

City of Robbinsdale
CITY COUNCIL MINUTES
MAY 19, 2020
Meeting No. 10

CALL TO ORDER

1. Mayor Murphy called the meeting to order at 7:00 p.m.

ROLL CALL

2. Present: Selman, Backen, Blonigan, Rogan, Mayor Murphy
Staff: Marcia Glick, City Manager; John Tingley, Assistant to City Manager; Richard McCoy, Public Works Director/City Engineer; Rick Pearson, Community Development Coordinator.

OPPORTUNITY FOR THE PUBLIC

3. Mark Haase, 4531 Robin Circle, requested a no wake restriction on South Twin Lake at all times. Currently, City Code has no wake restrictions from 12:00 p.m. to 6:00 p.m. and boaters are not following that. He is concerned about shoreline erosion and safety of canoers and other users of the lake. A recent survey showed that most homeowners on South Twin Lake favor a no wake restriction.
4. Glick stated that the request would require a change in City Code. Process typically takes 60-90 days. Some councilmembers interest in getting additional information. Staff will review and draft a proposed ordinance for Council to consider.
5. Gina Cernohaus, 2725 Parkview Boulevard, asked that the May 5th meeting minutes be corrected to stated that an email she sent to the city in 2018 mentioned her concern of her neighbor's property being used as multi-dwelling units. She explained an encounter between a juvenile living at the neighbors and her dog. She wants the city to act quickly and wants to know how she can file claim against the city.
6. Rick Pearson said that a warning letter will be sent out to the property this week with request of permission to inspect the property.
7. Andrew Biggerstaff stated that if the property owners don't allow inspection, generally the city would need an administrative search warrant to inspect the property.
8. Selman asked about consequences for the property owner.
9. Pearson mentioned that zoning code violations are misdemeanors. Typically, the property owner is given an opportunity to correct the issue before administrative fines start being issued.
10. Blonigan asked what if the information was observed without a search warrant.
11. Glick stated that the issues is if three separate dwelling units were created within the interior of the home, which would require an inspection.

12. Pearson said that staff would look for separate lockable units and separate kitchen areas.
13. Blonigan asked Ms. Cernohaus if the individuals observed two years ago were the same or different people observed now.
14. Cernohaus stated that two of the three families are the same. She stated her disagreement with the Zoning Code definition of family.

APPROVAL OF AGENDA

15. Tingley and Glick mentioned Consent C had been updated removing a license application for fireworks sales as staff investigates the details further.
16. Member Selman **MOVED**, seconded by Member Rogan to approve the May 19th meeting agenda. **The vote was unanimous and the motion carried.**

CONSENT AGENDA

17. Member Blonigan **MOVED**, seconded by Member Backen to approve the Consent Agenda items. **The vote was unanimous and the motion carried.**
 - A. Motion to approve and order placed on file minutes of the City Council meeting on 05/05/20.
 - B. Motion to affirm the action of the City Manager and support the appointment of John Tingley as City Clerk commencing May 19, 2020.
 - C. Motion to approve issuance of licenses dated May 19th, 2020.
 - D. Motion to approve the April 2020 payment for City credit card changes.
 - E. Motion to approve the March 2020 payment for City credit card changes.
 - F. Motion to authorize the Mayor and City Manager to execute the license for the use of 4364 Grimes shown in Attachment 1.
 - G. Motion to authorize a change to the Professional Services Contract with AE2S for the additional work associated with the inclusion of Soda Ash in the treatment process, the inclusion of Solar and additional site and stormwater design at the proposed Water Treatment Plant at an additional cost not to exceed \$201,000.
 - H. Future Water Treatment Plant Site at 3648 Lee Avenue North
 - Motion to waive the reading and order the adoption of Resolution No. XXXX," A RESOLUTION AUTHORIZING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR THE PROPERTY AT 3648 LEE AVENUE NORTH TO BE SUBMITTED TO THE METROPOLITAN COUNCIL."
 - Motion to hold the Second Reading of Ordinance 20-04, "AN ORDINANCE

REZONING 3648 LEE AVENUE NORTH FROM R-3, MEDIUM DENSITY
RESIDENTIAL TO P, PUBLIC FACILITIES.”

- I. Motion to approve the letter of support for a Three Rivers Park District Regional Special Recreation Feature as shown as Attachment 2.

Presentation A: Annual Presentation by Fire Chief Guy Dorholt

18. Fire Chief Guy Dorholt presented the annual report on the activities of the fire department.
19. Selman asked if the department conducts training for railroad response events.
20. Dorholt said that in 2019 the department did not have an opportunity to conduct a class on railroad response. In early 2020 BNSF did sponsor a webinar on railroad response that 4 firefighters attended.
21. Blonigan asked if the City has a automatic mutual aid agreement with Golden Valley.
22. Dorholt confirmed that the cities have an automatic mutual aid agreement and that Robbinsdale assists in an area between Highway 100 and the southern and eastern borders of Golden Valley.
23. The Council thanked the fire department for their commitment to training and service. The Council agreed the department sets the standard for on-call departments the size of Robbinsdale.

Public Hearing A: Revocation Hearing of Domestic Animal Permit – Four (4) Hen Chickens at 3916 Vera Cruz Avenue North.

24. Tingley presented the staff report.
25. Blonigan asked the City Attorney if it's possible in this situation to revoke the permit and staying revocation with conditions.
26. Biggerstaff confirmed that revoking the permit and staying revocation with conditions would fall within the authority of city council.
27. Mayor Murphy and Glick discussed the limits on the number of hen chickens within city code.
28. Claire Winkels, 3916 Vera Cruz, said that she does not have a rooster and that they're their pets. Council is invited to view the chickens.
29. Mayor Murphy explained that the council is obligated to follow-up on complaints from residents.
30. Winkels explained the negative relationship between them and their neighbor.
31. Blonigan stated that the permit application was for four chickens and that she is found to have more than four chickens. He would like to put in conditions to revoke the permit and stay the revocation to give time for the applicant to come into compliance.

32. Backen is okay with a new application but is concerned about past compliance issues with the permit holder and concerns raised by neighbors.
33. Glick said that the application must include the amount, sex and species of the chickens.
34. Selman stated that he has heard a rooster when walking past the property of the permit holder. Through the application process it was clear that the request was for four hen chickens. He believes the permit should be revoked.
35. Daniel Lynch, 3916 Vera Cruz, stated they had two chickens previously and then added two more chickens and applied for the permit. The chickens are their pets.
36. Biggerstaff and Glick discussed the hearing process.
37. Winkels asked for time to comply with approved amount of chickens and have the opportunity for another inspection.
38. Blonigan suggested that if the applicant wants more than 4 chickens, they should re-apply.
39. Member Selman **MOVED**, seconded by Member Backen to revoke the domestic animal license for four 4 hen chickens and allow 30 days to rehome the chickens.
40. Mayor Murphy stated he would be open to giving the permit holder time to come into compliance with the permit.
41. Rogan stated he agreed with Mayor Murphy and that the permit holder should come forward with a new application if they want more than 4 chickens.
42. **Ayes: Selman, Backen. Nays: Blonigan, Rogan, Mayor Murphy. The motion failed.**
43. Rogan inquired if the permit holder had a place to move the chickens within a week to come into compliance of the permit.
44. Member Blonigan **MOVED**, seconded by Rogan that the Council finds the permit holder is not in compliance with the permit issued and to revoke the domestic animal permit with revocation stayed until May 26th on conditions that staff is allowed to inspect and confirm the permit holder has come into and maintains compliance with the approved amount of chickens and other conditions listed in the permit.
45. Winkels stated that she agrees with the motion and will come into compliance.
46. Mayor Murphy stated that council and staff are very accessible and if this issue comes back to council, the permit will likely have little support.
47. **Ayes: Blonigan, Rogan, Mayor Murphy Nays: Selman, Backen. The motion carried.**

OTHER BUSINESS A - Voucher Request Pending Approval for Disbursement

48. Member Selman **MOVED**, seconded by Member Backen to approve disbursement requests for period ending 05/19/20. **The vote was unanimous and the motion carried.**

ADMINISTRATIVE REPORTS

49. Glick stated that council filing period has opened for Mayor and Councilmember Wards 1 and 2. If someone wants to see who has filed, they are encouraged to visit the Minnesota Secretary of State website. The website is updated frequently.

Absentee voting begins June 26th at City Hall. Staff is working on a plan for voting while maintaining the current staff setup. Glick thanked City staff for their positive attitudes during this pandemic.

Staff heard a presentation earlier in the day on the proposed streetscape project in downtown. The council can expect an opportunity to review the concept at a special work session on June 9th.

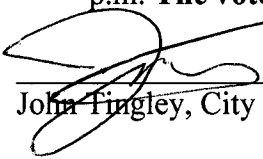
Continuing work with the Police Department on door-to-door sales and making sure they are applying for the necessary licenses.

COUNCIL GENERAL COMMUNICATIONS

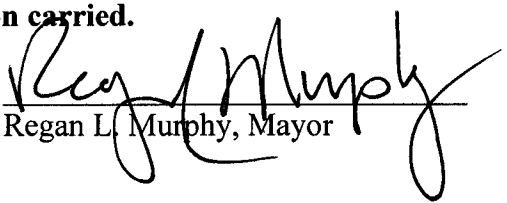
50. Backen thanked the public for donating to the Downtown flower baskets and that donations are about half way. The public can go to the Birdtown Baskets GoFundMe page to make a donation.
51. Blonigan said he intends to follow up with staff on the solar panels for the water treatment plant.
52. Glick discussed the fireworks license applied for at the site of Hy-Vee that was removed from Consent C. City Code may conflict with state statute. Hy-Vee has a Conditional Use Permit for garden sales along 36th Avenue. Staff is reviewing the situation and will provide an update.

ADJOURNMENT

53. Member Blonigan **MOVED**, seconded by Member Selman to adjourn the meeting at 8:29 p.m. **The vote was unanimous and the motion carried.**



John Fingley, City Clerk



Regan L. Murphy, Mayor