City of Robbinsdale
CITY COUNCIL MINUTES
June 19, 2018
Meeting No. 13

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

ROLL CALL
2. Present: Backen, Blonigan, Selman, Mayor Murphy
   Absent: Rogan
   Staff: Marcia Glick, City Manager;
   Rick Pearson, Community Development Director
   Larry Jacobson, Finance Director
   Andrew Biggerstaff, City Attorney

OPPORTUNITY FOR THE PUBLIC
3. Mayor Murphy opened the floor to anyone wishing to speak on any items not on the agenda.

4. No one came forward.

APPROVAL OF AGENDA
5. Glick reported the addition of two consent items: Consent I – credit card charges for May 2018 and Consent J – Use of Spanjers Park for the Whiz Bang Days softball tournament on July 7^{th}.

6. Member Selman **MOVED,** seconded by Member Backen to approve the agenda with the additions as noted above. **The vote was unanimous and the motion carried. (Rogan absent.)**

CONSENT AGENDA
7. Member Blonigan **MOVED,** seconded by Member Backen to approve the Consent Agenda.**The vote was unanimous and the motion carried. (Rogan absent.)**

   Items approved are as follows:

   A. Motion to approve and order placed on file minutes of the City Council meeting on 06/05/18 and City Council Work Session minutes on 06/05/18.

   B. Motion to acknowledge the receipt and placing on file minutes of the following Commissions and Boards:
   Senior Commission Minutes of May 7, 2018

   C. Motion to approve issuance of licenses from list dated 06/19/18.

D. Motion to waive the reading and order the adoption of Resolution No. 7651 "A RESOLUTION AUTHORIZING DEMOLITION OF BUILDING AT 4205 WEST BROADWAY"

E. Motion to approve the event application from the TCJHOP, 3620 43rd Avenue North, for use of approximately 1.7 miles of city streets around Crystal Lake for their 2018 Run Walk event from 8:00 a.m. to 12 noon on Saturday, September 8, 2018.

F. Motion to approve the new wall sign on the Ace hardware building elevation facing the alley and Bottineau Blvd. located at 4142 W Broadway.

G. Motion to approve the freestanding sign for Travail with the following conditions:
- The interior illumination shall not be turned on.
- Future signs for Pig Ate My Pizza or other restaurant uses in the space will only have direct illuminated sign in conformance with the city code

H. Motion to approve an off-site banner for the Robbins Gallery to be located at EMI, 4719 42nd Ave N. and that that the fees be waived.

I. Motion to approve the May 2018 Payment for city credit card charges.

J. Motion to approve use of Spanjers Park for WBD softball July 7 8am to end of tournament – details in report.

PUBLIC HEARING A: Chickens 3251 Indiana Ave N

8. Glick reviewed the staff report noting that a neighbor had called, but didn't want to be on the record. The permit is only for 2018.

9. Blonigan asked about a lot next door which had been vacant. The applicant indicated that a new home had been constructed on that lot.

10. Mayor Murphy opened the public hearing for the request by Ashley Kensley, 3251 Indiana Ave N to have a permit for 6 chickens.

11. Alex Palmer, 3308 Indiana Ave N, has lived there a year and a half. Concerned about the noise, doesn't want to hear clucking chickens.

12. Ash Kensley, 3251 Indiana Ave N, has owned chickens at her last home and as a child. Her experience is that the chickens aren't very loud, there wouldn't be a rooster, and the chicken and run would be far back on the lot by the railroad.

13. Member Selman **MOVED**, Second by Backen to close the public hearing. **The vote was unanimous and the motion carried. (Rogan absent.)**

14. Member Selman **MOVED** Second by Backen to approve the permit request for six hen chickens at 3251 Indiana Ave N, subject to the conditions in the staff report.

15. Selman noted that several permits had been issued by the council and although there were concerns in advance, there haven't been complaints once the chickens were there.

16. Backen noted the permit is just through the end of 2018. If there are noise concerns, contact the neighbor. If concerns continue contact city staff or council members.

17. Blonigan agreed that people have not come back to complain after the permit is issued. He cited examples of previous approvals. He encouraged the applicant to work proactively with the neighbors.

18. The applicant requested a copy of the conditions. Glick confirmed that the hens would be confined in the coop or the fenced run.

19. **The vote was unanimous and the motion carried. (Rogan absent.)**

PUBLIC HEARING B: Beer and Wine License for Marna's Café

20. Glick reviewed the staff report noting that the police have completed the background investigation and approve issuance of the license.

21. Mayor Murphy opened the public hearing for the proposed wine and beer license for Marna's Café.

22. Rolando Diaz, 4150 W Broadway indicated that the request was to have options for customers and possibly staying open a little later in the winter.

23. Member Blonigan **MOVED**, Second by Backen to close the public hearing. **The vote was unanimous and the motion carried. (Rogan absent.)**

24. Member Backen **MOVED**, seconded by Member Blonigan to approve the issuance of the license to Rolando J. Diaz, dba Marna's Café, 4150 W Broadway. **The vote was unanimous and the motion carried. (Rogan absent.)**

PUBLIC HEARING C: Consideration of Birdtown Flats Apartment Development Project: Consideration of Redevelopment Plan Area 13 and Tax Increment Financing District 13

25. Glick noted that there were a number of items related to the development that would be held together, the first action pertaining to tax increment financing. She reviewed the staff report for Consideration of Redevelopment Plan Area 13 and Tax Increment Financing District 13 for Birdtown Flats apartments. The plan documents outline the public purposes and objectives to be accomplished by the Redevelopment Project. The project area is bounded by 36th, CR81, France/West Broadway terminating just south of the funeral home at 3888 W Broadway. The Tax Increment Financing Plan also shows the full potential for generation of tax increment funding throughout the maximum life of the District. Glick pointed out the project summary prepared by Ehlers in Attachment 4 and noted that Jason Aarsvold is in attendance if council members have any questions. If the tax increment plan documents are approved by the city council, a special REDA meeting immediately following the Council meeting would consider the development agreement for the project. The proposal is for 152 unit market rate apartment project with many amenities. It is a private development on private property and planning review was completed in 2017.

26. Mayor Murphy opened the public hearing. No one wished to address the council.

27. MOVED by Backen seconded by Selman to close the public hearing. **The vote was unanimous and the motion carried. (Rogan absent.)**

28. Glick noted that assistance to the Developer is a pay-as-you-go privately financed TIF note of $2.5M at 5.5% interest expected to be repaid in 10-11 years. There are no funds coming from the city directly.

29. MOVED by Selman seconded by Backen to waive the reading and order the adoption of Resolution No. 7652 "RESOLUTION ESTABLISHING REDEVELOPMENT PROJECT NO. 13 AND ADOPTING A REDEVELOPMENT PLAN THEREFOR AND ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 13 - BIRDTOWN FLATS THEREIN AND ADOPTING A TAX INCREMENT FINANCING PLAN THEREFOR"

30. Blonigan noted this is the first market rate non-senior development in Robbinsdale in decades. The developer deserves a lot of credit for bringing a project that is projected to pay off the tax increment note in 10-11 years.

31. Selman reported on his recent visit to a similar building the developer just completed in Victoria.

32. Backen thanked Bill Beard for working with the city council on design modifications.

33. Murphy indicated that it was a good use of the tax increment tool. The city council has been talking to the developer for about a year through the plan design and financing and the result is good.

34. Bill Beard, The Beard Group, indicated that they hope to break ground before mid-July. The total project costs will be over $30 Million. Jason Aarsvold, Ehlers, anticipated assessed value would be $26.6Million. If the TIF District was open for the full term it could generate $17Million, but in this case assistance is $2.5 Million plus interest.

35. **The vote was unanimous and the motion carried. (Rogan absent.)**

<u>**Birdtown Flats – Park Dedication Fee and Site Clearance**</u>

36. Glick noted that the final plat was not quite ready and would come back most likely at the July 10th meeting.

37. Pearson reviewed the information on park dedication fees in the staff report. In residential plats there is typically a requirement for park dedication related to the needs of the development. In this case there are significant amenities provided on site. He noted an additional action for demolition of the office building on the site.

38. Blonigan suggested that the amenities should be noted in the action to waive the fees.

39. Glick concurred noting the previous waiver was for the Parker Village plat which was required to provide trails as well as a tot lot.

40. **MOVED** by Blonigan, second by Selman to waive the required park dedication based upon the finding that park dedication is not necessary for the protection or promotion of the public health, safety and welfare pursuant to Section 500.31, Subd. 4 and in that the project contains numerous recreational components including the roof top patio, common space, outside picnic area, bocce court, fitness center, dogpark, dog washing area, bike racks and bike repair station. **The vote was unanimous and the motion carried. (Rogan absent.)**

41. **MOVED** by Selman, second by Blonigan to waive the reading and adopt Resolution No. 7653"A Resolution Approving Demolition of Office Building to Make Way For Construction of Birdtown Flats Apartments (3735 Lakeland)." **The vote was unanimous and the motion carried. (Rogan absent.)**

42. Bill Beard indicated the current schedule anticipates site preparation starting July 16th and first move in around August 2019. Target for completion November 2019.

OLD BUSINESS A: Second Reading Ordinance 18-04 Liquor Code Updates

43. Glick reviewed the staff report.

44. Selman suggested that on-site caterers should be added to the list of food options in the final line of the highlighted description.

45. Blonigan asked for review of the requirements for the special requirements for large facilities. Glick reviewed the information. The exception is only for a large establishment with significant beer production.

46. Member Blonigan **MOVED**, second by Member Backen to hold the 2nd reading of Ordinance 18-04 – "AN ORDINANCE AMENDING CITY CODE SECTION1200 TO DEFINE BREW PUB AND OFF-SALE HOURS; SECTION 1205 TO ADD BREW PUB ON AND OFF SALE LICENSE; AND SECTION 1210 ON-SALE WINE LICENSE TO ALLOW AN ON-SALE WINE LICENSE FOR A BREW PUB WITH RESTAURANT FACILITIES" with the addition of caterers.

The vote was unanimous and the motion carried. (Rogan absent.)

NEW BUSINESS A: Special Event Request – Wicked Wort July 13 5-10:30 pm

47. Glick reviewed the staff report. The event to be held during Whiz Bang Days is not a WBD event and will be held at the same time as the block party. Upon review the police department was requiring one officer to be hired for this event.

48. Murphy suggested having Whiz Bang Days ask Sacred Heart to make their parking lot available for the Friday evening of Whiz Bang Days.

49. Amanda Carlyle, 4165 West Broadway, indicated that the tent will have sides which will both keep the jazz music in and the other music out. There would be only one way in and out and it would be a 21 plus event. There would also be a special tent with prizes for those using taxi, UBER, LYFT, bicycle or alternative means of transportation reducing the need for parking. She indicated that the noise in the past has not been a concern at their area.

50. **MOVED** by Selman, second by Blonigan to approve the special event request for Wicked Wort on July 13, from 5-10:30 p.m. **The vote was unanimous and the motion carried. (Rogan absent.)**

NEW BUSINESS B: City of Robbinsdale Comprehensive Annual Financial Report

51. Jacobson reviewed the staff report noting that it is a clean and unmodified opinion and in compliance with state statutes. He introduced Aaron Neilson to present the highlights from the Comprehensive Annual Financial Report for 2017.

52. Aaron Neilson, MMKR the firm which audited the city's financial statments, reviewed information in the presentation included in the council packet. He noted the continued finding regarding inadequate segregation of duties.

53. Blonigan requested further information on this matter.

54. Neilson noted that it is not uncommon for smaller cities. Jacobson noted several examples including that the person preparing utility bills may also help opening and entering payments into the system. Staff adjusts for the concern by assuring that different people do account reconciliation and count cash than those entering information.

55. After the presentation Blonigan inquired as to whether Neilson had any suggestions for efficiencies that Robbinsdale's staff could make.

56. Neilson noted that there had not been anything in particular and that the city has been making improvements on addressing concerns of segregation of duties.

57. **MOVED** by Selman, second by Backen to acknowledge the receipt of the City's Audited Comprehensive Annual Financial Report for the year ended December 31, 2017, Auditors Management Report, and Special Purpose Audit Reports as submitted by Malloy, Montague, Karnowski, Radosevich & Co., P.A. and direct staff to distribute the report to other agencies as required **The vote was unanimous and the motion carried. (Rogan absent.)**

NEW BUSINESS C: City's Award for Financial Reporting

58. Jacobson stated that the City received the Certificate of Excellence in Financial Reporting for 2016, issued by the Governmental Finance Officers Association. The City has received the award for 38 consecutive years. This is the highest form of recognition in financial reporting and recognition is reflected in financial ratings. The city first received the award at the end of 1979. It represents professionalism and commitment of numerous individuals and many hours of hard work as well as dedication and leadership by city management and the city council. The award is recognized positively by bond reviewers.

59. The Mayor thanked staff for their work.

NEW BUSINESS D: First Reading – Amend Composition of Senior Commission

60. Glick reviewed the staff report.

61. **MOVED** by Member Selman, seconded by Member Backen to hold the first reading of Ordinance No. 18-06 "AN ORDINANCE AMENDING CITY CODE SECTION 320 REGARDING COMPOSITION OF THE SENIOR COMMISSION" **The vote was unanimous and the motion carried. (Rogan absent.)**

NEW BUSINESS E: Redevelopment Agreement including Business Subsidy: ProMeals 4131-35 W Broadway

62. Glick reviewed the staff report noting distribution of an updated staff report and resolution. After reviewing high costs for renovation the building owner determined it would be a better idea to try to spend the money towards a new building. Earlier this evening Robbinsdale EDA agreed to enter into a redevelopment agreement. Part of the assistance is from a Hennepin County grant which is tied to job retention and creation related to a project valued over $1 Million, the remainder of the business subsidy writes down the acquisition cost of the site. While REDA has approved the agreement the City Council must approve assistance (business subsidy) when over $150,000; the total business assistance would be $453,000. Additional assistance is being provided related to relocation of utilities which impact other businesses.

63. **MOVED** by Member Blonigan, seconded by Member Backen to waive the reading and order the adoption of the resolution No. XXXX, "A RESOLUTION APPROVING A CONTRACT FOR PRIVATE REDEVELOPMENT BY AND BETWEEN THE ROBBINSDALE ECONOMIC DEVELOPMENT AUTHORITY AND PROMEALS, LLC, INCLUDING A BUSINESS SUBSIDY AGREEMENT" with modifications clarifying that some public hearing were made orally and in writing and also combining listing in section 2 that the business subsidy agreement is a part of the redevelopment agreement. **The vote was unanimous and the motion carried. (Rogan absent.)**

OTHER BUSINESS A: Motion to approve disbursement requests for period ending 06/19/18.

64. Member Backen **MOVED**, seconded by Member Selman to approve disbursement requests for period ending 06/19/18. **The vote was unanimous and the motion carried. (Rogan absent.)**

ADMINISTRATIVE REPORTS

65. Glick reported that the 1st meeting in July would be held on July 10th following REDA meeting starting at 6:00 p.m.

COUNCIL COMMUNICATIONS

66. Selman noted that the city approved a lot of big financing things recently and there are more coming in the near future. It's similar to what we have always done. In reflecting on the financial report provided this evening noted that the city remains in a solid financial position even with this practice. Ultimately the big projects will help the overall picture for the city.

67. Selman attended the Whiz Bang Days committee meeting Monday night and they are working feverishly on the upcoming festival. T-shirts and buttons will be available soon. This is the 70th year of Whiz Bang Days.

68. Selman requested staff to provide an update on the progress on the dog park at Sochacki Park. Glick noted that contractors had provided prices and she would provide an update in Friday's communications.

69. Selman requested an update on the landscaping violation at Robins Way. Pearson replied that Common Bond will be requesting an amendment to the conditional use permit for alternate landscaping. Blonigan asked that any request include the percentage of the development surface that was impervious. Council members indicated that the previous plan was part of the consideration of approval.

70. Blonigan noted that flyers are being circulated regarding community workshops the first of which will be held on June 27th. The workshops will be seeking guidance on what the development of the LRT Station area should look at. Glick confirmed that the information is on the city FaceBook page and the weekly news of June 22nd which is posted on the city website.

71. Murphy noted that the Robbinsdale Diggers Club is seeking nominations for garden awards, the Robbin Gallery has events coming up, and the Robbinsdale City Band will be performing at Brookview picnic area on June 21st. All of these events are noted in the weekly city news report.

72. Selman asked Glick to relay a report of a dead tree in the boulevard at 4112 Yates. Murphy reported dead trees on the south side of County Road 9 near Chowen. Both will be reported to the City Forester.

ADJOURNMENT

73. Member Selman **MOVED** seconded by Member Backen to adjourn the meeting at 8:42 p.m. **The vote was unanimous and the motion carried. (Rogan absent.)**

Marcia Glick

Marcia Glick, Recorder

Regan L. Murphy

Regan L. Murphy, Mayor