



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Regular Council Meeting

January 28, 2020

### CALL TO ORDER

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

*Council Members Present:* Maria Regan Gonzalez, Mayor; Edwina Garcia; Mary Supple; and Ben Whalen.

*Council Members Absent:* Simon Trautmann

*Staff Present:* Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Neil Ruhland, Communications Manager; Jay Henthorne, Police Chief; Mike Flaherty, Public Safety Deputy Chief; Jamie Maiser, Public Safety Administrative Aid; Jennifer Anderson, Support Services Supervisor; and Blanca Martinez Gavina, Executive Analyst.

### PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance

### APPROVAL OF MINUTES

Mayor Regan Gonzalez spoke of the adjustments made to the list of Council liaisons to local, regional, and city boards and commissions. These changes are reflected online.

M/Supple, S/Whalen to approve the minutes of the: (1) City Council Work Session for January 08, 2020; (2) Special City Council Work Session of January 11, 2020; (3) City Council Work Session of January 14, 2020; (4) City Council Meeting of January 14, 2020; and (5) Special City Council Work Session of January 16, 2020.

Motion carried 4-0.

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| Item #1 | APPROVAL OF THE AGENDA |
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M/Supple, S/Garcia to remove item #5 from the agenda and approve remaining agenda items.

Motion carried 4-0.

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| <b>Item #2</b> | <b>CONSENT CALENDAR</b> |
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City Manager Rodriguez presented the consent calendar.

- A. Consider the approval of a Temporary On-Sale Intoxicating Liquor license for the Church of St. Peter, located at 6730 Nicollet Avenue South, for their Ham Bingo event taking place on March 28, 2020 (Staff Report No. 15)
- B. Consider the approval of a Temporary On-Sale Intoxicating Liquor license for the Church of St. Peter, located at 6730 Nicollet Avenue South, for their Spaghetti Dinner event taking place on February 16, 2020 (Staff Report No. 16).
- C. Consider the adoption of a resolution appointing election judges for the Presidential Nomination Primary of March 3, 2020 and approval of the absentee ballot board for the 2020 Election cycle (Staff Report No. 17).

**RESOLUTION NO. 11711**

**RESOLUTION APPOINTING ELECTION JUDGES FOR THE PRESIDENTIAL NOMINATION PRIMARY OF MARCH 3, 2020 AND APPROVAL OF THE ABSENTEE BALLOT BOARD FOR THE 2020 ELECTION CYCLE**

- D. First reading of an ordinance amending Section 405 of the City Code related to housing maintenance and adopting the International Property Maintenance Code (IPMC) (Staff Report No. 18).
- E. Consider the approval of a Construction and Maintenance Agreement with Morrie's Richfield JRL RE, LLC (Morrie's Jaguar Land Rover) that defines ownership and maintenance responsibilities for certain features constructed at 1525 East 77th Street (Staff Report No. 19).
- F. Consider the approval of a Construction and Maintenance Agreement with NOVO, LLC that defines ownership and maintenance responsibilities for certain features constructed at 2400 West 66th Street (Staff Report No. 20).
- G. Consider the approval of a Construction and Maintenance Agreement with Chamberlain Apartments, LLC that defines ownership and maintenance responsibilities for certain features constructed at 6630, 6700, and 6701 Richfield Parkway (Staff Report No. 21).

M/Garcia, S/Supple to approve the consent calendar

Motion carried 4-0.

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| Item #3 | <b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR</b> |
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None

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| Item #4 | <b>CONSIDER APPROVAL OF AN ORDINANCE REZONING PROPERTY AT 6501 WOODLAKE DRIVE (MARKET PLAZA/VILLAGE SHORES). CONSIDER APPROVAL OF A RESOLUTION GRANTING AN AMENDMENT TO THE MARKET PLAZA/VILLAGE SHORES PLANNED UNIT DEVELOPMENT TO ALLOW A NEW BUILDING FOR A BANK BRANCH WITH A DRIVE-UP ATM. CONSIDER APPROVAL OF A RESOLUTION GRANTING A SUBDIVISION WAIVER TO ALLOW THE CREATION OF A SEPARATE LOT FOR THE PROPOSED BUILDING (STAFF REPORT NO. 22)</b> |
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Council Member Whalen read Staff Report 22.

Director Stark reviewed the rezoning designation and proposed building plans for the area.

Council Member Whalen suggested to separate the three items under consideration.

M/Whalen, S/Supple to approve an ordinance rezoning property at 6501 Woodlake Drive (Market Plaza/Village Shores).

Motion carried 4-0

M/Whalen, S/Supple to approve a resolution granting an amendment to the Market Plaza/Village Shores planned unit development to allow a new building for a bank branch with a drive-up ATM.

Council Member Whalen expressed his disappointment that the pedestrian path the developer agreed too on the west side of the building has not been included in the plans. He also had concerns about the grade of the lot and wondered of any options including ramps to include a more accessible building.

David Knaeble, Project Manager, spoke to the sidewalk connection to the property on the west side and showed the proposed plan. He also addressed the grading for the parking lot and the options considered.

Mayor Regan Gonzalez questioned why there is a proposed drive through ATM for the bank instead of in the entrance of the building.

Terron Wright, Architect, poke to the convenience of a drive through ATM for customers but it can be discussed with the company to have it not included in the build.

Council Member Whalen wondered if the grade problems would be a concern with any proposed development for this property. Director Stark suggested that depending on the needs of a building, some of the issues could be mitigated.

Mayor Regan Gonzalez requested to table this item and revisit in two weeks. She would like to see the staff discuss with the developer all the grading issues, the drive through ATM, and the parking agreement with Hennepin Health.

Director Stark proposed further discussion on ways that these issues can be accommodated.

M/Whalen, S/Supple to withdraw approval of a resolution granting an amendment to the Market Plaza/Village Shores planned unit development to allow a new building for a bank branch with a drive-up ATM.

M/Regan Gonzalez, S/Garcia to table to (1) Consider approval of a resolution granting an amendment to the Market Plaza / Village Shores planned unit development to allow a new building for a bank branch with a drive-up ATM; and (2) Consider approval of a resolution granting a subdivision waiver to allow the creation of a separate lot for the proposed building.

Motion carried 4-0

RESOLUTION NO. 11712

RESOLUTION APPROVING AN AMENDED  
FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT  
FOR A PLANNED UNIT DEVELOPMENT AT  
6501 WOODLAKE DRIVE

RESOLUTION NO. 11713

RESOLUTION AUTHORIZING A SUBDIVISION WAIVER  
FOR MARKET PLAZA AND VILLAGE SHORES  
AT 6501 WOODLAKE DRIVE

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| Item #5 | <b>CONSIDER THE APPROVAL OF A RESOLUTION AUTHORIZING THE LAWFUL GAMBLING PREMISES PERMIT FOR MINNEAPOLIS-RICHFIELD AMERICAN LEGION POST #435, 6501 PORTLAND AVE SOUTH (STAFF REPORT NO. 23)</b> |
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M/Supple, S/Garcia to remove item from the agenda per the request of the Minneapolis-Richfield American Legion Post #435.

Motion carried 4-0

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| Item #6 | <b>CONSIDER A RESOLUTION TO SUPPORT THE COORDINATED CENSUS EFFORTS AND FUNDING TO ENSURE THAT ALL RICHFIELD RESIDENTS ARE COUNTED IN THE 2020 CENSUS (STAFF REPORT NO. 24)</b> |
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Council Member Garcia presented Staff Report 24. She spoke of the coordinated efforts in the whole county and if a good count is not taken, a loss of representation in Congress could occur. She also addressed some of the fears around the Census such as status and immigration.

Mayor Regan Gonzalez thanked Executive Analyst, Blanca Martinez Gavina, for her efforts in leading to prepare for the 2020 Census.

M/Garcia, S/Supple to consider a resolution to support the coordinated Census efforts and funding to ensure that all Richfield residents are counted in the 2020 Census.

RESOLUTION NO. 11710

RESOLUTION SUPPORTING THE RICHFIELD COUNTS 2020 CENSUS EFFORTS

Motion carried 4-0.

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| Item #7 | <p><b>VIOLATION HEARING AND CONSIDERATION OF A RESOLUTION REGARDING CIVIL ENFORCEMENT FOR ESTABLISHMENTS THAT RECENTLY UNDERWENT ALCOHOL COMPLIANCE CHECKS CONDUCTED BY RICHFIELD PUBLIC SAFETY STAFF AND FAILED BY SELLING ALCOHOL TO UNDERAGE YOUTH (STAFF REPORT NO. 25)</b></p> |
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Mayor Regan Gonzalez presented Staff Report 25.

M/Supple, S/Garcia to approve a resolution regarding civil enforcement for (1) El Tejaban Mexican Grill; (2) La Vaquita 2; and (3) Giordano's of Richfield that recently underwent alcohol compliance checks conducted by Richfield Public Safety staff, and failed by selling alcohol to underage youth.

Ehrick Halland, Reginal Manager of Giordano's of Richfield, introduced himself, explained the occurrence with the employee, and admitted to the violation.

Wendy, General Manager of El Tejaban Mexican Grill, admitted to the violation and discussed the steps they will be taking to not allow this to happen again.

Support Services Supervisor Anderson spoke with the representative for La Vaquita 2 before she had to leave the Council meeting and they have admitted to the claims and will endure the pentalties put forth by the Council.

Motion carried 4-0.

RESOLUTION NO. 11715

RESOLUTION SUSPENDING THE LIQUOR LICENSE FOR EL TEJABAN MEXICAN RESTAURANT, LLC. d/b/a EL TEJABAN MEXICAN GRILL, 6519 NICOLLET AVENUE SOUTH, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

RESOLUTION NO. 11716

RESOLUTION SUSPENDING THE LIQUOR LICENSE FOR JIMENEZ GENAO, LLC. d/b/a LA VAQUITA 2, 607 77<sup>TH</sup> STREET EAST, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

RESOLUTION NO. 11717

RESOLUTION SUSPENDING THE LIQUOR LICENSE FOR VPC RICHFIELD PIZZA, LLC. d/b/a GIORDANO'S OF RICHFIELD, 3000 66<sup>th</sup> STREET WEST, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

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| <b>Item #8</b> | <b>CONSIDER THE APPOINTMENTS TO CITY ADVISORY BOARDS AND COMMISSIONS (STAFF REPORT NO. 26)</b> |
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Mayor Regan Gonzalez read Staff Report 26.

M/Garcia, S/Whalen to consider appointments to fill mid-term or vacant positions to City advisory boards and commissions.

Council Member Garcia described how they received many applicants for the positions. People are very excited to serve their community.

Council Member Whalen expressed his gratitude to all the residents that applied, which were about 50 applicants. He is excited to see so many wonderful residents wanting to shape the future of the community.

Council Member Supple echoed the thank you to all the residents for applying.

Mayor Regan Gonzalez also thanked all the applicants and staff for taking time to participate. She addressed the changes that have been made in order to better accommodate the high number of residents that would like to serve.

Motion carried 4-0.

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| <b>Item #9</b> | <b>CITY MANAGER'S REPORT</b> |
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City Manager Rodriguez had nothing to report.

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| <b>Item #10</b> | <b>CLAIMS AND PAYROLL</b> |
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M/Garcia, S/Whalen that the following claims and payrolls be approved:

| <b>U.S. Bank</b>           |    | <b>01/28/2020</b> |
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| A/P Checks 284088 - 284500 | \$ | 1,278,117.79      |
| Payroll: 151786 - 152115   |    | <u>745,552.53</u> |
| TOTAL                      | \$ | 2,023,670.32      |

Motion carried 4-0.

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| <b>OPEN FORUM</b> |
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Wilmery Quinones, sister of Brian Quinones, stated that she is tired of coming to Council meetings and continually asking for the same things. She also mentioned her family still lives in Richfield and she hates coming to visit them.

Oscar Colera believes changes need to be made and Council should be serving the people.

Mayor Regan Gonzalez stated the investigation regarding Brian Quinones is being conducted by Hennepin County and the City has been in full cooperation. She would also like to see a conclusion and has urged Hennepin County to expedite their decision.

Isis Eby, St. Paul resident, does not believe she is safe when she comes to Richfield. She would like the officers involved in the Brian Quinones case to be taken off the streets.

Keith McCarron, Minneapolis resident, wants to know if mental health crisis is a crime and would like to know if the police officers have a procedure to deal with mental health.

Maria Rosario, mother of Brian Quinones, expressed how much pain she has gone through.

Paul Bosman, Minneapolis resident and Lawyer, believes the City is withholding data in regards to the squad car video.

Don Williams, Minnesota resident, read the oxford definition of homicide, the mission of Richfield's Police Department and his stated his disappointment in the department not living up to their mission. He demanded the Mayor and Council members build trust and review the process and add body cameras and release data that has been requested.

Chara Blanch, Richfield resident, discussed her frustration with the City of Richfield and her perceived lack of compliance and demanded the dash camera footage from the officer involved shooting is released. She also spoke about how she does not feel safe in Richfield, fears for her son, and has contemplated moving. She addressed the need for body cameras to be implemented this year.

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| <b>Item #11</b> | <b>HATS OFF TO HOMETOWN HITS</b> |
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None

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| <b>Item #12</b> | <b>ADJOURNMENT</b> |
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The meeting was adjourned by unanimous consent at 8:47 p.m.

Date Approved: February 11, 2020

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Maria Regan Gonzalez  
Mayor

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Kelly Wynn  
Senior Administrative Assistant

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Katie Rodriguez  
City Manager