City of Robbinsdale
CITY COUNCIL MINUTES
May 17, 2022
Meeting No. 10

CALL TO ORDER

1. Mayor William A. Blonigan called the meeting to order at 7:00 p.m.

ROLL CALL

2. Present: Webb, Selman, Backen, Kline, Mayor Blonigan
   Absent: None
   Staff: Marcia Glick, City Manager; Dustin Leslie, City Clerk; Richard McCoy, Public Works Director; Rick Pearson, Community Development Coordinator
   Guests: Chelsea Sobraske, Whiz Bang Days President; Pam Scheiller, Whiz Bang Days Secretary

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.

4. James Ommart – former resident of Robbinsdale: Resident spoke to Council about the crosswalk located at 42nd Ave N and Yates Ave N. Resident stated that his son was struck and killed by a vehicle at the crosswalk and wanted an update on enhancements to make the crosswalk safer.

5. McCoy stated that the location was reviewed for installation of flashing beacons and ADA accessible improvements. McCoy stated that in order to make the project work, the city would have to acquire a property on the southeast corner of 42nd Ave N and Yates Ave N. The owner of the property was not interested in selling. Since then, the Police Department and Public Works Department both came to an agreement that the crosswalk should be removed for safety reasons.

6. Ommart stated he supported making enhancements to the crosswalk, not removing it. Member Selman stated the crosswalk gives residents a false sense of security and supported having it removed. Member Kline and Mayor Blonigan echoed support for its removal.

7. Member Selman also stated the city should contact Metro Transit to also remove the nearby bus stop in order to make the area safer.

8. Glick stated staff would contact the county in regards to removing the crosswalk as well as Metro Transit about removing the bus stop.

APPROVAL OF THE MAY 3, 2022 MEETING AGENDA

9. Leslie reported the following changes to the agenda:
   - Voucher report for Other Business A.
   - An updated attachment to the Resolution for New Business D.
   - Consent Item K: Loudspeaker Device Application was added to the agenda.

10. **Member Selman MOVED, seconded by Member Kline to approve the May 17, 2022 Agenda with the update given to Council by the City Clerk. The vote was unanimous and the motion carried.**

CONSENT AGENDA

11. Mayor Blonigan pulled items D, F, and J from the consent agenda for further consideration.

12. **Member Selman MOVED, seconded by Member Backen to approve the May 17, 2022 Consent Agenda with the exception of items D, F, and J as listed below. 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 5/3/22
   - Regular City Council Work Session minutes on 5/10/22

B. Motion to receive advisory commission minutes:
   - Senior Commission minutes on April 4, 2022

C. Motion to approve issuance of licenses dated 5/17/22.

D. (Removed).

E. Motion to authorize the Mayor and City Manager to execute the license for the use of 4364 Grimes

F. (Removed).

G. Motion to waive the reading and order the adoption of Resolution #7974 "A RESOLUTION ACCEPTING THE HENNEPIN COUNTY YOUTH SPORTS PROGRAM GRANT IN THE AMOUNT OF $22,500."

H. Motion to waive the reading and order the adoption of Resolution #7975 "A RESOLUTION ACCEPTING THE METROPOLITAN COUNCIL WATER EFFICIENCY GRANT IN THE AMOUNT OF $6,080" and to authorize the City manager to sign the document upon receipt.

I. Motion to waive the reading and order the adoption of Resolution #7976 "RESOLUTION AUTHORIZING A LIMITED USE PERMIT WITH THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION FOR A NON-MOTORIZED RECREATIONAL TRAIL IN THE RIGHT-OF-WAY OF TRUNK HIGHWAY 100 AT 4600 LAKE ROAD."

J. (Removed).

K. Motion to approve the application from the Minnesota Nurses Associations to use 4 megaphones for informational picketing on the public sidewalk on Oakdale Avenue North, in front of North Memorial Hospital, utilizing no other amplification with the conditions listed in the memo.

CONSENT ITEMS D AND F: APPOINTMENT OF HUMAN RIGHTS COMMISSIONER AND REPLACEMENT OF ONE BUSINESS ADVISORY COMMISSION (BAC) MEMBER FOR METRO BLUE LINE EXTENSION

13. Mayor Blonigan thanked Healey for his interest in the Human Rights Commission and reviewed his qualifications.

14. Mayor Blonigan thanked Opat for volunteering to serve on the commission and reviewed his experience.

15. **Member Selman MOVED, seconded by Member Backen to appoint Jonathan Healey to the Human Rights Commission for a term to commence May 26, 2022 and to appoint Mike Opat to replace Kevin Croston as Robbinsdale's Business Advisory Commission Member for the METRO Blue Line Extension. The vote was unanimous and the motioned carried.**

CONSENT ITEM J: WHIZ BANG DAYS COMMITTEE – EVENT REQUESTS

16. Sobraske and Scheiller gave an overview of events and what to expect this year. Sobraske and Scheiller urged residents to donate or volunteer by visiting the Whiz Bang Days Facebook page or their website at www.robbinsdalewhizbangdays.org.

17. Member Selman asked about the Ambassador program. Sobraske noted she was a former Ms. Robbinsdale and gave an overview of the program and how it benefits those involved as well as the community.

18. Member Selman encouraged other Council Members to RSVP about being in the parade.

19. Sobraske thanked Glick for all her work in supporting Whiz Bang Days.

20. **Member Selman MOVED, seconded by Member Webb to approve the request for Robbinsdale Whiz Bang Days activities and locations from Thursday, July 7 to Sunday, July 10, 2022 with the conditions listed in the memo and to waive permit fees. The vote was unanimous and the motioned carried.**

NEW BUSINESS A: 4124 WEST BROADWAY "NOUVELLE BREWING" REQUEST FOR OUTDOOR SERVICE AND OFF-SITE PARKING

21. Pearson gave the report and reviewed the various conditional use and variance requests.

22. Mayor Blonigan asked how many spaces would be available compared to what was available before. Pearson stated the same amount of spaces would be available. There would be eight spaces at the Pawn America lot on the other side of the alley, three on the street, and one handicap parking space.

23. Member Webb asked how much seating capacity would be outside. Pearson stated the city was still waiting to receive a seating plan from Nouvelle which would be reviewed by the Fire Marshall.

24. Member Backen stated the city should look at its parking rules as some of it may be outdated. Member Backen stated he supported the request.

25. Mayor Blonigan stated employees of the business should park farther away so customers are able to park closer.

26. **Member Selman MOVED, seconded by Member Backen to waive the reading and order the adoption of Resolution #7977 "APPROVING VARIANCE REQUEST V22-2 TO ALLOW OUTDOOR SERVICE TO EXCEED 25% OF THE PRINCIPAL BUILDING AND DISPLACE REQUIRED PARKING AT 4124 WEST BROADWAY AND APPROVE CONDITIONAL USE PERMIT REQUEST C22-3 FOR OUTDOOR SERVICE REQUIRING OFF-SITE PARKING TO BE LOCATED AT THE PARKING LOT BETWEEN THE ALLEY AND LAKELAND AVENUE NORTH OWNED BY PAWN AMERICA AT 4132 WEST BROADWAY." The vote was unanimous and the motion carried.**

NEW BUSINESS B: AWARD BID FOR REGENT AVENUE RECONSTRUCTION – CITY PROJECT 43922

27. McCoy gave the report and reviewed project needs. McCoy stated Northdale Construction gave the lowest bid. McCoy noted that the company originally stated some materials may not be available until October even though the deadline for completion is October 31. McCoy stated the company ultimately agreed to the deadline conforming materials were available from their suppliers, and with an understanding that there would be liquidated damages for exceeding the deadline.

28. Mayor Blonigan spoke about the bid amount and noted it would be difficult to get a better quote if the city were to go out for bid again.

29. **Member Selman MOVED, seconded by Member Backen to waive the reading and order the adoption of Resolution #7978 A RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT FOR RECONSTRUCTION PROJECT – REGENT AVENUE BETWEEN COUNTY ROAD 9 AND THE CUL-DE-SAC BY THE BNSF RAILROAD – CITY PROJECT 43922. The vote was unanimous and the motion carried.**

NEW BUSINESS C: NEW 20-YEAR GAS FRANCHISE AGREEMENT WITH CENTERPOINT ENERGY

30. Glick gave the report and background information about the proposed agreement along with negotiation process. Glick stated this is a 20-year agreement allowing CenterPoint Energy to put their gas service lines in city right-of-way. It does not cover specific franchise fees.

31. Member Webb asked Glick to explain how the agreement affects the public. Glick explained how the franchise fees worked and what was covered.

32. **Member Selman MOVED, seconded by Member Webb to Hold the 1st reading of Ordinance No. 22-07 - "An Ordinance Granting CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Minnesota Gas ("CenterPoint Energy"), Its Successors and Assigns, a Nonexclusive Franchise to Construct, Operate, Repair And Maintain Facilities and Equipment For the Transportation, Distribution, Manufacture and Sale Of Gas Energy For Public And Private Use; and To Use The Public Ways And Grounds of the City Of Robbinsdale, Minnesota, For Such Purpose; and, Prescribing Certain Terms And Conditions Thereof." The vote was unanimous and the motion carried.**

33. **Member Backen MOVED, seconded by Member Selman to direct the City Clerk to publish a public hearing notice calling for public input on the proposed gas franchise agreement at the June 21, 2022 City Council meeting. The vote was unanimous and the motion carried.**

NEW BUSINESS D: RESOLUTION RESPONDING TO MODIFICATION REPORT – METRO BLUE LINE EXTENSION

34. Glick gave the report and background into the response going back to the Metropolitan Council.

35. Member Selman asked to change the language on the 2nd paragraph of page 72 from "our expectation is that the soils are worse on the east side of Robin Center" to "our experience is that the soils are worse on the east side of Robin Center."

36. Mayor Blonigan noted that he did not think the Metropolitan Council, Hennepin County, or the City's congressional delegation have pushed hard enough on BNSF to use their railway. Mayor Blonigan also noted that on the fourth Whereas clause of the Resolution,

he would like the word "would" changed to "might" in the sentence "… a bus rapid transit service within the narrow corridor afforded by County Road 81 in the City of Robbinsdale **would** be a superior end product …"

37. Member Selman stated he voted against this resolution the first time because he felt it was not strong enough and would vote against it again this time for the same reason.

38. Member Backen stated he was unsure if the addition of the light rail would help with carbon footprint and may only be a wash with the construction of the project. Member Backen also stated it would be impossible for extra green spaces and that new apartment units were being built even without the light rail.

39. **Member Backen MOVED, seconded by Member Kline to waive the reading and order the adoption of Resolution #7979 "A RESOLUTION EXPRESSING CONTINUING CONCERNS REGARDING THE PROPOSED METRO BLUE LINE EXTENSION NOT ADDRESSED IN THE ROUTE MODIFICATION REPORT" with the changes offered by Member Selman and Mayor Blonigan. A roll call was taken. Ayes: Webb, Backen, Kline, Mayor Blonigan. Nays: Selman. The motion carried on a 4-1 vote.**

NEW BUSINESS E: RESOLUTION TO CENSURE WARD 1 COUNCIL MEMBER

40. Glick gave the report.

41. **Member Selman MOVED, seconded by Member Backen to waive the reading and order the adoption of Resolution #7980 "A RESOLUTION CENSURING THE WARD 1 COUNCIL MEMBER."**

42. Member Kline stated the third Whereas clause in the Resolution regarding him not responding to the claim was untrue and wanted it stricken from the Resolution. Member Selman and Member Backen stated they were ok with striking the third Whereas clause.

43. Mayor Blonigan stated he would only support this Resolution if Member Kline's seats were filled by other members of the Council. Member Selman stated he would fulfill Member Kline's seats until felony issues were resolved.

44. Member Kline asked if this censure would be reconsidered after the trial.

45. Member Selman stated that Member Kline should not be representing the City while he was a charged felon and would be supportive of reinstating him if the felony charges were dropped.

46. Member Webb asked clarifying questions about what this Resolution would accomplish. Member Backen stated this action was being done because it is the most they could do as a Council and it would bring back some respect to the community.

47. Member Webb noted that this censuring was not about a small group of people wanting the vote, it was about integrity and holding Member Kline accountable for his actions. Member Webb asked if he was found not guilty if he would get his responsibilities back. The Council agreed that would be the case and the Resolution would be edited. In the NOW THEREFORE, BE IT HEARBY RESOLVED clause, "HEARBY" would be removed as it was misspelled and the line "as long as there is a felony charge" would be added to the end. Members Selman and Backen stated they would amend their original motion to include the proposed edits.

48. **A roll call was taken. Ayes: Webb, Selman, Backen, Mayor Blonigan. Nays: Kline. The motion carried on a 4-1 vote.**

OTHER BUSINESS A: DISBURSEMENT REQUESTS

49. **Member Selman MOVED, seconded by Member Kline to approve disbursement requests for period ending 5/17/2022. The vote was unanimous and the motion carried.**

ADMINISTRATIVE REPORTS

50. Glick spoke about the work session from May 10 and the Council's decision to consider reducing speeds throughout the City. Glick stated there would be a public meeting at the June 7 Council meeting.

51. Glick reminded residents to take the community survey by visiting www.robbinsdalemn.com/survey. Leslie noted over 250 residents had already taken the survey.

52. Leslie gave an election update noting that the candidate filing period was open from 5/17 to 5/31 for wards 3 and 4.

53. Leslie wished Glick the best in her retirement.

COUNCIL GENERAL COMMUNICATIONS

54. Member Webb stated it was National Mental Health Awareness Month and that is was important to educate the community about the importance of mental health.

55. Member Webb asked for an update on the recall petition. Leslie provided Council with an update.

56. Member Selman stated he toured the water treatment plant and was very impressed with what he saw.

57. Member Selman summarized the comment from the Opportunity for the Public to Speak portion of the meeting.

58. Member Selman thanked Marcia for her service to the City and wished her a good retirement.

59. Member Backen complimented staff on the progress of the water treatment plant.

60. Member Backen stated there was two games going on at Manor Park soccer and softball fields and that the parking situation was bad and overcrowded. Member Backen asked city staff to look into solutions.

61. Member Backen thanked Glick for her service to the City.

62. Member Kline spoke about the water treatment plant tour and stated he was looking forward to softened water.

63. Member Kline detailed meetings he attended including the Bottineau Steering Committee meeting, and the School District GAC meeting. Member Kline also spoke about the 25 mile per hour speed limit discussion.

64. Member Kline thanked Marcia for being open and helpful to him and that the City would miss her.

65. Member Blonigan noted there was a mistake in the minutes from 5/3/22 on line 6. Instead of "... holding Member Kline accountable," it should have stated "... holding Council accountable." A consensus of Council was ok with the change.

66. Member Webb thanked Marcia for her service to the community and for being so accessible to her.

67. Mayor Blonigan stated he had a meeting with Commissioner Lunde about the building at 42^{nd} Ave N and West Broadway. Mayor Blonigan stated the County is looking at signage to put in front of the building as it has been hit by multiple cars. Mayor Blonigan also stated that Robin Hotel was purchased by the County and would be run by a non-profit.

68. Mayor Blonigan spoke about the water treatment plant tour and features.

69. Mayor Blonigan thanked Glick for her service and noted her work ethic, honesty, and expertise. Mayor Blonigan also said no City Manager had ever done a better job than her.

70. Glick spoke about her time at Robbinsdale and stated she loved working for the City and being a part of the community.

71. Mayor Blonigan asked for a roll call to adjourn the meeting and would vote no because he did not want Glick to leave.

Adjournment:

72. **Member Selman MOVED, seconded by Member Backen to adjourn the meeting at 9:25 p.m. A roll call was taken. Ayes: Webb, Selman, Backen, Kline. Nays: Mayor Blonigan.**

Dustin Leslie, City Clerk

William A. Blonigan, Mayor