

**CITY COUNCIL MEETING  
CITY OF FRIDLEY  
AUGUST 8, 2016**

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The City Council meeting for the City of Fridley was called to order by Mayor Lund at 7:00 p.m.

**ROLL CALL:**

**MEMBERS PRESENT:** Mayor Lund  
Councilmember Barnette  
Councilmember Saefke  
Councilmember Varichak  
Councilmember Bolkcom

**OTHERS PRESENT:** Wally Wysopal, City Manager  
Darcy Erickson, City Attorney  
James Kosluchar, Public Works Director  
Scott Hickok, Community Development Director  
Kay Qualley, Environmental Planner  
Jack Kirk, Parks and Recreation Director

**PRESENTATION:**

Summer Systematic Code Enforcement Report by Natasha Lukacs, Planning Intern

2016 City of Fridley Urban Forestry Study by GreenCorps Member Erika Van Krevelen

**APPROVAL OF PROPOSED CONSENT AGENDA:**

**APPROVAL OF MINUTES:**

**City Council Meeting of July 25, 2016.**

**APPROVED.**

**NEW BUSINESS:**

**1. Receive the 2016 City of Fridley Urban Forestry Study.**

**RECEIVED.**

**2. Receive the Minutes of the Planning Commission Meeting of July 20, 2016.**

**RECEIVED.**

- 3. Preliminary Plat Request, PS #16-01, by Fridley Land, LLC, to Replat the Property at 41 Northern Stacks Drive and the Unaddressed Parcel to the North to Allow for Further Redevelopment of the Site (Ward 3).**

**APPROVED.**

- 4. Lot Split Request, LS #16-02, by the City of Fridley HRA to Start Preparing the Property for Future Redevelopment, Generally Located at 6911 University Avenue N.E.;**

**and**

**Resolution Approving a Subdivision, Lot Split, LS #16-02, Generally Located at 6911 University Avenue N.E. (Ward 1)**

**APPROVED LOT SPLIT, LS #16-02. ADOPTED RESOLUTION NO. 2016-33.**

- 5. Special Use Permit Request, SP #16-05, by All Temp Distribution Company, to Allow Limited Outdoor Storage on the Property, Generally Located at 5400 Main Street N.E.;**

**and**

**Resolution Approving Special Use Permit, SP #16-05 to Allow Limited Outdoor Storage at All Temp Distribution Company at 5400 Main Street N.E. (Ward 3)**

**THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA AND PLACED ON THE REGULAR AGENDA**

- 6. Claims: 173419 – 173634,**

**APPROVED,**

- 7. Estimate**

Northwest Asphalt, Inc.  
 1451 Stagecoach Road  
 Shakopee, MN 55379  
     2016 Street Rehabilitation Project No. ST 2016-01  
     Estimate No. 2..... \$328,502.95

**APPROVED.**

**ADOPTION OF PROPOSED CONSENT AGENDA:**

**Councilmember Bolkcom** asked to remove Item No. 5.

**MOTION** by Councilmember Barnette to approve the proposed Consent Agenda with the removal of Item No. 5. Seconded by Councilmember Varichak.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**OPEN FORUM VISITORS:**

No one from the audience spoke.

**ADOPTION OF AGENDA:**

**MOTION** by Councilmember Bolkcom to adopt the agenda with addition of Item No. 5. Seconded by Councilmember Saefke.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS:**

**5. Special Use Permit Request, SP #16-05, by All Temp Distribution Company, to Allow Limited Outdoor Storage on the Property, Generally Located at 5400 Main Street NE;**

**and**

**Resolution Approving Special Use Permit, SP #16-05 to Allow Limited Outdoor Storage at All Temp Distribution Company at 5400 Main Street N.E. (Ward 3).**

**Councilmember Bolkcom** asked on page 31, the last paragraph indicated that the construction and paving would happen only if this passes, correct.

**Scott Hickok**, Community Development Director, replied the owner has worked on a 5-year plan and included outdoor storage, storm ponding, regrading and re-pavement. This is a \$1M expense with additional expenses happening as outlined in the memo.

**Councilmember Bolkcom** asked on page 35 in the second to the last paragraph what was meant regarding the existing screening fence. Improvements to the trail are being incurred by the City. Is this just informational, because it should not be at the cost of the petitioner.

**Mr. Hickok** replied that it is a cordial agreement for improvements.

**MOTION** by Councilmember Bolkcom to approve the Special Use Permit, SP #16-05, to Allow Limited Outdoor Storage at All Temp Distribution Company at 5400 Main Street N.E. with the following seven stipulations:

1. Outdoor storage area shall be limited to the three areas as shown on Exhibit B of the resolution approving this special use permit request.
2. Existing outdoor storage in the southwest corner of the site shall be relocated to the new approved location with 30 days of paving of outdoor storage, Site F.
3. The petitioner shall comply with any regulations set forth by the Mississippi Watershed Management organization.
4. The petitioner shall comply with any requirements set forth by the City's Engineering Department.
5. A 25-foot drive aisle shall remain clear around the building to provide sufficient fire access.
6. Installation of hard surface for Site F, as shown on the site plan shall be completed by December 31, 2016. Installation of hard surface for Site A and the storm water pond shall be installed by December 31, 2017.
7. Installation of new fence and ivy along the west property line shall be completed by May 31, 2017.

Seconded by Councilmember Barnette.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**MOTION** by Councilmember Bolkcom to adopt Resolution No. 2016-34. Seconded by Councilmember Barnette.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**8. First Reading of an Ordinance Amending Fridley City Code Chapter 220. Rental Property Maintenance and Licensing Code, Section 220.13.3.B., Re-clarifying Inspection Fees; and Chapter 11. General Provisions and Fees, Section 11.11, Re-clarifying Rental Inspection Fees**

**Scott Hickok**, Community Development Director, stated this amendment for Chapter 220 is to clarify the text, as the current text does not address unsuccessful attempts. Violations were not corrected when the owner/owner rep did not show. Each inspection is scheduled at least 10 days in advance. Correction re-inspections are scheduled at least 30 days in advance. The imposition of required re-inspections involves staff time spent documenting, resending letters, rescheduling and a minimum of an hour away from the office.

**Mr. Hickok** noted in Chapter 11, fees have the same \$300 late fee for single or multiple dwelling units. A revision would make the fees more equitable. \$100 for single family through tri-plex units and \$300 for four or more units per building. Note that a condo with a single PID is considered a single family unit, even if it is in a building with four or more units.

**Councilmember Bolkcom** asked what the last sentence in Section 1B meant.

**Mr. Hickok** replied if a licensed unit applies for a renewal license and there are outstanding late fees or unpaid fees, the license can be denied. The license could be denied and the license revoked if the fees are not paid.

**Councilmember Bolkcom** said the wording is not very clear. She asked under re-inspection fees if a huge apartment complex would only pay \$300.

**Mr. Hickok** said it depends. There could be clusters of buildings that would pay multiple \$300 fees. Fees are also based on where they are inspecting, not the entire complex.

**MOTION** by Councilmember Saefke to waive the reading of the ordinance and approve the ordinance on first reading. Seconded by Councilmember Bolkcom.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**9. Approve Change Order #1 (FSB-15-23-1-1) with Klamm Mechanical Contractors, Inc., for the Springbrook Nature Center Improvements Project (Building Addition, Remodel and Site Improvements)**

**Jack Kirk**, Parks and Recreation Director, stated this change order encompasses 7 items for total of \$21,264.25 and increases the original contract by 3.4%. Work adjustments directed under this change order include the following:

1. Readjusting Unit Heaters for the facility.
2. Supplying and installing louvers for the upper level of the existing facility.
3. Supplying, installing and programming controls for heat pumps in place of the factory Controls.
4. Moving location of ductwork in the family restroom.
5. Adjusting the size of the return air duct in the Exhibit room.
6. Replacing a duct in the multipurpose room and pressure testing the new install.
7. Installing additional ductwork and modifications in the reflection area.

**Mr. Kirk** said the overall budget for the Springbrook Nature Center Improvements project was set at \$5,460,000. The majority of the funding for this project is coming from the \$5M State Bonding Grant awarded to Fridley, with the balance to come from funds raised by the Springbrook Nature Center Foundation. On September 28, 2015, the City Council awarded 14 contracts for the construction of the Springbrook facility and adjacent site improvements in the amount of \$3,630,871.98. At the time of awarding the contracts, we identified a construction contingency/undesignated funds amount of \$338,875.02 for the project. Previous change orders have amounted to \$230,688.56. When taking into account this change order, there is still a balance in the construction contingency of \$86,922.21.

**Mr. Kirk** stated staff is recommending that the City Council *move to approve Change Order No. 1 (FSB-15-23-1-1) with Klamm Mechanical Contractors, Inc. in the amount of \$21,264.25*. If approved, the contract amount shall be increased from \$618,000.00 to

\$639,264.25. The project is winding down and they are doing well with the budget. If approved, the contractor's amount would be increased to \$639,264.25.

**Mayor Lund** said he thought this was an engineered project, and asked if this was a flaw in the design from the mechanical engineer.

**Mr. Kirk** replied that several changes resulted in adjustments from the existing building. Contractors had to work around current systems and adjustments were made. These are not errors but adjustments that needed to be made as the project moved forward. More energy efficient things were added but the project could have had more detail from the start.

**Mayor Lund** said the contractor is trying to retro fit the old building with the new addition and this change is due to oversight.

**Councilmember Bolkcom** asked what was meant in Item 1 about readjusting the unit heaters.

**Mr. Kirk** replied the heaters over the storage area had some duct work adjusted in size in terms of air coming in and out to make sure the system is working correctly.

**Councilmember Bolkcom** asked if moving the duct work in the family restroom was done in the ceiling.

**Mr. Kirk** replied that work was done prior to finishing the restroom. They had to wait until they saw how much room they had within the ceiling joist. They did not want to spend the extra money, but it was necessary in order to have a better functioning product in the end.

**MOTION** by Councilmember Bolkcom to approve Change Order #1 (FSB-15-23-1-1) with Klamm Mechanical Contractors, Inc., for the Springbrook Nature Center Improvements Project (Building Addition, Remodel and Site Improvements). Seconded by Councilmember Saefke.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**10. Approve an Intergovernmental Agreement with Rice Creek Watershed District for 2016 Clean Water Fund Grant Program**

**Jim Kosluchar**, Public Works Director, noted that in July, the Board of Water and Soil Resources advised of solicitations for the State of Minnesota Clean Water Fund grant program. This program is funded through the Legacy Amendment passed some years ago. Staff reviewed the potential for projects that may suit the program goals. We subsequently identified that the Columbia Arena Redevelopment project had a good potential to meet many of the program goals. We met with the Rice Creek Watershed District (RCWD), and requested their partnership in applying for funding.

**Mr. Kosluchar** stated as the grant request timeline was very short, the City and RCWD staff began work immediately on the grant materials. The RCWD is lead agency on the grant request.

The request is for \$600,000 to provide enhanced stormwater treatment on the Columbia Arena Redevelopment site. The request was increased by \$80,000, as we determined that design services are eligible. The RCWD has agreed to share \$65,000 of the match for the project. The City of Fridley would provide the remaining match of \$85,000. These terms would be formalized by the interagency agreement under consideration this evening.

**Mr. Kosluchar** noted the agreement presented tonight is an abbreviated version of what was in the City Council's packet. This was updated by the RCWD legal staff. The agreement has been reviewed by staff and legal counsel and is recommended for approval. The agreement sets forth the terms for the grant application. The agreement does not commit the City or RCWD to construction of the project. The agreement leverages funds for the project as envisioned under the current master plan and concepts. Staff requests the City Council move to approve the Intergovernmental Agreement between the Rice Creek Watershed District and the City of Fridley. If approved, staff will ensure the submission of the grant as presented.

**Councilmember Bolkcom** asked how soon it would be known if the funding had been granted.

**Mr. Kosluchar** replied that December is the target date but it could roll into January.

**MOTION** by Councilmember Saefke to move into record the revised Intergovernmental Agreement replacing pages 69-73 in the packet. Seconded by Councilmember Bolkcom.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**MOTION** by Councilmember Saefke to approve an Intergovernmental Agreement between the Rice Creek Watershed District and the City of Fridley for the 2016 Clean Water Fund Grant Program. Seconded by Councilmember Bolkcom.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

## **11. Informal Status Reports**

**Mayor Lund** thanked everyone who participated in the Night to Unite block parties. This is a great opportunity to bring neighborhoods together.

**Councilmember Bolkcom** said she enjoyed riding along with the police officers. People were very positive and many compliments were sent to the Police and Fire Departments.

**Mayor Lund** encouraged all listeners to vote in the primary election tomorrow.

**Wally Wysopal**, City Manager, introduced and welcomed the following new staff:

Ryan Johnson, Public Service Worker-Sewer  
Nicholas Schmidt, Civil Engineer  
Brandon Brodhag, Civil Engineer  
Mark Seaton, Assistant Fire Chief

**Jim Kosluchar**, Public Works Director, said that some of the Night to Unite gatherings were held within project areas. Staff received feedback on the 2015 project regarding restoration and an update was sent out last week. The contractor does need to re-restore the boulevard and that started last Friday. The delay has been because of the hot weather because that is not a good time to plant anything. Over the next 2 to 3 weeks the project should be completed. Another update is for the project north of Rice Creek. That project should be done by the first week of October. The noisier and odorous work will abate prior to that. A request has been made to the Met Council to post an update on their website. The second area near I694 but should not create problems for residents; this is in the industrial area by Home Depot.

**Councilmember Bolkcom** had a question about the bike trail.

**Mr. Kosluchar** replied that Council will receive an update, including when the bike trail will be reopen.

**Councilmember Bolkcom** said the left turn signal on East River Road at Northern Stacks is not moving traffic and asked how long it would be before that was completed.

**Mr. Kosluchar** replied that is just getting started. He met with the contractor a few weeks ago and they are working on the approach. He will get an update for Council.

**ADJOURN:**

**MOTION** by Councilmember Barnette to adjourn. Seconded by Councilmember Varichak.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED AND THE MEETING ADJOURNED AT 8:34 P.M.**

Respectfully submitted by,

Krista Peterson  
Recording Secretary

Scott J. Lund  
Mayor