



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

February 28, 2017

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; Pat Elliott; and Maria Regan Gonzalez

Staff Present: Steven L. Devich, City Manager; Pam Dmytrenko, Assistant City Manager/HR Manager; Mary Tietjen, City Attorney; James Topitzhofer, Recreation Services Director; Chris Regis, Finance Manager; and Jared Voto, Executive Aide/Analyst

OPEN FORUM

Birgit Johnson, 6332 13th Ave S, spoke regarding community park clean-up.

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Howard led the Pledge of Allegiance.

Item #1	PRESENTATION BY MAC CHAIRMAN DAN BOIVIN, COMMISSIONER KATIE CLARK SIEBEN, AND DIRECTOR OF ENVIRONMENT CHAD LEQVE
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MAC Chairman Dan Boivin introduced new Commissioner Katie Clark Sieben. Commissioner Clark Sieben introduced herself and welcomed the Council and community to contact her and she looked forward to working with Richfield.

Item #2	PRESENTATION OF A PROCLAMATION OF TIBET DAY ON MARCH 10, 2017
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Mayor Pro Tempore Howard introduced Sonam Dhondup, President of the Tibetan American Foundation of Minnesota, who gave a brief background of Tibet and discussed Tibet Day.

Mayor Pro Tempore Howard read the proclamation, proclaiming March 10, 2017, Tibet Day in the city of Richfield.

APPROVAL OF MINUTES

M/Elliott, S/Garcia to approve the minutes of the: (1) Special City Council Meeting of February 14, 2017; (2) Special City Council Work Session of February 14, 2017; (3) Regular City Council Meeting of February 14, 2017; and (4) Special City Council Closed Executive Session of February 22, 2017.

Motion carried 4-0.

Item #3	COUNCIL DISCUSSION <ul style="list-style-type: none"> Hats Off to Hometown Hits
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Council Member Regan Gonzalez discussed the Tibetan New Year; congratulated and thanked Mayor Pro Tempore Howard on his State of the City address; and highlighted the Richfield School District being in the Star Tribune and Wall Street Journal for their graduation rate increases and promoting healthy food consumption, respectively.

Council Member Elliott echoed Council Member Regan Gonzalez’s comments on the State of the City; mentioned the March 7 Special Election; and stated that he would look into a volunteer committee for community park cleanup.

Council Member Garcia echoed Council Member Regan Gonzalez’s comments on the State of the City; and discussed Sunday liquor sales and thanked Senator Wiklund and Representative Wagenius for voting against the bill.

Mayor Pro Tempore Howard thanked the Council Members for their support on the State of the City address; mentioned the March 7 Special Election; and echoed Council Member Regan Gonzalez’s comments on the Richfield School District.

City Manager Devich discussed the March 14 Regular City Council Meeting would be cancelled because there would not be a quorum. He stated most items could be moved to the March 28 meeting, except two items: canvass the election and citizen appointment to the Housing and Redevelopment Authority. He proposed a special meeting on Friday, March 10 at 8 a.m.

Council Members reviewed their calendars and agreed with the date for the special meeting.

Item #4	APPROVAL OF THE AGENDA
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M/Howard, S/Elliott to approve the agenda.

Motion carried 4-0.

Item #5	CONSENT CALENDAR
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City Manager Devich presented the Consent Calendar.

- A. Consideration of the approval of a resolution authorizing acceptance of a grant from the St. Paul Foundation for Wood Lake Nature Center in the amount of \$1,000 for use in the completion of the Pollinator Peace Garden at Wood Lake and authorizing the Recreation Services Director to apply the funds as intended by the donors. (S.R. No. 27)

RESOLUTION NO. 11332
RESOLUTION ACCEPTING A DONATION RECEIVED BY WOOD LAKE
NATURE CENTER FROM THE ST. PAUL FOUNDATION IN THE
AMOUNT OF \$1,000 FOR FUNDING ASSISTANCE ON THE
POLLINATOR PEACE GARDEN PROJECT

This resolution appears as Resolution No. 11332.

- B. Consideration of the approval of the renewal of a lease agreement between the City of Richfield and the United States Postal Service for the use of fourteen parking spaces in the lower parking lot of the Wood Lake Nature Center. (S.R. No. 28)
- C. Consideration of the approval of a resolution authorizing the City of Richfield's application and agreement with Hennepin County for the 2017-2020 Municipal Recycling Grant Program. (S.R. No. 29)

RESOLUTION NO. 11333
RESOLUTION AUTHORIZING THE CITY OF RICHFIELD'S
APPLICATION AND AGREEMENT FOR THE 2017-2020 MUNICIPAL
RECYCLING GRANT PROGRAM WITH HENNEPIN COUNTY

This resolution appears as Resolution No. 11333.

- D. Consideration of the approval of a resolution requesting a MnDOT State Aid Design Element Variance for the Richfield Parkway South project. (S.R. No. 30)

RESOLUTION NO. 11334
RESOLUTION REQUESTING A VARIANCE FROM THE MINNESOTA
DEPARTMENT OF TRANSPORTATION STATE AID OPERATION
STANDARDS FOR CURVES ON RICHFIELD PARKWAY BETWEEN
67TH STREET AND 66TH STREET

This resolution appears as Resolution No. 11334.

- E. Consideration of the approval of the purchase of a truck chassis from Boyer Isuzu Trucks for \$48,358 and compaction body from Macqueen Equipment for \$54,706, totaling \$103,064. (S.R. No. 31)
- F. Consideration of the approval of a resolution adopting City Council Rules of Procedure and Decorum. (S.R. No. 32)

RESOLUTION NO. 11335
RESOLUTION ADOPTING RULES OF PROCEDURE AND
DECORUM FOR CITY COUNCIL MEMBERS

This resolution appears as Resolution No. 11335.

- G. Consideration of the approval of the first reading of an ordinance amending City Code Section 205 related to Rules of Council Procedure and schedule a second reading for March 28, 2017. (S.R. No. 33)

- H. Consideration of the first reading of an ordinance amending City Code Subsection 710.23 related to private water supplies and cross-connection control and schedule a second reading for March 28, 2017. (S.R. No. 34)
- I. Consideration of the approval of the first reading of an ordinance regulating trapping, snaring, hawking and falconry in the City of Richfield and schedule a second reading of the ordinance for March 28, 2017. (S.R. No. 35)
- J. Consideration of a first reading of an interim ordinance modifying regulations related to temporary signs along 66th Street and schedule a second reading for March 28, 2017. (S.R. No. 36)
- K. Consideration of the approval of an amendment to the Hennepin County Cost Participation Agreement for the acquisition of right-of-way for the 77th Street Underpass of Trunk Highway 77 project. (S.R. No. 37)

The second reading date for Items G and I were changed from March 14, 2017 to March 28, 2017, based on the earlier discussion of the cancellation of the March 14 Regular City Council Meeting. The second reading date of March 28, 2017, was added to Item J.

M/Elliott, S/Howard to approve the consent calendar.

Motion carried 4-0.

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

Item #7	PUBLIC HEARING AND CONSIDERATION OF THE APPROVAL OF A NOISE ORDINANCE VARIANCE TO ALLOW OPERATION OF TEMPORARY CONVEYANCE SYSTEMS AND EQUIPMENT DURING OVERNIGHT HOURS RELATED TO THE METROPOLITAN COUNCIL'S RICHFIELD/AIRPORT SEWER REPAIR PROJECT. (S.R. NO. 38)
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Council Member Regan Gonzalez presented Staff Report No. 38.

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

Motion carried 4-0.

M/Regan Gonzalez, S/Howard to approve a noise ordinance variance to allow operation of temporary conveyance systems and equipment during overnight hours related to the Metropolitan Council's Richfield/Airport Sewer Repair project.

Motion carried 4-0.

Item #8	CONSIDERATION OF THE APPROVAL OF A RESOLUTION PROVIDING FOR THE SALE OF \$9,335,000 GENERAL OBLIGATION STREET RECONSTRUCTION BONDS, SERIES 2017A. (S.R. NO. 39)
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Mayor Pro Tempore Howard presented Staff Report No. 39.

M/Howard, S/Garcia to approve a resolution providing for the sale of \$9,335,000 General Obligation Street Reconstruction Bonds, Series 2017A.

RESOLUTION NO. 11336
RESOLUTION PROVIDING FOR THE SALE OF \$9,335,000 GENERAL
OBLIGATION STREET RECONSTRUCTION BONDS, SERIES 2017A

Motion carried 4-0. This resolution appears as Resolution No. 11336.

Item #9	CONSIDERATION OF THE APPROVAL OF A BID TABULATION AND AWARD A CONTRACT TO BITUMINOUS ROADWAYS INC. FOR THE 2017 MILL AND OVERLAY PROJECT IN THE AMOUNT \$2,054,194.40 AND AUTHORIZATION OF THE CITY MANAGER TO APPROVE CONTRACT CHANGES UNDER \$50,000 WITHOUT FURTHER CITY COUNCIL CONSIDERATION. (S.R. NO. 40)
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Council Member Elliott presented Staff Report No. 40.

M/Elliott, S/Howard to approve the bid tabulation and award a contract to Bituminous Roadways Inc. in the amount of \$2,054,194.40 for the 2017 Mill and Overlay project and authorize the City Manager to approve contract changes under \$50,000 without further City Council authorization.

Motion carried 4-0.

Item #10	CONSIDERATION OF THE APPROVAL OF A BID TABULATION AND AWARD A CONTRACT TO TI-ZACK CONCRETE, INC. FOR THE 2017 CONCRETE SIDEWALK, CURB, AND GUTTER REPAIR PROJECT IN THE AMOUNT OF \$959,150.00 AND AUTHORIZATION OF THE CITY MANAGER TO APPROVE CONTRACT CHANGES UNDER \$50,000 WITHOUT FURTHER CITY COUNCIL CONSIDERATION. (S.R. NO. 41)
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Council Member Elliott presented Staff Report No. 41.

M/Elliott, S/Howard to approve the bid tabulation and award a contract to Ti-Zack Concrete, Inc. in the amount of \$959,150.00 for 2017 Concrete Sidewalk, Curb, and Gutter Repair project and authorize the City Manager to approve contract changes under \$50,000 without further City Council authorization.

Motion carried 4-0.

Item #11	CONSIDERATION OF THE FOLLOWING ITEMS RELATED TO THE RICHFIELD COMMUNITY BAND SHELL PROJECT: 1. REJECTION OF ALL BIDS FOR DIVISION RSB-09-1, ROUGH AND FINISH CARPENTRY, STRUCTURAL WOOD, PAINTING, AND MISCELLANEOUS FINISHES, AND AUTHORIZE STAFF TO RE-BID DIVISION RSB-09-1. 2. HOLDING BIDS AND ALTERNATES FOR THE REMAINING BID DIVISIONS. (S.R. NO. 42)
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Council Member Garcia presented Staff Report No. 42. She invited Jim Topitzhofer, Recreation Services Director, to present additional information on this item.

Topitzhofer presented an overview of the bidding process for the project and detailed the project was bid in four divisions and included six alternates. He discussed bids were opened on February 9, 2017, and displayed the low bid results for the four divisions and six alternates. He discussed the low bidder for RSB-09-1, Rough and Finish Carpentry, Structural Wood, Painting, and Miscellaneous Finishes, was far lower than the other bids and after staff examination it was determined the low bidder made a clerical error in their submittal and withdrew their bid. He discussed the recommendation to reject RSB-09-1 and rebid the division, and hold all bids for the remaining divisions and alternates. Lastly, he presented the funding sources and uses to date and the maximum amount of funds available for the division to be re-bid.

Council Member Elliott questioned if the funds available for the re-bid division were enough, based on the bids that were received on February 9.

Topitzhofer responded that the low bid that withdrew expressed interest in rebidding and staff had heard from other bidders who were interested in the re-bid.

M/Garcia, S/Elliott to reject all bids for division RSB-09-1, Rough and Finish Carpentry, Structural Wood, Painting, and Miscellaneous Finishes, for the Richfield Community Band Shell and authorize staff to re-bid division RSB-09-1 and hold bids and alternates for the remaining bid divisions.

Motion carried 4-0.

Item #12	CITY MANAGER’S REPORT
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None.

Item #13	CLAIMS AND PAYROLLS
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M/Elliott, S/Howard that the following claims and payrolls be approved:

U.S. Bank		02/28/17
A/P Checks: 256994 - 257327	\$	1,763,871.25
Payroll: 125752 - 126068, 42710		<u>613,541.04</u>
TOTAL	\$	2,377,412.29

Motion carried 4-0.

OPEN FORUM

None.

Item #11	ADJOURNMENT
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The City Council Meeting was adjourned by unanimous consent at 8:04 p.m.

Date Approved: March 28, 2017

Michael Howard
Mayor Pro Tempore

Jared Voto
Executive Aide/Analyst

Steven L. Devich
City Manager