these stalls frequently conflicts with ingress and egress to the site and safety concerns warrant their relocation. An additional six stalls will be added to bring the site up to the allowable maximum. As part of this process, the parking lot itself will be made compliant with regulations related to setbacks, landscaping, parking lot islands, and screening.

In addition to consideration of a site plan, the City must legally combine the land with the existing site and apply a zoning designation to the newly acquired property. The attached Resolution requires that this new land be combined with the existing parcel via a plat within one year. The attached Ordinance would zone the additional land (approximately 30 ft. x 233 ft.) as General Business (C-2) to match the adjacent Liquor Store property. In an effort to complete this work before the asphalt plants close for the year, staff would like to bid this work as soon as possible. To that end, staff is asking the Council to approve the proposed site plan alongside the first reading of the proposed zoning, rather than waiting two weeks until a second reading. This is reasonable because of the minimal impact the zoning change will have.

RECOMMENDED ACTION:
By Motion:
1. Approve a first reading of the attached Ordinance applying the General Business (C-2) Zoning Designation to land immediately adjacent to 6600 Cedar Avenue; and
2. Approve the attached Resolution granting approval of a site plan to allow modifications to the parking lot at 6600 Cedar Avenue.

BASIS OF RECOMMENDATION:
A. HISTORICAL CONTEXT
The Cedar Avenue Liquor Store was constructed in 1986 and the adjoining parking lot had two curb cuts along 66th Street. The construction of the Highway 77 off-ramps in 2005 eliminated both the eastern curb cut and the 66th Street connection to Cedar Avenue. The result of these changes is that nearly all traffic now passes through the somewhat problematic western entrance. The proposed reconfiguration seeks to improve maneuvering within the parking lot and increase safety.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
Site plan approval is required prior to the construction of any building in the City.

General Requirements
The proposed parking lot meets all dimensional requirements and will comply with stormwater management regulations. A preliminary landscape plan is included with the attached plans; a final plan shall be required prior to installation of plant materials.

Parking
A 5,900 square foot retail business requires 30 parking stalls. Maximum allowable parking is 120 percent of this requirement - 36 stalls. The proposed site plan provides 36 parking stalls. Two bicycle parking stalls are required. The proposed plan moves bicycle parking to the peninsula near the entrance to the store. Staff is exploring the possibility of an art-inspired bike back at this location.

General Criteria for Site Plan Evaluation
In evaluating a site plan, the Council shall consider its compliance with the seven (7) criteria outlined in Subsection 547.13 of the City Code. A full discussion of these requirements is provided as an attachment to this report. In general, the Council must consider the following:
- Consistency with the various elements and objectives of the Comprehensive Plan and other long-range plans;
- Site and building designs that offer integrated and thoughtful transitions from adjacent land and buildings;
- Functional connections for drivers, pedestrians, and bicyclists;
- Energy-conservation through site or building design; and
- Protection of adjacent and neighboring properties from substantial negative effects.

Staff finds the identified criteria to be met.

C. CRITICAL TIMING ISSUES:
- In order to complete the project before the asphalt plants close for the season, staff is asking the Council to approve the site plan alongside the first reading of the proposed zoning rather than wait two weeks until the second reading. The project will go out for bid as soon as it is approved by the Council.

D. FINANCIAL IMPACT:
- The project will go out for bid as soon as possible. The City Council will be asked to approve a final contract for work.

E. LEGAL CONSIDERATION:
- A public hearing was held before the Planning Commission on September 26, 2016. Notice of the public hearing was published in the Sun Current Newspaper and mailed to properties within 350 feet.
- Staff will be available to relay any comments from this hearing to the Council.
- Staff will report on the recommendation of the Planning Commission.

ALTERNATIVE RECOMMENDATION(S):
- Approve the attached Resolution and/or Ordinance with modifications.
- Reject the attached Resolution and/or Ordinance.

PRINCIPAL PARTIES EXPECTED AT MEETING:

ATTACHMENTS:
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<td>P&amp;Z Maps</td>
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ORDINANCE NO. ______

AN ORDINANCE RELATING TO ZONING;
AMENDING APPENDIX 1 TO THE RICHFIELD CITY
CODE BY ADDING NEW LAND
ADJACENT TO 6600 CEDAR AVENUE AND
DESIGNATING SAID LAND AS
GENERAL BUSINESS (C-2)

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Section 3, Paragraph (75) of Appendix 1 of the Richfield Zoning Code is amended to read as follows:

(75) M-49 (15th to Cedar Avenues and East 66th Street). That area lying between the center line of 15th and a line 33 feet east of the center line of Cedar Avenues, and between the center line of 66th Street and a line distant 250 feet southerly thereof and parallel thereto; except that area where zone PC-2 (5) overlaps with said zone in the block bounded by Cedar and 18th Avenues and by 66th and 67th Streets.

Sec. 2. This ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk
RESOLUTION NO. _______

RESOLUTION GRANTING APPROVAL
OF A SITE PLAN
TO ALLOW MODIFICATIONS TO THE PARKING LOT
AT 6600 CEDAR AVENUE

WHEREAS, an application has been filed with the City of Richfield which requests approval of site plan to allow modifications to the parking lot at 6600 Cedar Avenue and adjacent land, legally described in the attached Exhibit A; and

WHEREAS, the requested site plan has been reviewed by the City Council and meets City requirements; and

WHEREAS, the proposed site plan will adequately serve the purpose for which it is proposed and will not have an adverse effect upon the public safety or general welfare; and

WHEREAS, the City has fully considered the request for approval of the site plan.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. The City Council adopts as its Findings of Fact the WHEREAS clauses set forth above.
2. A site plan for a modified parking lot as described in City Council Report No. ___, on the Subject Property legally described above is approved.
3. The approved site plan is subject to the following conditions:
   • The property must be platted within one year of this approval.
   • This approval is contingent upon approval of a second reading of the rezoning of Proposed Parcel 2 as described in the attached Exhibit A.
   • A final landscape plan, including tree/plant selection, must be approved by the Community Development and Public Works Departments;
   • The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City’s Administrative Review Committee Report and compliance with all other City and State regulations. Permits are required prior to the commencement of any work;
   • This approval shall expire one year following the date of approval unless the use has commenced or a building permit has been obtained and construction begun.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September 2016.

______________________________
Debbie Goettel, Mayor

ATTEST:

_________________________
Elizabeth VanHoose, City Clerk
EXHIBIT A

Legal Description

Parcel 1 (Fee Ownership - City of Richfield):

That part of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 28 North, Range 24 West, lying north of the south 430.00 feet thereof, and east of the west 125.00 feet thereof, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

Abstract Property

Parcel 2 (Fee Ownership - Bernard W. Jorgensen & Robert C. Jorgensen):

The North 233 feet of the West 233 feet of the Northwest Quarter of the Southwest Quarter in Section 25, Township 28, Range 24, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

Torrens Property

Being registered land as evidenced by Certificate of Title No. 123118.

Parcel 3 (Fee Ownership - Irwin Ketroser & State of Minnesota):

Easement in favor of the State of Minnesota as evidenced by Final Certificate filed January 15, 1965 as Document No. 797648:

All that part of the following described tract:
The Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 25, Township 28 North, Range 24 West, lying west of the east 690 feet thereof, except the north 233 feet of the west 233 feet of said Northwest Quarter of the Southwest Quarter of Section 25, situate in Hennepin County, Minnesota, the title thereto being registered and evidenced by Certificate of Title No. 123119;
which lies within a distance of 60 feet westerly and 144 feet easterly of the following described line:
From the southwest corner of Section 36, Township 28 North, Range 21 West, run northerly on the west line of said Section 36 for 1000 feet; thence deflect to the right at an angle of 90°00' for 74.5 feet; thence deflect to the left at an angle of 90°01' for 2893 feet; thence deflect to the right at an angle of 5°37' for 1434.45 feet; thence deflect to the left at an angle of 5°36' for 1180.86 feet to the point of beginning of the line to be described; thence continue along the last described course for 1363.79 feet and there terminating; Together with all that portion of the above described tract lying westerly of the westerly boundary of the above described strip and which lies northeasterly of the following described line: Beginning at a point on a line run parallel with and distant 60 feet westerly of the above described line distant 1088.79 feet south of the point of termination of the above described line; thence run northwesterly to the intersection of the easterly line of Cedar Avenue with a line run westerly at right angles to the above described line at a point distant 813.79 feet southerly of its point of termination (both distances being measured along same line);
Also together with all that portion lying easterly of the first above described strip and which lies westerly of the following described line: Beginning at a point on a line run parallel with and distant 144 feet easterly of the first above described line at its intersection with the
south line of the Northwest Quarter of the Southwest Quarter of said Section 25; thence run northeasterly to the intersection of a line run parallel with and distant 340 feet easterly of the first above described line with a line run easterly at right angles to said first above described line, from a point distant 663.79 feet south of its point of termination (when measured along said first above described line); thence run northerly parallel with and distant 340 feet easterly of said first above described line to the east and west quarter line of said Section 25.

Said easement lies within the following described parcel of land:

That part of the Northwest Quarter of the Southwest Quarter lying west of the east 690 feet thereof, Section 25, Township 28, Range 24, except that part thereof embraced within the following described three tracts:

1) The north 233 feet of the west 233 feet of said Northwest Quarter of the Southwest Quarter

2) That part of the above described tract lying easterly of that part thereof taken under condemnation proceedings by the State of Minnesota for highway purposes, more particularly described as: that part thereof which lies within a distance of 60 feet westerly and 144 feet easterly of the following described line: from the southwest corner of Section 36, Township 28, Range 24, run northerly on the west line of said Section 36 for 1000 feet; thence deflecting to the right at an angle of 90 degrees for 74.5 feet; thence deflecting to the left at an angle of 90 degrees 01 minute for 2893 feet; thence deflecting to the right at an angle of 5 degrees 37 minutes for 1434.45 feet; thence deflecting to the left at an angle of 5 degrees 36 minutes for 1180.86 feet to the point of beginning of the line to be described; thence continue along the last described course for 1363.79 feet and there terminating, together with all that portion of the above described tract lying westerly of the westerly boundary of the above described strip and which lies northeasterly of the following described line: Beginning at a point on a line run parallel with and distant 60 feet westerly of the above described line distant 1088.79 feet south of the point of termination of the above described line; thence run northwesterly to the intersection of the easterly line of Cedar Avenue with a line run westerly at right angles to the above described line at a point distant 813.79 feet southerly of its point of termination (both distances being measured along same line); also together with all that portion lying easterly of the first above described strip and which lies westerly of the following described line: Beginning at a point on a line run parallel with and distant 144 feet easterly of the first above described line at its intersection with the south line of the Northwest Quarter of the Southwest Quarter of said Section 25; thence run northeasterly to the intersection of a line run parallel with and distant 340 feet easterly of the first above described line with a line run easterly at right angles to said first above described line, from a point distant 663.79 feet south of its point of termination (when measured along said first above described line); thence run northerly parallel with and distant 340 feet easterly of said first above described line to the east and west quarter line of said Section 25.

3) Commencing at the west quarter corner of said Section 25; thence South 00 degrees 03 minutes 22 seconds East along the west line of said Northwest Quarter of the Southwest Quarter for 859.97 feet; thence North 89 degrees 56 minutes 38 seconds East, 419.87 feet to the point of beginning of the tract being described; thence northeasterly for 279.23 feet on a non-tangetial curve, concave to the southeast, having a radius of 378 feet, a delta angle of 42 degrees 19 minutes 28 seconds and a chord bearing of North 30 degrees 34 minutes 17 seconds East and a chord length of 272.92 feet; thence North 00
degrees 00 minutes 51 seconds East for 574.28 feet; thence South 49 degrees 38 minutes 54 seconds West for 85.11 feet; thence South 06 degrees 15 minutes 07 seconds West for 300.80 feet; thence deflect to the left on a tangential curve, having a radius of 5674.58 feet and a delta angle of 02 degrees 16 minutes 26 seconds for 225.19 feet; thence southerly for 67.13 feet on a non-tangential curve, concave to the east, having a radius of 6536 feet, a delta angle of 00 degrees 35 minutes 19 seconds, a chord bearing of South 08 degrees 24 minutes 44 seconds and a chord length of 67.13 feet to said point of beginning.

Torrens Property
Being registered land as evidenced by Certificate of Title No. 1184055.5

PROPOSED PARCEL 2:

The West 33.00 feet of the North 233 feet of the West 233 feet of the Northwest Quarter of the Southwest Quarter in Section 25, Township 28, Range 24, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.
Site Plan Approval (Subsection 547.13)
In evaluating a site plan, the Planning Commission and Council shall consider its compliance with the following:

a) **Consistency with the various elements and objectives of the City’s long range plans including, but not limited to, the Comprehensive Plan.** The Comprehensive Plan describes the community’s desire for reinvestment and revitalization of its commercial areas. This is important for both municipally-owned and privately-owned properties.

b) **Consistency with the purposes of the Zoning Code.** The purposes of the Zoning Code include: assisting in the implementation of the Comprehensive Plan; creating harmonious and workable relationships among land uses; and more. Requiring site plan approval for site modifications provides the City with the opportunity to require that properties be improved to meet or approach current site design expectations.

c) **Preservation of the site in its natural state, insofar as practicable, by minimizing tree and soil removal, and designing any grade changes so as to be in keeping with the general appearance of neighboring developed or developing areas.** NA

d) **Creation of a harmonious relationship of buildings and open spaces with the terrain and with existing and future buildings having a visual relationship to the proposed development.** NA

e) **Creation of a functional and harmonious design for structures and site features including:**

   i. **Creation of an internal sense of order for the various functions and buildings on the site and provision of a desirable environment for occupants, visitors and the general community;**

   ii. **Appropriateness of the amount and arrangement of open space and landscaping to the design and function of the development;**

   iii. **Appropriateness of the materials, textures, colors and details of construction as an expression of the design concept of the project and the compatibility of the same with the adjacent and neighboring structures and functions; and**

   iv. **Adequacy of vehicular, cycling and pedestrian circulation, including walkways, interior drives and parking, in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian, cycling and vehicular traffic and arrangement and amount of parking so as to be safe, convenient and, insofar as practicable, compatible with the design of proposed buildings, structures and neighboring properties.**
The proposed plans address current vehicle circulation issues and improves pedestrian and bicycle access to the building.

f) **Creation of an energy-conserving design through design location, orientation and elevation of structures, the use and location of glass in structures, and the use of landscape materials and site grading.** NA

g) **Protection of adjacent and neighboring properties through reasonable provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design, not adequately covered by other regulations, which may have substantial effects on neighboring land uses.** Adequate provisions are in place to protect neighboring land uses from substantial effects related to the parking lot modifications.
ITEM FOR COUNCIL CONSIDERATION:
Consideration of an amendment to the City’s Comprehensive Plan and adoption of a new Cedar Corridor Master Plan. The proposed amendment changes the guiding properties east of 17th Avenue between 66th and 77th Streets.

EXECUTIVE SUMMARY:
Over the past several months staff has worked with JLG Architects to gather community and policy-maker input to incorporate into a revised vision for the Cedar Avenue Corridor. In addition to work sessions with the Council, Housing and Redevelopment Authority (HRA), and the Planning Commission on January 19th, April 12th, and May 24th, City and JLG staff solicited input through two public open houses (March 10th and June 1st), a Richfield Connect survey, and youth input through a project with Richfield Middle School summer school students. A sampling of feedback is attached to this report. In general, participants favored an 18th Avenue alignment for Richfield Parkway, felt strongly that businesses and amenities to serve the neighborhood should be the focus, and were concerned about displacing families.

The vision put forth by the Master Plan (Plan) is:
- To establish a renewed brand at a signature gateway to the City.
- To extend Richfield Parkway as an important north-south connector, as a neighborhood amenity, and as a transitional element between new land uses and the existing single-family neighborhood.
- To introduce new commercial uses that capitalize on the site’s unique resources that directly serve the local community and that provide employment opportunities.
- To increase the diversity of housing options.
- To encourage the rehabilitation or replacement of the lowest-quality housing stock.

The proposed Plan scales back the area of potential redevelopment from the current Plan; retaining more of the existing single-family neighborhood and providing a more gradual transition to commercial and high-density housing areas. The extension of Richfield Parkway along 18th Avenue provides both a transition between these areas and a neighborhood amenity. Specific regulations related to height, setbacks, architecture, uses, etc. will be created through a zoning overlay district, but the Plan provides the outline for this future work.
- 60/40 commercial/residential mix (throughout the mixed-use area).
- 24-50 units per acre (mixed use area).
- Allowances for expansion of existing single-family homes in medium-density area.
Setbacks, height limitations, entrances, windows, and generally the relationship of new buildings to the Parkway. A conceptual cross-section has been included in the Plan.

The proposed Plan also specifically addresses housing diversity and reinvestment. Reinvesting in existing single-family homes, combined with diverse offerings in the medium-density and mixed-use areas will ultimately result in housing options for all points in a person's life. The Plan also makes note of the fact that Richfield is an affordable community that desires to remain affordable to existing and new residents. That said, the southeast corner of the City has been designated by the Metropolitan Council as an Area of Concentrated Poverty where 50% or more of residents are people of color (ACP50). The intent of redevelopment plans for this area is to support development that offers high-quality affordable housing options as well as desirable market-rate units and a strong employment base, resulting in a revitalized neighborhood that is culturally rich.

The Planning Commission considered the Master Plan at its meeting on August 22, 2016. A number of area residents and business owners asked questions about the Plan and the timing of potential redevelopment in this area. Minutes from the Planning Commission meeting are attached to this report. The Planning Commission recommended adding a statement to indicate that development should proceed in such a way as to avoid small areas of isolated single-family homes surrounded by new development with incompatible densities. With this addition, the Commission recommended approval.

RECOMMENDED ACTION:
By motion: Approve the attached resolution amending the City's Comprehensive Plan and adopting the Cedar Corridor Master Plan.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
In 2004 the Minneapolis-St.Paul International Airport constructed a new "north-south" runway approximately 1,200 feet from residential areas in Richfield. In anticipation of the opening of the runway, the City of Richfield and the Metropolitan Airports Commission (MAC) commissioned a study to identify potential impacts to nearby properties. The study, entitled Findings of the Low Frequency Noise Expert Panel, identified an area in Richfield where low frequency noise would create unacceptable negative impacts and that noise insulation would not be fully adequate nor economically feasible. As a result, it was determined that Richfield would need to redevelop within this "low frequency noise impact area."

The Cedar Avenue Corridor Master Plan was last-updated in 2004 to address these impacts. With renewed development interest in this area and expected transportation and access changes on the horizon, an update to the 2004 plan is needed.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
- The Comprehensive Plan is a vision and guide to future land use decisions in the City. State Statutes give the Metropolitan Council the authority to set requirements and review cities' comprehensive plans.
- The Zoning Code is one of the tools used to effectuate the vision and land use plans described in the Comprehensive Plan. If the proposed Comprehensive Plan amendment is approved by the City Council, staff, and consultant JLG Architects will prepare coordinating zoning amendments.

C. CRITICAL TIMING ISSUES:
- The proposed Comprehensive Plan amendment must be distributed to adjacent cities and government units prior to submittal to the Metropolitan Council. Metropolitan Council staff has conducted a preliminary review of the proposed plans and have not raised concerns.

D. FINANCIAL IMPACT:
N/A

E. LEGAL CONSIDERATION:
- A public hearing was held before the Planning Commission on August 22nd.
- Notice of the public hearing was mailed to properties within 350 feet of the affected area and
published in the Sun Current Newspaper.
• Minutes from the August 22nd public hearing are attached to this report.
• The Planning Commission recommended approval of the attached resolution and master plan.

**ALTERNATIVE RECOMMENDATION(S):**
• Approve the attached resolution and Master Plan with modifications.
• Reject the attached resolution and Master Plan.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
Michelle Mongeon Allen, JLG Architects

**ATTACHMENTS:**

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RESOLUTION NO. ________

RESOLUTION AMENDING THE CITY’S COMPREHENSIVE PLAN
CHANGING THE DESIGNATION OF
PROPERTIES WITHIN THE CEDAR AVENUE CORRIDOR

WHEREAS, the City’s Comprehensive Plan provides a Guide Plan establishing particular planning needs for specific segments of the City; and

WHEREAS, the Comprehensive Plan designates properties between 66th Street East and 77th Street East as “Community Commercial,” “Office,” and “High Density Residential;” and

WHEREAS, the City has reviewed the Guide Plan classification and determined that it would be appropriate to designate these areas as “Low Density Residential,” “Medium Density Residential,” “Community Commercial,” and “Mixed Use” as described in City Council Staff Report No. ____; and

WHEREAS, the Planning Commission conducted a public hearing on August 22, 2016 concerning modifying the Guide Plan and approved the modifications; and

WHEREAS, the City Council considered the amendment on September 27, 2016;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota that the City’s Comprehensive Plan is hereby amended to designate properties in the Cedar Avenue Corridor as “Low Density Residential,” “Medium Density Residential,” “Community Commercial,” and “Mixed Use,” as described in City Council Staff Report No. ____ and is contingent upon the following:

1. The revision is submitted to and approved by the Metropolitan Council.

Adopted by the City Council of the City of Richfield, Minnesota this 27th day of September 2016.

__________________________
Debbie Goettel, Mayor

ATTEST:

__________________________
Elizabeth VanHoose, City Clerk
Cedar Avenue defines the eastern boundary of Richfield. Land uses along the roadway corridor include a mix of single-family homes, apartments, and a number of free-standing businesses; the neighborhood continues to be impacted by the proximity to the Minneapolis St. Paul International Airport in a variety of ways.

In 2016, the City updated the 2004 Redevelopment Master Plan for the Cedar Avenue Corridor. While the initial study had successfully guided the Cedar Point redevelopment in 2007, the national recession that followed stalled initiatives south of 66th Street for the next decade. The plan update responds to a clearer understanding of the noise impacts resulting from the north-south runway addition at the airport – which is less than what was anticipated – and is more reflective of current market conditions, including development pressure that may arise with the construction of the new underpass at 77th Street, which received $12.5M in funding in 2015. Additionally, the study parameters were adjusted to generally encompass the area from 66th Street on the north to 77th Street on the south, and from the City’s eastern edge at Highway 77 to 17th Avenue on the west.

In 2014, 17th Avenue between 63rd and 65th Streets was reconstructed to become a “complete street” named Richfield Parkway, and a primary focus of the corridor plan update was the continuation and alignment of this parkway south of 66th Street. Calling for medium-density residential and mixed-use along the parkway spine, the proposed alignment and land use recommendations were established to better position the City of Richfield to meet its land-use goals:

- To maintain and enhance the “urban hometown” character of Richfield
- To develop identifiable nodes, corridors and gateways throughout the community
- To provide an economic climate within Richfield that will encourage the availability of quality goods, services and employment opportunities

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- To maintain and enhance the “urban hometown” character of Richfield
- To develop identifiable nodes, corridors and gateways throughout the community
- To provide an economic climate within Richfield that will encourage the availability of quality goods, services and employment opportunities
The Cedar Avenue area of Richfield is very reflective of the community as a whole. Predominantly residential, the neighborhood was developed primarily in the 1940’s and 1950’s around a grid street system containing homes with consistent scales and setbacks. It has a very traditional feel and includes schools, churches, parks and a mature tree canopy, like the city itself, this neighborhood conveys an image of being established.

For the sixty-plus years that have followed, the Cedar Avenue neighborhood has been impacted by the growth of the Minneapolis St. Paul International Airport, expansion of the regional highway network, and birth of second- and third-ring suburbs. As a result, development along the neighborhood’s eastern edge has leaned towards a mix of low-rise rental apartment buildings and a sprinkling of small-scale commercial businesses, much of which is deteriorating due to age and environmental impacts.

A fully developed first-ring suburb, Richfield has been cognizant of the opportunity to redevelop and reshape these outdated areas of the city in order to position itself for a strong future, and understands that places like the Cedar Avenue Corridor can – properly planned – help to redefine Richfield for the next generation. Convenient transportation (including proximity to the airport), homogeneous housing stock, access to shopping and transit, and the community’s changing demographics are all defining characteristics that are capable of both constraining and inspiring solutions as Richfield seeks to compete with other communities as a desirable place to live, work and play.
In seeking to maintain a competitive position, Richfield continues its decades-long course of strategic investments that promote redevelopment in selected areas while broadly promoting policies and programs that improve neighborhoods and business areas throughout.

In 2004, the city created a Redevelopment Master Plan for the Cedar Avenue Corridor. While this initial study had successfully guided the Cedar Point redevelopment in 2007, the national recession that followed stalled initiatives south of 66th Street for the next decade. And so this plan update was commissioned in 2016 to assess and respond to current challenges and opportunities. Specifically, the plan update responds to a clearer understanding of the noise impacts resulting from the north-south runway addition at the airport – which is less than what was anticipated – and is more reflective of current market conditions, including development pressure that may arise with the construction of the new underpass at 77th Street, which received $12.5M in funding in 2015. Additionally, the study parameters were adjusted to generally encompass the area from 66th Street on the north to 77th Street on the south, and from the city’s eastern edge at Highway 77 to 17th Avenue on the west.

The purpose of the plan is to help frame regulatory tools and policy, to guide public improvements, and to convey the community’s vision for development to prospective developers, architects, planners and property owners.
The Cedar Avenue Corridor is envisioned as an area that takes full advantage of the opportunities unique to its location, to the betterment of the neighborhood and to the city as a whole. The defining characteristics of this corridor – visibility, proximity to the airport, access to convenient transportation and transit, adjacency to regional shopping and business, a shifting demographic, and an established neighborhood with quality, albeit aging and homogeneous, housing stock – serve to both define parameters of and inspire the vision for this corridor.

The Master Plan update seeks to align with the over-arching goals of the Richfield Comprehensive plan, including enhanced connectivity, neighborhood stabilization/revitalization, targeted redevelopment and expanded business opportunities. The study assessed, and specifically addresses, gateways and nodes, connections, place-making elements and land-use within the corridor.

The vision for this targeted redevelopment masterplan of the city’s eastern edge is:

- To establish a renewed brand at a signature gateway to the city
- To extend Richfield Parkway as an important north-south connector, as a neighborhood amenity, and as a transitional element between new land-uses and the existing single-family neighborhood
- To introduce new commercial uses that capitalize on the site’s unique resources, that directly serve the local community, and that provide employment opportunities
- To increase the diversity of housing options
- To encourage the rehabilitation and replacement of the lowest-quality housing stock
The Cedar Avenue Corridor masterplan is intended to help create an economically viable place for residents to live, work, and play at the city’s eastern edge. In assessing current conditions and future opportunity, three key plan elements ultimately rose to the top as drivers of the final plan:

- Alignment of Richfield Parkway
- Mixed-use Development Pattern
- Housing Diversity

RICHFIELD PARKWAY

In 2014, 17th Avenue between 63rd and 65th Streets was reconstructed to become a “complete street” named Richfield Parkway, and a primary focus of the corridor plan update was the continuation and alignment of this parkway south of 66th Street.

This study identifies the alignment of Richfield Parkway to be along 18th Avenue from 66th Street on the north to 77th Street on the south. Two key contributors to that decision were 1.) the design and construction of a new underpass at 77th Street, and 2.) the ability to assemble property necessary to support appropriate and impactful development. Richfield Parkway along 18th Avenue will follow the design established at the Cedar Point development north of 66th Street and will ultimately be classified as an ‘A’ Minor Arterial roadway. It is a divided-lane vehicular and greenway corridor that, by design, accommodates the needs of pedestrians and bicyclists in addition to vehicles, and includes enhanced landscaping.

Right-of-way alignment for the parkway will, at a minimum, preserve existing property boundaries to the west of 18th Avenue, and a variety of traffic calming measures such as roadway configuration and roundabouts will be further studied as detailed plans are developed. Important nodes along this extension of Richfield Parkway include a major gateway to the City of Richfield at 66th Street, a neighborhood node at Diagonal Blvd, the intersection at the “complete street” on 76th, and the terminus at 77th Street.

Ultimately, Richfield Parkway will be more than just an improved north-south connector. Enhanced with landscaping and well-designed bike and pedestrian paths, it will become an amenity that successfully seams together new mixed-use development with a revitalized single-family residential neighborhood.
MIXED-USE DEVELOPMENT PATTERN

The intent of the land-use plan for the Cedar Avenue Corridor redevelopment is to stabilize and revitalize the existing low density residential (LDR) by introducing mixed-use development that accommodates the density necessary to support neighborhood-commercial type goods and services. Mixed-use development refers to the integration of residential, commercial, retail, employment, civic, recreation and educational uses in a way that not only supports and enhances each element in the development, but provides residents in the surrounding neighborhood a rich and diverse environment in which to live, work, shop, play and learn.

Generally, the redevelopment area east of the proposed Richfield parkway seeks to support a residential density of 24-50 units per acre, with predominantly ground floor retail and commercial and vertical integration of residential and office functions. The intent is to support mixed-use developments that represent a blend of the functions commonly associated with High Density Residential (HDR and HDR0), Neighborhood Commercial (NC), and Community Commercial (CC and CCO) as defined in the 2018 Richfield Comprehensive Plan and attached in the Appendix section of this report, for an overall mix of approximately 60% commercial and 40% residential.

For the half block west of the parkway, Medium Density Residential (MDR) is planned to help transition density from the Mixed-used development area to the existing single-family residential neighborhood (designated “Low Density Residential (LDR)”). This classification accommodates attached housing - predominantly townhomes or condominiums - ranging from seven to twelve units per acre. Overlay language will address the accommodation of and improvements to existing single-family residential units that are currently located in that area.

Detailed direction in terms of form, setbacks and other requirements will be addressed via zoning and an overlay district for this corridor, which will include guidance on such things as setbacks from parkway, height limitations in relation to those setbacks, requirements for entrances/window/plazas and other semi-public activity space to front the parkway, limitations on service access, parking, open space, landscaping, and screening, to name a few. A conceptual cross-section through the study area has been developed to direct the massing of the mixed-use and commercial projects within the development area, with upper story setbacks to ensure pedestrian-scaled enclosure of the parkway.

The overall intent of the mixed-use classification is to encourage a pedestrian-friendly environment that fronts the parkway, provides lifestyle goods and services for the adjacent neighborhood, sensitively incorporates parking and service requirements, increases housing density and diversity, offers employment opportunities, invigorates with its architecture, and ultimately re-energizes the city’s eastern edge.
HOUSING DIVERSITY

Housing is the largest component of the existing land use in the Cedar Avenue neighborhood. The city understands that to remain competitive in retaining and attracting new residents, it needs to:

- Expand housing choices
- Promote the stabilization, revitalization and modernization of the existing housing stock
- Maintain affordability
- Support attractive neighborhoods

Richfield has a limited amount of diversity in its housing stock. Most of the units are single-family detached structures constructed in the mid-twentieth century and generally reflect the styles popular at that time – one story ramblers and one-and-a-half story expansion bungalows. The homes are also smaller, with most less than 1,200 square feet, and commonly lacking in the lifestyle amenities found in new construction.

Despite the age of the homes, the Hennepin County Assessor’s office generally ranks the stock as average or better – though the homes still may not have the features currently sought by homeowners. And so development that encourages reinvestment in the existing single-family structures in the form of renovations and expansions will not only expand housing choices, but will help attract and retain families in the community.

This reinvestment in the existing single-family housing stock, combined with diverse offerings in the medium-density and mixed-use redevelopment projects will ultimately result in housing options for all points in a person’s life, also known as “life-cycle housing”, which typically includes:

- Rental housing for young adults without the interest or financial capacity for ownership
- Units for first-time home buyers
- “Move-up” housing that allows growing families to move to a larger home
- Maintenance free housing for empty nesters
- Housing with supportive services for the elderly

Richfield is an affordable place to live, as well, and needs to remain affordable. But parts of the neighborhood have also been designated as an Area of Concentrated Poverty where 50% or more of residents are people of color (ACP50). The intent of the updated plan is to support development that offers high-quality affordable housing options as well as desirable market-rate units and a strong employment base, resulting in a revitalized neighborhood that is culturally rich.

The plan specifically addresses redevelopment along the Richfield Parkway in order to enhance the existing neighborhood and protect it from undue encroachments. The parkway serves as a clear delineator between higher-density mixed-used and the existing lower-density residential area. To further ease the transition, the half-block to the west of the parkway is designated Medium-density Residential (MDR) to both step down the physical scale and provide that low-rise attached product that is a key product in “life-cycle housing”.

Ultimately, the Redevelopment Master Plan is intended to further the community’s goals in regards to housing:

- To maintain and enhance the image as a community with strong, desirable and livable neighborhoods, and
- To ensure sufficient diversity in the housing stock to provide for a range of household sizes, income levels and needs
2015 Inc 5000 List
At #1316, JLG is the highest-ranked architecture firm on the list of the top 5000 fastest-growing private companies in America.

2015 Architect 50 Top Firms in Business #19
JLG is #19 of the top 50 firms in business, and the only firm in North Dakota or South Dakota to make the list.

2015 ENR Top 500 #386
JLG is the only North Dakota or South Dakota architecture firm to ever make this 60-year old national ranking.

2015 Building Design+Construction Giants 300 Design Firms #38
JLG has been named one of the Top 300 Architecture Firms and Top 60 BIM Architecture Firms in the United States.

2016 Zweig Group Hot Firm List #75
JLG is the only architecture firm in the top 10 of the 100 fastest-growing A/E/C/P firms in the US and Canada.

2016 Minneapolis-St. Paul Business Journal Top 25 Firms #5
JLG has been on the list of the top firms, ranked by billings, in the metro area since 2013.

2015 Architecture Record Top 300 Architecture Firms in the US #89
JLG is the only North Dakota or South Dakota architecture firm to have ever made the ranking of top firms in the United States.

2016 Zweig Group Best Firm to Work For #4
JLG is the #1 ranked architecture firm on this national list of the best places to work in the A/E/C industry in the US and Canada.

2015 Prairie Business Magazine Top 50 Best Places to Work
JLG has been named a best place to work by this regional publication, covering North Dakota, Minnesota and South Dakota.

National American Institute of Architects Intern Development Program Outstanding Firm Award
JLG was recognized as the national leader in developing and training new architects.
Of the two options for north Richfield Parkway (66th St to Diagonal Blvd), which do you prefer (Cedar or 18th Ave)? Why?

1. Cedar Avenue. Fewer displaced from their single family homes.
2. 18th Ave. Separation from freeway traffic.
3. I prefer the Cedar Ave. option, because it preserves as much of existing as possible. I am skeptical that housing in redeveloped areas will be affordable, and we need affordable housing.
4. 18th Ave - It allows more distance between res and 77. Brings the greenway to the residential area so we as daily users can appreciate it and not the businesses. It also allows more flexibility with larger parcels to the multi-use development - more space versus long a narrow allows more opportunity and ultimate better resources for the neighborhood.
5. 18th Ave. It gives enough space east of 18th Ave to put in gig box stores (Costco, grocery store, etc.) to help with tax base. To the west of 18th Ave, family-friendly town homes could be added to encourage families to move to Richfield. Either way, get rid of those skunky apts. that face Cedar Ave!
6. 18th because it is more accessible.
7. I prefer the alignment along 18th Ave S. It will provide more long-term space for redevelopment and a less significant curve on the route, creating more continuity.
8. Cedar, because of its linkage to the south Cedar option.
9. I prefer the Cedar Avenue Option. There seems to be less impact to the single family homes that already exist there.
10. Cedar Ave. There are more young families moving into this area that are looking for homes and not multi-family units. Multi-family units here would over burden the park and raise the noise level and traffic higher than it is already. Single family homeowners take more pride in their city. Cedar as the main throughway makes more sense for accident avoidance and truck traffic.
11. I prefer the 18th Ave alignment, as it feels like a more thoughtful through-way, whereas the Cedar alignment always felt forced and zig zags oddly.
12. Cedar Avenue because it seems the least intrusive to the residents also Cedar Ave. is already the route that "makes sense", so it seems most natural.

Of the two alternatives for south Richfield Parkway (Diagonal Blvd to 77th St), which do you prefer (Cedar or 18th Ave)? Why?

1. Cedar Avenue. Fewer displaced from their single family homes.
2. 18th Ave. hopefully to avoid traffic entering the circle at too high of a speed after exiting 77, gives traffic room to adjust to surface street speed.
3. Again, I prefer the Cedar Ave option, because it has more room for housing. Hopefully it will be mixed-use redevelopment that has room for small retail mixed in with housing.
4. 18th again, same comments as north section the greenway next to 77 does NOTHING to help the neighborhood. Bring that beautiful nature and social piece into the neighborhood and not on HWY 77 front yard.
5. 18th Ave. I like the idea of 18th Ave being a divider between commercial and 'other'. That area has never had much shopping area, either. Just get rid of those skunky acts facing Cedar!
6. 18th because it is more accessible.
7. I prefer the alignment along 18th Ave S. This will provide a more obvious, continuous corridor and more space for additional development fronting the Cedar Freeway. As an additional benefit, it will provide direct access to E 70th St from the new route. As it currently stands, the connection between Old Cedar and 70th is awkward, requiring a brief jog on Diagonal and 18th.
8. Strongly prefer the Cedar route, because of the lesser impact to Washington Park, a critical element of this area. The eastern side of the park is a very popular sledding hill (the only one in the area!) and recreational part of the neighborhood. The 18th Ave alternative will end up taking out the part of the park that we most often use, the sledding hill. The hill also provides a significant element of visual appeal of the park as seen from the neighborhoods to the north and west, and also is a sound barrier from the highway noise of 494.
9. Also the Cedar Avenue option, as a resident that lives on Diagonal Blvd it seems this option would keep more traffic out of our neighborhoods and along a "main street"
10. Cedar Ave. Multi-family buildings are the norm for this area and would fit in with the existing neighborhood. A smaller commercial area would fit in much better for the new bike and walk path added to Cedar. I can just envision huge trucks climbing over the curb of the bike path to back into the many commercial businesses that the other proposal would bring to the area.
11. Agree that 18th should be the maintained alignment from 66th to 77th. It provides a very contiguous N-S roadway. One that doesn't parallel a freeway.
12. Again, Cedar avenue due to its lack of intrusiveness and that it is already that natural route.
<table>
<thead>
<tr>
<th></th>
<th>Please share any additional feedback about the Richfield Parkway alignment options or about the Cedar Avenue Corridor Master Plan in general</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>We should rename Cedar Ave, because there are now two Cedar Avenues parallel to each other and it confuses people.</td>
</tr>
<tr>
<td>2</td>
<td>Bringing the green way closer to the single family homes will also help reduce the scale from single to multi story units. Wider roads will also reduce the feeling of cave like and help the sun angles onto the single story homes.</td>
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<tr>
<td>3</td>
<td>I think both 18th Ave plans could really increase living options for Richfield with family-friendly town homes along the west side of 18th Ave. School populations would be helped, as well.</td>
</tr>
<tr>
<td>4</td>
<td>Washington Park needs a lot of help. Good work on redeveloping the city!</td>
</tr>
<tr>
<td>5</td>
<td>The current Comprehensive Plan identifies Richfield Parkway not as a straight north-south street parallel to the Cedar Freeway, but as a winding route connecting Taft Park to Woodlake via Old Cedar Ave, Diagonal Blvd, and 73rd St. Although I prefer seeing an &quot;18th Ave Parkway&quot; to an &quot;Old Cedar Ave Parkway&quot;, I do not believe either should be called Richfield Pkwy south of Diagonal Blvd. I am unclear why the area between the 18th Ave Parkway and the Cedar Freeway must be commercial south of Diagonal Blvd. Large-scale residential would also fit in well. If this area truly sees redevelopment, we will be losing a lot of affordable housing along the Cedar corridor. It is imperative that we do not lose total housing units.</td>
</tr>
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<td>6</td>
<td>Please work to preserve and enhance the appearance and value of Washington Park with whatever changes are made. This is the only park of any real size in the SE part of Richfield.</td>
</tr>
<tr>
<td>7</td>
<td>I am excited to see this project start as this part of Richfield is in desperate need of a facelift. I do think it is important that any market driven redevelopment is done in a way that drives market value type housing if that is what goes in. Richfield does not need any more senior housing or section 8/low cost housing. This type of housing does not add to the value of Richfield as a city.</td>
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<tr>
<td>8</td>
<td>I do not like eminent domain - Richfield has taken too many single family homes and it's losing the home town feel. Will Richfield's east side look like Detroit - we could have vacant multi family buildings sitting in ruin when these corporations move out because of high taxes.</td>
</tr>
</tbody>
</table>
6/1/16 Cedar Corridor Feedback

OTHER GREAT IDEAS... board

- Non-subsidized (Sec 8-Sec 42) affordable multi family or multi family/commercial options
  - +1
  - No!
- More local business. No more chains, we have too many, more community oriented.
  - Yes!
  - Agreed!
- Green + community space to encourage people out walking, “friendly spaces”
  - Without dogs nipping at your heels
- Family restaurants
- Local businesses and more green, walkways, and park areas
- Leave 18th alone
- No more chains! (Bigbox)
- Community garden done by the community, for the community. Big and available for all.
  - Yes!
- Bike paths, if not removed, should be closely watch for bicycle/road violations!
- Affordable housing
  - No
  - No. We have enough in Richfield.
- Keep all the greenspace we have
- Family oriented businesses (community rec. center)
- Community garden
  - I second this
  - 3rd
  - We have a community garden
- God help us
  - It’s too late, their minds are made up
- Kid friendly parks, bike path
- Co-op
- Multi-story buildings to block airport noise, trees on buildings like Vancouver.
  - Yes
- Block off 16th after the commercial zone for safety reasons.
• No city control? Looks like wild west growth?
• Houses may not be bought ____ up to new big building?
• Keep sledding hill at Washington Park and update the playground; make area kid-friendly and walking friendly.
• Holiday gas station by target!!!
  o 2nd it
• Froyo
• Smaller scale multi-family: Town/Row Homes w/brick
• No more than five story buildings on Cedar
• Housing available for all needs and families
• Make sure garbage haulers take the garbage instead of spreading it all over the neighborhood.
• Use the guide for walking etc. on Zillow to raise values for homeowners.

COMMENT CARDS

• This is very upsetting to a taxpaying homeowner who is now handcuffed – I will now have an additional disclosure for any buyer. I am stuck in my home until some developer wants to buy it – AND – I DID NOT BUY a house on a busy street. I DO NOT want some parkway with no parking in my front yard.
• If houses are bought out by a project buyer or through eminent domain, residents should be offered fair price for their homes and also restitution for the inconvenience of having to move.
• We need buildings to block absorb airport noise.
• Scrap the tunnel – ground water problems.
• We have a concern that things are going to be put together by pieces. People holding out on their homes may be built in.
• Will this effect Centennial Elementary? Will is drive away young families if it is pushed out? Will you provide greenspace to compensate for all the packed development? These questions (answers) could impact the ability for Richfield to survive well as a community.
• Would love to see less big box and more “family friendly” amenities such as green space and rec facilities. Need to develop true “community garden” space to cooperatively provide for our residents who need supplemental food sources.
• My front yard will be open to businesses, high traffic, and crime areas by building these areas. I am disappointed that this plan has migrated further than originally planned. I’m sure for others that will not have to look at this everyday are excited but this exposes us to so many commercial property views and it is taking away my homely views.
• It looks like my house would not be torn down, but the unknown of what could be in my backyard is unnerving. Would appreciate some sort of barrier (fence, trees) between a new building.
• Please no big box stores. Please no chains. Would love to have a portion of subsidized housing especially after the loss of Crossroads. Am happy to talk more!
June 25, 2016

City of Richfield
6700 Portland Avenue
Richfield, MN  55423-2599

RE: City Development of Cedar Avenue

Dear Melissa Poehlman,

Thank you for taking the time to speak with me on the phone the other day regarding the future plans for further development of Cedar Avenue. My family owns the property at 7034 Cedar Avenue South, which has been operating as Short Stop Superette since the late 1960’s. We are very interested in the master plan and further development of the Cedar Corridor.

The property was rezoned office after the business was in existence. We are interested in maintaining a presence in the area and would entertain further investment to complement the existing local community provided appropriate zoning. We encourage the city to consider a medical facility, a mercado and other options that enhance the lives of current Richfield residents.

Randy Hohbein

Property Manager
Short Stop, LLC
612-859-7402
MEMBERS PRESENT: Chairperson Erin Vrieze Daniels and Commissioners Sean Hayford Oleary, Rick Jabs, Dan Kitzberger, and Susan Rosenberg

MEMBERS ABSENT: Commissioners Gordon Vizecky and Charles Standfuss

STAFF PRESENT: John Stark, Community Development Director
                    Matt Brillhart, Associate Planner

OTHERS PRESENT: Michelle Mongeon Allen, JLG Architects
See attached sign-in sheet for additional speakers.

Chairperson Vrieze Daniels called the meeting to order at 7:00 p.m. and appointed Commissioner Jabs as Acting Secretary.

APPROVAL OF MINUTES

M/Rosenberg, S/Jabs to approve the minutes of the July 25, 2016 regular meeting.
Motion carried: 5-0

OPEN FORUM

No members of the public spoke.

PUBLIC HEARING(S)

ITEM #1
16-IUP-04 – Consider a request for an interim use permit to allow Minnesota Life College to use the property at 2000 West 76th Street for social, meeting, and office space for their Community Living Program.

Associate Planner Matt Brillhart presented the staff report.

In response to a question from Commissioner Hayford Oleary, Brillhart stated that the property had a two-car garage and long driveway to accommodate any parking needs, and that the expectation was that most visitors would walk over from the college, rather than drive.

Amy Gudmestad of Minnesota Life College provided additional information about Minnesota Life College and several other attendees spoke in support of the interim use permit.

M/Kitzberger, S/Rosenberg to close the public hearing.
Motion carried: 5-0

M/Rosenberg, S/Kitzberger to recommend approval of the interim use permit.
Motion carried: 5-0
ITEM #2
PC Letter No. 11 – Consider proposed amendment to the Richfield Comprehensive Plan. The proposed amendment will change the guide plan designation for properties within the Cedar Avenue Corridor (generally the area east of 17th Avenue, between 66th and 77th Streets).

Community Development Director John Stark presented the staff report and Michelle Mongeon Allen of JLG Architects provided additional information.

In response to a question from Commissioner Hayford Oleary, Stark stated that in his experience, the minimum footprint of a single townhome or apartment development was approximately 6 single family lots or half of a city block.

In response to questions from Steve Wickham (7425 18th Avenue), Stark stated that one of the reasons for planning higher density and taller structures east of 18th Avenue was to help buffer properties west of 18th Avenue from airport noise. Stark stated he did not expect new single family structures to be a part of any development east of 18th Avenue.

In response to a question from Liz Berres (6732 17th Avenue), Stark stated that Richfield Parkway could possibly be aligned slightly east of the existing footprint of 18th Avenue, leaving excess right-of-way that could be added to the half-block depth of parcels on the west side of 18th Avenue.

In response to questions from Ruth Hoglund (7415 18th Avenue), John Nielsen (7311 17th Avenue), Alan Cole (7327 17th Avenue), Katie Downs (6821 18th Avenue), and Evelyn Rhines (7035 18th Avenue), Stark stated that there were no active development proposals south of 68th Street at this time. Stark stated that this was a long-range plan, and that total completion was expected to take 15 years or more. Stark stated that Richfield Parkway would not be constructed on each block until there was a redevelopment proposal in that area. Stark stated that the overlay zoning district would help ensure consistency among blocks developed at different times. Stark stated that a developer would have to negotiate purchase offers with each individual property owner.

In response to a question from Randy Hohbein (Short Stop, 7034 Cedar Avenue), Stark stated that there were a variety of options for development of the block that Short Stop sits on, ranging from development occurring around Short Stop to incorporating the business into a new mixed-use development.

(Name not legible) inquired if information had been provided in other languages, noting the large Hispanic, Oromo, and Somali populations in the area, and noted the connection between housing disruption and educational attainment.

In response to a question from Stephanie Guerrero (6901 16th Avenue), Stark stated that Inland Development Partners were working on the development north of 68th Street, and staff anticipated groundbreaking in 2017. Guerrero also noted the lack of meeting materials available in other languages, noting the large Spanish-speaking population in the area.

Terry Straub (7430 Portland Avenue) stated frustration with the loss of existing businesses and residential properties, and the effects of uncertainty on property values.
M/Rosenberg, S/Jabs to close the public hearing.  
**Motion carried: 5-0**

Chair Vrieze Daniels stated concern with the potential for leaving isolated pockets of land undeveloped, and suggested stronger language in the plan to prevent such an outcome.

Commissioner Hayford Oleary stated that existing single-family homes and townhomes could coexist on a block, with architectural guidelines in place. Commissioner Rosenberg noted the 7600 block of Aldrich Avenue as an example of existing single-family homes and newer townhomes coexisting. Commissioner Hayford Oleary stated concerns with the loss of naturally occurring affordable housing in the existing apartment buildings along Cedar Avenue.

M/Jabs, S/Rosenberg to recommend approval of the Comprehensive Plan amendment.  
**Motion carried: 5-0**

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**NEW BUSINESS**

None.

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**OLD BUSINESS**

None.

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**LIAISON REPORTS**

Community Services Advisory Commission: Commissioner Jabs  
City Council: No report  
HRA: Chair Vrieze Daniels  
Richfield School Board: Commissioner Kitzberger  
Transportation Commission: Commissioner Hayford Oleary  
Chamber of Commerce: No report

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**CITY PLANNER’S REPORT**

Brillhart reminded commissioners of the study session on August 23rd.

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**ADJOURNMENT**

M/Jabs, S/Hayford Oleary to adjourn the meeting.  
**Motion carried: 5-0**

The meeting was adjourned by unanimous consent at 8:43 p.m.

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Rick Jabs  
Acting Secretary