



City Council Meeting

July 22, 2024

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Mayor Lund called the City Council Meeting of July 22, 2024, to order at 7:00 p.m.

Present

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

Absent

Others Present

Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Roberta Collins, Administrative Assistant
Brian Strand, Cable Administrator
Rachel Workin, Environmental Planner
Joe Starks, Finance Director
Brandon Brodhag, Assistant City Engineer
Beth Kondrick, Deputy City Clerk
Sarah Sonsalla, City Attorney

Pledge Of Allegiance

Proclamations/Presentations

1. Proclamation for Roberta Collins and Brian Strand Expressing Gratitude for Their Years of Service Upon Retirement

Mayor Lund read the proclamations recognizing Roberta Collins for 35 years of service to the City of Fridley and Brian Strand for 34 years of service to the City of Fridley. The Council expressed gratitude to them for their dedication to the residents, elected officials and staff and wished them well in their retirement.

Brian Strand and Roberta Collins expressed appreciation for the ability to work for the City and serve its residents.

2. Presentation of the 2023 Coon Creek Watershed Partner of the Year Award

Jim Hafner and Dawn Doering, Coon Creek Watershed, presented the 2023 Partner of the Year Award to Environmental Planner Rachel Workin. Rachel Workin accepted the award and thanked the organization for both the award and cooperative partnership.

3. Presentation of the 2024 GreenStep Cities Step 5 Award

Ms. Workin presented the 2024 GreenStep Cities Step 5 Award.

Approval of Proposed Consent Agenda

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

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

Approval/Receipt of Minutes

4. Approve the Minutes from the City Council Meeting of July 8, 2024.
5. Receive the Minutes from the Council Conference Meeting of July 8, 2024.

New Business

6. Resolution No. 2024-101, Approving Water Efficiency Grant Agreement with Metropolitan Council.
7. Resolution No. 2024-102, Awarding the Private Ash Tree Removal Program Project.

Claims

8. Resolution No. 2024-100 Approving Claims for the Period Ending July 17, 2024.

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

No one from the audience spoke.

Adoption of Regular Agenda

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

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

Regular Agenda

Public Hearing(s)

9. Public Hearing and Resolution No. 2024-98, Adopting the Assessment for 53rd Avenue Trail and Walk Improvements Project No. ST-2023-21

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

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

Joe Starks, Finance Director, provided background information on special assessments and the assessment process. He provided a summary of the ST2023-21 project and the related assessment roll. He reviewed options for payment, deferment, and provided details on the process that would need to be followed to object to the assessment, noting that no written objections had been received prior to the meeting. He asked the Council to accept any public comment and then consider adoption of the resolution as presented.

Mayor Lund invited the public to provide input.

Thomas Hogan, 148 53rd Avenue, stated that he is still experiencing a lot of driveway flooding, which he believed was to be addressed by the project. He commented that the drainage issues of the street also do not appear to be resolved. Brandon Brodhag, Assistant City Engineer, commented that staff can review the situation with the resident.

Councilmember Bolkcom asked if staff was aware with any issues of flooding. Mr. Hogan commented that most of the homes on the trail side of the street experience driveway flooding. Mr. Brodhag commented that staff was not aware of prior flooding in this area.

Katrina Iwen, 53rd Avenue, provided before and after photos of her grass. She commented that the grass that has been installed with the project is dead. She commented that other properties received a retaining wall, but her property did not, and she believed her property would be benefited by the retaining wall. She had concern with drainage and erosion without the retaining wall. Mayor Lund commented that staff will follow up with those concerns.

Karen Lathem, 561 53rd Avenue, commented that some of her property was taken for the project. She stated that because the wall was installed, she is now experiencing a problem with the homeless coming onto the street and sitting on the wall on their property. She commented on the striking price of the assessment and noted that she perceived the quality of work completed to be poor and inconsistent. Mayor Lund commented that staff will review those comments and follow up with the resident. He commented that the sidewalk and wall are within the easement and therefore it was not private property to begin with. He explained that the curb was only replaced where needed, which can give the patchwork impression, but is also a cost savings.

Councilmember Evanson commented that it seems that there is additional trash because the area is more walkable and asked if trash receptacles could be placed in attempt to address that issue. Mayor

Lund recognized the bus stop near that area and although that is a Metropolitan Council issue, the City can attempt to reach out to the Met Council to resolve that. Councilmember Bolkcom suggested that the resident reach out to the police if there is an issue in front of her home that needs to be addressed.

Ms. Lathem asked for clarification on the prepayment date for assessments. Mr. Starks provided those details, noting that partial or full payment can be made by November 15th at 4 p.m.

Mr. Brodhag provided additional details on the extended driveways, noting that there was a gas line under the existing driveways and therefore the City had to work with the utility company which is why some of the driveways extend.

Eric Rosec, 147 53rd Avenue, commented that he agrees with the poor quality of the grass that was replanted noting that he plans to reseed his yard this fall. He asked if the truck route was taken into consideration for a strip of the road, as those trucks most likely are liable for some of the damage. Mr. Brodhag confirmed that the truck route was taken into consideration and the road was designed to handle that level of traffic. Mayor Lund provided additional details on the municipal state aid funds the City receives, which helps to fund a portion of the road projects. He explained that benefited properties are only charged a small portion of the road improvement cost.

Councilmember Bolkcom asked if there are known issues with the grass seeding. Mr. Brodhag replied that dormant seeding was completed late last fall, but the contractor is still under contract for warranty work.

Councilmember Ostwald asked the deadline for the contractor to fix these issues. Mr. Brodhag commented that staff will finalize the contract in the next three to four weeks. Councilmember Ostwald encouraged residents to advise their neighbors to reach out to staff if there are issues that need to be resolved.

Ms. Iwen provided additional comments about speeding traffic on the roadway. Mayor Lund provided the police non-emergency phone number for those instances.

Norman George, 561 53rd Avenue, commented that he was confused about the patchwork and why they would pay so much for that kind of work. Mayor Lund explained that the City follows that method to keep costs lower by not replacing things that do not need replacing but residents pay the same amount for the assessment, whether or not the curb was replaced. He explained if all the curb was replaced, the project would have a higher cost and residents would in turn have a higher assessment. Mr. Brodhag explained that curb and gutter, trails and sidewalk, and utility work is not included in the assessment cost; only the road cost is assessed.

Mayor Lund commented that staff will follow up with the residents that spoke tonight.

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

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

Motion made by Councilmember Tillberry to adopt Resolution No. 2024-98, Adopting the Assessment for 53rd Avenue Trail and Walk Improvements Project No. ST-2023-21. Seconded by Councilmember Bolcom.

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

10. Ordinance No. 1424, Public Hearing and First Reading Amending Interim Ordinance 1411, Authorizing a Study and Imposing a Moratorium on the Establishment and Operation of Cannabis Business within the City of Fridley

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

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

Beth Kondrick, Deputy City Clerk provided background information on the Cannabis Act and previously adopted Ordinance 1411. She provided a summary of the ordinance amendment which would clarify language related to recent changes by the state legislature. She reviewed the next steps should the Council approve the first reading of the ordinance tonight.

Councilmember Evanson asked if there is an explanation on why the state made the changes to the definition of a cannabis business. Sarah Sonsalla, City Attorney, replied that the legislature changed the definition to remove medical cannabis as that is separately regulated by the state, early start licensees, and early cultivators. She stated that when the Council adopted the moratorium it intended it to apply to all cannabis businesses, but this would address the statutory changes.

Councilmember Evanson asked when the Office of Cannabis Management (OCM) is going to become active, as the moratorium was attempting to line up with that date. Ms. Sonsalla replied that they are starting to issue licenses to social equity applicants this week and are still working on the adoption of the rules. She stated that she does have the sample that has been provided to cities for review and she will share that with staff. She commented that the moratorium will not be able to be extended past January 1, 2025.

Ms. Kondrick stated that the City has not received any interest from individuals wanting to establish a cannabis business.

Motion made by Councilmember Tillberry to close the public hearing, Seconded by Councilmember Bolcom.

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

Motion made by Councilmember Evanson to approve the first reading of Ordinance No. 1424 Amending Interim Ordinance 1411, Authorizing a Study and Imposing a Moratorium on the Establishment and Operation of Cannabis Business within the City of Fridley. Seconded by Councilmember Ostwald.

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

New Business

Informal Status Reports

Councilmember Bolkcom noted that Night to Unite is August 6th and neighborhood parties may still be able to register their party, even though the deadline has passed. She stated that she and Councilmember Evanson attended a recent band event at Springbrook Nature Center.

Councilmember Ostwald commented that the concert and bike rodeo scheduled for tonight was rescheduled due to the rain. He encouraged residents to check the City website for updates on the rescheduled date. Councilmember Bolkcom commented that the Lions are also working to reschedule the movie and fireworks that were canceled because of the weather during 49er Days.

Adjourn

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

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 8:19 p.m.

Respectfully Submitted,

Melissa Moore
City Clerk

Scott J. Lund
Mayor