



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

City Council Work Session

December 10, 2019

CALL TO ORDER

The work session was called to order by Mayor Maria Regan Gonzalez at 5:47 p.m. in the Bartholomew Room.

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Simon Trautmann; and Ben Whalen.

Council Members Absent: Edwina Garcia

Staff Present: Katie Rodriguez, City Manager; Amy Markle, Recreation Services Director; Rachel Lindholm, Sustainability Specialist; Mary Tietjen, City Attorney; Neil Ruhland, Communication and Engagement Manager; and Kelly Wynn, Senior Office Assistant.

Others Present: Michael Drysdale, Attorney with Dorsey and Whitney

Item #1	PRESENTATION OF ORGANIZED RESIDENTIAL CURBSIDE RECYCLING AND ORGANICS COLLECTION
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City Manager Rodriguez described that staff is looking for direction on the next steps going forward and if there will be need for more work sessions.

Director Markle introduced the item and an overview. She spoke of the goal of where they would like to be with recycling and organics collection by 2030. Director Markle pointed out that Richfield is toward the bottom of the cities in Hennepin County concerning these items.

Sustainability Specialist Lindholm expressed the lack of education to residents regarding recycling and organics collection.

Director Markle referenced the Hennepin County disposal projections and how organics are the most common materials in the trash.

Sustainability Specialist Lindholm spoke to how they are introducing recycling in the parks to help the issue. They want to see reduction in what is going into the trash.

Director Markle discussed the task force and events they attended in helping educate the residents. She also addressed the organics drop-off program and how many residents are currently participating. Sustainability Specialist Lindholm discussed the number of residents that would like to take part in this program but are unable.

Sustainability Specialist Lindholm detailed the RFP process, timeline and cities they spoke with to help find the best solution for Richfield residents. They have requested proposals from haulers and it has created competitive pricing. The goal is to decrease trash and decrease trash pricing services. Other things being considered are revenue sharing, processing fees, education and safety.

City Attorney Tietjen addressed the legal consideration from the Garbage Haulers for Citizen Choice as well as business concerns and differing opinions of definitions of trash and recyclables and the potential exposure to liability.

Council Member Trautmann wondered if other cities have had similar issues going through this process. City Attorney Tietjen is not aware of any legal challenges regarding organized recyclables and organics.

Mayor Regan Gonzalez asked what category recyclables and organics in if they are not considered solid waste. City Attorney Tietjen explained that they have their own category and have their own definition.

Mayor Regan Gonzalez also asked when other cities used this process for organized collection. Sustainability Specialist Lindholm explained there is no real precedence for this process. She did address the example of Edina in which they are open for trash collection and organized for recycling along with Bloomington is organized for trash and recycling.

Council Member Whalen asked if it is possible to quantify the legal risks, if any. City Attorney Tietjen expressed how that is difficult to answer but feels confident in their interpretation. Council Member Whalen asked moving forward, there would be reevaluation of risk if other legal action is required. City Attorney Tietjen confirmed they would reevaluate.

Council Member Trautmann wondered about outstanding contracts with curbside organics pick up. Sustainability Specialist Lindholm guessed there to be about 75 households. Council Member Trautmann would like to make sure we are keeping the best interest of the residents in mind.

Sustainability Specialist Lindholm discussed the current three options for next steps. They are looking for suggestions from Council. She addressed the three options along with pros and cons for each possibility.

Michael Drysdale, Attorney with Dorsey and Whitney, addressed the Council and believes recyclables and organics are solid waste. He also does not believe that there is a clear picture pertaining to environmental and financial benefits. Mr. Drysdale also stated that it is not their intent to bring litigation but will if necessary.

Mayor Regan Gonzalez thanked Mr. Drysdale for speaking and asked if the council had any other comments or questions.

Council Member Supple would like to see option two eliminated because it does not make sense for the goal trying to be reached.

Council Member Whalen agreed with Council Member Supple on eliminating option two. He also addressed the resident feedback in that many bring up the issue of wanting to see fewer garbage trucks on the streets. Option one is where he is most comfortable, barring any legal actions. Council Member Whalen also asked about the transition from existing contracts to new ones pertaining to cancellation fees, physical cart return fees, and other items that will affect residents.

Mayor Regan Gonzalez also supports option one. She thanked the staff and task force for all the great work that has been done in this effort. She also believes that we are behind in these efforts and need make changes.

Sustainability Specialist Lindholm addressed the question of opting in versus across the board inclusion. She discussed what a few cities are currently doing but the process and charges vary greatly from city to city depending on the needs and wants.

Mayor Regan Gonzalez wondered what the process would like going forward. Sustainability Specialist Lindholm is attempting to keep costs as low as possible so residents are able to participate but not sacrifice education and service.

Mayor Regan Gonzalez requested to see a comparison of what residents are paying now, the proposals and around the county fees. She would also like to see a reduction of haulers.

Council Member Trautmann was curious of a level assessment in the worst case scenario of legal exposure. City Attorney Tietjen stated there is no of knowing at this point.

Council Member Whalen wanted to learn more about the competitive process for proposals, annual escalators for the residents, and the period of time a contract would be for and if we would revisit this entire process.

Sustainability Specialist Lindholm stated the contracts would be for five years and then there would be the option to renegotiate or possibly switch haulers. The bids they received did contain rates for all five years that included annual escalators but the increase was minimal. The increases varied depending on the carrier but were all relatively small increases.

City Manager Rodriguez confirmed that there was a consensus for moving forward with option one but keeping Council in the loop on new findings and keeping disruption to the residents at a minimum.

Mayor Regan Gonzalez reiterated that communication to the residents is very important in the process as well as Dorsey and Whitney.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:45 p.m.

Date Approved: January 14, 2019

Maria Regan Gonzalez
Mayor

Kelly Wynn
Senior Office Assistant

Katie Rodriguez
City Manager