

City of Robbinsdale
CITY COUNCIL MINUTES
January 19, 2021
Meeting No. 2

CALL TO ORDER

1. Mayor William A. Blonigan called the meeting to order at 7:02 p.m.

ROLL CALL

2. Present: Webb, Selman, Backen, Kline, Mayor Blonigan
Absent: None
Staff: Marcia Glick, City Manager; Jeff Zuba, Finance Director; Richard McCoy, Public Works Director; Patrick Foley, Police Chief; Mike Coleman, Police Captain; Munna Ali, IT Technician.

OPPORTUNITY FOR THE PUBLIC

3. Glick noted that there were two people who had indicated interest in speaking under opportunity for the public. Mayor Blonigan opened the floor to anyone wishing to speak on any items not on the agenda.
4. Melanie Sedqi, 3403 – 26th Ave N, noted that she had sent information to the City Council regarding local option bill House File 89. She has also worked with the City of Faribault on their rank choice voting. This method eliminates the need for a local primary and assures a majority vote outcome. The bill would need to pass for cities with even year elections to elect this method.
5. Glick noted that as Robbinsdale is a Charter City, a change would require a City Charter amendment and she provided background on that process.
6. It was noted that elections may be more positive since you want the people to choose you as their 2nd candidate if their first choice doesn't move forward.
7. Selman indicated that he would like the information to be presented ahead of time as part of an agenda.
8. The information received from Ms Sedqi will be filed as council correspondence and the idea could be discussed in the legislative policies work session at the end of the meeting.
9. The other person who had requested to speak had apparently changed her mind. Mayor Blonigan closed the session.

APPROVAL OF AGENDA

10. Glick noted an updated memo for New Business B and detail on disbursement requests. No changes to the agenda.
11. Member Backen **MOVED**, seconded by Member Selman to approve the January 19, 2021 Agenda with the update noted. **A roll call was taken: Ayes: Webb, Selman, Backen, Kline, Mayor Blonigan; Nays: None. The vote was unanimous and the motion carried.**

CONSENT AGENDA

12. Member Backen **MOVED**, seconded by Member Selman to approve the January 19, 2021 Consent Agenda. **A roll call was taken: Ayes: Webb, Selman, Backen, Kline, Mayor Blonigan; Nays: None. The vote was unanimous and the motion carried.**

- A. Motion to approve and order placed on file minutes of the City Council meetings:
 - Council Meeting Minutes on 1/05/2021
 - Organizational work session minutes of 1/05/21
 - Regular work session minutes of 1/05/21
 - Special work session minutes of 1/12/21
- B. Motion to receive advisory commission minutes:
 - Senior Commission 11/2/2020 (December meeting canceled)
- C. Motion to approve issuance of licenses from list dated 1/19/21.
- D. Motion to authorize the Mayor and City Manager to approve a Change Order No. 2 for various alterations to the Centralized Water Treatment Plant – Project 53217 as identified in the letter from AE2S dated January 11, 2021 for an additional cost of \$108,758.
- E. Motion to authorize the Mayor and City manager to enter into a Joint Powers Agreement for the bituminous resurfacing of the section of Vera Cruz Ave N south of 38th Ave shared as a Corporate Limit between the Cities of Robbinsdale; estimated project cost of \$14,474.63 plus \$2,894.93 for administration.
- F. Motion to authorize the City Manager to enter into a payment agreement with the Birdhouse Eat & Drink allowing two partial payments for the 2021 annual liquor license.

OLD BUSINESS A: Blue Line Citizens Advisory Commission Appointment

- 13. Glick reviewed the staff report noting that the commission opening had been advertised in the weekly city news for the past two weeks; 2 applications had been received.
- 14. Member Selman thanked the applicants for offering their time. He indicated his preference for David Ulbrich who, similar to when Member Selman had been on the CAC, had Planning Commission experience.
- 15. Member Kline noted community feedback that they would like to have opportunities for more people to be involved; Mr. Ulbrich is already on the Planning Commission.
- 16. Member Selman **MOVED**, and Member Backen seconded the appoint David Ulbrich to the Blue Line Citizens Advisory Commission.
- 17. Member Webb said she would like the opportunity for more people to apply. Glick noted that the first meeting of the CAC had been pushed back to March.

18. Member Blonigan noted that Jason Greenberg, former Planning Commissioner has already been appointed to the committee.
19. **A roll call was taken: Ayes: Selman, Backen; Nays: Webb, Kline, Mayor Blonigan The motion failed 2 to 3.**
20. Discussion followed noting that with the CAC meeting being pushed back there was more time to see if there are other interested parties. Glick noted that the other applicant had experience participating in a summer LRT planning series.
21. Member Kline **MOVED**, and Member Webb seconded to hold the application period open and table action to the next meeting. **A roll call was taken: Ayes: Webb, Backen, Kline, Mayor Blonigan; Nays: Selman. The motion carried 4 to 1.**
22. Glick confirmed that the firm deadlines for applications will be noon on January 29th with all applications included in the agenda packet distributed that day.

NEW BUSINESS A: 2021 Street Improvement Program Feasibility Report

23. McCoy reviewed the staff report outlining streets proposed for full reconstruction in 2021. Streets selected include infrastructure enlargement needed for the new water treatment plant. All elements are looked at in advance: street surface, curb, sidewalks, underground mains and connections to homes. Unfortunately, streets were recently resurfaced as part of the effort to resurface all streets not expected to be rebuilt within 10 years. This doesn't change the need to rebuild the streets in order to add the larger water treatment plant related infrastructure.
24. Council members clarified information on the project. Staff will look into the provision of more storm water sewer capacity in Railroad Avenue. Staff confirmed a typical street section supports 10 ton vehicle weight during spring thaw.
25. Member Selman noted that he will be asking for modification of assessment rates because of the amount of construction disruption in this area over recent years.
26. Moved by Backen, second by Selman, to approve Resolution No. 7881 "A RESOLUTION ACCEPTING THE CITY ENGINEER'S FEASIBILITY REPORT ON THE 2021 STREET IMPROVEMENT PROGRAM AND SCHEDULING PUBLIC HEARINGS ON SAME." **A roll call was taken: Ayes: Webb, Selman, Backen, Kline, Mayor Blonigan; Nays: None. The vote was unanimous and the motion carried.**

NEW BUSINESS B: South Twin Lake/Ryan Lake Cattail Cleanout – 2nd Report

27. McCoy reviewed the updated staff report. The public works crews from Robbinsdale and Brooklyn Center were able to get in and clean out all of the fallen trees between France and the inlet to Ryan Lake. The railroad has also moved the fence near the culvert going under the railroad tracks. We don't have the proper equipment for cattail removal so quotes were requested from contractors. The pricing came back substantially over budget. Therefore, the recommendation is to reject all quotes.

28. McCoy indicated that next step will be to check with the watershed to see if they could participate in addressing the cattail infill. He noted that the work that was completed on the other two parts of the project should help with water flow.
29. Moved by Backen, second by Selman to approve Resolution No. 7882 "A RESOLUTION REJECTING ALL QUOTES FOR THE RYAN CREEK CHANNEL PROJECT – PROJECT NO 72921." A roll call was taken: Ayes: Webb, Selman, Backen, Kline, Mayor Blonigan; Nays: None. The vote was unanimous and the motion carried.

OTHER BUSINESS A: Voucher Requests

30. Moved by Selman, second by Kline to approve disbursements for period ending January 19, 2021. A roll call was taken: Ayes: Webb, Selman, Backen, Kline, Mayor Blonigan; Nays: None. The vote was unanimous and the motion carried.

OTHER BUSINESS B: Special meeting/work session dates/times

31. Glick reviewed the staff report. Noting there was also a request from County Commissioner Jeff Lunde and his team to visit with the council meeting at an upcoming meeting or work session.
32. Council members indicated that the meeting with the county commissioner should be a work session and should wait until we return to in person meetings.
33. Council members confirmed that regular meetings and work sessions would be Webex for February and March. Glick noted that decision on return to in-person meeting should be at least 3 weeks to a month in advance.
34. Moved by Backen, second by Kline to schedule the following work sessions:
- January 23, 2021 – Annual strategic direction/goals with Council and Key Staff. Meeting to be held in person at Robbinsdale City Hall – Meeting start time 9:30 a.m. Those wishing to observe the meeting will be asked to RSVP to assure adequate spacing of seating.
 - February 9, 2021 – Meeting with the Fire Relief Association –prior to REDA meeting – 6:30 p.m.; REDA meeting 7:00 p.m.
 - March 2, 2021 – Meeting with City Liquor Manager – information on Minnesota liquor sales regulations – prior to regular City Council meeting – 6:15 p.m.; Council meeting 7:00 p.m.

A roll call was taken: Ayes: Webb, Selman, Backen, Kline, Mayor Blonigan; Nays: None. The vote was unanimous and the motion carried.

ADMINISTRATIVE REPORTS

35. Glick noted that the special work session will begin at the conclusion of the meeting. Need to log into a different WebEx Meeting.
36. Chief Foley noted that the Officer Involved Shooting (OIS) on January 8th was the first ever in Robbinsdale when a person has died and only the second ever OIS in the city. (Note: this is according to city records for the past 50 years.) While the body worn camera footage is the

city's data, we are not the investigative agency in this case. The case was handed over immediately to the BCA in order to have an independent agency perform the investigation. The City follows the MN Data Practices Act and, under this law, video footage is classified as investigative data until the investigation is complete and until then it is confidential. Once complete we could release the video. Until that happens, no one other than those conducting the investigation have access to see the video; this includes both the BCA investigation and internal affairs investigation. Before release-need to consider the graphic nature of the incident, need to consider the impact on the family, whether the family would like the video released; at this point the family has not wanted the video released. Police Chief is not involved in the investigation and won't have access to any information until that is complete and then he would conduct the internal affairs investigation. The IA would look to see if there had been any policy violations. When the Chief arrived at the scene, he wasn't able to ask any questions; just ask if ok, bring back to the station and have the officers wait in separate rooms.

37. The BCA verified our initial press release was ok on January 8th. After that the BCA handles subsequent releases. They had one release on January 11th and nothing since. The case will go to Anoka County to consider if there would be any charges against the officers. We don't know the timeline for the BCA investigation to be complete. It could be a couple months before investigation is complete. The BCA may release additional information in the interim. Mayor Blonigan shared that people had asked whether department procedures were followed.
38. Staff is working on having better information on how to make data requests. Glick noted that when those not involved make requests for data, there is always consideration of the rights of the people involved; making sure their rights are protected regarding the case going forward. Regular city hall data is freely available on the website or by request – with exception of the identification of a person making a complaint. Police data is more complex, particularly investigative data. If there are others from the public in the video, their authorization is required or their image would need to be redacted as well as any information regarding a minor. The City Attorney is consulted on all complex data requests.
39. Chief Foley confirmed the BCA is the one conducting all parts of the investigation; other shootings in Robbinsdale had been officers from another city.
40. In a chase, officers are certified in a maneuver to stop the vehicle. Must consider pedestrians, other traffic, parked cars, and other factors before pursuit intervention technique (PIT) are used. The Chief and Captains are currently reviewing the pursuit policy keeping public safety in mind; what are the circumstances when pursuit is justified?

COUNCIL GENERAL COMMUNICATIONS

41. Member Selman asked about a memorial that had appeared where a death had occurred; the memorial is in the street. Staff will follow up with council regarding the policy.
42. Member Selman noted citizen complaints on the patio sheeting and painted signs at El Toro. Staff will follow up.

43. Member Webb provide information the Seven Dreams Bird Bash – it will be virtual and free this year. Effort is for \$50,000 for electronic and material multicultural books for middle school and high school.
44. Member Kline shared that as alternate council liaison to the Robbinsdale School District Government Advisory Council he had attended a couple of meetings where the school district reviewed plans for reopening. His son had gone to school for the first time today – other than a few hiccups, things went well.
45. Member Backen said that although it wouldn't be in person, he encouraged people to check out the Seven Dreams Bird Bash.
46. Mayor Blonigan also promoted the Bird Bash- tickets are usually \$75 so those who normally buy tickets may consider just donating that amount.
47. Mayor Blonigan noted that there would be a work session at the conclusion of the meeting.
48. Glick apologized for the disruption as she tried to reestablish power for her tablet.

ADJOURNMENT

49. Member Kline **MOVED**, seconded by Backen to adjourn the meeting at 9:09 p.m. A roll call was taken: Ayes: Webb, Selman, Backen, Kline, Mayor Blonigan; Nays: None. The vote was unanimous and the motion carried.



Marcia Glick, Recording Secretary



William A. Blonigan, Mayor