



City Council Meeting

May 08, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue N.E.

Agenda

Call to Order

Pledge of Allegiance

Proclamations/Presentations

- [1.](#) Proclamation for National Police Week and Peace Officers Memorial Day
- [2.](#) Public Works Week Proclamation

Approval of Proposed Consent Agenda

Approval/Receipt of Minutes

- [3.](#) Approve the Minutes from the City Council Meeting of April 24, 2023
- [4.](#) Receive the Minutes from the Joint City Council/HRA Conference Meeting of April 24, 2023
- [5.](#) Receive the Minutes from the April 19, 2023 Planning Commission Meeting

New Business

- [6.](#) Resolution No. 2023-47, Approving a Comprehensive Plan Amendment to Update the Parks and Trails Chapter and to Change the Future Land Use Designation from C – Commercial to P – Parks and Recreation for the Land Generally Located at 6105 University Avenue and to Authorize Staff to submit a Comprehensive Plan Amendment for the same to the Metropolitan Council

Licenses

- [7.](#) Resolution No. 2023-45, Approving City Licenses and Permits

Claims

- [8.](#) Resolution No. 2023-48, Approving Claims for the Period Ending May 3, 2023

Adoption of Regular Agenda

Open Forum/Visitors (Consideration of Items not on Agenda – 15 minutes)

Regular Agenda

- [9.](#) Resolution No. 2023-46, Making a Determination on the Objection Received from Patricia Rein Regarding 1559 N Oberlin Circle NE with Respect to the Innsbruck North Housing Improvement Area
- [10.](#) Ordinance No. 1407, Second Reading and Adoption Establishing Innsbruck North Housing Improvement Area
- [11.](#) Resolution No. 2023-49, Approving a Housing Improvement Fee for Innsbruck North Housing Improvement Area

New Business

- [12.](#) Resolution No. 2023-44, Approving Change Order No. 1 for East Moore Lake Biochar and Iron-Enhanced Sand Filter Project No. 22-467

Informal Status Reports

- [13.](#) Minneapolis Water Works Withdrawal Information

Adjourn

Upon request, accommodation will be provided to allow individuals with disabilities to participate in any City of Fridley services, programs, or activities. Hearing impaired persons who need an interpreter or other persons who require auxiliary aids should contact the City at (763) 571-3450.



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Brian Weierke, Director of Public Safety

Title

Proclamation for National Police Week and Peace Officers Memorial Day

Background

The City of Fridley annually proclaims National Police Week and Peace Officers Memorial Day to recognize and honor the current and former members of our law enforcement community.

Financial Impact

None

Recommendation

Staff recommend the City Council proclaim May 14-20, 2023, as National Police Week, and May 15, 2023, as Peace Officers Memorial Day.

Focus on Fridley Strategic Alignment

☐ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☐ Financial Stability & Commercial Prosperity	☒ Public Safety & Environmental Stewardship
☐ Organizational Excellence	

Attachments and Other Resources

- Proclamation for National Police Week and Peace Officers Memorial Day

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



Proclamation

National Police Week: May 14-20, 2023 **Peace Officers Memorial Day: May 15, 2023**

Whereas, the quality of life in the United States is preserved and enhanced by the diligent efforts of our law enforcement personnel; and

Whereas, 800,000 men and women in the United States, including more than 11,000 Minnesota peace officers, and 46 Fridley police officers serve their fellow citizens as law enforcement officers; and

Whereas, the first recorded police officer death was in 1786; and

Whereas, nationally an average of 100 officers are killed in the United States each year; and

Whereas, on average nationally, over 60,000 officers are assaulted resulting in over 18,000 injuries; and

Whereas, Minnesota has lost 268 law enforcement officers in the line of duty since 1874 and the national toll exceeds 23,000 fallen officers; and

Whereas, on May 15, 2023, Fridley police officers will join all U.S. peace officers and the families of their fallen comrades to honor those officers and all others who have made the ultimate sacrifice.

Now therefore, be it resolved, that I, Scott, J. Lund, Mayor of the City of Fridley, do hereby proclaim May 14 through 20, 2023, as **National Police Week**, and Monday, May 15, 2023, as **Peace Officers Memorial Day** in the City of Fridley in honor of Federal, State and local officers killed or disabled in the line of duty; and

Be it further resolved, that I hereby call upon the citizens of Fridley to keep our law enforcement officers in their thoughts during this time and to observe **Peace Officers Memorial Day** with solemn respect.

In witness whereof, I have set my hand and caused the seal of the City of Fridley to be affixed this 8th day of May, 2023.

Scott J. Lund - Mayor



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: James Kosluchar, Public Works Director
Jeffrey Jensen, Operations Manager- Streets, Parks, and Facilities

Title

Public Works Week Proclamation

Background

The City of Fridley (City) annually proclaims May 21-27 as Public Works Week to recognize the numerous public works professionals who focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City.

Financial Impact

None

Recommendation

Staff recommend the City Council proclaim May 21-27 as Public Works Week in the City of Fridley.

Focus on Fridley Strategic Alignment

☐ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☐ Financial Stability & Commercial Prosperity	☒ Public Safety & Environmental Stewardship
☐ Organizational Excellence	

Attachments and Other Resources

- Public Works Week Proclamation

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



Proclamation

Public Works Week May 21-27, 2023

Whereas, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Fridley; and

Whereas, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

Whereas, it is in the public interest for the citizens, civic leaders and children in Fridley to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

Whereas, the safety, vibrancy, and stability of our community greatly depends on the quality and effectiveness of these systems and the services they provide;

Now therefore, be it resolved, that I, Scott, J. Lund, Mayor of the City of Fridley, do hereby proclaim the week of May 21-27, 2023, as Public Works Week in the City of Fridley.

In witness where of, I have set my hand and caused the seal of the City of Fridley to be affixed this 8th day of May, 2023.

Scott J. Lund, Mayor

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Approve the Minutes from the City Council Meeting of April 24, 2023

Background

Attached are the minutes from the City Council meeting of April 24, 2023.

Financial Impact

None.

Recommendation

Staff recommend the approval of the minutes from the City Council meeting of April 24, 2023.

Focus on Fridley Strategic Alignment

- | | |
|--|---|
| ☐ Vibrant Neighborhoods & Places | ☐ Community Identity & Relationship Building |
| ☐ Financial Stability & Commercial Prosperity | ☐ Public Safety & Environmental Stewardship |
| ☒ Organizational Excellence | |

Attachments and Other Resources

- Minutes from the City Council Meeting of April 24, 2023

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



City Council Meeting

April 24, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Mayor Lund called the City Council Meeting of April 24, 2023, to order at 7:00 p.m.

Present: Mayor Scott Lund
 Councilmember Dave Ostwald
 Councilmember Tom Tillberry
 Councilmember Ryan Evanson
 Councilmember Ann Bolkcom

Absent: None

Others Present: Walter Wysopal, City Manager
 Jim Kosluchar, Public Works Director
 Joe Starks, Finance Director
 Scott Hickok, Community Development Director
 Mike Maher, Parks and Recreation Director
 Paul Bolin, Assistant Executive Director
 Madison Zikmund, Fire Chief
 Sarah Sonsalla, City Attorney
 Stacey Valving, Ehlers and Associates

Pledge Of Allegiance

Proclamations/Presentations

1. Arbor Month Proclamation and Presentation of Tree City USA Award

Jim Kosluchar, Public Works Director, presented Mayor Lund with the City's sixth Tree City USA Award and recognized the efforts of City staff and Council. He commented that there is a forestry section on the City website where residents can find more information and noted the upcoming tree sale details.

Approval of Proposed Consent Agenda

Motion made by Councilmember Bolkcom 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

2. Approve the Minutes from the City Council Meeting of April 10, 2023.
3. Receive the Minutes from the City Council Conference Meeting of April 10, 2023.
4. Receive the Minutes from the Housing and Redevelopment Authority Meeting of March 2, 2023.
5. Receive the Minutes from the Environmental Quality and Energy Commission (EQEC) Meeting of March 14, 2023.

New Business

6. Resolution No. 2023-36, Requesting the Fridley Charter Commission Convene and Proposing the Review of Chapter No. 4, Nominations and Elections, of the Fridley City Charter.
7. Resolution No. 2023-37, Approving Cost Share Agreement with Coon Creek Watershed District for Apex Pond Enhancement and Purchase of a Trommel Screener.
8. Resolution No. 2023-38, Approving Grant Agreement with Anoka Conversation District for Apex Pond Enhancement.
9. Resolution No. 2023-41, Approving Gifts, Donations and Sponsorships Received Between March 21, 2023 and April 14, 2023.

Licenses

10. Resolution No. 2023-39, Approving 2023-2024 Business License Renewals.

Claims

11. Resolution No. 2023-40 Approving Claims for the Period Ending April 19, 2023.

Adoption of Regular Agenda

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

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

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

A resident recognized the Police for their quick response in a recent situation involving a troubled neighbor and expressed concern with the assisted living/group home facility in his neighborhood. Wally Wysopal, City Manager, provided additional context on group home regulations and rental license inspections. He noted that the City can bring concerns with staffing of that facility to the State of

Minnesota. He encouraged residents to report issues by calling 911. Council also encouraged residents to reach out to their legislator with issues on this topic.

Regular Agenda

Public Hearing(s)

12. Ordinance No. 1407, Public Hearing and First Reading Establishing Innsbruck North Housing Improvement Area

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.

Joe Starks, Finance Director, reported the City received a complete application with petitions setting up this public hearing for the consideration of a proposed housing improvement area (HIA).

Stacie Kvilvang, Ehlers and Associates, reviewed the role of the City in this type of request. She provided details on the process and timeline, the proposed association improvements, project costs and financing request. She explained how the loan/bond would be repaid and provided additional details on risk, noting that the risk to the City would be minimal.

An HIA consultant for the association provided a presentation on behalf of the association explaining that the project scope focuses on needed improvements rather than desired projects. Additional information was provided on the plan for funding future capital improvements, the bidding process the association followed, and what would happen if the improvements did not occur. It was noted that this project would also work to address some issues being experienced by homeowners, such as drainage. Information was also provided on how homeowners were contacted.

Sarah Sonsalla, City Attorney, reviewed the intent for the public hearing and role the Council plays in the HIA process, acknowledging that many comments that will be provided would most likely be to the association and related to the project rather than about the financing. She stated that those who object to the project and related assessment would be voiced and filed in writing, in order to preserve their right to appeal in the future.

Residents who supported the project thanked Council for their cooperation during this lengthy process and willingness to provide financing for the needed improvements. It was also acknowledged that there is an economy of scale in completing these improvements now as costs will continue to rise. Residents who opposed the project acknowledged that the improvements are needed but expressed concern with the process followed by the association Board, lack of transparency from the association Board, the limited amount of time provided to pay in full at a lesser rate, the additional cost of the 20 year financing, lack of affordability, and frustration with the association Board and a lack of general maintenance.

The Council noted that it appears that the association Board should hold a meeting to hear all comments of the residents to address the comments and concerns.

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

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

The Council acknowledged that this is a good project that is needed but expressed concern with the comments made by residents at tonight's meeting. It was suggested that the association hold its own meeting to sort out the issues.

The consultant representing the association explained that the assessment is billed to the property taxes and will increase the value of the properties if the homeowner does need to sell.

Mr. Starks provided more details on the next steps in this process and staff commented that they would look to see if the prepayment deadline could be slightly extended.

Motion made by Councilmember Tillberry to approve the first reading of Ordinance No. 1407 establishing Innsbruck North Housing Improvement Area. Seconded by Councilmember Bolcom.

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

The Ryan Evanson, Ward 2 Councilmember, volunteered to attend the next association meeting.

New Business

13. Resolution No. 2023-42, Approving Purchase of Aerial Fire Apparatus Replacement

Madison Zikmund, Fire Chief, provided the request to replace the aerial fire apparatus. He reviewed the maintenance that has been completed which has in recent years. He stated in August of 2022, Council provided approval to staff to begin to work on this replacement. Due to rising costs and long build-times, the project is being presented ahead of schedule, as the need already presents itself. He explained how the equipment is used and reviewed other justifications for the request. He reviewed the process that was followed to make this recommendation.

The Council said they appreciated the due diligence of staff. A question was posed as to whether equipment could be shared between municipalities. Mr. Zikmund replied that while shared services are a top priority, a ladder truck is not something they would want to share in that manner.

Motion made by Councilmember Ostwald to adopt Resolution No. 2023-42 Approving Purchase of Aerial Apparatus Replacement. Seconded by Councilmember Tillberry.

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

14. Resolution No. 2023-43, Receiving Bids and Awarding Moore Lake Park Community Building and Site Improvements Project

Jim Kosluchar, Public Works Director, reviewed the bidding method and bids received for the project, as well as options to offset the costs within the Parks Master Plan budget. Staff recommends approval of the resolution as presented.

Council asked for details on the timing of items that would be placed on hold. Mr. Kosluchar provided additional details on the timing and/or other options for those items noting that one of the alternates was not included in the original plan but bid, in the chance that it could fit into the project budget.

Motion made by Councilmember Evanson to adopt Resolution No. 2023-43 Receiving Bids and Awarding Moore Lake Park Community Building and Site Improvements Project. Seconded by Councilmember Ostwald.

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

Informal Status Reports

Mr. Kosluchar provided details on an upcoming open house for 73rd Avenue. Council provided details on the upcoming Block Captains meeting and thanked the residents who attended the community forum and environmental fair. The North Suburban Art Center will host a night out at Forgotten Star Brewery on April 28 to raise funds. The Springbrook Spree was successful, and Council thanked those who participated.

Adjourn

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

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 9:27 p.m.

Respectfully Submitted,

Melissa Moore
City Clerk

Scott J. Lund
Mayor



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Roberta S. Collins, Assistant to the City Manager

Title

Receive the Minutes from the Joint City Council/HRA Conference Meeting of April 24, 2023

Background

Attached are the minutes from the Joint City Council/HRA conference meeting of April 24, 2023.

Financial Impact

Recommendation

Receive the minutes from the Joint City Council/HRA conference meeting of April 24, 2023.

Focus on Fridley Strategic Alignment

- | | |
|--|---|
| ☐ Vibrant Neighborhoods & Places | ☐ Community Identity & Relationship Building |
| ☐ Financial Stability & Commercial Prosperity | ☐ Public Safety & Environmental Stewardship |
| ☒ Organizational Excellence | |

Attachments and Other Resources

- Minutes from the Joint City Council/HRA Conference Meeting of April 24, 2023

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



Joint City Council and Housing and Redevelopment Conference Meeting

April 24, 2023

5:30 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Roll Call

Present: Mayor Scott Lund
Councilmember Dave Ostwald
Councilmember Tom Tillberry
Councilmember Ryan Evanson
Councilmember Ann Bolkcom
Elizabeth Showalter, HRA, Chair
Gordon Backlund, HRA
Rachel Schwankel, HRA
Troy Brueggemeier, HRA

Absent: Kyle Mulrooney, HRA

Others Present: Walter Wysopal, City Manager/Executive Director of the HRA
Paul Bolin, Assistant Executive Director of the HRA
Scott Hickok, Community Development Director
Danielle Herrick, City Manager Intern

Items for Discussion

1. Update on Redevelopment Areas Identified in the City's Comprehensive Plan.

Paul Bolin, Assistant Executive Director of the Fridley HRA, provided an update to the Fridley City Council and the Housing and Redevelopment Authority on activity in the redevelopment areas identified in the City's Comprehensive Plan.



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Julianne Beberg, Office Coordinator

Title

Receive the Minutes from the April 19, 2023 Planning Commission Meeting

Background

Attached are the Minutes from the April 19, 2023 Planning Commission Meeting

Financial Impact

None

Recommendation

Staff recommend the City Council receive the April 19, 2023 Planning Commission Minutes.

Focus on Fridley Strategic Alignment

☒ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☐ Financial Stability & Commercial Prosperity	☐ Public Safety & Environmental Stewardship
☒ Organizational Excellence	

Attachments and Other Resources

- Planning Commission Minutes April 19, 2023

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



Planning Commission

April 19, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Chair Hansen called the Planning Commission Meeting to order at 7:00 p.m.

Present

Pete Borman

John Buyse II

Mark Hansen

Mike Heuchert

Terry McClellan

Nancy Abts, Associate Planner

Scott Hickok, Community Development Director

Peter Pfister, Superintendent of Minneapolis Water Treatment Plant Operations and Maintenance

Ann Bolkom, Councilmember Ward 3

Approval of Meeting Minutes

1. Approve January 4, 2023, Planning Commission Minutes

Motion by Commissioner McClellan to approve the minutes. Seconded by Commissioner Borman.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously.

Public Hearing

2. Public Hearing to Consider Plat Request, LS #23-01 for the City of Minneapolis

Motion by Commissioner Buyse to open the public hearing. Seconded by Commissioner Borman.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was opened at 7:01 p.m.

Nancy Abts, Associate Planner, presented a plat request from the City of Minneapolis for the property generally located at 4300 Marshall Street. The replat will create one new lot that will better define the property lines for the Minneapolis Waterworks and the Minneapolis Emergency Operations Training Facility. She reviewed the analysis of the request and stated that staff recommends approval of the plat request.

The Commission asked for details related to right-of-way and details on the ownership and occupancy of the property. Ms. Abts provided additional details on the right-of-way and explained that Minneapolis owns the land and facilities.

Scott Hickok, Community Development Director, provided additional details on the right-of-way process including details on utility easements.

Councilmember Bolkom asked if the area would be cleaned up noting trash, abandoned vehicles, etc.

Peter Pfister, representing the applicant, provided additional details on the master planning for the property they are going through and addressing outdoor storage concerns in the area would be considered as part of that process.

Mr. Hickok commented that staff has been in contact with staff from Minneapolis. He explained how some vehicles are used in training incidents. He agreed that improvements could be made to the site or additional screening could be added.

A Commission member noted that the City of Minneapolis has owned the property for longer than the City of Fridley has been incorporated and asked for more details. Mr. Hickok provided some historical background.

Motion by Commissioner Borman to close the public hearing. Seconded by Commissioner Buyse.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was closed at 7:19 p.m.

The Commission asked the land use guidance for this property under the Comprehensive Plan. Mr. Hickok replied that the property is guided industrial and the use is appropriate for the property. Ms. Abts provided additional details on the zoning and land use, noting that is not proposed to change under this request.

The Commission noted that this request makes sense and commented that it would be nice to have the site cleaned up or better screened.

Motion by Commissioner Borman recommending approval of plat request, LS #23-01 for the City of Minneapolis. Seconded by Commissioner Buyse.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously.

3. Public Hearing for Comprehensive Plan Amendment, CPA #23-01 by the City to Amend the Parks and Trails Chapter in the 2040 Comprehensive Plan and Update the Future Land Use Map

Motion by Commissioner Borman to open the public hearing. Seconded by Commissioner McClellan.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was opened at 7:27 p.m.

Ms. Abts presented a request to update the 2040 Comprehensive Plan for consistency with the Park System Improvement Plan and in conjunction with the termination of the Joint Powers Agreement (JPA) with Anoka County regarding parks traversed by the Rice Creek West Regional Trail. She stated that they would also update the future land use map to change the guidance for a parcel that will be developed as a park/trail facility. She provided an overview of the requested updates.

The Commission asked how the size of the parks was determined. Ms. Abts replied that is based on the most recent parcel data of Anoka County. Mr. Hickok provided additional details on the concept for the new park/trail facility and how development will occur as funding becomes available.

A Commission member asked for details on the JPA with the County and why that is being dissolved. Mr. Hickok provided additional background information on the history and dissolution of the JPA as well as the plans going forward for those properties.

Motion by Commissioner McClellan to close the public hearing. Seconded by Commissioner Heuchert.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the public hearing was closed at 7:37 p.m.

The Commission noted that this makes sense to update the plans with the new information and expressed excitement for the new pocket park. Mr. Hickok provided additional details on the development of the pocket park which will use alternate funding and will not take away from the planned improvements identified in the master plan process for the parks. He confirmed that updates would also be made to the bus rapid transit stop.

Motion by Commissioner Buyse recommending approval of CPA #23-01. Seconded by Commissioner McClellan.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously.

Other Business

The Commission asked for an update on potholes. Councilmember Bolkcom stated that public works staff will be working on that once the flood prevention efforts are completed. She noted that some streets are the responsibility of the County. Residents can report potholes to public works.

Mr. Hickok commented that staff is completing cold patching. He noted that there will be a town hall meeting on Saturday and invited residents to attend. The town hall will be followed by the environmental fun fair.

Adjournment

Motion by Commissioner Borman to adjourn the meeting. Seconded by Commissioner Buyse.

Upon a voice vote, all voting aye, Chair Hansen declared the motion carried unanimously and the meeting adjourned at 7:51 p.m.

Respectfully submitted,
Amanda Staple, Recording Secretary



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Scott Hickok, Community Development Director
 Stacy Stromberg, Planning Manager
 Nancy Abts, Associate Planner

Title

Resolution No. 2023-47, Approving a Comprehensive Plan Amendment to Update the Parks and Trails Chapter and to Change the Future Land Use Designation from C – Commercial to P – Parks and Recreation for the Land Generally Located at 6105 University Avenue and to Authorize Staff to submit a Comprehensive Plan Amendment for the same to the Metropolitan Council

Background

In 2022, the City Council (Council) approved a Park System Improvement Plan (PSIP) for park facilities owned and operated by the City of Fridley (City). The Council also authorized staff to begin implementing the plan. The proposed Comprehensive Plan (Comp Plan) amendments will update the Comp Plan in accordance with the PSIP.

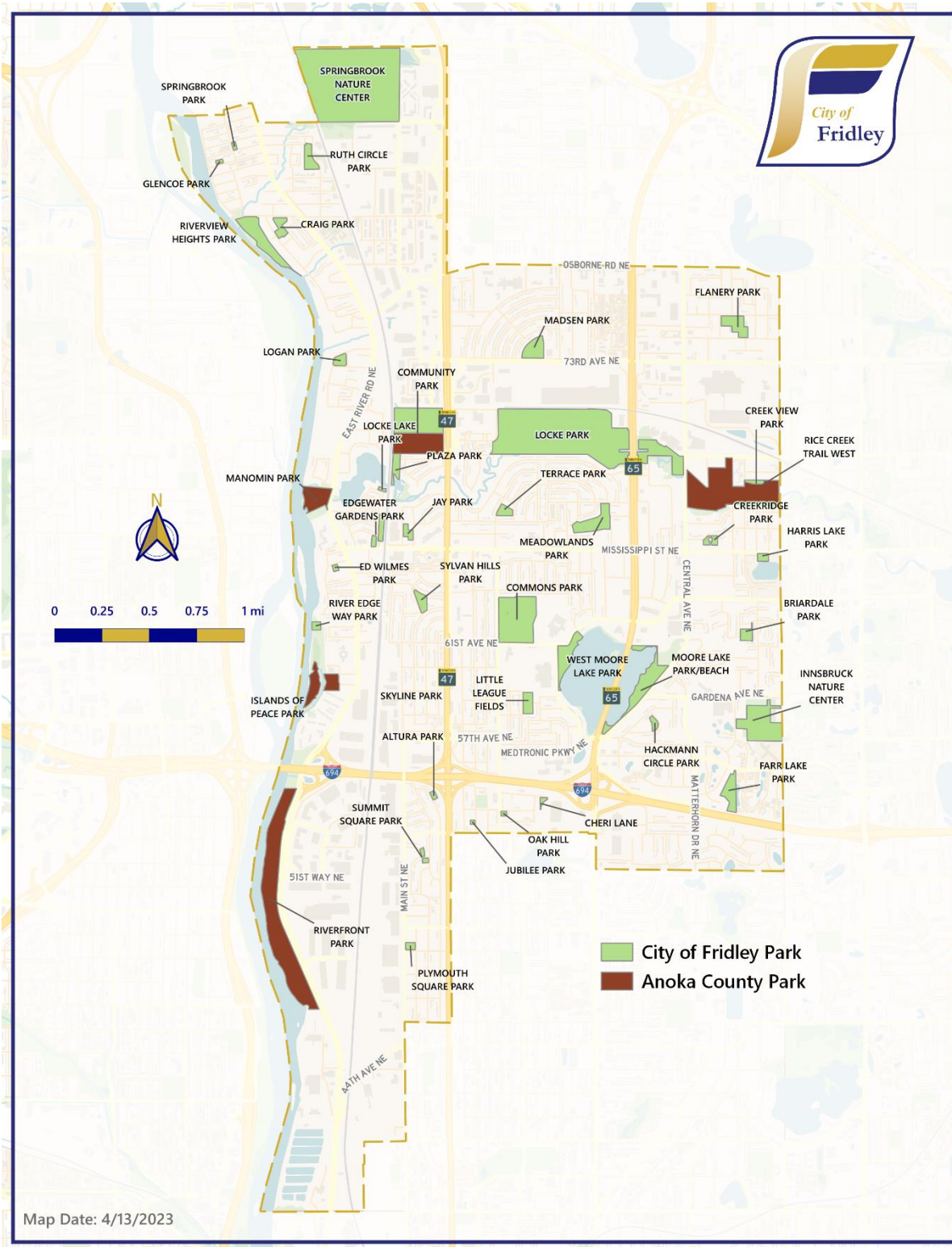
Additionally in 2022, the City provided Anoka County with notice of termination of a Joint Powers Agreement (JPA) relating to parks traversed by the Rice Creek West Regional Trail. The JPA granted operational control of three parks—Locke Park, Plaza Park, and Locke Lake Park—to Anoka County. Control of the parks will return to the City.

The proposed Comprehensive Plan Amendments will update the classifications of parks in the table of Existing Parks and Recreational Facilities (Figure 4.2) in accordance with the PSIP. It will also correct minor mapping and geoprocessing errors and omissions.

Finally, the amendment will acknowledge the City's ownership of the parcel located at 6101 University Avenue and the intent to develop this property as a public park/trail facility. The future land use guidance for this site will be changed from Commercial to P – Parks & Recreation. The parcel size is approximately .6 acres and was previously occupied by a Citgo gas station, before being forfeited due to unpaid taxes. Because of the way the property was acquired, it must be used for park/trail use.

The Planning Commission held a public hearing to consider this application at their April 19, 2023 meeting. Following the public hearing, the Commission voted unanimously to recommend approval of the amendment.

Revised Figure 4.1: Existing City of Fridley Park System Map

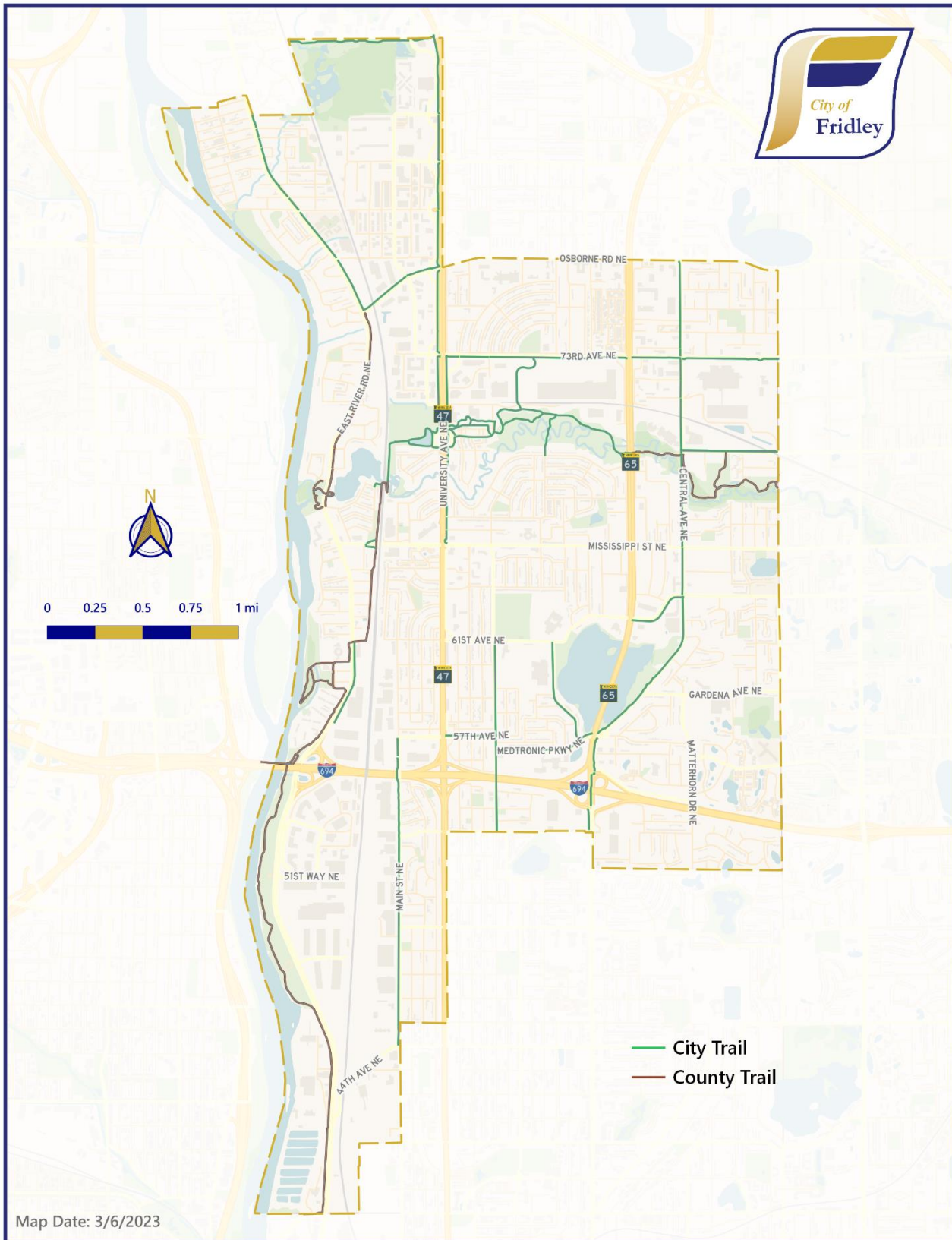


Revised Figure 4.2: Existing Parks and Recreational Facilities Inventory

	Classification	Previous Acres	Acres	Picnic Area	Picnic Shelter	Park Building	Playground Equip.	Walking/Biking Trail	Ball Diamonds	Basketball	Football Fields	Soccer Fields	Hockey Rinks	Skating Rinks	Sand Volleyball	Tennis Courts	Other
PARKS - CITY OF FRIDLEY																	
Multi-Modal Transit Hub, 6101 University	SU		0.6														Transit Hub
Altura, 5445 Altura Road	Mini	0.7	0.7														
Briardale, 6171 Rice Creek Drive	N	2.8	2.6													1-L	
Cheri Lane,	Mini		0.7														
City Plaza, 6431 University Avenue	SU	0.9	0.9														
Commons, 555 - 61st Avenue	C	23	27.3													2	Sliding Hill
Community, 7000 University Avenue	C	21	21.8														
Craig, 410 - 79th Way	N	2.8	3.3													2-L	
Creekridge, 1380 Creek Park Lane	N	2.2	2.2													1-L	
Creek View, 6801 Anoka Street	Mini	0.8	1.2														
Ed Wilmes, 150 - 64-1/2 Avenue	Mini	0.6	0.6														
Edgewater Gardens, 6700 Ashton Avenue	N	4.4	4.2													1-L	
Farr Lake, 1510 North Innsbruck	SU	6.6	6.7														
Flanery, 1505 Onondaga Street	N	7.9	6.7													2-L	
Glencoe, 661 Glencoe Street	Mini	0.4	0.5														
Hackmann, 1071 Hackmann Circle	N	19	1.4														
Harris Lake, 1620 Mississippi Street	N	17	10.1														
Innsbruck, 5815 Arthur Street	SU	24	22.2														
Jay, 6540 - 2nd Street	N	18	1.4														
Jubilee, 5334 - 5th Street	Mini	0.4	0.4														
Locke, 6911 University Avenue 840 71st Ave NE	C	16.7	75.5														Dog Park
Locke Lake, 6725 Ashton Avenue	Mini	0.5	0.7														
Logan, 155 Logan Parkway	N	2	2.3													1	
Madsen, 725 - 73rd Avenue	N	6.2	6.4													1-L	
Meadowlands, 6641 Kennaston Street	N	9.9	9.9														
Moore Lake, 5890 Central Avenue	C	14	15													2-L	Beach & Fishing Pier
Oak Hill, 5391 - 7th Street	Mini	0.5	0.5														
Plaza, 170 - 69th Avenue	N	3	3.3														
Plymouth Square, 4801 Main Street	Mini	11	1.2														
Ray Thompson Little League, 5875 Jefferson	SU	3.5	3.7														
River Edge Way, 154 River Edge Way	CA	13	1.2														
Riverview Heights, 500 - 79th Avenue	SU	7.4	14														
Ruth Circle, 8160 Ashton	N	3.6	4.3													1-L	
Skyline, 5880 - 2nd Street	Mini	0.9	0.5														
Springbrook, 8155 Broad Avenue	Mini	0.6	0.6														
Springbrook Nature Center, 100 - 85th Avenue	SU	127	123.8														Interpretive Center/Amphitheater
Summit Square, 5201 Capitol Street	Mini	1	1.1													1	
Sylvan Hills, 6205 Jupiter Drive	N	2.6	3.1													1	
Terrace, 6735 - 7th Street	N	3.5	2.4													1	
West Moore Lake, 6091 West Moore Lake Drive	CA	7.6	8.3														
PARKS - ANOKA COUNTY																	
Islands of Peace, 200 Charles Street																	
Locke, 450 - 71st Avenue																	Dog Park
Manomin, 6666 East River Road																	
Rice Creek Trail West, 1410 - 69th Avenue																	
Riverfront, 5100 East River Road																	Boat Launch
SCHOOL FACILITIES																	
Community Center, 6085 - 7th Street																	ISD 14 Senior & Teen Center
Fridley Middle School, 6100 West Moore Lake Drive																6-L	ISD 14 Indoor Pool
Fridley Senior High, 6000 West Moore Lake Drive																7	ISD 14 Auditorium
Hayes Elementary, 615 Mississippi Street																	ISD 14
North Park Elementary, 5575 Fillmore Street																	ISD 13
Stevenson Elementary, 6080 East River Road																2	ISD 14
Woodcrest Elementary, 880 Osborne Road																1-L	ISD 16

REV 04/23

Revised Figure 4.5: Existing Trails by Jurisdiction Map



Financial Impact

No financial impact. Neither the new parks and trail facility nor the parks previously operated by Anoka County under the JPA will receive funding previously approved for realizing the Park System Improvements Master Plan.

Recommendation

Staff recommend the approval of Resolution No. 2023-47.

Focus on Fridley Strategic Alignment

☒ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☐ Financial Stability & Commercial Prosperity	☒ Public Safety & Environmental Stewardship
☐ Organizational Excellence	

Attachments and Other Resources

- Resolution No. 2023-47
- Revised Table 1.3: Future Land Use Acreage
- Revised Figure 1.4: Future Land Use Map

Resolution No. 2023-47**Resolution Approving a Comprehensive Plan Amendment to Update the Parks and Trails Chapter and to Change the Future Land Use Designation from C – Commercial to P – Parks and Recreation for the Land Generally Located at 6101 University Avenue and to Authorize Staff to submit a Comprehensive Plan Amendment for the same to the Metropolitan Council**

Whereas, the City of Fridley (City) is a municipal corporation organized and existing under the laws of the State of Minnesota; and

Whereas, the City has established a Comprehensive Plan that provides a compilation of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and

Whereas, in 2022 the City adopted a Park System Improvement Plan which differs from the Parks and Trails chapter of the Comprehensive Plan; and

Whereas, also in 2022, the City approved ending a Joint Powers Agreement with Anoka County relating to the operation of Locke Park, Locke Lake Park, and Plaza Park; and

Whereas, the parks governed under the Joint Powers Agreement are identified in the Comprehensive Plan as County facilities; and

Whereas, in 2019 the City acquired the parcel generally located at 6101 University Avenue through tax forfeiture; and

Whereas, the City intends to develop the parcel as a Parks and Trails facility; and

Whereas, in response to these actions a request to amend the Comprehensive Plan was initiated by the City; and

Whereas, the notice of a public hearing on the Comprehensive Plan amendment was published, mailed and posted pursuant to the Fridley Zoning Ordinance, Section 205.05, and Minnesota Statutes Section 473.858; and

Whereas, the Planning Commission held a public hearing on April 19, 2023 to consider the proposed changes to the Comprehensive Plan; and

Whereas, the Planning Commission submitted its recommendation of approval of the proposed Comprehensive Plan Amendment to the City Council; and

Whereas, the City Council reviewed the Planning Commission and public comments regarding the proposed changes at its meeting on May 8, 2023; and

Whereas, the City Council has reviewed the Comprehensive Plan amendment and believes that it is consistent with the spirit and intent of the Comprehensive Plan and beneficial by *providing more correct information about existing classifications and future intent for Parks facilities.*

Now, therefore be it resolved, based upon the testimony elicited and information received, the City Council of the City of Fridley makes the following findings of fact:

1. That the City has initiated an update to the Comprehensive Plan in accordance with the procedures as established by state statute and the City Code.
2. That the proposed amendments to the Comprehensive Plan are consistent with the overall goals and objectives of the Comprehensive Plan.

Now, therefore, be it resolved, that based on the above findings of fact, the City Council of the City of Fridley hereby approves the amendments to the Comprehensive as follows:

1. Figure 4.1: *Existing City of Fridley Park System* will be updated to reclassify City and County Parks following the dissolution of the Joint Powers Agreement; and
2. Figure 4.2: *Existing Parks and Recreational Facilities* will be updated for consistency with the Park System Improvement Plan, updated mapping, and to add the property located at 6101 University Avenue; and
3. Figure 4.5: *Existing Trails by Jurisdiction* will be updated to reclassify City and County trails following the dissolution of the Joint Powers Agreement; and
4. Table 1.3: *Future Land Use Acreage* will be changed to reflect planned land use acreages; and
5. Figure 1.4: *Future Land Use Map* will be updated.

Be it further resolved, that the City Council of the City of Fridley hereby authorizes and directs staff to submit a Comprehensive Plan amendment request consistent herewith to the Metropolitan Council for review and approval, and

Be it finally resolved, that the City Council's approval of the Comprehensive Plan Amendment is contingent upon the Metropolitan Council's approval of said amendment.

Passed and adopted by the City Council of the City of Fridley this 8th day of May, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

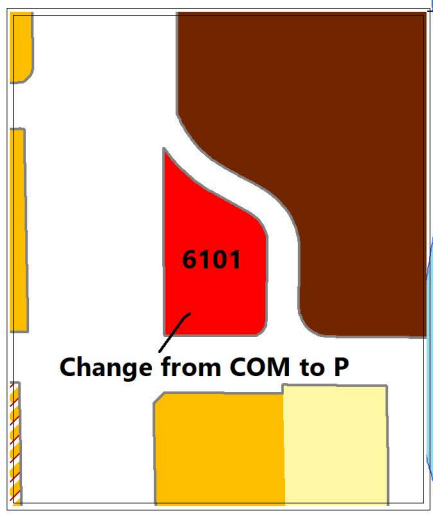
Revised Table 1.3: Future Land Use Acreage

	Acres	Percentage	New Acres	Notes
Single Family Residential	1949.6	29.4%		
Industrial	1311.7	19.8%		
Right of Way	1295.9	19.6%		
Park and Recreation	586.5	8.9%	587.1	
Multi-Family Residential	371.96	5.6%		
Commercial	346.34	5.2%	345.8	Amended in 2022 as well
Institutional	276.9	4.2%		
Open Water	130.7	2.0%		
Utility	159.2	2.4%		
Railway	92.8	1.4%		
Mixed Residential	47.1	0.7%		
Mixed Use	13.2	0.2%		
Mixed Use (Commercial/Industrial)	17.2	0.3%		
Public/Semi-Public	13.0	0.2%		
Office	10.1	0.2%		
Total	6623.0	100.0%		



Future Land Use (Projected 2040)

- SFR - Single Family Residential
- MFR - Multiple Family Residential
- MR - Mixed Residential
- OFC -
- COM - Commercial
- MU - Mixed
- IND - Industrial
- MU - Mixed Use
- INS - Institutional
- P-SP - Public/Semi-
- P - Park &
- RAIL -
- ROW - Right-of-
- UTL -
- Open Water



Sources:
Fridley Community Development
Fridley Public Works
Metropolitan Council
MNDNR

Map Date: 4/10/2023



City of Fridley
7071 University Ave NE
Fridley, Minnesota 5543204303
Phone: (763) 572-3566



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Resolution No. 2023-45, Approving City Licenses and Permits

Background

Pursuant to certain sections of the Fridley City Code (Code), certain business permitting activities require approval of the Fridley City Council (Council), including Massage Therapy licenses and Temporary Lawful Gambling permits.

Xochilt Ruiz applied for a Massage Therapist Individual license to practice at Hawkins Healing, 7362 University Avenue NE.

Wendy Willey applied for a Temporary Lawful Gambling Permit on behalf of the Columbia Heights Athletic Boosters on April 21, 2023. A raffle event will take place on June 3, 2023 at Community Park Softball Fields located at 7000 University Avenue NE.

The applicants have met all requirements, and paid all appropriate fees established in the Code for their respective licenses and permits. Staff have performed all necessary inspections and checks to ensure all requirements have been satisfied. Once approved at a municipal level, the applications and certifications will be forwarded to state licensing authorities.

Financial Impact

Permitting and licensing fees collected by the City are anticipated in the annual budget.

Recommendation

Staff recommend the approval of Resolution No. 2023-45.

Focus on Fridley Strategic Alignment

☐ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☐ Financial Stability & Commercial Prosperity	☒ Public Safety & Environmental Stewardship
☐ Organizational Excellence	

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Attachments and Other Resources

- Resolution No. 2023-45, Approving City Permits

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Resolution No. 2023-45

Approving City Licenses and Permits

Whereas, the Fridley City Code (Code) and various sections of Minnesota Statute direct licensing and permitting requirements for certain business activities within the City of Fridley (City); and

Whereas, pursuant to sections of Code, the City Council shall approve liquor, tobacco, massage, pawn and junkyard business licenses and permits; and

Whereas, applicable City staff reviewed the license and permit applications for each eligible business; and

Whereas, applicable City staff recommend the approval of the following licenses and permits by the City Council.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves the following business licenses and permits for a term specified below.

Massage

Type of License	Applicant	Staff Approval	City Code	Minnesota Statute
Massage Therapist, Individual	Hawkins Healing, Xochilt Ruiz	- Public Safety - City Clerk	Chapter 125.08	M.S. § 471.707

Gambling

Type of License	Applicant	Staff Approval	City Code	Minnesota Statute
Temporary Lawful Gambling Permit (Raffle)	Wendy Willey, Columbia Heights Athletic Boosters Event Date: 06/03/2023	- Public Safety - City Clerk	Chapter 30	M.S. § 349.166

Passed and adopted by the City Council of the City of Fridley this 8th day of May, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Resolution No. 2023-48, Approving Claims for the Period Ending May 3, 2023

Background

Attached is Resolution No. 2023-48 and the Claims report for the period ending May 3, 2023.

Financial Impact

Included in the budget.

Recommendation

Staff recommend the approval of Resolution No. 2023-48.

Focus on Fridley Strategic Alignment

☐ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☒ Financial Stability & Commercial Prosperity	☐ Public Safety & Environmental Stewardship
☐ Organizational Excellence	

Attachments and Other Resources

- Resolution No. 2023-48
- City Council Claims Report

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Resolution No. 2023-48**Approving Claims for the Period Ending May 3, 2023**

Whereas, Minnesota Statute § 412.271 generally requires the City Council to review and approve claims for goods and services prior to the release of payment; and

Whereas, a list of such claims for the period ending May 3, 2023, was reviewed by the City Council.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves the payment of the claims as presented.

Passed and adopted by the City Council of the City of Fridley this 8th day of May, 2023.

Scott J. Lund - Mayor

Attest:

Melissa Moore – City Clerk



City of Fridley, MN

Item 8.

Bank Transaction Report

Transaction Detail

Issued Date Range: 04/20/2023 - 05/03/2023

Cleared Date Range: -

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
Accounts Payable							
04/24/2023		199993	THOMAS AND SONS CONSTRUCTION Reversal	Accounts Payable	Outstanding	Check Reversal	60,848.45
04/24/2023		200272	U.S. MARSHALS SERVICE	Accounts Payable	Outstanding	Check	-13,216.00
04/24/2023		200273	ANCOM COMMUNICATIONS INC	Accounts Payable	Outstanding	Check	-83.90
04/24/2023		200274	ANOKA COUNTY ATTORNEY	Accounts Payable	Outstanding	Check	-86.00
04/24/2023		200275	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-86.25
04/24/2023		200276	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-1,203.58
04/24/2023		200277	AUTONATION FORD WHITE BEAR LAKE	Accounts Payable	Outstanding	Check	-264.91
04/24/2023		200278	BOLTON & MENK INC	Accounts Payable	Outstanding	Check	-35,729.50
04/24/2023		200279	CENTERPOINT ENERGY-MINNEGASCO	Accounts Payable	Outstanding	Check	-3,290.12
04/24/2023		200280	CLAREY'S SAFETY EQUIP INC	Accounts Payable	Outstanding	Check	-1,418.01
04/24/2023		200281	CMT JANITORIAL SERVICES	Accounts Payable	Outstanding	Check	-3,234.00
04/24/2023		200282	COMCAST/XFINITY	Accounts Payable	Outstanding	Check	-1,423.86
04/24/2023		200283	CRYSTEEL TRUCK EQUIP/DISTRIBUTION	Accounts Payable	Outstanding	Check	-5,000.00
04/24/2023		200284	CUSTOMIZED FIRE RESCUE TRAINING	Accounts Payable	Outstanding	Check	-1,850.00
04/24/2023		200285	EHLERS & ASSOCIATES INC	Accounts Payable	Outstanding	Check	-2,556.25
04/24/2023		200286	FASTENAL COMPANY	Accounts Payable	Outstanding	Check	-103.48
04/24/2023		200287	FERGUSON WATERWORKS #2518	Accounts Payable	Outstanding	Check	-168.48
04/24/2023		200288	FLEET PRIDE TRUCK & TRAILER PARTS	Accounts Payable	Outstanding	Check	-137.23
04/24/2023		200289	GENERAL REPAIR SERVICE	Accounts Payable	Outstanding	Check	-829.39
04/24/2023		200290	GENUINE PARTS CO/NAPA	Accounts Payable	Outstanding	Check	-22.84
04/24/2023		200291	INDELCO PLASTICS CORPORATION	Accounts Payable	Outstanding	Check	-166.95
04/24/2023		200292	LEADS ONLINE LLC	Accounts Payable	Outstanding	Check	-3,995.00
04/24/2023		200293	MANSFIELD OIL COMPANY	Accounts Payable	Outstanding	Check	-33,848.23
04/24/2023		200294	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-80.00
04/24/2023		200295	METROPOLITAN COUNCIL	Accounts Payable	Outstanding	Check	-475.00
04/24/2023		200296	MINN DEPT OF FINANCE	Accounts Payable	Outstanding	Check	-43.00
04/24/2023		200297	MN INT ASSOC OF ARSON INVESTIGATORS - MNIAAI	Accounts Payable	Outstanding	Check	-260.00
04/24/2023		200298	MTI DISTRIBUTING CO	Accounts Payable	Outstanding	Check	-336.36
04/24/2023		200299	NATL FIRE PROTECTION ASSOC-N.F.P.A.	Accounts Payable	Outstanding	Check	-2,542.98
04/24/2023		200300	PAPCO INC	Accounts Payable	Outstanding	Check	-157.50
04/24/2023		200301	QUIRAM, JESSLYN	Accounts Payable	Outstanding	Check	-175.54
04/24/2023		200302	RESPEC	Accounts Payable	Outstanding	Check	-4,173.75
04/24/2023		200303	THOMAS AND SONS CONSTRUCTION	Accounts Payable	Outstanding	Check	-60,848.45
04/24/2023		200304	TOVAR, SANTOS	Accounts Payable	Outstanding	Check	-200.00
04/24/2023		200305	VERIZON WIRELESS	Accounts Payable	Outstanding	Check	-480.12
04/24/2023		200306	VTI SECURITY / VIDEO TRONIX INC	Accounts Payable	Outstanding	Check	-28,124.00

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
04/24/2023		200307	WILLIAM E YOUNG CO INC	Accounts Payable	Outstanding	Check	-350.00
04/24/2023		200308	XCEL ENERGY	Accounts Payable	Outstanding	Check	-4,943.82
04/25/2023		DFT0004363	US BANK (P-CARDS)	Accounts Payable	Outstanding	Bank Draft	-33,965.02
04/26/2023		200309	FRIDLEY POLICE ASSOCIATION	Accounts Payable	Outstanding	Check	-192.00
04/26/2023		200310	MINN CHILD SUPPORT PAYMENT CENTER	Accounts Payable	Outstanding	Check	-851.40
04/28/2023		908	CITY OF FRIDLEY-IAFF DUES/INTL ASSOC/FIRE FIGHTERS	Accounts Payable	Outstanding	EFT	-80.00
04/28/2023		DFT0004341	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,539.23
04/28/2023		DFT0004342	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,211.48
04/28/2023		DFT0004343	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-19,408.22
04/28/2023		DFT0004344	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-5,342.09
04/28/2023		DFT0004346	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Saving	Accounts Payable	Outstanding	Bank Draft	-363.48
04/28/2023		DFT0004348	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-3,883.79
04/28/2023		DFT0004349	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-3,010.66
04/28/2023		DFT0004350	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-44,992.25
04/28/2023		DFT0004351	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-164.46
04/28/2023		DFT0004352	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-60,742.72
04/28/2023		DFT0004353	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Saving	Accounts Payable	Outstanding	Bank Draft	-100.00
04/28/2023		DFT0004354	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Saving	Accounts Payable	Outstanding	Bank Draft	-2,475.00
04/28/2023		DFT0004355	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Saving	Accounts Payable	Outstanding	Bank Draft	-700.00
04/28/2023		DFT0004356	CITY OF FRIDLEY-MISSION SQUARE Roth IRA	Accounts Payable	Outstanding	Bank Draft	-4,541.53
04/28/2023		DFT0004357	BENEFIT RESOURCE LLC	Accounts Payable	Outstanding	Bank Draft	-950.00
04/28/2023		DFT0004358	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-40,563.28
04/28/2023		DFT0004359	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-15,449.24
04/28/2023		DFT0004360	MINN DEPARTMENT OF REVENUE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-23,039.52
04/28/2023		DFT0004361	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-50,547.20
05/01/2023		200311	ADVANCE COMPANIES INC	Accounts Payable	Outstanding	Check	-114.33
05/01/2023		200312	ANIMAL HUMANE SOCIETY	Accounts Payable	Outstanding	Check	-3,349.00
05/01/2023		200313	ANOKA COUNTY TREASURY OFFICE	Accounts Payable	Outstanding	Check	-950.00
05/01/2023		200314	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-362.09
05/01/2023		200315	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-4,108.79
05/01/2023		200316	ASTLEFORD INTERNATIONAL TRUCKS	Accounts Payable	Outstanding	Check	-304.58
05/01/2023		200317	AUTONATION FORD WHITE BEAR LAKE	Accounts Payable	Outstanding	Check	-649.03
05/01/2023		200318	BEISSWENGER'S HARDWARE	Accounts Payable	Outstanding	Check	-64.03
05/01/2023		200319	BOB'S PRODUCE RANCH	Accounts Payable	Outstanding	Check	-24.86
05/01/2023		200320	CE CONTRACT	Accounts Payable	Outstanding	Check	-605.00
05/01/2023		200321	CENTERPOINT ENERGY-MINNEGASCO	Accounts Payable	Outstanding	Check	-838.18
05/01/2023		200322	CENTURY COLLEGE CONT EDUCATION	Accounts Payable	Outstanding	Check	-3,000.00
05/01/2023		200323	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-139.80
05/01/2023		200324	CORE & MAIN LP	Accounts Payable	Outstanding	Check	-3,101.33
05/01/2023		200325	EKBOM ENTERPRISES INC	Accounts Payable	Outstanding	Check	-318.00
05/01/2023		200326	EMERGENCY AUTOMOTIVE TECHNOLOGIES	Accounts Payable	Outstanding	Check	-20,415.38
05/01/2023		200327	FLEET PRIDE TRUCK & TRAILER PARTS	Accounts Payable	Outstanding	Check	-240.58
05/01/2023		200328	GENUINE PARTS CO/NAPA	Accounts Payable	Outstanding	Check	-221.25

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
05/01/2023		200329	GRAINGER	Accounts Payable	Outstanding	Check	-4,094.99
05/01/2023		200330	HARA, SANDRA	Accounts Payable	Outstanding	Check	-24.24
05/01/2023		200331	HAWKINS INC	Accounts Payable	Outstanding	Check	-3,769.71
05/01/2023		200332	HI-TECH REFRIGERATION	Accounts Payable	Outstanding	Check	-912.79
05/01/2023		200333	HOLIDAY COMPANIES - CAR WASH CLUB	Accounts Payable	Outstanding	Check	-9.00
05/01/2023		200334	INTERSTATE ALL BATTERY CENTER	Accounts Payable	Outstanding	Check	-679.80
05/01/2023		200335	KENNEDY & GRAVEN CHARTERED	Accounts Payable	Outstanding	Check	-6,029.98
05/01/2023		200336	LANDSCAPE FORMS INC	Accounts Payable	Outstanding	Check	-891.00
05/01/2023		200337	LEAGUE OF MN CITIES INS TRUST	Accounts Payable	Outstanding	Check	-1,080.46
05/01/2023		200338	LOFFLER COMPANIES-131511	Accounts Payable	Outstanding	Check	-3,198.52
05/01/2023		200339	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-513.98
05/01/2023		200340	MENARDS - FRIDLEY	Accounts Payable	Outstanding	Check	-6.27
05/01/2023		200341	METRO GARAGE DOOR/WINTER INDUSTRIES LLC	Accounts Payable	Outstanding	Check	-220.00
05/01/2023		200342	MEYER, CAROL	Accounts Payable	Outstanding	Check	-59.21
05/01/2023		200343	MINN CHIEFS OF POLICE ASSOC	Accounts Payable	Outstanding	Check	-2,370.00
05/01/2023		200344	MINN HWY SAFETY/RESEARCH-MHSRC	Accounts Payable	Outstanding	Check	-490.00
05/01/2023		200345	MTI DISTRIBUTING CO	Accounts Payable	Outstanding	Check	-579.16
05/01/2023		200346	NFP INSURANCE SERVICES INC	Accounts Payable	Outstanding	Check	-686.25
05/01/2023		200347	NORTHERN POWER PRODUCTS INC	Accounts Payable	Outstanding	Check	-99.69
05/01/2023		200348	ON SITE COMPANIES	Accounts Payable	Outstanding	Check	-478.65
05/01/2023		200349	PACE ANALYTICAL SERVICE INC	Accounts Payable	Outstanding	Check	-3,568.81
05/01/2023		200350	PREMIUM WATERS INC	Accounts Payable	Outstanding	Check	-8.49
05/01/2023		200351	QUADIANT FINANCE USA INC	Accounts Payable	Outstanding	Check	-550.00
05/01/2023		200352	RADCO INDUSTRIES INC	Accounts Payable	Outstanding	Check	-949.90
05/01/2023		200353	SCHIFSKY & SONS INC	Accounts Payable	Outstanding	Check	-1,748.00
05/01/2023		200354	SHORT ELLIOTT HENDRICKSON INC	Accounts Payable	Outstanding	Check	-16,240.00
05/01/2023		200355	SOCIAL PINPOINT INC	Accounts Payable	Outstanding	Check	-2,500.00
05/01/2023		200356	STIMEY ELECTRIC	Accounts Payable	Outstanding	Check	-706.03
05/01/2023		200357	STREICHER'S	Accounts Payable	Outstanding	Check	-207.00
05/01/2023		200358	SUPPLY SOLUTIONS LLC	Accounts Payable	Outstanding	Check	-749.91
05/01/2023		200359	TIREVOLD, GREG	Accounts Payable	Outstanding	Check	-32.75
05/01/2023		200360	UNITED SYSTEMS & SOFTWARE INC.	Accounts Payable	Outstanding	Check	-1,845.00
05/01/2023		200361	XCEL ENERGY	Accounts Payable	Outstanding	Check	-15,650.04
05/01/2023		DFT0004362	SVAP II FRIDLEY MARKET LLC	Accounts Payable	Outstanding	Bank Draft	-19,364.29
05/03/2023		200362	ANDERSON, GREG	Accounts Payable	Outstanding	Check	-34.99
05/03/2023		200363	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-306.25
05/03/2023		200364	AUTONATION FORD WHITE BEAR LAKE	Accounts Payable	Outstanding	Check	-123.26
05/03/2023		200365	BENEFIT RESOURCE LLC	Accounts Payable	Outstanding	Check	-548.00
05/03/2023		200366	BENNEK, STEPHEN	Accounts Payable	Outstanding	Check	-34.48
05/03/2023		200367	CENTRAL TURF & IRRIGATION SUPPLY	Accounts Payable	Outstanding	Check	-279.53
05/03/2023		200368	CMT JANITORIAL SERVICES	Accounts Payable	Outstanding	Check	-2,541.00
05/03/2023		200369	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-29,701.00
05/03/2023		200370	CULLIGAN	Accounts Payable	Outstanding	Check	-126.45

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
05/03/2023		200371	CUSTOM GRAPHIX	Accounts Payable	Outstanding	Check	-60.00
05/03/2023		200372	DO-GOOD BIZ INC	Accounts Payable	Outstanding	Check	-1,588.79
05/03/2023		200373	EMERGENCY AUTOMOTIVE TECHNOLOGIES	Accounts Payable	Outstanding	Check	-2,190.08
05/03/2023		200374	FAUL PSYCHOLOGICAL PLLC	Accounts Payable	Outstanding	Check	-1,400.00
05/03/2023		200375	FISCHER, KAREN	Accounts Payable	Outstanding	Check	-46.88
05/03/2023		200376	FLUID INTERIORS LLC	Accounts Payable	Outstanding	Check	-242.14
05/03/2023		200377	GOPHER STATE ONE-CALL INC	Accounts Payable	Outstanding	Check	-315.90
05/03/2023		200378	GRAINGER	Accounts Payable	Outstanding	Check	-378.49
05/03/2023		200379	GSSC GENERAL SECURITY SERVICES	Accounts Payable	Outstanding	Check	-256.32
05/03/2023		200380	GUAVA ENTERTAINMENT	Accounts Payable	Outstanding	Check	-700.00
05/03/2023		200381	HEALTH PARTNERS	Accounts Payable	Outstanding	Check	-2,259.00
05/03/2023		200382	INNER HERO	Accounts Payable	Outstanding	Check	-1,500.00
05/03/2023		200383	JANY, PAVEL	Accounts Payable	Outstanding	Check	-1,000.00
05/03/2023		200384	JASONS JANITORIAL SERVICES	Accounts Payable	Outstanding	Check	-3,100.00
05/03/2023		200385	KENNEDY & GRAVEN CHARTERED	Accounts Payable	Outstanding	Check	-3,181.75
05/03/2023		200386	LAKE RESTORATION INC	Accounts Payable	Outstanding	Check	-308.00
05/03/2023		200387	LEAGUE OF MINNESOTA CITIES	Accounts Payable	Outstanding	Check	-15.00
05/03/2023		200388	LEAGUE OF MN CITIES INS TRUST	Accounts Payable	Outstanding	Check	-840.65
05/03/2023		200389	LEPAGE & SONS	Accounts Payable	Outstanding	Check	-144.59
05/03/2023		200390	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-867.85
05/03/2023		200391	MC TOOL & SAFETY	Accounts Payable	Outstanding	Check	-94.00
05/03/2023		200392	MENARDS - FRIDLEY	Accounts Payable	Outstanding	Check	-191.13
05/03/2023		200393	MTI DISTRIBUTING CO	Accounts Payable	Outstanding	Check	-746.08
05/03/2023		200394	NORTHERN SANITARY SUPPLY INC	Accounts Payable	Outstanding	Check	-606.64
05/03/2023		200395	PAPCO INC	Accounts Payable	Outstanding	Check	-71.00
05/03/2023		200396	PIERCE, KENT	Accounts Payable	Outstanding	Check	-500.00
05/03/2023		200397	STAR TRIBUNE	Accounts Payable	Outstanding	Check	-1,365.04
05/03/2023		200398	STIMEY ELECTRIC	Accounts Payable	Outstanding	Check	-118.02
05/03/2023		200399	SUPPLY SOLUTIONS LLC	Accounts Payable	Outstanding	Check	-2,123.26
05/03/2023		200400	TALLEN AND BAERTSCHI	Accounts Payable	Outstanding	Check	-1,036.50
05/03/2023		200401	TIMESAVER OFF SITE SECRETARIAL INC	Accounts Payable	Outstanding	Check	-1,021.50
05/03/2023		200402	TRAFFIC CONTROL CORPORATION	Accounts Payable	Outstanding	Check	-540.00
05/03/2023		200403	TRI-STATE BOBCAT INC	Accounts Payable	Outstanding	Check	-551.39
05/03/2023		200404	VTI SECURITY / VIDEO TRONIX INC	Accounts Payable	Outstanding	Check	-12,500.00
05/03/2023		200405	WYSOPAL, WALTER	Accounts Payable	Outstanding	Check	-116.30
05/03/2023		200406	XCEL ENERGY	Accounts Payable	Outstanding	Check	-31.54
Accounts Payable Total: (158)							-669,991.57
Payroll							
04/28/2023	04/26/2023	10	10	Payroll	Cleared	Check	0.00
04/28/2023		EFT0000184	Payroll EFT	Payroll	Outstanding	EFT	-349,566.92
Payroll Total: (2)							-349,566.92
Report Total: (160)							-1,019,558.49

Bank Account	Count	Amount
0000100479 City of Fridley	160	-1,019,558.49
Report Total:	160	-1,019,558.49

Cash Account	Count	Amount
No Cash Account	1	0.00
999 999-101100 Cash in Bank - CITY Pooled Cash	159	-1,019,558.49
Report Total:	160	-1,019,558.49

Transaction Type	Count	Amount
Bank Draft	21	-332,353.46
Check	136	-398,406.56
Check Reversal	1	60,848.45
EFT	2	-349,646.92
Report Total:	160	-1,019,558.49



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Resolution No. 2023-46, Making a Determination on the Objection Received from Patricia Rein Regarding 1559 N Oberlin Circle NE with Respect to the Innsbruck North Housing Improvement Area

Background

Pursuant to Minnesota Statutes § 428A.13, subd. 4, before the Housing Improvement Area (HIA) ordinance is adopted or at the hearing at which it is to be adopted, the owner of a housing unit in the proposed HIA may file a written objection with the City Clerk asserting that the owner's property should not be included in the area or should not be subjected to a fee and objecting to the inclusion of the housing unit in the area, for the reason that the property would not benefit from the improvements.

The City must make a determination regarding the exclusion of the property in the HIA within 60 days its filing.

Financial Impact

There is no financial impact to the City.

Recommendation

Staff recommend approval of Resolution No. 2023-46.

Focus on Fridley Strategic Alignment

☒ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☒ Financial Stability & Commercial Prosperity	☐ Public Safety & Environmental Stewardship
☒ Organizational Excellence	

Attachments and Other Resources

- Resolution No. 2023-46
- Objection from Patricia Rein

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Resolution No. 2023 - 46**Making a Determination on the Objection Received From Patricia Rein Regarding 1559 N Oberlin Circle NE With Respect to the Innsbrook North Housing Improvement Area**

Whereas, the Fridley City Council (Council) is considering adopting an ordinance establishing the Innsbrook North Housing Improvement Area (HIA) pursuant to Minnesota Statutes (M.S.) § 428A.13, subd. 1; and

Whereas, a duly noticed public hearing on the HIA was held by the Council on April 24, 2023; and

Whereas, pursuant to M.S. § 428A.13, subd. 4, before the HIA ordinance is adopted or at the hearing at which it is to be adopted, the owner of a housing unit in the proposed HIA may file a written objection with the City Clerk asserting that the owner's property should not be included in the area or should not be subjected to a fee and objecting to the inclusion of the housing unit in the area, for the reason that the property would not benefit from the improvements; and

Whereas, on April 22, 2023, the City Clerk received a written objection from Patricia Rein, the owner of the property located at 1559 N Oberlin Circle NE, which is within the HIA; and

Whereas, Patricia Rein also spoke at the public hearing on April 24, 2023; and

Whereas, M.S. § 428A.13, subd. 4 requires the Council to make a determination of such an objection within 60 days of its filing.

Now, therefore it be resolved, by the City Council of the City of Fridley, that as required by M.S. § 428A.13, subd. 4, the Council makes the following determination of Patricia Rein's objection:

1. Patricia Rein's property will benefit from the improvements that will be completed as a result of the HIA.
2. In particular, Patricia Rein's property will receive the following benefits:
 - (a) A new street with new curbs and gutters.
 - (b) A new driveway with a concrete apron in front of the property's garage.
 - (c) Cured-in-place lining for the sanitary sewer that serves the property.
 - (d) The asphalt trail through the green area to the south of the property will be replaced with a concrete sidewalk which will have concrete steps. This will allow much better access to the green area.

(e) The asphalt trail from East Oberlin Circle to Meister Road will also be replaced with a concrete sidewalk. This will allow easier and safe pedestrian access by residents to the Community Center.

(f) The tennis courts will be replaced with a new green area that will be available to all residents.

Passed by the City Council of the City of Fridley, Minnesota this 8th day of May, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

Innsbruck North Townhome Association Fridley, Minnesota, Housing Improvement Area (HIA) Project Meeting to Appeal Proposed HIA Project

Attn: Joe Starks, Director of Finance/City Treasurer, And Council Members of the City of Fridley
joe.starks@fridleymn.gov

Re: Appeal/Objection to Proposed HIA Project of Innsbruck North Townhome Association Owners

Date: April 22nd, 2023

From: Patricia Rein
1559 N Oberlin Circle NE
Fridley Mn, 55432
612 396-5861

Dear Joe Starks, Director of Finance/City Treasurer, and Fellow Council Members of the City of Fridley,

My name is Patricia Rein, I live at 1559 N Oberlin Circle NE. I have been a homeowner here in the Innsbruck North Townhome Association (INTA) for 22 years.

I have experienced and questioned a lot of improvement projects and managing of the Association on too many occasions.

Still for the most part, Innsbruck North Townhomes Association has been a great place to call home. This Association is also one of the many great places to live and own in the City of Fridley. It is situated in a prime location here in the Northern suburbs of the Twin Cities.

I'm writing to you and the City Council Members to share my concerns regarding the Innsbruck North Townhome Association's management, and proposed HIA Project.

My submittal may seem lengthy, however it contains pertinent information to help the Counsel Members, Owners, and seating Innsbruck North Townhome Association Board Members to better understand and appreciate my position. It is a position that is shared by a great number of townhome owners objecting to the HIA Project. The costs and outline of proposed improvements and repairs at this time are questionable, unreasonable and unrealistic.

What I'm looking for from the City Counsel is the opportunity to modifying the HIA Project into phases and parcels, separating the Meistor Rd NE and West Bavarian Pass NE into separate loan contracts, Hopefully and potentially trimming overall costs.

I'm looking for support and encouragement in upholding communication and inclusion between the Board and the Association members. There seems to be a lacking of respect, patients and consideration within Board meetings and communication. Specific and transparent communication is missing and is essential to make any true progress for the final HIA initiative.

Lastly, but certainly First! I am looking to take care of my neighbors. Taking care of the current sewer issues should be 1st priority. The current situation is causing tremendous frustration and hardship for the effected homeowners here in Innsbruck North Townhomes. I think it would be advantageous and fair to the members in the INTA to utilize available funding in the current budget. Doing so would allow time to further study and plan the HIA Proposed project.

Please strongly consider a moratorium on the HIA Project until further concerns and details have been worked through and agreed upon.

You may gage from my remarks and past experience of the management of this association that Oversight by the City of Fridley is needed to safe guard our investments; and to be sure the proposed and final HIA Project repairs, improvements, costs, and proper assessments are accurate and necessary.

We need the City of Fridley to appreciate our positions and look out for the best interest of the homeowners by thoroughly reviewing the HIA Project details, quality of materials and workmanship provided by contractors.

I'd like to Thank-you at this time, for your attention and consideration of my concerns and comments, kindly and respectfully.

Enclosed in this letter below are my comments and concerns opposing the proposed HIA Project

Topics are as follows:

1. HIA Project Costs and the Proposed Adoption Of Resolution To Impose Fees On Home Owners
2. Innsbruck Townhomes Board of Directors, past and current members management and execution of authority
3. Landscaping and Water issues (along Innsbruck Drive Front Curb Appeal at West Bavarian Dr. entrance, as well as Meister Rd entrance)
4. Fence and Gate Replacement - Architectural Control
5. Safety of Residents and Their Families " Caution Watch for Children" Signage

6. Sewer Issues Hurting Home Owners For Years
7. Required Signatures to Pass HIA Project Audit
8. Effects of Utility Repairs and Updates on past and future investments
9. Improvements of Roadway and Walkways

As I begin, I would like to qualify my comments by saying, I to appreciate the positions of everyone involved and the intricacies and challenging nature of managing City and Townhome Association Housing developments.

I see this hearing as an opportunity to gain trust and confidence and secure reliance on members who have the skills, wisdom and knowledge to see this matter through to a successful resolve for the homeowners here in Innsbruck North Townhome Association.

Costs - As the state of economic costs and global concerns, corporations downsizing, the size of the USA Government funding deficit, and as the looming collapse of the monetary system in this Country is growing, and my own personal finance responsibilities, which by the way are in good standing, I and my adjoining neighbors are afraid that we are about to be pushed, both federally and locally over a cliff of unaffordability and no return.

I am barely making it myself, and I am supposedly living middle income. In addition, I have been experiencing many medical encounters to which I have been subjected to substantial amounts of out of pocket medical expenses.

I've work very hard for the last several decades, and I'm afraid of the imagined and true financial suffering that may await me. I'm barely holding on, and my neighbors are experiencing similar hardships.

Innsbruck Townhomes Board of Directors, past and current members managing and execution of their authority

Basement water issues at 1543-1547

Approximately 2005, Board Members approved front lawn improvement that benefitted (2) Board Members.

At that time, the sitting President and Architectural Control members who lived in this quad unit, (1543-1547) N Oberlin Circle NE) submitted a "Grade Drainage Project" where an extensive water basin system was built along Innsbruck Drive, running East down to a nearby drainage pond.

There are 2 quad units sitting side by side up in the front at the Innsbruck North Townhomes entrance at West Bavarian Pass. Again, 1539-1551, and 1555-1567 N Oberlin Circle NE.

While at the same time, adjoining neighbors to quad 1 and 2 were also having basement water issues and were not considered and were on their own with remedies and expenses to their water issues.

Neighbor at 1st quad (1539) was granted verbal financial support, but was then withdrawn by former Board and Management- Baileys Ent. Inc, (acting Board Members and Management at that time) neighbor was later granted reimbursement to half of repair costs after challenging the Board.

1st & 2nd quad, neighbors at 1551-1555 are still having water flooding in their basements. They also have had drain tile installed at their expense, but continue to have water issues due to grade.

Landscaping, Up lighting and Water issues along Innsbruck Drive (Front Curb Appeal at West Bavarian Dr. entrance, as well as Meister Rd entrance)

Approximately 2016, landscaping mulch was changed to river rock through out areas in complex, proposed by a Board Member.

At that time I noticed the landscapers lining the mulch beds with very thick mil black plastic. The plastic lining was spread out through the previously laid mulch bedding, clean up to the neck of the trees.

I asked the Landscapers about this as it concerned me that the trees would not receive the rain water, and in addition the run off now would create potential for rain water to run off back toward buildings creating further basement water issues and new water issues for others.

I brought my concerns to the Board twice, once at the beginning of installation of river rock and plastic sheeting. I shared my concerns. The Board at that time, current President and members heard my concern but chose to not have a problem with it. I brought it up again to remind the board of the curb appeal and trees dying off and the expense to replaced trees, due to inaction on first report. This is another example of a Board member using their position to make irresponsible choices and lacking in oversight of a project at the expense of homeowners.

I reported tree conditions again just a few years ago, same President and a few different Board Members, and it was denied and disregarded again.

Up lighting installed and left in disrepair, zero maintenance.

Fence and Gate Replacement

My neighbor and I were in discussions for new fence and gate, the fence wiggled a little bit due to 4x4 thinning away at the ground insert point; approx 1/2 inch around post had rotted away.

While looking for the right contractor to do a great job and cause minimal damage to adjoining building structures and sidewalk cement, my neighbor, along with Architectural Control Board Member were pressuring me into following their ideas.

I believed there was a build process that would create minimal demolition. The board wanted me to use their go to guy. This contractor told me that he would have to bust up the concrete cement of 2 post areas. My neighbor and I had just had new cement poured in the patio areas along side the gate 4x4 posts. I didn't agree to use the contractor. I was accused of dissention, holding up the process.

Long story short, we found a contractor that replaced the fence and gate. It was replaced and built as I had imagined it could be, using original post holes, which required minimal demolition of existing surfaces and looks fantastic and solid, while maintaining great architectural structure and control.

Coincidentally, the Architectural Control Member's fence and gate were in disrepair, worst than mine. Yet, she and a new member of the board was telling myself, and my neighbor whom I share a fence with that we needed fence replaced and could have different designs within our patios.

I'm for true architectural control. Uniformity has its place, the townhomes here in the associations are required to request and maintain the same architectural designs.

Safety "Watch for Children" Signage

We have a Children's playground, swimming pool and recreation center here in the complex with only 1 sign cautioning drivers to be ware of children at play.

Several new families with young children have moved into Innsbruck North Townhomes in past few years. For their safety and protection of residents here, we need caution signs indicating playground or recreation area, cautioning drivers of children at play. The playground is located 100 feet from West Bavarian Pass entrance into the townhome complex. We need to protect our neighbors from potential injuries and lawsuits.

I brought this up to management and was told it wasn't necessary, that it was the homeowner's responsibility to watch over their children.

Sewer Issues Hurting Home Owners For Years

I have knowledge that homeowners on the South East side of Oberlin Circle SE have suffered not less than 4 occasions through the years of sewage back up in their lower levels.

Through the years these issues were addressed in monthly meetings. Which seemed to be recognized as a common area issue. While focus was given to these owners, the repairs don't seem to have been given the proper satisfaction and oversight by the Board. Currently my neighbors are suffering sewer back up with damages to their interior structure, causing once again personal living and financial hardships on the owners from sewage.

Required Signatures to Pass HIA Project

I'm concerned that some petitions may not be valid, I'm concerned because I have knowledge that a number of homeowners that have signed have either moved, changed their minds, felt pressured, were not fully understanding of financial ramifications, or not in agreement with HIA Project because, 1. Not specific or transparent enough in the details, 2. The expense of the HIA Project and interests rates are too high and not unfeasible on personal budgets and minimal direct benefit, 3. Not enough inclusion and time to prepare for such a project.

Past experience of the Association Boards lacking the ability for proper oversight to repair or remedy problems within complex to the satisfaction of a great number of residents has caused a lack of trust and confidence.

Effects of Utility Repairs and Updates on past and future investments

Re: Xcel Energy/Electric, CenturyLink /Landline/Cable/Internet, CenterPoint Energy/Gas, ect.

I'm concerned Utility providers are not being proactively sought out for consideration of future utility project discussions and planning.

I'm concerned that investments made in past repairs and improvements, along with the proposed HIA Project will compromise the past repairs and the proposed infrastructure roadways, walkways, sewers and waterline repairs and investments.

Improvements of Roadway and Walkways

In March, during the Association meeting, it was said that the roadways were not going to be completed in full.

It was said that the asphalt would be resurfaced.

I have walked the complex to review concerns and it seems a lot of the past improvements that have been done are still quite sound, in fact, better than what could possibly be replaced.

It also appears that quite a bit of the roadway and walkway repairs are within owner areas that should be assessed to homeowners. It appears many areas are being considered share common areas. It appears that the roadways, walkways, and grading concerns are primarily

located in the Meister Road portion of the complex. It appears that the issues were created in the original developments building phase.

I propose a select group of Association Members, Management and Board Members be allowed to revisit projects, issues and addressed and evaluated all concerns, working together before we move forward with any phase of HIA Project.

I would also like to propose that the Association consider Meister Rd and West Bavarian Pass development be considered and changed to 2 separate parcel classifications. Therefore, creating 2 separate HIA Project assessment accounts.

Would it be possible and advantageous to create 2 separate parcel classifications, which could create the ability to separate proposed loan into (2) individual HIA Project loans, rather than one?

In closing, I look forward to some type of compromising position between the Innsbruck North Townhome Association Board Members, The City of Fridley's proposed HIA Adoption, and Homeowners that results in a satisfying and beneficial state of financial wholeness for everyone for years to come.

Sincerely,

Patricia Rein

Please note, I have discovered 1543 N Oberlin Circle NE is not on Assessment Allocation spreadsheet, see page.



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Joe Starks, Finance Director/City Treasurer

Title

Ordinance No. 1407, Second Reading and Adoption Establishing Innsbruck North Housing Improvement Area

Background

In 2017, Innsbruck North Townhome Association (INTA) inquired about the potential of having the City of Fridley (City) establish a Housing Improvement Area (HIA) to finance common area improvements needed in their development. In early 2021, INTA submitted a preliminary application, and in November of 2021 submitted a complete application along with the petition and signatures needed to move their request forward. However, due to various reasons, the request did not move forward.

What is a Housing Improvement Area?

In 1996, the legislature adopted Minnesota Statutes 428A.11 – 428A.21 to provide cities with a means of assisting common interest communities (CIC) with financing improvements to common areas. Prior to 1996, cities needed special legislation to establish an HIA. A Housing Improvement Area is a designated portion of the City in which housing improvements are financed with public funds. The public financing is then repaid through fees imposed against the benefiting housing units, in the form of a fee that gets paid yearly with their taxes. The process is similar to collecting special assessments.

Appropriate capital improvements, according to State law, include any common elements of the property which are maintained by homeowners' associations which do not have an adequate reserve fund to finance improvements themselves.

In the case of INTA, the improvements include:

Property site and utility improvements, including but not limited to site and utility improvements, including but not limited to the replacement of all streets and driveways; the addition of new curbs and gutters; the replacement or improvement of sanitary and storm sewer mains; the correction of drainage issues within the HIA; the replacement and renovation of retaining walls, paths, sidewalks, stairways and concrete mailbox pads; and the replacement of the tennis court with green space.

State law prescribe how HIA's need to be created by the City Council through the adoption of an Ordinance. The City Council will be the "implementing entity."

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

What are the steps to creating the HIA?

To create a HIA, a completed application and petition requesting a public hearing must be presented to the City Clerk, containing the signatures of at least 60% of the affected property owners. INTA submitted a petition with signatures from 62% of the owners.

Before adopting an ordinance creating the HIA, the City must hold a public hearing at which the proposed improvements, proposed fees, affected housing units, and the exempt units are listed. The public hearing was held and properly noticed (Exhibits A and B) for the April 24, 2023 Council meeting, where affected property owners testified.

An ordinance creating the HIA must be adopted within six months of the public hearing (held April 24, 2023). Council approved the first reading of the ordinance at the April 24 meeting, and staff is recommending approval for the second reading at tonight's meeting. During the 45 days after the second reading of the Ordinance, ending June 22, there is a "veto period." If 45% or more of the affected residents file an objection during that period, the HIA cannot be established (see timeline below).

Housing Improvement Area Timeline
Innsbruck North Townhouses Association
City of Fridley, Minnesota

Action Item	Date or Deadline	Responsible Party
Draft Petition	Complete	Association
Petitions to Property Owners	Complete	Association
Petitions Due	Complete	Association
Review and Certify Petitions	Complete	City
City Council Work Session	Complete	City
Public Hearing Notice to Official Publication (Star Tribune)	Complete	City Attorney (Draft), City (Send)
Mail Public Hearing Notice to Property Owners	Complete	City
Publish Public Hearing Notice (Star Tribune)	Complete	Official Publication
Public Hearing, First Reading of Ordinance and Resolution	Complete	City (Report), City Attorney (Ord. & Res.)
Draft Development Agreement	Complete	City Attorney
Second Reading, Adoption of Ordinance and Resolution	5/8/2023	City (Report), City Attorney (Ord. & Res.)
Mail Summary Ordinance to Property Owners	5/9/2023	City
Ordinance to Official Publication (Star Tribune)	5/10/2023	City
Publish Ordinance in Official Publication (Star Tribune)	5/16/2023	Official Publication
Submit Ordinance to Commissioner of Revenue	6/7/2023	City Attorney
Veto Period Ends	6/22/2023	N/A
Call for Sale of Bonds	7/10/2023	Ehlers / City Attorney
Development Agreement Approval	7/10/2023	City / City Attorney
Construction Loan Commitment Letter	7/11/2023	City
Construction Begins	7/12/2023	Association
Prepayments Due	7/28/2023	N/A
Approve Sale of Bonds	8/14/2023	Ehlers / City Attorney
Bond Closing/Funds Available	9/1/2023	

*HIA Fees Certified to Anoka County (Payable in 2024)

By 11/15/2023

Additionally, prior to the adoption of the Ordinance, a property owner may file a written objection with the City Clerk as to the imposition of a fee for the reason that the property will not benefit from the improvements.

As part of the application and required by statute, INTA developed a long-term plan to maintain the complex. The plan addressed operations, maintenance, and necessary capital improvements of the common elements and identified financing for the projects. The association also submitted a financial

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

plan, prepared by an independent third party. An audited financial plan will be submitted annually, after implementation.

What are the project costs and anticipated bond amount and process?

Total project cost is approximately \$5.71 million, of which \$5.50 million is construction costs and the remaining \$209,000 is bond issuance costs, City administrative fee and City costs for legal and financial. The anticipated bond amount is \$4.79 million, with the remaining \$920,000 being funded from INTA's replacement reserve. Interest on the bonds is anticipated to be approximately 6.25%. Based upon this bond amount and interest rate, the fee to be levied to the homeowners to repay the bond will be shared equally among the housing units pursuant to their association documents. The fee to be charged against each housing unit is estimated to be approximately \$16,986, if prepaid. Homeowners will have until July 28, 2023, to prepay the fee, which will reduce the amount to be bonded for. If homeowners do not prepay by this date, the amount will be sent to the County for certification in late November and assessed starting in 2024 over the term set forth in the Ordinance, which is 20 years. The anticipated amount, if assessed, is \$34,327, however, this may change downward based on actual bond sale results. There is no option to pay off the amount in full after the Ordinance goes into effect.

What is the risk to the City in issuing the bonds?

The risk to the City is minimal. The bonds are repaid by fees levied against the unit and paid as part of the annual property tax payments, just like special assessments. In addition, the interest charged on the bonds is 100 basis points above the True Interest Cost on the bonds and the overall fees to be paid are levied at 105% of annual debt service cost. This provides coverage on the bonds for the debt services payments and will start to build a reserve in the bond fund in case of late payments, etc. As part of the approval process, the City and INTA will enter into a development agreement which will outline many things including repayment of the bonds. The document will have provisions that if the assessments received are not adequate to make principal and interest payments on the bonds, then INTA has to provide the City whatever amount the payments were short by. It should be noted that communities that have utilized this financing mechanism have not had issues with collecting adequate assessments annually to make the debt service payments.

Financial Impact

There is minimal risk to the City as noted above. The financial impact to the City is the receipt of approximately \$47,900, depending on the actual issued amount of bonds. Per the City's conduit debt policy, the City charges 1% of the par value of bonds issued.

Recommendation

Staff recommend the approval of the second reading of Ordinance No. 1407.

Staff recommend the approval of Summary Ordinance No. 1407 for publication.

Focus on Fridley Strategic Alignment

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

☒	Vibrant Neighborhoods & Places	☐	Community Identity & Relationship Building
☒	Financial Stability & Commercial Prosperity	☐	Public Safety & Environmental Stewardship
☒	Organizational Excellence		

Attachments and Other Resources

- Ordinance No. 1407
- Summary Ordinance No. 1407
- Assessment Dues Structure
- Public Hearing Notice (published in the Official Publication)
- Public Hearing Notice (mailed to property owners)

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Ordinance No. 1407**Establishing Innsbruck North Housing Improvement Area**

The City Council (City Council) of the City of Fridley, Minnesota (City) hereby ordains:

Section 1. Recitals

1.01. The City is authorized under Minnesota Statutes, Sections 428A.11 to 428A.21, as amended (Housing Improvement Act), to establish by ordinance a housing improvement area within which housing improvements are made or constructed and the costs of such improvements are paid in whole or in part from fees imposed within the area.

1.02. The City has determined a need to establish the Innsbruck North Housing Improvement Area as further defined herein (Innsbruck North HIA), in order to facilitate certain improvements to property known as "Innsbruck North Townhouses," all in accordance with the Housing Improvement Act.

1.03. The City has consulted with the Innsbruck North Townhouses Association (Association) and with residents in the Innsbruck North HIA regarding the establishment of such area and the housing improvements to be constructed and financed under this ordinance.

Section 2. Findings

2.01. The City Council finds that owners of approximately 62% of the housing units within the Innsbruck North HIA (which exceeds the requirement for owners of at least 50% of the housing units pursuant to Section 428A.12 of the Housing Improvement Act) have filed a petition with the City Clerk requesting a public hearing regarding establishment of such housing improvement area.

2.02. On April 24, 2023, the City Council conducted a public hearing, duly noticed in accordance with the Housing Improvement Act, regarding adoption of this ordinance at which all persons, including owners of property within the Innsbruck North HIA were given an opportunity to be heard.

2.03. The City Council finds that, without establishment of the Innsbruck North HIA, the Housing Improvements (as hereinafter defined) could not be made by the Association or the housing unit owners.

2.04. The City Council further finds that designation of the Innsbruck North HIA is needed to maintain and preserve the housing units within such area.

2.05. The City will be the implementing entity for the Innsbruck North HIA and the Housing Improvement Fee (as defined in Section 5 below).

2.06. The City Council further finds that by a resolution adopted by the City Council on the date hereof (Fee Resolution) and as provided herein, the City has provided full disclosure of public expenditures, loans, bonds, or other financing arrangements in connection with the Innsbruck North HIA (as required under Section 428A.13, subd. 1a(1) of the Housing Improvement Act). The City and the Association expect to finance the Housing Improvements in part by issuing taxable general obligation bonds primarily secured by the housing improvement fees imposed on unit owners within the Innsbruck North HIA and also secured by the City's full faith and credit and taxing power and in part with funds from the Association.

2.07. In accordance with Section 428A.13, subd. 1a(2) of the Housing Improvement Act, the City Council determines that the Association will contract for construction of the Housing Improvements.

Section 3. Housing Improvement Area Defined

3.01. The Innsbruck North HIA is hereby defined as the area of the City legally described in Exhibit A attached hereto and includes the units with the addresses listed in Exhibit A.

3.02. The Innsbruck North HIA contains 282 housing units as of the date of adoption of this ordinance, along with common areas.

Section 4. Housing Improvements Defined

4.01. For the purposes of this ordinance and the Innsbruck North HIA, the term "Housing Improvements" shall mean site and utility improvements, including but not limited to the replacement of all streets and driveways; the addition of new curbs and gutters; the replacement or improvement of sanitary and storm sewer mains; the correction of drainage issues; the replacement and renovation of retaining walls, paths, sidewalks, stairways and concrete mailbox pads; and the replacement of the tennis court with green space.

4.02. Housing Improvements shall also be deemed to include:

- (a) all costs of architectural and engineering services, overhead, and all similar soft costs in connection with the activities described in Section 4.01 hereof, including without limitation costs of a professional construction manager.
- (b) all administration, legal and consultant costs in connection with the Innsbruck North HIA; and
- (c) all financing costs related to financing the Housing Improvements under the Housing Improvement Act, including without limitation cost of issuance associated with the issuance of any general obligation bonds to finance the Housing Improvements, underwriter's discount on the bonds, the administrative fee of the City, and capitalized interest on such bonds.

Section 5. Housing Improvement Fee

5.01. The City may, by the Fee Resolution and in accordance with the hearing and notice procedures required under the Housing Improvement Act, impose a fee on the housing units within the Innsbruck North HIA, at a rate, term or amount sufficient to produce revenues required to provide the Housing Improvements (Housing Improvement Fee), subject to the terms and conditions set forth in this Section.

5.02. Any Housing Improvement Fee shall be allocated equally to each unit. The City Council specifically finds that such allocation is more fair and reasonable than a fee based upon the tax capacity or square footage of each housing unit (i) because most of the Housing Improvements are to common elements as defined by the Innsbruck North Townhouses Association Corrected Fourth Amended and Restated Declaration, dated November 2, 2011 (Declaration) and such Declaration provides for an equal allocation to each unit of the costs of capital improvements to common areas, (ii) the Association has proposed such allocation as an equitable basis for dividing costs, and (iii) because the nature of the Housing Improvements does not create a different benefit to different housing units on the basis of the tax capacity or square footage thereof.

5.03. The Housing Improvement Fee shall be imposed and payable for a period no greater than 20 years after the first installment is due and payable.

5.04. Any Housing Improvement Fee shall be prepayable as specified in the Fee Resolution.

5.05. The Fee Resolution may provide that any fee not prepaid by the housing unit owner shall be deemed to include interest on unpaid Housing Improvements costs as set forth therein.

5.06. The Housing Improvement Fee shall be collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes, in accordance with Section 428A.15 of the Housing Improvement Act and Minnesota Statutes, Section 428A.05. As set forth in Section 428A.14, subd. 2 of the Housing Improvement Act, the Housing Improvement Fee is not included in the calculation of levies or limits on levies imposed under any law or charter.

5.07. The Housing Improvement Fee shall not exceed the amount specified in the notice of public hearing regarding the approval of such fee; provided, however, that the Housing Improvement Fee may be reduced after approval of the Fee Resolution, based on the actual financing terms in the manner specified in such Fee Resolution.

Section 6. Annual Reports

6.01. On August 15, 2023 and each August 15 thereafter until the Housing Improvement Fee and all interest thereon is paid in full and all Housing Improvement Fee revenues have been expended, the Association (and any successor in interest) shall be required to submit to the City, as the implementing entity, a copy of the Association's audited financial statements.

6.02. The Association (and any successor in interest) shall also submit to the City any other reports or information at the times and as required by any contract entered into between that entity and the City.

Section 7. Housing Improvement Bonds

7.01. At any time after a contract for construction of all or part of the Housing Improvements has been entered into or the work has been ordered, at any time after the period for prepayment without interest of the Housing Improvement Fee has ended, the City may issue its bonds secured by Housing Improvement Fees, as authorized pursuant to Section 428A.16 of the Act, in a principal amount necessary to finance the portion of the cost of the Housing Improvements, capitalized interest, costs of issuance of the bonds, the City's administrative fee and any underwriter's discount provided that the par amount of the bonds shall not exceed \$4,790,000. Such financing shall be issued pursuant to and in accordance with Section 428A.16 of the Act.

Section 8. Notice of Right to File Objections

8.01. Within five days after the adoption of this ordinance, the City Clerk is authorized and directed to mail to the owner of each housing unit in the Innsbruck North HIA: (a) a summary of this ordinance; (b) notice that owners subject to the proposed Housing Improvement Fee have a right to veto this ordinance if owners of at least 45% of the housing units within the Innsbruck North HIA file an objection with the City Clerk before the effective date of this ordinance; and (c) notice that a copy of this ordinance is on file with the City Clerk for public inspection.

Section 9. Amendment

9.01. This ordinance may be amended by the City Council upon compliance with the public hearing and notice requirements set forth in Section 428A.13 of the Housing Improvement Act.

Section 10. Effective Date

10.01. This ordinance shall be effective 45 days after adoption hereof, or on the date that is 15 days after the publication of this ordinance, whichever is later, subject to the veto rights of housing unit owners under Section 428A.18 of the Housing Improvement Act.

AYES:

NAYS:

Passed by the City Council of the City of Fridley, Minnesota this 8th day of May, 2023.

Scott J. Lund - Mayor

Attest:

Melissa Moore - City Clerk

Public Hearing: April 24, 2023

First Reading: April 24, 2023

Second Reading: May 8, 2023

Summary Ordinance Publication: May 11, 2023

Exhibit A

Legal Description

The following described real property situate in the County of Anoka and State of Minnesota, to-wit:

All lots located within the plat of Innsbruck North Townhouses 1st Addition:

Lots 1 through 6, inclusive, Block 1
 Lots 1 through 4, inclusive, Block 2
 Lots 1 through 4, inclusive, Block 3
 Lots 1 through 6, inclusive, Block 4
 Lots 1 through 6, inclusive, Block 5
 Lots 1 through 6, inclusive, Block 6
 Lots 1 through 8, inclusive, Block 7
 Lots 1 through 6, inclusive, Block 8
 Lot 1, Block 9

Lots 1 through 6, inclusive, Block 11

All lots located within the plat of Innsbruck North Townhouses 2nd Addition:

Lots 1 through 8, inclusive, Block 1
 Lots 1 through 6, inclusive, Block 2
 Lots 1 through 8, inclusive, Block 3
 Lots 1 through 8, inclusive, Block 4
 Lot 1, Block 5
 Lots 1 through 8, inclusive, Block 6
 Lots 1 through 8, inclusive, Block 7

Outlot A

All lots located within the plat of Innsbruck North Townhouses 3rd Addition:

Lots 1 through 4, inclusive, Block 1
 Lots 1 through 4, inclusive, Block 2
 Lots 1 through 4, inclusive, Block 3
 Lots 1 through 4, inclusive, Block 4
 Lots 1 through 4, inclusive, Block 5
 Lots 1 through 4, inclusive, Block 6
 Lots 1 through 4, inclusive, Block 7
 Lots 1 through 4, inclusive, Block 8
 Lots 1 through 4, inclusive, Block 9

Lots 1 through 4, inclusive, Block 10
 Lots 1 through 4, inclusive, Block 11
 Lots 1 through 4, inclusive, Block 12
 Lots 1 through 4, inclusive, Block 13
 Lots 1 through 4, inclusive, Block 14
 Lots 1 through 4, inclusive, Block 15
 Lots 1 through 4, inclusive, Block 16
 Lots 1 through 4, inclusive, Block 17
 Lots 1 through 4, inclusive, Block 18
 Lots 1 through 4, inclusive, Block 19
 Lots 1 through 4, inclusive, Block 20
 Lots 1 through 4, inclusive, Block 21
 Lots 1 through 4, inclusive, Block 22
 Lots 1 through 4, inclusive, Block 23
 Lots 1 through 4, inclusive, Block 24
 Lots 1 through 4, inclusive, Block 25
 Lots 1 through 4, inclusive, Block 26
 Lots 1 through 4, inclusive, Block 27
 Lot 1, Block 28

All lots located within the plat of Innsbruck North Townhouses Plat 4

Lots 1 through 47, inclusive, Block 1

All lots located within the plat of Innsbruck North Townhouses Plat 5

Lots 1 through 12, inclusive, Block 1
 Lots 1 through 2, inclusive, Block 2
 Lots 1 through 11, inclusive, Block 3
 Lots 1 through 11 inclusive, Block 4
 Lots 1 through 3, inclusive, Block 5
 Lots 1 through 6, inclusive, Block 6
 Lots 1 through 5, inclusive, Block 7
 Lots 1 through 3, inclusive, Block 8
 Lots 1 through 11, inclusive, Block 9
 Lot 1, Block 10

All lots located within the plat of Innsbruck North Townhouses Plat 6

Lots 1 through 4, inclusive, Block 1
 Lots 1 through 12, inclusive, Block 2
 Lots 1 through 11, inclusive, Block 3
 Lots 1 through 3, inclusive, Block 4
 Lots 1 through 5, inclusive, Block 5

Lots 1 through 6, inclusive, Block 6
 Lots 1 through 3, inclusive, Block 7
 Lots 1 through 11, inclusive, Block 8
 Lots 1 through 3, inclusive, Block 9
 Lots 1 through 5, inclusive, Block 10
 Lots 1 through 6, inclusive, Block 11
 Lots 1 through 11, inclusive, Block 12
 Lots 1 through 12, inclusive, Block 13
 Lots 1 through 3, inclusive, Block 14
 Lots 1 through 11, inclusive, Block 15
 Lots 1 through 2, inclusive, Block 16
 Lot 1, Block 17
 Lots 1 through 6, inclusive, Block 18
 Lots 1 through 5, inclusive, Block 19
 Lots 1 through 5, inclusive, Block 20
 Lots 1 through 5, inclusive, Block 21

Lot 1, Block 1, Innsbruck North Townhouse Replat

Lot 2, Block 1, Innsbruck North Townhouse Replat

Lot 3, Block 1, Innsbruck North Townhouse Replat

Lot 4, Block 1, Innsbruck North Townhouse Replat

Lot 1, Block 1, Innsbruck North Townhouse Replat 2nd Addition

Lot 2, Block 1, Innsbruck North Townhouses Replat 2nd Addition

Lot 3, Block 1, Innsbruck North Townhouses Replat 2nd Addition

Lot 4, Block 1, Innsbruck North Townhouses Replat 2nd Addition

Summary Ordinance No. 1407
Establishing Innsbruck North Housing Improvement Area

This ordinance establishes the Innsbruck North Housing Improvement Area (Innsbruck North HIA) and designating the City as the implementing entity thereof, all pursuant to Minnesota Statutes §§ 428A.11 to 428A.21, as amended (Housing Improvement Act). The Fridley City Council will also adopt a resolution (Fee Resolution) on May 8, 2023 imposing a housing improvement fee (Fee) to finance various housing improvements in the Innsbruck North HIA.

Owners of approximately 62% of the housing units within the Innsbruck North HIA (which exceeds the requirement for owners of at least 50% of the housing units pursuant to Section 428A.12 of the Housing Improvement Act) filed petitions with the City Clerk of the City (City Clerk) requesting a public hearing regarding both the Ordinance and the Fee Resolution. The public hearing was held on April 24, 2023.

Affected Area: The Ordinance establishes the Innsbruck North HIA.

Housing Improvements: This Ordinance specifies the “Housing Improvements” that will be constructed in the Innsbruck North HIA and financed with the Fee. The Housing Improvements are defined to include, but not limited to, the following:

- (a) Site and utility improvements, including but not limited to the replacement of all streets and driveways; the addition of new curbs and gutters; the replacement or improvement of sanitary and storm sewer mains; the correction of drainage issues; the replacement and renovation of retaining walls, paths, sidewalks, stairways and concrete mailbox pads; and the replacement of the tennis court with green space;
- (b) All costs of architectural and engineering services, overhead, and all similar soft costs in connection with the activities described in paragraph (a) above, including without limitation costs of a professional construction manager;
- (c) All administration, legal and consultant costs in connection with the Innsbruck North HIA; and
- (d) All financing costs related to financing the Housing Improvements under the Housing Improvement Act, including without limitation cost of issuance associated with the issuance of any general obligation bonds to finance the Housing Improvements, underwriter’s discount on the bonds, the administrative fee of the City, and capitalized interest on such bonds.

Housing Improvement Fee: This Ordinance provides that the City may impose the Fee on housing units within the Innsbruck North HIA in an amount sufficient to produce revenues required to pay the cost of the Housing Improvements. The Fee is set by the Fee Resolution adopted by the City on May 8, 2023, but the Ordinance lays out the ground rules on how the Fee will be determined. Those rules are summarized as follows:

- The Fee must be imposed based on the total cost of the Housing Improvements to be financed with the Fee, allocated equally to each unit.
- If the Fee is not prepaid, it will be payable over a period of 20 years, with interest as set forth in the Fee Resolution.
- The Fee will be collected at the same time and in the same manner as property taxes.
- The total Fee for each unit may not exceed the amount specified in the notice of public hearing for the Ordinance and the Fee Resolution.

Financial Statements: This Ordinance requires that the Innsbruck North Townhouses Association (Association) submit the Association's audited financial statements to the City each year until (i) the Fee and any interest thereon is paid in full, and (ii) all Fee revenues have been expended.

Bonds: This Ordinance provides that at any time after a contract with the Association for construction of all or part of the Housing Improvements has been entered into or the work has been ordered and after the period for prepayment without interest of the Fee has ended, the City may issue bonds (Bonds) in the principal amount necessary to finance (i) a portion of the costs of the Housing Improvements; (ii) capitalized interest, if any; (iii) the costs of issuance of the Bonds; (iv) the City's administrative fee related to issuing the Bonds; and (v) any underwriter's discount, provided that the par amount of the Bonds shall not exceed \$4,790,000. The Bonds shall be issued pursuant to and in accordance with Section 428A.16 of the Housing Improvement Act.

Objection. The Ordinance authorizes the City Clerk is authorized and directed to mail to the owner of each housing unit in the Innsbruck North HIA: (a) a summary of this Ordinance; (b) notice that owners subject to the proposed Housing Improvement Fee have a right to veto this ordinance if owners of at least 45% of the housing units within the Innsbruck North HIA file an objection with the City Clerk before the effective date of this ordinance; and (c) notice that a copy of this Ordinance is on file with the City Clerk for public inspection.

Effective Date. This ordinance shall be effective 45 days after adoption hereof, or on the date that is 15 days after the publication of this ordinance, whichever is later, subject to the veto rights of housing unit owners under Section 428A.18 of the Housing Improvement Act.

Map of Innsbruck North HIA



City of Fridley

Housing Improvement Area - Innsbruck North Townhouses Association
Assessment Allocation

INNBRUCK NORTH TOWNHOUSES ASSOCIATION HOUSING IMPROVEMENT AREA

Unit No.	Street	Percentage Interest	Total Common Area Construction Cost	Total Financing & Soft Costs	TOTAL COSTS (PREPAYMENT AMOUNT)	* Annual Fee (105% of Total Costs)	Total P & I Paid Per Unit (105%) - Non Prepaid Only
5420	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5422	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5442	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5444	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5462	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5464	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5482	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5484	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5510	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5514	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5518	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5522	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5526	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5530	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5534	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5538	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5542	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5546	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5550	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5554	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5558	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5562	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5566	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5570	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5574	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5578	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5582	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5586	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5590	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5594	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1503	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1505	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1521	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1523	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1539	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1541	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1548	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1550	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1565	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1566	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1567	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1568	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1583	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1584	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1585	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1586	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5501	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5502	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5503	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5504	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5505	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5506	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5507	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5508	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5509	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5510	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5111	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5512	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5513	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5514	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5515	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5516	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5517	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5519	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5520	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17

[illegible]

\$9,680,262.27

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)



650 3rd Ave. S, Suite 1300 | Minneapolis, MN | 55488

Terri Swanson, being first duly sworn, on oath states as follows:

1. (S)He is and during all times herein stated has been an employee of the Star Tribune Media Company LLC, a Delaware limited liability company with offices at 650 Third Ave. S., Suite 1300, Minneapolis, Minnesota 55488, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

<u>Dates of Publication</u>	<u>Advertiser</u>	<u>Account #</u>	<u>Order #</u>
StarTribune 04/04/2023	FRIDLEY CITY OF	1000019971	454226

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: **\$744.10**

5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Hennepin County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

Terri Swanson

Subscribed and sworn to before me on: 04/04/2023

Diane E. Rak Kleszyk



Notary Public



PUBLIC NOTICE

City of Fridley, Minnesota Notice of Public Hearing

Notice is hereby given that the City Council of the City of Fridley, Minnesota (City) will hold a public hearing on

Monday, April 24, 2023 at 7:00 p.m., or as soon thereafter as the matter may be heard

at the City Council chambers on the upper level of the Civic Center, located at 7071 University Avenue N.E. in the City, regarding the *adoption of an ordinance* to establish the Innsbruck North Housing Improvement Area (HIA); and the *adoption of a resolution imposing fees* on housing units within the HIA, all under Minnesota Statutes (M.S.) § 428A.11 to 428A.21, as amended (HIA Act).

The boundaries of the proposed HIA are shown in the map attached hereto as Exhibit A. Within the HIA, the City proposes to facilitate various improvements to the housing units in the HIA. The improvements would be financed by fees imposed on the owners of units (Fees). Details regarding the hearing, the improvements, and the Fees are as follows:

1. Persons to be heard: All persons owning housing units in the proposed HIA that would be subject to the Fees, and all other interested persons, will be given an opportunity to be heard at the hearing.

2. Proposed improvements: The proposed improvements include site and utility improvements, including but not limited to the replacement of all streets and driveways; the addition of new curbs and gutters; the replacement or improvement of sanitary and storm sewer mains; the correction of drainage issues within the HIA; the replacement and renovation of retaining walls, paths, sidewalks, stairways, and concrete mailbox pads; and the replacement of the tennis court with green space.

3. Estimated cost of improvements to be paid in whole or in part by the Fees: The total estimated project cost is \$5,710,000 which includes construction costs, bond issuance costs, capitalized interest, professional services costs, and the City's administrative costs. A portion of the project costs will be paid with equity of the HIA in the amount of \$920,000. The total estimated project cost to be paid from the Fees is \$4,790,000.

4. Amount to be charged against each housing unit: The total costs will be allocated equally to each housing unit in the HIA, equaling an estimated per-unit fee of \$16,986 (Unit Fee). If a unit owner fails to pay the Unit Fee prior to June 23, 2023 (Prepayment Date), interest will accrue on Unit Fee at an estimated rate not to exceed 7.25% per annum and the Owner will be charged an estimated annual fee of \$1,716.36 (Annual Fee) for a period of 20 years, assuming no prepayment, is

estimated to be \$34,327.17. The final Fees may not be more than the amounts described in this paragraph.

5. Owner's right to prepay the Unit Fee: Owners may prepay the Unit Fee without interest, in whole but not in part, before the Prepayment Date. After the Prepayment Date, the Fee may not be prepaid. The unpaid balance will be imposed as an Annual Fee as described in paragraph 4 above.

6. Number of years the Annual Fee will be in effect: If owners do not pay the Unit Fee by the Prepayment Date, the Annual Fee will be imposed and collected at the same time and in the same manner as property taxes. The Annual Fee will be payable in equal installments over a period not to exceed 20 years beginning in 2024.

7. Compliance with Petition Requirement: Owners of more than 60 percent of the housing units that would be subject to the Fees in the proposed HIA have filed a petition with the City requesting a public hearing on the proposed Fees, the creation of the HIA and the adoption of an ordinance (Ordinance). This meets the petition requirements for a public hearing under Minnesota Statutes, Section 428A.12 and the City's policy.

For further information on the proposed HIA, the Fees, and the Ordinance contact Joe Starks, Director of Finance/City Treasurer, (763) 572-3520, joe.starks@fridley.mn.gov.

Those who wish to provide comments may do so by attending the meeting in person or submit comments in writing. Written comments may be submitted to the City via U.S. mail or via email to joe.starks@fridley.mn.gov. Written comments received by the City before the agenda packet is produced and distributed will be included as attachments to the Agenda Report. All comments received after that will be given to the City Council at the beginning of the meeting and entered into the public record.

Written or oral objections asserting that the owner's property should not be included in the HIA or should not be subjected to a fee and objecting to the inclusion of the housing unit in the HIA, for the reason that the property would not benefit from the improvements must follow M.S. § 428A.12, subd. 4.

Housing unit owners subject to the Fee will also have a right to veto either the ordinance, the fee resolution, or both following the adoption of the ordinance and the fee resolution. If owners of at least 45% of the housing units within the HIA file an objection with the City Clerk before the effective date of the ordinance or the resolution the HIA will not become effective.

If you need special accommodations at the City Council meeting, please call 763-572-3523.

Melissa Moore, City Clerk/Communications Manager

Dated: April 4, 2023

Exhibit A
Map of HIA





AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Joe Starks, Finance Director/City Treasurer

Title

Resolution No. 2023-49, Approving a Housing Improvement Fee for Innsbruck North Housing Improvement Area

Background

In 2017, Innsbruck North Townhome Association (INTA) inquired about the potential of having the City of Fridley (City) establish a Housing Improvement Area (HIA) to finance common area improvements needed in their development. In early 2021, INTA submitted a preliminary application, and in November of 2021 submitted a complete application along with the petition and signatures needed to move their request forward. However, due to various reasons, the request did not move forward.

What is a Housing Improvement Area?

In 1996, the legislature adopted Minnesota Statutes §§ 428A.11 – 428A.21 to provide cities with a means of assisting common interest communities (CIC) with financing improvements to common areas. Prior to 1996, cities needed special legislation to establish an HIA. A Housing Improvement Area is a designated portion of the City in which housing improvements are financed with public funds. The public financing is then repaid through fees imposed against the benefiting housing units, in the form of a fee that gets paid yearly with their taxes. The process is similar to collecting special assessments.

Appropriate capital improvements, according to State law, include any common elements of the property which are maintained by homeowners' associations which do not have an adequate reserve fund to finance improvements themselves.

In the case of INTA, the improvements include:

Property site and utility improvements, including but not limited to site and utility improvements, including but not limited to the replacement of all streets and driveways; the addition of new curbs and gutters; the replacement or improvement of sanitary and storm sewer mains; the correction of drainage issues within the HIA; the replacement and renovation of retaining walls, paths, sidewalks, stairways and concrete mailbox pads; and the replacement of the tennis court with green space.

State law prescribe how HIA's need to be created by the City Council through the adoption of an Ordinance. The City Council will be the "implementing entity".

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

What are the steps to creating the HIA?

To create a HIA, a completed application and petition requesting a public hearing must be presented to the City Clerk, containing the signatures of at least 60% of the affected property owners. INTA submitted a petition with signatures from 62% of the owners.

Before adopting an ordinance creating the HIA, the City must hold a public hearing at which the proposed improvements, proposed fees, affected housing units, and the exempt units are listed. The public hearing was held and properly noticed (Exhibits A and B) for the April 24 regular council meeting, where affected property owners testified.

An ordinance creating the HIA must be adopted (and corresponding Fee Resolution) within six months of the public hearing (held April 24, 2023). Council approved the first reading of the ordinance at the April 24 meeting, and staff is recommending approval for the second reading at tonight's meeting, as well as the corresponding Fee Resolution (attached). During the 45 days after the second reading of the Ordinance, ending June 22, there is a "veto period." If 45% or more of the affected residents file an objection during that period, the HIA cannot be established (see timeline below).

Housing Improvement Area Timeline
Innsbruck North Townhouses Association
City of Fridley, Minnesota

Action Item	Date or Deadline	Responsible Party
Draft Petition	Complete	Association
Petitions to Property Owners	Complete	Association
Petitions Due	Complete	Association
Review and Certify Petitions	Complete	City
City Council Work Session	Complete	City
Public Hearing Notice to Official Publication (Star Tribune)	Complete	City Attorney (Draft), City (Send)
Mail Public Hearing Notice to Property Owners	Complete	City
Publish Public Hearing Notice (Star Tribune)	Complete	Official Publication
Public Hearing, First Reading of Ordinance and Resolution	Complete	City (Report), City Attorney (Ord. & Res.)
Draft Development Agreement	Complete	City Attorney
Second Reading, Adoption of Ordinance and Resolution	5/8/2023	City (Report), City Attorney (Ord. & Res.)
Mail Summary Ordinance to Property Owners	5/9/2023	City
Ordinance to Official Publication (Star Tribune)	5/10/2023	City
Publish Ordinance in Official Publication (Star Tribune)	5/16/2023	Official Publication
Submit Ordinance to Commissioner of Revenue	6/7/2023	City Attorney
Veto Period Ends	6/22/2023	N/A
Call for Sale of Bonds	7/10/2023	Ehlers / City Attorney
Development Agreement Approval	7/10/2023	City / City Attorney
Construction Loan Commitment Letter	7/11/2023	City
Construction Begins	7/12/2023	Association
Prepayments Due	7/28/2023	N/A
Approve Sale of Bonds	8/14/2023	Ehlers / City Attorney
Bond Closing/Funds Available	9/1/2023	

*HIA Fees Certified to Anoka County (Payable in 2024)

By 11/15/2023

Additionally, prior to the adoption of the Ordinance, a property owner may file a written objection with the City Clerk as to the imposition of a fee for the reason that the property will not benefit from the improvements.

As part of the application and required by statute, INTA developed a long-term plan to maintain the complex. The plan addressed operations, maintenance, and necessary capital improvements of the common elements and identified financing for the projects. The association also submitted a financial

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

plan, prepared by an independent third party. An audited financial plan will be submitted annually, after implementation.

What are the project costs and anticipated bond amount and process?

Total project cost is approximately \$5.71 million, of which \$5.50 million is construction costs and the remaining \$209,000 is bond issuance costs, City administrative fee and City costs for legal and financial. The anticipated bond amount is \$4.79 million, with the remaining \$920,000 being funded from INTA's replacement reserve. Interest on the bonds is anticipated to be approximately 6.25%. Based upon this bond amount and interest rate, the fee to be levied to the homeowners to repay the bond will be shared equally among the housing units pursuant to their association documents. The fee to be charged against each housing unit is estimated to be approximately \$16,986, if prepaid. Homeowners will have until July 28, 2023, to prepay the fee, which will reduce the amount to be bonded for. If homeowners do not prepay by this date, the amount will be sent to the County for certification in late November and assessed starting in 2024 over the term set forth in the Ordinance, which is 20 years. The anticipated amount, if assessed, is \$34,327, however, this may change downward based on actual bond sale results. There is no option to pay off the amount in full after the Ordinance goes into effect.

What is the risk to the City in issuing the bonds?

The risk to the City is minimal. The bonds are repaid by fees levied against the unit and paid as part of the annual property tax payments, just like special assessments. In addition, the interest charged on the bonds is 100 basis points above the True Interest Cost on the bonds and the overall fees to be paid are levied at 105% of annual debt service cost. This provides coverage on the bonds for the debt services payments and will start to build a reserve in the bond fund in case of late payments, etc. As part of the approval process, the City and INTA will enter into a development agreement which will outline many things including repayment of the bonds. The document will have provisions that if the assessments received are not adequate to make principal and interest payments on the bonds, then INTA has to provide the City whatever amount the payments were short by. It should be noted that communities that have utilized this financing mechanism have not had issues with collecting adequate assessments annually to make the debt service payments.

Financial Impact

There is minimal risk to the City as noted above. The financial impact to the City is the receipt of approximately \$47,900, depending on the actual issued amount of bonds. Per the City's conduit debt policy, the City charges 1% of the par value of bonds issued.

Recommendation

Staff recommend the approval Resolution No. 2023-49.

Focus on Fridley Strategic Alignment

☒ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☒ Financial Stability & Commercial Prosperity	☐ Public Safety & Environmental Stewardship
☒ Organizational Excellence	

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Attachments and Other Resources

- Resolution No. 2023-49
- Assessment Dues Structure
- Exhibit A Public Hearing Notice
- Exhibit B Mailing to Owners HIA Public Hearing Notice

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Resolution No. 2023-49**Approving a Housing Improvement Fee for Innsbruck North Housing Improvement Area**

Section 1. Recitals.

1.01. The City of Fridley (City) is authorized under Minnesota Statutes, Section 428A.11 to 428A.21, as amended (Housing Improvement Act), to establish by ordinance a housing improvement area within which housing improvements are made or constructed and the costs of such improvements are paid in whole or in part from fees imposed within the area.

1.02. By Ordinance No. 1407 adopted by the Fridley City Council (Council) on the date hereof (Enabling Ordinance), the Council established the Innsbruck North Housing Improvement Area (Innsbruck North HIA) in order to facilitate certain improvements requested by the Innsbruck North Townhouses Association (Association) to property known as the "Innsbruck North Townhouses" and designated the City as the implementing entity, all in accordance with the Housing Improvement Act.

1.03. Owners of approximately 62% of the housing units within the Innsbruck North HIA (which exceeds the requirement for owners of at least 50% of the housing units pursuant to Section 428A.12 of the Housing Improvement Act) have filed a petition with the City Clerk requesting a public hearing regarding imposition of a housing improvement fee for the Innsbruck North HIA.

1.04. On April 24, 2023, the Council conducted a public hearing, duly noticed in accordance with the Housing Improvement Act, regarding adoption of this resolution (Resolution) and the Enabling Ordinance at which all persons, including owners of property within the Innsbruck North HIA who will be subject to the housing improvement fee, were given an opportunity to be heard.

1.05. Prior to the date hereof, the Association has submitted to the City a financial plan prepared by an independent third party, acceptable to the City and the Association, that provides for the Association to finance maintenance and operation of the common elements in the Innsbruck North HIA and a long-range plan to conduct and finance capital improvements therein, all in accordance with Section 428A.14 of the Housing Improvement Act.

1.06. For the purposes of the Resolution, the term "Housing Improvements" has the meaning provided in the Enabling Ordinance.

Section 2. Housing Improvement Fee Imposed.

2.01. The total estimated costs of the Housing Improvements are approximately \$5,710,000, including construction costs, administrative costs, soft costs, the City's administrative fees, costs of issuing bonds to finance the improvements, and capitalized interest. The total estimated costs of the Housing Improvements to be paid by the fee approved hereby is \$4,790,000 and the remaining costs will be paid with equity of the Association. The City hereby imposes a fee on each housing unit within the Innsbruck North HIA (Housing Improvement Fee) in the amount of \$16,986 (plus the amount set

forth in Section 2.03 hereof) as show in Exhibit A attached hereto. The total costs of the Housing Improvements are allocated equally to each unit. The Council specifically found in the Enabling Ordinance that such allocation is more fair and reasonable than a fee based upon the tax capacity or square footage of each housing unit because (i) most of the Housing Improvements are to common elements as defined by the Innsbruck North Townhouses Association Corrected Fourth Amended and Restated Declaration, dated November 2, 2011 (Declaration) and such Declaration provides for an equal allocation to each unit of the costs for such improvements, (ii) the Association has proposed such allocation as an equitable basis for dividing costs, and (iii) the nature of the Housing Improvements does not create a different benefit to different housing units on the basis of the tax capacity or square footage thereof.

2.02. The owner of any housing unit against which the Housing Improvement Fee is imposed may pay the total Housing Improvement Fee imposed against such housing unit to the City Finance Director in full without interest thereon any time prior to June 23, 2023. To prepay in full, the amount due shall be \$16,986. Partial prepayment of the Housing Improvement Fee is not permitted. Any Housing Improvement Fee not prepaid by July 28, 2023 shall not thereafter be pre-payable, but instead shall be paid only in accordance with Section 2.03 hereof.

2.03. If not prepaid in accordance with Section 2.02 hereof, the Housing Improvement Fee shall be payable in equal installments (Annual Fee) extending over a period of 20 years, the first of the installments to be payable in calendar year 2024, which annual payment shall be deemed to include the principal of the unpaid Housing Improvement Fee plus interest in the amount of 1% above the all inclusive cost of the Bonds (hereinafter defined) in an amount sufficient to cover 105% of the estimated debt service on the taxable general obligation bonds to be issued by the City to finance the Housing Improvement (Bonds) as required by Minnesota Statutes, Chapter 475. The estimated Annual Fee imposed on each of the housing units is estimated to be \$1,716.36 each year as shown in Exhibit A and shall not exceed such amount. The Housing Improvement Fee shall be utilized to pay principal and interest on the Bonds in accordance with the Enabling Ordinance and the Act. Upon issuance of the Bonds and the determination of the final interest rates thereon, the City Clerk shall cause to be prepared a schedule indicating the finalized Annual Fee for each housing unit for which the Housing Improvement Fee has not been prepaid which schedule shall be attached as Exhibit B to this Resolution in the City's official record. The Association will be obligated to pay or reimburse the City for any shortfall in Housing Improvement Fees available to pay debt service on the Bonds. The par amount of the Bonds shall not exceed \$4,790,000.

2.04. The Housing Improvement Fee, unless prepaid in accordance with Section 2.02 hereof, shall be payable at the same time and in the same manner as provided for payment and collection of ad valorem taxes, as provided in Sections 428A.14 and 428A.15 of the Housing Improvement Act. As set forth in the Act, the Housing Improvement Fee is not included in the calculation of levies or limits on levies imposed under any law or charter.

2.05. The Housing Improvement Fee imposed against each housing unit shall not exceed the amount specified herein; provided, however, that the Housing Improvement Fee may be reduced at after the issuance of the Bonds, which reduction shall be applied pro rata to each housing unit's

Housing Improvement Fee on the basis described in Section 2.01 hereof; and further provided that if any housing unit owners have prepaid the Housing Improvement Fee prior to any reduction in that fee, the City shall promptly reimburse the owner of the housing unit at the time of the reduction in the amount of the pro rata share of any reduction in the fee amount. Upon any reduction in the Housing Improvement Fee, the City Clerk shall cause to be prepared a notice to each owner of the housing units showing the revised Housing Improvement Fee and such notice shall be promptly mailed to all housing unit owners within the Housing Improvement Area.

Section 3. Notice of Right to File Objections.

3.01. Within five days after the adoption of the Resolution, the City Clerk is authorized and directed to mail to the owner of each housing unit in the Innsbruck North HIA (a) a summary of the Resolution; (b) notice that owners subject to the Housing Improvement Fee have a right to veto the Resolution if owners of at least 45% or more of the housing units' tax capacity subject to the fee file an objection with the City Clerk before the effective date of the Resolution; and (c) notice that a copy of the Resolution is on file with the City Clerk for public inspection.

Section 4. Effective Date.

4.01. The Resolution shall be effective 45 days after adoption hereof, subject to (a) the veto rights of housing unit owners under Section 428A.18 of the Housing Improvement Act to veto the Resolution and the Enabling Ordinance; and (b) execution in full of a development agreement between the City and the Association providing for construction of the Housing Improvements.

Section 5. Filing of Housing Improvement Fee.

5.01. After June 22, 2023, the effective date of the Resolution, the City Clerk shall file a certified copy of the Resolution together with a final update of Exhibit B hereto to the Anoka County Director of Taxation to be recorded on the property tax lists of the county.

AYES:

NAYS:

Passed by the City Council of the City of Fridley, Minnesota this 8th day of May, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore - City Clerk

EXHIBIT A
FEE SCHEDULE

EXHIBIT B

FINAL FEE SCHEDULE

[TO BE INSERTED AFTER ISSUANCE OF BONDS]

City of Fridley

Housing Improvement Area - Innsbruck North Townhouses Association
Assessment Allocation

INNBRUCK NORTH TOWNHOUSES ASSOCIATION HOUSING IMPROVEMENT AREA

Unit No.	Street	Percentage Interest	Total Common Area Construction Cost	Total Financing & Soft Costs	TOTAL COSTS (PREPAYMENT AMOUNT)	* Annual Fee (105% of Total Costs)	Total P & I Paid Per Unit (105%) - Non Prepaid Only
5420	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5422	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5442	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5444	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5462	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5464	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5482	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5484	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5510	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5514	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5518	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5522	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5526	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5530	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5534	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5538	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5542	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5546	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5550	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5554	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5558	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5562	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5566	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5570	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5574	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5578	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5582	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5586	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5590	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5594	Meister Road	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1503	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1505	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1521	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1523	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1539	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1541	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1548	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1550	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1565	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1566	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1567	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1568	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1583	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1584	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1585	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
1586	S. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5501	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5502	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5503	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5504	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5505	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5506	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5507	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5508	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5509	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5510	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5111	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5512	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5513	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5514	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5515	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5516	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5517	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5519	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17
5520	E. Bavarian Pass	0.00355	\$16,244	\$741	\$16,986	\$1,716.36	\$34,327.17

[illegible]**GRAND TOTAL**

100.00%

\$4,580,938

\$209,062

\$4,790,000

\$484,013

\$9,680,262.27

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)



650 3rd Ave. S, Suite 1300 | Minneapolis, MN | 55488

Terri Swanson, being first duly sworn, on oath states as follows:

1. (S)He is and during all times herein stated has been an employee of the Star Tribune Media Company LLC, a Delaware limited liability company with offices at 650 Third Ave. S., Suite 1300, Minneapolis, Minnesota 55488, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

<u>Dates of Publication</u>	<u>Advertiser</u>	<u>Account #</u>	<u>Order #</u>
StarTribune 04/04/2023	FRIDLEY CITY OF	1000019971	454226

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: **\$744.10**

5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Hennepin County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

Terri Swanson

Subscribed and sworn to before me on: 04/04/2023

Diane E. Rak Kleszyk



Notary Public



PUBLIC NOTICE

City of Fridley, Minnesota Notice of Public Hearing

Notice is hereby given that the City Council of the City of Fridley, Minnesota (City) will hold a public hearing on

Monday, April 24, 2023 at 7:00 p.m., or as soon thereafter as the matter may be heard

at the City Council chambers on the upper level of the Civic Center, located at 7071 University Avenue N.E. in the City, regarding the *adoption of an ordinance* to establish the Innsbruck North Housing Improvement Area (HIA); and the *adoption of a resolution imposing fees* on housing units within the HIA, all under Minnesota Statutes (M.S.) § 428A.11 to 428A.21, as amended (HIA Act).

The boundaries of the proposed HIA are shown in the map attached hereto as Exhibit A. Within the HIA, the City proposes to facilitate various improvements to the housing units in the HIA. The improvements would be financed by fees imposed on the owners of units (Fees). Details regarding the hearing, the improvements, and the Fees are as follows:

1. Persons to be heard: All persons owning housing units in the proposed HIA that would be subject to the Fees, and all other interested persons, will be given an opportunity to be heard at the hearing.

2. Proposed improvements: The proposed improvements include site and utility improvements, including but not limited to the replacement of all streets and driveways; the addition of new curbs and gutters; the replacement or improvement of sanitary and storm sewer mains; the correction of drainage issues within the HIA; the replacement and renovation of retaining walls, paths, sidewalks, stairways, and concrete mailbox pads; and the replacement of the tennis court with green space.

3. Estimated cost of improvements to be paid in whole or in part by the Fees: The total estimated project cost is \$5,710,000 which includes construction costs, bond issuance costs, capitalized interest, professional services costs, and the City's administrative costs. A portion of the project costs will be paid with equity of the HIA in the amount of \$920,000. The total estimated project cost to be paid from the Fees is \$4,790,000.

4. Amount to be charged against each housing unit: The total costs will be allocated equally to each housing unit in the HIA, equaling an estimated per-unit fee of \$16,986 (Unit Fee). If a unit owner fails to pay the Unit Fee prior to June 23, 2023 (Prepayment Date), interest will accrue on Unit Fee at an estimated rate not to exceed 7.25% per annum and the Owner will be charged an estimated annual fee of \$1,716.36 (Annual Fee) for a period of 20 years, assuming no prepayment, is

estimated to be \$34,327.17. The final Fees may not be more than the amounts described in this paragraph.

5. Owner's right to prepay the Unit Fee: Owners may prepay the Unit Fee without interest, in whole but not in part, before the Prepayment Date. After the Prepayment Date, the Fee may not be prepaid. The unpaid balance will be imposed as an Annual Fee as described in paragraph 4 above.

6. Number of years the Annual Fee will be in effect: If owners do not pay the Unit Fee by the Prepayment Date, the Annual Fee will be imposed and collected at the same time and in the same manner as property taxes. The Annual Fee will be payable in equal installments over a period not to exceed 20 years beginning in 2024.

7. Compliance with Petition Requirement: Owners of more than 60 percent of the housing units that would be subject to the Fees in the proposed HIA have filed a petition with the City requesting a public hearing on the proposed Fees, the creation of the HIA and the adoption of an ordinance (Ordinance). This meets the petition requirements for a public hearing under Minnesota Statutes, Section 428A.12 and the City's policy.

For further information on the proposed HIA, the Fees, and the Ordinance contact Joe Starks, Director of Finance/City Treasurer, (763) 572-3520, joe.starks@fridleymn.gov.

Those who wish to provide comments may do so by attending the meeting in person or submit comments in writing. Written comments may be submitted to the City via U.S. mail or via email to joe.starks@fridleymn.gov. Written comments received by the City before the agenda packet is produced and distributed will be included as attachments to the Agenda Report. All comments received after that will be given to the City Council at the beginning of the meeting and entered into the public record.

Written or oral objections asserting that the owner's property should not be included in the HIA or should not be subjected to a fee and objecting to the inclusion of the housing unit in the HIA, for the reason that the property would not benefit from the improvements must follow M.S. § 428A.12, subd. 4.

Housing unit owners subject to the Fee will also have a right to veto either the ordinance, the fee resolution, or both following the adoption of the ordinance and the fee resolution. If owners of at least 45% of the housing units within the HIA file an objection with the City Clerk before the effective date of the ordinance or the resolution the HIA will not become effective.

If you need special accommodations at the City Council meeting, please call 763-572-3523.

Melissa Moore, City Clerk/Communications Manager

Dated: April 4, 2023

Exhibit A
Map of HIA





AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: James Kosluchar, Public Works Director
Nic Schmidt, Civil Engineer

Title

Resolution No. 2023-44, Approving Change Order No. 1 for East Moore Lake Biochar and Iron-Enhanced Sand Filter Project No. 22-467

Background

The attached resolution requests the City Council to approve Change Order No. 1 for the East Moore Lake Biochar and Iron-Enhanced Sand Filter Project. The purpose of the project is to improve water quality and recreation suitability in East Moore Lake. The project centers around the installation of a biochar and iron-enhanced sand filter (BIESF) to treat runoff from an approximate 80-acre urban catchment. This includes impervious surface from the highly anticipated Moore Lake Park improvements and Anoka County's roundabout at the intersection of Gardena Avenue and Central Avenue. The filter incorporates a pump station, a water quality pond for the pump to draw in lake water, and the regrading of the outlet channel to East Moore Lake. The work is being performed under a contract with Peterson Companies, Inc. of Chisago City, MN.

This is a deduct change order in the amount of -\$2,544.68. Work included in Change Order No. 1 would decrease the original contract by 0.44%. The change order also includes a revised completion date from June 30, 2023 to August 15, 2023.

The accumulated work changes are due to the following:

Temporary Stormwater Infrastructure

Substantial completion of the filter needs to precede the completion the Moore Lake Park and Anoka County roundabout projects. This requires the installation of temporary stormwater infrastructure comprised of a 6-foot diameter manhole, 36" pipe, and flared end section. During construction it was discovered the existing storm sewer pipe conveying area runoff to the channel could be removed to the outer limits of the new water quality pond. With the addition of rip-rap at the revised outfall, this installation is adequate until the County-installed storm sewer pipe is in place. The proposed temporary stormwater infrastructure was not required.

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Restoration Plan Quantity Clarification

The proposed quantity of four Perennial Plantings in the plan totaled 525 units. The quantity will be redistributed between perennials with both 4" containers and #1 containers. The #1 container supports a more mature plant that will contribute to healthier and quicker restoration establishment.

Muck Excavation at Channel Inlet

The amount of muck excavated from the existing sediment delta at the channel connection with the lake exceeded the proposed amount of 575 cubic yards. The additional quantity of muck that was removed is estimated to be 259 CY resulting in total of 834 CY. Removing the accumulated sediment from the connection is required to ensure lake water flows freely into the water quality pond where it is then pumped to the BIESF for treatment.

Revised Completion Date

The completion date is revised to August 15, 2023 as a result of an extended lead time for the filter pump control panel. For the past three years the industry has experienced increased lead times for specialty equipment. The time extension will not affect the park and county projects, or the overall performance of the filter once it is complete.

Financial Impact

Funding is provided by the Storm Water Utility Fund through the Capital Investment Program, in combination with grant funds provided by the Minnesota Board of Water & Soil Resources (BWSR) and the Rice Creek Watershed District (District). The City of Fridley will provide funding for the park project through the Storm Water Utility Fund for its contributing area to the filter, as well as the County providing funding through a previously approved joint powers agreement.

Recommendation

Staff recommends the approval of Resolution No. 2023-44.

Focus on Fridley Strategic Alignment

☒ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☐ Financial Stability & Commercial Prosperity	☒ Public Safety & Environmental Stewardship
☐ Organizational Excellence	

Attachments and Other Resources

- Resolution No. 2023-44
- Exhibit A – Change Order No. 1 for East Moore Lake Biochar and Iron-Enhanced Sand Filter Project No. 22-467

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Resolution No. 2023-44

Approving Change Order No. 1 for East Moore Lake Biochar and Iron-Enhanced Sand Filter Project No 22-467

Whereas, the East Moore Lake Biochar and Iron-Enhanced Sand Filter Project (Project) is under contract with Peterson Companies, Inc. of Chisago City, MN (the Contractor); and

Whereas, Project funding is provided by the Storm Water Utility Fund through the Capital Investment Program, in combination with grant funds provided by the Minnesota Board of Water & Soil Resources (BWSR) and the Rice Creek Watershed District (District); and

Whereas, the City of Fridley (City) will provide funding for the park project through the Storm Water Utility Fund for its contributing area to the filter, as well as Anoka County providing funding through a previously approved joint powers agreement; and

Whereas, City staff directed changes to the Project quantities and items that are incorporated into this change order which will reduce cost and improve the quality and performance of the Project; and

Whereas, certain materials have had extended lead times requiring a change in contract time that is incorporated this change order; and

Whereas, accumulated work changes were desired by the City that modified the original contract from \$571,812.43 to \$569,267.75 (a 0.44% decrease); and

Whereas, the Contractor performed work as directed by City staff and final completion of the project is on track and scheduled for August 15, 2023; and

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves Change Order No. 1 for East Moore Lake Biochar and Iron-Enhanced Sand Filter Project No. 22-467 in the amount of -\$2,544.68.

Passed and adopted by the City Council of the City of Fridley this 8th day of May, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

Exhibit A

**SECTION 00 63 63
CHANGE ORDER FORM**

Change Order No. 1Date 4/13/2023Agreement Date 4/13/2023Name of Project: East Moore Lake Biochar- and Iron-Enhanced Sand FilterOwner: City of FridleyContractor: Peterson Companies

The following changes are hereby made to the Contract Documents:

The amount of muck that was excavated from the existing sediment delta exceeded the proposed amount (575 CY). The additional quantity of muck that was removed is estimated to be 259 CY resulting in total of 834 CY.

Additionally, the "Perennial – 4"" plantings that were proposed in the Bid Tab totaled 525 plantings. This quantity will be distributed between Perennials with both 4" containers as well and #1 containers and not just the 4" Perennials, as indicated in the bid tab. See the updated Plant Schedule in the attached Landscape Plan.

Completion date is revised to 8/15/2023 as a result of extended product lead time.

Justification:

The additional quantity of muck removed was calculated based on the assumption of a "quint" truck capacity of 14 CY of material. There were 24 truckloads hauled off, totaling 336 CY. However, applying a soil expansion (swell) factor of 1.3, the total excavated volume of material is estimated to be 259 CY.

There was a misunderstanding that the proposed 525 Perennial plantings were all 4" containers, when in actuality that number should have been split into both 4" containers as well as #1 containers.

Project No. 227704093

Change Order Form
00 63 63-1

Extended product lead time for the proposed pump control panel has led to a projected delay in project completion date. The new project completion date is proposed to be 8/15/2023.

Original Contract Price: \$ 571,812.43

Current Contract Price adjusted to previous Change Order: \$ 571,812.43

The Contract Price due to this Change Order will be decreased by \$ 2,544.68

The new Contract Price including this Change Order will be \$ 569,267.75

Original Contract-Required Completion Date: 6/30/2023

Current Contract Completion Date adjusted to previous Change Order: 6/30/2023

The Contract Time will be increased by 46 calendar days.

The revised Contract Completion Date for completion of Work will be: 8/15/2023

Approvals Required:

To be effective, this Order must be approved by the Owner and the Contractor if it changes the scope of objective of the Project, or as may otherwise be required by the Supplemental General Conditions.

Requested by: Erik Megow
Erik Megow, P.E. (MN)

Ordered by: 
City of Fridley

Accepted by: 
Peterson Company

END OF SECTION

CO1 Quantities Updates

Bid Quantities

Item	Unit	Quantity	Unit Price	Cost
Muck Excavation - Offsite (EV) (P)	CY	575	\$ 34.27	\$ 19,705.25
Perennial - 4"	EA	525	\$ 9.95	\$ 5,223.75
Ornamental/Perennial - #1	EA	43	\$ 70.19	\$ 3,018.17
36" RC Flared End w/ Trash Guard	EA	1	\$ 7,267	\$ 7,267.40
36" RC Pipe Storm Sewer Class III	LF	30	\$ 199	\$ 5,961.30
6' Dia. Storm Manhole for 36" RCP Outfall	EA	1	\$ 10,240	\$ 10,239.91
TOTAL				\$ 51,415.78

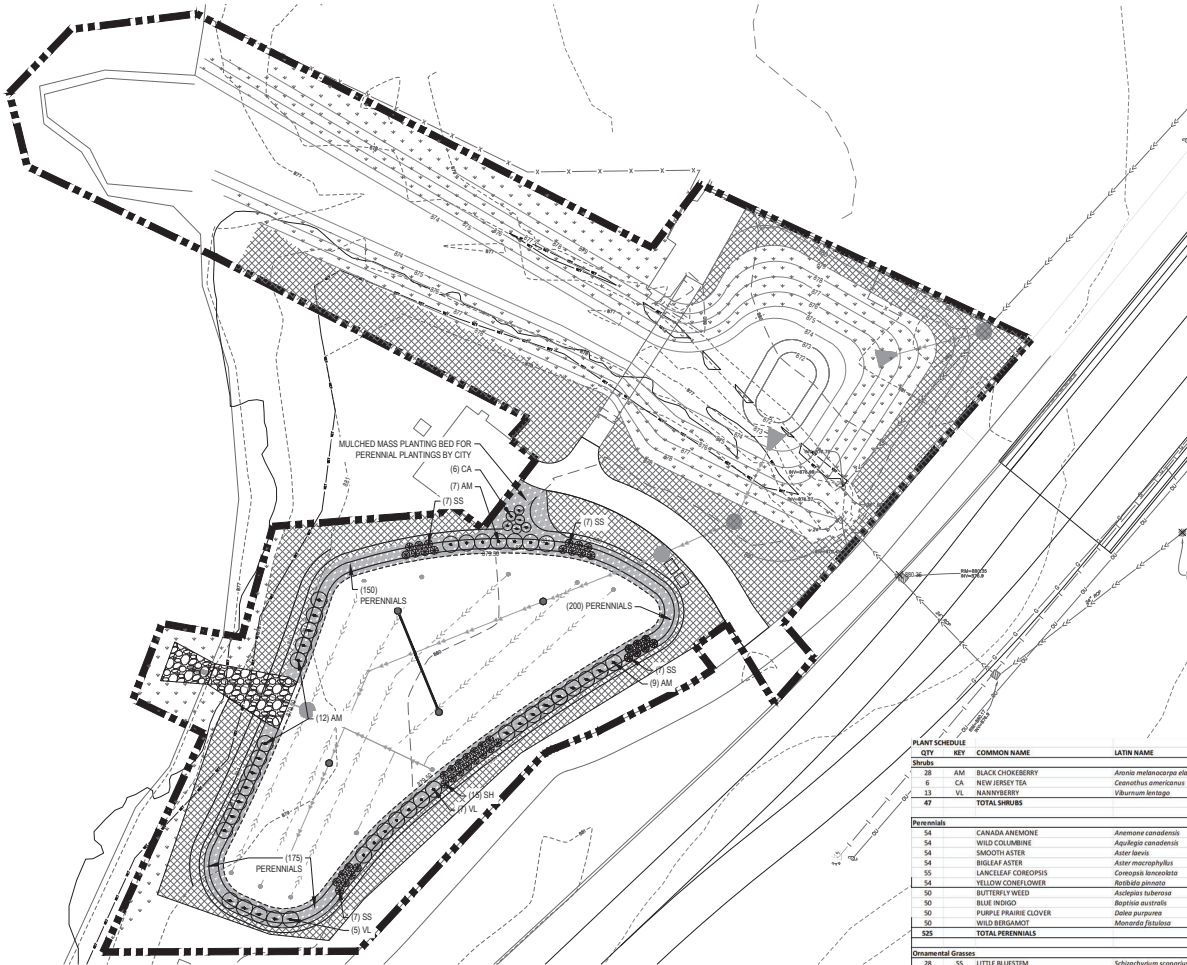
Updated Quantities per CO1

Item	Unit	Quantity	Unit Price	Cost
Muck Excavation - Offsite (EV) (P)	CY	834	\$ 34.27	\$ 28,581.18
Perennial - 4"	EA	325	\$ 9.95	\$ 3,233.75
Ornamental/Perennial - #1	EA	243	\$ 70.19	\$ 17,056.17
36" RC Flared End w/ Trash Guard	EA	0	\$ 7,000	\$ -
36" RC Pipe Storm Sewer Class III	LF	0	\$ 250	\$ -
6' Dia. Storm Manhole for 36" RCP Outfall	EA	0	\$ 13,500	\$ -
TOTAL				\$ 48,871.10

Change in Contract Price	\$ (2,544.68)
---------------------------------	----------------------

2/26/2023 10:47 PM

\\STANTEC\proj\proj\20230101_0001\PROJECT\1211 LANDSCAPE PLAN.dwg



LEGEND

- LIMITS OF CONSTRUCTION
- EXISTING STORM SEWER
- EXISTING WATERMAIN
- EXISTING UNDERGROUND GAS LINE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING FENCE LINE
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- SHRUB/PERENNIAL PLANT
- HANDSOME WOOD PLANT
- MIDOT SEED MIX 20-101
- MIDOT SEED MIX 20-101 HIGH MAINTENANCE TURF

PLANT SCHEDULE		COMMON NAME	LATIN NAME	HEIGHT	WIDTH	SPACING	SIZE
Shrubs							
38	AM	BLACK CHOKERBERRY	<i>Asarum canadense</i>	6'	6'	PER PLAN	#5 CONT
6	CA	NEW JERSEY TEA	<i>Ceanothus americanus</i>	2'	3'	PER PLAN	#5 CONT
13	VL	NANNYBERRY	<i>Viburnum lentago</i>	15'	6'	PER PLAN	#5 CONT
47	TOTAL SHRUBS						
Perennials							
54		CANADA ANEMONE	<i>Anemone canadensis</i>	1'	1.5'	1.5' O.C.	4" CONT
54		WILD COLUMBINE	<i>Aquilegia canadensis</i>	2'	1.5'	1.5' O.C.	4" CONT
54		SMOOTH ASTER	<i>Aster laevis</i>	3'	1.5'	1.5' O.C.	4" CONT
54		BIGLEAF ASTER	<i>Aster macrophyllus</i>	3'	1.5'	1.5' O.C.	4" CONT
55		LANCILEAF COREOPSIS	<i>Coreopsis lanceolata</i>	1'	1'	1' O.C.	4" CONT
54		YELLOW CORNFLOWER	<i>Barbide pinnatis</i>	3'	1.5'	1.5' O.C.	4" CONT
50		BUTTERFLY WEED	<i>Asclepias tuberosa</i>	2'	1.5'	1.5' O.C.	#1 CONT
50		BLUE INDIGO	<i>Baptisia australis</i>	3'	2'	2' O.C.	#1 CONT
50		PURPLE PRAIRIE CLOVER	<i>Dalea purpurea</i>	2'	1'	1' O.C.	#1 CONT
50		WILD BERGAMOT	<i>Monarda fistulosa</i>	3'	2'	2' O.C.	#1 CONT
625	TOTAL PERENNIALS						
Ornamental Grasses							
38	SS	LITTLE BLUESTEM	<i>Schizanthus scoparius</i>	2'	2'	2' O.C.	#1 CONT
15	SH	PRAIRIE DROPSEED	<i>Sporobolus heterostachys</i>	2'	2'	2' O.C.	#1 CONT
49	TOTAL ORNAMENTAL GRASSES						



EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
CITY OF FRIDLEY
ANOKA COUNTY, MN

DATE	DESCRIPTION	PROJECT TITLE	DATE	DESCRIPTION	PROJECT TITLE
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER
2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER	2/26/2023	ISSUED FOR PERMIT	EAST MOORE LAKE BIOCHAR- AND IRON-ENHANCED SAND FILTER

L-101



AGENDA REPORT

Meeting Date: May 8, 2023

Meeting Type: City Council

Submitted By: Scott Hickok, Community Development Director
Stacy Stromberg, Planning Manager

Title

Minneapolis Water Works Withdrawal Information

Background

Stonebrooke Engineering, on behalf of the City of Minneapolis submitted a preliminary plat and street/alley/road easement vacation request for their Waterworks property at 4300 Marshall Street, that was to be heard by the City Council (Council) on May 8, 2023.

A public hearing was held for the preliminary plat before the Planning Commission (Commission) on April 19, 2023, and the Commission recommended approval.

After the Commission meeting, the petitioner and the City of Minneapolis decided to withdraw their plat and vacation applications to evaluate other options. They plan to re-submit their applications once they've decided how to proceed.

There are no impacts to the petitioner for withdrawing. When they are ready to re-submit, their land use applications will follow the City of Fridley's standard process in accordance with State Statute 15.99 and will be reviewed by the Planning Commission and then the Council.

Financial Impact

No financial impact.

Recommendation

No action by the Council is required.

Focus on Fridley Strategic Alignment

☐ Vibrant Neighborhoods & Places	☐ Community Identity & Relationship Building
☐ Financial Stability & Commercial Prosperity	☐ Public Safety & Environmental Stewardship
☐ Organizational Excellence	

Attachments and Other Resources

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

-
- Petitioner's withdrawal email.

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

From: [Aaron Mages](#)
To: [Stromberg, Stacy](#)
Cc: [Pfister, Peter J.](#); [Howes, John](#)
Subject: RE: [EXTERNAL] 4-19-23, Planning Packet
Date: Monday, May 01, 2023 4:34:52 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)

Stacy,

The city of Minneapolis would like to withdraw its preliminary plat and vacation application at this time. I believe they are planning to reapply at a later date once some decisions have been made on the lot layouts.

Thanks,

Aaron

Aaron Mages, L.S.
 Survey Manager



Stonebrooke Engineering, Inc.

12279 Nicollet Avenue, Burnsville, MN 55337

Direct: 952.540.4845 Main: 952.402.9202

stonebrookeengineering.com

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From: Stromberg, Stacy <Stacy.Stromberg@fridleymn.gov>

Sent: Monday, May 1, 2023 4:28 PM

To: Aaron Mages <amages@stonebrookeengineering.com>

Subject: RE: [EXTERNAL] 4-19-23, Planning Packet

Any chance you can get me the withdrawal email by tomorrow at 10:00 a.m.?

Thanks,

Stacy Stromberg

Planning Manager

City of Fridley | Community Development Department

Direct: 763-572-3595

7071 University Ave. N.E., Fridley, MN 55432

Stacy.Stromberg@FridleyMN.gov | FridleyMN.gov