

**City of Robbinsdale
CITY COUNCIL MINUTES
August 16, 2016
Meeting No. 16**

CALL TO ORDER

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

ROLL CALL

2. Present: Selman, Backen, Blonigan, Mayor Murphy
Absent: Rogan
Staff: Marcia Glick, City Manager; Andrew Biggerstaff, City Attorney;
Rick Pearson, Community Development Coordinator

OPPORTUNITY FOR THE PUBLIC

3. Mayor Murphy opened the floor to anyone wishing to speak on any items not on the agenda.
4. David Leonhardt of 4006 Lake Rd, Robbinsdale, MN: Commented on the Minutes from the August 1, 2016 City Council Meeting in regards to the Hy-Vee development plans. He asked to clarify a few comments noted in those Minutes on line #93 of page 11 made by Phil Hoey of Hy-Vee. He believed that the statement made was not accurate. Leonhardt mentioned that, there was a phone conversation between the two groups that he initiated and that Hy-Vee never reached out to the Save the Terrace Theatre group. During the conversation it was stated that there was not a point in meeting because Hy-Vee was not willing to talk about possible negotiations.
5. Glick noted to the Council that it was not a change to the Minutes; it was a different report on that discussion.
6. Leonhardt had a question on the voting process to approve the development plans. If the voting was approved next week he stated, what will the timeline be for construction start? From his understanding, after a vote is approved it has to be published and that there is a 30-day waiting period before any action on the plans can be taken into effect. He is looking for clarification on what day the developers could show up at the property with a bulldozer.
7. Glick noted that the only item that would be under that requirement would be an ordinance.
8. Leonhardt asked if, the ordinance was passed at the next Council meeting on August 23rd, 2016; could the developer show up on the 24th and begin demolition work.

9. Glick stated that as soon as the developers had a permit issued they could start demolition work.
10. Leonhardt, is the permit included in what is being voted on the 23rd?
11. Glick noted that for a permit to be issued for commercial demolition, the City Council would first have to approve the demolition. If the proposal were to be approved then the demolition would be one of the expected motions at the next meeting. The timing for when the developers would have all of their paper work together for application for a demolition permit would be up to developers.
12. Member Backen commented that the Council does not issue permits, City staff does.
13. Member Selman stated the Council only authorizes the action.
14. Mayor Murphy, hearing no further requests to speak from the public, closed the floor.

APPROVAL OF AGENDA

15. Glick announced that there were no changes for the Agenda.
16. Member Selman **MOVED**, seconded by Member Backen to approve the agenda. **The vote was unanimous and the motion carried.**

CONSENT AGENDA

17. Member Blonigan pulled Consent Item A (August 1, 2016 Council Minutes).
18. Member Backen **MOVED**, seconded by Member Selman to approve the Consent Agenda Items B through F; with the exception of item A. **The vote was unanimous and the motion carried.**
19. Items approved are as follows:
 - A. *Item removed from the Consent Agenda by, Member Blonigan (approval of Work Session to remain).*
 - B. Motion to approve acknowledge receipt and placing on file minutes of the following Commissions and Boards:
 - Human Rights Commission for 06/29/2016.
 - C. Motion to approve issuance of licenses from list dated August 16, 2016.
 - 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.

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

F. Sacred Heart Church Fun Fest

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.

PULLED CONSENT ITEM(S):

20. Member Blonigan removed Consent Item A (the August 1, 2016 City Council Minutes) in order to address comments made earlier in the meeting by, David Leonhardt; regarding page 11 (line 92 and 93).
21. Member Blonigan noted that the lines were statements and, as such, were written accurately for the record. Since the theater group did not agree with what was stated, out of courtesy for the group, a note will be added in at the end of line 93 on page 11 as "No comment was solicited or made by the Theatre group on these assertions."
22. Member Blonigan **MOVED**, seconded by Member Backen to approve the August 1st, 2016 City Council Minutes as written, with the following amendment added on page 11, at the end of line 93 (in parentheses) "No comment was solicited or made by the Theatre group on these assertions." **The vote was unanimous and the motion carried.**

PRESENTATION:

23. There were no Presentation items scheduled.

PUBLIC HEARING:

24. There were no Public Hearing items scheduled.

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

25. Pearson reviewed the staff report. On August 1st the Council Tabled action regarding the status of the rental license pending the outcome of a house court complaint for eviction; a hearing that occurred starting on July 6th followed by a second hearing on July 20th. The Referee has not yet reached a decision on eviction of the tenant(s) of this property. The attorney representing the property owner hopes that the Council will take action by revoking the rental license their case will be made stronger to present to the court so that the court would take action to evict the tenant.
26. Pearson noted that the tenants have continued to violated City code and the Council requests to discontinue automotive repairs at the property. The number of cars parked on or around the property also exceeds restricted limits. City staff recommended that the Council proceed with the suspension of the rental license. Pearson was not aware of a new date with the court.
27. Council members suggested towing illegally parked vehicles or ticketing vehicles. Member Selman asked if it is possible to tow the vehicles. Glick noted that, City staff will take a look at what possible actions can be legally made.
28. Biggerstaff commented that there is a state statute that defines when a towing authority can tow vehicles; it is a fairly complex process that the City would have to go through.
29. Member Selman **MOVED**, seconded by Member Backen 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. **The vote was unanimous and the motion carried.**

NEW BUSINESS A: FIRST READING of an amendment to the nuisance section of the property maintenance code for sump pump discharge.

30. Glick reviewed the staff report.
31. Member Blonigan inquired if pumps could cause nuisances in the summer.
32. Glick stated that improper drainage conditions may result in ice formation in the winter. However, as recently observed, large amounts of standing water that could turn into nuisance. Glick suggested adding addition language to the motion as needed.

33. Member Blonigan **MOVED**, seconded by Member Backen to hold the FIRST READING of Ordinance No. 16-15 "AN ORDINANCE AMENDING SECTION 425 THE PROPERTY MAINTENANCE CODE IDENTIFYING SUMP PUMP AND DRAIN TILE DISCHARGE AS A NUISANCE; with additional language to 452.11, Subd. 28 (j) "...which can result in hazardous ice conditions, standing water that could create a possible insect breeding area and or erosion that would degrade a public right of way." **The vote was unanimous and the motion carried.**

OTHER BUSINESS B: Voucher Request Pending Approval for Disbursement

34. Member Selman **MOVED**, seconded by Member Backen to approve disbursement requests for period ending August 16, 2016. **The vote was unanimous and the motion carried.**

ADMINISTRATIVE REPORTS

35. Glick mentioned that the Robbinsdale Chamber of Commerce will be celebrating at the Downtown Robbinsdale Meet and Greet on Monday, September 12th from 5:30 p.m. to 7:30 p.m. along West Broadway Ave. (between 41st and 42nd Avenues). Opportunities to win prizes, meet neighbors and learn about local businesses.

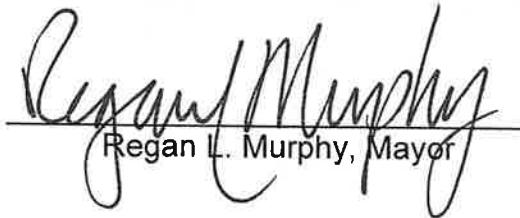
COUNCIL GENERAL COMMUNICATIONS

36. Member Blonigan thanked the newest member appointed to the Human Rights Commission. He highlighted her academic accomplishments and her volunteer services that have helped many people. Noted the Fire and Police Open House event took place on August 13th.
37. Member Backen noted the Safety Open House as an event he looks forward to each year though he was not able to attend this year.
38. Member Selman asked the Council if anyone would be attending the Solar Garden Collaborative Celebration event on Tuesday, August, 23rd at 9:00 am. Blonigan indicated he was planning to attend.
39. Member Selman noted that he was present at the Public Safety Open House. He enjoyed the lunch that the Lion's Club had provided and noticed it was very well attended; the Police and Firefighters enjoyed the interaction with the public.
40. Mayor Murphy, again noted the Main Street - Meet and Greet event. He mentioned that on September 17th, new playground equipment will be installed at Triangle Park and a grand opening will be held. He also promoted, Youth Field Day to be held at Lee Park from 9:30 a.m. to 1:00 p.m. There are 150 kids registered for the event (for youth ages 7 to 14; sponsored by the Cal Ripken Jr. Foundation). No fee and lunch will be provided.

ADJOURNMENT

41. Member Backen **MOVED**, seconded by Member Selman to adjourn the meeting at 7:32 p.m. **The vote was unanimous and the motion carried.**


Alexandria Olson, Recorder


Regan L. Murphy, Mayor