



# 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	<b>PRESENTATION REGARDING RICHFIELD'S OPEN STREETS AT PENN FEST ON SEPTEMBER 18, 2106</b>
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Gordon Hanson, 6311 Sheridan Avenue, made the presentation.

<b>Item #2</b>	<p><b>COUNCIL DISCUSSION</b></p> <ul style="list-style-type: none"> <li>• Hats Off to Hometown Hits</li> </ul>
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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 he 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.

<b>Item #3</b>	<p><b>COUNCIL APPROVAL OF AGENDA</b></p>
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M/Howard, S/Fitzhenry to approve the agenda.

Motion carried 4-0.

<b>Item #4</b>	<p><b>CONSENT CALENDAR</b></p>
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- 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 LYNDALDE/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 LYNDALDE/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.

<b>Item #5</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>Item #6</b>	<b>CONSIDERATION OF THE 70<sup>TH</sup> STREET BICYCLE ROUTE AND ADOPTION OF A RESOLUTION RESTRICTING PARKING ALONG PORTIONS OF THE ROUTE S.R. NO. 141</b>
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Council Member Garcia presented Staff Report No. 141.

Transportation Engineer Broz explained the proposed parking restrictions and funding for the project.

M/Garcia, S/ Howard to approve the 70<sup>th</sup> 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:

RESOLUTION NO. 11242

RESOLUTION RELATING TO TRAFFIC CONTROL SIGNS  
"NO PARKING" ON 70<sup>th</sup> STREET

Motion carried 4-0. This resolution appears as Resolution No. 11242.

<b>Item #7</b>	<b>CONSIDERATION OF A RESOLUTION AUTHORIZING THE REFUNDING OF THE \$4,705,000 G.O. OBLIGATION IMPROVEMENT PLAN BONDS, SERIES 2007B, DATED JULY 10, 2007 WITH THE \$5,450,000 G.O. REFUNDING BONDS, SERIES 2016B S.R. NO. 142</b>
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Council Member Fitzhenry introduced Staff Report No. 142.

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

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

RESOLUTION NO. 11243

RESOLUTION PROVIDING FOR THE SALE OF  
\$5,450,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016B

Motion carried 4-0. This resolution appears as Resolution No. 11243.

<b>Item #8</b>	<b>CONSIDERATION OF A RESOLUTION AUTHORIZING THE REFUNDING OF THE \$9,480,000 G.O. CAPITAL IMPROVEMENT PLAN BONDS, SERIES 2008A, DATED DECEMBER 23, 2008 WITH THE \$6,305,000 G.O. REFUNDING BONDS, SERIES 2016C S.R. NO. 143</b>
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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.

<b>Item #9</b>	<b>CONSIDERATION OF THE 2016 REVISED/2017 PROPOSED BUDGET RESOLUTIONS ADOPTING THE 2017 PRELIMINARY PROPERTY TAX LEVY, SETTING THE TRUTH IN TAXATION HEARING DATE, AUTHORIZING BUDGET REVISIONS AND AUTHORIZING REVISION OF THE 2016 BUDGET OF VARIOUS DEPARTMENTS S.R. NO. 144</b>
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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.

<b>Item #10</b>	<b>CITY MANAGER’S REPORT</b>
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City Manager Devich provided an update on the 77<sup>th</sup> Street Underpass.

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

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

Motion carried 4-0.

<b>OPEN FORUM</b>
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None.

<b>Item #9</b>	<b>ADJOURNMENT</b>
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The City Council Meeting was adjourned by unanimous consent at 8:25 p.m.

Date Approved: September 27, 2016

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Debbie Goettel  
Mayor

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Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager