

CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

October 11, 2011

CALL TO ORDER

The meeting was called to order by Mayor Pro Tempore Elliott at 7:00 p.m.

ROLL CALL

Members Present: Pat Elliott, Mayor Pro Tempore; Sue Sandahl; Fred Wroge; and Tom Fitzhenry.

Members Absent: Debbie Goettel, Mayor

Staff Present: Steven L. Devich, City Manager; Pam Dmytrenko, Assistant City Manager; John Stark, Community Development Director; Chris Regis, Finance Manager; Corrine Heine, City Attorney; and Cheryl Krumholz, Executive Coordinator.

M/Fitzhenry, S/Sandahl to excuse Mayor Goettel from the October 11, 2011 Special City Council Meeting, Special City Council/HRA/Planning Commission Worksession, Special City Council Worksession and Regular City Council Meeting.

Motion carried 4-0.

OPEN FORUM

None.

PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Elliott led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Elliott, S/Fitzhenry to approve the minutes of (1) Special City Council Meeting of September 27, 2011; (2) Special City Council Worksession of September 27, 2011; and (3) Regular City Council Meeting of September 27, 2011.

Motion carried 4-0.

Item #1	ANNUAL MEETING WITH FRIENDSHIP CITY COMMISSION
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Roger Swanson, Friendship City Commission Chair, reported on the 2011 commission accomplishments and goals.

Item #2	ANNUAL MEETING WITH TRANSPORTATION COMMISSION
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Marty Kirsch, Transportation Commission Chair, 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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Mayor Pro Tempore Elliott stated Mayor Goettel was attending the Regional Council of Mayors event the evening of October 11, 2011.

Council Member Wroge asked City Manager Devich about the neighborhood concern of hearing noise from the Public Safety gun range.

City Manager Devich explained Police Chief Fritz is reviewing the issue and also a sound meter is going to be used.

Council Member Fitzhenry stated the noise could be from the airport using cannons for geese control.

Council Member Sandahl discussed the Star Tribune article regarding the Richfield Fire Department fire poles.

Council Member Sandahl announced the November 12, 2011 "soft" opening of the Municipal Center and a grand dedication of the Municipal Center in spring of 2012.

Council Member Fitzhenry announced the Beyond the Yellow Ribbon information program open house on October 29, 2011 at the American Legion.

Council Member Fitzhenry reported on a meeting with the Metropolitan Airports Commission regarding increased airplane noise over Richfield.

Council Member Elliott announced the Woodlake Plaza groundbreaking on October 19, 2011.

Item #4	COUNCIL APPROVAL OF AGENDA
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The agenda was approved by unanimous consent.

Item #5	CONSENT CALENDAR
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- A. Consideration of approval of resolution authorizing Public Safety's acceptance of \$5,000 grant from Target Corporation S.R. No. 203

RESOLUTION NO. 10566

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY/POLICE TO ACCEPT THE COMMUNITY LEADERSHIP GRANT OF \$5000 FROM TARGET CORPORATION TO BE USED FOR THE POLICE "SHOP WITH A COP" EVENT AND FOR THE EMERGENCY PREPAREDNESS PROGRAM

This resolution appears as Resolution No. 10566

- B. Consideration of approval of Richfield Municipal Center change order report for aggregate net effect of \$29,629 in items included within project budget and \$1,661 in non-budgeted items S.R. No. 204

M/Sandahl, 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 ASSESSMENT FOR UNPAID FALSE ALARM USER FEES AGAINST PRIVATE PROPERTY (STAFF REPORT NO. 205)
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Council Member Wroge presented Staff Report No. 205.

M/Wroge, S/Fitzhenry to close the public hearing.

Motion carried 4-0.

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

RESOLUTION NO. 10567

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

Motion carried 4-0. This resolution appears as Resolution No. 10567.

Item #8	PUBLIC HEARING REGARDING RESOLUTION ADOPTING ASSESSMENT ROLL FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY (STAFF REPORT NO. 206)
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Council Member Fitzhenry presented Staff Report No. 206.

Michele Gathje, 6405 Vincent Avenue, questioned the legal basis for the assessment because she believed she has done diligent maintenance.

City Manager Devich explained when a maintenance complaint is received the complaintant is not disclosed as required by State law. State statute and City ordinance give the authority for a City to process and charge for assessments.

City Manager Devich stated he will review Ms. Gathje's issues raised at the June 14, 2011 City Council meeting but believed the process was already concluded.

Dennis Kleven, 7615 11th Avenue, explained he is in a lawsuit with the insurance company due to the gas explosion at this residence and the assessment fees will not be paid until it is settled.

City Attorney Heine stated the lawsuit is a private claim between the owner and insurance company and does not prevent the City from assessing for nuisance abatement.

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

Motion carried 4-0.

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

RESOLUTION NO. 10568

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

Motion carried 4-0. This resolution appears as Resolution No. 10568.

Item #9	CONSIDERATION OF ACCEPTING PURCHASE AGREEMENT OR EXTENDING COUNTERPROPOSAL TO PURCHASE AGREEMENT AND SECOND READING OF ORDINANCE PROVIDING FOR SALE OF CERTAIN REAL PROPERTY OF CITY TO WELLINGTON MANAGEMENT INC. (STAFF REPORT NO. 207)
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Council Member Sandahl presented Staff Report No. 207.

City Attorney Heine recommended approval of the purchase agreement subject to review and approval by the City Attorney. She added there are title matters to resolve.

M/Sandahl, S/Wroge to approve the purchase agreement subject to City Attorney review and approval and approve second reading of Bill No. 2011-23 providing for sale of certain real property of City to Wellington Management Inc.

Motion carried 4-0.

Item #10	CONSIDERATION OF APPOINTMENTS TO FILL YOUTH TERMS ON CITY ADVISORY COMMISSIONS (STAFF REPORT NO. 208)
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M/Elliott, S/Sandahl to make the following appointments:

HUMAN RIGHTS COMMISSION

<u>Name</u>	<u>Term Expires</u>
Ahmed Ridwan	August 31, 2012

Motion carried 4-0.

Item #11	CITY MANAGER'S REPORT
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None.

Item #12	CLAIMS AND PAYROLLS
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M/Sandahl, S/Wroge that the following claims and payrolls be approved:

<u>U.S. Bank</u>	<u>10/11/2011</u>
A/P Checks: 207285-207625	\$ 975,624.97
Payroll: 78596-78912 41861-41863	\$ 535,723.54
TOTAL	\$ 1,511,348.51

Motion carried 4-0.

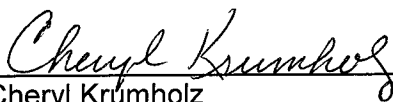
OPEN FORUM

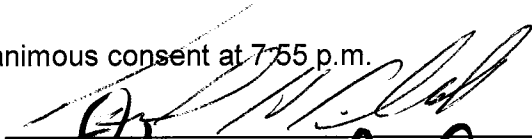
None.

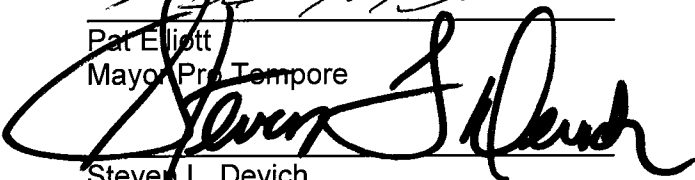
ADJOURNMENT

The City Council meeting was adjourned by unanimous consent at 7:55 p.m.

Date Approved: October 25, 2011


 Cheryl Krumholz
 Executive Coordinator


 Pat Elliott
 Mayor Pro Tempore


 Steven L. Devich
 City Manager