City of Robbinsdale
CITY COUNCIL MINUTES
October 5, 2021
Meeting No. 19

CALL TO ORDER

1. Mayor William A. Blonigan called the meeting to order at 7 pm.

ROLL CALL

2. Present: Selman, Backen, Kline, Webb, Mayor Blonigan
   Absent: None
   Staff: Marcia Glick, City Manager; Dustin Leslie, City Clerk; Brittany Sibell, Interim Finance Director; Diaa Tahoun, Finance Director.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL ON MATTERS NOT ON THE AGENDA

3. Mayor Blonigan opened the floor to anyone wishing to speak on any items not on the agenda.

4. Steve Carlyle: 4629 France Ave N: Resident stated he owns businesses at 4165 and 4175 West Broadway and spoke to Council about problems with the nearby bus stop on Hubbard Ave N. Carlyle stated people were coming from the bus stop into his business to cause problems. Carlyle showed pictures to the Council of certain maintenance issues near his business. Carlyle expressed frustration that the Council has done nothing to stop these acts and would take it into his own hands if nothing gets done by the next Council meeting.

5. Mayor Blonigan stated the City will reach out to the Metropolitan Council for help and will share the pictures with them.

6. Member Selman asked what time of day do the issues usually occur and how often the resident sees Metro Transit in the area.

7. Carlyle stated incidents usually occur between 11:00 p.m. and 6:00 a.m. Carlyle further stated that Metro Transit maintenance staff is rarely ever in the area.

APPROVAL OF THE OCTOBER 5, 2021 MEETING AGENDA

8. Leslie reported the following changes to the agenda:

   - The voucher report for Other Business C was added to the packet.
   - Updated LRT Work Session minutes to show an added attendee.
   - Item added to Other Business scheduling a Work Session on 10/12/21 prior to the REDA meeting.
   - Updated Public Hearing A and C memos and attachments to reflect updated payments.

9. **Member Selman MOVED, seconded by Member Backen to approve the October 5, 2021 Agenda with the updates given to Council by the City Clerk. The vote was unanimous and the motion carried.**

CONSENT AGENDA

10. Member Selman removed item A and Mayor Blonigan removed item I for further consideration.

11. **Member Backen MOVED, seconded by Member Selman to approve the October 5, 2021 Consent Agenda with the exceptions of items A and I which were removed for further consideration. The vote was unanimous and the motion carried.**

A. (Removed)

B. Motion to receive advisory commission minutes:
   - Human Rights Commission minutes on 8/26/21
   - Parks, Recreation, and Forestry Commission on 5/25/21

C. Motion to approve issuance of licenses dated 10/5/21.

D. Motion to approve the August 2021 payment for City credit card charges.

E. Motion to acknowledge the Deputy Registrar's financial reports for the month of August 2021.

F. Motion to acknowledge the Robbinsdale Wine & Spirits' financial reports for the month of August 2021.

G. Motion to approve the one year extension to the completion deadline for conditional use permit request C20-6 for 3101 Drew Ave. N. as requested by Natasha Cramer.

H. Motion to adopt the Resolution #7917 "A RESOLUTION DESIGNATING 2022 POLLING LOCATIONS FOR THE CITY OF ROBBINSDALE."

I. (Removed)

CONSENT ITEM A: APPROVAL OF CITY COUNCIL MEETING MINUTES.

12. Member Selman stated he specifically wanted to pull the LRT Work Session minutes from 9/21/21. Member Selman stated that the line #7 on the minutes currently say "Mayor Pro Tem Kline expressed shock that Member Lilligren could not find the City Hall of a city that he is supposed to represent." Member Selman requested that he would like "using his navigation device" to be added to the line.

13. Member Selman also referenced line #17 in which Chair Zelle stated municipal consent is only required for state funding. However, there is no state funding for the project so it

would not apply here. Member Selman stated that was a confusing statement and asked if municipal consent would be required for the light rail project.

14. Glick stated it is not clear if municipal consent is required and will check with the Metropolitan Council. Glick stated that the project is at the point in which the locally preferred alternative is being reviewed and that a draft will likely come out in December. Glick further stated that the previous municipal consent for the BNSF corridor is no longer relevant to the discussion.

15. Member Kline stated that the Metropolitan Council staff chose their words carefully and did not indicate municipal consent would be needed.

16. Member Webb stated on line #9 that she did not say that the process did not feel genuine, she said the process did not feel authentic. Member Webb stated she was trying to get clarifications on what stage the project was in and how much authority the Council has over the project. Member Webb stated the community deserves to know where the project is in the process.

17. Mayor Blonigan suggested that the Council table approving the work session minutes while approving the other City Council minutes. Mayor Blonigan asked Members Kline and Webb to look over their parts in the minutes and provide edits to city staff.

18. **Member Selman MOVED, seconded by Member Backen to approve and file the following City Council meeting minutes:**

    - **City Council Meeting minutes on 9/21/21**
    - **Special Work Session minutes on 9/14/21**
    - **Regular Work Session minutes on 9/14/21**
    - **Budget Work Session minutes on 9/21/21**
    - **Police Department Tour minutes on 9/28/21**

    The City Council agreed to table approving the Special LRT Work Session minutes from 9/21/21 to the next Council meeting for further review. The vote was unanimous and the motion carried.

CONSENT ITEM I: CONCURRENCE WITH CITY MANAGER'S APPOINTMENT OF DIAA TAHOUN AS FINANCE DIRECTOR.

19. Mayor Blonigan welcomed the new Finance Director Diaa Tahoun to the City and thanked Sibell for her stellar work as Interim Finance Director. Tahoun thanked the Council for his welcome.

20. **Member Backen MOVED, seconded by Member Selman to concur with the City Manager's appointment of Diaa Tahoun as Finance Director effective 10/4/21. The vote was unanimous and the motion carried**

PUBLIC HEARING A: PUBLIC HEARING AND ADOPTION OF ASSESSMENT ROLL FOR UNPAID ADMINISTRATIVE PENALTIES.

21. Sibell gave the report.

22. The Mayor and Council Members discussed removing the names but keeping the addresses of each penalty on the assessment roll. The Council came to consensus on leaving the addresses on the roll but removing names of owners.

23. Mayor Blonigan opened the public hearing. No one spoke.

24. **Member Selman MOVED, seconded by Member Backen to close the public hearing. The vote was unanimous and the motion carried.**

25. **Member Selman MOVED, seconded by Member Backen to waive the reading and order the adoption of Resolution #7918"A RESOLUTION ADOPTING THE ASSESSMENT ROLL FOR UNPAID ADMINISTRATIVE PENALTIES." The vote was unanimous and the motion carried.**

PUBLIC HEARING B: PUBLIC HEARING AND ADOPTION OF ASSESSMENT ROLL FOR EMERGENCY WATER AND SEWER REPAIRS.

26. Sibell gave the report.

27. Member Selman asked staff how the city came to the 8% interest rate.

28. Glick stated that the 8% rate has been standard and that the city should not go low enough to entice residents to finance through the city rather than a bank.

29. Member Selman indicated he would approve the 8% interest rate this year but would want to discuss it again in the future.

30. Mayor Blonigan opened the public hearing. No one spoke.

31. **Member Selman MOVED, seconded by Member Backen to close the public hearing. The vote was unanimous and the motion carried.**

32. **Member Selman MOVED, seconded by Member Backen to waive the reading and order the adoption of Resolution #7919 "A RESOLUTION ADOPTING THE ASSESSMENT ROLL FOR UNPAID ADMINISTRATIVE PENALTIES FOR EMERGENCY WATER AND SEWER REPAIRS." The vote was unanimous and the motion carried.**

PUBLIC HEARING C: PUBLIC HEARING AND ADOPTION OF ASSESSMENT ROLL FOR DELINQUENT UTILITIES.

33. Sibell gave the report.

34. Member Selman asked what happens when the costs of penalties exceed the value of the home.

35. Glick stated the resident would work with the title company in those cases similar to when a mortgage is greater than a sale price.

36. Mayor Blonigan open the public hearing.

37. Richard Hubbell: 3450 Indiana Ave N: Resident stated he applied for deferment and financial assistance and asked council for deferment of delinquent utilities. Resident stated he has not worked in 3 years and was recovering from cancer and chemotherapy.

38. Glick stated state regulations allow cities to defer special assessment payments for residents over 65 or with qualifying financial hardship. In 2001, the City Council adopted a Special Assessment Policy that allows to defer special assessment payments for projects but not for nuisance fines or delinquent utilities. In the past year, a few assessments were deferred for utilities based on hardship even though it was discovered that is not allowed in the policy. Glick stated that Hubbell was given paperwork to fill out for the deferment so Council could consider an exception and approve him for deferment along with another request at 4322 France Ave N.

39. Mayor Blonigan said he could be supportive of taking two off the assessment roll due to the fault of the city telling residents to fill out paperwork. Mayor Blonigan expressed worry about setting a precedent.

40. Glick suggested to approve the 2 deferral requests and was not worried about precedent as long as the Council remains consistent about the policy going forward. Recommended making a separate motion after accepting the assessment roll.

41. **Member Backen MOVED, seconded by Member Kline to close the public hearing. The vote was unanimous and the motion carried.**

42. **Member Selman MOVED, seconded by Member Backen to waive the reading and order the adoption of Resolution #7920 "A RESOLUTION ADOPTING THE ASSESSMENT ROLL FOR UNPAID ADMINISTRATIVE PENALTIES FOR DELINQUENT UTILITIES." The vote was unanimous and the motion carried.**

43. **Member Backen MOVED, seconded by Member Selman to defer delinquent utility assessments for 2 properties, 3450 Indiana Ave N and 4322 France Ave N, from the assessment roll subject to the submission of the required paperwork. The vote was unanimous and the motion carried.**

NEW BUSINESS A: FIRST READING – UPDATE TO SECTION 425 AND 927 CITY CODE REMOVING LEASE ADDENDUM REQUIREMENTS FOR RENTAL PROPERTIES.

44. Glick gave the report and background into the changes as well as the processes the Council implemented to make the changes. Glick gave a detailed report on what was being removed.

45. Member Selman referred to page 69 in the packet with referring to owners who have taken comparable training may be excused from city training. Member Selman wanted to add a line saying this excusal could not be used against the city in cases of failure to follow policy.

46. Member Selman referred to page 78 in the packet in which it states failure to appear waives the right of a hearing. Member Selman wanted to add language excusing absences in cases of emergencies.

47. Mayor Blonigan stated he would want to look over the document one more time with the City Attorney. Glick stated the attorney would review the document once again after it passes first reading. Mayor Blonigan further stated it would be important to have the City Attorney at a work session to ensure language in the document would not treat homeowners differently from renters.

48. Member Webb thanked the Human Rights Commission for their work and bringing this forward to Council.

49. **Member Selman MOVED, seconded by Member Kline to hold the first reading of Ordinance No. 21-12 "AN ORDINANCE UPDATING ROBBINSDALE CITY CODE SECTION 425 PROPERTY MAINTENANCE CODE AND SECTION 927 REPEAT NUISANCE SERVICE CALL FEES" with the changes noted by Member Selman. The vote was unanimous and the motion carried.**

OTHER BUSINESS A: CITY DIVERSITY AND INCLUSION EFFORTS WORK SESSION.

50. **Member Backen MOVED, seconded by Member Selman to schedule a work session at 6:15pm on November 2, 2021 for update on the city diversity and inclusion efforts. The vote was unanimous and the motion carried.**

OTHER BUSINESS B: LRT UPDATE – ISSUES IDENTIFICATION.

51. Glick gave a presentation outlining potential issues for LRT being built on County Road 81. Glick also showed pictures of possible construction options.

52. Member Selman asked if County Road 81 would be open during construction.

53. Glick stated she could look at how construction affected University Ave when the Green Line was originally constructed. Right now there are a lot of considerations and cannot be sure of how County Road 81 would be affected during construction. It would be likely that sections of County Road 81 would be affected rather than the whole highway all at once.

54. Mayor Blonigan requested a separate link for a public to access this video portion of the meeting as it contains valuable information about the LRT project.

OTHER BUSINESS C: DISBURSEMENT REQUEST APPROVAL

55. **Member Backen MOVED, seconded by Member Selman to approve disbursement requests for period ending 10/5/2021. The vote was unanimous and the motion carried.**

OTHER BUSINESS D: SCHEDULE SPECIAL WORK SESSION – ATTORNEY CONVERSATION REGARDING CONDEMNATION

56. **Member Backen MOVED, seconded by Member Selman to schedule a work session at 6:30pm on October 12, 2021 for discussion with City Attorney regarding the condemnation process to obtain title to Graeser Park. This is expected to be a closed meeting for the discussion of real estate acquisition/negotiation. The vote was unanimous and the motion carried.**

ADMINISTRATIVE REPORTS.

57. Glick reported that former City Manager Fran Hagen passed away. Hagen was City Manager from 1992 to 1996. Glick stated Hagen was at the city during construction of the public safety building, the reorganization of public works staff with emphasis on cross training, and construction of the downtown streetscape.

COUNCIL GENERAL COMMUNICATIONS

58. Member Selman reported he is receiving more speeding complaints with the worst offenses happening on Hubbard near the police department. Member Selman requested city staff to look at making changes to Hubbard to reduce speeding.

59. Member Selman stated during the untelevised Opportunity for the Public to Speak portion of the meeting, a resident complained about how people at Hubbard Marketplace are behaving and that Metro Transit rarely comes to the area for enforcement. Would like City Staff to reach out to Metro Transit about the issue.

60. Member Selman made the request for Council to send a letter to the Governor asking for new representation from the Metropolitan Council as the current representative has been largely absent for the past 3 years.

61. Member Backen stated he agreed with Member Selman on drafting a letter to the Governor or Chair Zelle about Metropolitan Council representation.

62. Member Backen stated he attended the Tri-City Community Engagement Forum. Member Backen stated he was disappointed with the attendance but thought there were good conversations. Member Backen expressed hope that there would be more events like this in the future or that Robbinsdale could host one.

63. Member Kline discussed an email sent to Council by Metropolitan Council representative Robert Lilligren. Member Kline expressed disappointment with his response and has strong concerns about the city's representation.

64. Member Webb stated she attended the Tri-City Community Engagement Forum and was disappointed by the lack of diversity. Member Webb further stated that the communities who have the most strained relationship with the police were not in attendance. Member Webb noted she was the only black person in attendance. Member Webb stated more needs to be done with outreach. Member Webb did commend the Crystal Police Chief for saying police make mistakes which is big for an officer to say as well as noting that officers need to listen to what people say without becoming defensive.

65. Mayor Blonigan stated he also attended the Tri-City Community Engagement Forum and shares the sentiments of Member Webb over the lack of diversity.

66. Member Selman stated he used to sit on the Community Advisory Committee for the Blue Line project and that Metropolitan Council Representatives were much more responsive in the past even though they were part-time.

67. Member Kline stated he would be ok with giving the representative another chance. Members Selman and Backen stated chances have been given already and they would want new representation. Member Webb stated the Council could put forth expectations. There was a discussion amongst Council members regarding the lack of representation for the City from the Metropolitan Council. Ultimately they agreed that they would hope to have better representation by the current appointee.

Adjournment:

68. Member Backen MOVED, seconded by Member Selman to adjourn the meeting at 9:13 pm. The vote was unanimous and the motion carried.

Dustin Leslie, City Clerk

William A. Blonigan, Mayor