



CITY COUNCIL MINUTES
Richfield, Minnesota

Special Worksession

April 27, 2010

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:01 p.m.

ROLL CALL

Council Members

Present: Debbie Goettel, Mayor; Fred Wroge; Sue Sandahl; and Tom Fitzhenry.

Council Members

Absent: Pat Elliott.

Staff Present:

Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Barry Fritz, Public Safety Director; Jeff Pearson, Transportation Engineer; Corrine Heine, City Attorney; and Cheryl Krumholz, Recording Secretary.

Item #1	PRESENTATION BY MN/DOT REGARDING RESULTS OF I-494/I-35W INTERCHANGE STUDY (COUNCIL MEMO NO. 53)
----------------	--

Jeff Rhoda, SEH, presented the interchange preliminary design:

- Project Review
 - Project objectives
 - Guiding Principles for evaluation of concept alternatives
 - Impact Analysis
 - Preliminary concepts
 - Interchange
 - Bus Rapid Transit
 - Park & Ride
 - Impact Analysis
 - Construction Limits
 - Phase I concept layouts
 - Concept costs
 - Unresolved issues

- o Next Steps
- o Study review

Scott Pederson, Mn/DOT, discussed funding to develop the study to further review the project.

Item #2	DISCUSSION REGARDING THERAPEUTIC MASSAGE IN RESIDENTIAL SETTINGS (COUNCIL MEMO NO. 54)
----------------	---

Public Safety Director Fritz reviewed the background related to the current ordinance.

Cathy Jones, 7439 Vincent Avenue, requested the City Council consider revising and improving the ordinance to make therapeutic massage licensing more accessible and affordable in Richfield.

Diane Krueger, 7101 Garfield Avenue, questioned the high license fee and the classification of therapeutic massage as adult entertainment in the ordinance.

Council Member Sandahl suggested the ordinance be revisited to make it more friendly to practice therapeutic massage in the community.

Council Member Wroge stated this is a different era and not about what happened in Richfield years ago when the current ordinance was established. He added it was unfair to send Richfield residents who wish to perform therapeutic massage to other suburbs to do business.

Public Safety Director Fritz clarified the adult entertainment classification. He said the issue is permitting a home occupation (commercial enterprise) in neighborhoods.

Community Development Director Stark clarified the ordinance regarding the home occupation requirement of being licensed by the State of Minnesota, which therapeutic massage is not.

Ms. Jones replied that national certification is required.

Council Member Wroge stated everyone should be treated equally and Richfield should move forward with the times.

The City Council consensus was to direct staff to revisit the current ordinance and work with therapeutic massage therapists regarding changes to satisfy both groups, review of licensing fees, and the zoning requirement for home occupations.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:58 p.m.

Date Approved: _____

Debbie Goettel
Mayor

Cheryl Krumholz
Recording Secretary

Steven L. Devich
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

April 27, 2010

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m.

ROLL CALL

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

Members Absent: Pat Elliott.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Barry Fritz, Public Safety Director; Brad Sveum, Fire Services Director; Chris Regis, Finance Manager; Chris Link, Street Maintenance Supervisor; Pam Dmytrenko, Assistant to the City Manager; Corrine Heine, City Attorney; and Cheryl Krumholz, Recording Secretary.

M/Goettel, S/Wroge to determine the absence of Council Member Elliott from the Special City Council Worksession and Regular City Council Meeting of April 27, 2010 as excused absences.

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/Wroge, S/Sandahl to approve the minutes of (1) Special City Council Worksession of April 13, 2010 and (2) Regular City Council Meeting of April 13, 2010.

Motion carried 4-0.

Item #1	PRESENTATION OF PROCLAMATION DESIGNATING APRIL 30, 2010 AS "WE CARE DAY" IN RICHFIELD
----------------	--

Mayor Goettel read and presented a proclamation designating April 30, 2010 as "We Care Day" in Richfield.

Item #2	PRESENTATION REGARDING <i>FACE2FACE</i> EVENT
----------------	--

Alma Dominguez invited the City Council to the May 21 Face2Face event.

Amy Dusek, Richfield Public Safety Community Liaison, announced the May 5 Cinco de Mayo event.

Item #3	PRESENTATION FROM FIREMAN'S FUND INSURANCE COMPANY TO RICHFIELD FIRE DEPARTMENT OF BULLARD T-3 MAX THERMAL CAMERA VALUED AT \$8,800 AND CONSIDERATION OF RESOLUTION ACCEPTING DONATION S.R. NO. 68
----------------	---

Fire Services Director Sveum accepted the thermal camera.

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

RESOLUTION NO. 10361

RESOLUTION AUTHORIZING ACCEPTANCE OF THE DONATION OF A THERMAL IMAGING CAMERA FROM THE FIREMAN'S FUND INSURANCE COMPANY HERITAGE PROGRAM IN ACCORDANCE WITH DONATION AGREEMENTS AND TERMS PRESCRIBED BY THE DONORS

Motion carried 4-0. This resolution appears as Resolution No. 10361.

Item #4	<p>COUNCIL DISCUSSION</p> <ul style="list-style-type: none"> • HATS OFF TO HOMETOWN HITS
----------------	---

Council Member Sandahl acknowledged the recent Senior Volunteer Luncheon.

Council Member Fitzhenry discussed the Minnesota National Guard Beyond the Yellow Ribbon program.

The City Council consensus was to have staff review the program for implementation.

Mayor Goettel reported on the success of the energy reduction program at the Ice Arena.

Rebecca Kurtz, Ehlers & Associates, reported on the City's upgraded bond rating from Standard and Poor's and Moody's and presented to Finance Manager Regis, a certificate of recognition from Standard & Poor's recognizing the City's AA+ rating.

City Manager Devich stated this rating is a first for the City.

Council Member Wroge encouraged residents to continue last year's maintenance on vacant properties.

Council Member Wroge reported on the recent Police Reserve Dinner.

Item #5	<p>COUNCIL APPROVAL OF AGENDA</p>
----------------	--

M/Fitzhenry, S/Sandahl to approve the agenda.

Motion carried 4-0.

Item #6	<p>CONSENT CALENDAR</p>
----------------	--------------------------------

- A. Consideration of approval of first reading of ordinance amendment to Richfield City Code Subsection 549.25 Subd. 2(a) related to dynamic sign regulations clarifying requirement that dynamic displays be structurally connected to static (non-changing) portion of sign S.R. No. 69
- B. Consideration of approval of resolution terminating Joint and Cooperative Agreement with Regional Mutual Aid Association for use of personnel and equipment during emergencies S.R. No. 70

RESOLUTION NO. 10362

RESOLUTION AUTHORIZING WITHDRAWAL AND TERMINATION
FROM THE JOINT AND COOPERATIVE AGREEMENT FOR THE USE
OF PERSONNEL AND EQUIPMENT DURING EMERGENCIES
REGIONAL MUTUAL AID ASSOCIATION

This resolution appears as Resolution No. 10362.

- C. Consideration of approval of purchase from Total Control Systems, Inc. for new slaker control panel at Richfield Water Treatment Plant in amount of \$33,893 S.R. No. 71
- D. Consideration of approval of award of contract to North Star Tree Care for diseased boulevard tree removal in amount not to exceed \$99,000 S.R. No. 72

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

Motion carried 4-0.

Item #7	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
----------------	--

None.

Item #8	PUBLIC HEARING AND SECOND READING OF TRANSITORY ORDINANCE VACATING MARKET DRIVE STREET RIGHT-OF-WAY S.R. NO. 73
----------------	--

Council Member Sandahl presented Staff Report No. 73.

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

Motion carried 4-0.

M/Sandahl, S/Wroge that this constitutes the second reading of Bill No. 2010-2, Transitory Ordinance No. 18.69 vacating Market Drive Street right-of-way, that it be published in the official newspaper and that it be made part of these minutes.

Motion carried 4-0.

Item #9	PUBLIC HEARING REGARDING RESOLUTION ADOPTING MODIFICATION TO REDEVELOPMENT PLAN FOR RICHFIELD REDEVELOPMENT PROJECT AREA AND ESTABLISHMENT OF 2010-1 HOUSING TAX INCREMENT FINANCING DISTRICT (AKA WOODLAKE HOUSING TAX INCREMENT FINANCE DISTRICT) S.R. NO. 74
----------------	--

Council Member Wroge presented Staff Report No. 74.

Marty Kirsch, 6725 Penn Avenue, spoke in support of the project because it provides larger housing units along with affordable housing and the location on the bus route. He encouraged the use of tax increment financing (TIF) for the project because it is for the good of the City.

Mark Maxfield, 6409 Lyndale Avenue, Golden Tan Salon owner, stated he believed TIF funding to be controversial and rental vacancies are at a six-year high and questioned the need for more. He requested a contingency be included for relocation costs at the expense of the ownership group.

Claire Killian, 6300 Pillsbury, spoke against the project because small businesses need to be retained.

Sylvia Jesse, 6612 Logan Avenue, spoke against the project because she has a personal interest in not destroying the buildings, small businesses should be retained and Richfield has enough high-rises.

Elmer Hansen, 6409 Harriet Avenue, stated this project should not be financially subsidized and he reviewed his analysis of the concentration of apartment buildings in Richfield.

Mark Pedersen, 500 West 64th Street, spoke against the project because he wants to keep the neighborhood quiet, retain small businesses, and Richfield has enough apartment buildings.

Steve Lindgren, Richfield Chamber of Commerce President, with Tim Carter, Chamber of Commerce Chair, spoke in support of the project with a reasonable effort to retain the existing businesses.

Shelly Jaeger, 6420 Harriet Avenue, spoke in opposition to the project because of the disruption and loss of privacy for her home and there are project financial questions.

Charla Langworthy, 6408 Harriet Avenue, spoke in opposition due to loss of privacy and the project's financing.

Camillo DeSantos, 6508 Newton Avenue, representing Attainable Housing Committee and Community Council, spoke in support because the project provides balanced housing opportunities.

Jerry Huntington, 514 West 64th Street, spoke in opposition due to the saturation of apartments in Richfield and his support of small business.

Harriet Berg, 6400 Harriet Avenue, spoke in opposition because there are enough apartments and noise and traffic will be increased.

Jim Rauth, 522 West 64th Street, stated he did not support the location or financing of the project.

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

Motion carried 4-0.

M/Goettel, S/Sandahl to continue this item to the next City Council meeting to permit the participation of Council Member Elliott.

Motion carried 4-0.

Item #10	CONSIDERATION OF DISCIPLINARY HEARING REGARDING RESOLUTION IMPOSING CIVIL ENFORCEMENT ON ESTABLISHMENT IN RICHFIELD THAT UNDERWENT ALCOHOL CHECK CONDUCTED BY RICHFIELD PUBLIC SAFETY STAFF AND FAILED BY SELLING ALCOHOL TO UNDERAGE YOUTH S.R. NO. 75
-----------------	--

Council Member Fitzhenry presented Staff Report No. 75.

Minneapolis-Richfield American Legion Post 435 – 6501 Portland Avenue – Roger Wysong, general manager, admitted that the violation occurred and agreed with the suspension of their liquor license and the civil penalty.

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

RESOLUTION NO. 10363

RESOLUTION SUSPENDING THE CLUB ON-SALE AND SUNDAY LIQUOR LICENSES FOR MINNEAPOLIS-RICHFIELD AMERICAN LEGION POST# 435, 6501 PORTLAND AVENUE SOUTH, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

Motion carried 4-0. This resolution appears as Resolution No. 10363.

Item #11	CONSIDERATION OF RESOLUTION AWARDING SALE OF GENERAL OBLIGATION BONDS, SERIES 2010-1 IN AGGREGATE PRINCIPAL OF \$1,535,000 S.R. NO. 76
-----------------	---

Mayor Goettel presented Staff Report No. 76.

Rebecca Kurtz, Ehlers & Associates, reported on the bond sale and the recommendation of award to Baird from Milwaukee, Wisconsin.

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

RESOLUTION NO. 10360

A RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION BONDS, SERIES 2010A, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,535,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

Motion carried 4-0. This resolution appears as Resolution No. 10360.

Item #12	CONSIDERATION OF FIRST READING OF PROPOSED ORDINANCES MODIFYING ELECTRIC AND GAS FRANCHISE FEES AND SCHEDULING PUBLIC HEARING AND SECOND READING FOR MAY 25, 2010 S.R. NO. 77
-----------------	--

Mayor Goettel presented Staff Report No. 77.

M/Goettel, S/Sandahl to approve the first reading of proposed ordinances modifying electric and gas franchise fees and scheduling the public hearing and second reading for May 25, 2010.

Motion carried 4-0.

Item #13	CONSIDERATION OF DIRECTING WOLD ARCHITECTS TO INITIATE PROPOSAL REQUESTS FOR HUMIDIFICATION AND/OR SOUND MASKING SYSTEMS FOR NEW RICHFIELD MUNICIPAL CENTER S.R. NO. 78
-----------------	--

Council Member Sandahl presented Staff Report No. 78.

Mayor Goettel stated humidification could be considered at the end of the project if contingency funds are available. Sound masking could be done in only some needed areas, such as Human Resources and the City Manager’s area.

Council Member Sandahl also suggested sound masking in the conference rooms, especially those with sound systems.

Council Member Wroge stated WOLD may believe these are not concerns with the new, quality building. He said he thought these issues had already been voted upon and humidification was not in the contingency.

Mike Klass, WOLD Architects, explained the current system for the new building is set up to accept and support humidification but there could be higher cost than originally bid due to inflation. Some sound masking could be done before the ceilings are installed, which would be more cost effective. He added that WOLD is confident in the building design.

Mr. Klass said Orfield & Associates appears most concerned about sound masking in the open areas. Mr. Klass added that he did not desire going into the contingency fund because construction had just begun and there are potentially unknown costs as it progresses.

City Manager Devich stated that when the building opens and if no contingency funds are available, he was pretty confident he could find funding for these items.

Mr. Klass added that dehumidification is included in the project.

No action was taken.

Item #14	CITY MANAGER’S REPORT
-----------------	------------------------------

City Manager Devich acknowledged the efforts of Sally Morton, Information Technology Manager, and Dave Conrads, Building Maintenance Supervisor, for their extra efforts during construction of the Richfield Municipal Center.

City Manager Devich provided a construction update.

Council Member Sandahl suggested a time capsule be prepared to include with building the new City Hall.

Item #15	CLAIMS AND PAYROLL
-----------------	---------------------------

M/Wroge, S/Sandahl that the following claims and payrolls be approved:

U.S. BANK 04-27-10

A/P Checks: 193861 – 194167	\$ 1,364,427.69
PAYROLL 65740 – 66041; 41470 - 41471	\$ 333,705.34
TOTAL	\$ 1,698,133.03

Motion carried 4-0.

OPEN FORUM

None.

ADJOURNMENT

The City Council meeting was adjourned by unanimous consent at 9:12 p.m.

Date Approved: _____

Debbie Goettel
Mayor

Cheryl Krumholz
Recording Secretary

Steven L. Devich
City Manager