



**CITY COUNCIL MEETING**  
**Tuesday, May 2,**  
**2023 4100 Lakeview**  
**Avenue North**  
**Robbinsdale, Minnesota**  
**7:00 p.m.**

## **A G E N D A**

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### **CITIZEN** **PARTICIPATION**

The City Council is meeting as a legislative body to conduct the business of the City according to the RULES OF PROCEDURE AND DECORUM OF THE CITY COUNCIL. Unless so ordered by the Mayor, citizen participation is limited to the following times and always within the prescribed rules of conduct for public input at meetings.

- A) **PUBLIC HEARINGS**: Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak pursuant to the RULES OF PROCEDURE AND DECORUM OF THE CITY COUNCIL.
- B) **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL ON MATTERS NOT ON THE AGENDA**

Any member of the public may speak at this time on any item **NOT** on the agenda. In consideration for the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue shall be continued under Other Business at the end of the agenda. Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion without permission of the presiding officer.

Your participation, as prescribed by the Council's RULES, is welcomed and your cooperation is greatly appreciated.

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1. CITY COUNCIL MEETING CALLED TO ORDER
2. ROLL CALL: Webb, Parisian, Wagner, Murphy, Mayor Blonigan
3. **MICROPHONE CHECK:** Webb, Parisian, Wagner, Murphy Mayor Blonigan
4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL ON MATTERS NOT ON THE AGENDA
5. APPROVAL OF THE MAY 2, 2023 MEETING AGENDA

# CITY COUNCIL MEETING AGENDA

May 2, 2023

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6. CONSENT AGENDA: Pursuant to Council rules, one motion, non-debatable, will approve the recommendation noted. Any member of the Council may ask for an item to be taken from the Consent Agenda for discussion and separate action. Such items removed from the Consent Agenda shall be considered immediately following approval of the balance of the Consent Agenda:
  - A. Motion to approve and order placed on file minutes of the City Council meeting:
    - City Council meeting minutes on 4/18/23 4-9
  - B. Motion to receive advisory commission minutes:
    - Parks & Recreation Commission meeting minutes on 3/28/23 10-11
  - C. Motion to approve issuance of licenses dated 4/27/23. 12-14
  - D. Motion to approve the application for the annual Public Safety Open House on Saturday, August 12, 2023. 15
  - E. By motion, approve Memorandum of Understanding for Sohacki Park Water Quality Improvement Project Implementation. 16-25
7. PRESENTATIONS
  - A. Proclamation Declaring the Month of May 2023 as Step To It Month in the City of Robbinsdale. 26-27
8. PUBLIC HEARINGS
  - A. Consider Rental License for 3683 Halifax Ave. 28-32
    1. Hold a public hearing to potentially seek feedback (including, from Callco Services, LLC), and direct staff as Council deems appropriate.
9. OLD BUSINESS
  - A. None.
10. NEW BUSINESS
  - A. Motion to waive the reading and order the adoption of Resolution No. \_\_\_\_ 33-39  
"RESOLUTION AWARDED A CONTRACT FOR THE RECONSTRUCTION OF HUBBARD AVENUE AND ADJOINING STREETS - PROJECTS 38222, 45022 and 54622 TO NORTHDAL CONSTRUCTION CO. INC. OF ALBERTVILLE, MN." Res. 38-39
  - B. By motion, provided all conditions are met, adopt Resolution No. \_\_\_\_ 40-42  
"A RESOLUTION ADOPTING AMENDMENTS TO POLICY FOR USE OF THE DOWNTOWN PLAZA FOR COMMUNITY EVENTS SPONSORED BY LOCAL BUSINESSES TO INCLUDE USE BY ADJACENT RESTAURANT." Res. 41
  - C. First reading of an amendment to the Zoning Ordinance to eliminate the conditional use permit requirement for solar panels on accessory structures Motion to hold the first reading of Ordinance No. \_\_\_\_ 43-48

CITY COUNCIL MEETING AGENDA

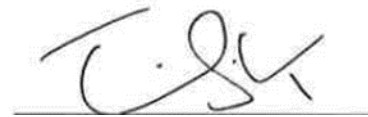
May 2, 2023

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“AN ORDINANCE AMENDING SECTIONS 510.15 AND 515.01 OF THE CITY CODE MAKING SOLAR ENERGY DEVICES AN ACCESSORY USE ON PRINCEIPAL AND ACCESSORY STRUCTURES AND IN REAR YARDS AND CREATING AN EXCEPTION TO HEIGHT LIMITATIONS.”

Ord. 47-48

11. OTHER BUSINESS
  - A. Motion to approve disbursement requests for period ending 5/2/2023.
12. ADMINISTRATIVE REPORTS
13. COUNCIL GENERAL COMMUNICATIONS
14. ADJOURNMENT

A handwritten signature in black ink, appearing to read 'T. Sandvik', is written over a horizontal line.

Tim Sandvik, City Manager

**City of Robbinsdale**  
**CITY COUNCIL MINUTES**  
**April 18, 2023**  
**Meeting No. 8**

**CALL TO ORDER**

1. Mayor William A. Blonigan called the meeting to order at 7:01 p.m.

**ROLL CALL**

2. Present: Murphy, Webb, Parisian, Wagner, Mayor Blonigan  
Staff: Tim Sandvik, City Manager; Kayla Kirtz, Assistant to City Manager – Communications

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL ON MATTERS NOT ON THE AGENDA**

3. Mayor Blonigan opened the floor to anyone wishing to speak on any items not on the agenda. No one spoke and the forum was closed.

**APPROVAL OF THE APRIL 18, 2023 MEETING AGENDA**

4. Sandvik reported the following updates to the agenda:
  - Addition of Consent Item I: Miller Concessions at Hy-Vee
  - Addition of Consent Item J: City Clerk Appointment
  - Addition of complete voucher report for Other Business B: Disbursement Requests
5. **Member Murphy MOVED, seconded by Member Webb to approve the April 18, 2023 Agenda. The vote was unanimous and the motion carried.**

**CONSENT AGENDA**

6. Member Blonigan removed item E from the Consent Agenda for further consideration.
7. Member Murphy removed item G from the Consent Agenda for further consideration.
8. **Member Parisian MOVED, seconded by Member Webb to approve the April 18, 2023 Consent Agenda with the exception of items E and G which were pulled for further consideration. The vote was unanimous and the motion carried.**
  - A. Motion to approve and order placed on file minutes of the City Council meeting:
    - City Council Meeting minutes on 4/4/23
    - City Council Work Session meeting minutes on 4/11/23
  - B. Motion to receive advisory commission minutes:
    - Senior Commission Meeting minutes on 11/7/22
  - C. Motion to approve issuance of licenses dated 4/13/23

D. Approval of Credit Card Charges and Payment – 2/11/23 through 3/10/23 for expense for City operations.

E. (Removed).

F. By motion, approve the submittal of non-binding grant application for the National Fitness Campaign fitness court.

G. (Removed).

H. By motion, waive the reading and adopt the resolution approving the final plat for Ridgecrest Marketplace and authorizing its execution by the Mayor and Clerk.

**CONSENT ITEM E – AUTHORIZE MAYOR BLONIGAN AND CITY MANAGER TO EXECUTE AMENDMENT #1 TO JOINT POWERS AGREEMENT BETWEEN HENNEPIN COUNTY AND CITY OF ROBBINSDALE AND THREE RIVERS PARK DISTRICT**

9. Blonigan provided grammatical changes to the amendment.

10. **Member Blonigan MOVED, seconded by Member Murphy to execute AMENDMENT #1 TO JOINT POWERS AGREEMENT BETWEEN HENNEPIN COUNTY AND CITY OF ROBBINSDALE AND THREE RIVERS PARK DISTRICT with the aforementioned grammatical changes.**

**CONSENT ITEM G – APPROVE LUCAS HARRIS’ NOMINATION TO THE PLANNING COMMISSION**

11. Member Murphy thanked Lucas Harris for volunteering for the commission.

12. **Member Murphy MOVED, seconded by Member Parisian to approve Lucas Harris’ nomination to the Planning Commission as the Ward 1 Commissioner effective immediately**

**PRESENTATION A – GOAL SETTING SESSION**

13. Sandvik summarized the results of the goal setting session.

14. Member Murphy noted adding the discussion of a community space under the “Complete facilities study” bullet point.

15. Member Webb stated that she liked the framework and simplicity of the goals sheet.

16. Mayor Blonigan noted that the facilitator was efficient.

17. Member Parisian suggested that the Council quarterly or annually review the goals in a formal manner. Mayor Blonigan noted that staff used to provide monthly updates on goals progress.
18. Member Wagner noted that staff and Council are already making efforts towards achieving the goals.
19. Mayor Blonigan clarified Council interest in adding a bullet point about the community space, and treating the goals sheet as a living document that is intended to be updated.
20. Member Murphy agreed that regular updates at work sessions would be helpful.

**PUBLIC HEARING A – PERMIT - DUCKS, 4001 ORCHARD AVENUE N**

21. Sandvik gave the report.
22. Mayor Blonigan noted that the Police Chief, Community Development Coordinator, Code Enforcement Official and Building Official recommend approval of the application and that the presented plans comply with zoning and city code requirements.
23. Member Murphy was not present at the dais for the public hearing.
24. Mayor Blonigan opened the public hearing.
25. Cormac Murphy – 4001 Orchard Avenue North: Murphy noted the two ducks he owns at the property already and the benefits of having two additional ducks.
26. Mayor Blonigan asked about protecting the ducks from predators. Murphy explained that he places the ducks in a coop at night to protect from predators.
27. Michael Lutz – 4000 Perry Avenue North: Lutz stated that he lives in the property across the alley from Murphy and he expressed his support for the permit. He likes the ducks and they do not cause any problems. Murphy takes good care of them.
28. **Member Wagner MOVED, seconded by Member Parisian to close the public hearing. A roll call was taken and the motion passed 4 to 0.**
29. Ayes: Webb, Wagner, Parisian, Mayor Blonigan
30. Nays: None.
31. Member Murphy was not present at the dais for the vote.
32. **Member Wagner MOVED, seconded by Member Webb to approve the request for four (4) magpie ducks at 4001 Orchard Avenue North subject to the conditions listed in the memo. A roll call was taken and the motion passed 4 to 0.**

33. Ayes: Webb, Parisian, Wagner, Blonigan

34. Nays: None.

35. Member Murphy was not present at the dais for the vote.

**PUBLIC HEARING B – ROBBINSDALE POLICE DEPARTMENT POLICY MANUAL**

36. Sandvik gave the report.

37. Mayor Blonigan opened the meeting for public comment.

38. Nicky Leingang – 2939 Ewing Avenue N: Resident stated that the policy should have narrower guidelines for use and accountability in signing off on drone usage.

39. Jane Montemayor – 2664 Meridian Drive: Resident expressed concern for warrantless use of drones and encouraged maintaining positive relationships with public safety.

40. Sandvik recognized the public comments and recommend that Council accept the policy as-is.

41. Member Murphy thanked the residents for attending the meeting and providing feedback, and explained the process of reviewing resident comments at a prior work session. Murphy expressed his support for the policy as written.

42. Member Wagner read two emails he received from residents about the policy.

43. Mayor Blonigan expressed his agreement with Member Murphy and noted safeguards written into the policy.

44. Member Webb asked staff to speak to the public about how the City would act if the policy were to be violated. Sandvik noted that the policy involves privacy concerns and data practices, and the seriousness of the policy will be handled accordingly, following laws and regulations.

45. Member Wagner noted that he does not support the language in the policy as-is, and suggested a broader Council discussion about outdated ordinances. Wagner would like to see the policy updated with concerns brought forth by residents.

46. Member Parisian asked about the Council's ability to amend the policy in the future. Sandvik clarified that state statute does not authorize Council to approve the policy. Council can only accept the policy.

47. Member Murphy asked what action Council can take to suspend the drone program. Sandvik noted that he would take direction from the City Attorney to determine that and will look into it.

48. Mayor Blonigan thanked the residents for speaking.

**OTHER BUSINESS A – SCHEDULE SPECIAL WORK SESSION FOR 6 PM ON MAY 16, 2023 TO DISCUSS DIVERSITY, EQUITY, AND INCLUSION (DEI) EFFORTS**

49. A Special Work Session was scheduled for 6 pm on May 16, 2023 at Robbinsdale City Hall to discuss DEI efforts.

**OTHER BUSINESS B - DISBURSEMENT REQUESTS FOR PERIOD ENDING 4/18/2023**

50. **Member Parisian MOVED, seconded by Member Webb to approve disbursement requests for period ending 4/18/2023. The vote was unanimous and the motion carried.**

**ADMINISTRATIVE REPORTS**

51. Sandvik recapped the Charter Commission meeting from last week. The Commission scheduled another meeting on July 13 at 7:00 p.m.

52. Sandvik noted upcoming summer events, programming, and employment opportunities.

53. Sandvik noted the upcoming Human Rights Commission event on Sunday, April 23 at 2:00 pm in partnership with the Robbinsdale Historical Society.

**COUNCIL GENERAL COMMUNICATIONS**

54. Member Murphy noted the Earth Day Trash Pick Up on Saturday April 22 at Robbinsdale Middle School and the Arbor Day Celebration on Saturday April 29 at Lee Park. Member Murphy noted that the City of Robbinsdale's 130<sup>th</sup> birthday is April 19, 2023.

55. Member Webb noted the Table Talk at The Birdhouse with Mayor Blonigan next Tuesday. Mayor Blonigan stated he would not be available for the event and that Member Webb will host the event alone.

56. Member Parisian highlighted the Robbinsdale Area Schools Art Crawl happening along downtown, and thanked the downtown businesses displaying local students art.

57. Member Wagner thanked the Robbinsdale Fire Department for the meeting and tour of the facility earlier in the evening, and thanked them for their service.

58. Mayor Blonigan recapped the final Partners in Energy meeting that occurred on April 6 and thanked the Energy Action Team members. Mayor Blonigan noted the draft plan that will be presented to Council soon.

59. Mayor Blonigan provided a legislature update.

60. Mayor Blonigan advertised the upcoming Human Rights Commission/Robbinsdale Historical Society event.

**Adjournment:**

61. **Member Murphy MOVED, seconded by Member Wagner to adjourn the meeting at 8:06 p.m. The vote was unanimous and the motion carried.**

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Chase Peterson-Etem, City Clerk

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William A. Blonigan, Mayor



## **ROBBINSDALE PARKS, RECREATION & FORESTRY COMMISSION**

**Tuesday, March 28, 2023 Minutes**

**Robbinsdale City Hall**

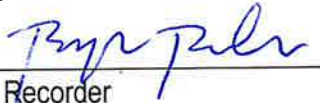
The Parks, Recreation, and Forestry Commission is an advisory commission to the City Council on matters relating to the City's parks system, recreation programs, and forestry activities.

- 1) Commission Meeting Called to Order at 7:03 pm by Chair Sussman  
 Present: Danny Sussman, Nicholas Erdos-Thayer, Denise Beck, Jennifer Hill, Damien Rochon-Washington  
 Excused: Michelle Vaith, Raymond Blackledge  
 Others: Ryan Parks, Recreation Services Manager
  
- 2) Approval of Regular Meeting Minutes: Beck moved, seconded by Erdos-Thayer to approve the February 28, 2023 regular meeting minutes. Motion carried.
  
- 3) New Business
  - A)
    - Oath of office: Rochon-Washington was sworn in as a Parks, Recreation & Forestry Commissioner by reading the Oath of Office.
    - Commission goals: Commission members discussed goals that they want to meet over the course of the year. The commission agreed that having a strategic plan for parks is at the forefront. The strategic plan would promote equity, accessibility, community engagement, and would bring a holistic approach to the community. Park amenities such as stationary fitness equipment, pump tracks, bike racks, and updated park signage are things they would like to see added or updated in Robbinsdale parks. These types of features promote health and wellness to the community.
  
- 4) Old Business
  - A) Equity in Recreational Programming: Parks mentioned that Matt Bazyk, Community Engagement Coordinator, has been working with Chaz Sandifer of the Robbinsdale Farmer's Market to provide some free programming throughout the summer during the Farmer's Market hours. This will include free programming from Three Rivers Park District.
  - B) Program Updates: Parks stated that the Recreation Services department is already planning for fall/winter 2023/24 programs. The fall/winter newsletter will be mailed out in early August. He also mentioned that they expect registrations for the spring/summer to increase once the weather is nicer and it gets closer to the end of the school year.
  - C) Park Projects:
    - Parks reported that Sanborn Park improvements will be discussed at a future work session with the City Council. He mentioned that he would like the PRF Commission members to attend that work session.
    - The Parks department is working on the Lee Park building improvements. Will most likely be working on that building through the summer.
    - Community gardens will have a second location, 3933 West Broadway. Sussman mentioned sending out a survey to applicants to see which location they prefer. This will help the City decide how many plots to have at the new location.
  
- 5) City Reports & Updates
  - A) Parks: The Parks department have been busy remodeling the basement of the Public Safety building, building raised community garden beds, Lee Park building renovations.
  - B) Recreation: Recreation Services still has openings for summer seasonal positions. Planning has already started for fall/winter 2023-24 programs.

- C) Forestry: no report from Forestry this month. Parks mentioned that Arbor Day is scheduled for Saturday, April 29<sup>th</sup> at Lee Park.

4) Adjournment: Rochon-Washington moved, seconded by Hill to adjourn the meeting at 7:35 pm. Motion carried.

Next meeting scheduled for **7:00 p.m. Tuesday, April 25, at Robbinsdale City Hall**

  
\_\_\_\_\_  
Ryan Parks, Recorder



City of Robbinsdale

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: May 2, 2023

RE: Approval of Licenses

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**Background:**

As required by City Code, contractor and business licenses issued in the City of Robbinsdale must be approved by the City Council. Attached is a list of applicants requesting a license or license renewal to operate within the City. All appropriate fees have been paid and certificates of insurance and bonds, if required, have been filed with the City Clerk.

**Recommendation:**

By motion, approve issuance of licenses dated 4/27/23

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Tim Sandvik, City Manager

CONCURRENCE:

A handwritten signature in black ink, appearing to read 'Chase Peterson-Etem', written over a horizontal line.

Chase Peterson-Etem, City Clerk

# Contractor Licenses for Council Approval

| <u>Name</u>                       | <u>Licensee Type</u>     | <u>Fee Amount</u> |
|-----------------------------------|--------------------------|-------------------|
| ADMIRAL RADON MECHANICAL SERVICES | Mechanical Contractor    | \$50.00           |
| ADMIRAL RADON MECHANICAL SERVICES | Plumbing Contractor      | \$50.00           |
| BOB JASPER PLUMBING               | Plumbing Contractor      | \$50.00           |
| GOSS PLUMBING INC                 | Plumbing Contractor      | \$50.00           |
| GOSS PLUMBING INC                 | Mechanical Contractor    | \$50.00           |
| JAY HAWK MECHANICAL INC           | Mechanical Contractor    | \$50.00           |
| JAY HAWK MECHANICAL INC           | Plumbing Contractor      | \$50.00           |
| JOE'S SEWER SERVICE INC           | Sewer / Water Contractor | \$50.00           |
| JOE'S SEWER SERVICE INC           | Excavation Contractor    | \$50.00           |
| LIBERTY PLUMBING COMPANY LLC      | Plumbing Contractor      | \$50.00           |
| ONE HOUR ROOTER & PLUMBING LLC    | Plumbing Contractor      | \$50.00           |
| ONE HOUR ROOTER & PLUMBING LLC    | Sewer / Water Contractor | \$50.00           |
| ONE HOUR ROOTER & PLUMBING LLC    | Excavation Contractor    | \$50.00           |
| PHILLIPS PLUMBING INC             | Plumbing Contractor      | \$50.00           |
| PRAIRIE PLUMBING COMPANY          | Plumbing Contractor      | \$50.00           |
| STEWART CONSTRUCTION LLC          | Concrete                 | \$50.00           |
| YALE MECHANICAL INC               | Mechanical Contractor    | \$50.00           |
| YALE MECHANICAL INC               | Plumbing Contractor      | \$50.00           |

**Number of Licenses Requesting Council Approval:**

**18**

# **BUSINESS LICENSES FOR COUNCIL APPROVAL**

04/21/2023

| <b>License Type</b>  | <b>Applicant</b>      | <b>License Fee</b> |
|----------------------|-----------------------|--------------------|
| Tree/Lawn Fertilizer | SORENSEN TREE SERVICE | 50.00              |

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To: Mayor and City Council

From: Tim Sandvik, City Manager

Date: May 2, 2023

Subject: Public Safety Annual Open House

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**Background**

The Robbinsdale Fire Department submitted an application for the annual Public Safety Open House on Saturday, August 12, 2023. The requested road closure is Hubbard Avenue North between 41<sup>st</sup> and 41 ½ Avenues North from 11:00 a.m. until 3:00 p.m.

**Analysis/Conclusion**

The application has been reviewed and approved by the Police Chief and the Public Works Director/City Engineer.

The Public Works Director/City Engineer recommends approval subject to:

1. The bus company contacted so bus traffic can be re-directed for the duration of the closure. This is a State Aid street, but the requested closure conforms to City Council adopted policy.
2. Barricades used to keep traffic out of the closed section of road with the northern end allowing vehicles an easy way of exiting.
3. The Public Works Director/City Engineer recommends that Broadway Court and 4628 41<sup>st</sup> Ave N (formerly Robin Hotel) be notified of the closure.
4. The street should be cleared of any trash at the end of the event.

The Robbinsdale Lions will sell food. The City Clerk's office will ensure proper city and county licensing is completed.

**Recommendation**

By motion, approve the application for the annual Public Safety Open House on Saturday, August 12, 2023 with the closure of Hubbard Avenue North between 41<sup>st</sup> and 41 ½ Avenues North from 11:00 a.m. until 3:00 p.m., along with recommendations noted in this memo.

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Tim Sandvik, City Manager

CONCURRENCE:

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Chase Peterson-Em, City Clerk

## **MEMORANDUM**

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: 2 May 2023

RE: Memorandum of Understanding for Sochacki Park Water Quality Improvement Project Implementation

### **Background:**

The Bassett Creek Watershed Management Commission (BCWMC) and Three Rivers Park District (TRPD) are entering into a Memorandum Of Understanding (MOU) to outline the process for implementing water quality improvement projects in Sochacki Park, including timelines and expectations for the various steps required to facilitate BCWMC participation and funding. As members of the BCWMC and potential partners in the project, the cities of Robbinsdale and Golden Valley have been asked to sign on to the MOU to demonstrate support and help strengthen grant applications for the project.

From 2020 to 2022, TRPD led a collaborative effort to complete a water quality study, called a subwatershed assessment, of the Sochacki Park area including Grimes Pond, North Rice Pond, and South Rice Pond (MNDNR protected wetlands) located in the cities of Robbinsdale and Golden Valley. A location map is shown on the following page as Figure 1 for Council Members reference.

The water quality study effort was guided by a steering committee that included representatives from TRPD, BCWMC, the Cities, and a citizen representative from an adjacent Golden Valley neighborhood. A [webpage](#) was set up with news and updates about the study, signs were placed in the park, and postcards were sent to area residents. The study showed that the wetlands have extremely poor water quality and outlined potential solutions to greatly improve the function and ecology of the wetlands, and to ultimately protect and improve Bassett Creek located immediately downstream.

In late 2022, the Sochacki Park Joint Powers Agreement (JPA) board received the subwatershed assessment and voted to amend its capital improvement program and approve the water quality improvements outlined in the report. The JPA board voted to support several actions specific to the water quality improvements and directed staff from Robbinsdale, Golden Valley, and TRPD to begin the process of seeking partners and funding sources to implement the project. As a first step, Robbinsdale and Golden Valley staff requested that the best management practices recommended in the report be added to the BCWMC Capital Improvement Program (CIP) as one cohesive, collaborative project (see attached BCWMC fact sheet). In March 2023, the BCWMC voted to include the project in its CIP and requested a MOU to help provide a roadmap for implementation.

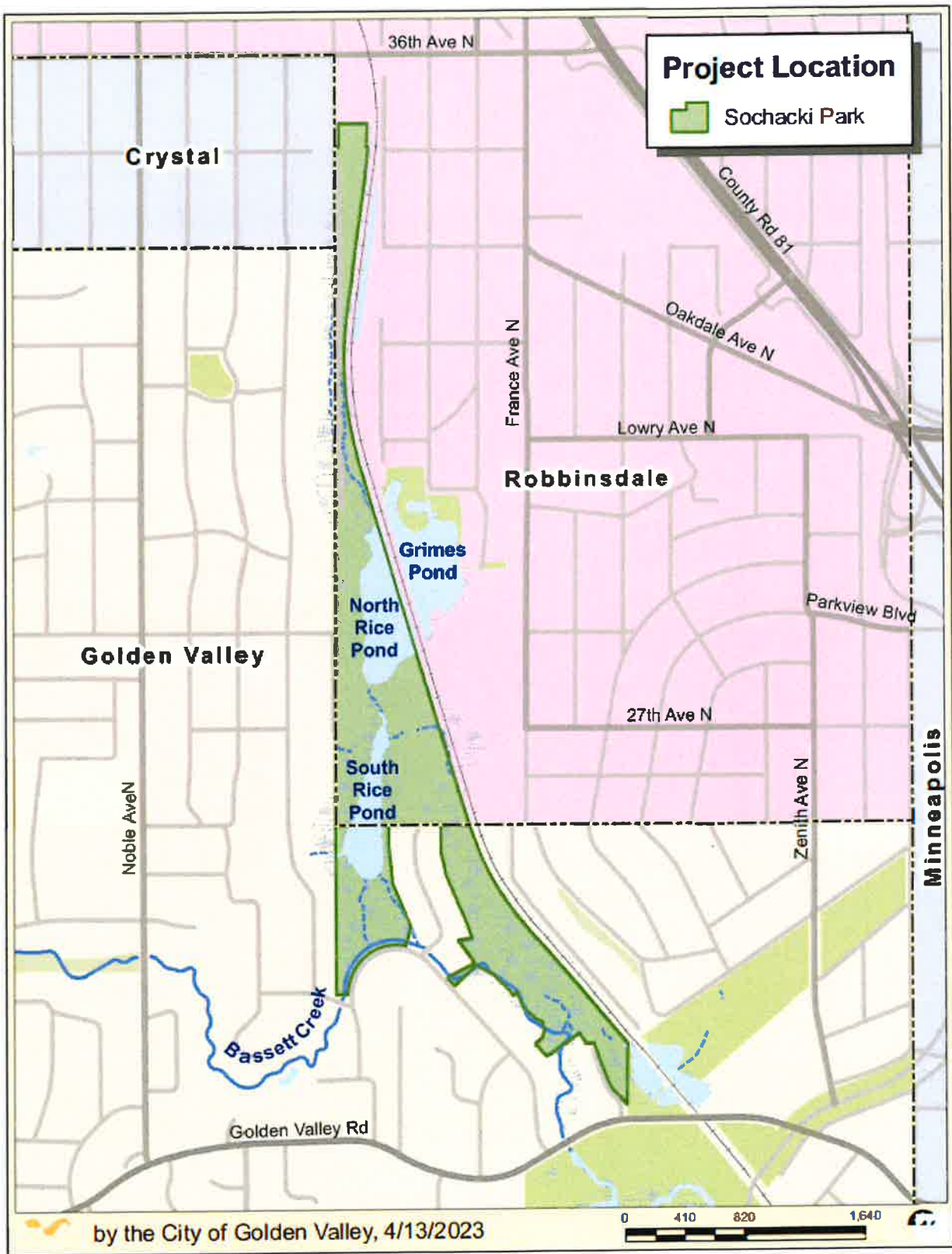


Figure 1: Sochacki Park Location Map

The MOU, prepared by Kennedy and Graven is included as *Attachment 1* for Council Members review.

If the MOU is approved, the next steps and opportunities for public input include:

- BCWMC public hearing May 18, 2023 to consider a minor plan amendment to add the project to its watershed management plan
- TRPD begins engineering feasibility study to further explore solutions and costs, including communicating and engaging with stakeholders and the public in a variety of ways in spring summer 2023
- BCWMC public hearing in summer 2023 to consider approving feasibility report (date to be determined)
- BCWMC public hearing September 21, 2023 to consider ordering the project

If all steps above occur, the parties in the MOU would discuss and draft a cooperative agreement outlining roles and responsibilities for the final design and construction of the project. If Robbinsdale is party to the cooperative agreement, the agreement would be brought to City Council for consideration at a meeting estimated for September or October 2023.

The final design process would run from fall 2023 through spring 2024 and will include additional public engagement opportunities. In addition, BCWMC will host public meetings to review the 50% and 90% design plans. Following BCWMC approval of the plans, the party administering the project can go out for bids and award contract. If all grants and funding sources align, it is anticipated that construction could begin sometime in 2024.

There are no direct financial or budget impacts to the City to participate in the MOU or the design phase administered and funded by TRPD. The City may incur some indirect costs (staff time, mailings, meeting rooms) as staff may assist and support its partners with design input, public engagement, project communications, and grant applications.

If the project is ordered by the BCWMC it is anticipated that the City will be involved to some degree in portions of the work proposed within the City of Robbinsdale. These work items may include best management practices to restore and improve soils, vegetation, shorelines, and habitat; repair/replace/maintain stormwater pipes, outfalls, and channels; conduct pond water level drawdowns in the ponds; and apply alum treatment(s) in the ponds. City involvement may include activities such as participating in regular design and construction meetings, project communications, construction observation, administering contracts, administering grants, and contributing funds through its Capital Improvement Program. The roles and responsibilities of each party will be determined during the feasibility study and summarized in a cooperative agreement before any final design, bidding, or construction takes place.

The total estimated cost of the project including all proposed best management practices is approximately \$2.3 million. It is anticipated that most of the project funding will come from the BCWMC and from various grants available for this highly-collaborative, multi-benefit project. TRPD committed \$300,000 for the pre-design and design phases and the BCWMC is committing \$600,000 for construction. To complement the water quality improvements, the Sochacki Park

JPA includes approximately \$500,000 in its 5-year CIP for pond docks/ boardwalks/ learning stations. Descriptions of the planned Sochacki Park CIP projects can be found in the BCWMC CIP Project fact sheet included as *Attachment 2* for Council Members review.

Potential grant opportunities that will be explored by the project partners include:

- BWSR Clean Water Funds
- Conservation Partners Legacy
- Community Project Funding
- Hennepin County Opportunity/ Stewardship Grants
- Hennepin County Environmental Response Fund
- MPCA Grants and MN Public Facilities Authority Funds
- MnDNR Short Term Action Request (STAR) Grants

Overall, staff see the potential benefits to water quality that can be garnered by implementing projects in this park and recommend approving the MOU.

**Recommendations:**

By motion, approve Memorandum of Understanding for Sochacki Park Water Quality Improvement Project Implementation



Tim Sandvik, City Manager

CONCURRENCE:



Richard McCoy, P.E.  
Public Works Director / City Engineer

## MEMORANDUM OF UNDERSTANDING SOCHACKI PARK WQI PROJECT IMPLEMENTATION

This Memorandum of Understanding (“MOU”) is made this 18th day of April, 2023, by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization (the “Commission”), the Three Rivers Park District, a body corporate and politic under the laws of Minnesota (“TRPD”), and the cities of Robbinsdale and Golden Valley, each a Minnesota municipal corporation (“Robbinsdale and “Golden Valley,” respectively). The Commission, TRPD, Robbinsdale, and Golden Valley may be referred to herein collectively as the “Parties.”

### RECITALS

- A. On September 17, 2015, the Commission adopted the Bassett Creek Watershed Management Commission Watershed Management Plan (the “Commission Plan”), a watershed management plan within the meaning of Minnesota Statutes, section 103B.231. The Commission Plan incorporates the Commission’s 10-year capital improvement program, and the projects contained therein are generally eligible to be paid for with Commission levy dollars.
- B. Sochacki Park is a 62-acre public park located in Robbinsdale and Golden Valley, and said park is jointly operated and maintained by TRPD, Robbinsdale, and Golden Valley. The park contains three DNR public water wetlands known as Grimes Pond, North Rice Pond, and South Rice Pond, which each have poor levels of water quality and discharge directly into Bassett Creek.
- C. TRPD recently completed the Sochacki Park Subwatershed Assessment which identifies several best management practices that include water quality improvements within Sochacki Park, certain components of which will meet the criteria for Commission CIP funding (the “Proposed Sochacki Park WQI Project”). The Proposed Sochacki Park WQI Project would be a component of a larger park project, and TRPD has therefore proposed and requested that the Commission formally add the Proposed Sochacki Park WQI Project to its Commission Plan and contribute CIP levy funds toward its construction in accordance with state and local laws.
- D. The Proposed Sochacki Park WQI Project includes elements and best management practices in and around Sochacki Park that would directly result in improved water quality and improved wetland functions within Sochacki Park, which would result in water quality improvements to Bassett Creek.
- E. On March 16, 2023, the Commission chose to begin the formal process necessary to add the Proposed Sochacki Park WQI Project to its Commission Plan, which requires a minor plan amendment, and provided direction to staff to work with the other Parties to memorialize next steps related to project implementation.

Commission's annual tax levy. County review would be expected in July or August of 2023, and the Parties understand that said review process may result in changes to or the potential removal of the Proposed Sochacki Park WQI Project from the Commission's annual tax levy request.

- D. *Ordering the Project; Public Hearing.* Following the above steps, the final step of ordering the Proposed Sochacki Park WQI Project would likely be presented at the Commission's regular meeting on September 21, 2023. During that meeting, the Commission would hold a duly noticed public hearing before determining whether to formally order the project and enter into a separate cooperative agreement as detailed in section 1.E below.
- E. *Cooperative Agreement.* The Commission's practice for implementing capital improvement projects is to enter into a cooperative agreement with another public body, e.g. one of its member cities, through which (i) the public body is responsible for designing the project, letting a contract, administering project construction, and ensuring long-term project maintenance; and (ii) the Commission is responsible for reimbursing the public body for actual project costs up to a certain not-to-exceed amount based on estimated costs and available funding. To that end, the Parties understand that a subsequent cooperative agreement between the Commission and one or more of the other three Parties will be necessary if the Proposed Sochacki Park WQI Project is ultimately ordered and said agreement will include all terms and conditions incorporated by the Commission on other capital projects that it provides reimbursement for. The specific roles and responsibilities of the Parties would be established within that cooperative agreement.

2. Project Reimbursement, Design and Construction.

- A. *Reimbursement.* Assuming that all required procedural steps are satisfied and the Proposed Sochacki Park WQI Project is formally ordered by the Commission, the Commission will be responsible for a portion of construction costs not to exceed a specific figure expressly approved by the Commission during the formal proceedings summarized in section 1 above, and such reimbursement is anticipated to be in addition to any grant funding. Final reimbursement numbers, when determined by the Commission, and all requirements related thereto, will be included in the cooperative agreement contemplated in subsection 1.E above. The Commission will not be responsible for any additional costs or expenses associated with the project, all of which must be paid for by the other Parties to whatever extent negotiated between them.
- B. *Design.* Plans and specifications for the Proposed Sochacki Park WQI Project (the "Plans") will be designed by TRPD and its engineer in close collaboration with the other Parties. TRPD and its engineer will work collaboratively with designated representatives from all Parties throughout the design phase to ensure that input is received and considered throughout the process. Design plans, status,

IN WITNESS WHEREOF, the Parties have executed this MOU as of the day and year first written above.

**BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION**

By: \_\_\_\_\_  
Catherine Cesnik, Chair

And by: \_\_\_\_\_  
Wayne Sicora, Secretary

**THREE RIVERS PARK DISTRICT**

By: \_\_\_\_\_  
John Gibbs, Board Chair

And by: \_\_\_\_\_  
Boe Carlson, Superintendent

**CITY OF ROBBINSDALE**

By: \_\_\_\_\_  
Bill Blonigan, Mayor

And by: \_\_\_\_\_  
Tim Sandvik, City Manager

**GOLDEN VALLEY**

By: \_\_\_\_\_  
Shep Harris, Mayor

And by: \_\_\_\_\_  
Tim Cruikshank, City Manager

**Project Category:** Water Quality

**Project Title:** Sohacki Park Water Quality Improvements

**Total Estimated Cost:** \$2,300,000 (multiple funding sources)

**BCWMC Project Number:** [Staff will assign number]

**Description:**

This project in the cities of Robbinsdale and Golden Valley will reduce total phosphorus by approximately 67 lbs/year, improving water quality within MnDNR protected wetlands and Bassett Creek, reducing chronic erosion and sedimentation, enhancing buffers and wildlife habitat, and improving recreation and educational opportunities. This is a joint project with multiple partners seeking grant funds from multiple sources. BMP recommendations are based on a subwatershed assessment completed in 2022.

| Source of Project Funding                                       | 2018                            | 2019 | 2020 | 2021 | 2022 |
|-----------------------------------------------------------------|---------------------------------|------|------|------|------|
| CIP Account – BCWMC ad valorem tax levy through Hennepin County |                                 |      |      |      |      |
|                                                                 | Staff will assign funding year. |      |      |      |      |

**Justification:**

Public wetlands within this highly-used regional park are ecologically degraded, negatively impacting Bassett Creek which is impaired for biota. Wetlands do not meet the subwatershed assessment study goals for total phosphorus (concentration of 75 µg/L), chlorophyll a (concentration of 40 µg/L), or secchi disk transparency (1 meter). This highly-collaborative project seeks to protect and improve DNR wetlands and Bassett Creek with a holistic approach while enhancing existing and planned nature-based programming in the park. Partners include the cities of Robbinsdale, Golden Valley, and Crystal, Three Rivers Park District (TRPD), MnDNR, and potentially others.

**Scheduling and Project Status:**

Subwatershed assessment completed by partners in 2022. TRPD is funding the engineering and permitting to a 90% design level in 2023, consistent with BCWMC feasibility study parameters, to improve and strengthen grant applications.

**Relationship to BCWMC Plan and Other Projects:**

Project is part of the BCWMC trunk system. Project improves or protects water quality in a priority waterbody (Bassett Creek). Project addresses erosion and sedimentation issues. Project addresses multiple Commission goals (e.g., water quality, runoff volume, aesthetics, wildlife habitat, recreation, education). Subwatershed draining to project includes more than one community (three cities).

**Effect on Annual Operations Costs:**

This project is anticipated to have no effect on BCWMC Annual Operations Costs.



Sohacki Park in Robbinsdale and Golden Valley, showing Grimes, North Rice, and South Rice Ponds. Yellow markers show proposed sites for pond creation and restoration activities. Bassett Creek is immediately downstream (south) of South Rice Pond.

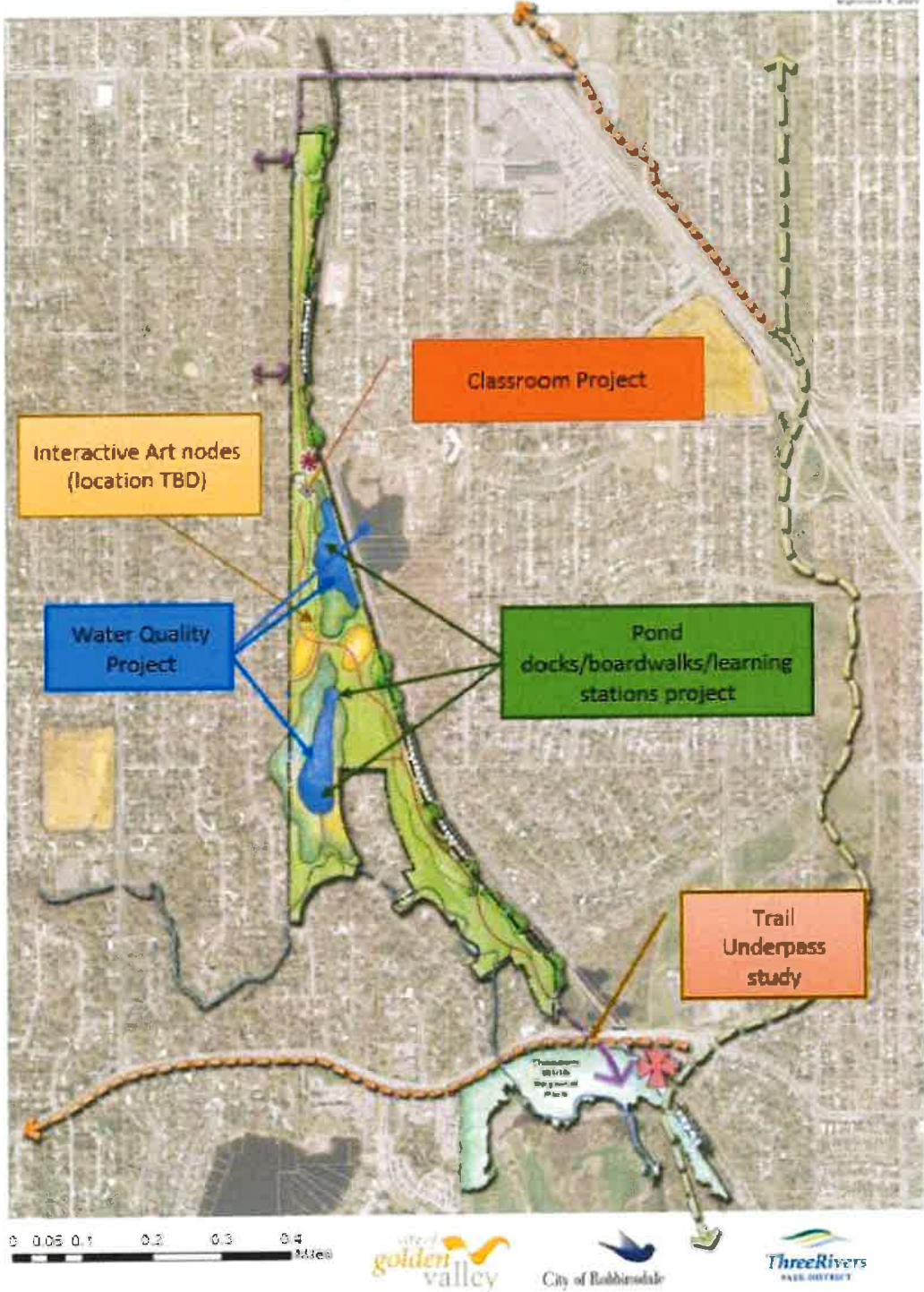
## Summary and Planning Level Costs of Proposed Activities, February 17, 2023

| BMP ID/ Location                                                        | Estimated Annual TP Removal (lbs/yr) | Planning Level Capital Cost Estimate | Recommended Sequence for Implementation |
|-------------------------------------------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------------|
| Revegetate/control upland soil erosion                                  | NA                                   | \$ 10,000.00                         | 1a                                      |
| Increased Street Sweeping in untreated subwatersheds                    | NA                                   | NA                                   | 1b                                      |
| Clear inlet/outlet debris, remove sediment deltas and stabilize erosion | NA                                   | \$ 100,000.00                        | 1c                                      |
| Conduct pond water level drawdowns                                      | NA                                   | \$ 154,000.00                        | 1d                                      |
| Dredge/expand existing SR4 pond (Basin J)                               | 33.5                                 | \$ 456,000.00                        | 2a                                      |
| Construct stormwater pond at GR6                                        | 14.9                                 | \$ 684,000.00                        | 2b                                      |
| Construct stormwater pond at NR1                                        | 3.8                                  | \$ 287,000.00                        | 2c                                      |
| Construct stormwater pond at SR3                                        | 3.7                                  | \$ 392,000.00                        | 2d                                      |
| Alum Treatment of Grimes, North and South Rice Ponds                    | 11.2                                 | \$ 217,000.00                        | 3                                       |
| <b>TOTAL</b>                                                            | <b>67.1</b>                          | <b>\$ 2,300,000.00</b>               |                                         |

## Potential Funding Options

- BWSR Clean Water Funds
- Conservation Partners Legacy (for habitat components)
- Hennepin County Opportunity or Stewardship grants
- MPCA grants and MN Public Facilities Authority funds
- MnDNR short term action request grants
- Partner CIP funds (for potential grant match)

# Sochacki Park Improvements



# Step To It Proclamation



## City of Robbinsdale Proclamation

**WHEREAS**, the Step To It Challenge promotes healthy, family orientated activities in the Community; and

**WHEREAS**, the City of Robbinsdale has been actively participating in the Hennepin County Step To It Challenge since 2008; and

**WHEREAS**, the Step To It Challenge is a free, fun, friendly physical activity competition between 26 communities in Hennepin County and encourages community spirit along with encouraging people of all ages to get out and be active; and

**WHEREAS**, Robbinsdale is committed to promoting use of our Community Gyms and Fitness Center, our parks, our park and trail systems: and

**WHEREAS**, the City recommends the following safety tips while walking or biking: dress to be seen by drivers; wear reflective clothing during dusk and evening; make full eye contact with car drivers at intersections; have appropriate lights; carry a form of personal identification; and walk/bike defensively; and

**WHEREAS**, the City of Robbinsdale encourages residents to get active by participating in the 2023 Step To It Challenge from May 1-May 28 by registering with Hennepin County and recording their activities;

**NOW THEREFORE, BE IT RESOLVED** that I, William A. Blonigan, Mayor of the City of Robbinsdale, Minnesota, in Hennepin County, with concurrence of the City Council, do hereby proclaim the month of **May 2023** as

### **STEP TO IT MONTH**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the official seal of the City of Robbinsdale this 2nd day of May 2023.

ATTEST:

Chase Peterson-Etem, City Clerk

\_\_\_\_\_  
William A. Blonigan, Mayor



City of Robbinsdale

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: May 2, 2023

RE: Consider Rental License for 3683 Halifax Ave

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**Background:**

Robbinsdale City Code Section 425.32 (attached) allows the Robbinsdale City Council to consider the suspension, revocation, or non-renewal of a rental license for a property that has experienced four or more nuisance calls occurring in a 365-day period. Further, Robbinsdale City Code Section 927.05 (attached) allows for the imposition of service fees on the owner of private property for repeat nuisance service calls.

**Analysis**

At the April 11, 2023 City Council Work Session, City staff alerted Council that a property carrying a rental license at 3683 Halifax Ave has received its sixth nuisance call since last August.

The Rental Licensee, Callco Services LLC, was notified via USPS and email on February 12, 2023, and again on March 7, 2023. The later requested that a formal Action Plan be completed in writing to show how the ongoing calls would be addressed. The City did not receive a response. On April 1, 2023, an additional letter and additional fee notice were sent, along with notice that the City Council would hold a formal hearing regarding the Rental License on May 2<sup>nd</sup>, 2023.

After hosting the Public Hearing (during which Minnesota Rules of Civil Procedure and Rules of Evidence are not strictly applied), the City Council will determine appropriate action, which may include revocation of the Rental License.

**Recommendation:**

Hold a Public Hearing to potentially seek feedback (including, from Callco Services, LLC), and direct staff as Council deems appropriate.

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 Tim Sandvik, City Manager

CONCURRENCE:

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 Chase Peterson-Em, City Clerk

**425.32. Excessive call violation notice and procedures.**

Subd. 1. Notice.

Upon determination by the city manager that a licensed rental dwelling was used in violation of the excessive call provisions listed in sections 425.31, subdivision 14(c), the city manager shall cause written notice to be made to the owner of the violation(s). The written notice must be given as specified in Section 927.07 (including right to appeal as specified in Section 927.09). (Added, Ord. No. 10-13; Amended, Ord. No. 21-12)

Subd. 2. In addition to procedural requirements specified in Section 927.07, property owners must take action to resolve nuisance conduct at their rental properties as follows:

- (a) After the first and second occurrence of nuisance conduct within any 365-day period at the same unit or involving the same tenant, the city shall notify the owner and tenant of the nuisance conduct by first class mail and by sending an email to the property manager contact. Such notice shall direct the owner to take steps to prevent further nuisance conduct.
- (b) After the third occurrence of nuisance conduct within any 365-day period at the same unit or involving the same tenant, the city shall notify the owner and the tenant of the nuisance conduct by first class mail and by sending an email to property manager contact. Within 10 days of the date of the notice, the owner must supply a written report of all actions taken by the owner since the first and second occurrence of nuisance conduct and actions the owner intends to take to prevent further nuisance conduct.
- (c) After the occurrence of excessive calls at the same unit or involving the same tenant, if the property owner fails to diligently pursue correction of the situation, the City Council may fine, suspend, revoke, or not renew the rental license for the rental unit. The hearing before the City Council after the occurrence of excessive calls is a civil hearing, and the Council will make its determination based on a “fair preponderance of the evidence.” It is not necessary that criminal charges be filed in order for the city to fine, suspend, revoke, or not renew a rental license and a dismissal or acquittal of criminal charges does not prohibit the city from taking action against a license. (Added, Ord. No. 21-12)

Additional nuisance service fees as outlined in section 927 (repeat nuisance service calls) shall be assessed to the property, if applicable, as well as any other legal remedies as noted in Section 927.11. Any outstanding fees must be paid prior to the City renewing a rental license for the licensed property. Special assessment of the prior year’s fees as a result of non-payment does not qualify as a fee payment. (Added, Ord. No. 10-13; Amended, Ord. No. 21-12)

Subd. 3. Recovery of fees. Any unpaid fees resulting from violations of this section, may be collected by appropriate legal means. (Added, Ord. No. 10-13; Amended, Ord. No. 21-12)

## Section 927 – Repeat Nuisance Service Call Fee

(Added, Ord. No. 07-14, Sec. 1)

### 927.01. Repeat nuisance call service fee.

#### Subd. 1. Purpose.

The purpose of this section is to protect the public safety, health and welfare, and to prevent and abate repeat service response calls by the city to the same property or location for nuisance conduct, as defined herein, which prevent police or public safety services to other residents of the city. It is the intent of the city by the adoption of this section to impose and collect service call fees from the owner or occupant, or both, of property to which city officials must repeatedly respond for any repeat nuisance event or activity that generates extraordinary costs to the city. The repeat nuisance service call fee is intended to cover that cost over and above the cost of providing normal law or code enforcement services and police protection city-wide. It is not the City's intent to limit the rights of individuals to request police assistance for bona fide emergencies and victim-related crimes, including but not limited to calls related to domestic, spousal, or child abuse. The city shall not impose a repeat nuisance service call fee against an owner or occupant for a police response relating to such bona fide calls. (Amended, Ord. No. 21-12)

#### Subd. 2. Scope and application.

This section applies to all owners and occupants of private property which is the subject or location of the repeat nuisance service call by the city. This section applies to any repeat nuisance service call made by a city of Robbinsdale peace officer; part-time peace officer; community service officer; and/or code enforcement officers. (Amended, Ord. No. 21-12)

### 927.03. Definition of nuisance conduct.

For the purpose of this chapter "nuisance conduct" means conduct under any of the following statutes or ordinances occurring upon private property within the city, to which the city is required to respond:

- (a) Minn. Stat. § 609.75 through Minn. Stat. § 609.76, which prohibit gambling.
- (b) Laws relating to prostitution or acts relating to prostitution as defined in Minn. Stat. §§ 609.321, subd. 9 and 609.324, housing individuals engaged in prostitution.
- (c) Robbinsdale city code, section 2000 (drug abuse and control) or laws relating to the possession of and/or sales of controlled substances, as defined in Minn. Stat. §§ 152.01 et seq.
- (d) Robbinsdale city code, Chapter XII (sale, consumption and display of liquor and beer) or laws relating to the sale of intoxicating liquor as defined in Minn. Stat. §§ 340A.401, 340A.503, 340A.701, 340A.702, or 340A.703.
- (e) Robbinsdale city code, section 925 (firearms and weapons) or laws relating to unlawful use, possession, transportation, sale or use of a firearm as defined in Minn. Stat. §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716.
- (f) Laws relating to murder and manslaughter as defined in Minn. Stat. §§ 609.185, 609.19, 609.195, 609.20, and 609.205.
- (g) Laws relating to assault (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>-assault on a police officer and 5<sup>th</sup> degree assault) as defined in Minn. Stat. §§ 609.221, 609.222, 609.223, 609.2231 and 609.224, excluding domestic assaults, spousal or child abuse.
- (h) Laws relating to criminal sexual conduct as defined in Minn. Stat. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451.
- (i) Laws which prohibit indecent exposure as defined in Minn. Stat. § 617.23.
- (j) Laws which prohibit theft as defined in Minn. Stat. § 609.52.
- (k) Laws which prohibit arson as defined in Minn. Stat. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632.

- (l) Laws which prohibit burglary as defined in Minn. Stat. § 609.582.
- (m) Laws which prohibit criminal damage to property as defined in Minn. Stat. § 609.595.
- (n) Laws which prohibit interference with a police officer as defined in Minn. Stat. § 609.50.
- (o) Laws which prohibit terroristic threats as defined in Minn. Stat. § 609.713.
- (p) Law relating to contributing to the need for protection or services or delinquency of a minor as defined in Minn. Stat. § 260C, et. seq.
- (q) Laws relating to owning, leasing, operating, managing, maintaining, or conducting a disorderly house or inviting or attempting to invite others to visit or remain in a disorderly house, as defined in Minn. Stat. § 609.33.
- (r) Robbinsdale city code, section 2000.07 (public nuisances).
- (s) Robbinsdale city code, section 605 (garbage and refuse).
- (t) Robbinsdale city code, section 915 (dog control, animals) and Minn. Stat. § 609.226 and Minnesota Statutes Chapter 347 relating to dangerous dogs.
- (u) Robbinsdale city code, section 1150 (fireworks) and Minn. Stat. § 624.20.
- (v) Robbinsdale city code, section 2005.15 (noise control).
- (w) Laws relating to disorderly conduct as defined in Minn. Stat. § 609.72.
- (x) Laws relating to false emergency calls and interference with emergency calls as defined in Minn. Stat. § 609.78.

(Amended, Ord. No. 21-12)

#### **927.05. Repeat nuisance service call fee.**

Subdivision 1. The city may impose a repeat nuisance service call fee upon the owner or the occupant, or both, of private property if the city has rendered services or responded to the property on three or more occasions within a period of 365 days in response to or for the abatement of nuisance conduct. The city may impose an administrative penalty pursuant to city code section 117 upon the owner or the occupant, or both, of private property if the city has rendered services or responded to the property on five or more occasions within a period of 730 days in response to or for the abatement of nuisance conduct. The City may take additional adverse action related to rental licenses in accordance with Section 425 . (Amended, Ord. No. 15-05; Amended, Ord. No. 21-12)

Subd. 2. The repeat nuisance service call fee will be as set forth in the city's fee schedule (appendix B of the city code, as amended). An additional amount may be imposed to reflect the salaries of police officers while responding to or remaining at the nuisance event, the pro rata cost of equipment, the cost of repairing city equipment and property damaged as a result of the nuisance call, and the cost of any medical treatment of injured officers.

Subd. 3. A repeat nuisance service call fee imposed under this section will be deemed delinquent if it is not paid within ten calendar days after the city mails the billing statement for the fee. If said fee, or any portion thereof, is unpaid, then a late payment fee will also be charged per the schedule of fees as set forth on Appendix B. (Amended, Ord. No. 13-01)

#### **927.07. Notice.**

Subdivision 1. No repeat nuisance service call fee may be imposed against an owner or occupant of property without first providing the owner or occupant with written notice of the two previous nuisance service calls which are the basis for the fee. The written notice must:

Subd. 2. Identify the nuisance conduct that previously occurred on the property, and the dates of the previous nuisance conduct; and

Subd. 3. State that the owner or occupant may be subject to a nuisance call service fee if a third nuisance service call is rendered to the property for the same nuisance conduct; and

Subd. 4. State that the city has the right to seek other legal remedies or actions for abatement of the nuisance conduct or compliance with the law; and (Amended, Ord. No. 21-12)

Subd. 5. Be served personally in the manner required by the Minnesota Rules of Civil Procedure or be served by U.S. Mail upon the owner or occupant at the last known address.

**927.09. Right to appeal.**

Subdivision 1. When the city mails the billing statement for the repeat nuisance service call fee, the city will inform the owner or occupant of their right to request a hearing.

Subd. 2. The owner or occupant upon whom the fee is imposed must request a hearing within ten business days of the mailing of the billing statement, excluding the day the statement is mailed. The request for a hearing must be in writing and delivered to the city clerk. The hearing will occur within 14calendar days of the date of the request. If the owner or occupant fails to request a hearing within the time and in the manner required under this section, the right to a hearing is waived. (Amended, Ord. No.13-01)

Subd. 3. The hearing will be conducted by third-party designee in an informal manner. The Minnesota Rules of Civil Procedure and Rules of Evidence will not be strictly applied. After considering all evidence submitted, the third-party designee will make written Findings of Fact and Conclusions regarding the nuisance conduct and the imposition of the repeat nuisance service fee. The third-party designee will serve the Findings of Fact and Conclusions upon the owner or occupant and the city clerk by U.S. Mail within five calendar days of the hearing. (Amended, Ord. No. 13-01; Amended, Ord. No. 21-12)

Subd. 4. The right to a hearing is waived if the appellants fail to appear at the scheduled hearing date, unless prior contact is made to the city clerk requesting reschedule at least 24 hours prior to the hearing. (Amended, Ord. No. 21-12)

Subd. 5. Upon waiver of the right to hearing under subdivision 2 or 4 or upon service of the hearing officer’s Findings of Fact and Conclusions that the repeat nuisance call service fee is warranted, the owner or occupant must pay the fee imposed within ten calendar days of service in the manner required by Minnesota Rules of Civil Procedure or service by U.S. Mail upon the owner or occupant at the last known address. (Amended, Ord. No. 13-01; Amended, Ord. No. 21-12)

**927.11. Legal remedies nonexclusive.**

Nothing in this section will be construed to limit the city’s other available legal remedies, including criminal, civil, injunctive or others, for any violation of the law which may constitute nuisance conduct.

**927.13. Applicability of repeat nuisance service call fee.**

The city may not impose a repeat nuisance service call fee against an owner or occupant for a police response relating to emergency assistance, including, but not limited to, domestic, spousal and child abuse.

**927.15. Recovery of fee.**

Subdivision 1. If a repeat nuisance service fee is not paid within 30 calendar days after the billing statement is sent by the city, it will constitute: (Amended, Ord. No. 13-01)

- (a) a lien on the real property where the violation occurred; or
- (b) a personal obligation of the owner or occupant in all other situations.

Subd. 2. A lien may be assessed against the property and collected in the same manner as taxes.

Subd. 3. A personal obligation may be collected by appropriate legal means.

**MEMORANDUM**

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: May 2, 2023

SUBJECT: Award Bid for Hubbard Avenue Reconstruction (including Adjoining Streets) – City Projects 38222, 45022 and 54622

**Background:**

Included in the 2023 Capital Works Program is the reconstruction of parts of numerous streets (France Avenue, Grimes Avenue, Hubbard Avenue, 36<sup>th</sup> and 38<sup>th</sup> Avenues). This work will reconstruct aged above and below ground infrastructure along this important route in addition to providing critical connective water infrastructure to deliver raw water to and distribute finished water from the new Water Treatment Plant.

City Council ordered the improvement on November 1<sup>st</sup>, 2022 and held special assessment hearings at its on December 6<sup>th</sup>, 2022. Plans and specifications were finalized, MnDOT approval received, and the project put out for bid.

On April 20<sup>th</sup>, 2023, bids were received and publicly opened for this project. A total of 5 bids were received with costs ranging from \$ 4,833,545.02 to \$ 5,810,046.50. The Engineer's estimate for the construction of this project is \$ 5,181,616.00. The abstract of bids has been included as Attachment 1 for Council Members information.

The low bidder is Northdale Construction Co. Inc, of Albertville, MN.

It is required that contractors must demonstrate completion of similar public projects either within our City or in other Municipalities, and achieve a minimum rating (10 points) based on a set system.

This Contractor has worked with the City before on numerous reconstruction projects (the most recent being the Regent Avenue, north of CR9 project in 2022). Staff has found their work to be satisfactory. Based on the City's experience and references previously reviewed, the Contractor is deemed "responsible" with respect to our rating system.

The approved 2023 Capital Works Program identifies funding for these projects. The identified budgets for the work is \$ 6,570,450.00. Given that the low bid received is slightly below the Engineer's Estimate and within the allocated budget, staff is satisfied with the bids received and recommends proceeding with the award.

Staff will be working with the contractor to review required submittals and detailed scheduling of work. The anticipated time for completion of the project as outlined in the contract is November 9<sup>th</sup>, 2023.

Once a more detailed start and schedule is known, staff will be sending letters to residents advising that the commencement of work is imminent.

Shown as Attachment 2 is a resolution awarding a contract for the reconstruction of City Projects 38222, 45022 and 54622 to Northdale Construction Co. Inc, of Albertville, MN.

**Recommendation:**

Waive the reading and order the adoption of the attached resolution awarding a contract for the reconstruction of Hubbard Avenue and Adjoining Streets – Projects 38222, 45022 and 54622 to Northdale Construction Co. Inc, of Albertville, MN.



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Tim Sandvik, City Manager

CONCURRENCE:



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Richard McCoy, P.E.  
Public Works Director / City Engineer

Bid Abstract  
 S&P 158-125-004, 158-296-011, 158-300-005  
 City Projects 38222, 45022, 54622

April 20, 2023 @ 2:00 PM

| Item Number | Description                         | Unit | Quantity | Est Price    | Est Total    | Northdale Construction Co., Inc. | Park Construction Company | Meyer Contracting Inc. | S.M. Henghes & Son, Inc. | Gensinger & Sons, Inc. |              |
|-------------|-------------------------------------|------|----------|--------------|--------------|----------------------------------|---------------------------|------------------------|--------------------------|------------------------|--------------|
|             |                                     |      |          |              |              | Price                            | Total                     | Price                  | Total                    | Price                  | Total        |
| 2011.601    | VIBRATION MONITORING                | LS   | 1        | \$60,000.00  | \$60,000.00  | \$8,400.00                       | \$8,400.00                | \$8,000.00             | \$8,000.00               | \$5,000.00             | \$5,000.00   |
| 2011.501    | MODIFICATION                        | LS   | 1        | \$105,000.00 | \$105,000.00 | \$45,453.00                      | \$45,453.00               | \$28,615.57            | \$28,615.57              | \$211,671.50           | \$211,671.50 |
| 2011.502    | CLEARING                            | EACH | 5        | \$750.00     | \$3,750.00   | \$1,050.00                       | \$5,250.00                | \$1,300.00             | \$6,500.00               | \$2,250.00             | \$11,250.00  |
| 2101.501    | GRUBBING                            | EACH | 23       | \$1,500.00   | \$34,500.00  | \$335.00                         | \$7,745.00                | \$1,505.00             | \$34,615.00              | \$2,500.00             | \$11,250.00  |
| 2104.501    | REMOVE CONCRETE STEPS               | EACH | 4        | \$1,000.00   | \$4,000.00   | \$1,000.00                       | \$4,000.00                | \$2,000.00             | \$8,000.00               | \$1,000.00             | \$4,000.00   |
| 2104.502    | REMOVE BRICK PILLARS (SALVAGE CAPS) | EACH | 2        | \$500.00     | \$1,000.00   | \$1,000.00                       | \$2,000.00                | \$2,000.00             | \$4,000.00               | \$1,000.00             | \$2,000.00   |
| 2104.503    | REMOVE MANHOLE OR CATCH BASIN       | EACH | 20       | \$600.00     | \$12,000.00  | \$400.00                         | \$8,000.00                | \$543.00               | \$10,860.00              | \$13,000.00            | \$26,000.00  |
| 2104.504    | REMOVE MANHOLE (SANITARY OR WATER)  | EACH | 16       | \$600.00     | \$9,600.00   | \$1,000.00                       | \$16,000.00               | \$548.94               | \$8,783.04               | \$10,400.00            | \$16,640.00  |
| 2104.505    | REMOVE GATE VALVE                   | EACH | 21       | \$400.00     | \$8,400.00   | \$1,000.00                       | \$21,000.00               | \$1,000.00             | \$21,000.00              | \$1,000.00             | \$21,000.00  |
| 2104.506    | REMOVE HYDRANT                      | EACH | 4        | \$400.00     | \$1,600.00   | \$2,000.00                       | \$8,000.00                | \$2,000.00             | \$8,000.00               | \$2,000.00             | \$8,000.00   |
| 2104.507    | REMOVE SIGN                         | EACH | 39       | \$50.00      | \$1,950.00   | \$42.00                          | \$1,638.00                | \$28.10                | \$1,075.90               | \$975.00               | \$3,825.00   |
| 2104.508    | REMOVE SIGNAL SYSTEM                | EACH | 1        | \$25,000.00  | \$25,000.00  | \$6,783.00                       | \$6,783.00                | \$6,750.00             | \$6,750.00               | \$1,500.00             | \$1,500.00   |
| 2104.509    | SALVAGE FLAGPOLE                    | EACH | 1        | \$500.00     | \$500.00     | \$1,500.00                       | \$1,500.00                | \$1,720.00             | \$1,720.00               | \$1,947.92             | \$1,947.92   |
| 2104.510    | SALVAGE LIGHTING UNIT               | EACH | 8        | \$500.00     | \$4,000.00   | \$246.75                         | \$1,974.00                | \$1,942.00             | \$1,942.00               | \$350.00               | \$350.00     |
| 2104.511    | SALVAGE SIGN                        | EACH | 14       | \$100.00     | \$1,400.00   | \$42.00                          | \$588.00                  | \$45.00                | \$630.00                 | \$150.00               | \$210.00     |
| 2104.512    | SALVAGE SIGN PANEL TYPE SPECIAL     | EACH | 6        | \$200.00     | \$1,200.00   | \$42.00                          | \$252.00                  | \$45.00                | \$270.00                 | \$150.00               | \$210.00     |
| 2104.513    | SAVING CONCRETE PAVEMENT            | L.F  | 723      | \$6.00       | \$4,338.00   | \$3.84                           | \$2,779.20                | \$3.75                 | \$2,718.75               | \$5.00                 | \$3,615.00   |
| 2104.514    | SAVING BIT PAVEMENT (FULL DEPTH)    | L.F  | 600      | \$5.00       | \$3,000.00   | \$2.89                           | \$1,734.00                | \$2.85                 | \$1,710.00               | \$3.00                 | \$1,800.00   |
| 2104.515    | REMOVE WATER MAIN                   | L.F  | 3,723    | \$10.00      | \$37,230.00  | \$5.00                           | \$18,615.00               | \$4.93                 | \$18,615.00              | \$10.00                | \$37,230.00  |
| 2104.516    | REMOVE SINKHOLE (STORM)             | L.F  | 1,290    | \$20.00      | \$25,800.00  | \$15.00                          | \$19,350.00               | \$15.00                | \$19,350.00              | \$20.00                | \$25,800.00  |
| 2104.517    | REMOVE SINKHOLE (STORM)             | L.F  | 3,274    | \$15.00      | \$49,110.00  | \$2.00                           | \$6,548.00                | \$5.83                 | \$19,087.42              | \$2.00                 | \$6,548.00   |
| 2104.518    | REMOVE SINKHOLE (STORM)             | L.F  | 7,230    | \$5.00       | \$36,150.00  | \$4.00                           | \$28,920.00               | \$2.32                 | \$16,128.00              | \$4.00                 | \$28,920.00  |
| 2104.519    | REMOVE SINKHOLE (STORM)             | L.F  | 2,905    | \$5.00       | \$14,525.00  | \$5.00                           | \$14,525.00               | \$5.13                 | \$14,902.65              | \$3.00                 | \$9,000.00   |
| 2104.520    | REMOVE SINKHOLE (STORM)             | L.F  | 545      | \$6.00       | \$3,270.00   | \$5.00                           | \$2,725.00                | \$5.13                 | \$2,816.35               | \$5.00                 | \$2,725.00   |
| 2104.521    | REMOVE SINKHOLE (STORM)             | L.F  | 205      | \$5.00       | \$1,025.00   | \$5.00                           | \$1,025.00                | \$5.11                 | \$1,049.50               | \$5.00                 | \$1,025.00   |
| 2104.522    | REMOVE SINKHOLE (STORM)             | L.F  | 15,610   | \$5.00       | \$78,050.00  | \$2.50                           | \$39,025.00               | \$3.76                 | \$58,493.60              | \$5.00                 | \$25,000.00  |
| 2104.523    | REMOVE SINKHOLE (STORM)             | L.F  | 3,955    | \$5.00       | \$19,775.00  | \$1.00                           | \$3,955.00                | \$1.25                 | \$4,943.75               | \$5.00                 | \$25,000.00  |
| 2104.524    | REMOVE SINKHOLE (STORM)             | L.F  | 7,115    | \$20.00      | \$142,300.00 | \$33.00                          | \$234,795.00              | \$33.00                | \$234,795.00             | \$33.00                | \$234,795.00 |
| 2104.525    | REMOVE SINKHOLE (STORM)             | L.F  | 545      | \$10.00      | \$5,450.00   | \$33.00                          | \$18,195.00               | \$33.00                | \$18,195.00              | \$33.00                | \$18,195.00  |
| 2104.526    | REMOVE SINKHOLE (STORM)             | L.F  | 1,325    | \$12.00      | \$15,900.00  | \$33.00                          | \$43,860.00               | \$33.00                | \$43,860.00              | \$33.00                | \$43,860.00  |
| 2104.527    | REMOVE SINKHOLE (STORM)             | L.F  | 2,415    | \$5.00       | \$12,075.00  | \$2.46                           | \$5,940.00                | \$1.55                 | \$3,742.50               | \$5.00                 | \$25,000.00  |
| 2104.528    | REMOVE SINKHOLE (STORM)             | L.F  | 74       | \$125.00     | \$9,250.00   | \$137.50                         | \$10,275.00               | \$160.00               | \$11,840.00              | \$137.50               | \$10,275.00  |
| 2104.529    | REMOVE SINKHOLE (STORM)             | L.F  | 2,650    | \$42.00      | \$111,300.00 | \$42.25                          | \$111,962.50              | \$57.89                | \$152,878.50             | \$42.00                | \$177,000.00 |
| 2104.530    | REMOVE SINKHOLE (STORM)             | L.F  | 910      | \$40.00      | \$36,400.00  | \$42.25                          | \$38,447.50               | \$56.27                | \$51,205.70              | \$42.00                | \$177,000.00 |
| 2104.531    | REMOVE SINKHOLE (STORM)             | L.F  | 95       | \$45.00      | \$4,275.00   | \$47.25                          | \$4,488.75                | \$58.99                | \$5,594.25               | \$42.00                | \$177,000.00 |
| 2104.532    | REMOVE SINKHOLE (STORM)             | L.F  | 315      | \$50.00      | \$15,750.00  | \$47.25                          | \$14,862.75               | \$58.96                | \$18,537.00              | \$42.00                | \$177,000.00 |
| 2104.533    | REMOVE SINKHOLE (STORM)             | L.F  | 755      | \$2.00       | \$1,510.00   | \$4.83                           | \$3,646.65                | \$4.96                 | \$3,744.80               | \$4.00                 | \$1,600.00   |
| 2104.534    | REMOVE SINKHOLE (STORM)             | L.F  | 145      | \$50.00      | \$7,250.00   | \$37.00                          | \$5,365.00                | \$45.00                | \$6,525.00               | \$4.00                 | \$1,600.00   |
| 2104.535    | REMOVE SINKHOLE (STORM)             | L.F  | 11,505   | \$13.00      | \$149,365.00 | \$16.21                          | \$186,496.05              | \$15.41                | \$177,292.05             | \$15.50                | \$178,327.50 |
| 2104.536    | REMOVE SINKHOLE (STORM)             | L.F  | 3,000    | \$17.00      | \$51,000.00  | \$21.64                          | \$64,562.40               | \$20.93                | \$62,790.00              | \$15.00                | \$225,000.00 |
| 2104.537    | REMOVE SINKHOLE (STORM)             | L.F  | 11,505   | \$12.00      | \$138,060.00 | \$12.46                          | \$143,332.30              | \$12.07                | \$138,665.35             | \$12.50                | \$143,812.50 |
| 2104.538    | REMOVE SINKHOLE (STORM)             | L.F  | 3,000    | \$18.00      | \$54,000.00  | \$16.97                          | \$50,910.00               | \$15.81                | \$47,448.00              | \$16.50                | \$49,500.00  |
| 2104.539    | REMOVE SINKHOLE (STORM)             | L.F  | 2        | \$1,500.00   | \$3,000.00   | \$1,516.93                       | \$3,033.86                | \$1,794.49             | \$3,588.98               | \$1,700.00             | \$3,400.00   |
| 2104.540    | REMOVE SINKHOLE (STORM)             | L.F  | 2,159    | \$40.00      | \$86,360.00  | \$27.74                          | \$59,880.66               | \$27.18                | \$58,661.62              | \$26.00                | \$56,140.00  |
| 2104.541    | REMOVE SINKHOLE (STORM)             | L.F  | 12       | \$500.00     | \$6,000.00   | \$524.18                         | \$6,290.16                | \$589.23               | \$6,477.96               | \$550.00               | \$5,900.00   |
| 2104.542    | REMOVE SINKHOLE (STORM)             | L.F  | 16       | \$600.00     | \$9,600.00   | \$81.97                          | \$1,311.52                | \$95.48                | \$1,527.68               | \$100.00               | \$1,600.00   |
| 2104.543    | REMOVE SINKHOLE (STORM)             | L.F  | 2,170    | \$65.00      | \$141,050.00 | \$80.85                          | \$175,444.50              | \$97.06                | \$210,620.20             | \$100.00               | \$210,000.00 |
| 2104.544    | REMOVE SINKHOLE (STORM)             | L.F  | 263      | \$75.00      | \$19,725.00  | \$86.01                          | \$22,640.63               | \$99.14                | \$26,196.42              | \$110.00               | \$28,930.00  |
| 2104.545    | REMOVE SINKHOLE (STORM)             | L.F  | 333      | \$110.00     | \$36,630.00  | \$103.15                         | \$34,341.95               | \$99.14                | \$33,141.45              | \$110.00               | \$36,630.00  |
| 2104.546    | REMOVE SINKHOLE (STORM)             | L.F  | 165      | \$125.00     | \$20,625.00  | \$122.71                         | \$20,247.15               | \$114.13               | \$18,831.45              | \$125.00               | \$20,625.00  |
| 2104.547    | REMOVE SINKHOLE (STORM)             | L.F  | 118      | \$160.00     | \$18,880.00  | \$156.68                         | \$18,488.24               | \$145.00               | \$17,110.00              | \$175.00               | \$20,625.00  |
| 2104.548    | REMOVE SINKHOLE (STORM)             | L.F  | 137      | \$200.00     | \$27,400.00  | \$172.16                         | \$23,585.92               | \$171.91               | \$23,523.30              | \$200.00               | \$27,400.00  |
| 2104.549    | REMOVE SINKHOLE (STORM)             | L.F  | 6        | \$500.00     | \$3,000.00   | \$423.00                         | \$2,538.00                | \$414.16               | \$2,484.96               | \$500.00               | \$2,500.00   |
| 2104.550    | REMOVE SINKHOLE (STORM)             | L.F  | 5        | \$2,000.00   | \$10,000.00  | \$1,500.00                       | \$7,500.00                | \$1,824.56             | \$9,122.80               | \$2,000.00             | \$10,000.00  |

Bid Abstract  
SAP 158-125-004, 158-296-011, 158-300-005  
City Projects 38222, 45022, 54622

April 20, 2023 @2:00 PM

| Item Number | Description                                  | Unit | Quantity | Est Price   | Est Total    | Price      | Total        | Northdale Construction Co., Inc. | Park Construction Company | Meyer Contracting Inc. | S.M. Hestiges & Son, Inc. | Gastinger & Sons, Inc. |
|-------------|----------------------------------------------|------|----------|-------------|--------------|------------|--------------|----------------------------------|---------------------------|------------------------|---------------------------|------------------------|
| 2503 602    | 8" x 8" PVC WYE - SCHEDULE 40                | EACH | 5        | \$500.00    | \$2,500.00   | \$477.77   | \$2,388.85   |                                  | \$690.00                  | \$3,450.00             | \$3,217.25                | \$3,000.00             |
| 2503 602    | 10" x 8" PVC WYE - SCHEDULE 40               | EACH | 12       | \$550.00    | \$6,600.00   | \$617.18   | \$7,406.16   |                                  | \$695.00                  | \$8,340.00             | \$7,955.00                | \$7,500.00             |
| 2503 602    | 12" x 8" PVC WYE - SCHEDULE 40               | EACH | 46       | \$750.00    | \$34,500.00  | \$698.75   | \$32,142.50  |                                  | \$902.00                  | \$41,492.00            | \$37,067.28               | \$35,000.00            |
| 2503 602    | CONSTRUCT OUTSIDE DROP                       | EACH | 1        | \$5,000.00  | \$5,000.00   | \$7,052.50 | \$7,052.50   |                                  | \$4,030.00                | \$10,207.34            | \$10,207.34               | \$10,000.00            |
| 2503 603    | PLUG FILL & ABANDON PIPE SEWER               | L.F  | 440      | \$15.00     | \$6,600.00   | \$8.00     | \$3,520.00   |                                  | \$8,880.00                | \$3,640.00             | \$15.00                   | \$9,000.00             |
| 2503 603    | SEWER RISER - 6" PVC SCHEDULE 40             | L.F  | 115      | \$100.00    | \$11,500.00  | \$58.28    | \$6,702.20   |                                  | \$30.00                   | \$3,480.00             | \$100.00                  | \$10,000.00            |
| 2503 603    | 6" PVC PIPE SEWER, SCHEDULE 40               | L.F  | 1,549    | \$95.00     | \$147,055.00 | \$58.28    | \$90,275.72  |                                  | \$34.00                   | \$52,666.00            | \$95.00                   | \$147,055.00           |
| 2503 603    | 8" PVC PIPE SEWER, SCHEDULE 40               | L.F  | 690      | \$80.00     | \$55,200.00  | \$58.28    | \$40,275.72  |                                  | \$58.40                   | \$40,275.72            | \$80.00                   | \$55,200.00            |
| 2503 603    | 10" PVC PIPE SEWER - SCHEDULE 40             | L.F  | 675      | \$95.00     | \$64,125.00  | \$102.95   | \$69,491.25  |                                  | \$69.00                   | \$46,575.00            | \$95.00                   | \$69,491.25            |
| 2503 603    | 12" PVC PIPE SEWER - SCHEDULE 40             | L.F  | 2,082    | \$125.00    | \$260,250.00 | \$95.00    | \$197,775.00 |                                  | \$101.00                  | \$210,325.00           | \$125.00                  | \$260,250.00           |
| 2504 601    | TEMPORARY WATER SERVICE                      | LS   | 1        | \$15,000.00 | \$15,000.00  | \$6,470.59 | \$6,470.59   |                                  | \$54,100.00               | \$53,567.50            | \$15,000.00               | \$15,000.00            |
| 2504 602    | CONNECT TO EXISTING WATER MAIN               | EACH | 11       | \$2,500.00  | \$27,500.00  | \$2,537.50 | \$27,912.50  |                                  | \$902.00                  | \$9,922.00             | \$2,500.00                | \$27,500.00            |
| 2504 602    | INSTALL WYE (FURNISHED BY CITY)              | EACH | 3        | \$1,500.00  | \$4,500.00   | \$825.25   | \$2,475.75   |                                  | \$2,650.00                | \$1,751.16             | \$1,500.00                | \$4,500.00             |
| 2504 602    | ADJUST VALVE BOX                             | EACH | 1        | \$450.00    | \$450.00     | \$350.01   | \$350.01     |                                  | \$466.00                  | \$180.46               | \$450.00                  | \$450.00               |
| 2504 602    | 6" x 4" REDUCER                              | EACH | 1        | \$400.00    | \$400.00     | \$329.47   | \$329.47     |                                  | \$371.00                  | \$648.29               | \$400.00                  | \$400.00               |
| 2504 602    | 8" x 6" REDUCER                              | EACH | 2        | \$500.00    | \$1,000.00   | \$460.70   | \$921.40     |                                  | \$371.00                  | \$742.00               | \$500.00                  | \$1,000.00             |
| 2504 602    | 12" x 8" REDUCER                             | EACH | 1        | \$600.00    | \$600.00     | \$799.64   | \$799.64     |                                  | \$477.00                  | \$1,461.94             | \$600.00                  | \$600.00               |
| 2504 602    | 12" x 10" REDUCER                            | EACH | 2        | \$700.00    | \$1,400.00   | \$903.23   | \$1,806.46   |                                  | \$660.00                  | \$1,340.26             | \$700.00                  | \$1,400.00             |
| 2504 602    | 1" CORPORATION STOP                          | EACH | 61       | \$250.00    | \$15,250.00  | \$299.50   | \$18,289.50  |                                  | \$371.00                  | \$22,331.00            | \$250.00                  | \$15,250.00            |
| 2504 602    | 2" CORPORATION STOP                          | EACH | 2        | \$700.00    | \$1,400.00   | \$716.88   | \$1,433.76   |                                  | \$584.00                  | \$1,168.00             | \$700.00                  | \$1,400.00             |
| 2504 602    | 3" CORPORATION STOP                          | EACH | 2        | \$750.00    | \$1,500.00   | \$850.43   | \$1,700.86   |                                  | \$530.00                  | \$1,060.00             | \$750.00                  | \$1,500.00             |
| 2504 602    | 10" x 8" TEE FITTING                         | EACH | 1        | \$200.00    | \$200.00     | \$153.88   | \$153.88     |                                  | \$690.00                  | \$1,454.29             | \$200.00                  | \$200.00               |
| 2504 602    | 12" x 8" TEE FITTING                         | EACH | 1        | \$2,200.00  | \$2,200.00   | \$1,487.02 | \$1,487.02   |                                  | \$690.00                  | \$1,651.04             | \$2,200.00                | \$2,200.00             |
| 2504 602    | 12" x 10" TEE FITTING                        | EACH | 1        | \$1,800.00  | \$1,800.00   | \$1,487.02 | \$1,487.02   |                                  | \$796.00                  | \$2,158.52             | \$1,800.00                | \$1,800.00             |
| 2504 602    | 12" x 12" TEE FITTING                        | EACH | 7        | \$1,900.00  | \$13,300.00  | \$1,474.00 | \$10,318.00  |                                  | \$907.00                  | \$6,349.00             | \$1,900.00                | \$13,300.00            |
| 2504 602    | 12" x 12" TEE FITTING                        | EACH | 5        | \$2,000.00  | \$10,000.00  | \$1,581.63 | \$7,908.15   |                                  | \$907.00                  | \$4,535.00             | \$2,000.00                | \$10,000.00            |
| 2504 602    | 12" x 12" TEE FITTING                        | EACH | 3        | \$2,500.00  | \$7,500.00   | \$1,927.25 | \$5,781.75   |                                  | \$907.00                  | \$3,510.00             | \$2,500.00                | \$7,500.00             |
| 2504 602    | 6" GATE VALVE & BOX                          | EACH | 11       | \$1,500.00  | \$16,500.00  | \$2,174.24 | \$23,916.64  |                                  | \$3,800.00                | \$41,800.00            | \$1,500.00                | \$16,500.00            |
| 2504 602    | 8" GATE VALVE & BOX                          | EACH | 8        | \$3,000.00  | \$24,000.00  | \$3,007.51 | \$24,060.08  |                                  | \$4,650.00                | \$37,200.00            | \$3,000.00                | \$24,000.00            |
| 2504 602    | 10" GATE VALVE & BOX                         | EACH | 2        | \$3,400.00  | \$6,800.00   | \$4,260.15 | \$8,520.30   |                                  | \$5,390.00                | \$10,780.00            | \$3,400.00                | \$6,800.00             |
| 2504 602    | 12" GATE VALVE & BOX                         | EACH | 13       | \$3,600.00  | \$46,800.00  | \$5,279.41 | \$68,632.13  |                                  | \$7,200.00                | \$93,600.00            | \$3,600.00                | \$46,800.00            |
| 2504 602    | ADJUST CURB BOX                              | EACH | 2        | \$200.00    | \$400.00     | \$250.00   | \$500.00     |                                  | \$29.90                   | \$59.80                | \$200.00                  | \$400.00               |
| 2504 602    | 1" CURB STOP & BOX                           | EACH | 61       | \$450.00    | \$27,450.00  | \$484.36   | \$29,561.56  |                                  | \$613.00                  | \$37,393.00            | \$450.00                  | \$27,450.00            |
| 2504 602    | FORD AFTER BOX COVER - 41                    | EACH | 46       | \$350.00    | \$16,050.00  | \$391.49   | \$18,099.54  |                                  | \$188.00                  | \$8,568.00             | \$350.00                  | \$16,050.00            |
| 2504 602    | 1" TYPE K COPPER PIPE                        | L.F  | 1,280    | \$70.00     | \$89,600.00  | \$58.40    | \$74,752.00  |                                  | \$29.70                   | \$38,016.00            | \$70.00                   | \$89,600.00            |
| 2504 602    | 2" TYPE K COPPER PIPE                        | L.F  | 30       | \$150.00    | \$4,500.00   | \$73.89    | \$2,216.70   |                                  | \$2.40                    | \$1,272.00             | \$150.00                  | \$4,500.00             |
| 2504 603    | 6" WATERMAIN DUCTILE IRON PRESSURE CLASS 52  | L.F  | 909      | \$70.00     | \$63,630.00  | \$79.44    | \$72,174.00  |                                  | \$74.30                   | \$22,290.00            | \$70.00                   | \$63,630.00            |
| 2504 603    | 8" WATERMAIN DUCTILE IRON PRESSURE CLASS 52  | L.F  | 225      | \$75.00     | \$16,875.00  | \$79.44    | \$17,874.00  |                                  | \$79.60                   | \$17,910.00            | \$75.00                   | \$16,875.00            |
| 2504 603    | 10" WATERMAIN DUCTILE IRON PRESSURE CLASS 52 | L.F  | 100      | \$80.00     | \$8,000.00   | \$93.38    | \$9,338.00   |                                  | \$84.90                   | \$8,490.00             | \$80.00                   | \$8,000.00             |
| 2504 603    | 12" WATERMAIN DUCTILE IRON PRESSURE CLASS 52 | L.F  | 4,335    | \$90.00     | \$390,150.00 | \$111.18   | \$481,965.30 |                                  | \$104.00                  | \$450,840.00           | \$90.00                   | \$390,150.00           |
| 2504 603    | 16" WATERMAIN HOPE (DIRECTIONAL DRILLED)     | L.F  | 1,150    | \$500.00    | \$575,000.00 | \$167.81   | \$193,069.65 |                                  | \$175.00                  | \$201,250.00           | \$500.00                  | \$575,000.00           |
| 2506 502    | CONSTRUCT SANITARY SEWER MH                  | 18   | 2,515    | \$10.00     | \$25,150.00  | \$12.99    | \$32,669.65  |                                  | \$11.70                   | \$29,425.50            | \$10.00                   | \$25,150.00            |
| 2506 502    | CONST DRAINAGE STRUCTURE DESIGN ST-2 (2X3)   | EACH | 13       | \$4,500.00  | \$58,500.00  | \$6,867.48 | \$89,277.24  |                                  | \$6,470.00                | \$84,110.00            | \$4,500.00                | \$58,500.00            |
| 2506 502    | CONST DRAINAGE STRUCTURE DESIGN ST-1 (2X6)   | EACH | 14       | \$3,000.00  | \$42,000.00  | \$3,258.58 | \$45,620.12  |                                  | \$1,910.00                | \$26,740.00            | \$3,000.00                | \$42,000.00            |
| 2506 502    | CONST DRAINAGE STRUCTURE DESIGN ST-1 (48")   | EACH | 25       | \$5,000.00  | \$125,000.00 | \$6,555.73 | \$163,893.25 |                                  | \$5,400.00                | \$136,800.00           | \$5,000.00                | \$125,000.00           |
| 2506 502    | CONST DRAINAGE STRUCTURE DESIGN ST-2 (48")   | EACH | 10       | \$7,000.00  | \$70,000.00  | \$4,725.00 | \$47,250.00  |                                  | \$6,130.00                | \$61,300.00            | \$7,000.00                | \$70,000.00            |
| 2506 502    | CONST DRAINAGE STRUCTURE DESIGN ST-2 (60")   | EACH | 1        | \$7,300.00  | \$7,300.00   | \$8,368.23 | \$8,368.23   |                                  | \$6,470.00                | \$6,470.00             | \$7,300.00                | \$7,300.00             |
| 2506 502    | CONST DRAINAGE STRUCTURE DESIGN ST-2 (60")   | EACH | 1        | \$8,000.00  | \$8,000.00   | \$7,875.00 | \$7,875.00   |                                  | \$7,210.00                | \$7,210.00             | \$8,000.00                | \$8,000.00             |
| 2506 502    | CASTING ASSEMBLY [SANITARY R1642]            | EACH | 2        | \$500.00    | \$1,000.00   | \$932.41   | \$1,864.82   |                                  | \$4,770.00                | \$9,540.00             | \$500.00                  | \$1,000.00             |
| 2506 502    | ADJUST FRAME & RING CASTING                  | EACH | 13       | \$1,000.00  | \$13,000.00  | \$1,377.23 | \$17,903.99  |                                  | \$1,280.00                | \$16,640.00            | \$1,000.00                | \$13,000.00            |
| 2511 504    | CONSTRUCT SANITARY SEWER MH, EXTRA DEPTH     | L.F  | 64       | \$500.00    | \$32,000.00  | \$970.48   | \$62,250.72  |                                  | \$1,130.00                | \$71,280.00            | \$500.00                  | \$32,000.00            |
| 2511 504    | GEOTEXTILE FILTER TYPE 1                     | S.Y  | 48       | \$1.00      | \$48.00      | \$4.25     | \$204.00     |                                  | \$4.25                    | \$204.00               | \$1.00                    | \$48.00                |
| 2511 507    | RANDOM RIPRAP CLASS IV                       | C.Y  | 13       | \$50.00     | \$650.00     | \$125.00   | \$1,625.00   |                                  | \$127.00                  | \$1,651.00             | \$50.00                   | \$650.00               |

Bid Abstract  
 S40 158-125-004, 158-296-011, 158-300-005  
 City Projects 36222, 45022, 54622

April 20, 2023 @2:00 PM

| Item Number  | Description                            | Unit | Quantity | Engineer's Estimate | Northdale Construction Co., Inc. | Park Construction Company | Meyer Contracting Inc. | S.M. Hentges & Son, Inc. | Geislinger & Sons, Inc. |
|--------------|----------------------------------------|------|----------|---------------------|----------------------------------|---------------------------|------------------------|--------------------------|-------------------------|
|              |                                        |      |          | Est Price           | Total                            | Price                     | Total                  | Price                    | Total                   |
| 2521 518 4"  | CONCRETE WALK                          | SF   | 215.805  | \$5.60              | \$1,204.00                       | \$6.25                    | \$1,351.44             | \$6.00                   | \$1,293.70              |
| 2521 518 6"  | CONCRETE WALK                          | SF   | 4.680    | \$4.50              | \$21.24                          | \$21.40                   | \$98.40                | \$13.00                  | \$59.80                 |
| 2531 503     | CONCRETE CURB & GUTTER DESIGN B618     | LF   | 7.635    | \$20.00             | \$153.90                         | \$23.00                   | \$175.21               | \$23.50                  | \$179.67                |
| 2531 504 6"  | CONCRETE DRIVEWAY PAVEMENT, HIGH EARLY | SF   | 323      | \$27.00             | \$8,721.00                       | \$27.80                   | \$8,987.60             | \$28.00                  | \$9,041.60              |
| 2531 504 8"  | CONCRETE DRIVEWAY PAVEMENT, HIGH EARLY | SF   | 323      | \$27.00             | \$8,721.00                       | \$27.80                   | \$8,987.60             | \$28.00                  | \$9,041.60              |
| 2531 504 10" | CONCRETE DRIVEWAY PAVEMENT, HIGH EARLY | SF   | 323      | \$27.00             | \$8,721.00                       | \$27.80                   | \$8,987.60             | \$28.00                  | \$9,041.60              |
| 2531 618     | TRUNCATED DORMES                       | SF   | 460      | \$55.00             | \$25,300.00                      | \$53.00                   | \$24,380.00            | \$55.00                  | \$25,300.00             |
| 2543 501     | ELECTRIC LIGHT SYSTEM                  | LS   | 1        | \$5,000.00          | \$5,000.00                       | \$20,000.00               | \$20,000.00            | \$20,000.00              | \$20,000.00             |
| 2550 502     | FIBEROPTIC SPICE VAULT                 | LF   | 7        | \$3,000.00          | \$21,000.00                      | \$2,430.00                | \$17,010.00            | \$2,500.00               | \$17,500.00             |
| 2550 503 2"  | NON-METALLIC CONDUIT                   | LF   | 6,190    | \$13.00             | \$80,470.00                      | \$9.40                    | \$58,186.00            | \$10.00                  | \$61,900.00             |
| 2563 601     | TRAFFIC CONTROL                        | LS   | 1        | \$25,000.00         | \$25,000.00                      | \$15,200.00               | \$15,200.00            | \$15,000.00              | \$15,000.00             |
| 2564 503     | INSTALL SIGN PANEL                     | EACH | 12       | \$200.00            | \$2,400.00                       | \$105.00                  | \$1,260.00             | \$100.00                 | \$1,200.00              |
| 2564 503     | INSTALL SIGN PANEL TYPE SPECIAL        | EACH | 6        | \$300.00            | \$1,800.00                       | \$210.00                  | \$1,260.00             | \$250.00                 | \$1,500.00              |
| 2564 518     | SIGN TYPE C OR D                       | SF   | 197      | \$200.00            | \$39,400.00                      | \$65.30                   | \$12,864.10            | \$65.00                  | \$12,805.00             |
| 2565 518     | TRAFFIC CONTROL SIGNAL SYSTEM          | SYS  | 1        | \$300,000.00        | \$300,000.00                     | \$388,823.00              | \$388,823.00           | \$384,666.45             | \$384,666.45            |
| 2573 501     | EROSION CONTROL SUPERVISOR             | LS   | 1        | \$10,000.00         | \$10,000.00                      | \$9,440.00                | \$9,440.00             | \$10,000.00              | \$10,000.00             |
| 2573 502     | STORM DRAIN INLET PROTECTION           | EACH | 85       | \$300.00            | \$25,500.00                      | \$200.00                  | \$17,000.00            | \$187.97                 | \$15,977.45             |
| 2573 503     | SALT FENCE, TYPE HI                    | LF   | 80       | \$5.00              | \$400.00                         | \$5.15                    | \$412.00               | \$6.00                   | \$480.00                |
| 2573 503     | SLOPEMENT CONTROL LOG TYPE WOOD CHIP   | LF   | 300      | \$5.00              | \$1,500.00                       | \$4.15                    | \$1,245.00             | \$5.00                   | \$1,500.00              |
| 2573 503     | SLOPEMENT CONTROL LOG TYPE ROCK        | LF   | 300      | \$5.00              | \$1,500.00                       | \$4.15                    | \$1,245.00             | \$5.00                   | \$1,500.00              |
| 2573 507     | FILTER TOPSOIL BORROW                  | CY   | 100      | \$35.00             | \$3,500.00                       | \$25.00                   | \$2,500.00             | \$25.00                  | \$2,500.00              |
| 2575 503     | SEDIMENT CONTROL LOG TYPE WOOD CHIP    | LF   | 300      | \$5.00              | \$1,500.00                       | \$4.15                    | \$1,245.00             | \$5.00                   | \$1,500.00              |
| 2575 503     | SEDIMENT CONTROL LOG TYPE ROCK         | LF   | 300      | \$5.00              | \$1,500.00                       | \$4.15                    | \$1,245.00             | \$5.00                   | \$1,500.00              |
| 2575 504     | SOODING TYPE LAWN                      | SF   | 8,685    | \$10.00             | \$86,850.00                      | \$8.35                    | \$72,519.75            | \$8.00                   | \$69,480.00             |
| 2582 503 4"  | SOLID LINE PREF TAPE - WHITE           | LF   | 670      | \$4.00              | \$2,680.00                       | \$4.19                    | \$2,807.30             | \$5.00                   | \$3,350.00              |
| 2582 503 4"  | SOLID LINE PREF TAPE - YELLOW          | LF   | 670      | \$4.00              | \$2,680.00                       | \$4.19                    | \$2,807.30             | \$5.00                   | \$3,350.00              |
| 2582 503 24" | SOLID LINE PREF TAPE                   | LF   | 125      | \$40.00             | \$5,000.00                       | \$28.30                   | \$3,537.50             | \$28.00                  | \$3,500.00              |
| 2582 503 24" | BROKEN LINE PREF TAPE - WHITE          | LF   | 110      | \$40.00             | \$4,400.00                       | \$28.30                   | \$3,113.00             | \$28.00                  | \$3,080.00              |
| 2582 503 4"  | BROKEN LINE PREF TAPE - YELLOW         | LF   | 2,720    | \$10.00             | \$27,200.00                      | \$8.45                    | \$22,915.25            | \$10.00                  | \$27,200.00             |
| 2582 518     | PAVT MESSG PREF TAPE - YELLOW          | SF   | 180      | \$20.00             | \$3,600.00                       | \$15.60                   | \$2,808.00             | \$18.00                  | \$3,240.00              |
| 2582 518     | CROSSWALK PREF TAPE                    | SF   | 744      | \$15.00             | \$11,160.00                      | \$15.74                   | \$11,710.56            | \$18.00                  | \$13,392.00             |
|              |                                        |      |          |                     | \$5,181,616.00                   | \$4,833,545.02            | \$5,476,297.80         | \$5,795,000.00           | \$5,810,046.50          |

Member \_\_\_\_\_ moved and Member \_\_\_\_\_ seconded a motion that the following resolution be read and adopted this 2<sup>nd</sup> day of May, 2023.

RESOLUTION NO.

A RESOLUTION ACCEPTING BIDS AND AWARDING  
CONTRACT FOR RECONSTRUCTION PROJECT –  
HUBBARD AVENUE AND ADJOINING STREETS –  
CITY PROJECTS 38222, 45022 AND 54622

WHEREAS, pursuant to an advertisement for bids for reconstruction project – Hubbard Avenue and adjoining streets – City Projects 38222, 40522 and 54622, bids were received, opened and tabulated according to State Law and the following bids were received complying with the advertisement:

| <b>Contractor</b>               | <b>Total Bid</b>       |
|---------------------------------|------------------------|
| Northdale Construction Co. Inc. | \$ 4,833,545.02        |
| Park Construction Company       | \$ 5,476,297.80        |
| Meyer Contracting Inc.          | \$ 5,723,131.50        |
| S.M. Hentges & Son Inc.         | \$ 5,795,000.00        |
| Geislinger & Sons Inc.          | \$ 5,810,046.50        |
| <b>Engineer's Estimate</b>      | <b>\$ 5,181,616.00</b> |

WHEREAS, it appears that Northdale Construction Co. Inc. of Albertville, Minnesota, is the lowest responsible bidder;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBBINSDALE, MINNESOTA THAT:

1. The Mayor and City Manager are hereby authorized and directed to enter into an agreement with Northdale Construction Co. Inc. in the name of the City of Robbinsdale for City Projects 38222, 45022 and 54622 according to plans and

Res

specifications therefore approved by the City Council and on file in the office of the City Engineer.

2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

The question was on the adoption of the resolution and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

WHEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED THIS 2<sup>ND</sup> DAY OF MAY, 2023.

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William A. Blonigan, Mayor

ATTEST:

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Chase Peterson-Etem, City Clerk

(SEAL)

Res



City of Robbinsdale

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: May 2, 2023

RE: Resolution Updating Downtown Plaza Use Policy

**Background:**

The Birdhouse restaurant has reached out to the City to request continued use of the City-owned plaza immediately adjacent to their restaurant. In recent history, as outdoor seating helped accommodate their business while state issued (Covid-related) regulations were in effect, the use has proven to be a good partnership. The Council heard this request at the April 2023 City Council Work session, and directed staff to move forward in discussing/updating terms of an agreement.

Policy considerations for an updated use of the plaza include:

- Allowing for use of the space by the Lions Club during Whiz Bang Days
- Include a monthly fee, payable to the City of Robbinsdale
- Final review includes inspection by the Building Official and Fire Marshall to ensure code, safety, and SAC/WAC (through the met Council) requirements are met
- All operations meet requirements of any associated licensure (to include liquor licensing)
- Continued observation of Limitations, Requirements, Indemnification, and Termination clauses

Ultimately, at the time of posting the May 2, 2023 Council memo, staff has not received all required information to move forward, but recommends Council provide conditional approval.

**Recommendation:**

By motion, provided all conditions are met, adopt Resolution No. xxxx "A Resolution adopting amendments to policy for use of the downtown plaza for community events sponsored by local businesses to include use by adjacent restaurant."

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Tim Sandvik, City Manager

CONCURRENCE:

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Chase Peterson-Etem, City Clerk

Member \_\_\_\_\_ moved and Member \_\_\_\_\_ seconded a motion that the following resolution be read and adopted this 2nd day of May, 2023.

**RESOLUTION NO. \_\_\_\_\_**

**A Resolution Adopting Amendments to policy for use of the Downtown Plaza for Community Events Sponsored by Local Businesses to include use by Adjacent Restaurant**

**WHEREAS**, the City Council is interested in expanding the active use of the downtown plaza by allowing adjacent restaurant to use a portion of the plaza from May to November that is infrequently used by others; and

**WHEREAS**, the policy includes provisions that the license fee for the restaurant use would be equitable to those with outdoor seating on private property including consideration of maintenance repairs and property taxes; and

**WHEREAS**, the policy includes requirement for payment of any Metropolitan Council sewer access charges (SAC) which were waived for 2020, 2021, and 2022, but would be required if the threshold is met (prior to use) in 2023; and

**WHEREAS**, the policy includes a requirement for payment of any City water access charges (WAC) which are typically equal to SAC payments, unless adjusted by the City Council; and

**WHEREAS**, the City Council has reviewed and discussed the proposed changes to the policy to allow partial seasonable use by the adjacent restaurant.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Robbinsdale, Minnesota: The amended Use of the Downtown Plaza for Community Events Sponsored by Local Businesses and partial use by adjacent restaurant, is hereby adopted.

The question was on adoption of the resolution and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

**PASSED AND ADOPTED BY THE CITY COUNCIL THIS 2nd DAY OF MAY, 2023.**

\_\_\_\_\_  
William A. Blonigan, Mayor

ATTEST:

\_\_\_\_\_  
Chase Peterson-Etem, City Clerk

**Policy for use of the Downtown Plaza  
for Community Events Sponsored by Local Businesses  
and Use by Adjacent Restaurant**

Purpose: The City Council seeks to increase the use of the Downtown Plaza by providing for the administrative approval of occasional events sponsored by local businesses when pre-approved by the City Manager and subject to certain conditions to protect health and safety. This policy also allows use by adjacent restaurant for summer outdoor seating in compliance with City Code.

Findings:

1. Locating special events in the Downtown encourages more pedestrian traffic, which has the potential in increase and promote community interactions and business on the Plaza and in the Downtown;
2. The Robbinsdale Downtown Plaza, 4151 West Broadway, provides a visible location with high pedestrian traffic and sufficient space within the Plaza to set up small events that do no conflict with the regular use of public rights-of-way and sidewalks;
3. The northwesterly portion of the plaza does not benefit from shade and is used less often; and
4. The City Council is authorized to direct the City Manger to undertake the administration of the policy.

The Plaza Area should be utilized for Community Outreach activies when not in conflict with other authorized activities.

The Robbinsdale Lions Club has priority use of the entire plaza during Whiz Bang Days.

The City Manager is authorized to administratively approve requests for exclusive use of the Robbinsdale Downtown Plaza, 4151 West Broadway, for occasional special events sponsored by local businesses, provided the following conditions are met:

1. The applicant is the owner of a business in Robbinsdale; and
2. The activity are is limited to the plaza and not to include the adjacent sidewalk areas; and
3. Any food or beverage service is required to obtain County/City licenses, if applicable; and
4. The time for the activity is limited to no more than 4 hours; and
5. The applicant is limited to no more than 10 days per calendar year; and
6. The City Manager has the discretion to place other restrictions or requirements on the applicant and its sales activities on a case by case basis; and
7. All applicable requirements of City Code may not be waived.



## MEMORANDUM

**TO:** Mayor and City Council  
**FROM:** Tim Sandvik, City Manager  
**DATE:** May 2, 2023  
**RE:** FIRST READING of an amendment to the Zoning Ordinance to eliminate the conditional use permit requirement for solar panels on accessory structures.

### **BACKGROUND:**

Within the last four years there have been four conditional use permit applications for residents to put solar panels on the roofs of accessory structures. Neighborhood comments were provided in one of the hearings, and the basis for concern may have been questionable after considerable analysis. Given the anticipated increase in interest in solar technology, staff is recommending the elimination of the conditional use permit requirement.

On April 20, 2023 the Planning Commission conducted a public hearing regarding the proposed amendment. The minutes to the public hearing are provided as **Exhibit 1**.

### **ANALYSIS/CONCLUSION:**

The report prepared for the Planning Commission is included as **Exhibit 2**. The report detailed the ordinance changes including:

- An exception to height limitations in the General Building requirements because accessory structures are limited to a height of 16 feet and adding solar panels might trigger variance requests.
- Expanding the language under permitted accessory uses in the R-1 district to include accessory structures and rear yard locations in addition to principal structures and simplify the language by removing “an integral part of the.”

At the public hearing, no one attended to provide comment. The Planning Commissioners had questions about the exception, wanting to know how high a solar panel could potentially be. Staff said there would be a wind effect and a building permit would be required. With no other concerns, the Commissioners unanimously (of those present) adopted a motion recommending approval of the ordinance amendment.

### **RECOMMENDATION:**

Motion to waive the reading and concur with the Planning Commission by holding the **FIRST READING** of the Ordinance shown in **Exhibit 3** AMENDING SECTIONS 510.15 AND 515.01 OF THE CITY CODE MAKING SOLAR ENERGY DEVICES AN ACCESSORY USE ON PRINCIPAL AND ACCESSORY STRUCTURES AND IN REAR YARDS AND CREATING AN EXCEPTION TO HEIGHT LIMITATIONS

  
 \_\_\_\_\_  
 Tim Sandvik, City Manager

### **CONCURRENCE:**

  
 \_\_\_\_\_  
 Rick Pearson, Community Development Coordinator

**#4A: PUBLIC HEARING:**

**Zoning Text Amendment Z23-1 to amend the R-1 District, Section 515.01, subd 3(l) to include solar panels on accessory structures as an accessory use in addition to principal structures and remove the conditional use permit requirement**

15. **Motion** by Commissioner Montemayor, seconded by Commissioner Weinberg to OPEN the public hearing. **The vote was 4-0 and the motion carried. (Allen absent)**
16. Pearson presented the staff report for this zoning text amendment to amend the R-1 District, Section 515.01. subd 3(l) to include solar panels on accessory structures as an accessory use in addition to principal structures and remove the conditional use permit requirement. He reviewed existing zoning ordinances for solar energy devices. Solar panels will not be allowed in front or side yards. Because detached garages have height limitations of 16 feet, an exception to height limitations is also proposed for solar panels.
17. Commissioner Ralston Aoki asked how high the solar panels could potentially be with the height exemption? Pearson said that solar panels would have wind issues if they are too high and a building permit would be required to make sure they could withstand the wind pressure. Otherwise, without the exemption, variances could be expected because many garages are at or near the maximum allowed height.
18. Opened the floor to the public. No one spoke to this item.
19. **Motion** by Commissioner Weinberg, seconded by Commissioner Harris to close the public hearing. **The vote was 4-0 and the motion carried. (Allen absent)**
20. **Motion** by Commissioner Ralston Aoki, seconded by Commissioner Weinberg to recommend that the City Council adopt the zoning code amendments making solar energy device an accessory use on principal and accessory structures, in rear yards and creating a building height exemption for solar energy devices.  
**The vote was 4-0 and the motion carried. (Allen absent)**
21. Pearson explained that the first reading by the City Council. During this initial review the council can make changes, additions to the ordinance. The ordinance takes effect after the second reading occurs.

**ADMINISTRATIVE STAFF REPORT**

APPLICANT: Staff initiated  
CASE NO: Zoning Text Amendment Z23-1  
ADDRESS: City wide  
PC DATE: April 20, 2023  
APPLICATION DATE: N/A  
PROCESSING DEADLINE: N/A

**ACTION/REQUEST:**

This zoning text amendment will eliminate a conditional use permit requirement for the placement of solar panels on accessory structures, or elsewhere in rear yards where accessory structures are allowed. It has been strongly encouraged by the Mayor and Council discussion regarding previous conditional use requests for solar panels on accessory structures.

**BACKGROUND/ANALYSIS:**

The following excerpts from the City Zoning Code relating to solar energy devices are showing new language in bold and underlined and language to be removed indicated by strikeout.

**510.15. General building requirements.**

Subdivision 1. Height limitations.

(a) Exceptions: The building height limits established herein for districts shall not apply to the following:

(xii) necessary mechanical and electrical appurtenances **and solar energy devices**

**515.01. R-1, single family residential district.**

Subd. 3. Permitted accessory uses. Permitted accessory uses in an R-1 district are:

(i) solar energy devices that are ~~an integral part of the~~ **attached to** principal **or accessory structures or located in rear yards;**

Subd. 4. Conditional use. The uses listed in this subdivision, require conditional use permits based upon procedures set forth in and regulated by subsection 535.01 of this code and are the following:

(e) ~~Solar energy devices not an integral part of the principal structure.~~  
(Amended, Ord. No. 97- 06)

**RECOMMENDATION:**

1. Hold the public hearing.
2. Motion to recommend that the City Council adopt the zoning code amendments making solar energy devices an accessory use on principal and accessory structures, in rear yards and creating a building height exemption for solar energy devices.

Member \_\_\_\_\_ moved and Member \_\_\_\_\_ seconded a motion that the following Ordinance, which was given its first reading on May 2, 2023 be given its second reading this \_\_\_\_\_ day of \_\_\_\_\_ 2023 and that it be adopted.

**ORDINANCE NO.**

**AN ORDINANCE AMENDING SECTIONS 510.15 AND 515.01 OF THE CITY CODE MAKING SOLAR ENERGY DEVICES AN ACCESSORY USE ON PRINCIPAL AND ACCESSORY STRUCTURES AND IN REAR YARDS AND CREATING AN EXCEPTION TO HEIGHT LIMITATIONS**

**THE CITY COUNCIL OF THE CITY OF ROBBINSDALE DOES ORDAIN:**

- 1) That Section 510.15 and 515.01 of the City Code is hereby amended with the following language to be removed shown by strikeout and new language added shown in bold and underlined:

**510.15. General building requirements.**

Subdivision 1. Height limitations.

(a) Exceptions: The building height limits established herein for districts shall not apply to the following:

(xii) necessary mechanical and electrical appurtenances **and solar energy devices**

**515.01. R-1, single family residential district.**

Subd. 3. Permitted accessory uses. Permitted accessory uses in an R-1 district are:

- (i) solar energy devices that are ~~an integral part of the~~ **attached to** principal **or accessory** structures **or located in rear yards;**

Subd. 4. Conditional use. The uses listed in this subdivision, require conditional use permits based upon procedures set forth in and regulated by subsection 535.01 of this code and are the following:

- (e) ~~Solar energy devices not an integral part of the principal structure.~~ (Amended, Ord. No. 97-06)

- 2) **That the following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication:**

**Solar Energy Devices attached to accessory structures, or placed in rear yards will no longer require a conditional use permit conditional use permit and will qualify for an exception to height limitations.**

First Reading:        YEAS:  
                             NAYS:

Second Reading:     YEAS:  
                             NAYS:

**PASSED AND ADOPTED BY THE CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

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William A. Blonigan, Mayor

ATTEST:

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Chase Peterson-Etem, City Clerk  
(SEAL)



City of Robbinsdale

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: May 2, 2023

RE: Voucher Requests Pending Approval for Disbursement

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**Background:**

The check register dated 5/2/23 reflects the voucher requests pending approval for disbursement.

The check register date 4/19/23 through 5/2/23 is a list of vouchers requiring payment for city funds, Deputy Registrar, liquor, and miscellaneous purchases. The payments are required prior to the next Council meeting.

**Recommendation:**

By motion, approve disbursement requests for period ending 5/2/23

A handwritten signature in black ink, appearing to read 'T. Sandvik', written over a horizontal line.

Tim Sandvik, City Manager

CONCURRENCE:

A handwritten signature in black ink, appearing to read 'Chase Peterson-Etem', written over a horizontal line.

Chase Peterson-Etem, City Clerk