



City Council Meeting

September 11, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue N.E.

Agenda

Call to Order

The Fridley City Council (Council) requests that all attendees silence cell phones during the meeting. A paper copy of the Agenda is at the back of the Council Chambers. A paper copy of the entire Agenda packet is at the podium. The Agenda and all related materials may also be found on the City's website at [FridleyMN.gov/1564/Agenda-Center](https://www.fridleymn.gov/1564/Agenda-Center).

Pledge of Allegiance

Proclamations/Presentations

- [1.](#) Proclamation: Domestic Violence Awareness Month – October 2023

Proposed Consent Agenda

The following items are considered to be routine by the Council and will be approved by one motion. There will be no discussion of these items unless a Councilmember requests, at which time that item may be moved to the Regular Agenda.

Meeting Minutes

- [2.](#) Approve the Minutes from the City Council Meeting of August 28, 2023
- [3.](#) Receive the Minutes from the Joint City Council and Housing and Redevelopment Authority Conference Meeting of August 28, 2023

New Business

- [4.](#) Ordinance No. 1415, Amending the Fridley City Code to Add Chapter 311, Public Use of Cannabis Products (Second Reading)
- [5.](#) Resolution No. 2023-98, Declaring Costs to be Assessed, Ordering Preparation of the Proposed Assessment Roll and Directing Publication of the Public Hearing Notice for the 2023 Street Rehabilitation Project No. ST-2023-01
- [6.](#) Resolution No. 2023-99, Declaring Costs to be Assessed, Ordering Preparation of the Proposed Assessment Roll and Directing Publication of the Public Hearing Notice for the 53rd Ave Roundabout Safety Project No. ST-2023-22
- [7.](#) Resolution No. 2023-100, Declaring Costs to be Assessed, Ordering Preparation of the Proposed Assessment Roll, and Directing Publication of the Public Hearing Notice for the 2023 Nuisance Abatements and 2023 Rental Reinspection Fees

Licenses

- [8.](#) Resolution No. 2023-104, Approving Lawful Gambling Lease for Fridley Lions Club to Add Bingo Events to Forgotten Star Brewery

Claims

- [9.](#) Resolution No. 2023-108 Approving Claims for the Period Ending September 6, 2023

Open Forum

The Open Forum allows the public to address the Council on subjects that are not on the Regular Agenda. The Council may take action, reply, or give direction to staff. Please limit your comments to five minutes or less.

Regular Agenda

The following items are proposed for the Council's consideration. All items will have a presentation from City staff, are discussed, and considered for approval by separate motions.

Public Hearing(s)

- [10.](#) Public Hearing to Consider On-Sale Liquor License by Justin Pouliot for Two Stooges Sports Bar and Grill and Resolution No. 2023-103, Approving On-Sale Liquor License for Two Stooges Sports Bar and Grill
- [11.](#) Ordinance No. 1416, Public Hearing and First Reading to Consider Amending the Fridley City Code Chapter 205, Zoning, to allow Interim Use Permits

New Business

- [12.](#) Resolution No. 2023-101, Approving a Registered Land Survey, PS #23-01 Petitioned by the City's Housing and Redevelopment Authority (HRA) for the Property Located at 5660 Main Street N.E.

Informal Status Reports

Adjournment

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) 572-3450.



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Proclamation: Domestic Violence Awareness Month – October 2023

Background

Every year throughout the nation, October is recognized as Domestic Violence Awareness month. Fridley's proclamation will add to the many voices insisting that women, men, and children all have a right to seek peace and safety in their lives.

Alexandra House works with all communities in Anoka County to end domestic and sexual violence. A representative from Alexandra House will be at the meeting to accept the Domestic Violence Awareness Month proclamation. The proclamation will be posted on their social media sites along with other proclamations issued throughout Anoka County.

Financial Impact

None.

Recommendation

Staff recommend Council proclaim October 2023 as Domestic Violence Awareness Month 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

- Proclamation for Domestic Violence Awareness Month

Vision Statement

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



Proclamation

Domestic Violence Awareness Month October 2023

Whereas, the community problem of domestic violence has become a critical public health and welfare concern in Anoka County; and

Whereas, domestic violence is a crime, the commission of which will not be tolerated in Anoka County, and perpetrators of said crime are subject to prosecution and conviction in accordance with the law; and

Whereas, thousands of women and children have and will continue to access assistance from Alexandra House, Inc., a domestic violence service provider; and

Whereas, domestic violence will be eliminated through community partnerships of concerned individuals and organizations working together to prevent abuse while at the same time promoting social and legal change; and

Whereas, October is **Domestic Violence Awareness Month**; and

Whereas, during **Domestic Violence Awareness Month**, Anoka County organizations will inform area residents about domestic violence, its prevalence, consequences, and what we, as a concerned community, can do to eliminate its existence.

NOW THEREFORE, BE IT RESOLVED, that I, Scott J. Lund, Mayor of the City of Fridley, do hereby proclaim the month of October 2023 to be Domestic Violence Awareness Month in the City of Fridley.

In witness whereof, I have set my hand and caused the seal of the City of Fridley to be affixed this 11th day of September 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: September 11, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Approve the Minutes from the City Council Meeting of August 28, 2023

Background

Attached are the minutes from the City Council meeting of August 28, 2023.

Financial Impact

None.

Recommendation

Staff recommend the approval of the minutes from the City Council meeting of August 28, 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 August 28, 2023

Vision Statement

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



City Council Meeting

August 28, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Mayor Lund called the City Council Meeting of August 28, 2023, to order at 7:00 p.m.

Present

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

Absent None

Others Present

Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Beth Kondrick, Deputy City Clerk
Sarah Sonsalla, City Attorney
Ann Essling to Receive Proclamation

Pledge Of Allegiance

Proclamations/Presentations

1. Proclamation: Constitution Week, September 17-23, 2023

Mayor Lund presented the proclamation declaring September 17 through September 23, 2023 as Constitution Week.

Ann Essling received the proclamation and commented that today, domestic tranquility is not something they can take for granted. She acknowledged the work of the Police and Fire Departments to protect the City of Fridley and thanked them for their service.

Approval of Proposed Consent Agenda

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

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 August 14, 2023.
3. Receive the Minutes from the City Council Conference Meeting of August 14, 2023.
4. Receive the Minutes from the Parks and Recreation Commission Meeting of June 5, 2023.
5. Receive the Minutes from the Planning Commission Meeting of August 16, 2023.

New Business

6. Resolution No. 2023-96, Approving Gifts, Donations and Sponsorships Received Between July 15, 2023 and August 18, 2023.

Claims

7. Resolution No. 2023-97 Approving Claims for the Period Ending August 23, 2023.

Adoption of Regular Agenda

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

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.)

Eugene Pilipanko, 7591 Lakeside Road NE, commented on an ongoing issue of harassment he has with his neighbor. He stated that currently his neighbor is storing junk and debris on her property next to his property line and he asked the City for assistance. He stated that he would also like assistance in obtaining a restraining order against the neighbor, acknowledging that perhaps the police could assist. Mayor Lund agreed that the police would be the best place to obtain that assistance.

Scott Hickok, Community Development Director, took the contact information for the resident and offered to meet with him to address these issues.

Regular Agenda**Old Business**

8. Ordinance No. 1414, Creating Title No. 4 (Public Nuisance) of the Fridley City Code and the Chapters Contained Therein (Second Reading)

Beth Kondrick, Deputy City Clerk, stated that after the first reading of the ordinance staff realized that an issued desired to be addressed by the Council was not included in that first reading. Staff has now updated the ordinance to include a definition of "engine retarding break" (aka "jake braking"), which has been added as prohibited. She reviewed the next steps should the Council adopt the ordinance tonight.

Mayor Lund was happy to see this issue being addressed. Councilmember Evanson asked and received confirmation that this prohibition would apply to City streets and parking lots and not on highways.

Motion made by Councilmember Bolkcom to approve the second reading and adoption of Ordinance No. 1414, Creating Title No. 4 (Public Nuisance) of the Fridley City Code and the Chapters Contained Therein and to approve summary Ordinance No. 1414 for publication. Seconded by Councilmember Tillberry.

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

New Business

9. Ordinance No. 1415, Amending the Fridley City Code to Add Chapter 311, Public Use of Cannabis Products

Wally Wysopal, City Manager, provided background information on this topic which continues to be discussed by the City and other cities throughout the state in response to the action of the legislature. He stated that this ordinance would amend the City Code to add Chapter 311, Public Use of Cannabis Products, which would prohibit cannabis and cannabis-related products in any public place or on any public property. He reviewed the next steps, should the first reading be approved tonight.

Councilmember Evanson asked about the communication that residents should expect to educate them on this topic.

Mr. Wysopal commented that the City would use its newsletter and other platforms such as social media. He stated that perhaps signage in the parks would be appropriate as well.

Motion made by Councilmember Evanson to approve the first reading of Ordinance No. 1415, Amending the Fridley City Code to Add Chapter 311, Public Use of Cannabis Products. Seconded by Councilmember Ostwald.

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

Informal Status Reports

Mayor Lund noted that information should soon be provided to residents about a three-part open meeting/learning session on the topic of public art. He reviewed the dates and invited residents to attend and participate.

Mr. Wysopal commented that information will be posted on the City website for those who cannot attend to follow along.

Councilmember Ostwald noted that staff has begun to work on the process to update the City website. He stated there is a survey available on the website for residents to provide input.

Mr. Hickok reminded residents of the five-year celebration of the City campus on September 9. He highlighted some of the events and encouraged the public to attend from 11 a.m. to 2 p.m.

Adjourn

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

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 7:23 p.m.

Respectfully Submitted,

Melissa Moore
City Clerk

Scott J. Lund
Mayor



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

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

Title

Receive the Minutes from the Joint City Council and Housing and Redevelopment Authority Conference Meeting of August 28, 2023

Background

Attached are the minutes from the Joint City Council and Housing and Redevelopment Authority (HRA) conference meeting of August 28, 2023.

Financial Impact

Recommendation

Receive the minutes from the Joint City Council and HRA conference meeting of August 28, 2023.

Focus on Fridley Strategic Alignment

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|--|---|
| ☐ 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 and HRA Conference Meeting of August 28, 2023

Vision Statement

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



Joint Council & HRA Conference Meeting

August 28, 2023

5:30 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Roll Call

Present:

City Council Members:

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

HRA Members:

Elizabeth Showalter
Troy Brueggemeier
Kyle Mulrooney
Gordon Backlund
Rachel Schwankl

Others Present: Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Joe Starks, Finance Director
Paul Bolin, Assistant HRA Director

Item for Discussion

1. Proposed Changes and Additions to Fridley's Home Improvement Loans and Grants.

Paul Bolin, Assistant HRA Director, presented potentially new housing programs and modifications to existing programs based on new revenue sources. He will develop more details on the various programs.



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council Meeting

Submitted By: Walter T. Wysopal, City Manager

Title

Ordinance No. 1415, Amending the Fridley City Code to Add Chapter 311, Public Use of Cannabis Products (Second Reading)

Background

During the 2023 session, the Minnesota Legislature legalized the use and sale of cannabis. Even though the sale of these products will not become legal until January 1, 2025, possession and consumption became largely legal effective August 1, 2023. The State legislature did not specify where the use of cannabis would be allowed or prohibited with a few exceptions. Cities across the state are adopting ordinances to address the absence of prohibitions in public spaces such as parks, trails, sidewalks, and streets.

Ordinance No. 1415 proposes to amend the Fridley City Code to add Chapter 311, Public Use of Cannabis Products. Staff recommend prohibiting cannabis and cannabis-related products on public property and in public spaces to protect the health, safety and welfare of the residents who visit and use these spaces. To align with State law, the ordinance specifies that any violation of the Chapter will be charged as a petty misdemeanor.

If the City Council approves the second reading at tonight's meeting, the ordinance will be published in the September 14 edition of the Official Publication and become effective on September 29, 2023.

Financial Impact

None.

Recommendation

Staff recommend the City Council approve the second reading of Ordinance No. 1415.

Vision Statement

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

Focus on Fridley Strategic Alignment

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| ☐ Organizational Excellence | |

Attachments and Other Resources

- Ordinance No. 1415

Vision Statement

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

Ordinance No. 1415

Amending the Fridley City Code to Add Chapter 311, Public Use of Cannabis Products

The City Council of the City of Fridley does ordain, after review, examination, and staff recommendation that the Fridley City Code be amended as follows:

Fridley City Code Chapter 311 Public Use of Cannabis Products

311.01 Purpose

The purpose of this Chapter is to protect the health, safety, and welfare of the community through regulation of Cannabis related items in the City of Fridley (City).

311.02 Definitions

Cannabis Flower, Cannabis Products, Lower-Potency Hemp Edibles and Hemp-Derived Consumer Products: Shall have the meanings as defined in Minnesota Statute § 342.01.

Public Place: Property that is generally open to or accessible by the public, except on those premises licensed by the State of Minnesota to permit on-site consumption.

Public Property: Property owned, leased, or controlled by a governmental unit including the City. Public places include but are not limited to City buildings and all the land thereon, parking lots, parks, pathways, trails, city rights-of-way consisting of both the traveled portion and the abutting boulevard, sidewalks and trails, and any city personal property, such as motor vehicles, city equipment, and the like. Public Property does not include the following: a private residence, including the person's curtilage or yard, private property not generally accessible to the public unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property or the premises of an establishment or event licensed to permit on-site consumption.

311.03 Prohibited Activity

No person may use cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products within public property or in a public place.

311.04 Penalty

A violation of this section is a petty misdemeanor.

Passed and adopted by the City Council of the City of Fridley on this 11th day of September, 2023.

Scott J. Lund - Mayor

Melissa Moore - City Clerk

First Reading: August 28, 2023

Second Reading: September 11, 2023

Publication: September 14, 2023



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

Submitted By: Joe Starks, Finance Director/City Treasurer
 Korrie Johnson, Assistant Finance Director
 Gao Lee, Accounting Specialist/Special Assessments

Title

Resolution No. 2023-98, Declaring Costs to be Assessed, Ordering Preparation of the Proposed Assessment Roll and Directing Publication of the Public Hearing Notice for the 2023 Street Rehabilitation Project No. ST-2023-01

Background

Pursuant to Minnesota Statute § 429.021 and § 8.03 of the Fridley City Charter, the City Council (Council) may finance certain public improvement projects using special assessments. Generally, special assessments are a form of tax levied by a local government against a property that benefits from the improvement(s). This process is governed by the Assessments Chapter of the Fridley City Code and the City's Roadway Major Financing Policy.

Consistent with these regulations, the Council followed the below process for the use of special assessments regarding the 2023 Street Rehabilitation Project (Project) No. ST-2023-01:

- Ordered the preliminary report, plans and specifications (Resolution No. 2022-83);
- Received the preliminary report, called for a public hearing (Resolution No 2022-150);
- Conducted the public hearing (Monday, January 9, 2023);
- Ordered final plans and specifications, called for bids (Resolution No. 2023-04); and
- Received bids and awarded contract to T.A. Schifsky & Sons, Inc. (May 22, 2023).

Based on the construction costs, the proposed special assessment for Project No. ST-2023-01 will include 33 properties totaling approximately \$531,987. Benefitting property owners will be permitted to repay the applicable amount over at 10-year period at an interest rate of 4.60%.

Financial Impact

The Adopted 2023 Budgets included and anticipated the use of the above-mentioned special assessments to support Project No. ST-2023-01.

Vision Statement

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

Recommendation

Staff recommend the Council approve Resolution No. 2023-98.

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. 2023-98
- Public Hearing Notice

Vision Statement

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

Resolution No. 2023-98**Declaring Costs to be Assessed, Ordering the Preparation of the Proposed Assessment Roll and Directing Publication of a Public Hearing Notice for 2023 Street Rehabilitation Project No. ST-2023-01**

Whereas, a contract has been let for 2023 Street Rehabilitation Project No. ST-2023-01 and the contract priced for such improvement is \$1,542,765, and the additional expenses incurred or to be incurred in the making of such improvement amount to an estimated amount of \$80,000 so that the estimated total cost of the improvement will be \$1,622,765; and

Whereas, by resolution passed by the Fridley City Council (Council) on September 11, 2023, the City Clerk, with the assistance of the City Engineer and City Treasurer, was directed to prepare a proposed assessment of the cost of 2023 Street Rehabilitation Project No. ST-2023-01; and

Whereas, the City Clerk, with the assistance of the City Engineer and City Treasurer, has notified the Council that such proposed assessment has been completed and filed by their office for public inspection.

Now, therefore be it resolved, by the City Council of the City of Fridley, Minnesota:

1. The portion of the cost of such improvement to be paid by the City is hereby estimated to be \$1,090,778 and the portion of the cost to be assessed against benefited property owners is estimated to be \$531,987 for an estimated total cost of \$1,622,765.
2. Assessments shall be payable in installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January, 2024 and shall bear interest at the rate of 4.60 percent per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineer and City Treasurer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and they shall file a copy of such proposed assessment in their office for public inspection.

Be it further resolved:

1. A hearing shall be held at 7:00 p.m. on October 9, 2023 in the City Hall located at 7071 University Avenue NE to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

2. The City Clerk, with the assistance of the City Engineer and City Treasurer, is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official publication at least two weeks prior to the hearing and they shall state in the notice the total cost of the improvement. They shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County, make one payment of at least \$100, to the City of Fridley; no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment.

Upon receipt of any such prepayment, the City Clerk, with the assistance of the City Treasurer, shall note the same upon the records of the City, credit the payee therefore, and reduce the assessment as originally made in the amount of the prepayment received. The balance remaining shall then be noted as the amount due and may then be certified to the county together with and as a part of the assessment roll in which the original amount due was contained.

A property owner may at any time, thereafter, pay to the City of Fridley the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the City Council of the City of Fridley this 11th day of September, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

**City of Fridley, Anoka County, Minnesota
Public Hearing**

Notice is hereby given that the City Council of the City of Fridley will conduct a public hearing at 7:00 p.m. on October 9, 2023 in the City Council Chambers at 7071 University Avenue NE, to consider, and possibly adopt, the proposed assessment for the following improvements:

**2023 Street Rehabilitation Project (ST-2023-01): Assess 10 years @ 4.60% Interest,
\$531,987**

12-30-24-11-0033	12-30-24-11-0083	12-30-24-14-0049	24-30-24-33-0021
12-30-24-11-0035	12-30-24-14-0010	12-30-24-14-0050	24-30-24-33-0024
12-30-24-11-0036	12-30-24-14-0011	22-30-24-13-0003	24-30-24-34-0004
12-30-24-11-0039	12-30-24-14-0012	22-30-24-13-0011	24-30-24-34-0032
12-30-24-11-0040	12-30-24-14-0014	22-30-24-43-0001	25-30-24-22-0004
12-30-24-11-0041	12-30-24-14-0046	22-30-24-43-0029	27-30-24-12-0050
12-30-24-11-0042	12-30-24-14-0047	24-30-24-33-0008	27-30-24-21-0022
12-30-24-11-0081	12-30-24-14-0048	24-30-24-33-0009	27-30-24-24-0002
12-30-24-11-0082			

The proposed assessment rolls are on file for public inspection at the City Clerk's Office. Notices are being mailed to all property owners.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a signed, written objection is filed with the City Clerk prior to the hearing or is presented to the presiding officer at the hearing. The City Council may, upon such notice, consider any objection to the amount of a proposed individual assessment at an adjourned meeting, upon such further notice to the affected property owners, as it deems advisable.

A property owner who has properly objected to the assessment may appeal an assessment to district court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or City Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or City Clerk.

The City of Fridley has adopted Resolution No. 14-1995 deferring special assessment payments for senior citizens. The City Council may defer the payment of special assessments for any homestead property owned by a person 65 years of age or older, or for persons retired due to permanent and total disability for which it would be a hardship to make the payments.

Mayor Scott J. Lund

Publish: September 18, 2023



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

Submitted By: Joe Starks, Finance Director/City Treasurer
 Korrie Johnson, Assistant Finance Director
 Gao Lee, Accounting Specialist/Special Assessments

Title

Resolution No. 2023-99, Declaring Costs to be Assessed, Ordering Preparation of the Proposed Assessment Roll and Directing Publication of the Public Hearing Notice for the 53rd Ave Roundabout Safety Project No. ST-2023-22

Background

Pursuant to Minnesota Statue § 429.021 and City Charter § 8.03, the City Council (Council) may finance certain public improvement projects using special assessments. Generally, special assessments are a form of tax levied by a local government against a property that benefits from the improvement(s). To further govern this process, the Council also adopted Fridley City Code Chapter 7 and a Roadway Major Financing Policy.

Consistent with these regulations, the Council followed the below process for the use of special assessments regarding the 53rd Ave Roundabout Safety Project (Project) No. ST-2023-22:

- Ordered the preliminary report, plans and specifications (Resolution No. 2022-87);
- Received the preliminary report, called for a public hearing (Resolution No. 2023-09);
- Conducted the public hearing (Monday, February 13, 2023);
- Accepted feasibility report, ordered the final plans and specifications, called for bids (Resolution No. 2023-16); and
- Received bids and awarded contract to Forest Lake Contracting, Inc. (June 26, 2023).

Based on the construction costs, the proposed special assessment for Project No. ST-2023-22 will include 6 properties totaling approximately \$54,451. Benefitting property owners will be permitted to repay the applicable amount over at 10-year period at an interest rate of 4.60%. Being a cooperative project, Columbia Heights will be assessing 3 properties as well using their own special assessment policy.

Financial Impact

The Adopted 2023 Budgets included and anticipated the use of the above-mentioned special assessments to support Project No. ST-2023-22.

Vision Statement

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

Recommendation

Staff recommend the Council approve Resolution No. 2023-99.

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. 2023-99
- Public Hearing Notice

Vision Statement

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

Resolution No. 2023-99**Resolution Declaring Costs to be Assessed, Ordering the Preparation of the Proposed Assessment Roll and Directing Publication of a Public Hearing Notice for 53rd Ave Roundabout Safety Project No. ST-2023-22**

Whereas, a contract has been let for 53rd Ave Roundabout Safety Project No. ST-2023-22 and the contract priced for such improvement is \$1,384,132, and the additional expenses incurred or to be incurred in the making of such improvement amount to an estimated amount of \$320,000 so that the estimated total cost of the improvement will be \$1,704,132; and

Whereas, by resolution passed by the City Council (Council) on September 11, 2023, the City Clerk, with the assistance of the City Engineer and City Treasurer, was directed to prepare a proposed assessment of the cost of 53rd Ave Roundabout Safety Project No. ST-2023-22; and

Whereas, the City Clerk, with the assistance of the City Engineer and City Treasurer, has notified the Council that such proposed assessment has been completed and filed by their office for public inspection.

Now, therefore be it resolved, by the City Council of the City of Fridley, Minnesota:

1. The portion of the cost of such improvement to be paid by the City is hereby estimated to be \$1,649,681 and the portion of the cost to be assessed against benefited property owners is estimated to be \$54,451 for an estimated total cost of \$1,704,132.
2. Assessments shall be payable in installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January, 2024 and shall bear interest at the rate of 4.60 percent per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineer and City Treasurer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and they shall file a copy of such proposed assessment in their office for public inspection.

Be it further resolved:

1. A hearing shall be held at 7:00 p.m. on October 9, 2023 in the City Hall located at 7071 University Avenue NE to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

2. The City Clerk, with the assistance of the City Engineer and City Treasurer, is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official publication at least two weeks prior to the hearing and they shall state in the notice the total cost of the improvement. They shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County, make one payment of at least one hundred dollars (\$100.00), to the City of Fridley; no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment.

Upon receipt of any such prepayment, the City Clerk, with the assistance of the City Treasurer, shall note the same upon the records of the City, credit the payee therefore, and reduce the assessment as originally made in the amount of the prepayment received. The balance remaining shall then be noted as the amount due and may then be certified to the county together with and as a part of the assessment roll in which the original amount due was contained.

A property owner may at any time, thereafter, pay to the City of Fridley the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the City Council of the City of Fridley this 11th day of September, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

**City of Fridley, Anoka County, Minnesota
Public Hearing**

Notice is hereby given that the City Council of the City of Fridley will conduct a public hearing at 7:00 p.m. on October 9, 2023 in the City Council Chambers at 7071 University Avenue NE, to consider, and possibly adopt, the proposed assessment for the following improvements:

**53RD Ave Roundabout Safety Project No. ST-2023-22: Assess 10 years @ 4.60% Interest,
\$54,451**

233024440002	233024440003	233024440005
233024440006	233024440007	233024440009

The proposed assessment rolls are on file for public inspection at the City Clerk's Office. Notices are being mailed to all property owners.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a signed, written objection is filed with the City Clerk prior to the hearing or is presented to the presiding officer at the hearing. The City Council may, upon such notice, consider any objection to the amount of a proposed individual assessment at an adjourned meeting, upon such further notice to the affected property owners, as it deems advisable.

A property owner who has properly objected to the assessment may appeal an assessment to district court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or City Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or City Clerk.

The City of Fridley has adopted Resolution No. 14-1995 deferring special assessment payments for senior citizens. The City Council may defer the payment of special assessments for any homestead property owned by a person 65 years of age or older, or for persons retired due to permanent and total disability for which it would be a hardship to make the payments.

Mayor Scott J. Lund

Publish: September 18, 2023



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

Submitted By: Joe Starks, Director of Finance/City Treasurer
 Korrie Johnson, Assistant Finance Director
 Gao Lee, Accounting Specialist/Special Assessments

Title

Resolution No. 2023-100, Declaring Costs to be Assessed, Ordering Preparation of the Proposed Assessment Roll, and Directing Publication of the Public Hearing Notice for the 2023 Nuisance Abatements and 2023 Rental Reinspection Fees

Background

Minnesota Statutes § 429.101 allows the Fridley City Council (Council) to adopt regulations for the collection of unpaid charges and fees as a special assessment. The

The Abatement of Exterior Public Nuisances Chapter of the Fridley City Code (Code) defines the procedure for removal of exterior public nuisances and allows for the assessment of uncollected charges and fees to property taxes. The City has determined that the total costs to be assessed for the 2023 Nuisance Abatements to be \$78,453.

The Residential Rental Property Maintenance and Licensing Chapter of the Code establishes the City's licensing procedures and regulations for rental properties in the City. The chapter establishes inspection schedules for license applicants. If a license applicant fails a third reinspection the Fees Chapter of the Code establishes a rental reinspection fee. Any unpaid rental inspection or reinspection fees may be assessed to the property through the City's special assessment process established in the Assessments Chapter of the Code. The City has determined that the total costs to be assessed for the 2023 Rental Reinspection Fees to be \$5,781.

The Nuisance Abatement and Rental Reinspection assessments directed in Resolution No. 2023-100 total \$84,234 for the period between September 2, 2022 and September 1, 2023. In addition to the public nuisance abatement and rental reinspection fees, this cost includes all incidental expenses as allowed by the Abatement of Exterior Public Nuisances Chapter of the Code, including a 25% administrative surcharge.

Minnesota Statutes § 429.061 requires any expense and the corresponding special assessment to be calculated by the Council by resolution. The resolution must include the total amount to be assessed,

Vision Statement

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

preparation of an assessment roll and direction to prepare and publish a public hearing notice no less than two weeks prior to such meeting of the Council. Assuming the Council approves the attached resolution, staff will publish the notice on September 18, 2023 and the Council will hold the public hearing at the October 9, 2023 meeting at 5:30 p.m.

Financial Impact

The proposed assessment reflects the costs already incurred by the City to abate nuisances and perform rental reinspection within the community. The Adopted Budget contained the appropriate budget authority to support these activities.

Recommendation

Staff recommend the Council approve Resolution No. 2023-100.

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. 2023-100

Vision Statement

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

Resolution No. 2023-100**Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment Roll and Directing Publication of a Public Hearing Notice for 2023 Nuisance Abatements and 2023 Rental Reinspection Fees**

Whereas, Minnesota Statutes § 429.101 allows for a governing body of any municipality to provide for the collection of unpaid special charges as a special assessment against the property benefited from a City activity or improvement if the Fridley City Council (Council) has adopted an ordinance adopting regulations consistent with State law; and

Whereas, the Abatement of Exterior Public Nuisances Chapter of the Fridley City Code (Code) defines the procedure for removal of exterior public nuisances and allows for the assessment of uncollected charges and fees; and

Whereas, the City Clerk, with the assistance of the City Treasurer, determined that the costs to be assessed for the 2023 Nuisance Abatements, including all incidental expenses related thereto, to have a remaining balance of \$78,453 as of September 5, 2023; and

Whereas, the Residential Rental Property Maintenance and Licensing Chapter of the Code regulates licensed rental properties in the City and prohibits any City license be issued or renewed until all outstanding fees and fines have been paid, other than those which may be assessed against the property; and

Whereas, the Fees Chapter of the Code establishes a rental inspection and reinspection structure that institutes fees for any property requiring three or more inspections; and

Whereas, the City Clerk, with the assistance of the City Treasurer, determined that the costs to be assessed for the 2023 Rental Reinspection Fees, including all incidental expenses related thereto, to have a remaining balance of \$5,781 as of September 5, 2023.

Now, therefore be it resolved, by the City Council of the City of Fridley, Minnesota:

1. The portion of the cost to be paid by the City is hereby declared to be \$84,234 as of September 5, 2023 and the portion of the cost to be assessed against benefited property owners is declared to be the same.
2. Assessments shall be payable on or before November 15, 2023. Any unpaid amount after November 15, 2023 shall be certified to taxes and bear interest at the rate of 10.5 % from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Treasurer, to forthwith calculate the proper amounts to be assessed for said improvement against every assessable lot, piece, or parcel

of land benefited by said public nuisance abatements and rental reinspection fees and shall file a copy of such proposed assessment in his/her office for public inspection.

Be it further resolved:

1. A hearing shall be held at 5:30 p.m. on October 9, 2023 in the City Hall located at 7071 University Avenue NE to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk, with the assistance of the City Engineer and City Treasurer, is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official publication at least two weeks prior to the hearing. They shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County, make one payment of at least \$100, to the City of Fridley; no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment.

Upon receipt of any such prepayment, the City Clerk, with the assistance of the City Treasurer, shall note the same upon the records of the City, credit the payee therefore, and reduce the assessment as originally made in the amount of the prepayment received. The balance remaining shall then be noted as the amount due and may then be certified to the County together with and as a part of the assessment roll in which the original amount due was contained.

A property owner may at any time, thereafter, pay to the City of Fridley the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the City Council of the City of Fridley this 11th day of September, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

**City of Fridley, Anoka County, Minnesota
Public Hearing**

Notice is hereby given that the City Council of the City of Fridley will conduct a public hearing at 5:30 p.m. on October 9, 2023 in the City Council Chambers at 7071 University Avenue NE, to consider, and possibly adopt, the proposed assessment for the following improvements:

**2023 Nuisance Abatements & 2023 Rental Reinspection Fees: Assess 1 year at 10.50%
Interest, \$84,234**

03-30-24-31-0126	12-30-24-14-0016	14-30-24-33-0019	23-30-24-23-0080
03-30-24-34-0035	12-30-24-21-0022	14-30-24-34-0071	23-30-24-23-0141
03-30-24-42-0072	12-30-24-22-0021	14-30-24-41-0053	23-30-24-31-0051
03-30-24-43-0024	12-30-24-22-0024	14-30-24-41-0109	23-30-24-33-0054
11-30-24-11-0007	12-30-24-31-0022	14-30-24-42-0018	23-30-24-34-0056
11-30-24-14-0055	12-30-24-31-9901	15-30-24-13-0051	23-30-24-42-0028
11-30-24-14-0079	13-30-24-14-0020	15-30-24-13-0051	23-30-24-43-0026
11-30-24-14-0079	13-30-24-22-0005	15-30-24-13-0056	23-30-24-43-0047
11-30-24-23-0003	13-30-24-24-0009	15-30-24-42-0050	23-30-24-44-0005
11-30-24-24-0018	13-30-24-24-0077	22-30-24-12-0016	24-30-24-12-0068
11-30-24-24-0047	13-30-24-32-0005	22-30-24-12-0017	24-30-24-24-0060
11-30-24-24-0048	14-30-24-12-0010	22-30-24-12-0018	24-30-24-32-0119
11-30-24-24-0085	14-30-24-12-0054	23-30-24-14-0019	26-30-24-32-0025
11-30-24-24-0089	14-30-24-14-0036	23-30-24-14-0032	26-30-24-33-0048
11-30-24-24-0096	14-30-24-14-0076	23-30-24-21-0031	26-30-24-33-0073
12-30-24-12-0024	14-30-24-24-0065	23-30-24-22-0035	26-30-24-33-0114
12-30-24-12-0084	14-30-24-24-0099	23-30-24-23-0004	

The proposed assessment rolls are on file for public inspection at the City Clerk's Office. Notices are being mailed to all property owners.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a signed, written objection is filed with the City Clerk prior to the hearing or is presented to the presiding officer at the hearing. The City Council may, upon such notice, consider any objection to the amount of a proposed individual assessment at an adjourned meeting, upon such further notice to the affected property owners, as it deems advisable.

A property owner who has properly objected to the assessment may appeal an assessment to district court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or City Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or City Clerk.

The City of Fridley has adopted Resolution No. 14-1995 deferring special assessment payments for senior citizens. The City Council may defer the payment of special assessments for any homestead property owned by a person 65 years of age or older, or for persons retired due to permanent and total disability for which it would be a hardship to make the payments.

Mayor Scott J. Lund

Publish: September 18, 2023



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Resolution No. 2023-104, Approving Lawful Gambling Lease for Fridley Lions Club to Add Bingo Events to Forgotten Star Brewery

Background

Pursuant to sections of the Fridley City Code (Code), certain business licensing activities require approval of the Fridley City Council (Council), including Lawful Gambling. The Fridley Lions Club currently has leases for Lawful Gambling at five establishments throughout the City of Fridley (City) for sale of pull-tabs.

The Fridley Lions Club has applied to the State for a lease at Forgotten Star Brewery to add Bingo Events. Staff have performed the required verification steps spelled out in the Lawful Gambling Chapter of the Code. Upon approval of the Council, the associated certifications will be forwarded to the State for issuance of the Lawful Gambling lease at Forgotten Star Brewery.

Financial Impact

None

Recommendation

Staff recommend the approval of Resolution No. 2023-104.

Focus on Fridley Strategic Alignment

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

Attachments

- Resolution No. 2023-104
- State of Minnesota Lawful Gambling Lease Application

Vision Statement

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

Resolution No. 2023-104

Approving Lawful Gambling Lease for Lions Club to Add Bingo Events at Forgotten Star Brewery

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

Whereas, pursuant to Chapter 30 of the Code, the City Council shall approve lawful gambling activities; and

Whereas, a Lawful Gambling lease application was submitted by Adam Bedard to the State of Minnesota for adding Bingo Events at Forgotten Star Brewery; and

Whereas, applicable City staff have reviewed the applications and conditions of the City's Lawful Gambling activities; and

Whereas, applicable City staff recommend the approval of the following lease by the City Council.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves the Lawful Gambling lease to be issued to Adam Bedard for Bingo Events to be held at Forgotten Star Brewery.

Gambling				
Type of License	Applicant	Staff Approval	City Code	Minnesota Statute
Lawful Gambling Lease	Lions Club of Fridley	• City Clerk • Public Safety	Chapter 30	M.S. § 349.166

Passed and adopted by the City Council of the City of Fridley this 11th day of September, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

MINNESOTA LAWFUL GAMBLING

LG215 Lease for Lawful Gambling Activity

6/15 Page 1 of 2

LEASE INFORMATION			
Organization: Fridley Lions Club	License/Site Number: 00306	Daytime Phone: 218-851-2280	
Address: P.O. Box 32815	City: Fridley	State: Zip: MN 55432	
Name of Leased Premises: Forgotten Start Brewing Company, LLC	Street Address: 38 Northern Stacks Drive		
City: Fridley	State: Zip: MN MN	Daytime Phone:	
Name of Legal Owner: <i>Andrew Risvold</i>	Business/Street Address: <i>38 Northern Stacks Dr</i>		
City: <i>Fridley</i>	State: Zip: <i>MN 55421</i>	Daytime Phone: <i>612-501-2430</i>	
Name of Lessor (if same as legal owner, write "SAME"): SAME		Address:	
City:	State: Zip:	Daytime Phone:	
Check applicable item: ☒ New or amended lease. Effective date: <u>10/01/2023</u> . Submit changes at least ten days before the effective date of the change. ☐ New owner. Effective date: _____. Submit new lease within ten days after new lessor assumes ownership.			
CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)			
☐ Pull-Tabs (paper) ☐ Pull-Tabs (paper) with dispensing device ☒ Bar Bingo ☐ Tipboards ☐ Paddlewheel		☐ Electronic Pull-Tabs ☐ Electronic Linked Bingo Electronic games may only be conducted: 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.	
PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)			
BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.			
ALL GAMES, including electronic games: Monthly rent to be paid: _____%, not to exceed 10% of gross profits for that month. • Total rent paid from all organizations for only booth operations at the leased premises may not exceed \$1,750 . • The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.			
BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.			
ELECTRONIC GAMES: Monthly rent to be paid: _____%, not to exceed 15% of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.			
ALL OTHER GAMES: Monthly rent to be paid: _____%, not to exceed 20% of gross profits from all other forms of lawful gambling. • If any booth sales conducted by a licensed organization at the premises, rent may not exceed 10% of gross profits for that month and is subject to booth operation \$1,750 cap.			
BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)			
Bingo rent is limited to one of the following: • Rent to be paid: <u>10</u> %, not to exceed 10% of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo. - OR - • Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor. ⇒ Rent may not be paid for bar bingo. ⇒ Bar bingo does not include bingo games linked to other permitted premises.			
LEASE TERMINATION CLAUSE (must be completed)			
The lease may be terminated by either party with a written <u>30</u> day notice. Other terms:			

LG215 Lease for Lawful Gambling Activity

6/15 Page 2 of 2

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor:

Date:

 8/24/2023

Signature of Organization Official (Lessee):

Date:

 8/24/23

Print Name and Title of Lessor:

Andy Risold, President

Print Name and Title of Lessee:

Adam Bedard - GM

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:

Minnesota Gambling Control Board
1711 W. County Road B, Suite 300 South
Roseville, MN 55113

Fax: 651-639-4032



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Resolution No. 2023-108 Approving Claims for the Period Ending September 6, 2023

Background

Attached is Resolution No. 2023-108 and the claims report for the period ending September 6, 2023.

Financial Impact

Included in the budget.

Recommendation

Staff recommend the approval of Resolution No. 2023-108.

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. 2023-108
- City Council Claims Report

Vision Statement

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

Resolution No. 2023-108**Approving Claims for the Period Ending September 6, 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 September 6, 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 11th day of September, 2023.

Scott J. Lund - Mayor

Attest:

Melissa Moore – City Clerk



City of Fridley, MN

Item 9.

Bank Transaction Report

Transaction Detail

Issued Date Range: 08/24/2023 - 09/06/2023

Cleared Date Range: -

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
Bank Draft							
08/25/2023		DFT0004552	US BANK (P-CARDS)	Accounts Payable	Outstanding	Bank Draft	-105,513.92
09/01/2023		DFT0004553	SVAP II FRIDLEY MARKET LLC	Accounts Payable	Outstanding	Bank Draft	-19,725.22
09/01/2023		DFT0004554	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,539.23
09/01/2023		DFT0004555	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,189.70
09/01/2023		DFT0004556	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-19,698.47
09/01/2023		DFT0004557	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-5,164.35
09/01/2023		DFT0004558	DELTA DENTAL PLAN OF MINNESOTA	Accounts Payable	Outstanding	Bank Draft	-9,341.32
09/01/2023		DFT0004559	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-363.48
09/01/2023		DFT0004561	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-4,215.53
09/01/2023		DFT0004562	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-3,110.66
09/01/2023		DFT0004563	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-44,779.64
09/01/2023		DFT0004564	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-164.46
09/01/2023		DFT0004565	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-59,014.44
09/01/2023		DFT0004566	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-75.00
09/01/2023		DFT0004567	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-2,475.00
09/01/2023		DFT0004568	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-600.00
09/01/2023		DFT0004569	CITY OF FRIDLEY-MISSION SQUARE Roth IRA	Accounts Payable	Outstanding	Bank Draft	-4,264.60
09/01/2023		DFT0004570	BENEFIT RESOURCE LLC - BPA/VEBA	Accounts Payable	Outstanding	Bank Draft	-1,100.00
09/01/2023		DFT0004571	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-43,367.34
09/01/2023		DFT0004572	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-15,942.86
09/01/2023		DFT0004573	MINN DEPARTMENT OF REVENUE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-23,410.94
09/01/2023		DFT0004574	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-50,195.20
Bank Draft Total: (22)							-415,251.36
Check							
08/30/2023		201684	FRIDLEY FIRE RELIEF ASSOC	Accounts Payable	Outstanding	Check	-150.00
08/30/2023		201685	FRIDLEY POLICE ASSOCIATION	Accounts Payable	Outstanding	Check	-192.00
08/30/2023		201686	LAW ENFORCEMENT LABOR SERVICES	Accounts Payable	Outstanding	Check	-2,666.64
08/30/2023		201687	LEGALSHIELD	Accounts Payable	Outstanding	Check	-449.55
08/30/2023		201688	MINN CHILD SUPPORT PAYMENT CENTER	Accounts Payable	Outstanding	Check	-511.76
08/30/2023		201689	NCPERS MINNESOTA-478000	Accounts Payable	Outstanding	Check	-624.00
08/30/2023		201690	ACI ASPHALT & CONCRETE INC	Accounts Payable	Outstanding	Check	-1,645.00
08/30/2023		201691	ADVANCE AUTO PARTS / CARQUEST	Accounts Payable	Outstanding	Check	-7.22
08/30/2023		201692	ADVANCE COMPANIES INC	Accounts Payable	Outstanding	Check	-9,865.52
08/30/2023		201693	ANOKA COUNTY TREASURY OFFICE	Accounts Payable	Outstanding	Check	-950.00
08/30/2023		201694	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-372.88

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
08/30/2023		201695	AT & T WIRELESS SERVICE	Accounts Payable	Outstanding	Check	-70.00
08/30/2023		201696	ATLAS TOYOTA MATERIAL HANDLING LLC	Accounts Payable	Outstanding	Check	-149.00
08/30/2023		201697	BEISSWENGER'S HARDWARE	Accounts Payable	Outstanding	Check	-27.30
08/30/2023		201698	BERGERSON-CASWELL INC	Accounts Payable	Outstanding	Check	-54,736.25
08/30/2023		201699	BOLTON & MENK INC	Accounts Payable	Outstanding	Check	-56,094.00
08/30/2023		201700	BRAUN INTERTEC CORPORATION	Accounts Payable	Outstanding	Check	-1,020.00
08/30/2023		201701	CDW GOVERNMENT INC	Accounts Payable	Outstanding	Check	-12,764.55
08/30/2023		201702	COMCAST/XFINITY	Accounts Payable	Outstanding	Check	-1,429.67
08/30/2023		201703	COON CREEK WATERSHED DISTRICT	Accounts Payable	Outstanding	Check	-2,390.00
08/30/2023		201704	DELL MARKETING LP	Accounts Payable	Outstanding	Check	-2,953.60
08/30/2023		201705	DOOHER, MARY	Accounts Payable	Outstanding	Check	-13.05
08/30/2023		201706	EMERGENCY APPARATUS MAINT	Accounts Payable	Outstanding	Check	-56.64
08/30/2023		201707	EMERGENCY AUTOMOTIVE TECHNOLOGIES	Accounts Payable	Outstanding	Check	-4,773.23
08/30/2023		201708	FINANCE AND COMMERCE INC	Accounts Payable	Outstanding	Check	-149.24
08/30/2023		201709	FLAGSHIP RECREATION LLC	Accounts Payable	Outstanding	Check	-54,638.87
08/30/2023		201710	FRIENDLY CHEVROLET INC	Accounts Payable	Outstanding	Check	-400.40
08/30/2023		201711	GENUINE PARTS CO/NAPA	Accounts Payable	Outstanding	Check	-377.17
08/30/2023		201712	HAWKINS INC	Accounts Payable	Outstanding	Check	-1,883.27
08/30/2023		201713	INTERSTATE ALL BATTERY CENTER	Accounts Payable	Outstanding	Check	-839.70
08/30/2023		201714	KATH FUEL OIL SERVICE	Accounts Payable	Outstanding	Check	-177.50
08/30/2023		201715	KENNEDY & GRAVEN CHARTERED	Accounts Payable	Outstanding	Check	-6,815.38
08/30/2023		201716	KIESLER'S POLICE SUPPLY INC	Accounts Payable	Outstanding	Check	-581.49
08/30/2023		201717	LATHE, LAURIE	Accounts Payable	Outstanding	Check	-100.00
08/30/2023		201718	LEAGUE OF MN CITIES INS TRUST	Accounts Payable	Outstanding	Check	-3,306.69
08/30/2023		201719	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-1,195.89
08/30/2023		201720	MCFOA - MUNICIPAL CLERKS/FIN OFFICE	Accounts Payable	Outstanding	Check	-40.00
08/30/2023		201721	MENARDS - FRIDLEY	Accounts Payable	Outstanding	Check	-191.07
08/30/2023		201722	MINNESOTA METRO NORTH TOURISM BUREAU	Accounts Payable	Outstanding	Check	-11,992.93
08/30/2023		201723	NEW BRIGHTON, CITY OF	Accounts Payable	Outstanding	Check	-377.05
08/30/2023		201724	NORTHWESTERN UNIVERSITY/CENTER FOR PUBLIC SAFETY	Accounts Payable	Outstanding	Check	-4,400.00
08/30/2023		201725	OERTEL ARCHITECTS	Accounts Payable	Outstanding	Check	-9,750.00
08/30/2023		201726	OMANN BROTHERS CONTRACTING CO	Accounts Payable	Outstanding	Check	-310.55
08/30/2023		201727	PAPCO INC	Accounts Payable	Outstanding	Check	-1,979.31
08/30/2023		201728	QUADIENT FINANCE USA INC	Accounts Payable	Outstanding	Check	-1,800.00
08/30/2023		201729	RADCO INDUSTRIES INC	Accounts Payable	Outstanding	Check	-580.36
08/30/2023		201730	RECYCLE TECHNOLOGIES INC	Accounts Payable	Outstanding	Check	-7,505.90
08/30/2023		201731	RIPPLING STORIES / KATIE KNUTSON	Accounts Payable	Outstanding	Check	-350.00
08/30/2023		201732	RIVER VALLEY RAPTORS INC	Accounts Payable	Outstanding	Check	-310.00
08/30/2023		201733	ROCK SOLID LANDSCAPE & IRRIGATION	Accounts Payable	Outstanding	Check	-3,220.00
08/30/2023		201734	ROSENBAUER MINNESOTA LLC	Accounts Payable	Outstanding	Check	-315,635.00
08/30/2023		201735	SCHIFSKY & SONS INC	Accounts Payable	Outstanding	Check	-148.61
08/30/2023		201736	SMITH, MICHAEL	Accounts Payable	Outstanding	Check	-16.00
08/30/2023		201737	STEWART, MATTHEW	Accounts Payable	Outstanding	Check	-63.99

Bank Transaction Report

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Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
08/30/2023		201738	STIMEY ELECTRIC	Accounts Payable	Outstanding	Check	-10,913.39
08/30/2023		201739	SUBURBAN TIRE WHOLESALE INC	Accounts Payable	Outstanding	Check	-135.03
08/30/2023		201740	T-MOBILE	Accounts Payable	Outstanding	Check	-175.00
08/30/2023		201741	VALLEY-RICH CO INC	Accounts Payable	Outstanding	Check	-2,890.00
08/30/2023		201742	XCEL ENERGY	Accounts Payable	Outstanding	Check	-294.00
08/30/2023		201743	YALE MECHANICAL INC	Accounts Payable	Outstanding	Check	-3,041.96
09/01/2023	08/30/2023	19	19	Payroll	Cleared	Check	0.00
09/06/2023		201744	BARB DARBY-DEEN & ARNOLD DEEN	Utility Billing	Outstanding	Check	-1,431.81
09/06/2023		201745	56 BREWING LLC	Accounts Payable	Outstanding	Check	-293.00
09/06/2023		201746	ARTISAN BEER COMPANY	Accounts Payable	Outstanding	Check	-9,075.85
09/06/2023		201747	BELLBOY CORPORATION	Accounts Payable	Outstanding	Check	-2,626.98
09/06/2023		201748	BETTER BEV CO	Accounts Payable	Outstanding	Check	-92.00
09/06/2023		201749	BLUE CLOUD DISTRIBUTION OF MN	Accounts Payable	Outstanding	Check	-1,631.00
09/06/2023		201750	BOURGET IMPORTS	Accounts Payable	Outstanding	Check	-568.00
09/06/2023		201751	BREAKTHRU BEVERAGE BEER LLC	Accounts Payable	Outstanding	Check	-136,206.07
09/06/2023		201752	BREAKTHRU BEVERAGE WINE & SPIRITS	Accounts Payable	Outstanding	Check	-25,231.10
09/06/2023		201753	BROKEN CLOCK BREWING COOPERATIVE	Accounts Payable	Outstanding	Check	-230.00
09/06/2023		201754	CAPITOL BEVERAGE SALES	Accounts Payable	Outstanding	Check	-54,101.57
09/06/2023		201755	CLEAR RIVER BEVERAGE	Accounts Payable	Outstanding	Check	-2,085.90
09/06/2023		201756	COCA-COLA DISTRIBUTION	Accounts Payable	Outstanding	Check	-1,817.81
09/06/2023		201757	DREKKER BREWING COMPANY	Accounts Payable	Outstanding	Check	-589.50
09/06/2023		201758	DUAL CITIZEN BREWING CO	Accounts Payable	Outstanding	Check	-155.00
09/06/2023		201759	ELM CREEK BREWING COMPANY	Accounts Payable	Outstanding	Check	-132.00
09/06/2023		201760	HOHENSTEINS INC	Accounts Payable	Outstanding	Check	-14,496.05
09/06/2023		201761	INBOUND BREWCO	Accounts Payable	Outstanding	Check	-154.37
09/06/2023		201762	INSIGHT BREWING COMPANY	Accounts Payable	Outstanding	Check	-252.30
09/06/2023		201763	JOHNSON BROTHERS LIQUOR	Accounts Payable	Outstanding	Check	-61,449.67
09/06/2023		201764	MATTSON ICE	Accounts Payable	Outstanding	Check	-2,108.90
09/06/2023		201765	MAVERICK WINE COMPANY	Accounts Payable	Outstanding	Check	-591.00
09/06/2023		201766	MEGA BEER LLC	Accounts Payable	Outstanding	Check	-1,127.15
09/06/2023		201767	MODIST BREWING CO LLC	Accounts Payable	Outstanding	Check	-438.20
09/06/2023		201768	MOOSE LAKE BREWING COMPANY	Accounts Payable	Outstanding	Check	-360.00
09/06/2023		201769	OLD WORLD BEER	Accounts Payable	Outstanding	Check	-848.98
09/06/2023		201770	PAUSTIS WINE COMPANY	Accounts Payable	Outstanding	Check	-3,873.50
09/06/2023		201771	PEPSI COLA BOTTLING CO	Accounts Payable	Outstanding	Check	-555.40
09/06/2023		201772	PHILLIPS WINE & SPIRITS	Accounts Payable	Outstanding	Check	-14,310.41
09/06/2023		201773	PRYES BREWING	Accounts Payable	Outstanding	Check	-730.00
09/06/2023		201774	QUALITY REFRIGERATION SERVICE	Accounts Payable	Outstanding	Check	-358.87
09/06/2023		201775	RED BULL DISTRIBUTION	Accounts Payable	Outstanding	Check	-1,110.94
09/06/2023		201776	SOUTHERN WINE / SOUTHERN GLAZERS	Accounts Payable	Outstanding	Check	-30,519.06
09/06/2023		201777	SP3 LLC - PEQUOD DISTRIBUTING	Accounts Payable	Outstanding	Check	-1,160.62
09/06/2023		201778	SUMMER LAKES BEVERAGE	Accounts Payable	Outstanding	Check	-582.75
09/06/2023		201779	TEE JAY NORTH INC	Accounts Payable	Outstanding	Check	-1,326.99

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Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
09/06/2023		201780	THE LIBATION PROJECT	Accounts Payable	Outstanding	Check	-665.92
09/06/2023		201781	URBAN GROWLER BREWING COMPANY LLC	Accounts Payable	Outstanding	Check	-360.50
09/06/2023		201782	VINOCOPIA INC	Accounts Payable	Outstanding	Check	-1,180.63
09/06/2023		201783	WACONIA BREWING COMPANY	Accounts Payable	Outstanding	Check	-244.55
09/06/2023		201784	WINE COMPANY	Accounts Payable	Outstanding	Check	-618.45
09/06/2023		201785	WINE MERCHANTS	Accounts Payable	Outstanding	Check	-598.40
09/06/2023		201786	WINEBOW	Accounts Payable	Outstanding	Check	-2,317.40
09/06/2023		201787	WOODEN SHIP BREWING CO	Accounts Payable	Outstanding	Check	-193.20
09/06/2023		201788	WRS IMPORTS LLC	Accounts Payable	Outstanding	Check	-524.00
09/06/2023		201789	Z WINES USA	Accounts Payable	Outstanding	Check	-478.00
09/06/2023		201790	ADVANCE COMPANIES INC	Accounts Payable	Outstanding	Check	-2,323.61
09/06/2023		201791	ANOKA COUNTY TREASURY OFFICE	Accounts Payable	Outstanding	Check	-1,513.23
09/06/2023		201792	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-228.93
09/06/2023		201793	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-617.52
09/06/2023		201794	BATTERIES PLUS	Accounts Payable	Outstanding	Check	-25.15
09/06/2023		201795	BEISSWENGER'S HARDWARE	Accounts Payable	Outstanding	Check	-186.27
09/06/2023		201796	CENTERPOINT ENERGY-MINNEGASCO	Accounts Payable	Outstanding	Check	-16.07
09/06/2023		201797	CLOUDWELL	Accounts Payable	Outstanding	Check	-1,000.00
09/06/2023		201798	COMCAST/XFINITY	Accounts Payable	Outstanding	Check	-1,820.60
09/06/2023		201799	CORE & MAIN LP	Accounts Payable	Outstanding	Check	-5,704.83
09/06/2023		201800	CULLIGAN	Accounts Payable	Outstanding	Check	-126.45
09/06/2023		201801	CUSTOM GRAPHIX	Accounts Payable	Outstanding	Check	-180.18
09/06/2023		201802	EMERGENCY APPARATUS MAINT	Accounts Payable	Outstanding	Check	-2,567.58
09/06/2023		201803	GEORGE, RYAN	Accounts Payable	Outstanding	Check	-831.00
09/06/2023		201804	HEALTH PARTNERS	Accounts Payable	Outstanding	Check	-529.00
09/06/2023		201805	HMF INNOVATIONS	Accounts Payable	Outstanding	Check	-4,608.00
09/06/2023		201806	HOME DEPOT CREDIT SERVICES	Accounts Payable	Outstanding	Check	-62.68
09/06/2023		201807	KOSTUCH, DAVID	Accounts Payable	Outstanding	Check	-22.99
09/06/2023		201808	LEPAGE & SONS	Accounts Payable	Outstanding	Check	-257.50
09/06/2023		201809	MC TOOL & SAFETY	Accounts Payable	Outstanding	Check	-398.85
09/06/2023		201810	METRO GARAGE DOOR/WINTER INDUSTRIES LLC	Accounts Payable	Outstanding	Check	-220.00
09/06/2023		201811	MINN DEPT OF LABOR & INDUSTRY	Accounts Payable	Outstanding	Check	-1,959.93
09/06/2023		201812	MINN FIRE SERVICE CERT BOARD	Accounts Payable	Outstanding	Check	-901.25
09/06/2023		201813	MINN OCCUPATIONAL HEALTH	Accounts Payable	Outstanding	Check	-497.84
09/06/2023		201814	MINNEAPOLIS SAW INC	Accounts Payable	Outstanding	Check	-164.94
09/06/2023		201815	MINUTEMAN PRESS	Accounts Payable	Outstanding	Check	-168.84
09/06/2023		201816	NFP INSURANCE SERVICES INC	Accounts Payable	Outstanding	Check	-686.25
09/06/2023		201817	NORTH ANOKA PLUMBING / DUSTY'S DRAIN CLEANING	Accounts Payable	Outstanding	Check	-280.00
09/06/2023		201818	OMANN BROTHERS CONTRACTING CO	Accounts Payable	Outstanding	Check	-650.00
09/06/2023		201819	OUVERSON SEWER & WATER	Accounts Payable	Outstanding	Check	-5,000.00
09/06/2023		201820	PALADIN TECHNOLOGIES (USA) INC	Accounts Payable	Outstanding	Check	-27,466.06
09/06/2023		201821	QP MARKETING	Accounts Payable	Outstanding	Check	-401.50
09/06/2023		201822	ROADKILL ANIMAL CONTROL	Accounts Payable	Outstanding	Check	-103.00

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
09/06/2023		201823	ROBOS C/O MARK RINKE	Accounts Payable	Outstanding	Check	-1,000.00
09/06/2023		201824	SCHUSTER, ALISA	Accounts Payable	Outstanding	Check	-1,174.50
09/06/2023		201825	SOCCER COMMAND INC	Accounts Payable	Outstanding	Check	-501.97
09/06/2023		201826	STREICHER'S	Accounts Payable	Outstanding	Check	-8,016.48
09/06/2023		201827	T-MOBILE	Accounts Payable	Outstanding	Check	-125.00
09/06/2023		201828	ULINE	Accounts Payable	Outstanding	Check	-394.78
09/06/2023		201829	VOIGT BUS SERVICES INC	Accounts Payable	Outstanding	Check	-1,925.28
09/06/2023		201830	WITZEL, TIFFANY	Accounts Payable	Outstanding	Check	-100.00
09/06/2023		201831	XAYE THAO PHA	Utility Billing	Outstanding	Check	-162.71
Check Total: (149)							-1,055,222.18
EFT							
09/01/2023		917	CITY OF FRIDLEY-IAFF DUES/INTL ASSOC/FIRE FIGHTERS	Accounts Payable	Outstanding	EFT	-60.00
09/01/2023		EFT0000193	Payroll EFT	Payroll	Outstanding	EFT	-360,437.66
EFT Total: (2)							-360,497.66
Report Total: (173)							-1,830,971.20

Bank Account	Count	Amount
0000100479 City of Fridley	173	-1,830,971.20
Report Total:	173	-1,830,971.20

Cash Account	Count	Amount
No Cash Account	1	0.00
999 999-101100 Cash in Bank - CITY Pooled Cash	172	-1,830,971.20
Report Total:	173	-1,830,971.20

Transaction Type	Count	Amount
Bank Draft	22	-415,251.36
Check	149	-1,055,222.18
EFT	2	-360,497.66
Report Total:	173	-1,830,971.20



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Public Hearing to Consider On-Sale Liquor License by Justin Pouliot for Two Stooges Sports Bar and Grill and Resolution No. 2023-103, Approving On-Sale Liquor License for Two Stooges Sports Bar and Grill

Background

Justin Pouliot (Applicant) has applied for an On-Sale Liquor License for Two Stooges Sports Bar and Grill at 7178 University Avenue N.E. There is an existing liquor establishment at this location, it is being sold to a new owner, the applicant. The applicant does not plan to change the name of the business or make any significant changes to the business model. The applicant is aware of issues with safety at this establishment in 2021 and plans to employ reputable security personnel and is committed to operating a safe establishment. The applicant is also aware of the failed sale of the establishment in 2022 and has provided appropriate lease agreements.

The application for an On-Sale Liquor License was received by staff on September 1, 2023. The applicant has applied for an On-Sale Liquor License that will be effective September 12, 2023, through the remainder of the 2023-24 licensing period.

The applicant has completed all the necessary application materials. A background investigation has been completed by the Police Division, finding no outstanding issues or reasons to deny the license.

Fridley City Code Section 603.07, subd. 1 requires the City Council conduct a public hearing to consider the approval of said license. The Notice of Public Hearing was published in the City's Official Publication on September 1, 2023.

Financial Impact

Licensing fees collected by the City are anticipated in the annual budget.

Recommendation

Staff recommend the City Council conduct a public hearing to consider approving an On-Sale Liquor License for Two Stooges Sports Bar and Grill.

Staff recommend the approval of Resolution No. 2023-103.

Vision Statement

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

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. 2023-103
- Notice of Public Hearing

Vision Statement

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

Resolution No. 2023-103**Approving On-Sale Liquor License for Two Stooges Bar and Grill**

Whereas, Minnesota Statute § 340A.404 enables municipalities to issue On-Sale Liquor Licenses to establishments within its jurisdiction; and

Whereas, Fridley City Code Chapter 603 directs licensing requirements and activities for On-Sale Liquor Licenses in the City of Fridley; and

Whereas, City staff have worked with the applicant, Justin Pouliot, to ensure all licensing requirements have been met; and

Whereas, the Fridley City Council conducted a public hearing on September 11, 2023 pursuant to Fridley City Code § 603.07 subd. 1d.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves an On-Sale Liquor License to Justin Pouliot for Two Stooges Bar and Grill located at 7178 University Avenue NE.

Passed and adopted by the City Council of the City of Fridley this 11th day of September, 2023

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

City of Fridley City Council
Notice of Public Hearing to Consider On-Sale Liquor License by Justin Pouliot for
Two Stooges Sports Bar and Grill

Notice is hereby given that the Fridley City Council will hold a public hearing at Fridley City Hall, 7071 University Avenue NE, Fridley, Minnesota, on Monday, September 11, 2023 at 7:00 pm on the question of issuing an On-Sale Liquor License to Two Stooges Sports Bar and Grill located at 7178 University Avenue N.E. The applicant is Justin Pouliot.

Hearing impaired persons planning to attend who need an interpreter or other persons with disabilities who require auxiliary aids should contact City Hall at 763-571-3150 no later than September 8, 2023.

Anyone having an interest in this matter should make their interest known at this public meeting.

Beth Kondrick Deputy City Clerk



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: Planning Commission

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

Title

Ordinance No. 1416, Public Hearing and First Reading to Consider Amending the Fridley City Code Chapter 205, Zoning, to allow Interim Use Permits

Background

The City of Fridley regulates land use in a variety of ways. Through the zoning chapters of the Fridley City Code, some uses are considered "Permitted" and are allowed by right, with no special review or approvals granted by the City Council. Other uses are considered "Special Uses" within a certain zoning district and require review and approval by the Planning Commission and City Council before they are allowed.

Once approved, both Permitted and Special Uses are permanent and "run with the land." They do not expire and are not affected by the sale of property. However, some uses may not be permanently desirable for a property. In those instances, State Statute allows cities to issue Interim Use Permits, which operate similar to Fridley's Special Use Permits, with the exception of being time-bound in some sense. Interim use permits are only valid until:

1. A particular date;
2. The occurrence of a particular event; or
3. A change in zoning regulations that no longer allow the interim use.

Interim use permits allow the city regulatory flexibility and the opportunity to approve certain land uses without creating a future legal nonconformity (e.g., creating a "grandfathered" use).

Staff have developed a short list of potential Interim Uses, including temporary facilities, seasonal uses, and manufacturing or retail or wholesale uses of an identified Redevelopment Site that is unlikely to redevelop within the interim use permit period. The draft ordinance also allows the City Council to determine similar uses to be approved as Interim Uses.

The Planning Commission held a public hearing on the proposed ordinance at their August 16, 2023, meeting. After a discussion among the Commissioners, they unanimously recommended approval of the ordinance as presented. A notice of the public hearing was published in the City's Official Publication (see attached).

Vision Statement

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

Financial Impact

Interim Use Permits require the same public hearing procedures as Special Use Permits, and fees will be set accordingly.

Recommendation

Staff recommend the City Council open the public hearing, take comment, then close the public hearing.

Staff recommend the City Council approve a first reading of Ordinance No. 1416.

Attachments and Other Resources

- Ordinance No. 1416
- Public Hearing Notice

Vision Statement

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

Ordinance No. 1416

Amending the Fridley City Code Chapter 205, Zoning, to Allow Interim Uses

The City Council of the City of Fridley does ordain, after review, examination and staff recommendation that the Fridley City Code be amended as follows:

Section 1

That the Fridley City Code Chapter 205, Zoning, be hereby amended as follows:

205.05 Administration and Enforcement

6. Interim Use Permit

A. Definition and Purpose.

(1) An interim use is a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

(2) The purposes for allowing interim uses are:

(a) To allow a use for a temporary period of time until a permanent location is obtained or while the permanent location is under construction;

(b) To allow a use that is presently judged acceptable by the City Council, but that with anticipated development or redevelopment, will not be acceptable in the future or will be replaced in the future by a permitted or special conditional use allowed within the respective district;

(c) To allow a use that is seasonal in nature; or

(d) To allow a use for a limited period of time that reasonably uses the property where it is not reasonable to use it in the manner otherwise provided in the zoning ordinance or comprehensive plan.

B. Application. An application for an interim use permit must comply with the provisions for a conditional Special Use Permit in the section of this chapter titled Special Use Permit.

C. Procedure. An interim use application will be processed in accordance with the procedure for conditional Special Use Permits established in this chapter.

D. General Standards. No interim use permit may be granted unless the City Council determines that the use will comply with the following:

- (1) The use will not delay anticipated development or redevelopment of the site;
- (2) The use will not adversely impact implementation of the Comprehensive Plan;
- (3) The use will not be in conflict with provisions of the city code on an ongoing basis;
- (4) The use will not adversely affect the adjacent property, the surrounding neighborhood, or other uses on the property where the use will be located;
- (5) The date or event that will terminate the use can be identified with certainty;
- (6) The use will not impose additional unreasonable costs on the public;
- (7) The applicant has signed a consent agreement stating that the applicant, owner, operator, tenant and/or user has no entitlement to future re-approval of the interim use permit and that the interim use permit will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
- (8) The applicant agrees in writing to any conditions that the City Council deems appropriate for the use including the requirement for a financial security to ensure removal of all evidence of the use upon termination.

E. Uses Permitted with an Interim Use Permit may include but are not limited to:

- (1) Interim use of an identified Redevelopment Site unlikely to redevelop within the interim use permit period;
- (2) Temporary structures in use until a permanent facility can be constructed;
- (3) Off-site parking;
- (4) Seasonal uses not otherwise provided for in this Chapter;
- (5) Any other uses determined by the City Council to be the same or similar type uses.

F. Effect of Permit.

- (1) An interim use permit is effective only for the location specified in the permit.
- (2) An interim use permit, including any conditions, shall run with the land and shall not be affected by a change in ownership of the property unless it is stated in the interim use permit that a change in ownership of the property will terminate the interim use permit.

(3) The issuance of an interim use permit does not confer on the property any vested right.

(4) The granting of an interim use permit by the City does not constitute, imply, or guarantee the granting of any other required approvals (e.g., a building permit).

G. Termination.

(1) An interim use permit expires and the interim use must terminate at the earlier of:

(a) The expiration date of the interim use permit;

(b) The occurrence of any event identified in the interim use permit for the termination of the use;

(c) Revocation of the interim use permit; or

(d) An amendment to city code that no longer allows the interim use.

(2) An interim use permit expires if the interim use ceases operation for a continuous period of at least one year.

H. Revocation or Modification. The City Council may review an interim use permit periodically and may revoke a permit upon violation of any condition of the permit, any law of the United States or the State of Minnesota, or any city ordinance. If it is discovered after approval of the interim use permit that the city's decision was based at least in part on false, misleading, or fraudulent information, the City Council may revoke the permit, modify the conditions, or impose additional conditions to ensure compliance with this section. The procedure for revocation will be the same as that for Special Use Permits specified in this section. All costs incurred by the City during the revocation process may be assessed to the property.

I. Amendments. All requested amendments to the conditions of an existing interim use permit shall be processed in the same manner as a new application.

J. Renewals. The property owner may initiate renewal of an Interim Use Permit set to expire. Application requirements for renewal of an existing interim use permit shall be the same as for a new application.

(1) Terminated interim use permits cannot be renewed.

(2) Upon receiving a complete application for an interim use permit renewal, the City shall send notice of the requested renewal to all property owners within 350 feet of the parcel(s) containing the interim use. If any objections are raised within 10 days of the mailed notice, the application shall be processed in the manner of a new application. If no objections are raised, the City shall prepare a resolution to approve outlining the conditions and stipulations

of renewal for consideration by the City Council. The City Council at its discretion may approve or deny the request with findings. Denial of a renewal request does not constitute termination of the existing interim use permit.

~~6.~~ 7. Variances

A. Planning Commission.

The City Council has established the Planning Commission to serve as the Board of Appeals and Adjustment, and to exercise all the authority and perform all functions of said Board pursuant to Minnesota Statute Sections 462.351 to 462.36 4 and operate according to the Fridley City Code.

B. Petition By Owner.

A variance may be granted when it is in harmony with the general purposes and intent of this Chapter and when the variance is consistent with the Comprehensive Plan. A property owner may request a variance when the owner establishes that there are practical difficulties in complying with this Chapter. An application must be filed with the City and must state the exceptional conditions and the peculiar and practical difficulties claimed as a basis for a variance. A practical difficulty means:

- (1) The property owner proposes performance standards for the property in a reasonable manner, but not permitted by the Zoning Code.
- (2) The plight of the landowner is due to circumstances unique to the property not created by the landowner.
- (3) The variance, if granted, will not alter the essential character of the locality.

C. Hearing.

Within thirty (30) days after filing a completed application, the Planning Commission shall hold a hearing thereon and shall hear such persons that want to be heard. Notice of such hearing shall be mailed out at least ten (10) days before the date of the hearing to each owner of affected property situated wholly or partially within 350 feet of the requested variance location.

D. Recommendations By Planning Commission.

The Planning Commission must act and report its recommendations within a reasonable time so that the City Council can act on the application within sixty (60) days of receipt of completed application. The Planning Commission may impose conditions in the granting of a variance that the Commission considers necessary to protect adjacent properties.

E. Variances In R-1 Zoning.

(1) In areas zoned R-1 (One Family Dwelling District) and S-1 (Hyde Park Neighborhood District), the Planning Commission has the authority to grant final approval of variances when all of the following conditions are met:

- (a) There is unanimous agreement of the Planning Commission.
 - (b) The staff concurs with the recommendations of the Planning Commission.
 - (c) The general public attending the meeting or responding to the notice of public hearing have no objection.
 - (d) The petitioner is in agreement with the recommendation.
- (2) When the above conditions are not met, the variance request must be reviewed by the City Council.

F. Record Of Action Taken.

The Planning Commission shall provide for a written record or video recording of its proceedings which shall include the minutes of its meeting, its findings and the recommendation, approval, or denial of each matter heard by it. The finding of fact shall contain the following:

- (1) The public policy which is served by requirement; and
- (2) The unique circumstance of the property that cause practical difficulties in the strict application of the requirement; and
- (3) Any stipulations of the variance approval.

G. Action By The City Council.

The City Council must act on the recommendation of the Planning Commission and decide on the action to be taken within sixty (60) days of the notice of variance.

H. Lapse Of Variance By Non-use.

If work as permitted by a variance is not commenced within one year and completed within two years after granting-of a variance, then the variance shall become null and void unless a petition for extension of time in which to complete the work has been granted by the City Council. Such extension shall be requested in writing and filed with the City at least twenty (20) days before the expiration of the original variance. The request for extension shall state

facts showing a good faith attempt to complete the work permitted in the variance. Such petition shall be presented to the City Council for review and/or decision.

~~7.~~ 8. Appeals

A. Planning Commission.

The City Council established the Planning Commission to serve as the Board of Appeals and Adjustment and to exercise all the authority and perform all functions of said Board pursuant to Minnesota Statute Sections 462.351 to 462.364 and operate according to the Fridley City Code.

B. Petition by Owner.

Any person aggrieved by an alleged error in any order, requirement, decision, or determination made by a code enforcement officer or any other duly authorized agent in the enforcement of this Chapter, may request a hearing before the Planning Commission. The appeal must be made in writing to the Community Development Director according to the terms and procedures established in Chapter 128 of City Code, and must clearly describe the code section under appeal, the facts of the matter, and the mailing address of the owner.

C. Hearing.

The Community Development Director shall notify the Planning Commission and the property owner of the hearing's date, time, and place. Within sixty (60) days after filing an appeal from the administrative order, the Planning Commission shall hold a public hearing thereon, unless a date is agreed upon by the property owner and the City. Both the property owner and representatives of the City may appear at the hearing with Council and may call witnesses and present relevant and competent evidence.

D. Recommendations by Planning Commission.

Within ten (10) days after such hearing, the Planning Commission shall reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination of the code enforcement officer or other duly authorized agent.

E. Record of Action Taken.

The Planning Commission shall provide for a written record or video recording of its proceedings which shall include the minutes of its meeting, its findings and the recommendation, approval, or denial of each matter heard by it.

F. Appeal to Council.

Any person aggrieved by the decision of the Planning Commission may appeal that decision to the City Council by filing notice of such appeal with the Community Development Director within twenty (20) days of receiving notice of the Planning Commission's decision. The appeal must be in writing and must include a statement of the alleged errors or omissions of the Planning Commission. The City Council shall review the record and recommendation created by the Planning Commission within twenty (20) days following an appeal request and shall reverse or affirm wholly or partly, or modify the order, requirement, decision, or determination of the Planning Commission. If the Council fails to make a timely decision, the appeal shall be deemed to have been approved.

~~8.~~9. Vacations

A. Process.

A party desiring to vacate any public right-of-way or easement, may file a written vacation request with the City together with the fee established in Chapter 11 of the City Code and the documentation required by the City on the application.

B. Public Water.

If a public right-of-way included in a vacation application adjoins a body of public water, a written notice must be sent to the Commissioner of the Minnesota Department of Natural Resources at least sixty (60) days before the hearing on the matter. In such cases, the City may provide for an extension of no more than sixty (60) days of the period for consideration of the application by notifying the applicant in writing. Failure of a property owner to receive notice shall not invalidate any such proceedings as set forth within this Chapter.

C. Council Hearing and Action.

- (1) Hearing. The City Council shall conduct a public hearing following notice described in this Section on the vacation request. The City Council shall follow such procedures as established by the City Charter for approval of vacation requests.
- (2) Notice. The public hearing shall follow a minimum two (2) week's published and posted notice and a minimum ten (10) day written notice to any adjoining property owner and on public right of way vacations.
- (3) Reservation of Interest. The City Council may specify the extent to which such vacation affects existing easements therein and the extent to which the vacation affects the authority of any person, corporation or city owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants, thereon or thereunder, to continue to maintain the same or to enter upon such public right of

way or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto.

9. ~~10.~~ Building Permits

- A. No construction shall commence until a building permit has been issued indicating that the existing or proposed structure and the use of the land, comply with this Chapter and all building codes.
 - (1) All applications for building permits which will affect the outside dimensions of a structure, shall be accompanied by three (3) copies of a site plan.
 - (2) If the site consists of land not a part of a subdivision or land composed of partial lots, the site plan shall be attached to a survey or a registered land survey showing the actual dimensions of the lot, lots or parcel to be built upon. The site plan shall also show dimensions of existing and or proposed structures to be erected or structurally altered, their location on the site in relation to the outside boundary, the required off-street parking plan, proposed and existing grades, which indicate drainage considerations, and such other information as may be necessary to provide for the enforcement of these regulations.
 - (3) Site plans submitted for all uses except one and two family dwellings shall contain lighting and landscape plans, and all site improvements are to be bonded at the rate of 3% of the total project cost up to a maximum amount of \$60,000, guaranteed by letter of credit or bond to the City.
 - (4) The Council may waive the bond requirement, but a performance agreement would then be required from the land owner, requiring the work to be done within a reasonable time, to be fixed in the agreement, and if such improvements are not completed within the time specified, the City may construct or complete such improvements and assess the cost against the owner.
- B. No building permit will be issued unless sufficient construction plans or written description of construction, grading, excavating and filling as required by the City to assure reasonable structural safety and adequacy of building and finished grades for the proposed use have been submitted and approved.
- C. Once construction of the foundation has been completed, an as-built certificate of survey showing the location of the foundation shall be required, before the framing of the structure is begun.
- D. All institutional, multiple dwelling, commercial and industrial developments must obtain a parking lot (land alteration) permit before paving may begin on any parking lot built or added onto, that is not a part of a building permit. A plan for the parking lot shall be submitted to

the City for approval. This plan shall show the proposed site, structures, access drives, off-street loading spaces, screening, lighting, stacking spaces, curbing, drainage, striping, landscaping, parking spaces, existing structures within 100 feet of the site and paving specifications. If the proposed plan meets all City and State requirements, a land alteration permit shall be issued.

- E. Every permit issued by the City under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee therefor shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such; work; and provided further that such suspension or abandonment has not exceeded one (1) year.
- F. Any permittee holding an unexpired permit may apply for an extension of the time within which he or she may commence work under that permit when he or she is unable to commence work within the time required by this Section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

10-11. Certificate of Occupancy

- A. A certificate of occupancy shall be obtained for all new construction stating that all provisions of this Chapter and the Chapter of the Fridley City Code entitled "Building and Related Permit Fees" are in compliance.
- B. A certificate of compliance shall be issued to all existing legal nonconforming and conforming uses which do not have a certificate of occupancy after all public health, safety, convenience and general welfare conditions of the City Code are in compliance.
- C. No permit or license required by the City of Fridley or other governmental agency shall be issued by any department official or employee of the City of such governmental agency, unless the application for such permit or license is accompanied by proof of the issuance of a certificate of occupancy or certificate of compliance.

11-12. Enforcement

Violation A Misdemeanor; Penalty.

The owner of a building or premises in or upon which a violation of any provisions of this Chapter has been committed, or shall exist; or the lessee of the entire building or entire premises in or upon which a violation has been committed or shall exist; or the owner or lessee of any part of the building, or premises in or upon which such violation has been committed or shall exist, shall be guilty of a misdemeanor, and subject to all penalties provided for such violations under the provision of Chapter 901 of this Code each and every day that such violation continues. Any such person who, having been served with an order to remove any such violation, shall fail to comply with said order to remove any such violation, within ten (10) days after such service, or shall continue to violate any provisions of the regulations made under authority of this Chapter in the respect named in such order shall be guilty of a misdemeanor and subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code. Each day that such violation continues shall be a separate violation.

Section 2

That the Fridley City Code be hereby amended by updating Chapter 209, Fees as follows:

Fridley City Code Chapter 209 Fees

209.12.7 Planning And Zoning Fees

Code	Subject	Fee
M.S. § 462.355	Comprehensive Plan Amendment	\$1,500
217	Condominium (annual registration) - 2-4 units - 5-12 units - 13-24 units - Over 24 units	\$20 \$30 \$40 \$50
217.04	Condominium conversion registration (one-time fee) - 2 units - 3-7 units - 8-12 units - Over 12 units	\$500 \$750 \$1,000 \$1,000 + \$50 per unit for every unit over 12
208	Conservation Plan Review (as part of building permit for new construction)	\$450
205	Farmers Market Event Permit	\$100
<u>205</u>	<u>Interim Use Permit</u> - <u>R-1</u> - <u>All others</u>	<u>\$1,000</u> <u>\$1,500</u>

211	Lot Splits	\$1,250
205.24	Master Plan, Application or Amendment	\$1,500
203	Manufactured Home Parks	\$30 + \$1 per trailer site (one-time fee)
214	Signs and/or Billboards - Permanent wall sign - Permanent free-standing/monument - Permanent re-face/face-change - Temporary sign	\$100 \$200 \$50 \$100 plus (\$200 deposit refunded if conditions met)
205.30	Telecommunications Permit to add Equipment to an Approved Site Small Cell Telecommunications Towers and Facilities District - 205.30.24 Distributed Antenna System (DAS) Application Fee - 205.30.24 DAS Application Review Fee - 205.30.9(9) DAS Abandonment Escrow	\$400/user/tower \$500 \$1,500 \$2,000
205.30	Temporary Outdoor Display Permit	\$75
205.33	Transit Oriented District (TOD) Project Plan Application	\$1,500
205.33	TOD Tree Substitution Fee to TOD Capital Project Fund	\$500 per tree
211	Plat - Up to 200 lots - Each additional lot	\$1,500 \$15
205	Rezoning	\$1,500
205	Special Use Permit - R-1 - All others	\$1,000 \$1,500
205	Vacations, Right of Way or Easement	\$1,500
205	Variance - R-1 - All others	\$500 \$1,400
205	Wetlands - Certifying Exemptions - Replacement Plan Application - No Loss Determination - Appeal of Decision	\$1,500 \$1,500 \$1,500 \$1,500

Passed and adopted by the City Council of the City of Fridley on this xx day of [Month], 2023.

Scott J. Lund - Mayor

Melissa Moore - City Clerk

Public Hearing: September 11, 2023

First Reading: September 11, 2023

Second Reading:

Publication:



AGENDA REPORT

Meeting Date: September 11, 2023

Meeting Type: City Council

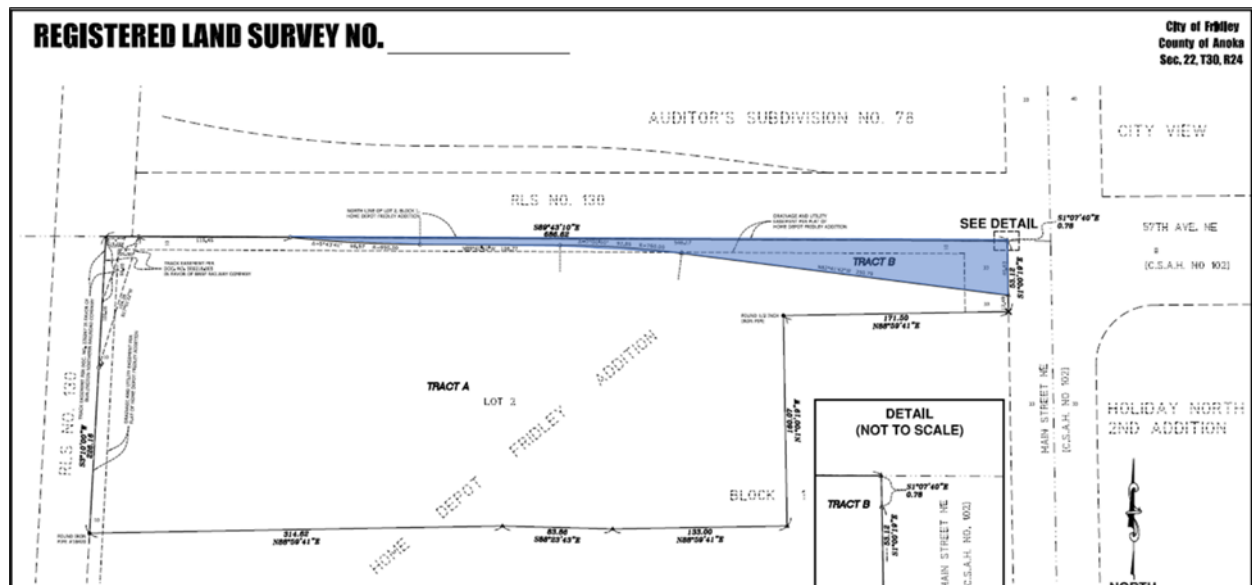
Submitted By: Scott Hickok, Community Development Director
Stacy Stromberg, Planning Manager

Title

Resolution No. 2023-101, Approving a Registered Land Survey, PS #23-01 Petitioned by the City's Housing and Redevelopment Authority (HRA) for the Property Located at 5660 Main Street N.E.

Background

The City's Housing and Redevelopment Authority (HRA) is requesting a Registered Land Survey (RLS) to create two new lots, Tract A and B, from the property at 5660 Main Street (former Goodwill property). The creation of the new lots will allow the City to take ownership of Tract B, which is the land area needed for the right-of-way for the 57th Avenue bridge extension from Main Street to East River Road.



During the 2030 Comprehensive Planning process, which started in 2007, the 57th Avenue bridge extension from Main Street to East River Road was identified as a goal within the economic and redevelopment chapter. The creation of this east-west connection would provide emergency personnel a much-needed alternative route for reaching accidents/emergencies while avoiding I-694 during rush hour. In addition, it will connect the hundreds of residents that live at Georgetown Apartments and the Charles and Anna Street Apartments to fresh food and other retail amenities.

Vision Statement

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

In 2012, Anoka County and the Cities of Fridley and Coon Rapids completed a Corridor Study for East River Road from I-694 to I-610. One of the top priorities that was identified in that study was the 57th Avenue extension.

In 2018, when the developer of the property at 5601 East River Road submitted a rezoning and plat request to redevelopment the property, the City acquired the 57th Avenue right-of-way during the platting process.

A Notice of Public Hearing before the Planning Commission was published in the August 4, 2023, edition of the City's Official Publication.

The Planning Commission held a public hearing for PS #23-01 at their August 16, 2023, meeting and recommended approval of the Registered Land Survey. The motion carried unanimously.

Financial Impact

No financial impact.

Recommendation

Staff recommend the approval of Resolution No. 2023-101.

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. 2023-101
- Registered Land Survey drawing
- Public Hearing Notice

Vision Statement

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

Resolution No. 2023-101**Approving the Preliminary Registered Land Survey, PS #23-01 Petitioned by the City's Housing and Redevelopment Authority (HRA) for the Property Located at 5660 Main Street N.E.**

Whereas, the Planning Commission held a public hearing for Registered Land Survey, PS #23-01 on August 16, 2023 and recommended approval; and

Whereas, the City Council approved the Registered Land Survey, prepared by E.G. Rud & Sons, Inc., for the property at 5660 Main Street N.E. at their September 11, 2023 meeting; and

Whereas, a copy of the preliminary Registered Land Survey is attached as Exhibit A.

Now, therefore be it resolved, that the City Council of the City of Fridley approves Preliminary Registered Land Survey, PS #23-01 and directs the petitioner to prepare the final documents to be submitted to the City for approval within six months of the date the Council approved the registered land survey or said approval shall become null and void.

Passed and adopted by the City Council of the City of Fridley this 11th day of September, 2023.

Scott J. Lund – Mayor

Attest:

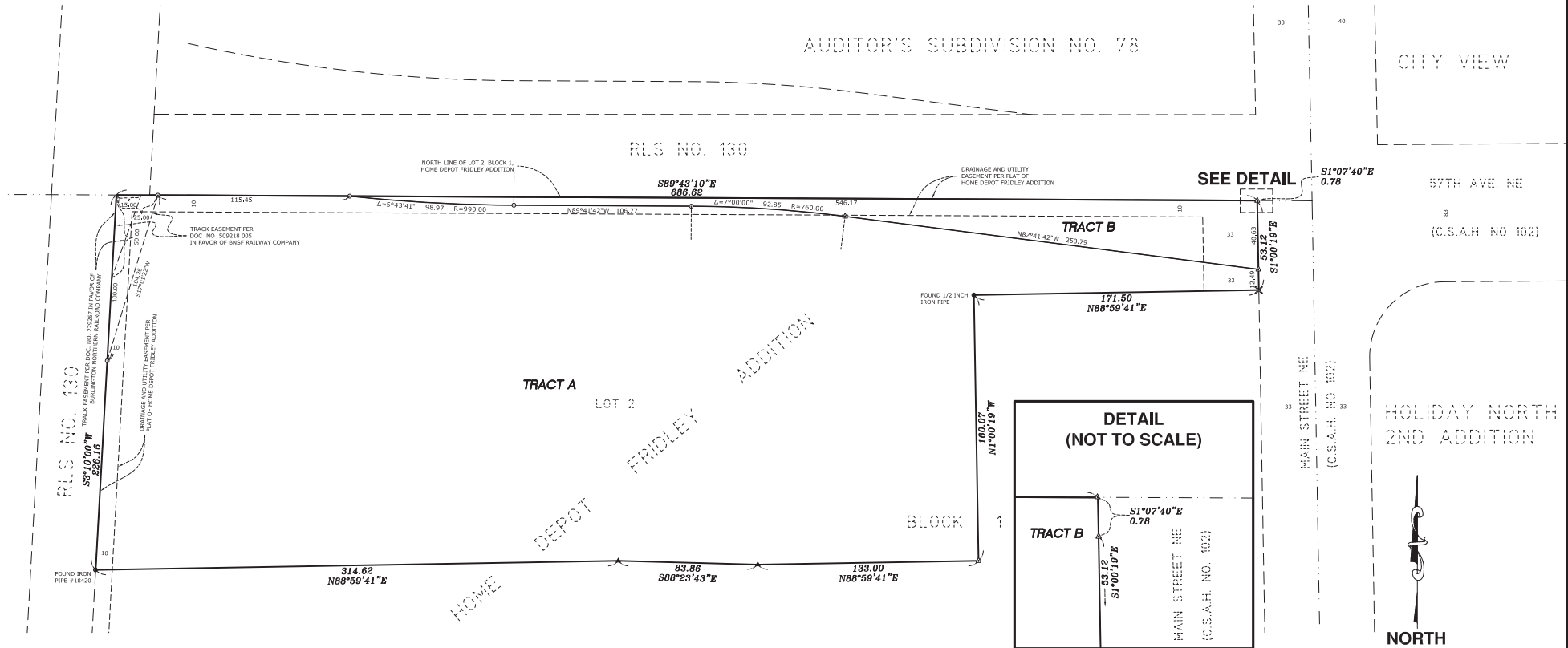
Melissa Moore – City Clerk

City of Fridley
County of Anoka
Sec. 22, T30, R24

REGISTERED LAND SURVEY NO.

PRELIMINARY COPY

LAST SAVED BY: BNEHERLA on Wednesday, June 28, 2023 at 11:11:27 PM
LOCATION: C:\CIVIL 3D PROJECTS\200425
FILE: 200425.DWG
FILESIZE: 8.61 MB



I, Jason E. Rud, hereby certify that, in accordance with the provisions of Minnesota Statutes, Section 508.47, I have surveyed the following described property situated in the County of Anoka, State of Minnesota:

Lot 2, Block 1, HOME DEPOT FRIDLEY ADDITION

I hereby certify that this Registered Land Survey was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that this Registered Land Survey is a correct representation of said parcel of land,

Dated this ____ day of _____, 20____.

Jason E. Rud, Licensed Land Surveyor
Minnesota License No. 41578

CITY COUNCIL, CITY OF FRIDLEY, MINNESOTA

We do hereby certify that on this ____ day of _____, 20____, the City Council of the City of Fridley, Minnesota, has approved this Registered Land Survey.

_____, Mayor _____, Clerk

ANOKA COUNTY SURVEYOR

Pursuant to Minnesota Statutes, Section 389.09, Subd. 1, this Registered Land Survey has been reviewed and approved this ____ day of _____, 20____.

David M. Ziegler, Anoka County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 508.47, Subd. 4, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____ day of _____, 20____.

Property Tax Administrator

By _____, Deputy

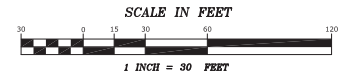
COUNTY RECORDER/REGISTRAR OF TITLES

COUNTY OF ANOKA, STATE OF MINNESOTA

I hereby certify that this REGISTERED LAND SURVEY NO. _____ was filed in the office of the County Recorder/Registrar of Titles for public record on this ____ day of _____, 20____, at ____ o'clock ____ M., and was duly recorded as Document Number _____.

County Recorder/Registrar of Titles

By _____, Deputy



FOR THE PURPOSES OF THIS PLAN THE NORTH LINE OF LOT 2, BLOCK 1, HOME DEPOT FRIDLEY ADDITION, ANOKA COUNTY, MINNESOTA IS ASSUMED TO HAVE A BEARING OF SOUTH 89 DEGREES 43 MINUTES 10 SECONDS EAST.

- DENOTES 1/2 INCH BY 14 INCH IRON PIPE MARKED BY RLS NO. 41578,
- DENOTES IRON MONUMENT FOUND AS LABELED
- ▲ DENOTES SET PK NAIL
- ▲ DENOTES FOUND NAIL
- ✕ DENOTES X SCRIBED IN CONCRETE

E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors

STANDINGS

AMERICAN LEAGUE

CENTRAL	W	L	PCT	GB	WCBS	LB	STB	HOME	AWAY
Texas	56	34	.619	0	1	1	1	28-14	26-20
Cleveland	50	40	.556	7 1/2	6 1/2	4	4	28-24	25-32
Chicago	48	44	.519	11	14	7	7	25-28	25-30
Chicago	43	51	.458	17 1/2	21	12	14	23-29	20-38
Kansas City	35	75	.317	28 1/2	31	25	23	16-36	14-39

EAST	W	L	PCT	GB	WCBS	LB	STB	HOME	AWAY
Baltimore	67	40	.625	0	1	1	1	31-19	29-26
Tampa Bay	66	45	.595	2	1	1	1	31-19	29-26
Tampa Bay	60	54	.524	7 1/2	7 1/2	7 1/2	7 1/2	28-24	25-32
Boston	51	57	.470	16 1/2	16 1/2	16 1/2	16 1/2	25-30	25-30
New York	57	52	.523	10	10	10	10	26-26	23-26

WEST	W	L	PCT	GB	WCBS	LB	STB	HOME	AWAY
Los Angeles	63	46	.580	0	1	1	1	31-19	29-26
Houston	62	48	.564	1 1/2	1 1/2	1 1/2	1 1/2	31-19	29-26
Seattle	57	53	.519	7 1/2	7 1/2	7 1/2	7 1/2	28-24	25-32
Los Angeles	56	54	.509	7 1/2	7 1/2	7 1/2	7 1/2	28-24	25-32
Oakland	30	75	.285	33	33	33	33	15-39	15-40

NATIONAL LEAGUE

CENTRAL	W	L	PCT	GB	WCBS	LB	STB	HOME	AWAY
Milwaukee	59	51	.536	0	1	1	1	29-26	29-26
Cincinnati	59	52	.532	1 1/2	1 1/2	1 1/2	1 1/2	29-26	29-26
Chicago	59	54	.519	2 1/2	2 1/2	2 1/2	2 1/2	29-26	29-26
Pittsburgh	48	64	.429	14 1/2	14 1/2	14 1/2	14 1/2	26-32	23-32
St. Louis	48	63	.435	15 1/2	15 1/2	15 1/2	15 1/2	26-32	23-32

EAST	W	L	PCT	GB	WCBS	LB	STB	HOME	AWAY
Atlanta	69	37	.658	0	1	1	1	32-20	32-27
Philadelphia	59	50	.541	11 1/2	11 1/2	11 1/2	11 1/2	29-26	30-30
Atlanta	57	54	.511	14 1/2	14 1/2	14 1/2	14 1/2	29-26	30-30
New York	50	58	.463	20 1/2	20 1/2	20 1/2	20 1/2	26-32	26-32
Washington	46	63	.421	24 1/2	24 1/2	24 1/2	24 1/2	26-32	26-32

WEST	W	L	PCT	GB	WCBS	LB	STB	HOME	AWAY
Los Angeles	61	45	.575	0	1	1	1	32-20	32-27
San Francisco	61	49	.555	2	2	2	2	32-20	32-27
San Diego	54	58	.483	8 1/2	8 1/2	8 1/2	8 1/2	29-26	30-30
Colorado	42	68	.385	19 1/2	19 1/2	19 1/2	19 1/2	26-32	26-32

TODAY'S PITCHING MATCHUPS

Away	Pitcher	W-L	ERA	Record	Starts	TV
Ariz	Kelly	9-5	3.23	0-2	16.0	BSN
Tex	Shane Bieber	16-5	3.19	1-1	16.0	BSN
Ind	Ueffel	10-12	4.85	1-1	10.1	43pm
Chi	Shane Bieber	16-5	3.19	1-1	16.0	BSN
Chi	Shane Bieber	16-5	3.19	1-1	16.0	BSN
Chi	Shane Bieber	16-5	3.19	1-1	16.0	BSN
Chi	Shane Bieber	16-5	3.19	1-1	16.0	BSN
Chi	Shane Bieber	16-5	3.19	1-1	16.0	BSN
Chi	Shane Bieber	16-5	3.19	1-1	16.0	BSN
Chi	Shane Bieber	16-5	3.19	1-1	16.0	BSN

N.L. TODAY'S PITCHING MATCHUPS

Away	Pitcher	W-L	ERA	Record	Starts	TV
Ariz	Fried	10-11	2.08	1-1	17.2	MLB
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm
Chi	Hendricks	16-5	3.49	1-1	16.1	3:30pm

INTERLEAGUE TODAY'S PITCHING MATCHUPS

Away	Pitcher	W-L	ERA	Record	Starts	TV
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm
Ariz	Lyles	2-12	6.15	1-1	16.1	4:30pm

A.L. LEADERS

Team	G	A	R	H	BA	ERA
Baltimore	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04
Chicago	106	449	50	144	.321	4.04

N.L. LEADERS

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

SUGGESTING PERCENTAGE

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

ON-BASE PERCENTAGE

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

INNING PITCHED

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

STRIKED OUTS

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

SAVES

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

SHUTOUTS

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

HITS

Team	G	A	R	H	BA	ERA
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50
Atlanta	103	402	44	152	.378	2.50

HITS

Team	G	A	R	H	BA	ERA
Atlanta	103					