



CITY COUNCIL MEETING
August 16, 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 August 16, 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 August 1, 2016 and City Council Work Session of August 9, 2016. | 1-16 |
| B. Motion to approve acknowledge receipt and placing on file minutes of the following Commissions and Boards: | 17-18 |
| • Human Rights Commission for 06/29/2016. | |
| C. Motion to approve issuance of licenses from list dated August 16, 2016. | 19-20 |
| D. Motion to authorize one-day exterior sales for the North Hennepin Kiwanis Club to be held on August 20, 2016 at the Citizens Independent Bank Parking Lot, 3700 West Broadway from 10:00 a.m. to 1:00 p.m. | 21-22 |
| E. Motion to appoint Cara Seeley-Johnson to the HRC for a term to commence August 16, 2016. | 23-24 |
| F. <u>Sacred Heart Church Fun Fest</u> | 25-26 |
| 1. By motion, find that the Fun Fest qualifies as a community event and eligible for extended outdoor music until 11:00 p.m. per City Code (2005.15, Subd.1). | |
| 2. Motion to approve the request for the Sacred Heart Church annual Fun Fest, Saturday and Sunday, September 17 and 18, 2016 with music ending at 11:00 p.m. on Saturday. | |
| 3. Motion to approve the Police Chief's recommendation that Sacred Heart Church hire two sworn Robbinsdale Police Officers at \$70/ hour to be present on Saturday, September 17, 2016 from 7:00 p.m. until 11:30 p.m. | |
| 4. Motion to approve the request for the Sacred Heart Church annual Fun Fest road closure of 40 ½ Avenue North overnight on Saturday, September 17, 2016. | |

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PRESENTATION A

There are no Presentation items scheduled.

PUBLIC HEARING A

There are no Public Hearing items scheduled.

OLD BUSINESS A

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A. Revocation or suspension of rental license for 3333 Halifax Ave. N.

1. Motion to suspend the rental license for 3333 Halifax Ave. N. by continuing to use the property as an automobile repair shop which is a prohibited home occupation per Section 505.09, Subd.67.

NEW BUSINESS A

28-29
(Ord. 29)

A. FIRST READING of an amendment to the nuisance section of the zoning ordinance for sump pump discharge.

1. Motion to hold the FIRST READING of Ordinance No. XX "AN ORDINANCE AMENDING SECTION 425 THE PROPERTY MAINTENANCE CODE IDENTIFYING SUMP PUMP AND DRAIN TILE DISCHARGE AS A NUISANCE."

OTHER BUSINESS A

30

A. Voucher Request Pending Approval for Disbursement

1. By motion, approve disbursement requests for period ending August 16, 2016.

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. Problem Properties Update	Comm. D	09-06-16 WkS

City of Robbinsdale
CITY COUNCIL MINUTES
August 1, 2016
Meeting No. 15

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
Absent: None
Staff: Marcia Glick, City Manager; Rick Pearson, Community Development Coordinator; Andrew M Biggerstaff, City Attorney
Guest Speakers: Kent Carlson, Inland Development (partners, Tom Shaver and Steve Schwanke); Phil Hoey, Hy-Vee; Dan Parks, Westwood Engineering

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. Glick commented on additions and changes to the agenda.
5. Included in the Council handouts was the most recent block parties list for Consent O.
6. There were several additional handouts for "New Business A" that included: undated resolutions that added requirements or conditions before the final plat should be approved; there were also grammatical corrections. There was also an update made on Exhibit 1 for "New Business A" (Planning Commission Minutes) that added additional comments from the meeting. The Council were also given the latest comments from the public in the form of letters and printed e-mails.
7. Member Selman **MOVED**, seconded by Member Backen to approve the agenda. **The vote was unanimous and the motion carried.**

CONSENT AGENDA

8. Mayor Murphy pulled consent item P Remove proclamation
9. Member Blonigan **MOVED**, seconded by Member Selman to approve the Consent Agenda, items A through O. **The vote was unanimous and the motion carried.**
10. Items approved are as follows:
 - A. Motion to approve and order placed on file minutes of the regular City Council meeting of July 19, 2016.

- B. Motion to approve acknowledge receipt and placing on file minutes of the following Commissions and Boards:
- Human Rights Commission for 03/24/2016.
 - Planning Commission for 06/16/2016.
- C. Motion to approve issuance of licenses from list dated August 1, 2016.
- D. Motion to authorize the Mayor and City Manager to execute the Memorandum of Agreement between the Federal Transit Administration and the Minnesota Historic Preservation Office.
- E. Motion to hold the SECOND READING of Ordinance 16-13 "AN ORDINANCE AUTHORIZING SALE OF PROPERTY TO ROBBINSDALE ECONOMIC DEVELOPMENT AUTHORITY Twin Oak Lane as dedicated in the plat of Robbins Beach."
- F. Motion to waive the reading and order the adoption of Resolution No. 7503 "AMENDED AND RESTATED RESOLUTION NO. 7491"; "A RESOLUTION AUTHORIZING APPLICATION FOR A CONTAMINATION CLEAN UP GRANT FROM THE DEPTMENTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED)" TO ADD ADDITIONAL REQUIRED LANGUAGE.
- G. Motion to approve and acknowledge the Robbinsdale Wine & Spirits' Monthly Financial Statements for the month of June 2016.
- H. Motion to approve and acknowledge the Deputy Registrars' financial reports for the month of June 2016.
- I. Motion to approve the May 2016 payment for City credit card charges.
- J. Motion to authorize the Mayor and City Manager to execute a lease extension with Robin Center for the municipal liquor store.
- K. Motion to authorize the Mayor and the City Manager to enter into a contract for the reconstruction of Stormwater Drainage in Sunset Park – Project 27416 for an estimated cost of \$89,795.00 with Valley-Rich Co. Inc. of Chaska, Minnesota.
- L. Accept Quote for Replacement of Dump Truck – City Project 8040.
- Motion to authorize the City Manager and Finance Director to issue a Purchase Order to Boyer International Trucks of Rogers, Minnesota for the purchase of a new 2017 International 7500 Tandem Dump Truck Chassis with diesel engine for the net amount of \$49,571 + tax and license.

- Motion to approve the City Manager and Finance Director be authorized to issue a Purchase Order to Crysteel Truck Equipment of Fridley, Minnesota for the fitting of a stainless steel elliptical body, belly plow, front plow, plow controls, GPS tracking, salt-sand unit with pre-wetting, back up alarm and amber LED strobe light for an amount of \$95,845.80.
- M. Motion to table action regarding the rental license for 3333 Halifax Ave. N. to August 16, 2016.
- N. Motion to allow Life Wireless to distribute cell phones in accordance with the Lifeline Program on a trial basis not to exceed 30 days unless allowed by the Council subject to:
- Written permission from the property owner.
 - Site plan and signage approval by staff.
- O. Motion to approve the requested block parties for National Night Out.
- P. Mayor Murphy removed item P

PULLED CONSENT ITEM(S):

11. Mayor Murphy removed Consent Item P to welcome and promote the Baseball team from Benin, (West) Africa that will be participating in a local Woodbat Tournament on the weekend.
12. Mayor Murphy MOVED, seconded by Member Rogan to approve the proclamation proclaiming Friday, August 5, 2016 as Benin Baseball Day in the City of Robbinsdale, Minnesota. **The vote was unanimous and the motion carried.**

PRESENTATION:

13. There are no Presentation items scheduled.

PUBLIC HEARING A:

14. Vacation of Right of Way at 36th Ave and the West Broadway Frontage Road in front of Terrace Mall.
15. Pearson read from the staff report.
16. Glick clarified the process of the Vacation and the order of how public hearings are held. She also noted that the next Public Hearing on the Vacation would be held on August 23rd for a Second Reading of the Ordinance.

17. Mayor Murphy opened up the Public Hearing to comments directly related to the Vacation of the Right-of-Way.
18. Emily Kaess, 3010 Abbott Ave N: inquired about the value of the property and whether a sale or a lease had been considered as an alternative to a Vacation.
19. Glick noted that in order for the City to sell or lease the property the City would need to be the owner of the property and the City does not appear to have a fee (though waiting on title work.) The Council has discussed the possibility of licensing the Right-of-Way instead of vacating which would be subject to negotiation if the project moves forward.
20. John Perkins, 4221 Beard Ave N: Perkins wanted to know what the vacation was for; if it were for a Hy-Vee he would be opposed to the development and would ask the Council to deny it.
21. Mayor Murphy confirmed that the vacation would be for a Hy-Vee.
22. Member Rogan **MOVED**, seconded by Member Selman to close the public hearing. **The vote was unanimous and the motion carried.**
23. Glick gave the recommendation to defer action on the item and to include the item under the motions in New Business A. The motion would be included under New Business A as item D.

OLD BUSINESS:

24. There are no Old Business items scheduled.

NEW BUSINESS A:

25. Terrace Mall Redevelopment.
26. Member Rogan **MOVED**, seconded by Member Backen to receive the written comments received after the last Planning Commission meeting and the additional comments added to the Council's materials. **The vote was unanimous and the motion carried.**
27. Glick reviewed the staff report, covering the conditions of the site, topography, history of the plat, poor soils and possible plans for the lot. She discussed concerns of the large existing retaining wall with an approximate 20-foot drop and noted that there is a similar though smaller retaining wall between the theater and mall.

28. In 2005, the REDA hired a marketing consultant to do a reality check on a redevelopment vision for the area and he noted that the west area included the Terrace was the best soils. The city applied for a grant through Met Council to get rid of the asbestos at Rainbow Foods (under the tile floor) and to clean up soil contamination.
29. The Terrace Theatre has been vacant since 1999 and as a redevelopment site the City takes applications to review proposals. The City does not own the property.
30. Pearson reviewed the staff report and the application process. He explained the definition of "mixed use" in the Comprehensive Plan as applying to a geographical area. Hy-Vee is a commercial mixed use and its structures would require a foot print of 6,000 square feet less than what is currently on the site.
31. Part of the development elements would require conditional use permits. A developer has the right to put together a plan that meets the City's zoning codes. The gas station and a drive through lane, outdoor patio seating, restaurant, shared parking and seasonal lot would all be under conditional use.
32. Glick commented on the proposal and the opportunity to move the City's municipal liquor site into the new development or keep both. The store could not be made private because the City of Robbinsdale is a municipal liquor city.
33. Kent Carlson reported on a survey taken at the July 13th Open House where over 200 people attended (this number only accounts for those who registered). Out of the 200 people, 149 people (75%) took time to complete the survey. Sixty-two of the surveys (42%) supported the Hy-Vee development with no mention of the Terrace Theatre. Fifty-one surveys (34%) supported the development but wanted to incorporate some of the elements from the Theatre, either internally or externally. Thirty-six (24%) of the other surveys wanted to save the Theatre.
34. Carlson feels the survey indicates the community shows great support for the development. Seventy-six percent of those who attended and took the time to complete the surveys would like to see some development happen.
35. Phil Hoey of Hy-Vee, presented background information on Hy-Vee and covered site specific elements of their vision.
36. Hoey noted that it would take roughly \$2,000,000 in additional costs to build on the bad soils where the current Mall sits and North Memorial as a stakeholder has requirements for where buildings would be located (retaining visibility).
37. Mayor Murphy inquired about truck delivery routes.

38. Hoey identified preference for deliveries to enter the site on 81.
39. Member Selman asked about morning deliveries made.
40. Hoey estimated the time for deliveries (of Hy-Vee owned vehicles) would be between 5:00 a.m. and 7:00 a.m. in the morning.
41. Member Backen commented on the retaining wall and questioned how security would monitor it.
42. Hoey reported that the wall would be closed off with safety fences and there are no emergency exits that are required in the back of the building; there will also be cameras and lights.
43. Mayor Murphy asked about closing the gap and having the building as the retaining wall.
44. Hoey stated that having access to the rooftop could also contribute negatively to safety issues and this would be an added cost in engineering the building to be used as a retaining wall.
45. David Parks of Hy-Vee, presented information on proposed storm sewer systems and an installation of a tank system to capture water. The tank would contain sand that would keep 75% of the run off or sediment out of the lake.
46. Member Blonigan asked how the project conforms to Watershed standards at eradicating salts and sediments.
47. Parks, replied that standards would be followed, monitored and the sand would be restored if necessary.
48. Mayor Murphy opened the floor for the public to speak.
49. David Leonhardt of 4006 Lake Road Robbinsdale, MN 55422 (Board Chair of the Save the Terrace Foundation.) Thanked Hy-Vee for their presentation and for the New Hope (Hy-Vee) donation to a silent auction that was held for the Terrace last March. Commented on the semi turn around and pedestrian safety. Questioned the Council on why Robbinsdale needed a store of that size and noted that Rainbow had closed due to lack of customers. Spoke on the business competition between smaller stores in Robbinsdale. Asked the council not to rush into the decision of a Hy-Vee and requested a 60-day extension. Would like the Council to look into the safety issue of the fence that is approximately 6 feet high with a security fence on the other side.

50. Alison Nguyen of 2901 Yosemite Ave So., St. Louis Park, MN 55416. Commented on the condition of the soils at the site and how construction of the convenience store on poor soil was possible.
51. David Kiser of 3807 Van Demark Road, Board Secretary of the Robbinsdale Chamber of Commerce. Has been a resident in Robbinsdale since 1965 and currently lives behind the location site. Is interested in seeing something done at the site and would like to see revival. As a Chamber Board Member his concern was for competition for staff. He believes there are safety concerns and a noise factor that could result from garbage or delivery trucks.
52. Diane Jacobson of 1750 17th St., NW, New Brighton, MN. President of the Historical Society. Asked the Council for a 60-day extension. Noted that the theater is on an eligibility list of historic places and could be officially listed as one as soon as November of 2016. Other concerns regarded the buffer zone, watershed requirements, closure of the new store if it fails to bring in enough revenue to remain open; she would like to see a smaller store.
53. Lisa Crandall of 3713 Regent Ave No., Robbinsdale. As an employee of Cub Foods in Crystal; she believes that the Hy-Vee will impact Cub; there are already three pharmacies within 2.5 miles. Stated that Robbinsdale is a small town and should remain that way. She urged the Council for a 60-day extension. She thought the Terrace should be an event center.
54. Kim Gustafson of 4719 Jordan Ave N., New Hope, MN. Would like to see revenue and jobs come into Robbinsdale and enjoys the small town feel.
55. John Perkins of 4221 Beard Ave No, Robbinsdale, MN. Encourages a 60-day break and would like an environmental study done on the possible impact the tanks underground will have on the land. Expressed his concern about the safety wall. Raised the question that if the tanks leaked in the swamp, how would that effect the lake nearby? He believes that Hy-Vee should scale down in size for this location. Expressed concern about the quality of the new jobs.
56. Pete Richie of 3511 17th Ave., So. Minneapolis, MN. Asked for the Council and Hy-Vee to take a closer look at the proposal for development plans and for a 60-day extension. Encouraged planners to use creativity, to be bold and make the development different than other Hy-Vee's in nearby cities. The theater could draw from a larger area than Hy-Vee.

57. Colleen Patterson 4517 France Ave North. Would like to have a creative mixture of theater in the community including live performances and film. Inquired about the crime statistics and how have they changed in the area where development would be. Stated that seniors prefer smaller stores and was concerned about traffic cutting into the neighborhoods. Considered a 60-day extension to be a reasonable request.
58. Lili Johnson of 4051 York, Robbinsdale, MN. Showed concerned about the stop light entrance, the proposed proximity of a gas station near a lake and the potential for crime around the 24-hours station. She believed Millennials are the future residents of Robbinsdale and that they would not be interested in a Hy-Vee. She had concerns about small stores losing business and asked about what percentage of employees are Hy-Vee owners. She asked if the New Hope Hy-Vee delivered to Robbinsdale.
59. Amanda Olson of 3507 Washburn Avenue North, Minneapolis, MN. Spoke in favor of the Hy-Vee, commenting that Hy-Vee is not the villain; she also noted her respect for Save the Terrace Group
60. Abigail Skookraj of 2900 France Ave N, Robbinsdale, MN. Recalls that she and her family enjoyed walking to the former Rainbow and believed that many of the community would like walkability once again to a grocery store. She expressed that she was not in favor of the Terrace remaining on the property in its current condition. She noted that the Terrace has been sitting for 16 years and doesn't need a 60-day extension.
61. Greg (N/A) of 2600 Annapolis Lane, Plymouth, MN 55441. Is in favor of saving the Terrace and enjoys shopping at Hy-Vee. He believes that Robbinsdale doesn't have a community center and requested an extension of 60-days for the Council to thoughtfully consider the Terrace. He asked the Council to create a legacy that a community could enjoy.
62. Joe McKenna of 1592 Standford Ave, St. Paul, MN. Requested an extension for a more careful plan.
63. Joe Courtney of 3704 Orchard Ave., North, Robbinsdale, MN. Was in support of the 60-day extension; once the theatre is gone, it's gone.
64. Deanne Champlin of 4204 Goldenrod Lane, Plymouth, MN. Shared that she grew up in Robbinsdale and enjoys the small town feel. She challenged the community, Council and Hy-Vee to get creative and develop a plan combining the requests of what the community would like.
65. Paul Merrill of 3641 Quail, Robbinsdale, MN. Stated that a Hy-Vee could re-energize the community and that opportunities like this don't come often.

66. Marcia Anderson of 130 Edgewood Ave., North, Golden Valley, MN. Commented on the commercial and residential buffer zone (pushing against France Ave). Disagreed with staff of PUD requirements. Asked for Hy-Vee to work in partnership with the Historical Society and Terrace group. Asked for a 60-day extension, to work together and work out technical issues.
67. Daniel Taradash of 11145 Edgewood Circle North, Champlin, MN. Touched on the buildings uniqueness and would be in favor of a scaled back Hy-Vee. He advised Hy-Vee to share the space, save the theater and have a smaller Hy-Vee.
68. Tom Solheim of 4955 Quail, Crystal, MN. Pointed out that people don't visit small cities to see large stores like Walmart or Hy-Vee.
69. Jill Solheim of 4959 Quail, Crystal, MN. Would be opposed to having a Hy-Vee in Robbinsdale.
70. Lisa Crandall of 3713 Regent Ave No., Robbinsdale. Adds that the Cub Foods offers many services and many employees are from Robbinsdale; it is also a Union Company with a 401K pension.
71. Catherine Sandlund of 3320 46th Ave North. Stated that the scale of the store is too large; believes that Hy-Vee is giving the worst case scenario of a plan. Encouraged the City to apply mixed use in its traditional definition. She is asking for a 60-day extension to meet more of the community's requests.
72. Eric Hendrickson of 3408 Skycroft Circle, St. Anthony, MN. He described Robbinsdale as having character and would like it to remain unique. His questions regarded economic analysis and the failure of other grocery store chains. He asked for the release of any economic information the City or Hy-Vee could provide for the public to review.
73. Todd Grover of 1807 Saunders Ave., St. Paul. MN. Is a part of a Minnesota and U.S. board that advocates and promotes mid-century architecture. The organization specializes in historic preservation, it works to revitalize and restore buildings. He believes that Hy-vee could create a new model for the City of Robbinsdale and that the Terrace is a significant building beyond the Robbinsdale City limits. Asked for a 60 day extension.
74. John Rice of 3913 Unity Ave., North, Robbinsdale: Noted the historic icons in Robbinsdale as Sipe's (50 years), Hackenmueller's and the Terrace. He compared other local theater revitalization projects to the Terrace (i.e. Riverview, the Ritz Theater and Ely). He also asked for an extension, allowing time for the Terrace to be listed as historic.

75. Jay Pasha of 1485 Sargent Ave., St. Paul, MN. Mentioned Grandview and Highland theatres as assets to the community and that the Heights Theater had been beautifully restored. He recommended the Council send developers back to the drawing board. He urged the 60 day extension and believes it is a serious decision that should be well considered. He questioned the County Rd 81 entrance and what changed since the entrance was denied. He asked about pollution control, the removal of a tank or possible contamination.
76. David (N/A) of 9901 Harrison Road, Bloomington, MN. Is content with a small neighbor grocery store. He does not want to see the building demolished.
77. Adam Fesenmaier of 4022 Xerxes Ave., North, Minneapolis, MN. Mentioned the closure of the Country Market that was once (prior to Rainbow). He submitted a petition to the Council with about 50 signatures asking for a 60 day extension.
78. Member Selman MOVED, seconded by Member Rogan to accept petition signatures. **The vote was unanimous and the motion carried.**
79. Wally Langfellow of 3958 Orchard Ave North, Robbinsdale. Commented on the Woodbat tournament and the group from Benin, West Africa that came to play in Robbinsdale (mentioned earlier in the Agenda under Consent item P). One of the games would be held at 6:00 p.m. at Lakeview Park, more information could be found at their website: www.baseballinbenin.org.
80. Langfellow also commented on the development of the potential Hy-Vee and stated that Hy-Vee has a unique opportunity to develop something different. He would like to push for a unique Hy-Vee. He believed that a large store would affect the smaller businesses in town.
81. Mike Frye of 3831 Lee Ave North, Robbinsdale, MN. Would like all sides to come together to work something out. Looks forward to an affordable restaurant with more variety.
82. David Leonhardt of 4006 Lake Road, Robbinsdale. Once again thanked the Council, Hy-Vee and everyone that came out to meet. He was impressed at how far some people had traveled to save the theatre and imagined how far people would travel to come to an open theatre.
83. Hoey, discussed the bad soil and competitive use for parking with a theatre next to a grocer. Hy-Vee will be designing tanks along with state standards and will have control over morning delivery hours.
84. Member Selman commented on trash and recycling pick-up times.
85. Hoey, stated that these pick-ups are limited to 2-3 times per week.

86. Glick, noted that the City is not a part of the purchase agreement. The process has been long due to negotiations that needed to be made with North Memorial. An application had not come earlier on but an interest by a developer in the site had been made known.
87. Carlson, noted that Blackstone is the owner and explained the difficulty of working out these issues around developing a proposal.
88. Hoey stated (to answer earlier questions) that Hy-Vee is 100% employee owned. He also commented on a plan to re-gentrify the area to reduce crime.
89. Pearson read the City PUD Ordinance (regarding buffering), noting a concern regarding landscaping and commenting on minimum plant sizes.
90. Member Selman asked about store closures within the last five years.
91. Hoey, noted a Hy-Vee closure in Kansas City did result from a change in retail; it did not reopen because it was not able to relocate due to zoning restrictions.
92. Member Rogan asked if it was possible to repurpose the theatre.
93. Hoey, stated that they would not able to incorporate the theater due to bad soil on the property. He also mentioned that he had the opportunity to meet with the Chair of the Terrace Theatre group and they both agreed there was not viable way the Hy-Vee and the Theatre could co-exist. If approved the start of construction would begin this Fall 2016.
94. Carlson, commented that the owners of the property would like Inland to close in a short period of time and they do not have 60-days.
95. Glick, REDA will be reviewing tax increment financing plans and then the City Council needs to decide if it will accept tax increment financing. The REDA meeting will be on Wednesday, August 10th at 7:00 pm. On August 23rd there will be a Special City Council Public Hearing and a Second Reading of the vacation ordinance starting at 7:00 p.m.
96. Member Rogan addressed the public about the decision the council is trying to make to better the community. Has been working on the council for 12 years and there has been no progress with saving the Terrace. He covered the highlights of the plan compared to what is currently in place. He plans to vote in favor of a Hy-Vee.
97. Member Backen shared that he has passed by the old Terrace building for 1/3rd of his life and would like to see something finally happen to revitalizing the property; he would be in favor of the Hy-Vee as well.

98. Member Selman commended the professionalism of the development advisor. Has heard and understood both sides and believes if it were put to a referendum that the vote would be highly in favor of a Hy-Vee. He mentioned that homeowners in sight of the Terrace have likely had a difficult time trying to sell their homes. He recalled the disappointment many in the community had experienced when the Rainbow closed and jobs were lost. Selman noted he would vote in favor of a Hy-Vee.
99. Member Blonigan appreciated those that came to the meeting. He doesn't see any scenario where the Theater could play a successful factor. He asked the Hy-Vee to incorporate some of the historical pieces into the building and to allow the Historical Society to collect some artifacts as well. He noted that he is looking forward to having the area being redeveloped.
100. Mayor Murphy explained to viewers that the development has been very taxing on himself and the Council. He would like to make all of West Broadway economically developed. He believes that having a Hy-Vee could encourage more development to take place in the area once Hy-Vee is in place. The Mayor had spoken to all the business owners within Robbinsdale and believes they provide a different service than Hy-Vee will offer.
101. Member Backen noted his concern about a 24-hour convenience store and possible crime between 11pm and 5am.
102. Member Blongian asked about the City's authority to limit the C-store's hours.
103. Biggerstaff commented that the Council could consult the City Code about hours.
104. Member Selman asked about a 12-month trial for a 24-hour convenience store.
105. Member Rogan asked if the City Council could impose reasonable restrictions if there was a crime issue.
106. Biggerstaff noted that the Council has the power to oppose or re-limit the hours.
107. Member Backen **MOVED**, seconded by Member Rogan to receive written comments received after the Planning Commission public hearing shown in Exhibit 6. **The vote was unanimous and the motion carried.**

- A. Member Backen **MOVED**, seconded by Member Selman to adopt Resolution No. 7504 "A RESOLUTION APPROVING VARIANCE REQUEST V16-1 TO DRIVEWAY WIDTH AT 36TH AVENUE NORTH AND COUNTY ROAD 81 FOR THE TERRACE MALL REDEVELOPMENT." **The vote was unanimous and the motion carried.**

- B. Member Rogan **MOVED**, seconded by Member Backen to adopt Resolution No. 7505 "A RESOLUTION APPROVING PRELIMINARY PLAT REQUEST SUBD. 16-4 FOR ROBBINSDALE MALL SECOND ADDITION." **The vote was unanimous and the motion carried.**
- C. Member Blonigan **MOVED**, seconded by Member Selman to adopt Resolution No. 7506 "A RESOLUTION APPROVING CONDITIONAL USE PERMIT REQUEST C16-1 FOR FUEL PUMPS, DRIVE-THROUGH LANES, OUTDOOR SERVICE AND DISPLAY, SHARED OFF-SITE PARKING AND COMMERCIAL PLANNED UNIT DEVELOPMENT AT THE TERRACE MALL REDEVELOPMENT AREA." With the additions (9, 10 and 11) to the conditions. **The vote was unanimous and the motion carried.**
- D. Member Rogan **MOVED**, seconded by Member Backen to Motion to hold the FIRST READING of Ordinance No. 16-14 "AN ORDINANCE VACATING WEST BROADWAY FRONTAGE ROAD RIGHT OF WAY AT THE TERRACE MALL IN ROBBINSDALE, MINNESOTA." **The vote was unanimous and the motion carried.**
- E. Member Rogan **MOVED**, seconded by Member Backen to direct the City Manager to write a letter to Hennepin County Commissioner Opat indicating the need and importance of full access from County Road 81 and right turn lane from County Road 81 with preference for a full semaphore controlled intersection. **The vote was unanimous and the motion carried.**

OTHER BUSINESS B: Voucher Request Pending Approval for Disbursement

- 108. Member Backen **MOVED**, seconded by Member Selman to approve disbursement requests for period ending August 1, 2016. **The vote was unanimous and the motion carried.**

ADMINISTRATIVE REPORTS

- 109. Glick noted that the police are aware of the public's concern over the mobile game Pokémon Go being played near the Parkway and are monitoring it.

COUNCIL GENERAL COMMUNICATIONS

- 110. Member Backen gave a reminder about National Night Out and that he would be out visiting the community of Robbinsdale.
- 111. Member Selman agreed he would also participate in National Night Out.
- 112. Member Rogan agreed to with the other Councilmembers and thanked everyone for attending the meeting.

113. Mayor Murphy thanked those that showed up to the meeting.

ADJOURNMENT

114. Member Rogan **MOVED**, seconded by Member Selman to adjourn the meeting at 12:20 a.m. **The vote was unanimous and the motion carried.**

Alexandria Olson, Recorder

Regan L. Murphy, Mayor

ROBBINSDALE CITY COUNCIL
WORKSESSION MINUTES
TUESDAY, AUGUST 9, 2016
8:01 pm

CALL TO ORDER

1. Mayor Pro Tem Backen called the meeting to order at 801 p.m.
2. Present: Blonigan, Rogan, Selman, Mayor Murphy, Mayor Pro Tem Backen
Staff: Marcia Glick, City Manager; Rick Pearson, Community Development Coordinator
Others: Patricia Fitzgerald, Elise Durban- Hennepin County Planning staff
Dan Soler, Alicia Vap – Met Council Bottineau Project Office staff

DISCUSSION:

3. A internet connect presentation was conducted with Crandall Arambula, the planning consultants reviewing the 41 ½ Ave. N. Pedestrian Promenade. TOD & Station Area Planning Priorities and the Park & Ride TOD Liner building.
4. John Arambula explained the consultant's concerns about the Initial Robbinsdale Concept and presented an Alternative Robbinsdale Concept.
5. Councilmember Selman asked about the "live-work spaces" do the mezzanine levels need to be compliant with the Americans with Disabilities Act requirements for access? Arambula explained that the upper levels could be living space, or there could be small lifts. The Salon example showed commercial space with steps only. Arambula said all uses requiring ADA access would be on the ground floor.
6. The areas of the building footprints was discussed. The Council wanted to see examples of other stations that were designed by Crandall Arambula. There is an example in Edmonton Alberta.
7. Council member Rogan appreciated that the alternative design removed the bus access from Hubbard Ave. in front of the ramp, moving them under the west part of the ramp parallel with the platform.
8. Council member Backen speaking as a transit user, said he supports the alternative.
9. Discussion ensued about the "stepped building" concept vs. the alternative which has larger but fewer parking levels. Council consensus was in support of the alternative concept with parking above the commercial and live/work units.
10. Alicia Vap said that the bus operations crew will need to examine the proposed left turn movement for west-bound 42nd Ave. traffic.

11. Dan Solar explained the mission of the BPO is to develop the methodology for the parking that is needed and to figure out how it can be developed with the parts that will not be paid for by the FTA. Metro Transit can build the commercial wrap and if funded by another entity, not project funds. He likes how the bus component works and wants to ensure that the quiet zone is preserved. His take-away is to look at the busses and traffic movements.
12. Council member Selman asked if the platform could be covered?
13. Solar pointed out the conflict with the catenary wires above the tracks.

ADJOURNMENT

14. Mayor Pro Tem Backen adjourned the meeting at 9:35 p.m.

Rick Pearson, Recorder

Pat Backen , Mayor Pro Tem

ROBBINSDALE HUMAN RIGHTS COMMISSION
MEETING MINUTES
June 29, 2016

Chair Falk called the meeting to order at 7:05 p.m.

Members Present: Falk, Fox, Ralston Aoki, Sussman
Members Excused: Fuglie, Webb
Staff Present: Sherry O'Donnell

APPROVAL OF MINUTES

MOVED by Ralston Aoki, second by Falk, to approve the meeting minutes of March 24, 2016.

MOTION CARRIED.

CHAIR REPORT

A. Vacancies

Currently there are five (5) vacancies. New member, Claudia Fuglie, recently appointed by Council, but couldn't attend this meeting. Discussed ways to recruit – word-of-mouth, SunPost, Facebook, cable TV, city website, utility bill News Notes. Commissioner Fox will contact cable channel 12. Commissioner Sussman will post something on the Birdtown Facebook page.

Commissioner Ralston Aoki commented that not much is going on right now and suggested putting together an event (i.e., speakers' forum) to attract to Robbinsdale. Talk to neighbors to recruit. Maybe invite someone for a small group (just the commission) discussion. Topic ideas were discussed.

Chair Falk mentioned a film that she saw entitled, "How Love Won", which is about the fight for marriage equality in Minnesota. Maybe this could be a joint effort with Crystal, and/or New Hope.

OLD BUSINESS

A. Marketing/Outreach

Discussions noted above touch on marketing and outreach.

B. Sister City Project

Commissioner Fox reported that there has been no response from Georgette Gray, a Robbinsdale resident and a former Robbinsdale Human Rights Commissioner, who volunteered to take the lead on the project.

MOVED by Falk, second by Fox, to have this item removed from the agenda and noted that the Human Rights Commission has fulfilled its obligation in attempting to initiate the sister city process. **MOTION CARRIED.**

C. Human Rights Award

Commissioner Ralston Aoki located her hand written notes when the changes were discussed last year. This agenda was tabled.

NEW BUSINESS

A. Whiz Bang Days Parade (7-10-16)

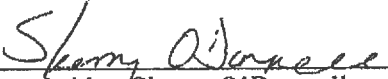
The commission feels it is good public relations, but they are going to pass in participating this year since it is getting too close.

COMMISSIONER REPORTS/UPDATES

None.

ADJOURNMENT

Chair Falk adjourned the meeting at 7:35 p.m.


Recorded by, Sherry O'Donnell



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: August 16, 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 August 16, 2016.

Marcia E. Glick

Marcia Glick, City Manager

CONCURRENCE:

Tom Marshall

Tom Marshall, City Clerk

CONTRACTORS' LICENSES FOR COUNCIL APPROVAL 08/16/2016

<u>Applicant</u>	<u>Type</u>	<u>License Fee</u>
BOEVAAG PLUMBING INC	Plumbing Contractor	50.00
ELIAS PLUMBING LLC	Plumbing Contractor	50.00
OT HEATING & COOLING LLC	Mechanical Contractor	50.00
YOURS BY DESIGN HEATING & COOLING INC	Mechanical Contractor	50.00

Number of Contractor Licenses Requesting Council Approval: 4

BUSINESS LICENSES FOR COUNCIL APPROVAL 08/16/2016

Current Date: 8/11/2016

<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



MEMORANDUM

To: Mayor and Council Members
From: Marcia Glick, City Manager
Date: August 9, 2016
Subject: Kiwanis 1-day Fundraiser Sale – CIB Overflow Parking Lot

Background

The North Hennepin Kiwanis Club has held an annual fundraiser for over 21-years selling peaches delivered from Colorado.

The location of the sale will be in the parking area of Citizens Independent Bank at 3700 West Broadway. The sale will take place on Saturday, August 20, 2016 from 10:00 a.m. to 1:00 p.m. The peaches are delivered by truck on Friday afternoon or by Saturday morning. There are two street entrances for the parking lot making it easy for the refrigerated truck to access the space. The product is pre-sold to clients through a mailing list and the pick-up process is quick and easy.

Analysis

This is a one-day annual fundraiser for a local charity. The exterior sales requirements should be waived.

Recommendation

By motion, authorize one-day exterior sales for the North Hennepin Kiwanis Club to be held on August 20, 2016 at the Citizens Independent Bank Parking Lot, 3700 West Broadway from 10:00 a.m. to 1:00 p.m.

Marcia Glick, City Manager



Kiwanis Club of North Hennepin

July 18, 2016

City Of Robbinsdale
C/O Marcia Glick, City Manager
4100 Lakeview Ave N
Robbinsdale MN 55422

Re: Kiwanis Club of North Hennepin peach sale

Dear Marcia,

I am the Treasurer of the Kiwanis Club of North Hennepin and would like to request permission to hold our annual peach sale fund-raiser at the Citizens Independent Bank located at 3700 West Broadway. We have been selling peaches as a fund-raiser for over 21 years. The date and time of the sale will be Saturday, August 20, 2016 from 10:00am to 1:00pm. The peaches are shipped to us by truck from Colorado on either Friday afternoon or Saturday morning. All of the peaches are pre-sold from a mailing list. Our clients drive up, we check them off our list and place the peaches in their car for them. It is a simple and quick process.

Please let me know if you need any other documentation or information.

Sincerely,

Mark E. Morris
President/Treasurer
Kiwanis Club of North Hennepin



City of Robbinsdale

MEMORANDUM

To: Mayor and City Council
From: Marcia Glick, City Manager
Date: August 16, 2016
Subject: Appointment of Human Rights Commissioner

Background

The Human Rights Commission (HRC) consists of 11 Commissioners, all appointed at-large. Each term is for four years, or to the end of an unexpired term, and is concurrent with the mayoral term of office.

Analysis/Conclusion

Currently there are five vacant positions to be filled. Attachment 1 is the application of Cara Seeley-Johnson. Mayor Murphy has reviewed the application and recommends the appointment to serve on the Human Rights Commission.

Recommendation

By motion, appoint Cara Seeley-Johnson to the HRC for a term to commence August 16, 2016.


Sherry O'Donnell, Staff Liaison

CONCURRENCE:


Marcia Glick, City Manager



Mayor - OK

ADDRESS: _____

(Work)

WARD: 2EMPLOYER: The Nature Conservancy

Paralegal Certificate

Volunteer, Immigrant Law Center of Minnesota, 2009 to 2015

I am a detail-orientated and committed volunteer with a passion for human rights and justice. I took Engaging Across Difference training though my job this year and believe that joining Robbinsdale's Human Rights Commission would be a good way of putting that training into action. As a new resident, I am looking for ways to get involved with my community and service on this commission would be a good start for me.

MEMORANDUM

To: Mayor and City Council

From: Marcia Glick, City Manager

Date: August 16, 2016

Subject: Sacred Heart Church Fun Fest

Background

Sacred Heart Church submitted a block party application for their annual "Fun Fest" event. The event is scheduled for Saturday, September 17, 2016 from 3:00 p.m. to 11:00 p.m.; and, Sunday, September 18, 2016 from 11:00 a.m. to 5:00 p.m. The church has requested that 40 ½ Avenue North from West Broadway to Hubbard Avenue North be blocked during these times including overnight on Saturday, September 17, 2016.

The Police Chief and Public Works Director/City Engineer approve with the recommendation to use barricades due to West Broadway and Hubbard Avenue being heavily used streets. The Fire Marshal approves with the following conditions: barricades must be easily moved in order to maintain emergency vehicle access, use fire rated tents if cooking under them and provide certificates of fire rating, and must have up-to-date fire extinguishers at cooking locations. The church would like to leave the barricades in place over night for security reasons and for staging purposes.

The Police Chief is requiring that the church hire two Robbinsdale Police Officers on Saturday, September 17th from 7:00 p.m. to 11:30 p.m. In the past, volunteer Reserve Officers have been present. With the current climate of our society and to be consistent with what the city requires for other outdoor events that serve alcohol and have entertainment (i.e., The Lodge, Travail), it is for the safety and security of attendees that sworn officers are present.

There will be live music playing under a large tent in the parking lot off West Broadway. On Saturday, September 17th the "Touch of Rust" band will play from 7:00 p.m. to 11:00 p.m. There will also be live music by the "Rod Cerar Orchestra" on Sunday, September 18th from 11:00 a.m. to 3:00 p.m.

The live band is scheduled to perform until 11:00 p.m. on Saturday, September 17th. Per City Code (2005.15, Subd.1), after 10:00 p.m. it is unlawful to allow noise or music that emanates in such volume that might disturb the peace, quiet or repose of persons in a residential area. The City Council may approve extended hours for an event.

The church has applied for City temporary food and liquor licenses. Staff will ensure that appropriate county and state licenses are obtained, as required.

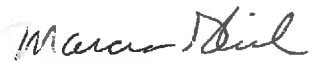
Recommendation

By motion, find that the Fun Fest qualifies as a community event and eligible for extended outdoor music until 11:00 p.m. per City Code (2005.15, Subd.1).

By motion, approve the request for the Sacred Heart Church annual Fun Fest, Saturday and Sunday, September 17 and 18, 2016 with music ending at 11:00 p.m. on Saturday.

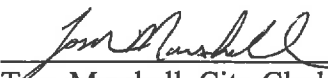
By motion, approve the Police Chief's recommendation that Sacred Heart Church hire two sworn Robbinsdale Police Officers @ \$70/hour to be present on Saturday, September 17, 2016 from 7:00 p.m. until 11:30 p.m.

By motion, approve the request for the Sacred Heart Church annual Fun Fest road closure of 40½ Avenue North from West Broadway to Hubbard Avenue North from 3:00 p.m. Saturday, September 17, 2016 to 5:00 p.m. on Sunday, September 18, 2016, including the closure of 40 ½ Avenue North overnight on Saturday, September 17, 2016.



Marcia Glick, City Manager

CONCURRENCE:



Tom Marshall, City Clerk



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: August 16, 2016
RE: Revocation or suspension of rental license for 3333 Halifax Ave. N.

BACKGROUND:

On August 1, the Council tabled action regarding the revocation or suspension of the rental license at 3333 Halifax Ave. N. until August 16, pending the outcome of a housing court complaint for eviction on July 6, 2016.

ANALYSIS/CONCLUSION:

After two hearings on July 6 and July 20, the Hennepin County Housing Court Referee (Judge) has not yet made a decision. The property owner has requested that the city exert pressure on the tenant by proceeding with the license suspension and a warning of additional citations.

Meanwhile, staff has observed numerous vehicles on the property including a contractor trailer, a utility vehicle, 4-6 cars or trucks and appliances. Vehicles have also been parked in the alley, partially blocking it.

Staff recommends proceeding with a suspension of the rental license for 3333 Halifax Ave. N.

RECOMMENDATION:

By motion, suspend the rental license for 3333 Halifax Ave. N. by continuing to use the property as an automobile repair shop which is a prohibited home occupation per Section 505.09, Subd. 67.

A handwritten signature in blue 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



MEMORANDUM

TO: Mayor and City Council
FROM: Marcia Glick, City Manager
DATE: August 16, 2016
RE: FIRST READING of an amendment to the nuisance section of the zoning ordinance for sump pump discharge.

BACKGROUND:

A number of complaints have been received, particularly in the winter months over icy sidewalks and alleys resulting from discharge from sump pumps and drainage tiles.

ANALYSIS/CONCLUSION:

People use sump pumps to evacuate water from basements, but need to responsibly discharge that water to an appropriate place. Staff has prepared a draft ordinance amendment describing sump pump and drain tile discharge onto sidewalks, right-of-way and alleys as a nuisance particularly in the winter when ice forms.

RECOMMENDATION:

Hold the FIRST READING of the Ordinance shown in **Exhibit 1: "IDENTIFYING SUMP PUMP AND DRAIN TILE DISCHARGE AS A NUISANCE"**

A handwritten signature in black ink, appearing to read "Marcia Glick".

Marcia Glick, City Manager

CONCURRENCE:

A handwritten signature in blue ink, appearing to read "R McCoy".

Richard McCoy, City Engineer

A handwritten signature in black ink, appearing to read "Rick Pearson".

Rick Pearson, Community Development Coordinator

Member _____ moved and Member _____ seconded a motion that the following Ordinance, which was given its first reading on August 16, 2016, be given its second reading on this _____ day of _____ 2016, and that it be adopted.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 425 THE PROPERTY MAINTENANCE CODE IDENTIFYING SUMP PUMP AND DRAIN TILE DISCHARGE AS A NUISANCE

THE CITY COUNCIL OF THE CITY OF ROBBINSDALE DOES ORDAIN:

1. That Section 425.11, Subd. 28. Nuisance be amended by adding the following language shown in bold and underlined:

425.11, Subd. 28 Nuisance means:

(i) Discharge onto a public right-of-way, sidewalk or alley from a sump pump or drain tile which can result in hazardous ice conditions.

2. **THAT THE FOLLOWING SUMMARY CLEARLY INFORMS THE PUBLIC OF THE INTENT AND EFFECT OF THE ORDINANCE AND IS APPROVED FOR PUBLICATION:**

DISCHARGE BY A SUMP PUMP OR DRAIN TILE ONTO A PUBLIC RIGHT-OF-WAY, ALLEY OR SIDEWALK WHICH CAN RESULT IN HAZARDOUS ICE CONDITIONS SHALL BE IDENTIFIED AS A NUISANCE IN THE PROPERTY MAINTENANCE CODE.

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)



City of Robbinsdale

MEMORANDUM

TO: City Council
FROM: Marcia Glick, City Manager
DATE: August 16, 2016
RE: Voucher Requests Pending Approval for Disbursement

The check register dated August 16, 2016 reflects the voucher requests pending approval for disbursement.

The check register dated August 1, 2016 through August 16, 2016 is a list of vouchers requiring payment for City funds, Deputy Registrar, liquor, and other purchases. The payments are required prior to the next Council meeting. The register includes checks and electronic fund transfers.

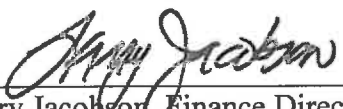
Recommendation

By motion approve disbursement requests for period ending August 16, 2016.



Marcia Glick, City Manager

CONCURRENCE:



Larry Jacobson, Finance Director