



CITY COUNCIL MEETING
June 21, 2016
4100 Lakeview Avenue North
Robbinsdale, Minnesota
7:00 p.m.

A G E N D A

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.

1. CITY COUNCIL MEETING CALLED TO ORDER
2. ROLL CALL: Rogan, Selman, Backen, Blonigan, Mayor Murphy
3. **MICROPHONE CHECK:** Blonigan, Rogan, Selman, Backen, Mayor Murphy
4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL ON MATTERS NOT ON THE AGENDA
5. APPROVAL OF THE June 21, 2016 MEETING AGENDA

CITY COUNCIL MEETING AGENDA

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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 regular City Council meeting of June 7, 2016, City Council Work Session of 06/07/16 and, City Council Work Session of 06/14/16. | 1-9 |
| B. Motion to approve issuance of licenses from list dated June 21, 2016. | 10-11 |
| C. Motion to approve the Robbinsdale Wine & Spirits for the months of May 2016. | 12-15 |
| D. Motion to approve the Deputy Registrar's financial reports for the month of May 2016. | 16-17 |
| E. Motion to approve the "Art on the Lawn" event on Saturday, July 9, 2016 from 9:00 a.m. to 4:00 p.m. with the closure of Railroad Avenue from 42 nd Avenue North (County Road 9) to the "Y" at Perry Avenue; and, approve the time extension of three hours for event. | 18 |
| F. Motion to approve the block party application from David Leonhardt, Board Chair of Save the Historic Terrace Theatre, for use of the lawn at Robbinsdale Historical Society, 4915 42 nd Ave North on Saturday, September 24 th for their outdoor event in recognition of the 65 th anniversary of the Terrace Theatre. | 19 |
| G. Motion to authorize the Mayor and City Manager to execute the Agreement for County property assessment for the 2017 – 2020 assessment upon review by the City Attorney, as well as any other related documents deemed necessary by the City Attorney. | 20 |
| H. Motion to authorize the City Manager and Finance Director to issue a Purchase Order for soil boring work with Northern Technologies for an estimated cost of \$27,350.00. | 21 |
| I. Motion to waive the reading and order the adoption of Resolution XXXX "A RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT FOR PARTIAL ROOF WORKS AT THE PUBLIC SAFETY BUILDING – CITY PROJECT 12916." to McPhillips Brothers Roofing Company of St. Paul, MN. | 22-27
(Res.26-27) |

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- J. Motion to accept the comments from the neighborhood and the Planning Commission related to the addition of angled parking on Abbott Ave. N. between Lowry Ave. N. and 30th Ave. N. 28-34
- K. Motion to hold the FIRST READING of the Ordinance 16-XX "AN ORDINANCE AMENDING CITY CODE SECTION 535 ADMINISTRATIVE PROCEDURES TO BE CONSISTENT WITH THE CITY CHARTER SECTION 3.04." 35-41 (Ord.40-41)
- L. Motion to hold the FIRST READING of the Ordinance 16-XX "AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE TO ALLOW COMMON BOUNDARY LINE RELOCATIONS AS AN EXCEPTION TO PLATTING REQUIREMENTS." 42-45 (Ord.45)

PRESENTATIONS

- A. Whiz Bang Days 46-48
Introduction by, Tom Marshall and presentation by, Candy Norton; President of Whiz Bang Days.

Motion to approve the request for Robbinsdale Whiz Bang Days' activities and locations from Thursday, July 7th to Sunday, July 10th, 2016.
- B. Heart of Robbinsdale Community Foundation 49
An update on Foundation activities presented by, Bob Zagaros (HORCF – Chair).
- C. Annual Financial Audit Report for 2015 50
Presented by, Mr. Aaron Nielsen, CPA of MMKR & Co., P.A.

Motion to approve the receipt of the City's Audited Comprehensive Annual Financial Report for the year ended December 31, 2015; Auditor's 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.
- D. City's Award for Financial Reporting 51
Certificate of Achievement for Excellence in Financial Reporting presented by, Larry Jacobson.

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PUBLIC HEARING

- A. There are no Public Hearing items scheduled.

OLD BUSINESS

- A. Consideration of revoking or suspending the rental license at 3333 Halifax Ave. N. action tabled. 52-65
- Motion to suspend or revoke the rental license at 3333 Halifax Ave. N. held by Affordable Homes LLC for violations of Section 505.09, Subd. 67, Home Occupations of City Code.
 - Or -
 - Motion to table action regarding the disposition of the rental license for 3333 Halifax Ave. N. pending the outcome of the Housing Court Hearing.

NEW BUSINESS

- A. FIRST READING of an Ordinance to opt-out of a new state law permitting temporary family health care dwellings. 66-73 (Ord.73)
Motion to hold the FIRST READING of the Ordinance 16-XX "AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593."
- B. FIRST READING of an Ordinance amending the sign ordinance to allow "teardrop banners." 74-79 (Ord.78-79)
Motion to hold the FIRST READING of the Ordinance 16-XX "AN ORDINANCE AMENDING THE SIGN ORDINANCE TO ALLOW TEARDROP BANNERS AS TEMPORARY SIGNS."

OTHER BUSINESS

- A. Letter to Legislators Regarding Special Session 80-82
Motion to authorize the Mayor to execute letters supporting a special session to complete unfinished work and for inclusion of omnibus transportation funding in a special session agreement.
- B. Voucher Request Pending Approval for Disbursement 83
By motion, approve disbursement requests for period ending June 21, 2016.

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ADMINISTRATIVE REPORTS

COUNCIL GENERAL COMMUNICATIONS

ADJOURNMENT

Marcia E. Glick

Marcia Glick, City Manager

ITEMS PENDING OR UNDER STUDY FOR COUNCIL CONSIDERATION

ITEM	DEPARTMENT RESPONSIBILITY	ANTICIPATED AGENDA DATE
1. 3900 36 th Update on Compliance with 06-30-16 Deadline.		07-05-16

City of Robbinsdale
CITY COUNCIL MINUTES
June 7, 2016
Meeting No. 11

CALL TO ORDER

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

ROLL CALL

2. Present: Blonigan, Rogan, Selman, Backen, Mayor Murphy
Staff: Marcia Glick, City Manager; Rick Pearson, Community Development Coordinator; Melissa J. Manderschied, City Attorney.

OPPORTUNITY FOR THE PUBLIC

3. Mayor Murphy opened the floor to anyone wishing to speak on any items not on the agenda and hearing none, he closed the floor.

APPROVAL OF AGENDA

4. Member Rogan **MOVED**, seconded by Member Backen to approve the agenda.
The vote was unanimous and the motion carried.

CONSENT AGENDA

5. Member Blonigan pulled consent items D & H.
6. Member Selman **MOVED**, seconded by Member Backen to approve the Consent Agenda. **The vote was unanimous and the motion carried.**
7. Items approved are as follows:
 - A. Motion to approve and order placed on file minutes of the regular City Council meeting of May 17, 2016.
 - B. Motion to acknowledge receipt and placing on file minutes of the following Commissions and Boards:
 - Parks, Recreation & Forestry Commission for 03/22/2016 and 04/26/2016.
 - Senior Commission for 04/04/2016.
 - C. Motion to approve issuance of licenses from list dated June 7, 2016.
 - D. (Removed by Council Member Blonigan).
 - E. Motion to hold **SECOND READING** of the Ordinance 16-07 "AN ORDINANCE AMENDING THE PROPERTY MAINTENANCE

CODE, CITY CODE SECTION 425.”

- F. Motion to approve the Deputy Registrar’s financial reports for the months of March and April 2016.
- G. Motion to approve the Robbinsdale Wine & Spirits for the months of March and April 2016.
- H. (Removed by Council Member Blonigan).
- I. Actions pertaining to FTA TOD Planning Opportunity:
 - Motion to waive the reading and order the adoption of the Resolution 7499 “A RESOLUTION SUPPORTING APPLICATION TO FEDERAL TRANSIT AUTHORITY TRANSIT-ORIENTED DEVELOPMENT PLANNING PILOT PROGRAM FOR BLUE LINE EXTENSION ADVANCED STATION AREA PLANNING.”
 - By motion, authorize the Mayor and City Manager to execute a Memorandum of Understanding or letter of Intent with the Metropolitan Council or Metro Transit outline the roles and responsibilities of grant administration allowing Metro Transit to apply for funds on behalf of the cities which have land use authority.
 - By motion, authorize the Mayor and City Manager to execute a letter confirming Robbinsdale’s commitment to supply up to \$15,000 for the local match required for the program.
- J. Motion to hold the FIRST READING of the Ordinance 16-08 “AN ORDINANCE AMENDING VARIOUS SECTIONS OF CITY CODE TO UPDATE REFERENCES.”

PULLED CONSENT ITEMS:

- 8. Member Blonigan pulled consent items D & H.
- 9. **Item D:** Member Blonigan indicated concern about the proposed change to item 10 on page 13 related to repair of motor vehicles. The current city code is clear that no repair shop is allowed on the premises; the proposed amendment seems to open the door to year round repair of vehicles being repaired for resale. After discussion consensus was to edit the language and continue studying that section.
- 10. Member Blonigan **MOVED**, seconded by Member Backen to hold the 2nd reading of Ordinance No. 16-06 “AN ORDINANCE AMENDING THE ZONING

ORDINANCE TO CLARIFY HOME OCCUPATION STANDARDS” with the following amendments:

- 515.01, subd. 3(c)(6) “there shall be no exterior display or exterior signs except as allowed in the sing regulations...
- 515.01, subd. 3(c)(10) “prohibited home occupations include, but are not limited to the following: repair shops [*language removed*] or any activity that requires welding, painting, metal fabrication or any activity producing hazardous materials or waste.”
- 515.01, subd. 3(c)(12) “any activity that may cause glare, smoke, dust or other particulate matter....

The vote was unanimous and the motion carried.

11. **Item H:** On review, Member Blonigan determined no changes were needed.
12. Member Blonigan **MOVED**, seconded by Member Selman to hold the SECOND READING of the Ordinance 16-05 “AN ORDINANCE VACATING EXCESS RIGHT OF WAY AT TWIN OAK LANE IN ROBBINSDALE, MINNESOTA (VAC 16-1).”
The vote was unanimous and the motion carried.

PRESENTATION:

13. There was no presentation item scheduled.

PUBLIC HEARING:

14. There was no public hearing item scheduled.

OLD BUSINESS A: Final Plat for “Robbins Beach 3rd Addition

15. Pearson reviewed the staff report for the Final Plat, recommending that the Council adopt the Resolution.
16. Member Blonigan **MOVED**, seconded by Member Rogan to Resolution 7500 “A RESOLUTION APPROVING THE ROBBINS BEACH 3RD ADDITION FINAL AND AUTHORIZING ITS EXECUTION BY THE MAYOR AND CITY CLERK” with the following amendment:
 - “That the applicant at its sole expense, record the plat at the office of the Hennepin County Recorder and/or Registrar of Titles.”**The vote was unanimous and the motion carried.**

NEW BUSINESS A: Hearing to consider revoking or suspending the rental license at 3333 Halifax Ave. N.

17. Pearson reviewed the staff report and noted that the property owner and tenant were present at the meeting.
18. Mayor Regan opened the Hearing for comments.

19. Nam Bui of 341 Jolly Lane, Columbia Heights, MN (property owner): Stated that she was not familiar with the laws and rules of the City of Robbinsdale. She asked the Council not to revoke her license. She indicated that she had been out of the country and that her tenant assured her in text correspondence that the matter was being handled.
20. Kasey Racette, 3333 Halifax Ave North, Robbinsdale, MN: commented on the number of vehicles owned on the property and said that she didn't understand the severity of the situation where repairs were being made on the many vehicles they own plus family members vehicles. She was under the impression that they could work on cars as a hobby but not commercially for profit. The resident and her partner own nine vehicles, works for Schmitt Towing and has lived on the property for almost two years as of September 1st. As employees of the towing company they are able to deliver family members cars to their home for repairs to be made. One of the vehicles belongs to a parent who did not have room to store her vehicle at her own home.
21. Selman, commented on the neighbors making complaints and that they have been waiting for more than 90 days to get the matter resolved.
22. It was mentioned by the Council that the City's parking ordinance which prohibits parking vehicles on the street over 6 hours and, although the ordinance is enforced only by complaint due to staffing levels, situations like this where one home has more than six cars is an example of where neighbors would complain.
23. There was a discussion on the need to limit the number of vehicles stored at this property and not having repairs being performed on vehicles. It was noted that the City Council does not handle appeals of citations and is only addressing the status of the rental license. There was discussion of typical lease language which requires tenants to follow city regulations as a condition of tenancy. It was noted that a continual stream of cars brought to the property for repair and resale would be an imposition on the neighbors' enjoyment of their homes and is not a permitted home occupation.
24. Member Blonigan confirmed that when the City Council takes action on the rental license, there would be a resolution with findings of fact.
25. City Attorney Manderschied reviewed the city code related to suspension and revocation of a rental license and recommended a tabling of action to allow the property to be brought into conformance.
26. Member Selman MOVED, seconded by Member Blonigan to close the Public Hearing and Blonigan seconded. **The vote was unanimous and the motion carried.**

27. Member Rogan MOVED, seconded by Member Backen to table action on the rental license until the June 21, 2016 meeting and that the tenant identifies no more than four cars that will be at the residence, that two of those vehicles will be parked overnight in the garage that the other two will be parked in the back and that there will be no auto repairs other than simple maintenance for those four identified vehicles. **The vote was unanimous and the motion carried.**

OTHER BUSINESS A:

28. Member Backen MOVED, seconded by Member Rogan to approve disbursement requests for period ending June 7, 2016. **The vote was unanimous and the motion carried.**

ADMINISTRATIVE REPORTS

29. Glick, reminded the Council about an invitation to the Basset Creek Watershed (BCWMC) Tour taking place on June 21st 2016; registration is required by June 15th.

COUNCIL GENERAL COMMUNICATIONS

30. Member Selman, commended the Robbinsdale Fire Department on their services provided to the City during the past week; there were multiple response calls to fires including a major fire at Beach South.
31. Member Blonigan, promoted the purchase of buttons to support Whiz Bang Days; an event in the City of Robbinsdale held from July 7th – July 9th. He asked Selman to add information on where they were sold and the cost.
32. Member Selman, mentioned that the sale of buttons for Whiz Bang Days is a fundraising effort. Buttons are \$4 each or four for \$12 and are sold in Robbinsdale at Citizen Independent Bank, City Hall, and Bark & Bathe.
33. Member Rogan also, thanked the Robbinsdale Fire Department (and other departments in neighboring cities) for their work. He commented their services on Beach South apartment fire where 12 units were destroyed and thanked the Red Cross workers that aided those affected. Rogan established a Go Fund Me account that has so far raised over \$3,000.
34. Member Selman, recognized the families of firefighters that most likely stay up all night waiting to hear about the safety of the firefighters on call. He thanked Rogan for setting up the account.

ADJOURNMENT

35. Member Rogan seconded by Member Selman to adjourn the meeting at 8:40 p.m.
The vote was unanimous and the motion carried.

Alexandria Olson, Recorder

Regan L. Murphy, Mayor

ROBBINSDALE CITY COUNCIL
WORKSESSION MINUTES
TUESDAY, JUNE 7, 2016.
COMMUNITY MEETING ROOM - CITY HALL

1. The worksession was called to order by Mayor Pro-Tem Backen at 8:47 pm.
2. Councilmembers Present: Blonigan, Rogan, Selman, Backen, Mayor Murphy,
3. Staff Present: City Manager Glick, Director of Administrative and Recreation Services Marshall, Community Development Coordinator Pearson

West Broadway Transit Alternatives Study

4. Backen shared a handout and reviewed the findings in the study and sought concurrence regarding his participation as a PAC member on the final vote. BRT with service to Hubbard Marketplace would cost \$40 million. Street car terminating at North Memorial would cost \$225 million. The study did not include new information that the North Memorial tunnel under Oakdale Ave. N. does not have the load bearing capacity for street car to cross. Most of the real estate and job development benefit would occur in the North Loop area and the few jobs created in North Minneapolis would be at essentially \$1 million per job. Council concurrence was that it would be better to invest the cost difference between BRT and streetcar on redevelopment projects in North Minneapolis.

BLRT updates

5. Traction power substation locations are likely to be at 3601 Indiana Ave. N. and MnDOT right-of-way at the Regent Ave. cul-de-sac north of 43rd. BPO informed staff that a 14 foot noise wall between 41st Ave. N. and 42 Ave. N. is too expensive and instead they may consider noise mitigation options. Council asked if decibel levels would be measured. Staff will be following up with BPO.
6. The intersection at 45 ½ Ave. N. may be reoriented to connect to 45th Ave on the east with reduced options for traffic turning movements. Council asked if traffic counts were available to show current traffic patterns. Staff will follow up.

Parking Concerns

7. Parking concerns at the 41st Ave. block of Yates. A two-family rental property has insufficient parking. Council discussed alternatives. No action is recommended.

Little Libraries in City Parks

8. A resident expressed interest in putting a Little Library in Lakeview Terrace Park. A policy should be developed for placement on private property and in a park. Libraries in City right-of-way or City Parks would be reviewed annually. City Council supported allowing the little libraries in the city right-of-way though they should be at least 3 feet from a street curb line. Council also supported resident sponsored units in parks with a resident submitting a design to city staff for approval, location and installation by city staff, and care by the resident. Staff will work on both sets of guidelines.

2016 Goals

9. The 2016 goal update was distributed including consultant contract details for station area work, LVT pavilion plans and Triangle Park playground plans.
10. Council discussed the proposed pavilion materials, provision of a concrete area for grills (preferring for people to bring grills vs. providing park grills), adding accent lighting, having the majority of the central area between the pavilion and ballfields being turf with paths across the space, possibility of adding AV accessories.
11. For Triangle Park, Council recommended berms between the playground and Orchard Ave and including some lighting within the playground area. Construction is expected to begin in August.
12. Manor Park new parking on Abbott is still not sufficient if all of the fields are scheduled. Staff will take a look at scheduled field use capacity.
13. Council asked for update on which roads were scheduled for resurfacing. Staff will provide an update in Friday communications.

Other Business

14. 3606 Lake Drive is expected to be conveyed to the City/REDA. Council discussion that the property should be single family residential with some green space along Lake Drive rather than continuing the commercial use. Pearson will schedule Planning Commission review of a Comprehensive Plan amendment and Zoning amendment.
15. Glick noted that Strait Stuff – City Spirit Wear sales are on decline. Staff and council members will remind people where shirts are available. Mayor Murphy will work with Strait Stuff on a possible new design and style.
16. Council members asked for updates that Glick will investigate:
 - Rip-Rap improvement on lake connection under Highway 100
 - 3800 Vera Cruz property clean up – Monday deadline.
 - 5500 42nd (Lilac Way) landscaping – conformance with Conditional Use Permit
17. Mayor Pro-Tem Backen adjourned the worksession at 10:31 pm.

Rick Pearson, Tom Marshall Recorders

Pat Backen, Mayor Pro Tem

ROBBINSDALE CITY COUNCIL
WORKSESSION MINUTES
TUESDAY, JUNE 14, 2016.
Hubbard Marketplace – Future LRT Platform Area
4155 Hubbard Ave N

1. The worksession was called to order by Mayor Pro-Tem Backen at 6:00 pm.
2. Councilmembers Present: Blonigan, Rogan, Selman, Backen, Mayor Murphy,
3. Staff Present: City Manager Glick, Community Development Coordinator Pearson

Review of Placement for Future LRT Platform

4. Bottineau Project Office team members distributed three layouts showing platform location options and expected view lines from the point where the riders would exit the platform.
5. The rain added a challenge to the effort.



6. The issue will continue to be studied, though general support for the south exit of the platform to be in the northerly 30 feet of the area being considered.
7. Mayor Pro-Tem Backen adjourned the worksession at 6:32 pm.


Rick Pearson, Recorder

Pat Backen, Mayor Pro Tem



MEMORANDUM

TO: Mayor and City Council

FROM: Marcia Glick, City Manager

DATE: June 21, 2016

RE: Approval of Licenses

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 June 21, 2016.

Marcia E. Glick

Marcia Glick, City Manager

CONCURRENCE:

Tom Marshall

Tom Marshall, City Clerk

BUSINESS LICENSES FOR COUNCIL APPROVAL

06/21/2016

Current Date: 6/16/2016

<u>License Type</u>	<u>Applicant</u>	<u>License Fee</u>
Temporary Food	CHURCH OF THE SACRED HEART	50.00
Temporary Liquor	CHURCH OF THE SACRED HEART	50.00

Number of Licenses Requesting Council Approval: 2

INDIVIDUAL LICENSES FOR COUNCIL APPROVAL

06/21/2016

Current Date: 6/16/2016

<u>Type</u>	<u>Applicant</u>	<u>License Fee</u>
Massage Therapy - Individual	Colleen Roskowiak	75.00
Transient Merchants - Solicitations	Foxy Falafel (North)	25.00
Transient Merchants - Solicitations	FunFare - Global Street Eats *	0.00
Transient Merchants - Solicitations	Nordic Nomad *	0.00
Transient Merchants - Solicitations	Pharaoh's Gyros (North)	25.00

Number of Licenses Requesting Council Approval: 5

* Whiz Bang Days

CONTRACTORS' LICENSES FOR COUNCIL APPROVAL

06/21/2016

<u>Applicant</u>	<u>Type</u>	<u>License Fee</u>
AIRIC'S HEATING LLC	Mechanical Contractor	50.00
ANTONSEN CONSTRUCTION INC	General Contractor	50.00
BOE PLUMBING	Plumbing Contractor	50.00
GROTH WATER & SEWER	Sewer/Water Contractor	50.00
JERRY ANDERSON PLUMBING CO LLC	Plumbing Contractor	50.00
LANE BUILDERS LLC	General Contractor	50.00
MIKE HAGE DISTINCTIVE CONCRETE & MASONRY	Concrete Contractor	50.00
PROFESSIONAL MECHANICAL SERVICES (ME)	Mechanical Contractor	50.00
RON'S MECHANICAL	Mechanical Contractor	50.00
RYAN PLUMBING & HEATING CO INC	Mechanical Contractor	50.00

Number of Contractor Licenses Requesting Council Approval: 10



City of Robbinsdale

MEMORANDUM

TO: City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Robbinsdale Wine & Spirits' Monthly Financial Statements

Attached are the Robbinsdale Wine & Spirits' financial reports for the month of May 2016 prepared by the finance department. The report includes monthly and year to date amounts for 2016 with comparable amounts to 2015.

Year to date sales through May are \$1,297,674 which is up \$14,366 from the prior year. Gross profit on sales is at \$325,610 compared with \$323,312 in 2015. Gross profit is at 25% which is right on target. Net income for the year is \$12,391, compared to income of \$34,889 in 2015.

The main reason for the shift is related to payroll and the fluctuation of staffing. The period of February and March the liquor store had 3 managers on staff for training purposes due to the retirement of liquor manager in March 2016. In addition, the liquor manager was on vacation for a period of time and extra staff hours were scheduled to make up for the absence, resulting in additional hours of personal service compared to the prior year. Personal services costs are expected to fluctuate in 2016 versus 2015 as staffing changes occur at the store. We will continue to monitor and report monthly results

There is a scheduled rent increase of 4.5%, and a catch up adjustment on the common area maintenance fees for 2015 was significantly less than the prior year.

Recommendation

Approve a motion to acknowledge the Robbinsdale Wine & Spirits for the months of May 2016.

Marcia Glick, City Manager

CONCURRENCE:

Larry Jacobson, Finance Director

City of Robbinsdale
Robbinsdale Wine & Spirits
Profit and Loss Statement From Operations
For Period Ending May 31, 2016

			Year to Date		% Inc (Dec) from Previous Year
	May-2016	May-2015	2016	2015	
Sales	292,679	301,509	1,312,102	1,296,724	1.2%
Less Customer Discounts	3,260	2,960	14,428	13,416	7.5%
Net Sales	289,419	298,549	1,297,674	1,283,308	1.1%
Cost of Sales	214,236	220,656	972,064	959,996	1.3%
Gross Profit	75,183	77,893	325,610	323,312	0.7%
Percent to Net Sales	26%	26%	25%	25%	
Operating Expenses:					
Personal Services	31,663	25,637	162,181	135,017	20.1%
Supplies & Repairs	244	3,132	4,950	11,034	(55.1%)
Other Charges & Services	17,160	12,648	70,555	69,180	2.0%
Rent	16,107	15,527	49,333	46,968	5.0%
Depreciation	5,217	5,250	26,085	26,250	(0.6%)
Other (Income) Expense	(735)	(822)	115	(26)	(542.3%)
Total	69,656	61,372	313,219	288,423	8.6%
Operating Income / (Loss)	5,527	16,521	12,391	34,889	(64.5%)
Percent to Net Sales	2%	6%	1%	3%	

	Current Month Analysis				
	Liquor	Wine	Beer	Misc	Totals
Sales	102,676	50,149	122,132	14,462	289,419
Inventory of May 1	202,740	99,684	76,758	7,713	386,895
Purchases	100,732	34,985	96,598	10,971	243,286
Less Inventory of May 31	228,932	102,046	76,865	8,102	415,945
Cost of Sales	74,540	32,623	96,491	10,582	214,236
Gross Profit	28,136	17,526	25,641	3,880	75,183
Percent to Net Sales	27%	35%	21%	27%	26%

City of Robbinsdale
Robbinsdale Wine & Spirits
Profit and Loss Statement From Operations
For Period Ending May 31, 2016

Sales / Cost of Sales Analysis

			Year to Date		% Inc (Dec) from Previous Year
	<u>May-2016</u>	<u>May-2015</u>	<u>2016</u>	<u>2015</u>	
Liquor Sales	102,676	104,381	474,985	472,270	0.6%
Liquor Cost of Sales	<u>74,540</u>	<u>76,781</u>	<u>354,051</u>	<u>334,076</u>	6.0%
Gross Profit	<u>28,136</u>	<u>27,600</u>	<u>120,934</u>	<u>138,194</u>	(12.5%)
Percent to Net Sales	27%	26%	25%	29%	
 Wine Sales	 50,149	 49,174	 244,076	 232,397	 5.0%
Wine Cost of Sales	<u>32,623</u>	<u>32,744</u>	<u>162,894</u>	<u>148,747</u>	9.5%
Gross Profit	<u>17,526</u>	<u>16,430</u>	<u>81,182</u>	<u>83,650</u>	(3.0%)
Percent to Net Sales	35%	33%	33%	36%	
 Beer Sales	 122,132	 130,523	 519,470	 524,754	 (1.0%)
Beer Cost of Sales	<u>96,491</u>	<u>100,157</u>	<u>410,093</u>	<u>434,299</u>	(5.6%)
Gross Profit	<u>25,641</u>	<u>30,366</u>	<u>109,377</u>	<u>90,455</u>	20.9%
Percent to Net Sales	21%	23%	21%	17%	
 Misc Sales	 14,462	 14,471	 59,143	 53,887	 9.8%
Misc Cost of Sales	<u>10,582</u>	<u>10,975</u>	<u>45,026</u>	<u>42,875</u>	5.0%
Gross Profit	<u>3,880</u>	<u>3,496</u>	<u>14,117</u>	<u>11,012</u>	28.2%
Percent to Net Sales	27%	24%	24%	20%	
 Total Sales	 289,419	 298,549	 1,297,674	 1,283,308	 1.1%
Total Cost of Sales	<u>214,236</u>	<u>220,657</u>	<u>972,064</u>	<u>959,997</u>	1.3%
Gross Profit	<u>75,183</u>	<u>77,892</u>	<u>325,610</u>	<u>323,311</u>	0.7%
Percent to Net Sales	26%	26%	25%	25%	

Liquor Store Sales - 2015 and 2016

	<u>Jan 15</u>	<u>Jan 16</u>	<u>Feb 15</u>	<u>Feb 16</u>	<u>Mar 15</u>	<u>Mar 16</u>
Liquor	94,193.00	88,286.00	86,935.00	87,439.00	95,980.00	96,960.00
Wine	45,648.00	45,054.00	44,779.00	47,034.00	46,604.00	51,808.00
Beer	95,166.00	87,526.00	85,462.00	91,512.00	104,522.00	102,156.00
Misc	9,089.00	10,317.00	8,711.00	10,369.00	10,190.00	10,961.00
	<u>244,096.00</u>	<u>231,183.00</u>	<u>225,887.00</u>	<u>236,354.00</u>	<u>257,296.00</u>	<u>261,885.00</u>
	Apr 15	Apr 16	May 15	May 16	Jun 15	Jun 16
Liquor	90,629.00	99,624.00	104,381.00	102,676.00		
Wine	46,126.00	50,031.00	49,174.00	50,149.00		
Beer	109,442.00	116,144.00	130,523.00	122,132.00		
Misc	11,283.00	13,034.00	14,471.00	14,462.00		
	<u>257,480.00</u>	<u>278,833.00</u>	<u>298,549.00</u>	<u>289,419.00</u>	-	-
	Jul 15	Jul 16	Aug 15	Aug 16	Sept 15	Sept 16
Liquor						
Wine						
Beer						
Misc						
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
	Oct 15	Oct 16	Nov 15	Nov 16	Dec 15	Dec 16
Liquor						
Wine						
Beer						
Misc						
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>



City of Robbinsdale

Consent D

MEMORANDUM

TO: City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Deputy Registrar's Monthly Financial Statements

Attached are the Deputy Registrar's financial reports for the month of May 2016 prepared by the finance department. The reports include monthly and year to date amounts for 2016 with comparable amounts to 2015.

Year to date revenues through May are \$225,012 which is \$14,748 higher than the prior year. Expenditures were lower by \$5,821. There is a net income of \$88,758 year to date, which is \$20,569 higher than last year.

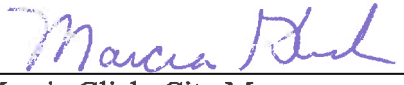
Passport service has continued to increase in 2016. Passport revenue year to date increased \$21,247, (+35%) and motor vehicle fees saw a decrease of \$12,102, (-8.6%). Hennepin County service centers discontinued the passport service in November 2013.

The express lane for the simple vehicle tab renewals continues to be opened when lines get long.

Staffing levels continue to be reviewed. We will continue to monitor and report monthly results.

Recommendation

Approve a motion to acknowledge the Deputy Registrar's financial reports for the month of May 2016.



Marcia Glick, City Manager

CONCURRENCE:



Larry Jacobson, Finance Director

City of Robbinsdale
Deputy Registrar
Profit and Loss Statement From Operations
For Period Ending May 31, 2016

			<u>Year to Date</u>		<u>% Inc (Dec)</u> <u>from Previous</u> <u>Year</u>
	<u>May-2016</u>	<u>May-2015</u>	<u>2016</u>	<u>2015</u>	
Notary Fees	5	5	5	65	(92.3%)
Motor Vehicle Fees	26,938	26,993	129,148	141,250	(8.6%)
Boat/Snow/ATV/ORV Fees	1,390	1,320	3,521	3,780	(6.9%)
Fast Track Fees	1,110	620	5,191	4,673	11.1%
Fish & Game Fees	50	51	98	105	(6.7%)
Passport Fees	11,720	9,291	81,190	59,943	35.4%
Cash Over & Short	(144)	(56)	(17)	(129)	(86.8%)
Other Revenue	30	160	5,876	577	918.4%
Revenues	<u>41,099</u>	<u>38,384</u>	<u>225,012</u>	<u>210,264</u>	7.0%
Operating Expenses:					
Personal Services	24,205	22,010	107,856	110,208	(2.1%)
Supplies & Repairs	272	1,559	1,941	2,397	(19.0%)
Internal Serv Charges	4,879	5,513	24,395	27,565	(11.5%)
Other Charges & Services	268	213	2,062	1,905	8.2%
Depreciation	-	-	-	-	0.0%
Other (Income) Expense	-	-	-	-	0.0%
Total	<u>29,624</u>	<u>29,295</u>	<u>136,254</u>	<u>142,075</u>	(4.1%)
Operating Income / (Loss)	<u>11,475</u>	<u>9,089</u>	<u>88,758</u>	<u>68,189</u>	
Percent to Revenues	28%	24%	39%	32%	



City of Robbinsdale

Consent E

MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Robbin Art Gallery Event

Background

Jeanne Johnson, on behalf of the Robbin Art Gallery, submitted a block party application for "Art on the Lawn", as part of Whiz Bang Days, on Saturday, July 9, 2016, 9:00 a.m. to 4:00 p.m. The event would be held on the lawn of the Robbinsdale Historic Library building (4915 42nd Ave N). They are requesting that Railroad Avenue from 42nd Avenue North (County Road 9) to the "Y" at Perry Avenue be closed.

The street closure guidelines (block party application) state the City Council may approve street closures for more than four hours for a community event and requests must be received four weeks prior to the event. This event is scheduled for seven hours, which is three more hours than allowed. The request was received more than four weeks in advance (February 23, 2016).

There will be one food vendor, Henry's Café, with a grill and flat top. Appropriate food licenses have been applied for and approved. No alcohol would be served. The event would be open to the public and no entrance fees charged. Number of attendees is unknown.

Musicians who are members of the Robbin Gallery would play outside on the lawn. Noise levels should not impact adjacent residences.

The Police Chief approves the event. The Public Works Director/City Engineer approves with two rows of barricades used for closure at County Road 9 (42nd Avenue North).

Recommendation

By motion, approve the "Art on the Lawn" event on Saturday, July 9, 2016 from 9:00 a.m. to 4:00 p.m. with the closure of Railroad Avenue from 42nd Avenue North (County Road 9) to the "Y" at Perry Avenue; and, approve the time extension of three hours for the event.

Marcia Glick, City Manager

CONCURRENCE:

Tom Marshall, City Clerk



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Historic Terrace Theatre Event

Background:

David Leonhardt, Board Chair of Save the Historic Terrace Theatre, submitted a Block Party/Event Application requesting use of the lawn at Robbinsdale Historical Library, 4915 42nd Avenue North on Saturday, September 24th from 6:00 p.m. to 9:30 p.m. with the 25th being the back-up date. This outdoor event is in recognition of this year being the 65th anniversary of the Terrace Theatre.

The event is free and open to the public. They will use the lawn area on the south side of the building and attendance is expected to be around 100. Mr. Leonhardt is not requesting event use inside the building, except for use of its restrooms. No streets are requested to be closed. For parking, guests would use the adjacent streets and Mr. Leonhardt will also request permission from EMI for use of their parking lot should additional space be needed. In the case of inclement weather, the event would be cancelled.

The movie 'Grease' will be shown. The movie is not in public domain and therefore Mr. Leonhardt will acquire the required movie license should this application be approved. There will be prepackaged candy, soda, and water provided at no charge. A popcorn vendor will also be on site which requires a food license.

Our Police Chief has approved the event and no police presence is required. Our City Engineer approves the event with public works staff bringing trash barrels to the site.

Recommendation:

By motion, approve the block party application from David Leonhardt, Board Chair of Save the Historic Terrace Theatre, for use of the lawn at Robbinsdale Historical Society, 4915 42nd Avenue North on Saturday, September 24th for their outdoor event in recognition of the 65th anniversary of the Terrace Theatre.

Marcia Glick, City Manager

CONCURRENCE:

Tom Marshall, City Clerk



TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Agreement with Hennepin County for Assessing Services

Background

The Hennepin County Assessor, James Atchison, contacted staff to note that Robbinsdale's agreement for Assessment Services is on a different time frame than all of their other contracts. Robbinsdale's current contract continues through the 2018 property assessment. Mr. Atchison has inquired if Robbinsdale would consider entering into a new 4 year agreement which would be on the same schedule as other cities.

Analysis/Conclusion

The new agreement would cover the 2017 – 2020 property assessment. Staff has reviewed the proposed agreement, identified differences between proposed and existing agreement language, and obtained agreement with the County to make adjustments to the new contract that corresponds to previous language negotiated by Robbinsdale.

If the action is approved by the City Council, there will also be documentation of the termination of our current agreement.

Recommendation

By motion, authorize the Mayor and City Manager to execute the Agreement for County property assessment for the 2017 – 2020 assessment upon review by the City Attorney, as well as any other related documents deemed necessary by the City Attorney.

Marcia Glick, City Manager

MEMORANDUM

TO: Mayor and City Council

FROM: Marcia Glick, City Manager

DATE: June 21, 2015

SUBJECT: Accept Quote for Soil Borings – Various Locations

Background:

In preparation for upcoming projects, Engineering staff has begun investigation into existing infrastructure conditions. A standard component of these investigations is to have soil borings taken throughout the project area. Staff sought quotes to undertake a total of 42 soil borings in locations as follows –

Oakdale Avenue between West Broadway and Abbott Avenue – 5 borings each boring 30' deep.
Toledo Ave between 37th and 38th / 38th Ave between Toledo and Scott / Scott Ave between 38th and 39th – 6 borings each 30' deep.
Grimes Avenue between 36th and 37th – 1 boring of 30' deep.
Hubbard Avenue between 36th and 38th – 7 borings each 30' deep.
38th Avenue between Hubbard Avenue and the Railroad – 3 borings each 30'.
3760 Lee Avenue – 5 borings each 30'.
37th Avenue between Lee Avenue and Noble Avenue – 4 borings each 30'.
39th Avenue west of Noble Avenue – 1 boring of 30' deep.
39½ Avenue between Major and Noble Avenue – 4 borings each 30'.
Major Avenue between 39½ and 40½ - 2 borings each 30'.
40½ Avenue between West Broadway and Major – 4 borings each 30'.

Prices for the requested services were received from three companies and are listed as follows –

Northern Technologies	\$ 27,350
Braun Intertec	\$ 54,129
Terracon	\$ 38,500

The City has worked with all of the companies on different projects over numerous years and has found work of all companies to be satisfactory. There is budget allocation for investigative works on the projects identified.

Based on the quotes received it is recommended that Council accept the quote received from Northern Technologies for the 42 soil borings for a total estimated cost of \$ 27,350.

Recommendation:

City Council authorize the City Manager and Finance Director to issue a Purchase Order for soil boring work with Northern Technologies for an estimated cost of \$ 27,350.00.



Marcia Glick, City Manager

CONCURRENCE:



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

MEMORANDUM

TO: Mayor and City Council

FROM: Marcia Glick, City Manager

DATE: June 21, 2016

SUBJECT: Bids for Public Safety Building Partial Roof Replacement – Project 12916

Background:

Included in the 2016 Capital Works Program is the replacement of roofing at the Public Safety Building. Based on inspections over recent years, a number of issues have been found with various parts of the existing roof, including –

The existing flat roof over the Fire Equipment bay is leaking in places allowing water on the equipment below.

The existing gutters around the edge of the pitched metal roof have degraded to the point where water damage could threaten the integrity of the roof trusses.

The canopy over the front entry does not drain properly and leaks badly.

The interface between the metal roofing and brick work at the hose tower is leaking.

A number of metal holding clips on the pitched metal roof have loosened and should be retightened.

The City had previously engaged INSPEC to perform necessary inspections and develop a schedule of works that will keep the building in appropriate condition.

Following the preparation of plans and specifications for the work and advertisement, bids were received and publicly opened on June 16th, 2016. The bid package sought a base bid for the flat and canopy roof replacement, with Alternate 1 addressing work to repair the gutters in the pitched roof section, Alternate 2 to address the leaking at the hose tower and Alternate 3 to address the re-fastening of the metal clips on the pitched roof.

A total of 8 bids were received with Base Bids ranging from \$ 111,830 to \$ 184,590. The low bidder is McPhillips Brothers Roofing Co of St Paul, Minnesota. With the inclusion of the 3 Alternates, the total bid price is \$ 147,560. The anticipated cost estimate for this project as advised by INSPEC (including Alternates) is \$ 147,000. The bid abstract and letter of recommendation from INSPEC is included as *Attachment 1*.

The amount included in the 2016 budget is \$ 140,000. While the received bids are slightly higher than the budgeted amount, staff recommends proceeding with the project (including all Alternates) as the work will address some ongoing problems at the building. Savings have been made in the 2016 Buildings Capital Budget by deferring the City Hall Skylight project.

The letter of recommendation from INSPEC also recommends the base bid and all 3 Alternates and has provided information to advise that the low bidder is a company who has worked with INSPEC in the past and performed in a satisfactory manner.

Staff will be working with the contractor and our Consultant to review required submittals and detailed scheduling of work. The anticipated time for the substantial completion of the project is outlined in the contract as November 4, 2016. Staff will continue working with the Fire and Police Department with regard to site access and material storage during the construction period.

Shown as Attachment 2 is a resolution awarding a contract for roofing at the Public Safety Building – City Project 12916 to McPhillips Brothers Roofing Company of St Paul, MN.

Recommendation:

Waive the reading and order the adoption of the attached resolution awarding a contract for roofing at the Public Safety Building including the Base Bid (Bid Item 1), Alternate 1, Alternate 2 and Alternate 3 – City Project 12916 to McPhillips Brothers Roofing Company of St Paul, MN.



Marcia Glick, City Manager

CONCURRENCE:



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



Smart engineering of

roofs, walls, windows,

partitions

and waterproofing

June 17, 2016

Mr. Richard McCoy
City of Robbinsdale
4100 Lakeview Avenue
Robbinsdale, MN 55422

RE: 2016 Partial Roof Replacement
Public Safety Building
Robbinsdale, Minnesota
Inspec Project No: 213890

Dear Mr. McCoy:

On June 16, 2016, eight (8) bids were received for the above-mentioned reroofing project. All contractor bids were received prior to the deadline in accordance with bidding requirements. The bids were opened publicly, read aloud, and tabulated. McPhillips Brothers Roofing submitted a Bid Item 1 in the amount of \$111,830 and is the apparent low bidder.

On June 16, 2016, we contacted McPhillips Brothers Roofing regarding their bid. They had an opportunity to review their bid and indicated they would perform the work as specified for the bid amount. McPhillips Brothers Roofing has worked on several projects for which we have provided engineering services in the past. The work performed has been satisfactory and their personnel have been cooperative.

Based on the above information, we are recommending that the City of Robbinsdale accept Bid Item 1 in the amount of \$111,830 from McPhillips Brothers Roofing, and Alternate 1 (\$21,680), Alternate 2 (\$11,920), and Alternate 3 (\$2,130) for a total Alternate 1-3 cost of \$35,730, and total reroofing cost of \$147,560 if project funding is available. If you have any questions regarding the above information, please feel free to contact our office.

Sincerely,

INSPEC

Cynthia J. Long dar

Cynthia J. Long
Associate Senior Consultant

CJL/dar

Enclosure: Bid Tab

cc: Robin Verkinnes, City of Robbinsdale
Scott Welle, City of Robbinsdale
Chuck Schuh, Inspec

550, Duluth Street
Minneapolis, MN 55422
Ph: 763-546-3304
Fax: 763-546-8809

Chicago

Milwaukee

Minneapolis

www.inspec.com

[illegible]

Member _____ moved and Member _____ seconded a motion that the following resolution be read and adopted this 21st day of June, 2016.

RESOLUTION NO.

A RESOLUTION ACCEPTING BIDS AND AWARDING
CONTRACT FOR PARTIAL ROOF WORKS AT THE
PUBLIC SAFETY BUILDING – CITY PROJECT 12916

WHEREAS, pursuant to an advertisement for bids for work for the Public Safety Building Partial Roof Replacement – City Project 12916, bids were received, opened and tabulated according to State Law and the following bids were received complying with the advertisement:

Contractor	Base Bid (Bid Item 1)	Alternate 1	Alternate 2	Alternate 3	Total
McPhillips Brothers Roofing Co	\$111,830	\$21,680	\$11,920	\$2,130	\$147,560
Horizon Roofing Inc	\$121,500	\$37,894	\$24,900	\$2,900	\$187,194
B&B Sheet Metal & Roofing Inc	\$131,685	\$62,260	\$12,365	\$6,500	\$212,810
Palmer West Construction Co Inc	\$137,700	\$27,400	\$15,500	\$5,900	\$186,500
Mint Roofing Inc	\$138,540	\$46,960	\$21,350	\$9,800	\$216,650
J A Dalsin & Sons Inc	\$152,990	\$27,084	\$19,751	\$4,500	\$204,145
Diverse Construction Services	\$166,697	\$22,750	\$12,098	\$250/panel	\$201,545+
Central Roofing Co	\$184,590	\$40,624	\$7,415	\$5,500	\$238,129
Engineer's Estimate	\$104,000	\$28,000	\$14,000	\$1,600	\$147,600

WHEREAS, it appears that McPhillips Brothers Roofing Co. of St Paul, Minnesota, is the lowest responsible bidder;

Res

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 contract to include the Base Bid (Bid Item 1), Alternate 1, Alternate 2 and Alternate 3 with McPhillips Brothers Roofing Co. in the name of the City of Robbinsdale for City Project 12916 according to plans and 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 21ST DAY OF JUNE, 2016.

Regan L. Murphy, Mayor

ATTEST:

Tom Marshall, City Clerk

(SEAL)

Res



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Public input regarding angled parking on Abbott Ave. N. at Manor Park.

BACKGROUND:

City Code requires a conditional use permit for angled parking directly from an alley or street right-of-way. A public input opportunity for neighborhood comment regarding the recently striped angled parking along Abbott Ave. N. at Manor Park was noticed to the immediate neighborhood in lieu of a CUP. The minutes to the Planning Commission meeting which hosted the public input opportunity are attached as **Exhibit 1**.

ANALYSIS/CONCLUSION:

The report prepared for the Planning Commission is included as **Exhibit 2**. Staff received an e-mail (following up a phone conversation) from a resident of Abbott Ave. N. with concerns about the angled parking. The concern was that the narrow passage way caused by over-large vehicles, or vehicles not pulled up to the curb exacerbating the problem result in opposing vehicles not being able to pass through, or to take turns. The e-mail is attached as **Exhibit 3**. Another resident phoned staff and voiced approval of the new parking.

The Planning Commissioners discussed the angled parking and were in support. One Commissioner commented that the striping shows people how to use the parking area.

RECOMMENDATION:

By motion, accept the comments from the neighborhood and the Planning Commission related to the addition of angled parking on Abbott Ave. N. between Lowry Ave. N. and 30th Ave. N.

A handwritten signature in blue ink that reads "Marcia Glick".

Marcia Glick, City Manager

CONCURRENCE:

A handwritten signature in black ink that appears to read "Rick Pearson".

Rick Pearson, Community Development Coordinator

EXCERPT OF PLANNING COMMISSION MEETING MINUTES OF JUNE 16, 2016

#4: PUBLIC INPUT MEETING: Manor Park Angled Parking

4. **MOTION** by Chair Harper, seconded by Commissioner Bontrager to accept the email into the public record from resident Emily Kaess. **The vote was 4-0 and the motion carried. (Ulbrich absent).**
5. Mr. Pearson presented the staff report for 24 angled parking spaces along Abbott Ave. N. The east side of the street has 17 parallel parking spaces in the same distance for comparison.
6. Commissioner Greenberg asked if staff has received any other complaints, concerns other than the one mail received. Mr. Pearson stated that another resident called in support of the angled parking.
7. Commissioner Stoneberg and Commissioner Bontrager supported the angled parking.
8. Chair Harper supports the angled parking because this allows drivers to know "how to use" the parking space now that they are striped.
9. Consensus of the Commissioners supports the angled parking.

ADMINISTRATIVE STAFF REPORT

APPLICANT: City initiated
CASE NO: Manor Park
ADDRESS: Abbott Ave. N. between Lowry & 30th Aves. N.
PC DATE: June 16, 2016
APPLICATION DATE: N/A
PROCESSING DEADLINE: N/A

ACTION/REQUEST:

The city has striped angled parking for Manor Park in the Abbott Ave. N. street right-of-way between Lowry Ave. N. and 30th Ave. N. This agenda item is provided for public comment. The location is shown in **Attachments A & B**.

BACKGROUND/ANALYSIS:

Section 510.17 of the zoning ordinance prohibits 90 degree parking spaces directly connected to streets or alleys. Angled parking is allowed by a conditional use permit. Because the angled parking is within the public right-of-way and is provided by the city, this public comment opportunity is offered in lieu of the conditional use permit process.

A sketch of the angled parking is shown in **Attachment C**. The street was built with the curb “indented” into the boulevard area on the east edge of Manor Park allowing for the option of on-street parking. Angled parking provides 24 spaces that south-bound vehicles can pull in to without crossing the path of opposing traffic. The east side of Abbott Ave. N. provides 17 conventional parallel spaces in approximately the same space.

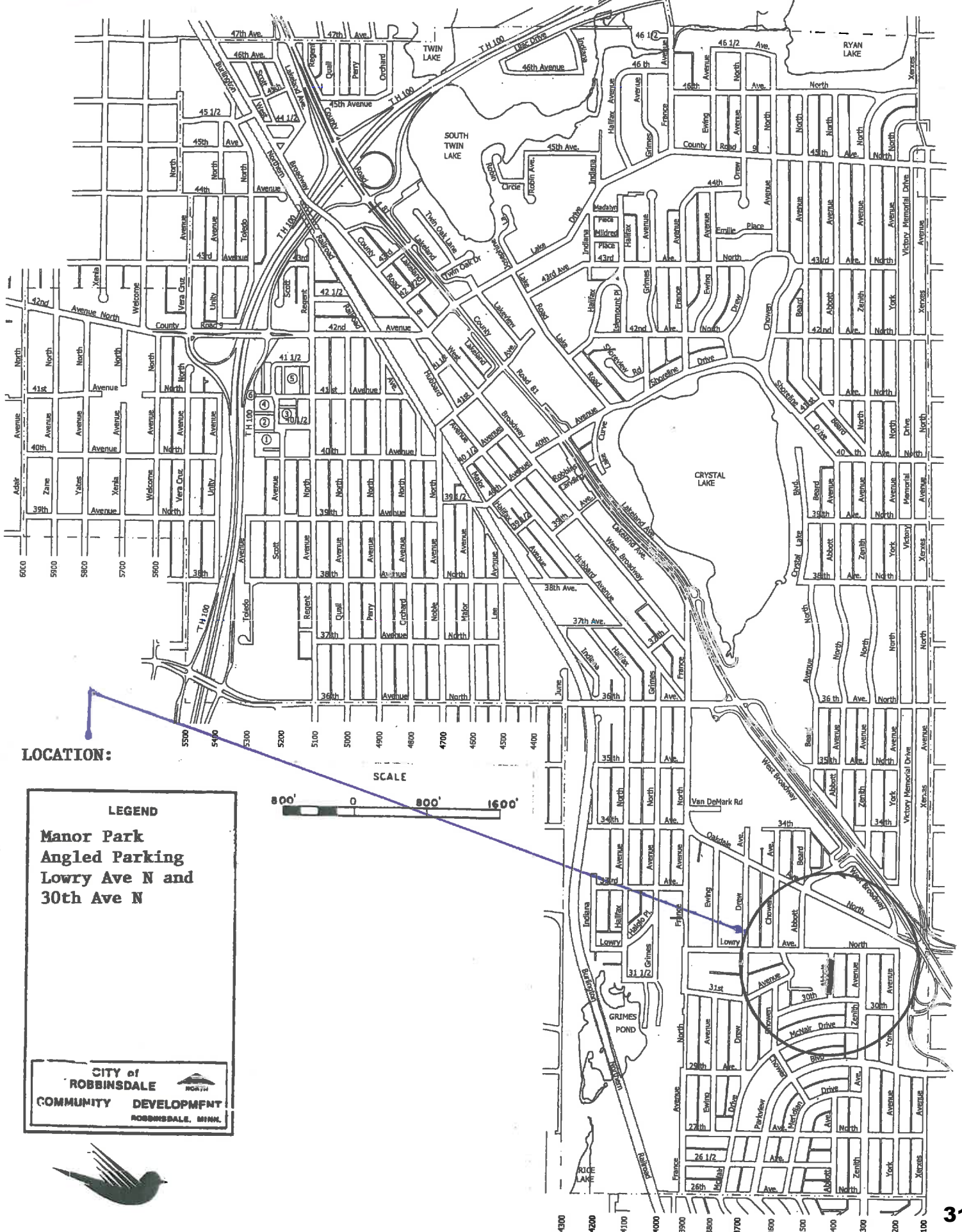
Staff has received a concern from a resident of Abbott Ave. When all of the parking spaces are occupied on both sides of the street, it is difficult for two vehicles to pass each other. Naturally, parking congestion can be exasperated by large vehicles, or those that do not pull up to the curb.

RECOMMENDATION:

Public comments will be forwarded to the City Council.

ROBBINSDALE

ATTACHMENT A



LOCATION:

SCALE

800' 0 800' 1600'

LEGEND

Manor Park
Angled Parking
Lowry Ave N and
30th Ave N

CITY of
ROBBINSDALE
COMMUNITY DEVELOPMENT
ROBBINSDALE, MINN.

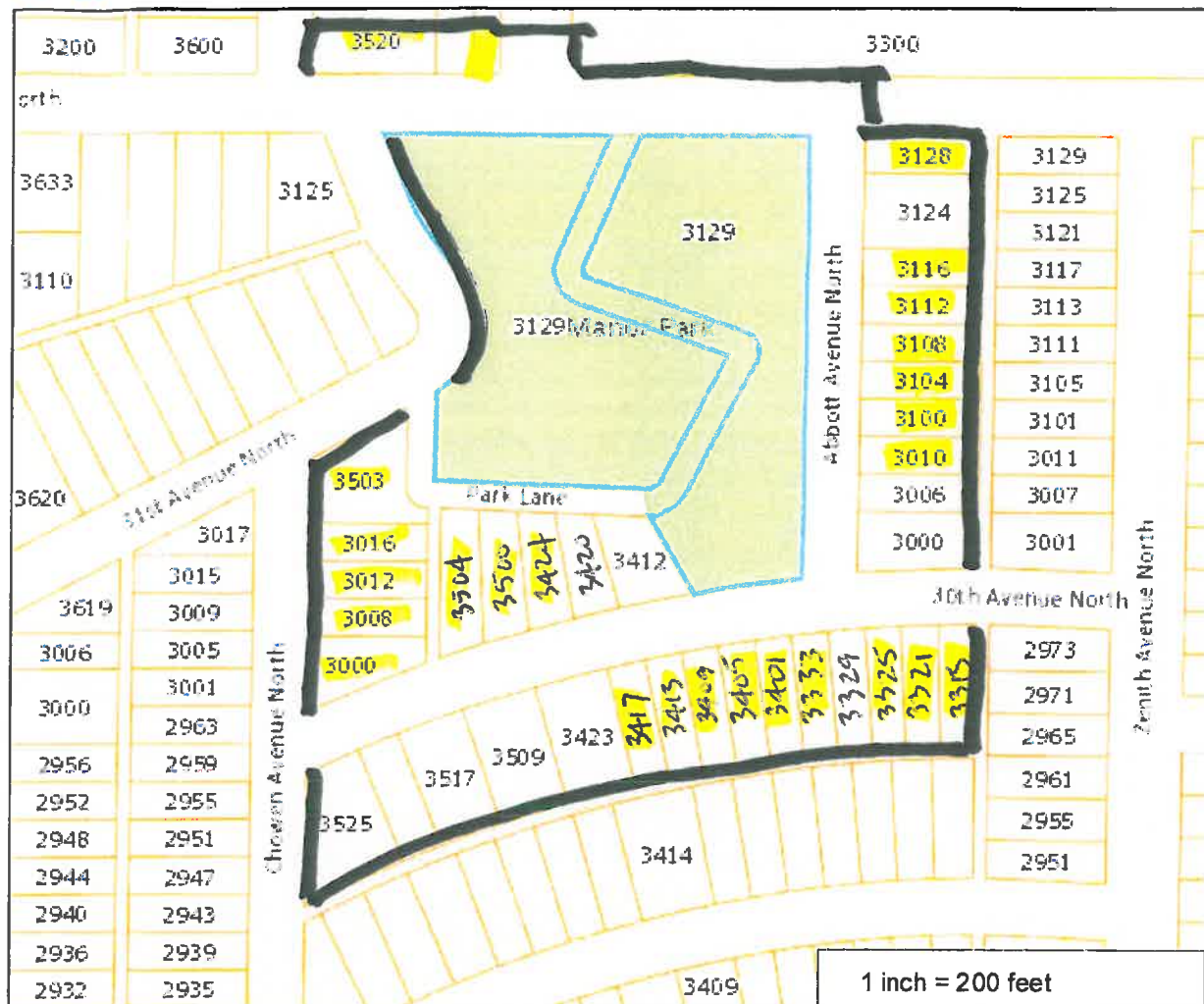




Hennepin County Property Map

ATTACHMENT B

Date: 6/10/2016



PARCEL ID: 0802924310142

OWNER NAME: City Of Robbinsdale

PARCEL ADDRESS: 3129 Abbott Ave N, Robbinsdale MN 55422

PROPERTY TYPE: Commercial-Preferred

HOMESTEAD: Non-Homestead

PARCEL AREA: 3.35 acres, 145,844 sq ft

A-T-B: Both

MARKET VALUE: \$0

TAX TOTAL: \$0.00

SALE PRICE:

SALE DATA:

SALE CODE:

Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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COUNTY 2016

MANOR PARK

Abbott Ave

SINGLE FAMILY

30TH AVE. N.

Rick Pearson

From: Emily Kaess [redacted]
Sent: Saturday, June 11, 2016 5:44 PM
To: Rick Pearson
Subject: Manor Park Parking/Meeting on June 16th

Hi Rick,

Thank you for taking the time to return my call and discuss the parking for Manor Park with me on Tuesday (June 7th). As we discussed, I will not be able to attend the meeting scheduled for June 16th, and I do have a concern that I want to share. My concern with the diagonal parking put in along Abbott Avenue has to do with the street width and accessibility for vehicles moving up/down the street. I am worried that, when cars are parked on both sides, it might not be possible for an emergency vehicle to get through.

I have been present when both sides were parked up only one time since the diagonal stripes were put in (on May 24th - the day the painting was done). I talked with a city engineer (Richard McCoy) the next day, and he assured me that the street had been surveyed and that, with the diagonal parking in place, there was still an 11-foot lane for traffic in each direction. My own experience was that, when both sides were completely parked up, it didn't feel like there was enough space for two vehicles to pass on the street. If passing was possible, it would have definitely required some careful maneuvering. The narrowness might have been caused by sloppy parking or large vehicles. I can't say for sure because the park was full of children and I was paying more attention to what was going on in the street than to the parked vehicles. That said, if the narrowness *was* caused by sloppy parking jobs or large vehicles, I don't know how this could be prevented in the future. And, if the narrowness truly would not allow two vehicles to pass (as it felt to me), I also question whether an emergency vehicle would be able to get through if needed.

As we also discussed, I am wondering if parking along the north or west sides of the park has been (or could be) considered. The park is popular, and that is great! It would be wonderful if a parking solution that doesn't compromise vehicle accessibility could be found.

Thank you again for taking the time to discuss this situation with me.

Sincerely,
Emily Kaess



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: FIRST READING of a zoning text amendment to bring zoning ordinance administrative procedures into consistency with the City Charter.

BACKGROUND:

This zoning text amendment initiated by staff is intended to bring consistency between the zoning code section 535 administrative procedures and the City Charter regarding Council actions. On June 16, 2016, the Planning Commission conducted a public hearing for the The meeting minutes are included as **Exhibit 1**.

ANALYSIS/CONCLUSION:

The report prepared for the Planning Commission is included as **Exhibit 2**. The report provided detail concerning the administrative procedures and compared them with language in the City Charter.

The City Charter provides:

Section 3.04. Ordinances, Resolutions and Motions. "...An affirmative vote of a majority of all the members of the council shall be required for the passage of all ordinances and resolutions, except as otherwise provided by this charter."

Section 3.12. Amendments to Zoning Ordinance and Comprehensive Plan. Unless otherwise provided by state law, all amendments to the zoning ordinance and comprehensive plan shall require a four-fifths affirmative vote of the City Council.

The affected sections of the zoning ordinance include the following language that is inconsistent with City Charter:

- Conditional use permits (Section 535.01, Subd. 2(l):
Approval of a conditional use permit shall require passage by the vote of the full city council as set forth by city charter.
- Rezoning and zoning text amendments (Section 535.03, Subd. 2(j):
Amendment of this code shall be by four-fifths vote of the full City Council.
- Variances and appeals (Section 535.05, Subd. 5(l):
Action by the city council approving, approving with modifications, or disapproving a variance request or appeal shall require a majority vote of the full city council.
- Comp Plan Amendments (Section 535.13, Subd. 4(i):
Amendment of the comprehensive plan shall be a four-fifths vote of the full city council.

The proposed amendment replaces the City Code language for consistency with the City Charter.

No one attended the public hearing to provide comment. The Planning Commission agreed that the amendment was characterized as “housekeeping” and unanimously adopted a motion recommending adoption of the ordinance.

RECOMMENDATION:

Hold the FIRST READING of the Ordinance shown in **Exhibit 3** AMENDING SECTION 535 ADMINISTRATIVE PROCEDURES TO BE CONSISTENT WITH THE CITY CHARTER SECTION 3.04



Marcia Glick, City Manager

CONCURRENCE:



Rick Pearson, Community Development Coordinator

EXCERPT OF PLANNING COMMISSION MEETING MINUTES OF JUNE 16, 2016

#5C:PUBLIC HEARING: Consideration of Zoning Text Amendment Z16-2 to amend Section 535 to be consistent with the City Charter regarding CUPS, variances, etc. as requested by the City of Robbinsdale:

13. **MOTION** by Commissioner Bontrager, seconded by Chair Harper to open the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**

14. Mr. Pearson stated that this zoning text amendment is a 'housekeeping' action. It will bring consistency between the zoning code Section 535 Administrative procedures and the City Charter regarding the council actions. Applying language from the city charter and applying it to the various processes i.e. variances, cups, etc.

15. Consensus of the Commissioners is in support of the amendment.

16. **MOTION** by Commissioner Greenberg, seconded by Commissioner Bontrager to close the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**

17. **MOTION** by Commissioner Greenberg seconded by Commissioner Bontrager to recommend that the City Council adopt an ordinance amending Section 535 of the City Code to bring the zoning ordinance administrative section into consistency with the City Charter. **The vote was 4-0 and the motion carried. (Ulbrich absent)**

ADMINISTRATIVE STAFF REPORT

APPLICANT: City initiated
 CASE NO: Zoning Text Amendment Z16-2
 ADDRESS: City wide
 PC DATE: June 16, 2016
 APPLICATION DATE: N/A
 PROCESSING DEADLINE: N/A

ACTION/REQUEST:

This zoning text amendment is being initiated to bring consistency between the zoning code section 535 Administrative procedures and the City Charter regarding the Council actions. It affects:

- Conditional use permits (Section 535.01, Subd. 2(l)).
- Rezoning and zoning text amendments (Section 535.03, Subd. 2(j)).
- Variances and appeals (Section 535.05, Subd. 5(l)).
- Comp Plan Amendments (Section 535.13, Subd. 4(i)).

BACKGROUND/ANALYSIS:

The City Charter sets forth the procedure of Council in Chapter 3. Section 3.04 pertains to voting on legislation (ordinance, resolutions, etc). The following is excerpted: "An affirmative vote of a majority of all of the members of the council shall be required for the passage of all ordinances and resolutions, except as otherwise provided in this charter."

Section 3.12. Amendments to Zoning Ordinance and Comprehensive Plan. Unless otherwise provided by state law, all amendments to the zoning ordinance and comprehensive plan shall require a four-fifths affirmative vote of the City Council.

Conditional use permits: City Council actions (existing language):

Section 535.01, Subd. 2(l) Approval of a conditional use permit shall require passage by the vote of the full city council as set forth by city charter.

Proposed language:

Approval of a conditional use permit shall require **an affirmative vote of a majority of all of the members of the council.**

Rezoning and zoning text amendments: City Council actions (existing language):

Section 535.03, Subd. 2(j) Amendment of this code shall be by four-fifths vote of the full City Council.

Proposed language:

Unless otherwise provided by state law, all amendments to the zoning ordinance shall require a four-fifths affirmative vote of the City Council.

Variances and appeals: City Council actions:

Section 535.05, Subd. 5(1) existing language: Action by the city council approving, approving with modifications, or disapproving a variance request or appeal shall require a majority vote of the full city council.

Proposed language: **Action by the City Council approving, approving with modifications, or disapproving a variance request or appeal shall require an affirmative vote of a majority of all the members of the Council.**

Comprehensive Plan Amendments: City Council actions:

Section 535.13, Subd. 4(i) existing language:

Amendment of the comprehensive plan shall be a four-fifths vote of the full city council.

Proposed language:

Unless otherwise provided by state law, all amendments to the comprehensive plan shall require a four-fifths affirmative vote of the City Council.

RECOMMENDATION:

1. Hold the public hearing.
2. Recommend that the City Council adopt an ordinance amending Section 535 of the City Code to bring the zoning ordinance administrative section into consistency with the City Charter.

Member _____ moved and Member _____ seconded a motion that the following Ordinance, which was given its first reading on June 21, 2016 be given its second reading this _____ day of _____ 2016 and that it be adopted.

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE SECTION 535 ADMINISTRATIVE PROCEDURES TO BE CONSISTENT WITH THE CITY CHARTER SECTION 3.04

THE CITY COUNCIL OF THE CITY OF ROBBINSDALE DOES ORDAIN:

1. That Section 535.01, Subd. 2(l) Conditional use permits be amended with new language shown in bold and underlined and language to be deleted by strikeout:

(l) Approval of a conditional use permit shall require **an affirmative vote of a majority of all of the members of the council.** ~~passage by the vote of the full city council as set forth by city charter.~~
2. That Section 535.03, Subd. 2(j) Rezonings be amended with new language shown in bold and underlined and language to be deleted by strikeout:

(j) ~~Amendment of this code shall be by four-fifths vote of the full City Council.~~ **Unless otherwise provided by state law, all amendments to the zoning ordinance shall require a four-fifths affirmative vote of the City Council.**
3. That Section 535.05, Subd. 5(l) Variances and appeals be amended with new language shown in bold and underlined and language to be deleted by strikeout:

(l) Action by the city council approving, approving with modifications, or disapproving a variance request or appeal shall require ~~a majority vote of the full city council.~~ **an affirmative vote of a majority of all the members of the Council.**
4. That Section 535.13, Subd. 4(i) Comprehensive plan amendments be amended with new language shown in bold and underlined and language to be deleted by strikeout:

(j) ~~Amendment of the comprehensive plan shall be a four-fifths vote of the full city council.~~ **Unless otherwise provided by state law, all amendments to the comprehensive plan shall require a four-fifths affirmative vote of the City Council.**
5. That the following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication:

The purpose and intent of the ordinance is to bring consistency between the zoning code section 535 administrative procedures and the City Charter regarding Council actions.

First Reading: YEAS:
 NAYS:

Second Reading: YEAS:
 NAYS:

PASSED AND ADOPTED BY THE CITY COUNCIL THIS ____ DAY OF _____, 2016.

Regan L. Murphy, Mayor

ATTEST:

Tom Marshall, City Clerk
(SEAL)



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: FIRST READING of an Ordinance amending the subdivision ordinance

BACKGROUND:

Staff initiated this amendment to create an alternative to platting for adjacent neighbors to shift their common property boundary lines. The properties this is most likely to affect would be unplatted properties along France Ave. N. in the vicinity and souths of 29th Ave. N., although there may be others. On June 16, 2016, the Planning Commission conducted a public hearing for the Ordinance amendment. The meeting minutes are included as **Exhibit 1**.

ANALYSIS/CONCLUSION:

The report prepared for the Planning Commission is included as **Exhibit 2**. The report explained that state statutes allow for the exception to platting requirements. According to Robbinsdale's subdivision ordinance, if property owner A wanted to sell one foot of their land to property owner B, they would have to replat the properties which could cost thousands of dollars. The exception would still require a survey and compliance with several conditions. The following example was provided by the City of Minnetonka Subdivision Ordinance and reformatted for Robbinsdale. There is already a simple lot split available for platted properties.

No one attended the public hearing to comment. The Planning Commission discussed the amendment and understood that it would not facilitate subdivision of small properties. Instead, it created an option for neighbors to trade land to solve problems if there was enough space. Subsequently, the Commissioners unanimously adopted a motion recommending adoption of the Ordinance.

RECOMMENDATION:

Hold the FIRST READING of an Ordinance shown in **Exhibit 3** "AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE TO ALLOW COMMON BOUNDARY LINE RELOCATIONS AS AN EXCEPTION TO PLATTING REQUIREMENTS."

A handwritten signature in blue ink that reads "Marcia Glick".

Marcia Glick, City Manager

CONCURRENCE:

A handwritten signature in black ink that appears to read "Rick Pearson".

Rick Pearson, Community Development Coordinator

EXCERPT OF PLANNING COMMISSION MEETING MINUTES OF JUNE 16, 2016

#5B: PUBLIC HEARING: Consideration of an amendment to the Subdivision Ordinance allowing an exception to platting requirements for common boundary line relocations as allowed by State Law as requested by the City of Robbinsdale:

9. **MOTION** by Commissioner Greenberg, seconded by Commissioner Bontrager to open the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**
10. Mr. Pearson presented the staff report for this amendment to the subdivision ordinance that would waive platting requirements in the event two adjoining property owners desired to shift the boundary line between their properties. A subdivision done for the purpose of adjusting a lot line between two existing lots may be approved by the city manager if conditions are met.
11. **MOTION** by Chair Harper, seconded by Commissioner Stoneberg to close the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**
12. **MOTION** by Chair Harper, seconded by Commissioner Stoneberg to recommend that the City Council adopt an ordinance amending the subdivision ordinance to allow common boundary line relocations as an exception to platting requirements subject to review by the city attorney. **The vote was 4-0 and the motion carried. (Ulbrich absent)**

ADMINISTRATIVE STAFF REPORT

APPLICANT: City initiated
CASE NO: Amendment to Subdivision Ordinance
ADDRESS: Citywide
PC DATE: June 16, 2016
APPLICATION DATE: N/A
PROCESSING DEADLINE: N/A

ACTION/REQUEST:

Staff is initiating an amendment to the subdivision ordinance that would waive platting requirements in the event two adjoining property owners desired to shift the boundary line between their properties.

BACKGROUND/ANALYSIS:

State statutes allow for the exception to platting requirements. According to Robbinsdale's subdivision ordinance, if property owner A wanted to sell one foot of their land to property owner B, they would have to replat the properties which could cost thousands of dollars. The exception would still require a survey and compliance with several conditions. The following example was provided by the City of Minnetonka Subdivision Ordinance and reformatted for Robbinsdale:

Section 500.13. Procedural exceptions.

Subd. 4. Common boundary line relocation. A subdivision done for the purpose of adjusting a lot line between two existing lots may be approved by the city manager if the following conditions are met:

- a. The new legal descriptions for the properties are metes and bounds.
- b. The adjustment does not result in the creation of a new lot, does not make one of the lots large enough to be eligible for further subdivision, and does not make an unbuildable lot buildable; and
- c. The resulting parcels meet all applicable ordinance requirements, except that if one of the parcels was previously non-conforming, it must become more conforming as a result of the subdivision.

RECOMMENDATION:

1. Hold the public hearing.
2. Recommend that the City Council adopt an ordinance amending the subdivision ordinance to allow common boundary line relocations as an exception to platting requirements subject to review by the city attorney.

Exhibit 3

Member _____ moved and Member _____ seconded a motion that the following Ordinance, which was given its first reading on June 21, 2016 be given its second reading this _____ day of _____ 2016 and that it be adopted.

ORDINANCE NO.

**AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE TO ALLOW
COMMON BOUNDARY LINE RELOCATIONS AS AN EXCEPTION TO PLATTING
REQUIREMENTS**

THE CITY COUNCIL OF THE CITY OF ROBBINSDALE DOES ORDAIN:

1. Section 500.13. Procedural exceptions. That the following Subdivision is to be added to the Subdivision Ordinance Section 500.13. Procedural exceptions.

Subd. 4. Common boundary line relocation. A subdivision done for the purpose of adjusting a lot line between two existing lots may be approved by the city manager if the following conditions are met:

- a. the new legal descriptions for the properties are metes and bounds;
 - b. the adjustment does not result in the creation of a new lot, does not make one of the lots large enough to be eligible for further subdivision, and does not make an unbuildable lot buildable; and
 - c. the resulting parcels meet all applicable ordinance requirements, except that if one of the parcels was previously non-conforming, it must become more conforming as a result of the subdivision.
- 2 That the following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication:

The purpose of the amendment is to allow an exception to platting requirements for neighbors of adjacent properties to adjust their property lines as allowed by Minnesota State Statutes.

First Reading: YEAS:
NAYS:

Second Reading: YEAS:
NAYS:

PASSED AND ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 2016.

ATTEST:

Regan L. Murphy, Mayor

Tom Marshall, City Clerk
(SEAL)



TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Whiz Bang Days Committee Event Requests

BACKGROUND

The 2016 Whiz Bang Days is scheduled for Thursday, July 7th to Sunday, July 10th. This is the 68th year of the event which includes a variety of activities for all ages held at various locations within the city.

City Council approval is needed for use of city owned locations and for activities having special requirements. Event vendors requiring temporary food and beverage licenses go through the regular city council approval process, and in the past, Council has waived these license fees due to this being a community event.

Candice Norton, Treasurer, of the Whiz Bang Days Committee is here to give an overview of this event.

ANALYSIS/CONCLUSION

The committee is requesting to reserve Lakeview Terrace Park from 12:00 noon on Friday the 8th to 11:00 p.m. on Sunday the 10th. Activities include the Tour de Vail- a new around the lake walking event, a youth baseball tournament, a Baggo tournament, a talent show, log rolling, and food vendors. Event volunteers, city staff, and staff from Three Rivers Park District operate these activities. There will be a small stage for the talent show placed in the grass near the bottom of the hill. Food trucks will be parked in the east side parking lot on Saturday from approximately 9:30 a.m. to 2:00 p.m. On Sunday fireworks would be launched starting at 10:00 p.m. from the area between the concession building and the lake. The west side of the parking lot would remain open the entire weekend but the east side parking lot would be closed until Saturday afternoon for the food trucks.

The west side of Hollingsworth Park is requested to be reserved from 12:00 noon on Friday to 11:00 p.m. on Sunday. A stage would be placed in this area for a city band concert Saturday evening and the coronation on Sunday evening. On Sunday evening this entire park becomes a favorite location for viewing the fireworks.

The committee has arranged for The Lodge to organize the 'Whiz Bang Days Block Party.' The event is planned for Friday night and using the Town Center parking lot along County Road 81. The Block Party is an enclosed event, bordered by the building, two concrete side walls, and the fourth side by a temporary fence. Last year the Block Party used the Town Center parking lot on west side along West Broadway. According to Mitchell Tague from The Lodge the west side parking lot will not be available this year due to a construction repair project and the west side parking lot will be closed. The band 'Pop ROCKS' is booked for this event and The Lodge is requesting live outdoor music until 10:00 p.m. and to end the party at 10:30 p.m. with everyone out of the block party area by 10:30 p.m. City Code Section 2005.15 prohibits parties after 10:00 p.m. unless City Council approves a request for extended hours, which it has done in the past. The last time a live band played in the east side parking lot the noise level disturbed residents many blocks away from the band's location. This year The Lodge must require that noise levels

be kept at a reasonable volume and the band must take direction from the Police Officers to adjust the volume, if requested. They confirmed approval from The Carrington Company, owner of Town Center, to use the east side parking lot for this event. Because this parking lot is a suspended structure, staff has requested verification from The Carrington Company that this type of parking lot can support the total load weight occurring from equipment plus the live load generated by active people; a confirmation is in process. Alcohol and food will be sold within the confined area of the event which will require a temporary liquor license and temporary foods license. Alcohol and food serving will begin at 6:30 p.m. and end at 9:30 p.m. Bartenders will be on-site serving and checking IDs ensuring beer is sold only to ages 21 years and older. They will have portable restrooms within the block party area. The Lodge must arrange and pay the cost of two Police Officers to be on-site from 6:30 p.m. to 10:30 p.m.

The Robbinsdale Lions submitted a temporary foods license application and block party application to set up at the downtown plaza by the water fountain, 41 ½ Avenue and West Broadway Thursday-Saturday. This is the same location and set up as Council approved last year. They are asking to reserve the area from 8:00 a.m. to 8:00 p.m. with serving expected from 10:00 a.m. to 7:00 p.m. It is requested that the water fountain be turned off during this time. One 12' x 12' tent is in the original plan, but another tent may be added for patrons to dine under.

A Bocce Ball Tournament request was submitted by Tina Suglia, Nonna Rosa's Ristorante Italiano, 4168 West Broadway, to host this tournament on Saturday from 10:00 am to 5:00 p.m. The event would be held in the municipal parking lot behind their restaurant and her request is for the parking lot to be closed from 6:00 am to 5:00 p.m. on Saturday using barricades.

At the Robbinsdale Historic Library building there would be an Art Gallery event called "Art on the Lawn" held on Saturday from 9:00 a.m. to 4:00 p.m. outside on the lawn. Approval of the road closure for this event is on the consent agenda.

New is the wood bat softball tournament on Saturday at Spanjers Park. The committee is requesting the field rental fee be waived, but they understand that field maintenance fees may be charged based on their actual needs. They are requesting that when the food trucks are done serving at Lakeview Terrace Park around 2:00 p.m. they be approved to move to Spanjers Park to serve food there until the end of the softball tournament. These trucks would park at City Hall in the north parking lot. This lot will be closed to other parking after the License Center closes at 12 noon. They are also requesting a one day permit to allow tournament participants and spectators to bring their own beer into the park. The committee is also requesting this one day permit for the Baggo tournament at Lakeview Terrace Park. This permit is available through City Code Section 815 – Parks and Recreation Areas. The code reads:

it is unlawful to bring into a park, or possess, display, consume or use intoxicating liquor or beer. Permits for the consumption of beer may be issued by the director. The permit will be limited to duly organized non-profit local civic organizations operating under a constitution and by-laws and which have been in existence for at least one year. A deposit of \$25 is required to obtain a permit, the deposit to be returned when the director determines that the person obtaining the permit has fulfilled the obligations stated in the permit.

The permit would be issued with the requirements that beer is limited to cans and consumed only in the area immediately adjacent to the softball tournament and Baggo tournament up to thirty minutes following the end of the tournament. These requirements are supported by the Police Chief.

The Sunday, July 10th parade route would be the same as last year. Parade staging would be on County Road 8 north of 42nd Avenue and continuing as far as north as 46th Avenue, if needed. The parade route would start at 42nd Avenue then south on West Broadway Avenue to 40th Avenue then east to Shoreline Drive and ending at Sanborn Park.

RECOMMENDATION

By motion, approve the request for Robbinsdale Whiz Bang Days activities and locations from Thursday, July 7th to Sunday, July 10th, 2016 as follows:

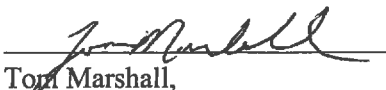
- Approve exclusive use of Lakeview Terrace Park from Friday 12 noon to Sunday 11:00 p.m. and the west side of Hollingsworth Park, from Friday to Sunday.
- Approve the request for extended hours for the Friday night Block Party on the east side of Town Center until 10:30 p.m., with live outdoor music ending at 10:00 p.m.
- Approve the Robbinsdale Lions use of the municipal plaza located at 41 ½ Avenue and West Broadway from 8:00 a.m. to 8:00 p.m., Thursday-Saturday and allow the water fountain to be turned off during this time.
- Approve Tina Suglia, Nonna Rosa's Ristorante Italiano, 4168 West Broadway, to host the Whiz Bang Days Bocce Ball tournament on Saturday, July 11th from 10:00 am to 5:00 p.m. using the municipal parking lot with the parking lot closed from 6:00 am to 5:00 p.m. on this day.
- Approve the request to have a parade route on Sunday starting on West Broadway at 42nd Avenue and then south on West Broadway Avenue to 40th Avenue then east to Shoreline Drive and ending at Sanborn Park.
- Support a permit issued by the Director of Recreation Services for the consumption of beer at Spanjers Park and at Lakeview Terrace Park on Saturday only with the requirements that beer is limited to cans and consumed only in the area immediately adjacent to the softball tournament and Baggo tournament up to thirty minutes following the end of the tournament.
- Waive the field rental fee at Spanjers Park.

With the following conditions:

- The Whiz Bang Days Committee must provide and pay for portable sanitation units near each event location.
- Alcohol and food service at the Block Party can begin at 6:30 p.m. and must end by 9:30 p.m.
- Noise levels must be kept at a reasonable volume and the band must take direction from the Police Officers to adjust the volume, if requested.



Marcia Glick, City Manager



Tom Marshall,
Director of Administrative and Recreation Services



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Heart of Robbinsdale Community Foundation Presentation – Bob Zagaros (Chair)

Background:

Bob Zagaros will be providing an update on the Foundation's activities. The Foundation was established nine years ago.

Marcia E. Glick

Marcia Glick, City Manager



City of Robbinsdale

MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: City of Robbinsdale Comprehensive Annual Financial Report for 2015

Background

The City Council annually acknowledges the receipt of the City's Comprehensive Annual Financial Report (CAFR), Auditor's Management Report and Special Purpose Audit Reports.

Analysis/Conclusion

The City's Annual Financial Report for 2015, the Auditor's Management Report, and Special Purpose Audit Reports on compliance have been distributed to the City Council and are available by request to the Finance Director. Mr. Aaron Nielsen, CPA, of Malloy, Montague, Karnowski, Radosevich & Co., P.A. (MMKR), will make a formal presentation. Aaron currently serves as the audit partner on our audit. This is the twelfth year that MMKR has audited the City, and Aaron's fourth year as audit partner.

The following portions of the financial report the council may find useful in providing summarized information related to the city financial report:

Letter of Transmittal – pages i – iv,
Management Discussion and Analysis – pages 5 - 15,
Notes to the financial statements - pages 45 - 76,
Divider pages provide an explanation of the funds.

Recommendation

Approve a motion to acknowledge the receipt of the City's Audited Comprehensive Annual Financial Report for the year ended December 31, 2015, Auditor's 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.

Marcia Glick, City Manager

CONCURRENCE:

Larry S. Jacobson, Finance Director

G:\Council\2016 Council\2015 CAFR Acceptance By Council.doc



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Certificate of Achievement for Excellence in Financial Reporting

Presentation

For the 36th consecutive year, the City has been awarded the Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended December 31, 2014. This award is given by the Government Finance Officers Association of the United States and Canada (GFOA) to governments who meet a stringent set of criteria. The award was established in 1945 and is designed to recognize and encourage excellence in financial reporting by state and local governments throughout the United States and Canada. The City of Robbinsdale received its first award for the year ended December 31, 1979.

(Plaque to be given to the Mayor at the meeting, during the presentation by Finance Director Larry Jacobson)

Marcia Glick, City Manager

Larry S. Jacobson, Finance Director



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Consideration of revoking or suspending the rental license at 3333 Halifax Ave. N. action tabled.

BACKGROUND:

On June 7, 2016 the City Council tabled action until June 21, 2016 regarding the recommended suspension or revocation of the rental license at 3333 Halifax Ave. N.

ANALYSIS/CONCLUSION:

The Council placed a condition on the property license:

- That the tenant identifies no more than four cars that will be at the residence;
- That two of those vehicles will be parked overnight in the garage;
- That the other two will be parked in the back and that there will be no auto repairs other than simple maintenance for those four identified vehicles.

The pictures presented on June 7 are attached as **Exhibit 1**. Notes from the June 7 hearing are attached as **Exhibit 2**.

Since June 7, the tenant has not contacted staff regarding the disposition of the vehicles. Staff has continued to monitor the property. Since June 7, staff has observed 2 to 4 vehicles at any given time in the rear yard of the property off of the alley. In one case, there were four vehicles outside. Staff could not ascertain if another was in the garage, but suspected as much because the door was open a few inches.

On June 15th, an appeal of the administrative citations by the property owner was held at city hall. Nam Bui, the property owner indicated that a complaint for eviction had been filed in Hennepin County Housing Court. The date of the hearing has been set for June 27. The lease (which had expired) did include a provision that the tenant use the property lawfully. Staff provided Ms. Bui copies of the citations, pictures and a police report of an incident which occurred on May 28, 2016. The incident report included a statement from a non-resident who indicated she regularly had her car serviced at the property. Five vehicles at the property did not register to the tenant, Richard Frazier or Kacey Racette.

Staff feels that if the tenant is evicted, the property owner could find a new tenant. Ms. Nam said that the agent who originally facilitated the occupancy of the current tenant has been terminated. Staff provided her with copies of the rental property owner's handbook and other materials provided to landlords at the crime-free housing training.

RECOMMENDATION:

- a. Consider a motion to suspend or revoke the rental license at 3333 Halifax Ave. N. held by Affordable Homes LLC for violations of Section 505.09, Subd. 67, Home occupations of City Code.

-Or-

- b. Table action regarding the disposition of the rental license for 3333 Halifax Ave. N. pending the outcome of the Housing Court Hearing.



Marcia Glick, City Manager

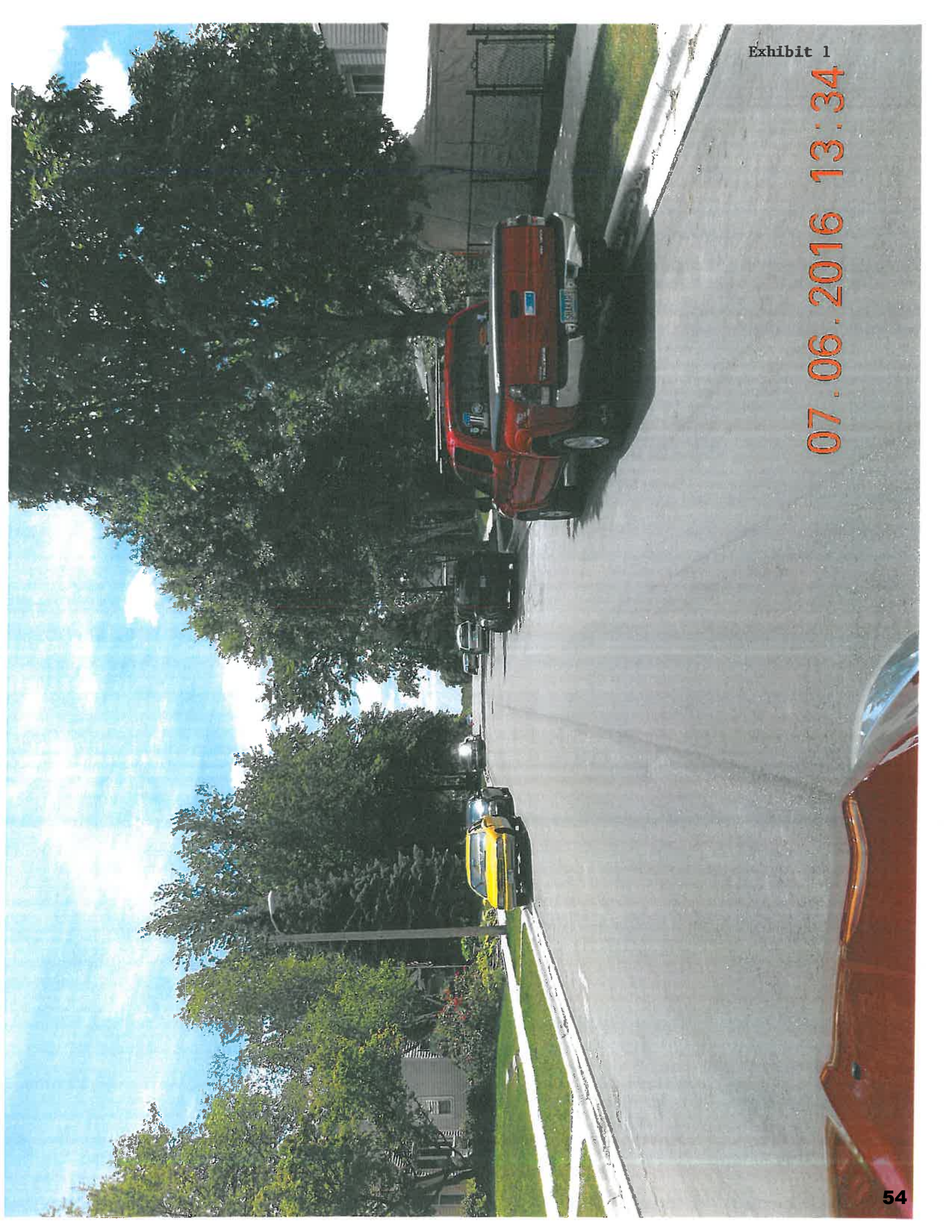
CONCURRENCE:



Rick Pearson, Community Development Coordinator

Exhibit 1

07.06.2016 13:34

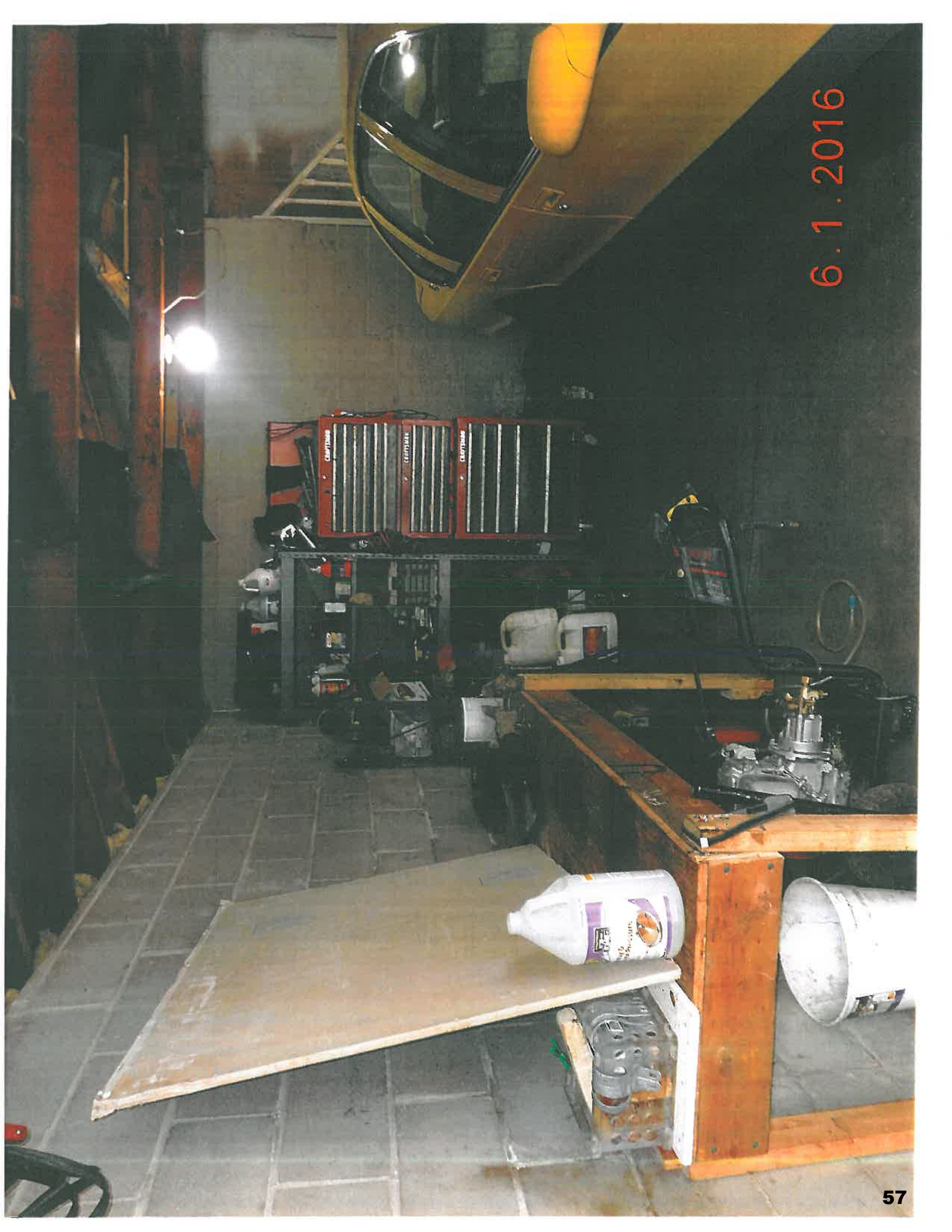


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6.1.2016



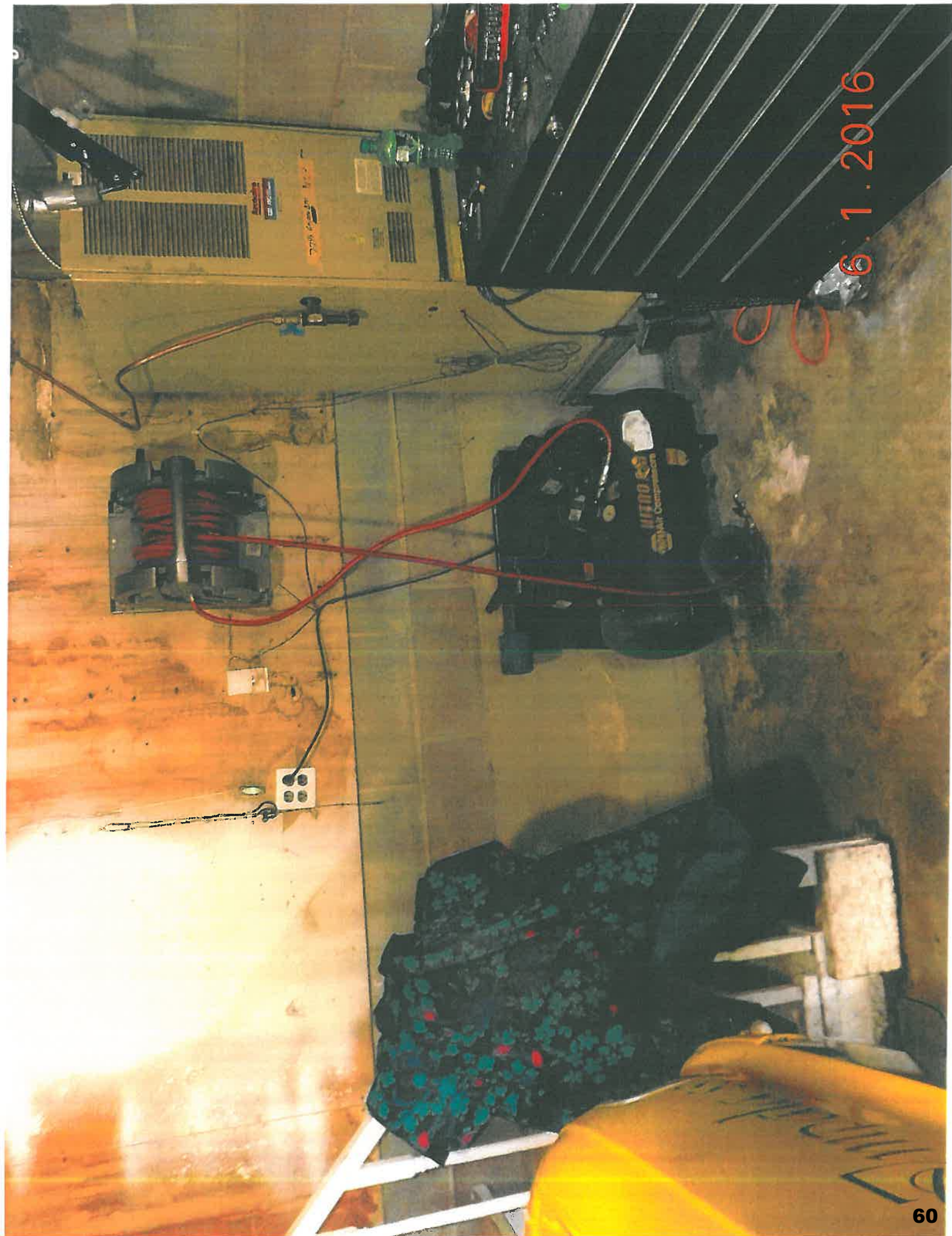
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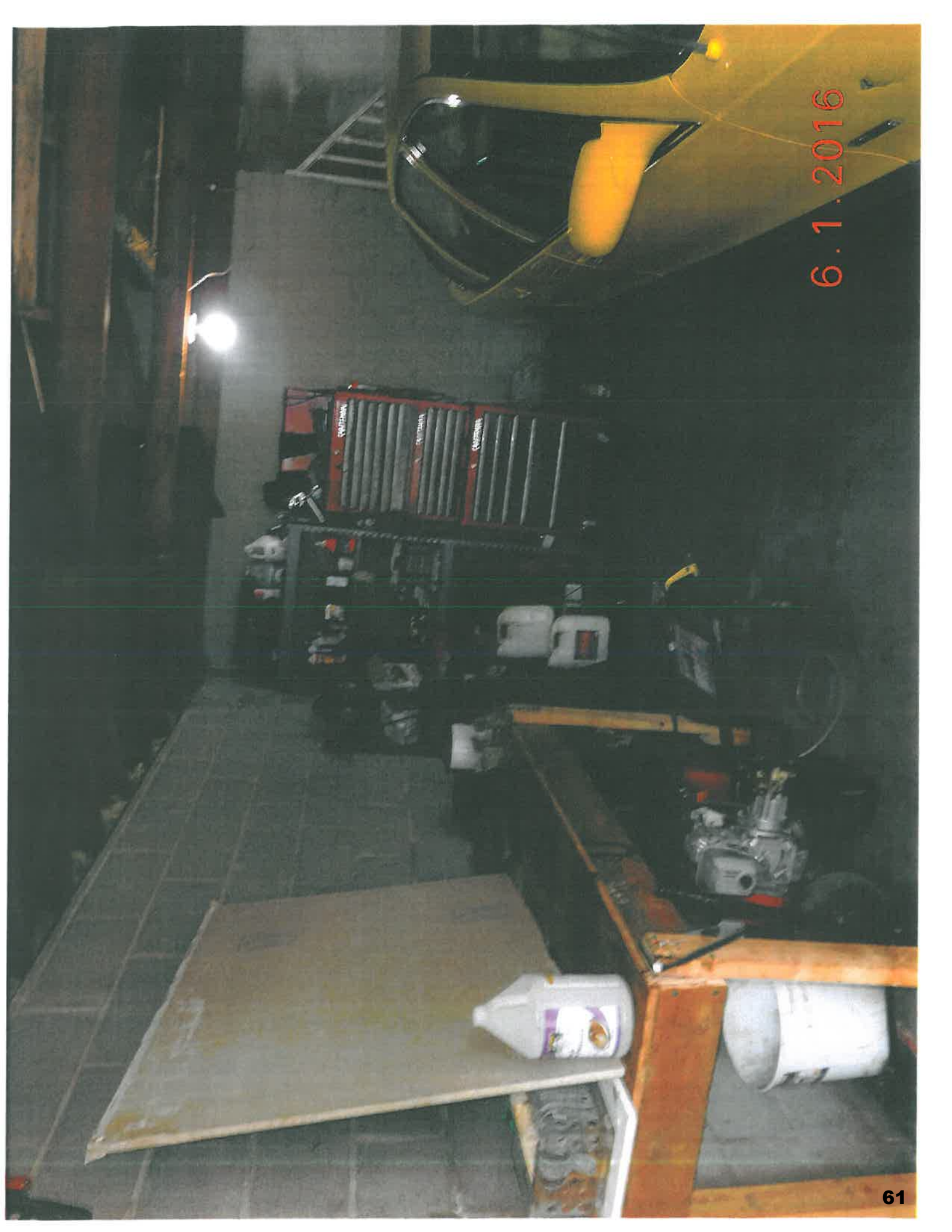
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**City of Robbinsdale
CITY COUNCIL MINUTES**

June 7, 2016

Meeting No. 11

*** Additional Notes: NEW BUSINESS A: Hearing to consider revoking or suspending the rental license at 3333 Halifax Ave. N.**

1. **Issue:** Commercial repair being done on the property; home occupation (City Code) prohibits repair shops of any kind on premises (24:00).
2. **Pearson:** Reported that staff followed up on complaints and in early March of 2016 a warning letter was sent out to the Property owner; two-weeks later a citation was sent out. There has been some contact with an advocate (Garret Plumley, hired as Manager on site) representing the property owner (those contacts go back to April). A 5th citation was sent out on June 7th 2016. Six cars were parked in the back of the property and three other vehicles were parked on the street in front of the property.
3. **Mayor Murphy opened the Public Hearing:**
4. **Nam Bui:** The property owner of 3333 Halifax Avenue North (Affordable House LLC) and resident of 341 Jolly Lane, Colombia Heights. Bui, hired Garret Plumley as a Manager (on site) to communicate in her place to tenants at the residence. Bui, was in Vietnam in April of 2016 and received the citation(s); she notified Kasey (the tenant) who promised to take care of the issue with the City. She stated that, she has never had a problem with the tenants, the City or her own property license.
5. **Kasey Racette:** Resident of 3333 Halifax Avenue North. Racette, represented herself and Richard (the other tenant and mechanic operating on vehicles in the garage at the address); he was not present at the meeting. Racette, explained that the commercial equipment in the garage was purchased because, Richard is a mechanic and has worked in repair shops. He obtained equipment through work and uses it as a hobby to work on family or project cars owned by the residents. Residents own several cars purchased from their place of employment.
6. **Member Rogan:** Asked about the nine cars parked on or around the property and if they are all owned by Kasey or Richard.
7. **Kasey:** Stated that the Impala is register to Richard; the Lincoln, a truck and a Mustang are registered to herself. Another truck is registered to a family friend that visits often (Renee Curtis); a car belongs to another visiting friend, an additional car belongs to a Sister on vacation (parked for repair) and a covered car belongs to the tenant's Mother (parked for storage). The last car, a Chrysler is owned by the wife of a friend; who frequents the house often.
8. **Member Rogan:** Confirms that, out of the nine cars, five are owned by the tenant.
9. **Kasey:** Confirms that Rogan's statement is correct. Kasey and Richard are both employed at Schmitt Towing in North East Minneapolis.
10. **Mayor Murphy:** Asks why the tenant has three cars.

11. **Kasey:** No reason, Richard has always collected cars. At Schmitt Towing, when a vehicle has been sitting in the lot for more than 45-days it becomes the property of the towing company and the vehicles can be resold. Richard has acquired their vehicles from the towing company.
12. **Member Selman:** How long have you lived at the residence and how many cars have you owned since that time?
13. **Kasey:** Two years as of September 1st, 2016. Tenant now owns six vehicles (originally moved in with four and bought two additional vehicles since); has not sold any vehicles.
14. **Member Blonigan:** Comments on one of the complaints in the report, regarding dealership plates parked in the driveway. Possibly suggests that they were acquired at auction and intend to be resold.
15. **Kasey:** A friend (Lance) does have a dealer's license. Kasey sees the severity of the issue with the dealership plates and how that would raise attention to the situation. The tenants used a Yellow Charger (with dealer plates) that belonged to this friend for a month.
16. **Member Blonigan:** Clarifies that tenants are ending up with a lot of cars because of the Schmitt Towing connection. The extra cars that are parked on or outside of the resident's home belong to family or friends visiting and there was one occasion where a dealer plated vehicle was borrowed from a friend and used. Richard is not repairing cars for money and that there are no cars sitting on or parked in front of the property acquired at auction.
17. **Kasey:** States that Blonigan's statement is correct. A friend has a dealership license but, does not bring vehicles to be repaired at the address. Pearson had alerted the tenant that having these types of vehicles on the property does raise further suspicion that cars are being repaired and resold at auction. Kasey doesn't believe they have anything to hide and is willing to follow the suggestions of the Council.
18. **Selman:** Would like to clarify the terms "Suspend or Revoke"
19. **Pearson:** There is little difference between suspension and revocation in the Ordinance language; suspension means there will be a hold and that a future tenant may be denied from occupying the house until the license can be restored. The revocation process would be set by the City Manager or another representative of the City, this would include, placarding the house as the license is being revoked and establishing a date that there will no longer being occupancy; giving the resident(s) time to move out. Suspension is giving the tenants time to address issue and if corrected, the license will be restored.
20. **Member Backen:** On May 20th, 2016 did the tenants understand the seriousness of the issue? Since that date two vehicles were purchased by the residents.
21. **Kasey:** Two additional vehicles were purchased since that date and the tenant did understand the severity of the matter in terms of the issues with making repairs to vehicles on the property for profit (including storage). Tenant cleaned up the property to follow requests.
22. **Member Backen:** Confirms that the tenants understood the severity of the situation and asks about a City inspection that took place today (the day of the Public Hearing) that reports there was a car jacked up in the garage.
23. **Kasey:** Stated they were under the impression that there could be minor repairs done to vehicles in the garage to owned cars or those belonging to family members. The repairs were not done for profit.

24. **Member Selman:** Mentioned that the neighbors complaining have been waiting for 90-days or longer for the issue to be resolved. The problem has been continuing for quite a while.
25. **Kasey:** Understands what her neighbors are complaining about and would resolve the issue “by tomorrow” if necessary.
26. **Member Selman:** Points out the greater effect, in terms of nearby property sales.
27. **Member Rogan:** Raises the issue of having too many cars and the City’s parking Ordinance. In Robbinsdale no vehicle is allowed to be parked on the street for extended periods of time; with nine cars that would be impossible. You cannot fit the six cars that you own very easily on the property as well. Rogan suggests that, a maximum of four vehicles should be kept on the property and any others should be placed in storage (off the property). Repairs should not be made on other vehicles (not owned by tenant) otherwise, it is counted as a repair shop.
28. **Member Backen:** Agrees with Rogan, he would not want to see vehicles being brought in and out that are owned by tenants rotating for repair. Backen asks about proper disposal of oil and other fluids being drained from the car. Backen also mentions that their residence is close to a lake and that runoff may carry toxins to bodies of water in Robbinsdale.
29. **Kasey:** Richard previously worked for Steve’s Tire and Auto and disposes of these fluids at this shop or other similar auto repair locations.
30. **Member Backen:** There should be no auto repairs done at this time; nothing.
31. **Kasey:** Agrees (that there should be absolutely no auto repairs done at all).
32. **Bui:** States that, she didn’t understand the severity of the problem so, she gave the citations to Kasey to resolve and that this was her mistake. She doesn’t believe the citations are her fault, doesn’t want her license revoked and would like to keep the tenant. She also mentioned that Kasey appealed several times.
33. **Mayor Murphy:** Explains that part of the problem is that the property owner didn’t do anything after receiving reoccurring citations. As the property owner, it is Bui’s responsibly to take care of the issue with resident(s). Murphy re-explains the nuisance and environmental issue relating to work being done on cars and why it is not allowed in Robbinsdale.
34. **Glick:** Notes that, the citation explains the process of making an appeal and that a written appeal should be mailed to the City Clerk.
35. **Bui:** States that, she has communicated with Kasey about appealing and paying for citations. She trusted Kasey to take care of the bill and did not come in to City Hall herself because Kasey had visited with City staff (at the Hall) multiple times. Bui depended on Garret and Kasey to resolve the problem with the City because, she doesn’t understand the codes or laws regarding the issue.
36. **Glick:** Asks Kasey if she has come in to City Hall to speak with City Staff about paying the fines.
37. **Kasey:** States, she has not and claims to have mailed in two citations for the appeals process but, had never heard back from the City.
38. **Glick:** States that, the City Clerk (present at the meeting) has not received any appeals.
39. **Blonigan:** Reads the violation and the Ordinance (home occupation definition) that is being violated by the tenant/ property owner.
40. **Motion to close the Public Hearing.**



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: FIRST READING of an Ordinance to opt-out of a new state law permitting temporary family health care dwellings.

BACKGROUND:

The Legislature created a law that permits temporary detached dwellings to be placed on single family lots to provide housing for relatives needing health care services. The permit is state wide, but cities are given the ability to “opt-out” by adopting an ordinance. On June 16, 2016, the Planning Commission conducted a public hearing for the opt-out ordinance. The meeting minutes are included as **Exhibit 1**.

ANALYSIS/CONCLUSION:

The report prepared for the Planning Commission is included as **Exhibit 2**. The report provided detail concerning the legislation and concerns about Robbinsdale’s small residential lots that would be ill-suited for the temporary dwelling units.

No one attended the public hearing to provide comments. The Planning Commission discussed their perception of a trend in housing that plans for multiple generations and space for parents. The consensus was that for Robbinsdale, the housing should be contained in the same structure, not in what would in effect be an accessory structure. Subsequently, they unanimously adopted a motion recommending adoption of the opt-out ordinance.

RECOMMENDATION:

Hold the FIRST READING of the Ordinance shown in **Exhibit 3** “ AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593.”

A handwritten signature in blue ink that reads "Marcia Glick".

Marcia Glick, City Manager

CONCURRENCE:

A handwritten signature in black ink that reads "Rick Pearson".

Rick Pearson, Community Development Coordinator

EXCERPT OF PLANNING COMMISSION MEETING MINUTES OF JUNE 16, 2016

#5A: PUBLIC HEARING: Consideration of an ordinance to opt-out of a new state law that would allow temporary housing for mentally or physically impaired family members separate from single family houses in single family residential districts as requested by the City of Robbinsdale:

4. **MOTION** by Commissioner Stoneberg, seconded by Commissioner Bontrager to open the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**

5. Mr. Pearson presented the staff report. The legislature created a law (Temporary Family Health Care Dwellings) that permits temporary, detached dwelling to be placed on single family lots to provide housing for relatives needing health care services. The permit is state wide, but cities are given the ability to "opt-out" by adopting an ordinance. Other cities are considering opting out as well. Reviewed the aspects of the temporary dwelling law. Robbinsdale would have few opportunities for temporary family health care dwellings simply because of the small lot sizes.

6. Consensus of the Commissioners was in support of opting out of the state law.

7. **MOTION** by Chair Harper, seconded by Commissioner Bontrager to close the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**

8. **MOTION** by Commissioner Bontrager, seconded by Commissioner Greenberg to

recommend that the City Council adopt an Ordinance to opt-out of the requirements for Temporary Family Health Care Dwellings based upon the following findings of fact:

- a. That Robbinsdale is a densely developed community with very little open space in residential yards meeting the requirements of the temporary health care dwelling standards;
- b. That providing services to the temporary structures will be problematic in winter conditions;
- c. That the temporary dwellings are not consistent with the low density residential policies of the comprehensive plan

The vote was 4-0 and the motion carried. (Ulbrich absent)

ADMINISTRATIVE STAFF REPORT

APPLICANT: City Initiated
CASE NO: N/A
ADDRESS: City wide
PC DATE: June 16, 2016
APPLICATION DATE: N/A
PROCESSING DEADLINE: N/A

ACTION/REQUEST:

The Legislature created a law that permits temporary detached dwellings to be placed on single family lots to provide housing for relatives needing health care services. The permit is state wide, but cities are given the ability to “opt-out” by adopting an ordinance.

BACKGROUND/ANALYSIS:

The new law will allow “Temporary Family Health Care Dwellings” of no more than 300 sq. ft. that can be brought in and removed by a one-ton pick-up truck to be placed on any residential property with a permit. The Relevant Minnesota Session Laws are included as **Attachment A.**

Other aspects of the temp. dwelling law include:

- The one occupant allowed would be a relative or dependent and be mentally or physically impaired and needs assistance with two or more instrumental activities of daily living.
- The dwelling would be prefabricated like a fish house or trailer.
- Water and electrical hook-ups must be provided for to the permanent house, or other means.
- Septic service needs to be available.
- The legislation also includes: “...A temporary family health care dwelling must comply with all setback requirements that apply to the primary structure...”
More than 90% of Robbinsdale properties will only have space between the principal structure (house) and the rear yard setback for this type of use and often this space is used for driveways.

Staff reviewed the legislation and concluded that Robbinsdale would have few opportunities for temporary family health care dwellings simply because of the small lot sizes. Other cities have larger lots and could more easily provide for RV type hook-ups that would be necessary and not conflict with off-street parking and driveways that already occupy the locations suggested by the standards contained in the legislation.

The Planning Commission may consider alternatives:

- 1) Opt out;
- 2) Opt out and then add the special accessory use based upon the relevant State Statue with conditions under which these types of facilities could be allowed.

RECOMMENDATION:

1. Hold the public hearing.
2. Recommend that the City Council adopt an Ordinance to opt-out of the requirements for Temporary Family Health Care Dwellings based upon the following findings of fact:
 - a. That Robbinsdale is a densely developed community with very little open space in residential yards meeting the requirements of the temporary health care dwelling standards;
 - b. That providing services to the temporary structures will be problematic in winter conditions;
 - c. That the temporary dwellings are not consistent with the low density residential policies of the comprehensive plan.

ATTACHMENT A

Subd. 7. **Fee.** Unless otherwise specified by an action of the county board, the county may charge a fee of up to \$100 for the initial permit and up to \$50 for a renewal of the permit.

Subd. 8. **No public hearing required; application of section 15.99.** (a) Due to the time-sensitive nature of issuing a temporary dwelling permit for a temporary family health care dwelling, the county does not have to hold a public hearing on the application.

(b) The procedures governing the time limit for deciding an application for the temporary dwelling permit under this section are governed by section 15.99, except as provided in this section. The county has 15 days to issue a permit requested under this section or to deny it, except that if the county board holds regular meetings only once per calendar month the county has 30 days to issue a permit requested under this section or to deny it. If the county receives a written request that does not contain all required information, the applicable 15-day or 30-day limit starts over only if the county sends written notice within five business days of receipt of the request telling the requester what information is missing. The county cannot extend the period of time to decide.

Subd. 9. **Opt-out.** A county may by resolution opt-out of the requirements of this section.

Sec. 3. [462.3593] TEMPORARY FAMILY HEALTH CARE DWELLINGS.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Caregiver" means an individual 18 years of age or older who:

(1) provides care for a mentally or physically impaired person; and

(2) is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.

(c) "Instrumental activities of daily living" has the meaning given in section 256B.0659, subdivision 1, paragraph (i).

(d) "Mentally or physically impaired person" means a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified in writing by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.

(e) "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, or niece of the mentally or physically impaired person. Relative includes half, step, and in-law relationships.

(f) "Temporary family health care dwelling" means a mobile residential dwelling providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that meets the requirements of subdivision 2.

Subd. 2. **Temporary family health care dwelling.** A temporary family health care dwelling must:

(1) be primarily assembled at a location other than its site of installation;

(2) be no more than 300 gross square feet;

(3) not be attached to a permanent foundation;

(4) be universally designed and meet state-recognized accessibility standards;

(5) provide access to water and electric utilities either by connecting to the utilities that are serving the principal dwelling on the lot or by other comparable means;

(6) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;

(7) have a minimum insulation rating of R-15;

(8) be able to be installed, removed, and transported by a one-ton pickup truck as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002, subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;

(9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2; and

(10) be equipped with a backflow check valve.

Subd. 3. Temporary dwelling permit; application. (a) Unless the municipality has designated temporary family health care dwellings as permitted uses, a temporary family health care dwelling is subject to the provisions in this section. A temporary family health care dwelling that meets the requirements of this section cannot be prohibited by a local ordinance that regulates accessory uses or recreational vehicle parking or storage.

(b) The caregiver or relative must apply for a temporary dwelling permit from the municipality. The permit application must be signed by the primary caregiver, the owner of the property on which the temporary family health care dwelling will be located, and the resident of the property if the property owner does not reside on the property, and include:

(1) the name, address, and telephone number of the property owner, the resident of the property if different from the owner, and the primary caregiver responsible for the care of the mentally or physically impaired person; and the name of the mentally or physically impaired person who will live in the temporary family health care dwelling;

(2) proof of the provider network from which the mentally or physically impaired person may receive respite care, primary care, or remote patient monitoring services;

(3) a written certification that the mentally or physically impaired person requires assistance with two or more instrumental activities of daily living signed by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state;

(4) an executed contract for septic service management or other proof of adequate septic service management;

(5) an affidavit that the applicant has provided notice to adjacent property owners and residents of the application for the temporary dwelling permit; and

(6) a general site map to show the location of the temporary family health care dwelling and other structures on the lot.

(c) The temporary family health care dwelling must be located on property where the caregiver or relative resides. A temporary family health care dwelling must comply with all setback requirements that apply to the primary structure and with any maximum floor area ratio limitations that may apply to the primary structure. The temporary family health care dwelling must be located on the lot so that septic services and emergency vehicles can gain access to the temporary family health care dwelling in a safe and timely manner.

(d) A temporary family health care dwelling is limited to one occupant who is a mentally or physically impaired person. The person must be identified in the application. Only one temporary family health care dwelling is allowed on a lot.

(e) Unless otherwise provided, a temporary family health care dwelling installed under this section must comply with all applicable state law, local ordinances, and charter provisions.

Subd. 4. **Initial permit term; renewal.** The initial temporary dwelling permit is valid for six months. The applicant may renew the permit once for an additional six months.

Subd. 5. **Inspection.** The municipality may require that the permit holder provide evidence of compliance with this section as long as the temporary family health care dwelling remains on the property. The municipality may inspect the temporary family health care dwelling at reasonable times convenient to the caregiver to determine if the temporary family health care dwelling is occupied and meets the requirements of this section.

Subd. 6. **Revocation of permit.** The municipality may revoke the temporary dwelling permit if the permit holder violates any requirement of this section. If the municipality revokes a permit, the permit holder has 60 days from the date of revocation to remove the temporary family health care dwelling.

Subd. 7. **Fee.** Unless otherwise provided by ordinance, the municipality may charge a fee of up to \$100 for the initial permit and up to \$50 for a renewal of the permit.

Subd. 8. **No public hearing required; application of section 15.99.** (a) Due to the time-sensitive nature of issuing a temporary dwelling permit for a temporary family health care dwelling, the municipality does not have to hold a public hearing on the application.

(b) The procedures governing the time limit for deciding an application for the temporary dwelling permit under this section are governed by section 15.99, except as provided in this section. The municipality has 15 days to issue a permit requested under this section or to deny it, except that if the statutory or home rule charter city holds regular meetings only once per calendar month the statutory or home rule charter city has 30 days to issue a permit requested under this section or to deny it. If the municipality receives a written request that does not contain all required information, the applicable 15-day or 30-day limit starts over only if the municipality sends written notice within five business days of receipt of the request telling the requester what information is missing. The municipality cannot extend the period of time to decide.

Subd. 9. **Opt-out.** A municipality may by ordinance opt-out of the requirements of this section.

Sec. 4. **EFFECTIVE DATE.** This act is effective September 1, 2016, and applies to temporary dwelling permit applications made under this act on or after that date.

Presented to the governor May 12, 2016

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Exhibit 3

Member _____ moved and Member _____ seconded a motion that the following Ordinance which was given its first reading on June 21, 2016, be given its second reading this _____ day of July 2016.

ORDINANCE NO.

**AN ORDINANCE OPTING-OUT OF
THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593**

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings and;

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROBBINSDALE
DOES ORDAIN:**

1. Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Robbinsdale opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.
2. This Ordinance shall be effective immediately upon its passage and publication.
3. That the following summary clearly informs the public of the intent and effect of the Ordinance and is approved for publication:

The City of Robbinsdale is opting out of the requirements of Minn. Stat. 462.3592, which defines and regulates Temporary Family Health Care Dwellings.

First Reading: YEAS:
NAYS:

Second Reading: YEAS:
NAYS:

PASSED AND ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF JULY, 2016.

Regan L. Murphy, Mayor

ATTEST:

Tom Marshall, City Clerk
(SEAL)



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: FIRST READING of an Ordinance amending the sign ordinance to allow “teardrop banners.”

BACKGROUND:

Staff initiated this text amendment to treat “teardrop banners” as temporary signs based upon Council direction provided at the May 3 worksession. On June 16, 2016, the Planning Commission conducted a public hearing for the Ordinance amendment. The meeting minutes are included as **Exhibit 1**.

ANALYSIS/CONCLUSION:

The report prepared for the Planning Commission is included as **Exhibit 2**. The amendment creates a definition of tear drop banners. Teardrop banners will be inserted into the category for portable signs and pennants allowed by permit up to 30 days per year. Additional language restricts them in the downtown architectural design guidelines area and site plan requirements with standards has been added.

At the public hearing, there was no one present to comment. After some discussion, the Planning Commission unanimously adopted a motion recommending adoption of the ordinance for teardrop banners.

RECOMMENDATION:

Hold the FIRST READING of the Ordinance shown in **Exhibit 3** “AN ORDINANCE AMENDING THE SIGN ORDINANCE TO ALLOW TEARDROP BANNERS AS TEMPORARY SIGNS.”

A handwritten signature in black ink, appearing to read "Marcia Glick", written over a horizontal line.

Marcia Glick, City Manager

CONCURRENCE:

A handwritten signature in black ink, appearing to read "Rick Pearson", written over a horizontal line.

Rick Pearson, Community Development Coordinator

EXCERPT OF PLANNING COMMISSION MEETING MINUTES OF JUNE 16, 2016

#5D: PUBLIC HEARING: Consideration of Sign Ordinance Amendment SOA16-1 to allow teardrop banners as requested by the City of Robbinsdale:

18. **MOTION** by Commissioner Stoneberg, seconded by Commissioner Bontrager to open the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**
19. Mr. Pearson presented the staff report for this amendment to add teardrop banners. The Planning Commission generally supported tear-drop banners. The city council directed staff to include some controls for location and they should not be allowed in the downtown.
20. **MOTION** by Chair Harper, seconded by Commissioner Bontrager to close the public hearing. **The vote was 4-0 and the motion carried. (Ulbrich absent)**
21. **MOTION** by Commissioner Bontrager, seconded by Commissioner Stoneberg to recommend that the City Council adopt the Ordinance amending the sign ordinance to permit teardrop banners with standards. **The vote was 4-0 and the motion carried. (Ulbrich absent)**

ADMINISTRATIVE STAFF REPORT

APPLICANT: City initiated
 CASE NO: Sign Ordinance Amendment SOA16-1
 ADDRESS: City wide
 PC DATE: June 16, 2016
 APPLICATION DATE: N/A
 PROCESSING DEADLINE: N/A

ACTION/REQUEST:

On April 21, the Planning Commissioners discussed free standing tear-drop banners and generally felt they would be acceptable. Subsequently, the City Council discussed them at a worksession on May 3 and provided direction to staff.

BACKGROUND/ANALYSIS:

After discussion, the Council directed that free-standing “tear-drop” banners could be acceptable similar to temporary signs limited to ten days at a time, three times a year by permit. They felt that there should be some controls for location and they should not be in the downtown.

Based upon the Council direction, staff has proposing new language shown in bold and underlined inserted in to the existing sign ordinance language:

Section 410.05. Definitions.

Subd. 20. **“Teardrop banner” means a free-standing fabric banner attached to a ground mounted frame or pole that causes the banner to remain taut in the absence of wind.**

Section 410.11, Subd. 12. Portable signs, pennants; temporary permits. A sign of a portable nature, pennant, **teardrop banner** or similar sign may not be erected in any zoning district, except by temporary permit issued by the enforcement officer. Temporary permits are valid for a period not to exceed ten days. A temporary permit for a sign may not be renewed more than twice. Temporary permits for a portable sign, pennant, **teardrop banner**, etc. may not be issued to the same premises for the same type of sign more than three times in any 12 month period. For the purpose of this subsection a renewal constitutes a separate permit and each separate sign represents a separate permit request. **Teardrop banners are not allowed in the DD-1, DD-2 or other properties within the downtown architectural design guidelines overlay district.** The signs are not included in the maximum number or maximum permitted sign area allowed under subsection 410.09, but such signs are otherwise subject to all restrictions applied under that subsection. **A temporary permit application must include a site plan showing the proposed location of the sign and its proximity to property lines, sidewalks, driveways and other features as needed for review by staff.**

A temporary sign permit request may be denied by city staff if:

- (a) The proposed location interferes with a visibility triangle as described in Section 510.25;**
- (b) The proposed sign occupies required parking or a fire lane;**
- (c) The proposed sign is located in public right-of-way; or**
- (d) Strong winds or other forces could bend the sign into an adjacent right-of-way.**

RECOMMENDATION:

1. Hold the public hearing.
2. Recommend that the City Council adopt the Ordinance amending the sign ordinance to permit teardrop banners with standards.

Exhibit 3

Member _____ moved and Member _____ seconded a motion that the following Ordinance, which was given its first reading on June 21, 2016 be given its second reading this _____ day of _____ 2016 and that it be adopted.

ORDINANCE NO.

AN ORDINANCE AMENDING THE SIGN ORDINANCE TO ALLOW TEARDROP BANNERS AS TEMPORARY SIGNS

THE CITY COUNCIL OF THE CITY OF ROBBINSDALE DOES ORDAIN:

1. That Section 410.05. Definitions be amended to add the following definition and subsequent sections renumbered:

Subd. 20. **“Teardrop banner” means a free-standing fabric banner attached to a ground mounted frame or pole that causes the banner to remain taut in the absence of wind.**

2. That Section 410.11, Subd. 12. Portable signs, pennants; temporary permits be amended with new language shown in bold and underlined:

A sign of a portable nature, pennant, **teardrop banner** or similar sign may not be erected in any zoning district, except by temporary permit issued by the enforcement officer. Temporary permits are valid for a period not to exceed ten days. A temporary permit for a sign may not be renewed more than twice. Temporary permits for a portable sign, pennant, **teardrop banner**, etc. may not be issued to the same premises for the same type of sign more than three times in any 12 month period. For the purpose of this subsection a renewal constitutes a separate permit and each separate sign represents a separate permit request. **Teardrop banners are not allowed in the DD-1, DD-2 or other properties within the downtown architectural design guidelines overlay district.** The signs are not included in the maximum number or maximum permitted sign area allowed under subsection 410.09, but such signs are otherwise subject to all restrictions applied under that subsection. **A temporary permit application must include a site plan showing the proposed location of the sign and its proximity to property lines, sidewalks, driveways and other features as needed for review by staff. A temporary sign permit request may be denied by city staff if:**

- (a) The proposed location interferes with a visibility triangle as described in Section 510.25;**
- (b) The proposed sign occupies required parking or a fire lane;**
- (c) The proposed sign is located in public right-of-way; or**
- (d) Strong winds or other forces could bend the sign into an adjacent right-of-way.**

3. That the following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication:

The purpose and intent of the ordinance is to permit teardrop banners as temporary signs with standards.

First Reading: YEAS:
NAYS:

Second Reading: YEAS:
NAYS:

PASSED AND ADOPTED BY THE CITY COUNCIL THIS ____ DAY OF _____, 2016.

Regan L. Murphy, Mayor

ATTEST:

Tom Marshall, City Clerk
(SEAL)



TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Letters to Legislators Regarding Special Session

Background

The League of Minnesota Cities has distributed sample letters supporting a special session to complete unfinished work and inclusion of Omnibus Transportation Funding in a special session agreement.

Analysis/Conclusion

Staff will be working to flesh out the details of the letters prior to the meeting.

Recommendation

By motion, authorize the Mayor to execute letters to local supporting a special session to complete unfinished work and for inclusion of omnibus transportation funding in a special session agreement

Marcia Glick, City Manager



City of Robbinsdale

4100 Lakeview Avenue North • Robbinsdale • Minnesota • 55422-2280
Phone (763)537-4534 • Fax (763)531-1291
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June 21, 2016

Honorable Ann Rest
3209 Minnesota State Senate
95 University Avenue West
St. Paul, MN 55155-1606

Honorable Mike Freiberg
Minnesota House of Representatives
239 State Office Building
St. Paul, MN 55155-1298

Dear Senator Rest and Representative Freiberg,

There is an urgent need to do something about our transportation system. Minnesota's road and bridge infrastructure is aging, and its transit systems—both urban and rural—need to expand to accommodate the state's demographics, workforce, and economy. I am contacting on behalf of the full City Council of the City of Robbinsdale to request your support for including an omnibus transportation funding package as part of a 2016 special session. This package must be comprehensive and sustainable.

Without a transportation funding bill this year, Minnesota's road construction budget will shrink by 45 percent. This is unacceptable at a time when needs are at an all-time high.

Any transportation bill passed by the Legislature must include dollars dedicated to city streets. According to a report released in 2012 by the Transportation Finance Advisory Committee, cities collectively need an additional \$400 million per year to bring city streets up to an economically competitive standard.

Existing funding mechanisms for city street maintenance and reconstruction are inadequate, and the shortfall is resulting in increasing property tax burdens for our residents and businesses. Municipal state aid (MSA) is limited to cities over 5,000 population—147 of 853 cities in Minnesota—and cannot be applied to more than 20% of an MSA city's lane miles.

Please work to pass an omnibus transportation funding bill that provides additional dedicated state funding for city streets, including funding that can be used for non-MSA city street maintenance, construction, and reconstruction. Specifically, we support passage of a provision in the Senate's omnibus transportation bill (HF 4) that imposes a \$10 surcharge on license tab fees to be dedicated to city streets in large and small cities. Half of these funds would be directed to the Small Cities Assistance Account established by the 2015 Legislature. The dedicated funding provision for city streets, which raises approximately \$57 million, does not exist in the House transportation bill.

Our common constituents deserve a transportation system that works. We respectfully ask you to keep the interests of all Minnesotans in mind by working to pass a comprehensive, sustainable transportation funding bill, including a sustainable solution for funding the metro area transit system.

Sincerely,

Regan L. Murphy, Mayor
City of Robbinsdale, Minnesota



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Dear Senator Rest and Representative Freiberg,

I am contacting you on behalf of the full City Council of City of Robbinsdale to request your support for a 2016 special session to complete work left unfinished when the Legislature adjourned sine die in May.

It is extremely important to the City of Robbinsdale that the Legislature reconvene to pass the omnibus tax, bonding, and transportation bills. These bills were identified as high priorities for both bodies of the Legislature and the governor, and action on them should not wait until 2017.

Here are some of the provisions that are in jeopardy if immediate action is not taken in a special session:

- Funding mechanism for Metro Transit LRT. The potential loss of the federal funding for Southwest LRT is also a risk for the METRO Blue Line extension -
- \$20 million permanent increase for Local Government Aid (LGA) with a one-time shift of \$34 million from the 2018 payment to 2017. Three payments will be made in 2017.
- Exemption of the first \$100,000 of market value from the statewide general property tax (reduction of \$31 million to the state general fund)
- Authorizes special taxing districts such as EDAs and HRAs to certify their levy on September 30th, rather than September 15th, consistent with cities and counties.

Our common constituents deserve a transportation system that works. We respectfully ask you to keep the interests of all Minnesotans in mind by working to pass a comprehensive, sustainable transportation funding bill as part of a special session.

We urge you to work with the leaders of your caucus to reach an agreement with Gov. Mark Dayton so that a special session can be called to deal with these important issues.

Please do not hesitate to contact me if you have questions or would like to discuss any of the local issues we have identified.

Sincerely,

Regan L. Murphy, Mayor
City of Robbinsdale, Minnesota



MEMORANDUM

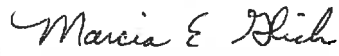
TO: City Council
FROM: Marcia Glick, City Manager
DATE: June 21, 2016
RE: Voucher Requests Pending Approval for Disbursement

The check register dated June 21, 2016 reflects the voucher requests pending approval for disbursement.

The check register dated June 7, 2016 through June 21, 2016 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 June 21, 2016.



Marcia Glick, City Manager

CONCURRENCE:



Larry Jacobson, Finance Director