



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

April 11, 2017

CALL TO ORDER

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

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

Staff Present: Steven L. Devich, City Manager; Mary Tietjen, City Attorney; John Stark, Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; Kristin Asher, Public Works Director; Melissa Poehlman, City Planner; and Jared Voto, Executive Aide/Analyst.

OPEN FORUM

Grace Verbrugge, 6708 Irving Ave S, spoke regarding the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).

PLEDGE OF ALLEGIANCE

Mayor Elliott led the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Garcia, S/Howard to approve the minutes of the: (1) Special Concurrent City Council and HRA Work Session of March 20, 2017; (2) Special City Council Work Session of March 27, 2017; (3) Special City Council Work Session of March 28, 2017; (4) Regular City Council Meeting of March 28, 2017; and (5) Special City Council Work Session of April 5, 2017.

Motion carried 4-0.

Item #1

PRESENTATION BY HENNEPIN COUNTY ATTORNEY MIKE FREEMAN

Hennepin County Attorney Mike Freeman discussed multiple issues regarding criminal justice in the County and Richfield.

Council Members thanked him for attending and presenting the information.

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| Item #3 | APPROVAL OF THE AGENDA |
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M/Howard, S/Regan Gonzalez to approve the agenda.

Motion carried 4-0.

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| Item #2 | COUNCIL DISCUSSION <ul style="list-style-type: none"> • Hats Off to Hometown Hits |
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Council Member Garcia commented on the interviews for the Comprehensive Plan Advisory Committee and read the names of those selected for the Committee:

- Rich Jobs
- Barry LeBlanc
- Michele McGee
- Laurel Nightingale
- Kathryn Quam
- Candace Johnson
- Jennifer Lewis

Council Member Howard thanked the Richfield Bloomington Credit Union and Recreation Services staff for the Easter egg hunt held last Saturday; mentioned the 66th Street Reconstruction project; and a Holocaust Remembrance reading at Augsburg Library on April 24 from 4:00 to 8:00 p.m., with members of the community reading the entire book.

Council Member Regan Gonzalez echoed Council Member Garcia’s comments on the interviews for the Comprehensive Plan Advisory Committee and discussed the Committee’s first meeting held on April 10, and discussed Children Dental Services will be at the Richfield Health Clinic on April 20 from 8:30 a.m. to 5:00 p.m.

Mayor Elliott discussed he attended the Health Expo at the Richfield High School on April 8 and asked residents to support the Minnesota Magicians who made the playoffs and have games on Friday and Saturday (April 14/15).

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| Item #4 | CONSENT CALENDAR |
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City Manager Devich presented the Consent Calendar.

- A. Consideration of the approval of a resolution in support of the Convention on the Elimination of all Forms of Discrimination against Women. (S.R. NO. 62)

RESOLUTION NO. 11350
 RESOLUTION SUPPORTING RESIDENTS FOR THE CONVENTION
 ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION
 AGAINST WOMEN (CEDAW) INITIATIVE

This resolution appears as Resolution No. 11350.

- B. Consideration of the approval of a resolution amending a Planned Unit Development, Conditional Use Permit, and Final Development Plan to allow construction of a new Panera Bread restaurant building with a drive-thru at The Shops at Lyndale. (S.R. NO. 63)

RESOLUTION NO. 11351
 RESOLUTION APPROVING AN AMENDED FINAL DEVELOPMENT
 PLAN AND CONDITIONAL USE PERMIT FOR THE SHOPS AT
 LYNDALE PLANNED UNIT DEVELOPMENT

This resolution appears as Resolution No. 11351.

- C. Consideration of the approval of a contract in the amount of \$42,211 with Ron Kassa Construction, Inc. for the 2017 Alley Paving project. (S.R. NO. 64)
- D. Consideration of the approval of a resolution appointing election judges for the May 23, 2017, Special Election. (S.R. NO. 65)

RESOLUTION NO. 11352
 RESOLUTION APPOINTING ELECTION JUDGES FOR THE MAY 23,
 2017, SPECIAL ELECTION

This resolution appears as Resolution No. 11352.

- E. Consideration of the approval of a request for a new Therapeutic Massage Enterprise license for Concierge Spa, LLC, located at 7620 Penn Avenue South. (S.R. NO. 66)

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

Motion carried 4-0.

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| Item #5 | CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR |
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None.

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| Item #6 | CONSIDERATION OF THE APPROVAL OF ORDINANCE AMENDMENTS CREATING A CEDAR CORRIDOR OVERLAY DISTRICT AND CHANGE THE ZONING OF PROPERTIES WITH THE CEDAR CORRIDOR AREA (ROUGHLY 66TH STREET TO 77TH STREET, EAST OF 17TH AVENUE) TO MATCH THE DESIGNATIONS IN THE COMPREHENSIVE PLAN AND APPROVAL OF A RESOLUTION FOR SUMMARY PUBLICATION OF THE SAME. (S.R. NO. 67) |
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Council Member Regan Gonzalez presented Staff Report No. 67. She then asked staff to provide additional information.

City Planner Poehlman responded by providing additional information regarding the overlay district and zoning changes in the corridor.

Council Member Howard asked about the website address of the Cedar Avenue Corridor Master Plan. Staff responded that it is www.cityofrichfield.org/cedar.

Council Member Regan Gonzalez commented on the importance of the plan and her excitement for future of the east side.

Mayor Elliott echoed his excitement for the east side.

M/Regan Gonzalez, S/Elliott to approve ordinance amendments creating a Cedar Avenue Corridor Overlay District, rezoning properties with the Cedar Avenue Corridor area, and making a number of administrative corrections to Appendix I of the City Code and approve a resolution for summary publication of the same.

RESOLUTION NO. 11353
RESOLUTION APPROVING SUMMARY PUBLICATION OF BILL NO.
2017-6

Motion carried 4-0. This resolution appears as Resolution No. 11353.

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| Item #7 | CONSIDERATION OF THE APPROVAL OF A RESOLUTION GRANTING A SIX-MONTH INTERIM USE PERMIT, WITH STAFF DISCRETION TO ISSUE TWO THREE-MONTH EXTENSIONS, TO ALLOW THE CONTINUED USE OF 6529 PENN AVENUE FOR USED CAR SALES. (S.R. NO. 68) |
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Council Member Howard presented Staff Report No. 68. He then asked staff if they had additional comments.

Community Development Director Stark commented about the discretionary extensions would be based on progress with the redevelopment. If there was not progress his choice would be not to issue a discretionary extension. It has to be based on progress on the new development.

Council Member Howard asked about any update on the site.

Community Development Director Stark responded that since the work session the feedback from the Dunkin Donuts franchisee was positive and they were moving forward with the project. He stated the property owner was in attendance and invited them to speak if they had an update.

Rick Hauser, property owner at 6529 Penn Avenue, stated they had not submitted applications at this time but they are working through them. They first needed to get an engineer hired to ensure the utility requirements and grade of the property work properly. Once that is complete they hope to submit applications in the next 30 to 60 days.

M/Howard, S/Elliott to approve a resolution granting a six-month interim use permit, with staff discretion to issue two three-month extensions, to allow the continued use of 6529 Penn Avenue for used car sales.

RESOLUTION NO. 11354
RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW
USED AUTO SALES BY INTERSTATE AUTO GROUP DBA CARHOP
AT 6529 PENN AVENUE

Motion carried 4-0. This resolution appears as Resolution No. 11354.

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| Item #8 | CITY MANAGER’S REPORT |
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City Manager Devich discussed the May 23, 2017, City Council meeting is scheduled the same date of the Special Election, and a meeting cannot be held on that day by State law. He asked Council to consider moving the meeting to Wednesday, May 24, at 7 p.m. and also have a special meeting on Friday, May 26, at 8:00 a.m. to canvass the election. Council Members all agreed those dates and times worked well for them. City Manager Devich stated he would take care of scheduling the meetings.

City Manager Devich discussed a vacancy on the Transportation Commission due to Sue Sandahl being appointed to the HRA on March 10. He asked if Council would like to have a 15 minute Work Session on April 25 to review applications of those not previously appointed. Mayor Elliott commented that he was in favor of the Work Session as it is the reason the Council asked to hold over the application from those who were not placed on a commission. Council Members discussed the process of appointing commissioners when vacancies happen mid-term. They agreed with the quality applicants that were interviewed earlier this year it made sense to appoint now, rather than wait and determine if there were more vacancies mid-year.

Council Members discussed a memorandum that was given to the Council and HRA Commissioners regarding the review of the transition of Concierge Apartments. Mayor Elliott asked the memo be posted on the website so it was accessible for citizens to review. Council Member Howard commented on having a Work Session to discuss this issue and “what we do next” to address these challenging issues. Mayor Elliott discussed talking to the management and owners of buildings that may be in line for acquisition to not ask for a seat at the table, as it’s a private transaction, but to make them aware of the concerns of tenants and give lead time to accommodate the potential changes. Council Member Howard agreed and said it’s a communication issue. Council Member Regan Gonzalez commented on inviting the School District to these discussions as they have a vested and shared interest in the topic. Council Member Garcia thanked Community Development Director Stark for the memo.

City Manager Devich discussed scheduling of a goal setting meeting and asked Council for their thoughts. Council Members agreed to schedule a date in late April or May.

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| Item #9 | CLAIMS AND PAYROLLS |
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M/Garcia, S/Elliott that the following claims and payrolls be approved:

| U.S. Bank | 04/11/17 |
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| A/P Checks: 257632 - 257912 | \$ 1,319,321.77 |
| Payroll: 126711 - 127031 | <u>595,100.83</u> |
| TOTAL | \$ 1,914,422.60 |

Motion carried 4-0.

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| OPEN FORUM |
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None.

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| Item #10 | ADJOURNMENT |
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The City Council Meeting was adjourned by unanimous consent at 8:00 p.m.

Date Approved: April 25, 2017

Pat Elliott
Mayor

Jared Voto
Executive Aide/Analyst

Steven L. Devich
City Manager