



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special City Council Meeting Advisory Board/Commission Youth Applicant Interview

October 27, 2009

### CALL TO ORDER

The meeting was called to order by Mayor Pro Tempore Sandahl at 5:45 p.m.

### ROLL CALL

*MEMBERS PRESENT:* Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Fred Wroge; and Tom Fitzhenry.

### INTERVIEW OF APPLICANTS

The City Council conducted interviews of the following youth applicants for appointment to City Advisory Boards and Commissions:

Molly Olson

David Knutson

### ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:00 p.m.

Date Approved: \_\_\_\_\_

\_\_\_\_\_  
Debbie Goettel  
Mayor

\_\_\_\_\_  
Cheryl Krumholz  
Recording Secretary

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Steven L. Devich  
City Manager



# CITY COUNCIL MINUTES

Richfield, Minnesota

## Special Worksession

October 27, 2009

### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:04 p.m.

### ROLL CALL

*Members Present:* Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Fred Wroge; and Tom Fitzhenry.

*Staff Present:* Steven Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; and Cheryl Krumholz, Recording Secretary.

<b>Item # 1</b>	<b>PRESENTATION BY VELMIER COMPANIES OF UPDATED SITE PLAN FOR CVS DEVELOPMENT AT PENN AVENUE AND 66TH STREET (COUNCIL MEMO NO. 174)</b>
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Community Development Director Stark discussed the background related to the CVS site plan presented in April 2009 by Velmier Companies, including the design standards for Penn Avenue.

John Lenander, Velmier Companies, reviewed the updated CVS plan, including relocation of the retaining walls on Penn Avenue and 66th Street to provide a wider and more usable sidewalk area, and the walls being segmented not poured cement.

Community Development Director Stark stated the design guidelines set a goal and vision for the area. Previously staff recommended not approving the original site plan because of the pedestrian experience. The revised plan enhances the sidewalk and conceptually staff is supportive.

Community Development Director Stark continued that the proposed revised plan estimates the cost of the improvement to the public sidewalk and is contingent upon the HRA or City of Richfield providing 1/3 of the cost. The 2010 Proposed HRA Budget does contain items for Penn Avenue streetscape improvements and is sufficient to cover costs.

Council Member Fitzhenry asked about Hennepin County paying to move the traffic control box.

Mr. Lenander replied that Hennepin County told CVS that it is CVS's cost so it is not being moved.

Bob Wolfson, property owner, spoke about relocating existing tenants.

Community Development Director Stark explained the next steps in the process if CVS wishes to continue with the proposed project.

<b>Item #2</b>	<b>PRESENTATION BY MICHAEL DEVELOPMENT AND ST. CROIX REAL ESTATE REGARDING POTENTIAL DEVELOPMENT OF WOODLAKE PLAZA (COUNCIL MEMO NO. 175)</b>
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Community Development Director Stark explained the developers have created a concept plan for market-rate rental housing development on the current site plus the inclusion of a small HRA-owned property that abuts the Woodlake Plaza. Their financial analysis identifies a funding gap so the developers will be requesting TIF for the project in addition to their own equity.

Michael Swenson, Michael Development, discussed the proposed development.

Community Development Director Stark stated a similar presentation was made at the October 9 HRA Meeting with positive feedback.

Council Member Wroge expressed concern regarding adequate parking because expecting transit use by the tenants does not work.

Community Development Director Stark replied that no great analysis has been done until feedback was received on the conceptual design.

Mayor Goettel questioned the use of TIF for prime real estate in the City.

Community Development Director Stark explained the need for some TIF to have development happen but the eligibility needs to be proven.

Council Member Wroge stated the site does not look dilapidated and the inability to rent space may be impacts from road construction. He said he is not willing to support TIF just to get something there.

Mr. Swenson explained the area is outdated and is a destination, not a retail center.

Council Member Fitzhenry expressed concern for the density of apartments in the area and displacement of tenants.

Mr. Swenson stated the project is not feasible without assistance.

Council Member Elliott stated the project should be given a fair chance for consideration.

<b>ADJOURNMENT</b>
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The meeting was adjourned by unanimous consent at 6:46 p.m.

Date Approved: \_\_\_\_\_

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Debbie Goettel  
Mayor

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Cheryl Krumholz  
Recording Secretary

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

## Richfield, Minnesota

### Regular Meeting

October 27, 2009

#### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:02 p.m.

#### ROLL CALL

*Members Present:* Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Fred Wroge; and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager; John Stark, Community Development Director; Mike Eastling, Public Works Director; Barry Fritz, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Chris Regis, Finance Manager; Kristin Asher, City Engineer; Corrine Heine, City Attorney; and Cheryl Krumholz, Recording Secretary.

#### OPEN FORUM

Lori Grotz, 5513 Park Avenue, Edina, on behalf of her mother who lives at 6214 – 5th Avenue; Neil Selchow, 6218 – 5th Avenue; and Lonnie Birhanzel, 6227 – 5th Avenue, spoke regarding their dissatisfaction with the Metropolitan Airports Commission (MAC) Part 150 Program home insulation and ventilation work done on their homes and the lack of inspection for building code compliance.

City Manager Devich stated staff has been working on and meeting with the MAC to address these issues. MAC has indicated their willingness to review the problems and take corrective action.

City Manager Devich explained that most cities do not require a permit for installing insulation.

Council Member Wroge suggested the City Council consider the requirement of a permit when insulation is installed by a paid professional.

City Manager Devich added that the State building code does not require a permit.

<b>PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE</b>
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Mayor Goettel led the audience in the Pledge of Allegiance.

<b>APPROVAL OF MINUTES</b>
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M/Sandahl, S/Wroge to approve the minutes of (1) Special City Council Meeting of October 7, 2009; and (2) Regular City Council Meeting of October 13, 2009.

Motion carried 5-0.

<b>Item #1</b>	<b>SWEARING-IN OF RICHFIELD POLICE OFFICERS BRIAN BATAGLIA AND DUSTIN SCHWARZE</b>
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Public Safety Director Fritz administered the swearing-in of Richfield Police Officers Brian Bataglia and Dustin Schwarze.

<b>Item #2</b>	<b>PRESENTATION BY RICHFIELD SCHOOL SUPERINTENDENT ROBERT SLOTTERBACK</b>
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This item was postponed.

<b>Item #3</b>	<b>COUNCIL DISCUSSION</b> <ul style="list-style-type: none"> <li>• <b>CANCEL DECEMBER 22, 2009 REGULAR CITY COUNCIL MEETING</b></li> <li>• <b>HATS OFF TO HOMETOWN HITS</b></li> </ul>
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M/Goettel, S/Sandahl to cancel the December 22, 2009 Regular City Council Meeting.

Motion carried 5-0.

Council Member Sandahl announced the October 30 ribbon-cutting ceremony for the Lyndale Avenue Bridge over 494.

Council Member Sandahl reported on her discussion with Rus George, Richfield Schools, regarding the durability and maintenance of terrazzo flooring in the school's heavy traffic areas.

Council Member Fitzhenry acknowledged the Public Works staff's efforts in rebuilding equipment.

Council Member Fitzhenry thanked CHAT I, II, and II for their input and direction in the new City Hall project.

Council Member Fitzhenry announced the October 31 groundbreaking ceremony for the new City Hall.

Council Member Elliott encouraged voting in the November 3 School Board Election.

Mayor Goettel acknowledged letters she received from residents regarding fall leaves remaining in alleys and the lack of property maintenance in back yards.

City Manager Devich explained communication efforts are underway on these issues to ensure code compliance.

Mayor Goettel acknowledged the extra maintenance work by Public Works staff to clean up excessive goose excrement around Richfield Lake. She encouraged people to not feed the geese.

Council Member Fitzhenry reported on a recent NOC meeting.

<b>Item #4</b>	<b>COUNCIL APPROVAL OF AGENDA</b>
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M/Wroge, S/Sandahl to approve the agenda.

Motion carried 5-0.

<b>Item #5</b>	<b>CONSENT CALENDAR</b>
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- A. Consideration of approval of first reading of ordinance amending Section 705, Subsection 705.01, subd. 3 of Richfield City Code relating to district winter quarter billing for water use and scheduling second reading for November 10, 2009 S.R. No. 203
- B. Consideration of approval of resolution authorizing \$756,740 internal loan for renovation of Lincoln Fields in multi-purpose facility S.R. No. 204

RESOLUTION NO. 10299

AUTHORIZING \$756,340 INTERNAL LOAN FOR  
BALL FIELD IMPROVEMENTS AT THE LINCOLN FIELDS

This resolution appears as Resolution No. 10299.

- C. Consideration of approval of resolution authorizing \$1,291,350 internal loan for energy improvements at Richfield Ice Arena S.R. No. 205

RESOLUTION NO. 10300

AUTHORIZING \$1,291,350 INTERNAL LOAN FOR ENERGY IMPROVEMENTS AT THE CITY'S ICE ARENA OPERATION

This resolution appears as Resolution No. 10300.

- D. Consideration of approval of change order #11 to install four shade structure footings in amount of \$3,257.10; Lincoln Athletic Complex S.R. No. 206
- E. Consideration of approval of award of contract to Keys Well Drilling Company for maintenance on wells #3 and #7 in amount of \$47,680 S.R. No. 207

M/Goettel, S/Sandahl to approve the Consent Calendar.

Motion carried 5-0.

<b>Item #6</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR</b>
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None.

<b>Item #7</b>	<b>PUBLIC HEARING REGARDING RESOLUTION ADOPTING ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY S.R. NO. 208</b>
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Council Member Wroge presented Staff Report No. 208.

Council Member Sandahl stated the administrative fee needs to be adequate to cover expenses and staff time.

M/Wroge, S/Sandahl to close public hearing.

Motion carried 5-0.

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

RESOLUTION NO. 10301

RESOLUTION ADOPTING ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY

Motion carried 5-0. This resolution appears as Resolution No. 10301.

<b>Item #8</b>	<b>CONSIDERATION OF SECOND READING OF ORDINANCE AMENDING APPENDIX D OF RICHFIELD CITY CODE, ESTABLISHING FEE SCHEDULE FOR CERTAIN PERMITS AND APPLICATIONS S.R. NO. 209</b>
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Council Member Fitzhenry presented Staff Report No. 209.

M/Fitzhenry, S/Goettel that this constitutes the second reading of Bill No. 2009-19 amending Appendix D of Richfield City Code, establishing fee schedule for certain permits and applications, that it be published in the official newspaper and that it be made part of these minutes.

Motion carried 5-0.

<b>Item #9</b>	<b>CONSIDERATION OF RESOLUTION SUPPORTING CONSTRUCTION OF METROPOLITAN COUNCIL RELIEF INTERCEPTOR CONSTRUCTION PROJECT, WHICH INCLUDES RECONSTRUCTION OF PORTIONS OF 75TH STREET, HUMBOLDT AVENUE, 76TH STREET, 11TH AVENUE, 72ND STREET, AND DIAGONAL BOULEVARD S.R. NO. 210</b>
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City Engineer Asher reviewed Staff Report No. 210; including the route, timeline, and main elements of the streetscape design.

Council Member Wroge questioned why there were no bike trails in south Minneapolis along the reconstructed Nicollet and Lyndale Avenues and Crosstown.

City Engineer Asher stated staff would contact Minneapolis and provide an update to the City Council.

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

RESOLUTION NO. 10298

RESOLUTION SUPPORTING THE METROPOLITAN COUNCIL  
RELIEF INTERCEPTOR (1-RF-491 RELIEF INTERCEPTOR)  
CONSTRUCTION PROJECT WHICH INCLUDES THE  
RECONSTRUCTION OF PORTIONS OF 75<sup>TH</sup> STREET, HUMBOLDT  
AVENUE, 76<sup>TH</sup> STREET, 11<sup>TH</sup> AVENUE, 72<sup>ND</sup> STREET, AND  
DIAGONAL BOULEVARD

Motion carried 5-0. This resolution appears as Resolution No. 10298.

<b>Item #10</b>	<b>CONSIDERATION OF RESOLUTION DESIGNATING CITY'S CONTRIBUTION TOWARD HEALTH, TERM LIFE, AND DENTAL INSURANCE PREMIUMS FOR GENERAL SERVICES AND MANAGEMENT EMPLOYEES S.R. NO. 211</b>
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Council Member Sandahl presented Staff Report No. 211.

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

RESOLUTION NO. 10302

RESOLUTION DESIGNATING CITY'S CONTRIBUTION  
TOWARD HEALTH, TERM LIFE AND DENTAL INSURANCE  
PREMIUM FOR MANAGEMENT AND GENERAL SERVICES  
EMPLOYEES

Motion carried 5-0. This resolution appears as Resolution No. 10302.

<b>Item #11</b>	<b>CONSIDERATION OF APPOINTMENTS TO FILL YOUTH TERMS ON CERTAIN CITY ADVISORY COMMISSIONS S.R. NO. 212</b>
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Council Member Elliott presented Staff Report No. 212.

M/Elliott, S/Goettel to approve the following appointments to fill youth terms on the City advisory commissions:

**ADVISORY BOARD OF HEALTH**

<u>Name</u>	<u>Term Expires</u>
David Knutson	August 31, 2010

**FRIENDSHIP CITY COMMISSION**

<u>Name</u>	<u>Term Expires</u>
Molly Olson	August 31, 2010

Motion carried 5-0.

Mayor Goettel requested a future agenda item be the consideration of revising the City Council's Health Care Savings Plan contribution.

<b>Item #12</b>	<b>CITY MANAGER'S REPORT</b>
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The City Council scheduled a Special City Council Meeting on November 2 at 5:30 p.m. to have WOLD Architects discuss the recent information received from Orfield Laboratories regarding the design, lighting, and audio visual for the Council Chambers.

<b>Item #13</b>	<b>CLAIMS AND PAYROLL</b>
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M/Wroge, S/Elliott that the following claims and payrolls be approved:

**U.S. BANK 10-27-09**

A/P Checks: 189520 – 189956	\$ 1,448,750.93
PAYROLL 61659 – 61977; 41458	\$ 499,598.35
 TOTAL	 \$ 1,948,349.28

Motion carried 5-0.

**OPEN FORUM**

None.

Mayor Goettel stated the City Council will be going into closed session.

City Attorney Heine stated that there is a need for confidentiality to discuss the pending litigation regarding condemnation award for taking at 7745 Lyndale Avenue South, in connection with the Lyndale Bridge Project and there would be no need to reconvene in the open meeting.

By unanimous consent the City Council left the Council Chambers at 8:12 p.m. to conduct a Closed Executive Session in the Executive Conference Room.

<b>Item #14</b>	<b>CLOSED EXECUTIVE SESSION IN CITY HALL EXECUTIVE CONFERENCE ROOM TO DISCUSS PENDING LITIGATION REGARDING CONDEMNATION AWARD FOR TAKING AT 7745 LYNDALE AVENUE SOUTH, IN CONNECTION WITH LYNDALE BRIDGE PROJECT</b>
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The Closed Executive Session was called to order by Mayor Goettel in the Executive Conference Room at 8:16 p.m.

*Members Present:* Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott (left at 8:29 p.m.); Fred Wroge; and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Kristin Asher, City Engineer; John “Mac” LeFevre, City Attorney; Corrine Heine, City Attorney; and Cheryl Krumholz, Recording Secretary.

The Closed Executive Session was convened pursuant to M.S. 13D.05.

The City Council meeting was adjourned by unanimous consent at 9:28 p.m.

Date Approved: \_\_\_\_\_

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Debbie Goettel  
Mayor

\_\_\_\_\_  
Cheryl Krumholz  
Recording Secretary

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Steven L. Devich  
City Manager