



City Council Meeting

December 9, 2024

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Mayor Lund called the City Council Meeting of December 9, 2024, to order at 7:00 p.m.

Present

Mayor Scott Lund
Councilmember Dave Ostwald
Councilmember Tom Tillberry
Councilmember Ryan Evanson
Councilmember Ann Bolcom

Absent

Others Present

Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Brandon Brodhag, Assistant City Engineer
Beth Kondrick, Deputy City Clerk
Nancy Abts, Associate Planner
Samantha Zuehlke, City Attorney

Pledge Of Allegiance

Approval of Proposed Consent Agenda

Motion made by Councilmember Bolcom to adopt the proposed Consent Agenda. Seconded by Councilmember Tillberry.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Approval/Receipt of Minutes

1. Approve the Minutes from the City Council Meeting of November 25, 2024.
2. Receive the Minutes from the City Council Conference Meeting of November 25, 2024.

New Business

3. Resolution No. 2024-174, Certifying the Final Tax Levy Requirements for 2025 to the County of Anoka.
4. Resolution No 2024-175, Approving a Budget for the Fiscal Year 2025 and the 2025-2029 Capital Investment Program.
5. Resolution No. 2024-179, Awarding 2025 Trail Improvements Project No. 2025-21.
6. Resolution No. 2024-181, Designating Precincts and Polling Locations for the 2025 Election Year.

Licenses

7. Resolution No. 2024-176, Approving Temporary Lawful Gambling Permit for Capable Partners for Event to be Held March 8, 2025.

Claims

8. Resolution No. 2024-180, Approving Claims for the Period Ending December 4, 2024.

Open Forum, Visitors: (Consideration of Items not on Agenda – 15 minutes.)

No one from the audience spoke.

Adoption of Regular Agenda

Motion made by Councilmember Tillberry to adopt the regular agenda. Seconded by Councilmember Evanson.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Regular Agenda

Public Hearing(s)

9. Public Hearing for Improvements for 2025 Street Rehabilitation Project No. ST2025-01 and Resolution No. 2024-177, Ordering Final Plans, Specifications and Calling for Bids for 2025 Street Rehabilitation Project No. ST2025-01.

Motion made by Councilmember Evanson to open the public hearing. Seconded by Councilmember Ostwald.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Brandon Brodhag, Assistant City Engineer, provided background information on the pavement management plan, proposed project area, existing conditions, preliminary project outreach, and feasibility report. He provided additional details on the project elements, concrete pavement

rehabilitation, and construction phasing. He stated that staff received comments about excessive traffic volume related to traffic speed and volume on East Danube Road. He noted that a traffic calming meeting will be held on December 18th at 5:30 p.m. for impacted properties in that area. He provided details on diamond surface grinding and stated that has been recommended to possibly be included as an alternate for future consideration if the bid results are favorable. He reviewed the project budget and information on special assessments, LDR property assessment, and payment options. He summarized the tentative project schedule, asking the Council to hold the public hearing and consider adoption of the resolution as presented.

Councilmember Evanson asked for more information on why the diamond surfacing is not recommended to be included in the main scope of the project. Mr. Brodhag replied that the cost would push the budget of the project. He stated that if the bid is very favorable, the surfacing could be added as an alternate or it could also be completed at a later time.

Councilmember Evanson recognized that the price to replace a concrete road is significantly more than a typical asphalt road and confirmed that the proposed assessment was reduced to 35 percent in order to more normalize the assessment.

Mayor Lund invited residents to provide input.

Jennifer Mulvihill referenced the asked for additional information on subcutting, the breakdown of costs between the street and utilities, when finalized panel replacement would be known, the type of concrete that would be used, and expressed concern with the noise that could be caused by diamond surfacing. She supported the concept of adding a speed bump. Mr. Brodhag provided the requested information and confirmed that if subcuts are necessary they would be included in the project cost as anticipated. He explained the process that was used to identify the panels for replacement and noted that staff and the contractor would work together to identify the final locations for replacement.

Ms. Mulvihill also provided comments from her neighbor at 5640 N. Danube who supports the proposal as long as there would be some type of traffic calming and enforcement.

Councilmember Bolkcom asked the estimated cost of speedbumps and whether that would be shared with the residents. Mr. Brodhag replied that he was unsure of the cost, but it would be split 50/50 between the impacted residents and the City. He provided a rough estimate of about \$500 per impacted resident.

Kathy Fahey, 1465 N. Danube, echoed the comments of the previous resident related to the traffic issues, specifically at N. Danube and Arthur. She was concerned that the intersection was not addressed and suggested that Arthur be closed off which would reduce the traffic from the school. She spoke of previous issues with sewer backup and was concerned that was not being addressed with this project as she believes that it is not sized correctly for use. She was not satisfied with the improvements that have been made thus far and did not have faith in this project, suggesting that the road all be replaced or nothing at all. She did not believe all properties should pay an equal amount when they are not equal sizes of property. Mayor Lund explained that this method of replacement is proposed because of the cost, noting that the alternate would have an assessment of \$11,500. He explained that closing a street pushes that issue to another road.

Steve Mackenthun, 5502 W. Danube, thanked the Council and staff for considering the impact on property owners and decreasing the proposed assessment. He asked and received confirmation that the speedbumps have not been included in the project cost and would only be assessed to the impacted property owners.

Karl Breitbarth, 5477 E. Danube, asked for more details on how the 24-hour notice would be provided to residents. He stated that in the 30 years he has lived at the property this is the first assessment he can recall and therefore looks forward to the project. He wanted to ensure that nothing was missed with the proposed method of repair. He asked for details on whether the concrete being replaced would match the other panels that have been replaced and asked for more information on the diamond surfacing. He also asked and received confirmation that damage to the curb would be repaired as part of this project. Mr. Brodhag stated that when driveways will be impacted, they will provide a 24-hour notice. It was also noted that residents should sign up for the weekly project updates. He stated that the diamond surfacing provides a smoother ride but explained that staff needs to find out more information to determine if it would be appropriate.

Mayor Lund asked that a paper be provided tonight where interested residents can leave their email to sign up for the project updates.

Rachel Cahill, 5643 N. Danube, asked how the City will reach residents who perhaps could not attend tonight. She asked for details on whether the voices of those most impacted would be engaged as well as those that would be impacted by the assessment. She stated that she works in equity and inclusion and is open to assist if needed. Mayor Lund stated that the goal is for residents to be aware of the project and this process noting the multiple platforms the City uses to reach residents, including direct mailers. He stated that the Council is also open to any comments or questions. He explained that this method of replacement and a reduction to the assessment were chosen by the Council in order to reduce the impact on residents. He also reviewed the payment options available for the assessment.

Diane Mulvihill, 5601 N. Danube, asked the benefit that would be provided and hoped that once repaired the road would last as long as possible. She provided input on the volume of traffic on N. Danube due to the two schools. She stated that when there was a solution for the two schools, that created a new issue on N. Danube and issues on Gardenia. Mayor Lund commented that they will continue to look at traffic calming options for N. Danube.

Mary Carlson, 1424 N. Danube, commented on the large number of trash trucks that go through their neighborhood and whether this method of repair would have more damage from the trucks. Mr. Brodhag provided information on the design of the panels that would assist in load transfer to handle heavy vehicles.

Troy Lanz, 5505 W. Danube, commented that he does not believe the new drains will provide assistance, noting that the elevation after paving does not direct water to the drains. He was concerned that he would not receive the 24-hour notice and that the issue with high and low spots would continue to occur. Mr. Brodhag replied that some of the panels were set at a new elevation to match the panels that will be installed next year. Mr. Lanz asked why all the work was not done at

once. Mayor Lund explained that typically all the work cannot be completed in one season which is why utility work occurs the year prior to the road project. Mr. Brodhag noted that there was grant funding that assisted with the cost of the work that was done this year and had to be used in 2024.

Rick Schroder, 5497 E. Danube, encouraged staff to pay attention to the quality of the work being done. He provided input on the work that was done this summer by the contractor. Mr. Brodhag explained that the panels replaced this summer do not have rebar and explained how the panels will be connected once the new panels are placed.

Ms. Fahey commented that in June the residents filled out forms with their contact information and have not received any communication other than the notice for tonight. She asked why the schools are not contributing to the cost when their bus traffic is causing issues on the road. She believed that the residents should have a vote.

Terry Reyez, 1479 N. Danube, asked how his irrigation system would be addressed during construction. He commented that it would make sense to address the sewer system while the road is open to ensure that other residents do not deal with the backup that the Faheys experienced. Mr. Brodhag asked that the system be marked with flags if it is located in the right-of-way. He stated that they will attempt to avoid the system but if it is disturbed, the City would replace that. He explained that the utilities are televised in the street project area to determine if any replacement or correction is needed. He stated that generally, the useful life of a utility is over 100 years. These utilities are around 50 years old, and staff believe another 40 to 50 years could be obtained. He confirmed that if any issues were identified, they would be addressed. He stated that the City offers free televising of the private sewer line on properties before construction begins if property owners request that.

Rich Villella, 5588 W. Danube, asked for more information on the bid process and estimate. Mr. Brodhag explained how project estimates are created, noting that the estimate is preliminary and will be fine-tuned as they finalize the design. He provided details on the bidding process.

Joe Tadros, 1438 N. Danube, asked if the tree roots have been considered, noting his experience with the roots causing damage to his concrete driveway. He asked if there was a guarantee that this method of repair would last. Mr. Brodhag replied that staff would look at the root system of the trees in the boulevard and that some trees could be removed to ensure problems do not continue. He stated that there would be a two-year warranty from the final acceptance of the project.

Ms. Mulvihill commented on water that has pooled because of the elevation of new panels. She also noted cracking that has already occurred on a new panel. She believed a full-road replacement would be a better option. She commented on issues with the pavement project in the nearby townhomes and the water issues that exist in that area. Mr. Brodhag stated that staff could look at warranty work from the contractor who completed the work on that panel. He stated that the cost would increase significantly to replace the entire road, with an assessment of about \$23,000 per property. He commented that staff did hear the concerns about water at the public meeting.

Norm Schultz, 5535 W. Danube, asked the City to consider 48-hour notice rather than 24-hour notice along with recommendations of where residents can park when their driveway cannot be accessed.

Councilmember Evanson commented that he represents this ward and if residents reach out to staff and do not receive a response, they can reach out to him directly.

Ms. Cahill urged the Council to reach out to hear more voices before making a decision. She commented that as a neighbor she would be happy to assist in reaching out to her neighbors and those in her neighborhood.

Councilmember Bolkcom commented that they are not yet going out for bid as the action tonight is to proceed with the final design. She stated that they could send another mailer, and residents could continue to reach out to staff. She asked if other options could be reviewed for traffic. Mr. Brodhag commented that there is a meeting for the E. Danube residents next week and staff can look further to N. Danube and Arthur to determine if something more could be done to manage traffic before the project even begins and as part of the project.

Councilmember Evanson commented that if they delay this action tonight, it would ultimately delay the opportunity to go for bid at a time when bidding prices are good which would only increase the cost. Mr. Brodhag confirmed that they do need to go out for bid at the right time to secure good prices but that does not mean they cannot continue to work with residents to address concerns.

Ms. Mulvihill commented that she believes they are rushing this process. Mayor Lund commented that this timeline for bidding ensures fair prices and if that is delayed, the prices will increase. Councilmember Ostwald commented that engineering plans a decade of street repairs, so if this is delayed one year that impacts the whole plan. He stated that this has been discussed for months already. He stated that if this is pulled out of the queue now, it may be five to eight years before it could come back up.

Wally Wysopal, City Manager, believed there would be a benefit in backing up and explaining how they got to this point, which began with road planning and preliminary engineering. He stated that the action tonight merely approves the preparation of plans for bidding. Mr. Brodhag explained that the City has a ten-year program for road projects, a five-year Capital Investment Program, and explained the work that is done the year prior to a project including preparation of the feasibility report, public engagement and public hearing, and then finalization of the plans. He explained that the design is about 35 percent complete at this point, which is why they solicit resident input to assist with completing the final design.

Steve Mackenthun commented that he understands that the City has a ten-year program and appreciates that the assessment is not an exorbitant amount as he is concerned with the cost. He stated that citizens have a responsibility to be involved and pay attention as well in terms of inclusion. He commented that he is not interested in delaying the project and causing extra cost.

Mr. Wysopal commented that the Council will take action tonight and then the final plans will come back for the Council to consider the bids and approve the project. He stated that in the time between now and then, staff can continue to work with residents and look for grants.

Councilmember Tillberry commented on his confidence in staff and the process. He noted that there are times when the estimates have been high, and the bid cost is actually lower than projected. He explained that the action tonight is to direct staff to keep working on the plans.

Councilmember Bolkcom suggested that a second letter be sent to residents, providing a contact number they could call if they have additional questions.

Motion made by Councilmember Evanson to close the public hearing, Seconded by Councilmember Bolkcom.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Motion made by Councilmember Evanson to adopt Resolution No. 2024-177, Ordering Final Plans, Specifications and Calling for Bids for the 2025 Street Rehabilitation Project No. ST2025-01. Seconded by Councilmember Ostwald.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

New Business

10. Resolution No. 2024-178, Awarding 2025 Neighborhood Parks Improvements Project No. 25-70912

Mr. Brodhag provided background information on the Park System Improvement Plan and the two projects identified in the 2024 Capital Investment Program (CIP). He reviewed the project location and existing conditions, project details, and project bids received. He provided details on the project funding, schedule, and recommendation from staff to approve the resolution as presented.

Councilmember Bolkcom asked how soon they would know if the oak trees would survive construction and be kept. Mr. Brodhag stated that the design was made to protect as many trees as possible, noting that three have been identified for removal and a buffer was created to protect the other trees.

Councilmember Bolkcom commended the staff for receipt of the grant funds. Mr. Brodhag commented on the success the City has had with Anoka County on park projects. He also recognized the work of Mike Maher, Parks and Recreation Director, in pursuing the grant funds.

Motion made by Councilmember Tillberry to approve Resolution No. 2024-178, Awarding 2025 Neighborhood Parks Improvements Project No. 25-70912. Seconded by Councilmember Bolkcom.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

11. Ordinance No. 1426, Amending the Fridley City Code to add Chapter 312, Cannabis Business, and Amending the Fridley City Code Chapter 209, Fees (First Reading)

Beth Kondrick, Deputy City Clerk, presented the first reading of Ordinance No. 1426. She provided background information on the moratorium that was adopted in 2023 which will expire on January 1, 2025, as well as the work that staff has done to develop an ordinance for cannabis businesses. She reviewed the types of licenses that have been defined for cannabis businesses along with some of the license requirements through the Office of Cannabis Management (OCM). She provided additional information on zoning regulations and registration fees. She reviewed the next steps and recommended that the Council approve the first reading tonight.

Councilmember Evanson recognized that the social equity lottery was delayed and asked if there is a possibility that any licenses would be issued ahead of the other licenses in 2025. Samantha Zuehlke, City Attorney, replied that the lottery is currently under a temporary restraining order. Ms. Kondrick commented that the Council will most likely revisit this topic throughout the year as changes continue to be identified through the OCM and overall process.

Motion made by Councilmember Ostwald to approve the first reading of Ordinance No. 1426, Amending the Fridley City Code to add Chapter 312, Cannabis Business, and Amending the Fridley City Code Chapter 209, Fees. Seconded by Councilmember Bolkcom.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Informal Status Reports

Councilmember Bolkcom commented on the Fridley Alumni Choir event she recently attended.

Adjourn

Motion made by Councilmember Evanson to adjourn. Seconded by Councilmember Ostwald.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 9:31 p.m.

Respectfully Submitted,

Melissa Moore
City Clerk

Scott J. Lund
Mayor