

**CITY COUNCIL MEETING  
CITY OF FRIDLEY  
JUNE 10, 2019**

---

The City Council meeting for the City of Fridley was called to order by Mayor Lund at 7:00 p.m.

**MEMBERS PRESENT:** Mayor Lund  
Councilmember Barnette  
Councilmember Tillberry  
Councilmember Eggert  
Councilmember Bolkom

**OTHERS PRESENT:** Wally Wysopal, City Manager  
Julie Jones, Planning Manager  
Jim Kosluchar, Public Works Director  
Dan Tietner, Finance Director  
Jay Karlovich, City Attorney

**APPROVAL OF PROPOSED CONSENT AGENDA:**

**APPROVAL OF MINUTES:**

**1. City Council Meeting of May 28, 2019.**

**THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA AND PLACED ON THE REGULAR AGENDA.**

**NEW BUSINESS:**

**2. Approve Agreement between the City of Fridley and Landbridge Ecological for Habitat Restoration Work at the Springbrook Nature Center and West Moore Lake Sand Dunes Natural History Area.**

**APPROVED.**

**3. Claims (185280 - 185435).**

**APPROVED.**

**ADOPTION OF PROPOSED CONSENT AGENDA:**

**Pam Reynolds**, 1241 Norton Avenue, asked for the minutes to be removed from the consent agenda.

**MOTION** by Councilmember Barnette to adopt the proposed consent agenda with the removal of the minutes. Seconded Councilmember Eggert.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**OPEN FORUM, VISITORS:**

**Noah Enger**, 6000 Fifth Street, said he lives by the new Cielo Apartments and the traffic has become a nightmare. There is a lot more parking on street and a problem with speeding in his neighborhood.

**Mayor Lund** said he would have staff take a look at the situation. He asked where Noah lived.

**Mr. Enger** replied 5<sup>th</sup> Street and 60<sup>th</sup>.

**Mayor Lund** said that “No Parking” signs will be put up on a section of 60<sup>th</sup> Avenue along with curb striping. Cielo Apartments will be installing specified parking areas on their property for guest parking. This should help with the cars parking on public streets because guests have not been allowed to park on the property.

**Mr. Enger** said there are cars parked on the public streets every day and in front of his property so he cannot even mow his lawn.

**Mayor Lund** said he hopes that residents will notice changes soon. If things did not change, he asked him to contact City staff, police or himself.

**Kristine Haney**, 5981 Fourth Street N.E., said she lives on the southeast corner of 4<sup>th</sup> Street and 60<sup>th</sup> Avenue. She has called the police many times and sometimes they tag the cars and other times they do not. She said there needs to be more consistency with ticketing illegally parked cars.

**Wally Wysopal**, City Manager, said there is a lot of activity going on behind the scenes with the apartment ownership. Signs will be installed soon for guests to park in the parking lot without the threat of being towed. This should provide ample parking for visitors. They do want to get this resolved and be a good neighbor. He said they hope to see something posted within the next week.

**Ms. Haney** said on Sunday, there were 50 to 60 cars parked on the street from people attending a barbeque that did not start until 8 p.m. and went on until well after 10 p.m. There were children running around without supervision. The police were called because it was very loud after 10:00 p.m.

**ADOPTION OF AGENDA:**

**MOTION** by Councilmember Bolkom to adopt the agenda with addition of the minutes and DEED Grant Technical Connections. Seconded by Councilmember Tillberry.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS:****4. First Reading of an Ordinance Amending the Fridley City Code, Chapter 205.07 R-1 One-Family Dwellings, Chapter 205.08 R-2 Two Family Dwellings, and Chapter 205.23 Hyde Park Neighborhood Zoning District Regulations of the Fridley City Code to Codify Current Policy and Add Requirements for Tree Planting in New Home Construction (Text Amendment, TA #19-01, by the City of Fridley).**

**Julie Jones**, Planning Manager, stated that there are four changes since the public hearing:

1. Under the *Home Occupation* section under *Accessory Uses*, staff added the underlined words “on-street” to clarify parking requirements: *(j) Parking needs for the home occupation shall not exceed more than two (2) off-street parking spaces at any given time in addition to the spaces required by the occupants.*
2. Under *Parking Requirements, General Provisions*, staff separated the pavement requirements into two sentences as follows: *(3) All driveways and parking stalls shall be surfaced with blacktop, concrete, or other hard surface material approved by the City. But for where street access is obtained, driveways shall be set back at minimum three (3) feet from any property line.*
3. The way staff measures maximum driveway width is now more clearly defined in words and pictures, but remains at the property line.
4. Under *Performance Standards, Landscaping*, the new tree planting requirements are now worded consistently in each of the three sections of the text amendment.

Staff recommends leaving home daycare parking, yard landscaping, and minimum living area sections unchanged and holding the second reading of the ordinance on June 24.

**Councilmember Barnette** noted on page 41 on the bottom the last sentence doesn't make sense with the following page.

**Councilmember Bolkom** replied that pages 42 and 43 are out of order in the packet.

**Pam Reynolds**, 1241 Norton Avenue, noted a correction to be made under Hyde Park page 59, Section 5, lot requirements. Text says 35 and number is 25. She also asked with the two required tree plantings for new construction, if there were already two trees on the lot if she would need to plant two more.

**Ms. Jones** replied a credit would be given for existing trees that are there providing they are substantial in size.

**Ms. Jones** asked if this ordinance would apply to the new Pulte development.

**Mayor Lund** replied that those homes are already being built and occupied.

**Ms. Jones** added that the Pulte development is different as this applies only to R1 and R2.

**MOTION** by Councilmember Barnette to waive the reading of the ordinance and adopt the ordinance on first reading with the corrections noted on page 59. Seconded by Councilmember Bolkom.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**5. First Reading of an Ordinance Amending Chapter 128 of the Fridley City Code Pertaining to Abatement of Exterior Nuisances (Text Amendment, TA #19-02, by the City of Fridley).**

**Julie Jones**, Planning Manager, stated the proposed amendment clarifies when and how exterior public nuisances are abated per Chapter 128, adjusting our timelines to fit our notification requirements. Most importantly, it clarifies payment procedures, creating the foundation for other nuisance abatement sections of the code to follow. The Planning Commission supported this text amendment at their public hearing. The City Council had no changes at the May 28 public hearing and no one from the public requested any modifications to the proposed text amendment. Staff recommends proceeding with the second reading of the text amendment at the June 24 City Council meeting.

**MOTION** by Councilmember Bolkom to waive the reading of the ordinance and adopt the ordinance on first reading. Seconded by Councilmember Eggert.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**6. First Reading of an Ordinance Amending Chapter 110 of the Fridley City Code Pertaining to Abating Public Nuisances (Text Amendment, TA #19-03, by the City of Fridley).**

**Julie Jones**, Planning Manager, said the purpose of this amendment is to unify code language in three different sections of City Code regarding how unpaid public nuisance abatement fees are assessed and to incorporate emergency abatement procedures into the City Code. The type of abatements addressed include public nuisance, lawn mowing, and hazardous building abatements. The Planning Commission did not recommend any changes and City Council did not recommend any changes during the public hearing. The ordinance version that was in May 28 Council packet is the same as the one before you tonight. Staff recommends scheduling the second reading of the ordinance for the June 24 City Council meeting.

**MOTION** by Councilmember Eggert to waive the reading of the ordinance and adopt the ordinance on first reading. Seconded by Councilmember Bolkom.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**7. First Reading of an Ordinance to Amend Section 15 of Chapter 402 of the Fridley City Code to Administer and Regulate Water, Storm Water, and Sanitary Sewer in the Public Interest (Text Amendment, TA #19-04, by the City of Fridley)**

**Jim Kosluchar**, Public Works Director, stated the recent rate resolutions approved by the City Council support charging the cost of oversized (typically commercial/industrial) meters to the customer. The premise is that residential and small-service commercial customers should not subsidize the cost of meters that are sized for large users of process water, irrigation, etc. The change is recommended to recover costs to the City's utilities and thereby other rate payers. The cost would be passed to utility customers who benefit from larger services, ensure that meters are appropriately sized, there are an appropriate number of meters and encourage conservation by minimizing the size of services and meters.

**Mr. Kosluchar** noted staff found that an ordinance amendment is necessary. The recommended language allows for the following:

- Eliminates historic refunds for meter owners as of the time of original publication.
- The City is able to charge the cost of oversized (1 ½" diameter or larger) meters to the customer who receives the service through the oversized meter. Standard service meters for residential properties (including duplexes, triplexes, and four-plexes) are 5/8", ¾", or 1" diameter.
- The City retains ownership of the meter. This is to prevent tampering or unauthorized replacement of the meter.
- Allows the Finance Department to develop a reasonable payment plan that is agreeable to the City for repayment of the meter cost. Note the cost of oversize meters ranges from roughly \$800 to \$6,500

**Mr. Kosluchar** said staff will continue to review Chapter 402, and plan to provide for a more comprehensive ordinance amendment later this year. This change is intended to be implemented first to allow completion of the meter replacement project later this summer and fall. Section 15 of Chapter 402 is the only section proposed to be amended at this time. Staff recommends waive the reading and adopt the ordinance on first reading.

**Councilmember Bolkcom** asked on page 77, 402.5, 2B if a person's meter is \$6,500, does it allow the City to put it on a payment schedule.

**Mr. Kosluchar** replied it allows the Finance Department to set up reimbursement for the meter.

**Councilmember Bolkcom** asked on page 78, A, right of entrance, is there an issue that some people do not allow staff to enter to install the meters.

**Dan Tietner**, Finance Director, replied there are two properties we charge right of entrance fee as staff is not allowed to inspect or view the meter. It is used sparingly and on a case-by-case situation. If a property owner does not allow City staff to enter the property to inspect or install the meter, the City will charge refusal of entry.

**Councilmember Bolkcom** asked if most residential properties have switched over.

**Mr. Kosluchar** replied there are 18 left.

**Councilmember Eggert** asked to look at the language on 402.15, water meter, paragraph 2 “customers” is listed twice.

**MOTION** by Councilmember Tillberry to waive the reading of the ordinance and adopt the ordinance on first reading. Seconded by Councilmember Bolkcom.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

#### **8. DEED Grant Technical Corrections.**

**Scott Hickok**, Community Development Director, said on April 22, the Job Creation Fund Program application was approved and at the next meeting, the Minnesota Investment Fund Program application was approved. This was offered to Certified Power Incorporated and they will be moving into the Northern Stacks No. 2 building, bringing 130 well-paying jobs to Fridley. When the grant application was submitted, staff took out the fourth bullet, but is now requesting to add it back in as it is a requirement. This is a forgivable loan and DEED will issue the money back to the City and the loan will be forgiven if they produce the 130 jobs they have committed to doing.

**Councilmember Tillberry** noted a correction on the top of the resolution the year should be 2019.

**MOTION** by Councilmember Bolkcom to adopt the resolution approving resolution regarding the support of a job creation fund application to DEED with Certified Power Incorporated with the amended year at the top of the page to 2019. Seconded by Councilmember Barnette.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**MOTION** by Councilmember Bolkcom to adopt the resolution regarding the support of a MN Investment Fund Application to DEED in connection with Certified Power Incorporation with the addition of the fourth bullet point. Seconded by Councilmember Eggert.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**Pam Reynolds**, 1241 Norton Avenue, said she has no corrections to the minutes but noted that the May 28 online Planning Commission and Council statements have been changed to reflect the text for the meeting tonight. This makes it difficult to follow any changes that have been made.

**Jay Karlovich**, City Attorney, said that the online version from the Planning Commission and Public Hearing text was updated from the first reading and should not be.

**Julie Jones**, Planning Manager, will check with staff to make sure its corrected. She did make a correction to the minutes, page 5, middle of the page, “home *operation*” should be “home *occupation*”.

**MOTION** by Councilmember Bolkcom to approve the minutes with the correction on page 5. Seconded by Councilmember Tillberry.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

#### **8. Informal Status Reports.**

**Mayor Lund** reminded the viewing audience that ‘49er Days will be held this week. He also noted that Fridley was the winner of a new basketball court sponsored by the Minnesota Timberwolves. He thanked everyone who voted.

**Councilmember Barnette** said that Friday is the All School Class Reunion for classes from 1959 to present and will be held at Commons Park. He encouraged all former students to attend.

**Councilmember Bolkcom** asked when the construction of the basketball court would start.

**Wally Wysopal**, City Manager, said the kickoff is September 19. It will take about three weeks to get the court reconditioned and Fridley’s will be the last one constructed.

**Councilmember Eggert** said there are important workshops coming up on Thursday, June 27 from 6 p.m. to 8 p.m. at City Hall. There will be four workshops that focus on the master plan for the parks and trails.

#### **ADJOURN:**

**MOTION** by Councilmember Barnette to adjourn. Seconded by Councilmember Eggert.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED AT 7:55 P.M.**

Respectfully submitted,



Krista Peterson  
Recording Secretary



Scott J. Lund  
Mayor