

CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

September 13, 2011

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; and Tom Fitzhenry.

Members Present: Fred Wroge

Staff Present: Steven L. Devich, City Manager; Pam Dmytrenko, Assistant City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Jim Topitzhofer, Recreation Services Director; Chris Regis, Finance Manager; Melissa Poehlman, City Planner; Corrine Heine, City Attorney; and Cheryl Krumholz, Recording Secretary.

M/Fitzhenry, S/Sandahl to excuse Council Member Wroge from the September 13, 2011 City Council Worksession and Regular City Council Meeting.

Motion carried 4-0.

OPEN FORUM

None.

PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Sandahl, S/Fitzhenry to approve the minutes of (1) Regular City Council Meeting of August 9, 2011 and (2) Special City Council Meeting of August 17, 2011.

Motion carried 4-0.

Item #1	PRESENTATION OF CERTIFICATE OF RECOGNITION TO RICHFIELD ROADRUNNERS – U17 GIRLS TRAVELING SOCCER TEAM CLASSIC 3 DIVISION STATE CHAMPIONS
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Mayor Goettel presented a certificate of recognition to Richfield Roadrunners - U17 girls traveling soccer team.

Item #2	ANNUAL MEETING WITH ARTS COMMISSION
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Judy Goebel and Ellen Stinger, Arts Commission Co-Chairs, reported on the 2011 commission accomplishments and goals.

Item #3	COUNCIL DISCUSSION <ul style="list-style-type: none"> • HATS OFF TO HOMETOWN HITS
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Council Member Fitzhenry announced that on August 23, 2011, Governor Dayton declared Richfield a Yellow Ribbon City.

MN National Guard Staff Sergeant Aaron Hoska, Yellow Ribbon Outreach Coordinator, explained the Beyond the Yellow Ribbon Program.

Tom Rublein announced the September 17 Cattail Day event, September 18 Penn Fest and that there is no Remodeling Fair in January 2012.

Item #4	COUNCIL APPROVAL OF AGENDA
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M/Sandahl, S/Fitzhenry to approve the agenda.

Motion carried 4-0.

Item #5	CONSENT CALENDAR
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- A. Consideration of approval of continuing public hearing to September 27, 2011 regarding vacation of easement at 6401 Lyndale Avenue S.R. No. 176
- B. Consideration of approval of resolution declaring costs to be assessed and ordering preparation of proposed assessment roll for unpaid false alarm user fees against private property and setting public hearing for October 11, 2011 S.R. No. 177

RESOLUTION NO. 10552

RESOLUTION DECLARING COSTS TO BE ASSESSED AND
ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR
UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

This resolution appears as Resolution No. 10552.

- C. Consideration of approval of resolution declaring costs to be assessed and ordering preparation of proposed assessment roll for weed elimination from private property and removal or elimination of public health or safety hazards from private property and setting public hearing for October 11, 2011 S.R. No. 178

RESOLUTION NO. 10553

RESOLUTION DECLARING COSTS TO BE ASSESSED AND
ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR
WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION
OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY

This resolution appears as Resolution No. 10553.

- D. Consideration of approval of first reading of ordinance amending Subsection 537.05, Subdivision 1 of Richfield City Code related to conditional uses in mixed use districts S.R. No. 179
- E. Consideration of approval of first reading of ordinance rezoning properties located at 6401 Lyndale Avenue, 515 64th Street West and 521 64th Street West from C-2 (General Commercial) and R (Single-Family Residential) to PMR (Planned Multi-Family Residential) S.R. No. 180
- F. Consideration of approval of resolution authorizing City staff to incur cost for reconstruction of 76th Street East (from 12th Avenue to Cedar Avenue) and hiring of Howard R. Green to perform engineering services for 76th Street Reconstruction Project for fee not to exceed \$300,000 S.R. No. 181

RESOLUTION NO. 10554

DECLARING THE OFFICIAL INTENT OF THE CITY OF RICHFIELD TO REIMBURSE
CERTAIN EXPENDITURES FROM THE PROCEEDS OF
BONDS TO BE ISSUED BY THE CITY

This resolution appears as Resolution No. 10554.

- G. Consideration of approval of Richfield Municipal Center change order report for aggregate net effect of \$68,100 in items included within project budget S.R. No. 182
- H. Consideration of approval of itinerant place of amusement and itinerant food licenses for Richfield Visions, Inc. for Richfield Cattail Days events at Veterans Memorial Park, 6400 Portland Avenue, on September 17, 2011 S.R. No. 183
- I. Consideration of approval of temporary on-sale liquor license for Blessed Trinity's Parent Meet and Greet on September 17, 2011 S.R. No. 184

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

Motion carried 4-0.

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

Item #7	PUBLIC HEARING REGARDING RESOLUTION ADOPTING MODIFICATION TO REDEVELOPMENT PLAN FOR RICHFIELD REDEVELOPMENT PROJECT AREA AND ADOPTING AMENDED AND RESTATED TAX INCREMENT FINANCING PLAN FOR 2010-1 HOUSING TAX INCREMENT DISTRICT; WOODLAKE HOUSING (STAFF REPORT NO. 185)
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Mayor Goettel presented Staff Report No. 185.

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

Motion carried 4-0.

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

RESOLUTION NO. 10555

RESOLUTION ADOPTING A MODIFICATION TO THE REDEVELOPMENT PLAN FOR THE RICHFIELD REDEVELOPMENT PROJECT AREA AND ADOPTING AN AMENDED AND RESTATED TAX INCREMENT FINANCING PLAN FOR THE 2010-1 HOUSING TAX INCREMENT FINANCING DISTRICT (WOODLAKE HOUSING) THEREIN AND ADOPTING A TAX INCREMENT FINANCING PLAN THEREFORE

Motion carried 4-0. This resolution appears as Resolution No. 10555.

Item #8	PUBLIC HEARING REGARDING RESOLUTION AUTHORIZING ISSUANCE, SALE AND DELIVERY OF CITY'S VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE BONDS (WOODLAKE RICHFIELD APARTMENTS PROJECT), SERIES 2011 (STAFF REPORT NO. 186)
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Council Member Fitzhenry presented Staff Report No. 186.

Julie Eddington, Kennedy and Graven, explained there are no financial impacts to the City.

M/Sandahl, S/Goettel to close the public hearing.

Motion carried 4-0.

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

RESOLUTION NO. 10556

RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF THE CITY'S VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE BONDS (WOODLAKE RICHFIELD APARTMENTS, LLC PROJECT), SERIES 2011; ADOPTING A HOUSING PROGRAM PURSUANT TO MINNESOTA STATUTES, CHAPTER 462C, AS AMENDED; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE BONDS AND RELATED DOCUMENTS

Motion carried 4-0. This resolution appears as Resolution No. 10556.

Item #9	CONSIDERATION OF SECOND READING OF ORDINANCE AMENDING CITY'S ZONING ORDINANCE INCREASING PERMISSIONS FOR HORTICULTURE/COMMUNITY GARDENS, ANIMAL KENNELS, AND TATTOO SHOPS IN CERTAIN AREAS, REDUCE COMMERCIAL SETBACKS IN CERTAIN AREA AND REMOVE CONTRADICTIONARY MINIMUM LOT AREA REQUIREMENTS FROM MULTI-FAMILY DISTRICTS AND RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE (STAFF REPORT NO. 187)
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Council Member Elliott presented Staff Report No. 187.

City Planner Poehlman explained the reduced setback is on commercial properties along arterial streets only.

M/Elliott, S/Sandahl that this constitute second reading of Bill No. 2011-19 amending Subsections 512.03; 512.07; 512.09; 525.11, Subdivision 1; 527.11, Subdivision 1; 532.11, Subdivisions 1 and 2; 534.11, Subdivisions 1 and 2; 537.03, Subdivision 1; 544.13, Subdivision 5 and by adding new Subsection 531.07, Subdivision 24 and Subsection 537.05, Subdivision 11 related to horticulture, animal kennels, minimum lot areas, setbacks and tattoo shops and resolution authorizing summary publication of ordinance:

RESOLUTION NO. 10557

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE AMENDING SUBSECTIONS 512.03; 512.07; 512.09; 525.11, SUBDIVISION 1; 527.11, SUBDIVISION 1; 532.11, SUBDIVISIONS 1 AND 2; 534.11, SUBDIVISIONS 1 AND 2; 537.03, SUBDIVISION 1; 544.13, SUBDIVISION 5 AND BY ADDING NEW SUBSECTION 534.07, SUBDIVISION 24 AND SUBSECTION 537.05, SUBDIVISION 11 RELATED TO HORTICULTURE, ANIMAL KENNELS, MINIMUM LOT AREAS, SETBACKS AND TATTOO SHOPS

Motion carried 4-0. This resolution appears as Resolution No. 10557.

Item #10	CONSIDERATION OF PURCHASE AGREEMENT AND SECOND READING OF ORDINANCE PROVIDING FOR SALE OF CERTAIN REAL PROPERTY OF CITY TO WELLINGTON MANAGEMENT INC. (STAFF REPORT NO. 188)
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Council Member Sandahl presented Staff Report No. 188.

Community Development Director Stark suggested the motion to accept the purchase agreement subject to revisions by legal counsel. The revisions are minor with the exception of the

agreement indicating the sale of Lot 2 (sculpture site) and Lot 3 (land strip site). Legal counsel will discuss with Wellington the procedure of the use of Lot 3 by either sale or easement.

City Attorney Heine stated the recommendation for Lot 3 will return to the City Council if there is a request to purchase the land rather than an easement.

Council Member Sandahl questioned if application for a building permit met the criteria of the purchase agreement related to the return of funds.

City Attorney Heine responded the City may require a certificate of occupancy instead.

Council Member Elliott stated a signed plan to build was closer to a building permit rather than a certificate of occupancy. He added that he did not believe a certificate of occupancy was intended from previous discussions.

Council Member Sandahl requested Wellington be made aware the property is included in a special maintenance district.

M/Fitzhenry, S/Sandahl to approve the purchase agreement subject to revisions by legal counsel as directed by the City Council and that this constitute second reading of Bill No. 2011-20 providing for sale of certain real property (Lot 2) of the city to Wellington Management Inc.

Motion carried 4-0.

Item #11	CONSIDERATION OF RESOLUTION GRANTING APPROVAL OF MAJOR SITE PLAN AMENDMENT AT 1600 78TH STREET EAST TO ALLOW 9,600 SQUARE FOOT ADDITION TO EXISTING BUILDING (STAFF REPORT NO. 189)
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Mayor Goettel presented Staff Report No. 189.

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

RESOLUTION NO. 10558

RESOLUTION GRANTING APPROVAL OF A MAJOR SITE PLAN AMENDMENT FOR
1600 78TH STREET EAST

Motion carried 4-0. This resolution appears as Resolution No. 10558.

Item #12	CONSIDERATION OF 2011 REVISED/2012 PROPOSED BUDGET RESOLUTIONS ADOPTING 2012 PRELIMINARY PROPERTY TAX LEVY, SETTING TRUTH IN TAXATION HEARING DATE, AUTHORIZING BUDGET REVISIONS, AND AUTHORIZING REVISION OF 2011 BUDGET OF VARIOUS DEPARTMENTS (STAFF REPORT NO. 190)
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Mayor Goettel presented Staff Report No. 190.

Mayor Goettel stated the preliminary tax levy is a 3.98% increase and that this was a fair adjustment with the City continuing to get off local government aid from the state.

City Manager Devich said the 2012 budget reflects a conservative estimate of LGA but if none is received, the City is in a comfortable financial position.

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

RESOLUTION NO. 10559
RESOLUTION ADOPTING A PROPOSED BUDGET AND TAX LEVY
FOR THE YEAR 2012

This resolution appears as Resolution No. 10559.

RESOLUTION NO. 10560
RESOLUTION AUTHORIZING BUDGET REVISIONS

This resolution appears as Resolution No. 10560.

RESOLUTION NO. 10561
RESOLUTION AUTHORIZING REVISION OF 2011 BUDGET OF VARIOUS
DEPARTMENTS

This resolution appears as Resolution No. 10561.

Motion carried 4-0.

Item #13	CITY MANAGER'S REPORT <ul style="list-style-type: none"> • Reschedule November 8, 2011 Regular City Council Meeting
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The City Council rescheduled the November 8, 2011 Regular City Council meeting to Monday, November 14, 2011.

Item #14	CLAIMS AND PAYROLLS
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M/Sandahl, S/Goettel that the following claims and payrolls be approved:

U.S. Bank	8/23/2011
A/P Checks: 209066-206413	\$ 1,410,298.80
Payroll: 77519-77887	\$ 578,304.19
TOTAL	\$ 1,988,602.99
U.S. Bank	9/13/2011
A/P Checks: 206414-206870	\$ 2,043,344.39
Payroll: 77888-78255	\$ 540,805.81
TOTAL	\$ 2,584,150.20

Motion carried 4-0.

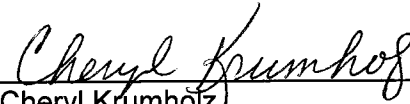
OPEN FORUM

None.

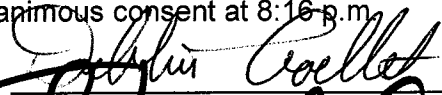
ADJOURNMENT

The City Council meeting was adjourned by unanimous consent at 8:16 p.m.

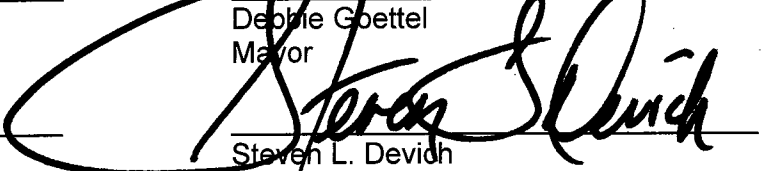
Date Approved: September 27, 2011



Cheryl Krumholz
Recording Secretary



Debie Goettel
Mayor



Steven L. Devich
City Manager