



City Council Meeting

August 14, 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 mobile devices 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.

Pledge of Allegiance

Proclamations/Presentations

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.

Approval/Receipt of Minutes

- [1.](#) Approve the Minutes from the City Council Meeting of July 24, 2023
- [2.](#) Receive the Minutes from the City Council Conference Meeting of July 24, 2023
- [3.](#) Receive the Minutes from the Housing and Redevelopment Authority Meeting of June 1, 2023

Old Business

- [4.](#) Ordinance No. 1413, Amending the Fridley City Code Chapter 220, Residential Rental Property Maintenance and Licensing Code

New Business

- [5.](#) Resolution No. 2023-93, Awarding 2023 Sanitary Sewer Collection System Lining Project No. 23-450

Licenses

- [6.](#) Resolution No. 2023-92, Approving City Licenses

Claims

- [7.](#) Resolution No. 2023-95 Approving Claims for the Period Ending August 14, 2023

Adoption of Regular Agenda

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)

- [8.](#) Ordinance No. 1414, Public Hearing and First Reading to Create Title No. 4 (Public Nuisance) of the Fridley City Code and the Chapters Contained Therein

New Business

- [9.](#) Resolution No. 2023-94, Awarding 2023 Neighborhood Parks Improvements Project No. 23-70123

Informal Status Reports

Adjourn

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



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

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

Background

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

Financial Impact

None.

Recommendation

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

Focus on Fridley Strategic Alignment

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

Attachments and Other Resources

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

Vision Statement

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



City Council Meeting

July 24, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

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

Present

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

Absent

Councilmember Tom Tillberry

Others Present

Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Jim Kosluchar, Public Works Director
Rachel Workin, Environmental Planner
Joe Starks, Finance Director
Brandon Brodhag, Assistant City Engineer
Sarah Sonsalla, City Attorney

Pledge Of Allegiance

Proclamations/Presentations

Approval of Proposed Consent Agenda

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

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

Approval/Receipt of Minutes

1. Approve the Minutes from the City Council Meeting of July 10, 2023.
2. Receive the Minutes from the City Council Conference Meeting of July 10, 2023.

3. Receive the May 9, 2023 Environmental Quality and Energy Commission (EQEC) Minutes.

Old Business

4. Ordinance No. 1411, Authorizing a Study and Imposing a Moratorium on the Establishment and Operation of Cannabis Business within the City of Fridley (Second Reading).

New Business

5. Resolution No. 2023-82, Scheduling a Public Hearing on August 14, 2023, to Consider Ordinance No. 1414, Creating Title No. 4 (Public Nuisance) of the Fridley City Code and the Chapters Contained Therein.
6. Resolution No 2023-86, Requesting Community Development Block Grant Funds for a Public Facility to be Generally Located at 6101 University Avenue NE.
7. Resolution No. 2023-87, Supporting an Application for Metropolitan Council Policy Development Funds for Amendments to the Zoning Code to Promote an Efficient Development Pattern.
8. Resolution No. 2023-88, Approving Gifts, Donations and Sponsorships Received Between June 17, 2023 and July 14, 2023.
9. Resolution No. 2023-90, Approving Entering Into a Limited Use Permit with the Minnesota Department of Transportation for the Purpose of Maintaining and Operating Nonmotorized Trails Within the Right-of-Way of TH 694 in Control Section 0285.
10. Resolution No. 2023-89, Approving Entering Into a Limited Use Permit with the Minnesota Department of Transportation for the Purpose of Maintaining and Operating a Nonmotorized Trail Within the Right-of-Way of TH 47 in Control Section 0205.

Licenses

11. Resolution No. 2023-85, Approving Hemp THC Products Shop Licenses.

Claims

12. Resolution No. 2023-91 Approving Claims for the Period Ending July 19, 2023.

Adoption of Regular Agenda

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

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.)

No one from the audience spoke.

Regular Agenda**Old Business**

13. Ordinance No. 1412, Second Reading Proposing Updates to Fridley City Code Section 205.28, Critical Area Overlay District, Section 205.32, Shoreland Overlay District and Section 205.30, Telecommunications Towers and Facilities District to Conform with New Mississippi River Corridor Critical Area Rules

Rachel Workin, Environmental Planner, provided background on the MRCCA, which provides coordinated land planning throughout the 72-mile stretch of the river in the metro. She provided details on the historical implementation of the MRCCA in Fridley. She stated that in 2017 the State updated the rules and regulations, and the City is required to update its rules and regulations in order to be in compliance. She provided an overview of the changes proposed to the MRCCA District noting that staff reached out to neighboring river communities to confirm that they have adopted the same regulations for building setbacks. She reviewed the additional changes proposed including non-structural uses, residential land alteration in the Bluff Impact Zone (BIZ), vegetation management, and optional provisions. She reviewed the actions of staff following the first reading in response to resident comments and direction from the Council, as well as the next steps if the second reading is adopted tonight.

Councilmember Bolckom asked when the ordinance would go into effect. Ms. Workin stated that the ordinance would become effective 14 days after the approval of the second reading.

Mayor Lund said staff did an excellent job answering all the question and looking into the issues that were brought up.

Councilmember Evanson thanked Ms. Workin and staff for their hard work. He asked if wildlife mitigation efforts placed upon a resident could be capped at a certain cost as there was concern that could prohibit a resident from completing a project.

Ms. Workin explained that the wildlife mitigation would come into play for a special use permit or variance request which would apply to commercial properties and provided additional details. She was not aware of a situation where the City has capped the mitigation efforts for a variance but noted that could be reviewed during the continued recodification process. It was acknowledged that the City does not want to be overly restrictive, but if the project would be detrimental to the river and/or bluff that is when this would be triggered. It was noted that river property owners have rights to their property but also a responsibility to protect the corridor.

Scott Hickok, Community Development Director, provided additional details on a variance and the rational connection to mitigation if that were needed. He provided details on the development review process that would be followed where potential mitigation efforts would be discussed if a variance

were requested. Ms. Workin provided an example of a time a variance was granted along the corridor in the 1970s.

Councilmember Evanson asked if this language could be amended in the future without approval from State agencies, given that is it optional language.

Ms. Workin confirmed that could be updated through the zoning process as long as it met the minimum standards, noting that the DNR could provide comment.

Motion made by Councilmember Bolkcom to approve the second reading and adopt Ordinance No. 1412 Amending the Fridley City Code Section 205.28, Critical Area District, Section 205.32, Shoreland Overlay District, and Section 205-.30, Telecommunications Towers and Facilities District and authorize publication of the summary ordinance. Seconded by Councilmember Ostwald.

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

Motion made by Councilmember Bolkcom to authorize publication of summary Ordinance No. 1412. Seconded by Councilmember Ostwald.

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

Public Hearing(s)

14. Public Hearing and Adoption of Resolution No. 2023-81, Adopting the Assessments for 2022 Street Rehabilitation Project No. ST-2022-01

Motion made by Councilmember Bolkcom 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 an overview on special assessments and the special assessment process. He noted that to date, the City has received six objections to the assessments. He provided a summary of Project No. ST-2022-01, and the construction schedule, assessment roll, and proposed assessment schedule. He reviewed the deferment opportunity that is available under certain circumstances. He reviewed the objection findings provided by staff in response to the six written objections received. He stated that staff does recommend removal of 6880 East River Road NE from the assessment roll as that was found to be a valid objection. He recommended that the Council accept public comment and then adopt the resolution to adopt the assessment for the project, while amending the assessment roll to remove 6880 East River Road NE.

Councilmember Bolkcom asked what work was still left to be completed and the estimated timeframe for completion.

Brandon Brodhag, Assistant City Engineer, replied the project is substantially complete, and highlighted some of the items remaining on the punch list and confirmed that the majority is

restoration of disturbed areas. He estimated that those items would be completed in the next two to three weeks. He confirmed that the contractor is watching the weather to ensure the seeding would be successful.

Residents expressed concern with planting during this hot time of the year and whether those plantings could be successful and whether the project actually added value to the property. Frustration was expressed about the overall construction process, timing of the paving, concerns with compaction, damage to lawns, and behavior of the contractors. Additional concerns were made about a tree that was supposed to be replanted, work done by the utility contractor, whether certain elements were the responsibility of the utility company or City, and construction debris. A resident commented on the difficulty they experienced trying to sell their home during this time.

Mayor Lund asked if there was a communication update provided to residents throughout the project.

Mr. Brodhag confirmed that email updates were provided to residents and updates were posted on the project website. He noted that some corrections were made to the base lift prior to applying the final lift because of the winter season between the two. He provided additional details on the timing of the project and when certain activities occurred, noting similarities with other projects and the timing of the base pavement application.

Mayor Lund noted that if there are concerns with the behavior of the contractor, perhaps that should be looked into for future projects. Residents were urged to contact staff if there are concerns with contractor behavior.

Mr. Brodhag commented that the City has worked with the contractor in the past and has not heard any complaints about behavior. He noted that staff could visit the project area to inspect the areas of concern. He stated that the tree had to be removed to repair the curb stop, but the tree would be replaced.

Jim Kosluchar, Public Works Director, commented that this is the first that staff has heard of these issues. He stated that it is his understanding that everything was done according to specifications and there were daily inspection reports that he can go back to review. He noted that if things were not done correctly, they would see issues within the first year, which is within the warranty period.

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

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

Joe Starks provided input on the ability of residents to make prepayments.

The Council asked and received confirmation that if something was done incorrectly, that would be addressed, and that staff would be inspecting the areas mentioned by the residents tonight.

Wally Wysopal, City Manager, wanted to ensure clarity on the requested action before the Council to remove one property from the assessment roll as it was found not to meet the City policy for assessment.

Sarah Sonsalla, City Attorney, confirmed that six written objections were received, and one property has been recommended for removal from the assessment roll. She summarized the process residents would follow should they choose to object to the District Court.

Mr. Wysopal apologized for the experience some residents had during this project and noted that staff will keep an eye on the condition of the street to ensure the project does not fail.

Motion made by Councilmember Bolkcom to adopt Resolution No. 2023-81, Adopting the Assessments for 2022 Street Rehabilitation Project No. ST-2022-01, and amending the assessment roll to remove 6880 East River Road NE. Seconded by Councilmember Ostwald.

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

New Business

15. Ordinance No. 1413, Amending the Fridley City Code Chapter 220, Residential Rental Property Maintenance and Licensing Code.

Scott Hickok, Community Development Director, provided an update on the change in definition from the State related to the Cold Weather Rule. He stated that staff is recommending removal of the dates within the City Code and instead refer to the State Statute. He welcomed any questions and recommended approval.

Motion made by Councilmember Evanson to approve the first reading of Ordinance No. 1413, Amending the Fridley City Code Chapter 220, Residential Rental Property Maintenance and Licensing Code. Seconded by Councilmember Bolkcom.

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

16. Resolution No. 2023-83, Awarding West Moore Lake Drive Mill and Overlay Project

Brandon Brodhag, Assistant City Engineer, reviewed the proposed project area and provided background on the proposed project. He reviewed the work elements of the proposed mill and overlay project and provided details on the project bidding. He provided details on the cost of bids received and funding source along with the tentative schedule. He recommended approval of the resolution as proposed and reviewed the next steps if the resolution is approved tonight.

The Council asked if it was unusual to only have two bids. Mr. Brodhag noted that the normal bidding process was followed and although four contractors reviewed the project, only two bids were received. He believed that the timing of the project did not meet the schedule of the other contractors.

Motion made by Councilmember Ostwald to adopt Resolution No. 2023-83, Awarding West Moore Lake Drive Mill and Overlay Project. Seconded by Councilmember Evanson.

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

17. Resolution No. 2023-84, Awarding Apex Pond Enhancement Project

Brandon Brodhag, Assistant City Engineer, provided background on the proposed project including the existing conditions and proposed maintenance and enhancements. He reviewed the project partnership and funding cost-share details. He provided details on the bidding process, cost of bids received, and tentative schedule. He recommended approval and reviewed the next steps should the Council approve this action tonight.

The Council asked if there would be a scheduled maintenance program from the pond to prevent it from deteriorating to this level.

Jim Kosluchar, Public Works Director, commented that this is the maintenance program but noted that there will be less maintenance needed with the new design, as the volunteer trees will not grow up through the bottom. He noted that with the new design the pond will hold water, whereas currently, there is usually no water in the basin.

The Council asked if a fence would be needed around the pond. Ms. Kosluchar replied that the grading will be done to provide a bench of a shallower area before the deeper level begins to prevent someone from falling in.

Motion made by Councilmember Ostwald to adopt Resolution No. 2023-84, Awarding Apex Pond Enhancement Project. Seconded by Councilmember Bolkcom.

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

Informal Status Reports

The Council noted Night to Unite occurring on August 1, noting that over 80 neighborhood parties have been registered.

Adjourn

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

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 9:14 p.m.

Respectfully Submitted,

Melissa Moore
City Clerk

Scott J. Lund
Mayor



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

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

Title

Receive the Minutes from the City Council Conference Meeting of July 24, 2023

Background

Attached are the minutes from the City Council Conference Meeting of July 24, 2023.

Financial Impact

None.

Recommendation

Receive the minutes from the City Council Conference Meeting of July 24, 2023.

Focus on Fridley Strategic Alignment

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

Attachments and Other Resources

- Minutes from the City Council Conference Meeting of July 24, 2023

Vision Statement

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



Council Conference Meeting

July 24, 2023

5:30 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Roll Call

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

Absent: Councilmember Tom Tillberry

Others Present: Walter Wysopal, City Manager
Joe Starks, Finance Director
Scott Hickok, Community Development Director
Jim Kosluchar, Public Works Director
Brandon Brodhag, Assistant Public Works Director

Items for Discussion

1. Finance Update: June 2023, Year-to-Date

Joe Starks, Finance Director, presented a financial update on the City.

2. 2024-2028 Proposed Capital Investment Program (CIP).

Joe Starks, Finance Director, discussed the City's proposed 2024-2028 Capital Investment Program.



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Receive the Minutes from the Housing and Redevelopment Authority Meeting of June 1, 2023

Background

Attached are the minutes from the Housing and Redevelopment Authority meeting of June 1, 2023.

Financial Impact

None.

Recommendation

Staff recommend Council receive the minutes from the Housing and Redevelopment Authority meeting of June 1, 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 HRA Meeting of June 1, 2023

Vision Statement

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



Housing and Redevelopment Authority

June 1, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Chairperson Showalter called the Housing and Redevelopment Authority meeting to order at 7:00 p.m.

Present

Elizabeth Showalter
Gordon Backlund
Troy Brueggemeier
Rachel Schwankl

Absent

Kyle Mulrooney

Others Present

Paul Bolin, HRA Assistant Executive Director
Vickie Johnson, Development Consultant

Action Items

1. Approval of Expenditures

Motion by Commissioner Brueggemeier to approve the expenditures. Seconded by Commissioner Backlund.

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

2. Approval May 4, 2023, Meeting Minutes

Motion by Commissioner Brueggemeier to approve the meeting minutes of May 4, 2023 as presented. Seconded by Commissioner Schwankl.

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

3. Annual Election of Officers

Paul Bolin, HRA Assistant Director, stated that the HRA by-laws required the Commission to elect a Chair and Vice Chair each June.

Commissioner Brueggemeier nominated Elizabeth Showalter as Chair.

Chair Showalter accepted the nomination.

Commissioner Backlund nominated Troy Brueggemeier as Vice Chair.

Commissioner Brueggemeier accepted the nomination.

There were no other nominations.

Motion by Commissioner Backlund to cease nominations and cast a unanimous ballot. Seconded by Commissioner Schwankl.

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

Informational Items

4. Update on Special Legislation – Excess Increment for Housing Programs

Mr. Bolin commented that the City was awarded \$4,000,000 through the bonding bill for final design work for the Burlington Northern overpass. He estimated that the cost for construction of the project would be about \$35,000,000. He provided details on the excess increment for housing programs legislation that was adopted that would allow the City to collect excess increment from Northern Stacks TIF district for the next five years.

The Commission expressed excitement.

5. Update on Housing Programs

Mr. Bolin provided an update on the HRA loan program activity for May as well as year to date.

The Commission noted that the senior funds were fully used with eight loans being issued. Mr. Bolin noted that the funds were all committed by the end of January and there is still about \$32,000 left to close on.

Adjournment

Motion by Commissioner Brueggemeier to adjourn the meeting. Seconded by Commissioner Schwankl.

Upon a voice vote, all voting aye, Chairperson Showalter declared the motion carried and the meeting adjourned at 7:13 p.m.

Respectfully submitted,

Melissa Moore
City Clerk



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

Submitted By: Mary Dooher, Rental Housing Manager
Scott Hickok, Community Development Director

Title

Ordinance No. 1413, Amending the Fridley City Code Chapter 220, Residential Rental Property Maintenance and Licensing Code

Background

Fridley City Code Section 220.10.4.A, Minimum Heating, states that "all dwelling shall have primary heating facilities...during the period from October 15 through April 15, consistent with the Minnesota Cold Weather Rule."

Recently, Minnesota Statute § 216B.096, commonly known as the Cold Weather Rule, changed the period definition from October 15 - April 15 to October 1 - April 30. Staff recommend the City remove the dates in Chapter 220 and revise the Code to say, "...pursuant to Minnesota Statute § 216B.096, commonly referred to as the Minnesota Cold Weather Rule."

Financial Impact

None.

Recommendation

Staff recommend the Council approve the second reading of Ordinance No. 1413.

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

- Ordinance No. 1413

Vision Statement

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

Ordinance No. 1413

Amending the Fridley City Code Chapter 220, Residential Rental Property Maintenance and Licensing Code

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 220 Residential Rental Property Maintenance and Licensing Code

220.10. Minimum Standards for Principal Structures

4. Minimum Heating Standards

A. All dwellings ~~shall~~must have primary heating facilities which are properly installed and maintained in a safe, efficient working condition and which ~~are capable of maintaining~~can maintain a minimum indoor temperature of not less than 68 degrees F at a point ~~3-three~~ feet above the floor in all habitable rooms, bathrooms and water closet compartments in every dwelling unit location therein, ~~during the period from October 15 through April 15, consistent with~~pursuant to Minnesota Statute § 216B.096, commonly referred to as the Minnesota Cold Weather Rule.

B. Gas or electric appliances designed specifically for cooking or water heating purposes, and portable heating equipment, may not be considered primary heating facilities for the purposes of this Section.

C. No owner or occupant may install, operate, or use a heater employing a flame that is not installed and maintained in accordance with the manufacturer's specifications and applicable City and State Codes.

D. Whenever the occupant lacks direct control over the primary heating facility to their dwelling unit, it is the responsibility of the owner to maintain minimum heating standards as set forth above.

Passed and adopted by the City Council of the City of Fridley on this 14th day of August, 2023.

Scott J. Lund - Mayor

Melissa Moore - City Clerk

First Reading: July 24, 2023

Second Reading: August 14, 2023

Publication: August 17, 2023



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

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

Title

Resolution No. 2023-93, Awarding 2023 Sanitary Sewer Collection System Lining Project No. 23-450

Background

On Tuesday, August 8 at 9:00 a.m., bids were publicly opened online via the virtual platform available on QuestCDN and Microsoft Teams for the 2023 Sanitary Sewer Collection System Lining Project No. 23-450. Four responsive bids were received.

This project is part of the City of Fridley's (City) maintenance and rehabilitation schedule for the existing sanitary sewer system as detailed in the Capital Investment Program and includes the rehabilitation of approximately 3.2 miles of sanitary sewer main across varying parts of the City. The improvements provided by this project are essential to maintain the existing sanitary sewer service for the City as well as address existing inflow and infiltration (I/I) issues with these systems. Cured-in-place-pipe (CIPP) lining is a cost-effective method of preserving the structural integrity and flow characteristics of the sanitary sewer without the need for open excavation or replacement of existing pipe and structures.

As noted, four bids were received. Bids for the project included a base bid package and optional alternate bid to receive additional pricing on the use of heated circulated water cure and steam cure methods, respectively, during CIPP installation. For the base bid package (water cure), the low bid received was from Visu-Sewer, Inc. of Pewaukee, Wisconsin in the amount of \$732,239.40, 25% above the final engineer's estimate of \$586,388. The lowest three bids were evenly distributed across a range of \$89,922.60 while the high bid received was in the amount of \$1,448,471. For the alternate bid package (steam cure), the low bid received was from Visu-Sewer, Inc. of Pewaukee, Wisconsin in the amount of \$599,450.90, 9% above the final engineer's estimate of \$552,120. The remaining three bids were within \$26,619 of one another, but all exceeded the low bid by at least \$145,608.10 with the high bid received in the amount of \$771,678.

Bids for both the base bid package and alternate bid exceeded the preliminary project budget of \$550,000.00 as detailed in the Capital Investment Program. The increase in unit pricing from the most recent sanitary sewer lining project in 2022 is most attributable to the revised CIPP construction

Vision Statement

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

specifications employed with the project, which now limit the duration of sewer service disruptions as well as acceptable temperatures for CIPP installation.

Based upon the bids received, staff recommends that the project be awarded to Visu-Sewer Inc., with a Contract for the alternate base bid, specifying the use of steam cure CIPP installation. Visu-Sewer, Inc. has not been previously contracted by the City for sanitary sewer rehabilitation, but has consistently bid on similar projects and have routinely provided maintenance services to private system users in the past. Staff believe they are a knowledgeable and reputable contractor and will deliver the project within the requisite quality specified in the bid documents.

The resolution requests the bid amount of \$599,450.90 with a 5% contingency. The contingency would be available for any unforeseen conditions (additional sewer service reinstatements, preliminary main repair, etc.) or any additional improvements that may be identified by staff during construction of the project. If the Council awards the project as proposed with the attached resolution, staff will notify the contractor of the award and issue a notice to proceed upon receipt of acceptable submittals. Construction activity related to the project would begin as early as September 2023 with substantial completion in August 2024.

Financial Impact

Primary project funding is derived from grants received through the American Rescue Plan Act (ARPA) program in the amount of \$550,000. The use of additional underutilized funding originally allocated to the 2022 Sanitary Sewer Collection System Lining Project No. 2022-450 is proposed to supplement the preliminary project budget and retain the original project scope.

Recommendation

Staff recommends the approval of Resolution No. 2023-93.

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. 2023-93
- Exhibit A – Bid Tabulation

Vision Statement

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

Resolution No. 2023-93

Award of 2023 Sanitary Sewer Collection System Lining Project No. 23-450

Whereas, the City of Fridley's (City) existing sanitary sewer system collects and conveys wastewater to Met Council Environmental Services (MCES) infrastructure for treatment; and

Whereas, the City's existing sanitary sewer system is part of the City's essential infrastructure systems that provide service to all in the community, and the Public Works Department has set a goal for maintenance and rehabilitation of this system; and

Whereas, the 2023 Sanitary Sewer Collection System Lining Project No. 23-450 (Project) is included as part of the City's Capital Investment Program for the trenchless rehabilitation of select segments of the existing sanitary sewer system and was recently let for competitive bids in accordance with the City's Capital Investment Program; and

Whereas, the Project is eligible for reimbursement under the American Rescue Plan Act (ARPA) Grants.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby receives the bids for the 2023 Sanitary Sewer Collection System Lining Project No. 23-450 per the attached bid tabulation and awards the project to the evaluated lowest responsive bidder, Visu-Sewer, Inc. of Pewaukee, Wisconsin for a Contract including the base bid and bid alternate in the amount of \$629,423.45, which includes a 5% contingency.

Passed and adopted by the City Council of the City of Fridley this 14th day of August, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

Sanitary Sewer Collection System Lining Project No. 23-450

Owner: City of Fridley

Bid Opening: 08/08/2023 9:00 AM

Item 5.

				Engineer's Estimate		Visu-Sewer, Inc.		Insituform Technologies USA, LLC		Veit & Company, Inc.		SAK Construction, LLC	
SCHEDULE A: BASE BID (WATER CURE)				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Line Item	Item Description	Unit	Qty	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	MOBILIZATION	LUMP SUM	1	\$15,000.00	\$15,000.00	\$4,500.00	\$4,500.00	\$34,000.00	\$34,000.00	\$10,000.00	\$10,000.00	\$28,000.00	\$28,000.00
2	LINING SANITARY SEWER - 8" (VCP) CIPP - WATER CURE	LIN FT	17,134	\$32.00	\$548,288.00	\$39.10	\$669,939.40	\$40.25	\$689,643.50	\$43.00	\$736,762.00	\$81.50	\$1,396,421.00
3	LATERAL REINSTATEMENT	EACH	362	\$50.00	\$18,100.00	\$150.00	\$54,300.00	\$100.00	\$36,200.00	\$200.00	\$72,400.00	\$25.00	\$9,050.00
4	TRAFFIC CONTROL	LUMP SUM	1	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00	\$14,000.00	\$14,000.00	\$3,000.00	\$3,000.00	\$15,000.00	\$15,000.00
Bid Total:					\$586,388.00		\$732,239.40		\$773,843.50		\$822,162.00		\$1,448,471.00

SCHEDULE B: ALTERNATE BID (STEAM CURE)

Line Item	Item Description	Unit	Qty	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
	DEDUCT - ITEM 2 OF BASE BID												
5	LINING SANITARY SEWER - 8" (VCP) CIPP - WATER CURE	LIN FT	-17,134	\$32.00	-\$548,288.00	\$39.10	-\$669,939.40	\$40.25	-\$689,643.50	\$43.00	-\$736,762.00	\$81.50	-\$1,396,421.00
6	ADD - LINING SANITARY SEWER - 8" (VCP) CIPP - STEAM CURE	LIN FT	17,134	\$30.00	\$514,020.00	\$31.35	\$537,150.90	\$39.25	\$672,509.50	\$38.50	\$659,659.00	\$42.00	\$719,628.00
Alternate Bid Total:					\$552,120.00		\$599,450.90		\$756,709.50		\$745,059.00		\$771,678.00



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Resolution No. 2023-92, Approving City Licenses

Background

Pursuant to sections of the Fridley City Code (Code), certain business licensing activities require approval of the Fridley City Council (Council), including Hemp THC Products Shop Licenses and Massage Therapy Licenses.

The City received applications from Yamen Haidari for a Hemp THC Products Shop License for property located at 7610 University Avenue N.E. and from Yasir Abuhaleigah for property located at 1301 Mississippi Street N.E. Staff have performed the required verification steps spelled out in Chapter 310 (Hemp THC Products) of the Code and completed all background checks. No issues were found.

The City received an application from Nelson Dufrense for a Massage Therapy Individual License to perform massage therapy at Hawkins Healing, located at 7362 University Avenue N.E. Staff have performed the required verification steps spelled out in Chapter 125 (Massage Therapy Business and Therapists) of the Code and completed all background checks. No issues were found.

If approved by Council, these licenses will be in effect from August 15, 2023 to April 30, 2024.

Financial Impact

All revenues for similar licenses were anticipated as part of the 2023 Budget.

Recommendation

Staff recommend the approval of Resolution No. 2023-92.

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. 2023-92

Vision Statement

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

Resolution No. 2023-92

Approving City Licenses

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 Section 310 of Code, the City Council shall approve Hemp THC Products Shop licenses; and

Whereas, a Hemp THC Products Shop License application was submitted by Yamen Haidairi for Mr. Tobacco located at 7610 University Avenue N.E. and by Yasir Abuhaleigah for Four Corners Tobacco located at 1301 Mississippi Street N.E. ; and

Whereas, a Massage Therapy Individual License application was submitted by Nelson Dufrense to perform massage therapy at Hawkins Healing located at 7362 University Avenue N.E. ; and

Whereas, pursuant to Section 125 of Code, the City Council shall approve Massage Therapy Individual licenses; and

Whereas, applicable City staff have reviewed the applications and conditions of the City's licenses; and

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

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves the following licenses for a term beginning on August 15, 2023 and ending on April 30, 2024.

Hemp THC Products Shop License

Type of License	Applicant	Staff Approval	City Code	Minnesota Statute
Hemp THC Products Shop	Yamen Haidari, Mr. Tobacco	- City Clerk - Public Safety	Chapter 310	M.S. § 151.72
Hemp THC Products Shop	Yasir Abuhaleigah, Four Corners Tobacco	- City Clerk - Public Safety	Chapter 310	M.S. § 151.72

Massage Therapy Individual

Type of License	Applicant	Staff Approval	City Code	Minnesota Statute
Massage Therapy Individual	Nelson Dufrense, Hawkins Healing	• City Clerk • Public Safety	Chapter 125	M.S. § 471.707

Passed and adopted by the City Council of the City of Fridley this 14th day of August, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Resolution No. 2023-95 Approving Claims for the Period Ending August 14, 2023

Background

Attached is Resolution No. 2023-95 and the claims report for the period ending August 14, 2023.

Financial Impact

Included in the budget.

Recommendation

Staff recommend the approval of Resolution No. 2023-95.

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. 2023-95
- City Council Claims Report

Vision Statement

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

Resolution No. 2023-95**Approving Claims for the Period Ending August 9, 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 August 9, 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 14th day of August, 2023.

Scott J. Lund - Mayor

Attest:

Melissa Moore – City Clerk



City of Fridley, MN

Item 7.

Bank Transaction Report

Transaction Detail

Issued Date Range: 07/20/2023 - 08/09/2023

Cleared Date Range: -

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
Bank Draft							
07/20/2023		DFT0004515	BLUE CROSS BLUE SHIELD OF MN	Accounts Payable	Outstanding	Bank Draft	-155,812.00
07/21/2023		DFT0004481	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,539.23
07/21/2023		DFT0004482	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,203.58
07/21/2023		DFT0004483	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-20,475.39
07/21/2023		DFT0004484	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-5,146.73
07/21/2023		DFT0004486	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-363.48
07/21/2023		DFT0004488	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-4,215.53
07/21/2023		DFT0004489	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-3,110.66
07/21/2023		DFT0004490	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-45,118.96
07/21/2023		DFT0004491	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-164.46
07/21/2023		DFT0004492	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-62,862.04
07/21/2023		DFT0004493	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-100.00
07/21/2023		DFT0004494	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-2,550.00
07/21/2023		DFT0004495	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-600.00
07/21/2023		DFT0004496	CITY OF FRIDLEY-MISSION SQUARE Roth IRA	Accounts Payable	Outstanding	Bank Draft	-4,633.83
07/21/2023		DFT0004497	BENEFIT RESOURCE LLC - BPA/VEBA	Accounts Payable	Outstanding	Bank Draft	-1,100.00
07/21/2023		DFT0004498	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-49,496.20
07/21/2023		DFT0004499	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-18,516.76
07/21/2023		DFT0004500	MINN DEPARTMENT OF REVENUE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-27,500.97
07/21/2023		DFT0004501	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-60,779.11
07/25/2023		DFT0004502	US BANK (P-CARDS)	Accounts Payable	Outstanding	Bank Draft	-43,012.05
07/28/2023		DFT0004504	BOND TRUST SERVICES (BOND PMTS-WIRES)	Accounts Payable	Outstanding	Bank Draft	-24,806.25
07/28/2023		DFT0004505	BOND TRUST SERVICES (BOND PMTS-WIRES)	Accounts Payable	Outstanding	Bank Draft	-744,806.25
07/28/2023		DFT0004506	BOND TRUST SERVICES (BOND PMTS-WIRES)	Accounts Payable	Outstanding	Bank Draft	-124,393.75
07/28/2023		DFT0004507	BOND TRUST SERVICES (BOND PMTS-WIRES)	Accounts Payable	Outstanding	Bank Draft	-61,500.00
07/28/2023		DFT0004508	BOND TRUST SERVICES (BOND PMTS-WIRES)	Accounts Payable	Outstanding	Bank Draft	-483,225.00
08/01/2023		DFT0004503	SVAP II FRIDLEY MARKET LLC	Accounts Payable	Outstanding	Bank Draft	-19,725.22
08/04/2023		DFT0004509	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,539.23
08/04/2023		DFT0004510	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,213.34
08/04/2023		DFT0004511	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-20,013.85
08/04/2023		DFT0004512	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-5,162.53
08/04/2023		DFT0004513	DELTA DENTAL PLAN OF MINNESOTA	Accounts Payable	Outstanding	Bank Draft	-9,303.91
08/04/2023		DFT0004514	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-363.48
08/04/2023		DFT0004516	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-4,215.53
08/04/2023		DFT0004517	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-3,110.66
08/04/2023		DFT0004518	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-45,032.32

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
08/04/2023		DFT0004519	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-164.46
08/04/2023		DFT0004520	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-61,228.35
08/04/2023		DFT0004521	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-520.96
08/04/2023		DFT0004522	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-100.00
08/04/2023		DFT0004523	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-2,550.00
08/04/2023		DFT0004524	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Sav	Accounts Payable	Outstanding	Bank Draft	-600.00
08/04/2023		DFT0004525	CITY OF FRIDLEY-MISSION SQUARE Roth IRA	Accounts Payable	Outstanding	Bank Draft	-4,364.60
08/04/2023		DFT0004526	BENEFIT RESOURCE LLC - BPA/VEBA	Accounts Payable	Outstanding	Bank Draft	-1,150.00
08/04/2023		DFT0004527	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-46,003.44
08/04/2023		DFT0004528	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-16,747.08
08/04/2023		DFT0004529	MINN DEPARTMENT OF REVENUE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-24,555.16
08/04/2023		DFT0004530	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-52,030.46
Bank Draft Total: (48)							-2,266,726.81

Check

07/21/2023	07/19/2023	16	16	Payroll	Cleared	Check	0.00
07/21/2023	07/25/2023	201303	FRIDLEY FIRE RELIEF ASSOC	Accounts Payable	Pending Clear	Check	-930.00
07/21/2023	07/24/2023	201304	FRIDLEY POLICE ASSOCIATION	Accounts Payable	Pending Clear	Check	-204.00
07/21/2023	07/24/2023	201305	MINN CHILD SUPPORT PAYMENT CENTER	Accounts Payable	Pending Clear	Check	-511.76
07/26/2023		201306	24RESTORE INC	Accounts Payable	Outstanding	Check	-9,986.40
07/26/2023		201307	ABLE HOSE & RUBBER	Accounts Payable	Outstanding	Check	-838.80
07/26/2023		201308	ALBRECHT SIGN COMPANY	Accounts Payable	Outstanding	Check	-14,117.50
07/26/2023		201309	ANOKA COUNTY ATTORNEY	Accounts Payable	Outstanding	Check	-6,250.91
07/26/2023		201310	ANOKA COUNTY TREASURY OFFICE	Accounts Payable	Outstanding	Check	-950.00
07/26/2023	07/31/2023	201311	APACHE GROUP OF MINNESOTA	Accounts Payable	Pending Clear	Check	-1,544.40
07/26/2023		201312	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-427.78
07/26/2023		201313	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-148.90
07/26/2023		201314	BATTERIES PLUS	Accounts Payable	Outstanding	Check	-25.15
07/26/2023		201315	BEISSWENGER'S HARDWARE	Accounts Payable	Outstanding	Check	-60.88
07/26/2023		201316	BLUUM OF MINNESOTA LLC	Accounts Payable	Outstanding	Check	-80,608.40
07/26/2023		201317	BOB'S PRODUCE RANCH	Accounts Payable	Outstanding	Check	-13.01
07/26/2023		201318	BOUND TREE MEDICAL LLC	Accounts Payable	Outstanding	Check	-178.70
07/26/2023		201319	BRAUN INTERTEC CORPORATION	Accounts Payable	Outstanding	Check	-2,996.50
07/26/2023		201320	CARE RESOURCE CONNECTION	Accounts Payable	Outstanding	Check	-2,000.00
07/26/2023		201321	CENTERPOINT ENERGY-MINNEGASCO	Accounts Payable	Outstanding	Check	-1,310.09
07/26/2023		201322	CENTRAL TURF & IRRIGATION SUPPLY	Accounts Payable	Outstanding	Check	-1,905.59
07/26/2023		201323	COMCAST/XFINITY	Accounts Payable	Outstanding	Check	-1,429.60
07/26/2023		201324	EAST CENTRAL MECHANICAL SERVICES LLC	Accounts Payable	Outstanding	Check	-13,370.00
07/26/2023		201325	EHLERS & ASSOCIATES INC	Accounts Payable	Outstanding	Check	-4,100.00
07/26/2023		201326	FINANCE AND COMMERCE INC	Accounts Payable	Outstanding	Check	-140.14
07/26/2023		201327	FLEET PRIDE TRUCK & TRAILER PARTS	Accounts Payable	Outstanding	Check	-415.03
07/26/2023		201328	FLEXIBLE PIPE TOOL CO	Accounts Payable	Outstanding	Check	-3,158.00
07/26/2023		201329	FRIENDLY CHEVROLET INC	Accounts Payable	Outstanding	Check	-1,671.50

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
07/26/2023	07/31/2023	201330	GENUINE PARTS CO/NAPA	Accounts Payable	Pending Clear	Check	-195.21
07/26/2023		201331	GERTENS GREENHOUSE INC	Accounts Payable	Outstanding	Check	-327.16
07/26/2023		201332	HAWKINS INC	Accounts Payable	Outstanding	Check	-9,276.19
07/26/2023		201333	HOFFMAN BROS. SOD	Accounts Payable	Outstanding	Check	-540.00
07/26/2023		201334	HYDRAULIC SPECIALTY CO	Accounts Payable	Outstanding	Check	-96.95
07/26/2023	07/31/2023	201335	JOHNSON, ELIJAH	Accounts Payable	Pending Clear	Check	-100.00
07/26/2023		201336	JOHNSON, SARAH	Accounts Payable	Outstanding	Check	-378.48
07/26/2023		201337	KEELEY, MICHAEL	Accounts Payable	Outstanding	Check	-100.00
07/26/2023		201338	KENNEDY & GRAVEN CHARTERED	Accounts Payable	Outstanding	Check	-6,756.19
07/26/2023		201339	LAWSON PRODUCTS INC	Accounts Payable	Outstanding	Check	-3,398.64
07/26/2023		201340	LEAGUE OF MN CITIES INS TRUST	Accounts Payable	Outstanding	Check	-1,777.45
07/26/2023		201341	LOFFLER COMPANIES-131511	Accounts Payable	Outstanding	Check	-3,689.83
07/26/2023		201342	MARSHALL CONCRETE PRODUCTS	Accounts Payable	Outstanding	Check	-1,293.75
07/26/2023		201343	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-4,617.16
07/26/2023	07/28/2023	201344	METROPOLITAN COUNCIL (SAC CHARGES)	Accounts Payable	Pending Clear	Check	-2,460.15
07/26/2023		201345	MIDWEST OVERHEAD CRANE	Accounts Payable	Outstanding	Check	-343.99
07/26/2023		201346	MINN DEPT OF LABOR & INDUSTRY	Accounts Payable	Outstanding	Check	-2,098.95
07/26/2023		201347	MINN DEPT OF TRANSPORTATION	Accounts Payable	Outstanding	Check	-654.73
07/26/2023		201348	MINNESOTA METRO NORTH TOURISM BUREAU	Accounts Payable	Outstanding	Check	-14,259.35
07/26/2023		201349	MTI DISTRIBUTING CO	Accounts Payable	Outstanding	Check	-231.21
07/26/2023		201350	NAGELL APPRAISAL & CONSULTING	Accounts Payable	Outstanding	Check	-1,900.00
07/26/2023		201351	NEO ELECTRICAL SOLUTIONS LLC	Accounts Payable	Outstanding	Check	-10,212.50
07/26/2023		201352	ON SITE COMPANIES	Accounts Payable	Outstanding	Check	-52.00
07/26/2023		201353	OUVERSON SEWER & WATER	Accounts Payable	Outstanding	Check	-5,000.00
07/26/2023		201354	OVERHEAD DOOR COMPANY	Accounts Payable	Outstanding	Check	-771.95
07/26/2023		201355	PALADIN TECHNOLOGIES (USA) INC	Accounts Payable	Outstanding	Check	-5,164.00
07/26/2023		201356	POLLARDWATER	Accounts Payable	Outstanding	Check	-119.80
07/26/2023		201357	POSTMASTER	Accounts Payable	Outstanding	Check	-2,000.00
07/26/2023		201358	ROCK SOLID LANDSCAPE & IRRIGATION	Accounts Payable	Outstanding	Check	-440.00
07/26/2023		201359	RUFFRIDGE JOHNSON EQUIP CO INC	Accounts Payable	Outstanding	Check	-130.21
07/26/2023		201360	STIMEY ELECTRIC	Accounts Payable	Outstanding	Check	-5,992.79
07/26/2023		201361	TAHO SPORTSWEAR	Accounts Payable	Outstanding	Check	-278.80
07/26/2023		201362	TENET	Accounts Payable	Outstanding	Check	-760.00
07/26/2023		201363	TIMESAVER OFF SITE SECRETARIAL INC	Accounts Payable	Outstanding	Check	-234.50
07/26/2023	07/31/2023	201364	WTG TERRAZZO & TILE INC	Accounts Payable	Pending Clear	Check	-337.25
07/26/2023		201365	XCEL ENERGY	Accounts Payable	Outstanding	Check	-2,691.73
07/26/2023		201366	YALE MECHANICAL INC	Accounts Payable	Outstanding	Check	-2,161.51
07/26/2023		201367	YOUNG, JORDAN	Accounts Payable	Outstanding	Check	-86.10
08/01/2023		201368	AMERICAN SOLUTIONS FOR BUSINESS	Accounts Payable	Outstanding	Check	-24.74
08/01/2023		201369	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-444.43
08/01/2023		201370	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-1,368.40
08/01/2023		201371	ASTLEFORD INTERNATIONAL TRUCKS	Accounts Payable	Outstanding	Check	-87.02
08/01/2023		201372	BOLTON & MENK INC	Accounts Payable	Outstanding	Check	-23,242.00

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
08/01/2023		201373	CENTERPOINT ENERGY-MINNEGASCO	Accounts Payable	Outstanding	Check	-304.02
08/01/2023		201374	COTTENS' INC	Accounts Payable	Outstanding	Check	-49.98
08/01/2023		201375	DALCO	Accounts Payable	Outstanding	Check	-139.08
08/01/2023		201376	DARLING'S SALES & SERVICE	Accounts Payable	Outstanding	Check	-631.27
08/01/2023		201377	EBERT COMPANIES	Accounts Payable	Outstanding	Check	-4,420.59
08/01/2023		201378	FERGUSON WATERWORKS #2518	Accounts Payable	Outstanding	Check	-1,078.40
08/01/2023		201379	FRIENDLY CHEVROLET INC	Accounts Payable	Outstanding	Check	-83.65
08/01/2023		201380	GENUINE PARTS CO/NAPA	Accounts Payable	Outstanding	Check	-11.26
08/01/2023		201381	HOFFMAN BROS. SOD	Accounts Payable	Outstanding	Check	-540.00
08/01/2023		201382	HOSE PROS LLC	Accounts Payable	Outstanding	Check	-163.78
08/01/2023		201383	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-369.03
08/01/2023		201384	MENARDS - FRIDLEY	Accounts Payable	Outstanding	Check	-155.11
08/01/2023		201385	MINN DEPT OF REVENUE COMMISSIONER	Accounts Payable	Outstanding	Check	-150.00
08/01/2023		201386	MINNESOTA/WISCONSIN PLAYGROUND INC	Accounts Payable	Outstanding	Check	-1,404.00
08/01/2023		201387	NARDINI FIRE EQUIPMENT CO	Accounts Payable	Outstanding	Check	-3,516.75
08/01/2023		201388	NORTHERN TOOL & EQUIPMENT	Accounts Payable	Outstanding	Check	-314.55
08/01/2023		201389	NORTHSTAR MAINTENANCE MANAGEMENT	Accounts Payable	Outstanding	Check	-1,008.24
08/01/2023		201390	OMANN BROTHERS CONTRACTING CO	Accounts Payable	Outstanding	Check	-270.90
08/01/2023		201391	PALADIN TECHNOLOGIES (USA) INC	Accounts Payable	Outstanding	Check	-15,250.00
08/01/2023		201392	POLLARDWATER	Accounts Payable	Outstanding	Check	-45.45
08/01/2023		201393	POMP'S TIRE SERVICE INC	Accounts Payable	Outstanding	Check	-1,760.34
08/01/2023		201394	Q3 CONTRACTING INC / PSC	Accounts Payable	Outstanding	Check	-604.03
08/01/2023		201395	QUALITY COUNTS LLC	Accounts Payable	Outstanding	Check	-130.00
08/01/2023		201396	RAILROAD MANAGEMENT COMPANY LLC	Accounts Payable	Outstanding	Check	-689.30
08/01/2023		201397	RAINBOW TREE CARE	Accounts Payable	Outstanding	Check	-17,410.95
08/01/2023		201398	ROCK SOLID LANDSCAPE & IRRIGATION	Accounts Payable	Outstanding	Check	-480.00
08/01/2023		201399	SPRING LAKE PARK FIRE DEPT	Accounts Payable	Outstanding	Check	-1,000.00
08/01/2023		201400	STARK, KYLE	Accounts Payable	Outstanding	Check	-160.94
08/01/2023		201401	STIMEY ELECTRIC	Accounts Payable	Outstanding	Check	-13,514.77
08/01/2023		201402	STONE ARCH LANDSCAPES	Accounts Payable	Outstanding	Check	-28,192.29
08/01/2023		201403	SWENSON, DANIEL	Accounts Payable	Outstanding	Check	-174.00
08/01/2023		201404	UNITED SURFACE PREPARATION INC	Accounts Payable	Outstanding	Check	-40.84
08/01/2023		201405	USA BLUEBOOK	Accounts Payable	Outstanding	Check	-247.77
08/01/2023		201406	VIKING ELECTRIC SUPPLY	Accounts Payable	Outstanding	Check	-303.98
08/01/2023		201407	WHEELER HARDWARE CO	Accounts Payable	Outstanding	Check	-10.17
08/01/2023		201408	XCEL ENERGY	Accounts Payable	Outstanding	Check	-18,011.91
08/02/2023		201409	FRIDLEY FIRE RELIEF ASSOC	Accounts Payable	Outstanding	Check	-180.00
08/02/2023		201410	FRIDLEY POLICE ASSOCIATION	Accounts Payable	Outstanding	Check	-196.00
08/02/2023		201411	LAW ENFORCEMENT LABOR SERVICES	Accounts Payable	Outstanding	Check	-2,793.30
08/02/2023		201412	LEGALSHIELD	Accounts Payable	Outstanding	Check	-449.55
08/02/2023		201413	MINN CHILD SUPPORT PAYMENT CENTER	Accounts Payable	Outstanding	Check	-511.76
08/02/2023		201414	NCPERS MINNESOTA-478000	Accounts Payable	Outstanding	Check	-680.00
08/03/2023		201415	56 BREWING LLC	Accounts Payable	Outstanding	Check	-362.00

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
08/03/2023		201416	AM CRAFT SPIRITS SALES	Accounts Payable	Outstanding	Check	-399.68
08/03/2023		201417	AMERICAN BOTTLING COMPANY	Accounts Payable	Outstanding	Check	-816.17
08/03/2023		201418	ARTISAN BEER COMPANY	Accounts Payable	Outstanding	Check	-7,871.86
08/03/2023		201419	BELLBOY CORPORATION	Accounts Payable	Outstanding	Check	-4,320.00
08/03/2023		201420	BETTER BEV CO	Accounts Payable	Outstanding	Check	-352.00
08/03/2023		201421	BIGOS PROPERTIES	Accounts Payable	Outstanding	Check	-15,000.00
08/03/2023		201422	BOURGET IMPORTS	Accounts Payable	Outstanding	Check	-336.00
08/03/2023		201423	BREAKTHRU BEVERAGE BEER LLC	Accounts Payable	Outstanding	Check	-110,687.65
08/03/2023		201424	BREAKTHRU BEVERAGE WINE & SPIRITS	Accounts Payable	Outstanding	Check	-16,704.23
08/03/2023		201425	BROKEN CLOCK BREWING COOPERATIVE	Accounts Payable	Outstanding	Check	-339.00
08/03/2023		201426	CAPITOL BEVERAGE SALES	Accounts Payable	Outstanding	Check	-46,717.20
08/03/2023		201427	CLEAR RIVER BEVERAGE	Accounts Payable	Outstanding	Check	-5,571.35
08/03/2023		201428	COCA-COLA DISTRIBUTION	Accounts Payable	Outstanding	Check	-2,121.64
08/03/2023		201429	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-319.45
08/03/2023		201430	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-229.25
08/03/2023		201431	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-78.96
08/03/2023		201432	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-89.46
08/03/2023		201433	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-103.88
08/03/2023		201434	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-162.05
08/03/2023		201435	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-153.88
08/03/2023		201436	DREKKER BREWING COMPANY	Accounts Payable	Outstanding	Check	-1,050.75
08/03/2023		201437	HOHENSTEINS INC	Accounts Payable	Outstanding	Check	-8,260.05
08/03/2023		201438	INBOUND BREWCO	Accounts Payable	Outstanding	Check	-88.00
08/03/2023		201439	INSIGHT BREWING COMPANY	Accounts Payable	Outstanding	Check	-261.54
08/03/2023		201440	INVICTUS BREWING	Accounts Payable	Outstanding	Check	-134.00
08/03/2023		201441	JOHNSON BROTHERS LIQUOR	Accounts Payable	Outstanding	Check	-74,561.85
08/03/2023		201442	LOMPIAN WINES LLC	Accounts Payable	Outstanding	Check	-254.86
08/03/2023		201443	MATTSON ICE	Accounts Payable	Outstanding	Check	-1,898.40
08/03/2023		201444	MINN MUNICIPAL BEVERAGE ASSOC	Accounts Payable	Outstanding	Check	-5,700.00
08/03/2023		201445	MODIST BREWING CO LLC	Accounts Payable	Outstanding	Check	-508.00
08/03/2023		201446	OLD WORLD BEER	Accounts Payable	Outstanding	Check	-1,155.62
08/03/2023		201447	PAUSTIS WINE COMPANY	Accounts Payable	Outstanding	Check	-4,268.00
08/03/2023		201448	PEPSI COLA BOTTLING CO	Accounts Payable	Outstanding	Check	-366.20
08/03/2023		201449	PHILLIPS WINE & SPIRITS	Accounts Payable	Outstanding	Check	-15,843.33
08/03/2023		201450	PRYES BREWING	Accounts Payable	Outstanding	Check	-1,122.00
08/03/2023		201451	PUCKETT'S RECYCLING	Accounts Payable	Outstanding	Check	-1,416.00
08/03/2023		201452	QUALITY REFRIGERATION SERVICE	Accounts Payable	Outstanding	Check	-358.87
08/03/2023		201453	RED BULL DISTRIBUTION	Accounts Payable	Outstanding	Check	-860.07
08/03/2023		201454	SMALL LOT MN	Accounts Payable	Outstanding	Check	-575.54
08/03/2023		201455	SOUTHERN WINE / SOUTHERN GLAZERS	Accounts Payable	Outstanding	Check	-43,429.63
08/03/2023		201456	SP3 LLC - PEQUOD DISTRIBUTING	Accounts Payable	Outstanding	Check	-1,467.61
08/03/2023		201457	VINOCOPIA INC	Accounts Payable	Outstanding	Check	-2,183.75
08/03/2023		201458	WINE COMPANY	Accounts Payable	Outstanding	Check	-1,833.00

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
08/03/2023		201459	WINE MERCHANTS	Accounts Payable	Outstanding	Check	-2,849.83
08/03/2023		201460	WINEBOW	Accounts Payable	Outstanding	Check	-1,578.10
08/03/2023		201461	WOODEN SHIP BREWING CO	Accounts Payable	Outstanding	Check	-310.80
08/04/2023	08/02/2023	17	17	Payroll	Cleared	Check	0.00
08/09/2023		201462	ADF SECURITY	Accounts Payable	Outstanding	Check	-768.22
08/09/2023		201463	AMCON CONSTRUCTION	Accounts Payable	Outstanding	Check	-1,500.00
08/09/2023		201464	AMERICAN SOLUTIONS FOR BUSINESS	Accounts Payable	Outstanding	Check	-24.74
08/09/2023		201465	ANOKA COUNTY ATTORNEY	Accounts Payable	Outstanding	Check	-759.30
08/09/2023		201466	ANOKA COUNTY PROP RECORDS/TAXATION	Accounts Payable	Outstanding	Check	-92.00
08/09/2023		201467	ANOKA COUNTY TREASURY OFFICE	Accounts Payable	Outstanding	Check	-450.00
08/09/2023		201468	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-126.09
08/09/2023		201469	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-310.90
08/09/2023		201470	BENEFIT RESOURCE LLC - BPA/VEBA	Accounts Payable	Outstanding	Check	-560.00
08/09/2023		201471	BLAINE AREA PET HOSPITAL	Accounts Payable	Outstanding	Check	-188.90
08/09/2023		201472	BNSF RAILWAY COMPANY	Accounts Payable	Outstanding	Check	-2,391.78
08/09/2023		201473	BOLTON & MENK INC	Accounts Payable	Outstanding	Check	-8,772.50
08/09/2023		201474	CDW GOVERNMENT INC	Accounts Payable	Outstanding	Check	-62,580.00
08/09/2023		201475	CENTERPOINT ENERGY-MINNEGASCO	Accounts Payable	Outstanding	Check	-32.84
08/09/2023		201476	CENTURY LINK	Accounts Payable	Outstanding	Check	-1,958.26
08/09/2023		201477	CMT JANITORIAL SERVICES	Accounts Payable	Outstanding	Check	-2,478.00
08/09/2023		201478	COLUMBIA HEIGHTS, CITY OF	Accounts Payable	Outstanding	Check	-879.80
08/09/2023		201479	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-29,701.00
08/09/2023		201480	COON RAPIDS, CITY OF	Accounts Payable	Outstanding	Check	-473.76
08/09/2023		201481	CORE & MAIN LP	Accounts Payable	Outstanding	Check	-161.21
08/09/2023		201482	COVERTTRACK GROUP INC	Accounts Payable	Outstanding	Check	-1,152.33
08/09/2023		201483	CULLIGAN	Accounts Payable	Outstanding	Check	-722.60
08/09/2023		201484	CUSTOM GRAPHIX	Accounts Payable	Outstanding	Check	-398.00
08/09/2023		201485	DIAMOND VOGEL PAINT	Accounts Payable	Outstanding	Check	-618.90
08/09/2023		201486	EMERGENCY AUTOMOTIVE TECHNOLOGIES	Accounts Payable	Outstanding	Check	-939.58
08/09/2023		201487	FAUL PSYCHOLOGICAL PLLC	Accounts Payable	Outstanding	Check	-2,050.00
08/09/2023		201488	FRANZ REPROGRAPHICS	Accounts Payable	Outstanding	Check	-484.00
08/09/2023		201489	FRATTALONE COMPANIES INC	Accounts Payable	Outstanding	Check	-650.00
08/09/2023		201490	FREIMUTH ENTERPRISES LLC	Accounts Payable	Outstanding	Check	-630.50
08/09/2023		201491	FRIENDLY CHEVROLET INC	Accounts Payable	Outstanding	Check	-7,398.06
08/09/2023		201492	GENUINE PARTS CO/NAPA	Accounts Payable	Outstanding	Check	-75.21
08/09/2023		201493	GONZALEZ, MIGUEL ANGEL MARQWEZ	Accounts Payable	Outstanding	Check	-130.00
08/09/2023		201494	GOPHER STATE ONE-CALL INC	Accounts Payable	Outstanding	Check	-311.85
08/09/2023		201495	GRAINGER	Accounts Payable	Outstanding	Check	-116.68
08/09/2023		201496	GRAPHIC SOLUTIONS GROUP INC	Accounts Payable	Outstanding	Check	-995.96
08/09/2023		201497	GSSC GENERAL SECURITY SERVICES	Accounts Payable	Outstanding	Check	-58.56
08/09/2023		201498	HIRERIGHT LLC	Accounts Payable	Outstanding	Check	-25.55
08/09/2023		201499	INSTRUMENTAL RESEARCH INC	Accounts Payable	Outstanding	Check	-352.00
08/09/2023		201500	JASONS JANITORIAL SERVICES	Accounts Payable	Outstanding	Check	-3,100.00

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
08/09/2023		201501	KATH FUEL OIL SERVICE	Accounts Payable	Outstanding	Check	-360.25
08/09/2023		201502	LEAGUE OF MN CITIES INS TRUST	Accounts Payable	Outstanding	Check	-2,622.18
08/09/2023		201503	LEPAGE & SONS	Accounts Payable	Outstanding	Check	-112.91
08/09/2023		201504	LOFFLER COMPANIES-131511	Accounts Payable	Outstanding	Check	-1,637.75
08/09/2023		201505	MAC QUEEN EMERGENCY	Accounts Payable	Outstanding	Check	-68.95
08/09/2023		201506	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-180.00
08/09/2023		201507	MASSEY, QUINN	Accounts Payable	Outstanding	Check	-63.24
08/09/2023		201508	MENARDS - BLAINE	Accounts Payable	Outstanding	Check	-20.98
08/09/2023		201509	MENARDS - FRIDLEY	Accounts Payable	Outstanding	Check	-192.30
08/09/2023		201510	METRO VOLLEYBALL OFFICIALS ASSOCIATION	Accounts Payable	Outstanding	Check	-952.00
08/09/2023		201511	METRO-INET	Accounts Payable	Outstanding	Check	-4,563.00
08/09/2023		201512	MINN DEPT OF FINANCE	Accounts Payable	Outstanding	Check	-58.80
08/09/2023		201513	MINN IT	Accounts Payable	Outstanding	Check	-449.40
08/09/2023		201514	MINN OCCUPATIONAL HEALTH	Accounts Payable	Outstanding	Check	-559.84
08/09/2023		201515	MINN POLICE & PEACE OFFICERS ASSOC	Accounts Payable	Outstanding	Check	-60.00
08/09/2023		201516	MINN POLICE & PEACE OFFICERS ASSOC	Accounts Payable	Outstanding	Check	-152.00
08/09/2023		201517	MINN SUPERVISORS CONFERENCE	Accounts Payable	Outstanding	Check	-75.00
08/09/2023		201518	MTI DISTRIBUTING CO	Accounts Payable	Outstanding	Check	-358.78
08/09/2023		201519	MURPHY, SHAWN	Accounts Payable	Outstanding	Check	-44.78
08/09/2023		201520	NYKANEN, ANDREW	Accounts Payable	Outstanding	Check	-4,411.20
08/09/2023		201521	OMANN BROTHERS CONTRACTING CO	Accounts Payable	Outstanding	Check	-270.90
08/09/2023		201522	OSMAN, MUMTAZBANOO	Accounts Payable	Outstanding	Check	-100.00
08/09/2023		201523	PALADIN TECHNOLOGIES (USA) INC	Accounts Payable	Outstanding	Check	-84,559.43
08/09/2023		201524	QUADIENT FINANCE USA INC	Accounts Payable	Outstanding	Check	-1,800.00
08/09/2023		201525	READY WATT ELECTRIC	Accounts Payable	Outstanding	Check	-220.00
08/09/2023		201526	REPUBLIC SERVICES #899	Accounts Payable	Outstanding	Check	-24,099.40
08/09/2023		201527	RESPEC	Accounts Payable	Outstanding	Check	-3,970.00
08/09/2023		201528	ROADKILL ANIMAL CONTROL	Accounts Payable	Outstanding	Check	-75.00
08/09/2023		201529	ROCK SOLID LANDSCAPE & IRRIGATION	Accounts Payable	Outstanding	Check	-880.00
08/09/2023		201530	SPORTS UNLIMITED	Accounts Payable	Outstanding	Check	-1,350.00
08/09/2023		201531	STAR TRIBUNE	Accounts Payable	Outstanding	Check	-1,255.21
08/09/2023		201532	SUBURBAN TIRE WHOLESALE INC	Accounts Payable	Outstanding	Check	-286.00
08/09/2023		201533	SUN BADGE CO	Accounts Payable	Outstanding	Check	-89.00
08/09/2023		201534	SUPPLY SOLUTIONS LLC	Accounts Payable	Outstanding	Check	-261.80
08/09/2023		201535	TIMESAVER OFF SITE SECRETARIAL INC	Accounts Payable	Outstanding	Check	-272.25
08/09/2023		201536	TITAN MACHINERY	Accounts Payable	Outstanding	Check	-460.00
08/09/2023		201537	TOTAL MECHANICAL SERVICES INC	Accounts Payable	Outstanding	Check	-1,500.00
08/09/2023		201538	TRI-STATE BOBCAT INC	Accounts Payable	Outstanding	Check	-63.15
08/09/2023		201539	WSB & ASSOCIATES INC	Accounts Payable	Outstanding	Check	-13,101.50
08/09/2023		201540	ZIEGLER INC	Accounts Payable	Outstanding	Check	-297.74
08/09/2023		201541	BNSF RAILWAY COMPANY	Accounts Payable	Outstanding	Check	-2,391.78
Check Total: (241)							-1,056,573.23

Bank Transaction Report

Issued Date Range

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
Check Reversal							
08/01/2023		201210	Reverse Refund Check ERIK DAVID LINDQUIST	Utility Billing	Outstanding	Check Reversal	72.19
08/09/2023		201472	BNSF RAILWAY COMPANY Reversal	Accounts Payable	Outstanding	Check Reversal	2,391.78
Check Reversal Total: (2)							2,463.97
EFT							
07/21/2023		914	CITY OF FRIDLEY-IAFF DUES/INTL ASSOC/FIRE FIGHTERS	Accounts Payable	Outstanding	EFT	-80.00
07/21/2023		EFT0000190	Payroll EFT	Payroll	Outstanding	EFT	-431,933.78
08/04/2023		915	CITY OF FRIDLEY-IAFF DUES/INTL ASSOC/FIRE FIGHTERS	Accounts Payable	Outstanding	EFT	-80.00
08/04/2023		EFT0000191	Payroll EFT	Payroll	Outstanding	EFT	-380,981.83
EFT Total: (4)							-813,075.61
Report Total: (295)							-4,133,911.68

Bank Account	Count	Amount
0000100479 City of Fridley	295	-4,133,911.68
Report Total:	295	-4,133,911.68

Cash Account	Count	Amount
No Cash Account	2	0.00
999 999-101100 Cash in Bank - CITY Pooled Cash	293	-4,133,911.68
Report Total:	295	-4,133,911.68

Transaction Type	Count	Amount
Bank Draft	48	-2,266,726.81
Check	241	-1,056,573.23
Check Reversal	2	2,463.97
EFT	4	-813,075.61
Report Total:	295	-4,133,911.68



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council Meeting

Submitted By: Beth Kondrick, Deputy City Clerk

Melissa Moore, City Clerk/Communications Manager

Title

Ordinance No. 1414, Public Hearing and First Reading to Create Title No. 4 (Public Nuisance) of the Fridley City Code and the Chapters Contained Therein

Background

Pursuant to Minnesota Statute (M.S.) § 415.02 and Fridley City Charter (Charter) § 1.02, the Fridley City Council (Council) may codify and publish ordinances that carry the force and effect of law for the City of Fridley (City), which may be arranged as the Fridley City Code (Code). At its August 23, 2021, meeting the Fridley City Council adopted Resolution No. 2021-67 formally authorizing recodification.

When the Council approved recodification it directed ample opportunity for public input and transparency. This is enabled by discretionary public hearings for the Council to receive comment on the proposed amendments to the Code. On July 24, 2023, the Council approved Resolution No. 2023-82 (Exhibit A), which scheduled a public hearing to consider Ordinance No. 1414 at this evening's meeting. A notice of public hearing was posted on the City's website.

At Conference Meetings this year, the Council heard presentations from staff on proposed changes to chapters of the Code related to public nuisances, which are grouped together to create Title No. 4. Ordinance No. 1414 proposes amending or adding the following chapters to the Code:

- Public Nuisance
- Abatement of Exterior Public Nuisances
- Noise
- Clandestine Drug Lab and Chemical Dump Sites
- Abandoned Junk or Unsafe Motor Vehicles
- Houses of Prostitution

To aid in communicating the details of proposed updates to the Code, staff developed Recodification Reports that will accompany certain chapters of Code as they go through the

Vision Statement

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

recodification process. The reports will illuminate substantive changes to the Code. Six reports are included to supplement Ordinance No. 1414 (Exhibits B-G)

Ordinance No. 1414 proposes to repeal the Junk Vehicles and Vehicle Towing chapters from the Code because they were either obsolete or combined with other chapters in the title.

Financial Impact

None.

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. 1414.

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

- Ordinance No. 1414
- Exhibit A: Resolution No. 2023-82
- Exhibit B: Chapter 400 Recodification Report
- Exhibit C: Chapter 401 Recodification Report
- Exhibit D: Chapter 402 Recodification Report
- Exhibit E: Chapter 403 Recodification Report
- Exhibit F: Chapter 404 Recodification Report
- Exhibit G: Chapter 405 Recodification Report

Vision Statement

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

Ordinance No. 1414

Creating Title No. 4 (Public Nuisance) of the Fridley City Code and the Chapters Contained Therein

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 110, Public Nuisance, be hereby amended as follows:

Fridley City Code Chapter ~~110.400~~ Public Nuisance

400.01. Purpose

The Fridley City Council (Council) has determined that health, safety, good order, general welfare and convenience of the public are threatened by certain public nuisances within the City of Fridley (City).

~~110.01. Minnesota Statutes by Reference~~400.02 Adoption of State Law

Minnesota Statutes (M.S.) Sections 609.74 and 609.745 are ~~hereby~~ adopted by reference and ~~be in have~~ full force and effect in the City ~~of Fridley as if set out here in full.~~

~~110.02. Definitions~~

~~For the purpose of this chapter, certain terms and words are defined in Chapter 205, Zoning Code and or Chapter 101, Animal Control.~~

~~110.03. Public Nuisance Defined~~400.03 Definitions

Hazardous materials: paints, solvents, oil, automotive fluids, and any other hazardous wastes as defined in M.S. § 116.06.

Owner: person(s) listed as the contact on any current rental licensing application on file with the City, person(s) listed as owner by the County Assessor on the homestead record or taxpayer(s) as shown by records of the County Assessor.

Public Nuisance: Whoever, by an act or failure to perform a legal duty, intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

1. Maintains or permits a condition that unreasonably annoys, injures, or endangers the safety, health, comfort, or repose of any considerable number of members of the public.

2. Interferes with, obstructs, or renders dangerous for passage, or loiters on any public highway or right-of-way, or waters used by the public.
3. Causes obstruction or excavation affecting the ordinary use by the public of streets, alleys, sidewalks, or public grounds, except under such conditions as are permitted by this ~~Code~~Chapter, the Rights-of-Way Chapter, or other applicable law.
4. Causes any well hole or similar excavation to be left uncovered or in such other condition as to constitute a hazard, ~~to any child or other person coming on the premises where it is located;~~
5. Stores items outdoors including but not limited to machinery, equipment, ~~abandoned, unsafe, or junk motor vehicles,~~ household furnishings, ~~or materials~~ or abandoned, unsafe, or junk vehicles, in a manner conducive to the harboring of wild animals; ~~or to creating a~~ fire, health, or safety hazards ~~from such accumulations;~~ or ~~from promoting~~ the rank growth of vegetation ~~among the items so accumulated.~~ Items stored ~~outside a building outdoors~~ according to the applicable zoning ordinance provisions stipulations of an approved special use permit are not a public nuisance.
6. Deposits or causes placement of hazardous material in a manner that causes those materials to ~~drain-flow~~ into a storm sewer drain, ~~or~~ waterway as defined ~~in Section 105.02.7 of City by the Landscape Maintenance Chapter of the~~ Code or any other unpaved ground surface within the City. ~~Hazardous material shall include, but not be limited to, paints, solvents, oil, automotive fluids or any other hazardous wastes as defined in State Statute 116.06, Subd. 11;~~
7. Is guilty of any other act or omission declared by law to be a public nuisance and for which no sentence is specifically provided.

110.04. Driveway Nuisance

~~Any driveway located within the city and not paved is a public nuisance.~~

~~Any nuisance under this provision must be abated by construction of an approved surface on the driveway in a manner prescribed by the City. The City expressly reserves and declares its statutory authority to abate any such nuisances under the assessment and levying powers granted by Minnesota Statutes chapters 429 and 463, according to the procedures established in Chapter 128 of City Code.~~

~~"Driveway", for the purpose of this Chapter, shall not include any public owned or dedicated unpaved road or alleyway used for purpose of access to any property; nor any roadway, path or other access to a parcel of unsubdivided property that can, without variance, be subdivided in the City. A roadway or path to subdividable property in the City shall be a "driveway" subject to this Chapter at such time as the property on which it is located is subdivided and the roadway or path continues to be used for the purpose of access to the property. Any roadway or path to subdividable property must be~~

~~paved to a distance of at least twenty feet from the edge of any connecting curb or roadway surface in order to qualify for this exception.~~

~~110.05.400.04~~ Power of Officers

~~The City Manager or their designee will be responsible for investigating and determining whether a public nuisance exists or is being maintained in the City.~~

~~When said official determines a public nuisance is being maintained or exists on a property, the City will issue a written notice to the owner of the property requiring the termination or abatement of the nuisance conditions within a reasonable timeframe as outlined in the Abatement of Exterior Public Nuisance Chapter of the Code.~~

~~Whenever in the judgment of a City official, designated by the City Manager who will be responsible for investigating and determining whether a public nuisance exists or is being maintained within the City, it is found by investigation, that a public nuisance is being maintained or exists on property within the City, the following procedures shall be followed to abate the nuisance:~~

~~1. Written notice shall be issued to the owner requiring the termination or abatement of said nuisance or to remove such conditions or remedy such defects;~~

~~2. Service of said written notice may be hand-delivered to the owner or posted on the property, but shall also be sent via U.S. mail;~~

~~3. If the nuisance involves public right-of-way space, it must be abated or permitted according to the requirements of the Rights-of-Way chapter of the Chapter 407. If the nuisance poses a public health or safety risk, City staff may follow emergency abatement procedures to protect public safety or require that the violation be abated within a reasonable timeframe following notice posted on the property. Other nuisances must be abated within a reasonable timeframe, according to the procedures established in the Abatement of Exterior Public Nuisances Chapter 128 of the City Code.~~

~~110.06. Abatement and Assessment of Nuisance~~

~~If after such service of notice, the owner fails to abate the nuisance or make the necessary repairs, alterations, or changes as directed by the City official, said official may abate the nuisance and assess costs according to the procedures established in Chapter 128 of the City Code.~~

~~110.07. Permitting Public Nuisance~~

~~Whoever permits real property under his or her control to be used to maintain a public nuisance, or lets the same knowing it will be so used, is guilty of a misdemeanor.~~

~~110.08.400.05~~ Emergency Abatement

If the City ~~official~~ Manager or their designee determines that a public nuisance exists and that the public health, safety, or welfare may be in immediate danger, the City may implement emergency abatement procedures to remove or abate the nuisance. When emergency abatement is authorized, the City ~~shall will~~ post a notice at the property and attempt to notify the owner and any agents of the owner and any agent or occupants of the property. However, notice to the owner, agent, or occupant of the property is not required prior to emergency abatement. Following emergency abatement, the City will mail notice of the action taken to the property owner and assess-recover abatement costs according to the procedures established in the Abatement of Exterior Public Nuisances chapter Chapter 128 of the City Code.

~~110.09. Penalties~~

~~Any violation of this Chapter is a misdemeanor and subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code.~~

~~110.10. Severability~~

~~Every section, provision or part of this Chapter is declared separable from every other section, provision or part to the extent that if any section, provision or part of this Chapter shall be held invalid, such holding shall not invalidate any other section, provision or part thereof.~~

400.06 Non-Exclusiveness

Nothing in this Chapter will be deemed a waiver or limitation of any statutory right or power of the City as to hazardous buildings, properties, or materials, nor will this Chapter be deemed to otherwise limit the right or power of the City to conduct other administrative or regulatory searches and inspections including, but not limited to, health inspections, fire scene inspections, arson inspections, and regulated business or industry inspections, nor will this Chapter be deemed to be the exclusive remedy of the City regarding the abatement of public nuisances.

Section 2

That the Fridley City Code Chapter 128 Abatement of Exterior Public Nuisances, be hereby amended as follows:

Fridley City Code Chapter ~~128.401~~ Abatement of Exterior Public Nuisances

~~128.01.401.01~~ Purpose

The ~~Council of the City of Fridley-Fridley City Council (Council)~~ has determined that the health, safety, general welfare, good order, and convenience of the public is threatened by certain exterior public nuisances on ~~property-properties~~ within the City ~~limits~~. It is ~~declared to be~~ the intention of the Council to abate such nuisances, ~~and this Chapter is enacted for that purpose.~~

401.02 Definitions

Owner: person(s) listed as the contact on any current rental licensing application on file with the City, person(s) listed as owner by the County Assessor on the homestead record or taxpayer(s) as shown by records of the County Assessor.

~~128.02~~401.03 Application

~~This Chapter shall apply to the abatement of public nuisances as defined in Chapter 110 of City Code including, but not limited to solid waste and other materials and equipment stored in a yard or conditions that are in violation of the Zoning Code or deemed to create an exterior public nuisances as described in Chapter 110.03, or a vision safety violation as defined in Chapter 205, or deemed to be a public nuisance by any other section of the City Code.~~

This Chapter applies to the abatement of public nuisances as defined in the Public Nuisance chapter of the Fridley City Code (Code) including, but not limited to, solid waste and other materials and equipment stored in a yard, conditions that are in violation of the zoning-related chapters of the Code, or any conditions deemed to be a public nuisance in any other section of the Code.

~~128.03~~401.04 Inspection and Investigation

1. Periodic Inspection. The ~~Code Enforcement Officer or other duly authorized agents shall~~City Manager or their designee may cause to be inspected~~inspect~~ all public and private properties within the City which they believe might contain an exterior public nuisance ~~as defined in this Code section as often as practicable to in order to~~ determine whether any such conditions exist. The ~~Code Enforcement Officer or other duly authorized agents shall~~City Manager or their designee may also investigate ~~all any~~ reports of exterior public nuisances located within the City pursuant to the Public Nuisances Chapter of the Code and Minnesota Statute (M.S.) § 609.74.

2. Right of Entry. The ~~Code Enforcement Officer or other duly authorized agents~~City Manager or their designee may enter upon all public and private properties for the purposes of conducting inspections for exterior public nuisances. If the property owner ~~and/or~~ occupant of ~~the any~~ property refuses ~~said inspector(s) right of~~ entry for inspection by the City, the City may seek an administrative search warrant or other order of the District Court for ~~said purpose of~~ entry and inspection.

~~128.04~~401.05 Abatement of Exterior Public Nuisances

Upon a determination by the ~~Code Enforcement Officer or other duly authorized agent~~City Manager or their designee that an exterior public nuisance exists on any public or private property within the City, said official ~~shall will~~ order the exterior public nuisance to be abated in accordance with this ~~Code section~~Chapter.

~~128.05~~401.06 Procedure for ~~Removal~~Abatement of Exterior Public Nuisances

1. The City Manager or their designee will be responsible for investigating the determining whether a public nuisance exists or is being maintained in the City. When said official determines a public nuisance is being maintained or exists on a property, procedures outlined in this Chapter will be followed to abate the nuisance.

2. If the nuisance involves public right-of-way space, it must be abated or permitted according to the requirements of the Rights-of-Way Chapter of the Code. If the nuisance poses a public health or safety risk, the City Manager or their designee may follow emergency abatement procedures to protect public safety or require that the violation be abated within a reasonable timeframe following notice posted on the property. Other nuisances must be abated within a reasonable timeframe, according to the procedures established in this Chapter.

1.3. Notice. ~~Whenever~~ When the ~~Code Enforcement Officer or other duly authorized agent~~ City Manager or their designee finds ~~with reason able certainty~~ that an exterior public nuisance exists on any public or private property in the City, said official ~~shall~~ must notify the affected property owner by hand-delivery or posted notice on the property and mailed notice by first class mail that the nuisance must be abated within a reasonable period of time, not less than ~~twenty~~ (20) days from the date ~~of service~~ of the notice. ~~(Service by mail shall be deemed complete upon mailing.)~~ The order ~~shall~~ will set forth the following:

A.(a) The specific nature of the violations and requirements for compliance. ~~Compliance may be achieved by repair or alteration of the condition(s) in violation. If repair or alteration are not practical, the item(s) in violation must be removed from the subject property.~~

B.(b) That the property owner may, within ~~ten (10)~~ 14 business days of the date of the order, request a hearing before the ~~Appeals~~ Planning Commission.

C.(c) That failure to abate the nuisance or request a hearing within the applicable ~~time period~~ time period will result in ~~summary an~~ abatement ~~action procedures~~, and the cost of abatement, including City staff time, will be ~~charged to assessed against~~ the subject property. ~~Collection will be requested from the property owner or other person served of the charges when due. Unpaid abatement charges will be assessed against the subject property.~~

2.4. Hearing

(a) Any property owner who ~~feels aggrieved by~~ has received an order ~~of the Code Enforcement Officer or other duly authorized agent~~ issued pursuant to this ~~chapter~~ Chapter may request a hearing before the Planning Commission. Such request ~~shall~~ must be filed in writing with the office of the ~~Community Development Director~~ City Manager or their designee within ~~ten (10)~~ 14 days ~~after of~~ the date of ~~service of~~ the ~~notice by the Code Enforcement Officer or other duly authorized agent~~ order.

(b) The Community Development Director ~~shall or their designee will~~ notify the Planning Commission and the property owner of the date, time, and place of the hearing. The Community Development Director ~~shall will~~ notify the ~~appealing~~ property owner of the selected public hearing date not less than ~~ten (10)~~ days prior to the date of the hearing. The hearing ~~shall will~~ be conducted no more than sixty (60) days after the property owner's request, unless a later date is mutually agreed to by the property owner and the City.

(c) Both the property owner and representatives of the City may appear at the hearing with counsel and may call witnesses and present relevant and competent evidence.

(d) Within ~~ten (10)~~ days ~~after of the such~~ hearing, the Planning Commission ~~shall will~~ affirm, repeal, or modify the ~~abatement order of the Code Enforcement Officer or other duly authorized agent~~. The Planning Commission order ~~shall will~~ be accompanied by written findings of fact, and may include a finding of fact as to the absence of value of the materials deemed to constitute an exterior public nuisance.

(e) Any person ~~aggrieved by the decision of the Planning Commission~~ may appeal ~~that the decision of the Planning Commission order~~ to the City Council by filing notice of such appeal with the Community Development Director ~~or their designee~~ within ~~twenty (20)~~ days ~~of receiving the~~ notice of the Planning Commission's ~~decision order~~. At its next available regular meeting following the filing of a notice of appeal, the Council ~~shall will~~ review the decision and findings of fact of the Planning Commission and ~~shall will~~ affirm, repeal, or modify that decision.

(f) If the Council affirms the Planning Commission's ~~decision order~~ declaring that an exterior public nuisance exists, the City ~~shall will~~ abate the exterior public nuisance after ~~twenty (20)~~ days following the Council's final determination, unless the property owner ~~has remedied the public nuisance or~~ petitions for a court order to the contrary within said ~~twenty (20)~~ days.

3.5. Disposition-Abatement action. When the nuisance is present after the reasonable period of time established in the Notice has passed and all hearings have concluded, the City will abate the nuisance. Where practical, compliance will be achieved by repair or alteration of the condition(s) in violation. If repair or alteration are not practical, the item(s) in violation will be removed from the subject property.

4.6. Disposal of Property. The City maintains the right to dispose of all property that it removes from public and private properties through abatement procedures as outlined in this Chapter. Disposal of property deemed to have value ~~shall may~~ occur ~~no less than at least thirty (30)~~ days after the property is secured, but ~~in any event shall may~~ not occur until the property owner is deemed to waive administrative appeals or exhausts all administrative appeals. The City ~~shall may~~ not dispose of property if the property owner obtains a court order to the contrary ~~and/or~~ pays all costs associated with the removal and storage of said property within ~~said the thirty (30)~~ day time period. The City maintains the right to immediately dispose of refuse ~~and/or~~ junk

materials deemed to be without value. Any junk or abandoned vehicles will be impounded, stored, and sold pursuant to the process described in M.S. § 168B.

4.7. Assessment. The ~~Code Enforcement Officer or other duly authorized agent shall~~ City Manager or their designee must keep a record of the costs of the abatements completed under this Chapter and ~~shall will~~ provide detailed reports to the Finance Director or other appropriate officer regarding all work performed for which assessments are to be made, stating and certifying the description of the land, lots, or parcels involved and the amount assessable to each. The costs to be assessed ~~shall will~~ include up to an additional ~~twentyfive percent (25%)~~ to cover any administrative costs associated with the abatements. The City ~~shall will~~ list the total unpaid charges for each abatement against each separate lot ~~or parcel~~ to which they are attributable under this Chapter. The Council may ~~then~~ spread the charges, or any portion of the charges, thereof against the property involved as a special assessment under other pertinent statutes, for certification to the County Auditor and collection the following year along with current taxes. Such assessment ~~shall will~~ be payable in a single installment or by up to ~~ten (10)~~ equal annual installments as ~~City~~ Council may provide, pursuant to ~~Minnesota Statutes, Section M.S. § 429.101, Subdivision subd. 2.~~

128.06-401.07 Release of Property

To reclaim ~~those any~~ materials that have been removed by the City in a nuisance abatement action, accordance with 128.05, the owner or lienholder must pay any costs and administrative ~~fees~~ incurred by the City. The owner or lienholder reclaiming the materials ~~shall must~~ sign a "Release of Property" form and ~~shall must~~ agree not to return the items to any location in the City ~~of Fridley~~ that creates a new violation of ~~city ordinance the Code~~. If additional removal of the same or similar items is deemed necessary by the City, an abbreviated but reasonable notice period will be provided before the removal takes place. All other provisions of this City Chapter ordinance 128, including the right to a hearing, will still apply.

401.08 Emergency Abatement

If the City Manager or their designee determines that a public nuisance exists and that the public health, safety, or welfare may be in immediate danger, the City may implement emergency abatement procedures to remove or abate the nuisance. When emergency abatement is authorized, the City must post a notice at the property and attempt to notify the owner, agent, or occupant of the property. However, notice to the owner, agent, or occupant of the property is not required prior to abatement. Following emergency abatement, the City will mail notice of the action taken to the property owner and assess costs according to the procedures established in this Chapter.

128.07. Severability

~~Every section, provision or part of this Chapter is declared separable severable from every other section, provision, or part to the extent that if any section, provision, or part of this Chapter shall be held to be invalid, such holding shall not invalidate any other section, provision, or part thereof.~~

~~128.08.401.09~~ Non-Exclusiveness

Nothing in this ~~Chapter~~~~ode-section~~ ~~shall will~~ be deemed a waiver or limitation of any statutory right ~~and/or~~ power of the City as to hazardous buildings, properties, or materials, nor ~~shall will~~ this ~~Chapter Code-section~~ be deemed to otherwise limit the right ~~and/or~~ power of the City to conduct other administrative ~~and/or~~ regulatory searches and inspections including, but not limited to, health inspections, fire scene inspections, ~~and~~ arson inspections, and regulated business ~~orand industries~~ industry inspections, nor ~~shall will~~ this ~~ChapterCode-section~~ be deemed to be ~~an-the~~ exclusive remedy of the City regarding the abatement of exterior public nuisances.

Section 3

That the Fridley City Code Chapter 126, Houses of Prostitution; Public Nuisance, be hereby amended as follows:

Fridley City Code Chapter ~~126.402~~ Houses of Prostitution; ~~Public Nuisance~~

~~126.01. Statement of Purpose~~402.01 Purpose

The use or maintenance of buildings and movable property within the City of Fridley ~~(City)for purposes of to conducting~~ prostitution or prostitution related activities constitutes a threat to the public health, safety, and welfare. The City ~~of Fridley~~ has an interest in ~~insuring-ensuring~~ the lawful use of property within the community and in protecting its citizens from uses of property which endanger public health, safety, and welfare. The Fridley City Council ~~(Council)of the City of Fridley~~ deems it necessary and appropriate to enact procedures to prevent and eliminate the use of buildings and moveable property within the City ~~of Fridley for purposes of to conducting-conduct~~ prostitution or ~~prostitution-relatedprostitution-related~~ activities.

~~126.02.402.02~~ Definitions

~~The terms used in Sections 126.01 through 126.08 shall have the meaning herein given:~~

~~1.-Building: Includes any structure suitable for human shelter and the ground itself.A structure suitable for human shelter, a commercial structure that is maintained for business activities that involve human occupation, any portion of the structure or the land surrounding the structure.~~

~~2.-Movable Property: Includes furniture, fixtures and materials.~~

Property: Includes any building and/or movable property.

~~3-~~Materials: Includes books, magazines, pamphlets, papers, writings, cards, advertisements, circulars, prints, pictures, ~~photographs, motion picture~~ films, plays, images, instruments, statues, drawings, and videos.

~~4-~~Prostitution and Prostitution Related Offenses: ~~Includes the~~The conduct defined in Minnesota Statutes, ~~Sections (M.S.) §§~~ 609.321 through 609.324.

~~126.03-402.03~~ Acts Constituting a Nuisance

1. Any ~~building or portion thereof and any movable~~ property used or maintained for the purpose, of committing acts of prostitution or prostitution related offenses ~~shall~~ constitute reasonable cause ~~that to declare the existence of a~~ public nuisance ~~at said property exists.~~

2. A rebuttable presumption as to the existence of a public nuisance ~~shall~~ may exist upon proof of three ~~(3)-~~or more misdemeanor convictions or two ~~(2)-~~or more gross misdemeanors or felony convictions within the previous two ~~(2)-~~years for acts of prostitution or prostitution related offenses arising out of conduct committed within or upon such ~~property building or portion thereof.~~

3. Any ~~building or portion thereof and all movable~~ property used in conducting or maintaining a public nuisance shall be enjoined and abated as provided for in ~~Sections 126.05 through 126.08-~~this Chapter.

~~126.04-402.04~~ Notice

Notice of any convictions described in ~~Section 126.03 of,~~ this Chapter ~~shall will~~ be sent by ~~United States~~-mail to the owner of record, all other interested persons or parties of record, the, occupant(s) of such ~~building property or portion thereof~~ and ~~shall will~~ be filed with the County Recorder ~~or Registrar of Titles's~~ Office when permitted by law. Such notice ~~shall will~~ be deemed sufficient ~~as notice~~ to all interested persons, including persons or parties not of record or unknown, that the ~~building property, or a portion thereof~~ is being used for purposes constituting a public nuisance.

~~126.05-402.05~~ Injunctive Remedies

1. Whenever the County Attorney, City Attorney, Public Official or resident of the City has reasonable cause to believe that any person within the City is violating ~~Section 126.03~~this Chapter, ~~they he or she~~ may, by verified petition, seek a temporary injunction in district court in Anoka County. ~~No Prior to the issuance of a~~ temporary restraining order or preliminary injunction, ~~shall be issued without the City must schedule a a-prior~~ show cause ~~notice of~~ hearing to ensure the respondents have an opportunity to be heard. Personal service of the show cause order and of the petition made ~~as in~~ the civil actions on the named respondents, or, ~~upon~~ any of their employees or agents found within the State, is required for ~~shall constitute~~ sufficient notice. ~~Such show cause order for hearing may be returnable on the third day from the date of service, as to a respondent who is present in this State, and on the fifth day as to a person not a~~

~~resident or not found within this State.~~ In-state respondents must reply to the notice of hearing within three days of receipt informing the City of their intent to be present at the hearing. Out of state respondents must reply to the same notice within five days or receipt.

2. Any temporary restraining order or temporary injunction granted ~~shall will~~ be binding on the owner and all, other, persons or parties, known or unknown, claiming any right, title, estate, lien or other interest in the ~~building property or portion thereof~~ used or maintained for purposes constituting a public nuisance.

~~126.06.402.06~~ Trial, Order and Abatement

1. Pursuant to the Rules of Civil Procedure, the court may also order ~~the a~~ trial of the action on the merits to be advanced and consolidated with the hearing on the motion for a temporary injunction. Proof of any of the circumstances enumerated in ~~Section 126.03.2 shall~~ this Chapter will create a rebuttable presumption as to the existence of a public nuisance ~~and the court shall order the abatement of the nuisance.~~

2. The court is authorized to order ~~that the removal from the building or portion thereof of all~~ movable property used in conducting or maintaining such nuisance be removed from the property, and may direct the sale of such moveable property, ~~as belongs to the defendants who were notified or appeared~~ and shall direct the closing of the ~~building property or portion thereof~~ for a period of one ~~(1)~~ year, except ~~as to such for~~ use requested by a person appointed by the court as receiver of ~~such the building or portion property thereof~~ and as such use is further approved by the court. All remedies providing for the seizure of property for the purpose of securing satisfaction of a judgment shall be available ~~under the circumstances and~~ in the manner provided by the law of the State. All costs of receivership ~~shall must~~ be paid out of the receipts from the sale of the property or rents collected.

3. Where the ~~building or portion thereof property~~ is a nonconforming use for municipal zoning purposes, the abatement ~~shall will~~ constitute a discontinuance of such use and, thereafter, the use of the ~~building or the portion thereof~~ abated property must conform to the use permitted in the zoning district in which it is located. Additionally, if the abatement of a portion of the ~~building property~~ results in a reduction of the degree of the ~~building's property's~~ nonconformity, the degree of nonconformity may not be thereafter returned to its original status.

4. This Section does not limit the destruction of any materials pursuant to ~~Minnesota Statutes, Section M.S. §~~ 617.27.

~~126.07. Contempt~~

~~Whoever violates a restraining order, temporary injunction or abatement order granted under Sections 126.03 through 126.08 may be adjudged in contempt of court and punished accordingly. In addition, if any defendant fails to perform an ordered act, the court may direct the act to be done in accordance with Rule 70 of the Rules of Civil Procedure.~~

~~126.08. Parties to Action~~

~~Before any abatement order shall be enforced against the building or the portion thereof abated, the owner thereof shall be served with a summons in accordance with Rule 4 of the Rules of Civil Procedure. The person in whose name the building or affected portion thereof is recorded with the County Auditor for purposes of taxation shall be presumed the owner. In case of unknown persons having or claiming any ownership, right, title or interest in the property, they may be made parties to the action by designating them in the summons and complaint as "all other persons unknown claiming any ownership, right, title or interest in the property affected by the action" and service thereon made in the manner prescribed in Rule 4.04 of the Rules of Civil Procedure.~~

Section 4

That the Fridley City Code Chapter 130, Clandestine Drug Lab and Chemical Dump Sites, be hereby amended as follows:

Fridley City Code Chapter ~~130.403~~ Clandestine Drug Lab and Chemical Dump Sites

~~130.01. General Provisions.~~403.01 Purpose

~~1. — Purpose and Intent.~~ The purpose of this ~~Chapter Ordinance~~ is to reduce public exposure to health risks where law enforcement officers or fire officials have determined that hazardous chemicals from a suspected clandestine drug lab site or associated dump site may exist. The ~~Fridley City Council (Council)~~ finds that such sites may contain ~~suspected~~ chemicals and residues that place people, ~~particularly children or adults of child-bearing age,~~ at risk when exposed through inhabiting or visiting the site, ~~now and in the future.~~

Based ~~upon on~~ professional reports, assessments, testing, and investigations, the ~~City~~ Council finds that ~~such~~ hazardous chemicals can condense, penetrate, and contaminate ~~on~~ the land, surfaces, furnishings, buildings, and equipment in or near ~~structures or other~~ locations where clandestine drug labs or associated dumps such sites exist. The Council finds that these ~~se~~ conditions present potential health and safety risks to residents, occupants, and visitors who may be exposed to said conditions via through fire, explosion, skin and respiratory exposure contact, or and other related methods of exposure dangers. The Council further finds that such sites present health and safety risks to occupied residences, buildings, ~~and~~ structures, and to the general housing stock of the community.

~~2. — XXX.02 Interpretation and Application.~~403.02 Application

1. In their interpretation and application, the provisions of this ~~Chapter Ordinance~~ ~~shall~~ must be construed to protect the public health, safety, and welfare.

2. Where the conditions imposed by any provision of this ~~Chapter Ordinance~~ are either more or less restrictive than comparable provisions imposed by any other law, ordinance, statute, or

regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements ~~shall will prevail~~ preempt the less restrictive regulations.

3. ~~Should any court of competent jurisdiction~~ declare any section or subpart of this ~~Chapter~~ Ordinance to be invalid, such decision ~~shall does~~ not affect the validity of ~~this Chapter~~ he Ordinance as a whole or any part thereof, other than the provision declared invalid.

3. ~~— Fees. Fees for the administration of this Chapter Ordinance are set forth in the City's fee schedule may be established and amended periodically by ordinance of the City Council.~~

4. ~~— Definitions For the purpose of this Chapter Ordinance, the following terms or words shall be interpreted as follows:~~

403.03 Definitions

Building Official: ~~shall mean the~~ The City of Fridley's (City) Chief Building Official or ~~his/her~~ their designee.

Child: ~~shall mean any~~ Any person less than 18 years of age.

Chemical dumpsite: ~~shall mean any~~ Any place or area where chemicals or other waste materials used in a clandestine drug lab has been located.

~~City shall mean the City of Fridley.~~

Clandestine drug lab: ~~shall mean the~~ The unlawful ~~manufacture~~ manufacturing of, or attempt to manufacture, any controlled substances.

Clandestine drug lab site: ~~shall mean any~~ Any place or area where law enforcement or fire officials have determined that conditions associated with the operation of an unlawful clandestine drug lab exist. A clandestine drug lab site may include motor vehicles, trailers, boats or other movable property, dwellings, accessory buildings, accessory structures, commercial structures, multi-family structures, or a chemical dump site on any land.

Controlled substance: ~~shall mean a~~ A drug, substance, or immediate precursor in Schedules I through V of ~~Minn. Stat.~~ Minnesota Statute (M.S.) § 152.02. ~~The term shall does not include distilled spirits, wine, malt beverages, intoxicating liquors, or tobacco.~~

Environmental testing and cleaning firm or contractor: ~~shall mean a~~ A business or individual with established competence as designated by the State of Minnesota Department of Health specific to the environmental task being performed.

Fire Marshal: ~~shall mean t~~ The City of Fridley's Fire Marshal or ~~their~~ his/her designee.

Hazardous wastes: ~~shall mean w~~ Waste generated, including equipment, from a clandestine drug lab. Such wastes ~~shall must~~ be treated, stored, transported, or disposed of in a manner consistent with

the Minnesota Department of Health, Minnesota Pollution Control, and Anoka County Health Department rules and regulations.

~~Manufacture; in places other than a pharmacy, shall mean and include the~~ The unlawful production, cultivation, quality control, and standardization, by mechanical, physical, chemical or pharmaceutical means, packing, repacking, tableting, encapsulating, labeling, relabeling, filling, or by other process, of ~~drugs~~ controlled substances.

Minnesota Department of Health ~~guidelines~~ Guidelines; ~~shall mean the~~ The most current version of standards or guidelines, including but not limited to "Clandestine Drug Labs General Cleanup ~~Guidelines~~ Guidance", as promulgated by the State of Minnesota Department of Health for the testing or remediation of clandestine drug labs or chemical dump sites; ~~and which~~ Said standards or guidelines are hereby incorporated by reference and made ~~a~~ part of this ~~Chapter~~ Ordinance.

Owner; ~~shall mean any~~ Any person, firm, or corporation who owns, in whole or in part, the land, buildings, structures, motor vehicles, trailers, boats or other movable property associated with a clandestine drug lab site or chemical dumpsite.

~~Public health nuisance. All dwellings, accessory structures and buildings or adjacent property associated with a clandestine drug lab site are potentially unsafe due to health hazards and are considered a public health nuisance pursuant to Minn. Stat. §463.15, et seq.; § 412.221, et seq.; and 145A.01, et seq.~~

~~130.02.403.04~~ Administration

1. ~~Law Enforcement or Fire Department~~ Notice to Other Authorities. ~~Law enforcement authorities or Fire Department officials~~ Building Officials or Fire Marshals ~~that who~~ identify conditions associated with a clandestine drug lab site or a chemical dump site that ~~places neighbors, visiting public, or present and future occupants of the site at risk~~ creates a risk of ~~for~~ exposure to ~~harmful contaminants and other associated conditions~~ hazardous chemicals; must promptly notify the appropriate municipal, child protection, and public health authorities of the property conditions, location, and identity of the property owner if known; ~~and conditions found~~.

2. Declaration of Property as a Public Health Nuisance. ~~If law enforcement or fire officials determine the existence of a clandestine drug lab site or chemical dumpsite, the property shall be declared a public health nuisance. All dwellings, accessory structures and buildings or adjacent property associated with a clandestine drug lab site are potentially unsafe due to health hazards and are considered a public health nuisance pursuant to M.S. § 463.15 and M.S. § 145A.01.~~

3. Notice of Public Health Nuisance to Concerned Parties. Upon notification by ~~law enforcement or Fire Department authorities~~, the Building a Public Official or Fire Marshal ~~shall who must~~ promptly issue a Declaration of Public Health Nuisance for the affected property and prominently post a copy of the Declaration at all entrances to the dwelling, property or site. The Building Official or Fire Marshal issuing said Declaration ~~shall~~ must also notify the ~~owner of the property by mail and notify the~~ following parties via U.S. Mail:

(a) All owners of the property (if known);

A.(b) Occupants of the property (if known);

B.(c) Neighbors at potential risk;

C.(d) The Fridley Police Department, Fridley Fire Department, Fridley Public Safety Department, Anoka County Community Health and Environmental Services; and

D.(e) Other state and local authorities, such as Minnesota Pollution Control Agency (MPCA) and Minnesota Department of Health, which are known to have public and environmental protection responsibilities that are applicable to the situation.

E.(f) The Building Official or Fire Marshal issuing said Declaration may notify any financial institution with an interest of record of the Declaration of Public Health Nuisance and ~~shall~~ may notify such financial institution should the property owner fail to arrange for timely and appropriate assessment and clean up.

F.(g) The Building Official or Fire Marshal issuing said Declaration may notify the insurance company ~~with a policy known to be applicable to the~~ that insures the subject property and ~~shall~~ may notify such insurance company should the property owner fail to arrange for timely and appropriate assessment and clean up.

G.(h) The Building Official or Fire Marshal issuing said Declaration may ~~cause a file a~~ cause a file a certified copy of the Declaration of Public Health Nuisance ~~to be filed with the Office of the Anoka County Recorder or Registrar of Titles. Upon abatement of the nuisance as required herein, the Building Official or Fire Marshal issuing said Declaration~~ shall must cause record a notice of successful abatement or removal of Declaration of Public Health Nuisance ~~to be so recorded.~~

4. Property Owner's Responsibility to Act - Order for Abatement. The Building Official or Fire Marshal ~~shall must also~~ issue an order to the property owner to abate the public health nuisance which will, ~~including include~~ the following conditions:

A.(a) That the owner, tenant, occupants, or other persons ~~in possession of residing at or otherwise occupying~~ the premises ~~shall must~~ immediately vacate ~~those any~~ portions of the property, ~~including building and structure interiors, or dump site, which that~~ may place ~~themsuch persons~~ at risk. No person ~~shall may~~ reside in or occupy any premises or property subject to an order for abatement under this Chapter until such time as the Building Official or Fire Marshal has determined that the ~~contamination has been reduced to an acceptable level~~ hazard has been abated and that the cleaning of hazardous waste was conducted in accordance with Minnesota Department of Health guidelines.

~~B.(b) Promptly~~ That the owner or occupant must promptly contract with ~~appropriate~~ an environmental testing and cleaning firms to conduct an on-site assessment, complete clean-up, and remediation testing, and follow-up testing, ~~and determine that the property risks are sufficiently reduced in accordance with Minnesota Department of Health guidelines.~~ The property owner ~~shall~~ must notify the City of actions taken and reach an agreement with the City on the clean-up schedule. The City ~~shall~~ may consider practical limitations and the availability of environmental or other contractors in approving the schedule for clean-up. The property owners must receive a determination from the cleaning firm or contractor stating that the risks created by the property are sufficiently reduced in accordance with Minnesota Department of Health guidelines.

~~C.(c) That the owner or occupant must~~ Provide provide written documentation of the clean-up process, including a signed, written statement that the contamination has been reduced to an acceptable level and that the clean-up was conducted in accordance with Minnesota Department of Health guidelines.

5. Property Owner's Responsibility for Costs. The property owner ~~shall~~ will be responsible for all costs of assessment, testing, abatement, or clean-up of the site, including contractor's fees and public costs for services that were performed in association with a clandestine drug lab site or chemical dump site clean-up. The Building Official or Fire Marshal ~~shall~~ must prepare and provide ~~to the property owner~~ a Statement of Itemized Public Costs and send it to the property owner which ~~shall~~ will be due and payable upon receipt. Public costs may include, but are not limited to:

~~A.(a)~~ Posting of the site;

~~B.(b)~~ Notification of affected parties;

~~C.(c)~~ Expenses related to the recovery of costs, including the assessment process;

~~D.(d)~~ Laboratory fees;

~~E.(e)~~ Clean-up services, including septic systems;

~~F.(f)~~ Administrative fees;

~~G.(g)~~ Emergency response costs;

~~H.(h)~~ Other associated costs; and

~~I.(i)~~ Any legal costs ~~including attorney fees~~ related to the nuisance abatement.

6. Recovery of Public Costs

~~A.(a)~~ If, after service of notification of the Declaration of Public Health Nuisance, the property owner fails to arrange appropriate assessment and clean-up, the Building Official or Fire Marshal is authorized to proceed in a prompt manner to initiate the on-site assessment and clean-up.

~~B.(b)~~ If the City is unable to locate the property owner within ~~ten (10)~~ days of the Declaration of Public Health Nuisance, the City is authorized to proceed in a prompt manner to initiate the on-site assessment and clean-up.

~~C.(c)~~ The City may abate the nuisance by removing the hazardous structure or building, ~~or otherwise, according to Minnesota Statutes M.S. Chapter 463. In cases involving motor vehicles, recreational vehicles, trailers, boats, or other movable property, the City may abate the nuisance by disposal of the property.~~

~~D.(d)~~ If the City abates the public health nuisance, or otherwise incurs public costs, in addition to any other legal remedy, the City ~~shall be~~ is entitled to recover all public costs. The City may recover costs by civil action against the person or persons who own the property, or ~~by assessing such costs as a special tax against the property in the manner as taxes and special assessments are certified and collected pursuant to Minn. Stat. M.S. § 429.101.~~

~~E.(e)~~ Nothing herein ~~shall limit~~ limits the authority of the City to enforce this ~~Chapter ordinance~~ or seek any other legal remedy to abate the nuisance through declaratory action, injunction, nuisance declaration, or otherwise.

7. Authority to Modify or Remove Declaration of Public Health Nuisance.

~~A.(a)~~ The Building Official or Fire Marshal is authorized to modify the Declaration conditions or remove the Declaration of Public Health Nuisance.

~~B.(b)~~ Such modifications or removal of the Declaration ~~shall~~ may only occur after documentation from a qualified environmental or cleaning firm stating that the health and safety risks ~~posed by the property, including those to neighbors and potential dwelling occupants,~~ are sufficiently abated ~~or corrected~~ in accordance with Minnesota Department of Health guidelines.

~~130.03.403.05~~ City Council Review

The owner of the property or any party with a legal interest in the property who has been issued a Declaration of Public Health Nuisance, an Order for Abatement, or a Statement of Public Costs may appeal ~~the Declaration of Public Health Nuisance, the Order for Abatement or the Statement of Public Costs to the~~ City Council. The appeal ~~shall~~ must be in writing, filed with the City Clerk and Anoka County Community Health and Environmental Services, ~~and must~~ specifying the grounds for the appeal and ~~the relief requested.~~ The appeal must be filed within ~~10~~ ten days of the issuance of the item from which appeal is taken. The ~~City~~ Council ~~shall~~ will hear the appeal at the next available ~~City~~

Council meeting. Upon review, the ~~City~~ Council may affirm, modify, or reverse the action taken. The filing of an appeal ~~shall~~ may suspend the terms of the Declaration of Public Health Nuisance, Order for Abatement, or Statement of Public Costs, whichever is applicable. However, in the instance of an appeal from an Order for Abatement, the appeal ~~shall~~ may not suspend that part of the order prohibiting occupancy of the property.

~~130.04. Violations and Penalties.~~

~~Any person violating any provision of this Article is guilty of a misdemeanor and upon conviction shall be subject to the penalties set forth in Minn. Stat. § 609.02, Subd. 3.~~

403.06 Fees

Fees for the administration of this Chapter are set forth in the Fees chapter of the Code.

Section 5

That the Fridley City Code Chapter 114, Abandoned Junk or Unsafe Motor Vehicles, be hereby amended as follows:

Fridley City Code Chapter ~~114.404~~ Abandoned Junk or Unsafe Motor Vehicles

~~114.01.404.01~~ Purpose

Abandoned ~~or junk and unsafe motor~~ vehicles constitute a hazard to the health and welfare of the residents of the community. ~~in that such~~ Abandoned or junk vehicles can harbor noxious diseases, ~~furnish~~ serve as shelter and breeding places for vermin, may contain fluids that can cause significant health risks, and otherwise present physical dangers to the safety and ~~well-being~~ well-being of children and other citizens. ~~Motor vehicles contain fluids that if released into the environment can and do cause significant health risks to the community. The condition of vehicles that are junked and abandoned, junk or unsafe significantly increase the likelihood that these dangerous fluids might be so released.~~

Abandoned, ~~or junk or unsafe motor~~ vehicles ~~and other scrap metals~~ also constitute a blight on the landscape of the ~~City and therefore are detrimental to the environment. The abandonment and retirement of motor vehicles and other scrap metal constitutes a waste of a valuable source of useful metal.~~ It is ~~therefore~~ in the public interest that the present accumulation of abandoned ~~or junk junk, or unsafe motor~~ vehicles ~~and other scrap metals~~ be eliminated, that future abandonment of ~~motor vehicles and other scrap metals~~ be prevented, and that other acceptable ~~and economically useful~~ methods for the disposal of abandoned ~~or junk or unsafe motor~~ vehicles ~~and other forms of scrap metal~~ be utilized.

~~114.02.404.02~~ Definitions

~~1. Abandoned Motor Vehicle: A motor vehicle that has remained illegally outdoors on public property within the City for a period of more than 48 hours on public property illegally or, or has remained for a period of more than four hours 48 hours on private property without consent of the person in control of the such property and, or lacks vital component parts or is in an inoperable condition such that it has no substantial potential for further use consistent with its usual functions, unless it is kept in an enclosed garage or storage building. in an inoperable condition such that it has no substantial potential for further use consistent with its usual functions, unless it is kept in an enclosed garage or storage building. It shall also mean a motor vehicle voluntarily surrendered by its owner to the City or a duly authorized agent of the City. A classic car or pioneer car, as defined by Minnesota Statutes (M.S.) § 168.10 in Minnesota Statutes, is shall not be considered an abandoned motor vehicle within the meaning of this Section. Vehicles on the premises of junk yards and automobile graveyards that are defined, maintained, and licensed in accordance with M.S. § 161.242, or that are licensed and maintained in accordance with local laws and zoning regulations, are not considered abandoned vehicles. A vehicle being held for storage by agreement or being held under police authority or pursuant to a writ or court order is not considered abandoned, nor may it be processed as abandoned while the police hold, writ, or court order is in effect.~~

Garagekeeper: An operator of a parking place or establishment, an operator of a motor vehicle storage facility, or an operator of an establishment for the servicing, repair, or maintenance of motor vehicles.

~~2. ——— Unsafe Motor Vehicle.~~

~~Any vehicle located outdoors on property within the city in which any systems, including braking, steering, suspension, electrical, lighting, motor, or drive train system are not functioning or a vehicle that cannot legally be driven or is in violation of any state, federal or local vehicle equipment or safety regulation including, but not limited, to Minnesota statutes.~~

~~3. Junk Motor Vehicle~~

~~A motor vehicle that is located outdoors on property in the city that meets all any of the following criteria shall be defined as a junk vehicle:~~

- ~~a. Any motor vehicle that is not in operable condition.~~
- ~~b. Any motor vehicle that is partially dismantled.~~
- ~~c. Any motor vehicle that is a source of repair or replacement parts for other vehicles.~~
- ~~d. Any motor vehicle that lacks vital component parts.~~
- ~~e. Any motor vehicle that is not currently registered and properly licensed for operation with and by the State of Minnesota.~~

Junk Vehicle: A vehicle that meets all of the following criteria:

1. Is extensively damaged with the damage including such things as broken or missing wheels, motor, drive train, transmission or appears to be otherwise inoperable; and

2. Does not have a valid and current registration plate.

~~4. Vital Component Parts.~~

~~Those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including, but not limited to, the motor, drive train and wheels.~~

Motor Vehicle: Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks including automobiles, trucks, trailers, motorcycles, and tractors.

5. Motor Vehicle Definition

~~A machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners or slides and transports persons or property or pulls machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, 3-wheelers, 4-wheelers and snowmobiles.~~

~~114.03.404.03 Impoundment~~ **ABATEMENT**

The City, or its duly authorized agent, may take into custody and impound any abandoned or junk ~~or unsafe~~ motor vehicle.

~~A vehicle may be impounded after notice of such proposed impoundment (in a form similar to that set forth herein) has been securely attached to and conspicuously displayed on the vehicle for a period of five days prior to such impoundment excluding Saturdays, Sundays and city holidays for the following reasons:~~

~~A. When such vehicle is parked and/or used in violation of any law, ordinance or regulation; or~~

~~B. When such vehicle is abandoned, junk or unsafe.~~

~~114.04.404.04 Vehicles Immediately Subject to Public Sale~~ Sale of Abandoned or Junk Vehicles

An impounded abandoned or junk vehicle is eligible for disposal or sale 15 days after notice to the owner. This includes junk vehicles that have a valid, current registration plate. When an abandoned motor vehicle is more than seven (7) model years of age, lacks vital component parts and does not

~~display a license plate currently valid in Minnesota or in any other state or foreign country, it shall immediately be eligible for sale by a duly authorized agent of the City or at public auction and shall not be subject to the notification or reclamation procedures established by this Chapter. (Ref 1236)~~

~~114.05.404.05 NOTICE–Notice of Sale~~

~~1. When an abandoned an abandoned motor vehicle does not fall within the provisions of Section 114.04, the City shall give notice of the taking within ten (10) days. The notice shall set forth the date and place of the taking, the year, make, model and serial, number of the abandoned, junk or unsafe motor vehicle and the place where the vehicle is being held, shall inform the owner and any lienholders of their right to reclaim the vehicle under Section 114.06 and shall state that failure of the owner or lienholders to exercise their right to reclaim the vehicle shall be deemed a waiver by them of all rights, title and interest in the vehicle and a consent to the sale of the vehicle at a public auction pursuant to Section 114.07.~~

~~2. The notice shall be sent by mail to the registered owner, if any, of the abandoned, junk or unsafe motor vehicle and to all readily identifiable lienholders of record. The notice shall be mailed to the registered owner at the address provided by the motor vehicle division of the Minnesota Department of Public Safety or the corresponding agency of any other state or province. A copy of such notice may be sent to the property owner where the vehicle is found. If the person mailing the notice has reason to believe that the registered owner of the vehicle, or one who claims to be the registered owner of the vehicle, is residing or in custody at some different address, a copy of the notice shall be mailed or personally delivered to such owner or claimant in a manner designed, as nearly as may be practicable, to give actual notice to him or her. If it is impossible to determine with reasonable certainty the identity and address of the registered owner and all lienholders, the notice shall be published once in a newspaper of general circulation in the area where the motor vehicle was abandoned junk or unsafe. Published notices may be grouped together for convenience and economy.~~

1. When an abandoned or junk vehicle is taken into custody, the City must give written notice of the taking within five business days, to the registered vehicle owner and any lienholders. The notice must set forth the date and place of the taking, the year, make, model and serial number of impounded vehicle (if such information can be reasonably obtained), and the place where the vehicle is being held. The notice must further inform the owner and any lienholders of their right to reclaim the vehicle under this Chapter, and state that failure of the owner or lienholders to exercise their right to reclaim the vehicle will be deemed a waiver by them of all right, title, and interest in the contents and a consent to the sale of the vehicle at a public auction pursuant to this Chapter. The notice must also state that a vehicle owner who provides to the impound lot operator documents from a government or nonprofit agency or legal aid office that the owner is homeless, receives relief based on need, or is eligible for legal aid services, has the unencumbered right to retrieve any and all contents without charge. "Contents" does not include any permanently affixed mechanical or nonmechanical automobile parts; automobile body parts; or automobile accessories, including audio or video players.

2. The notice will be sent by mail to the registered owner, if any, of the impounded vehicle and to all readily identifiable lienholders of record. The notice shall be mailed to the registered owner at the address provided by the motor vehicle division of the Minnesota Department of Public Safety or the corresponding agency of any other state or province. If the person mailing the notice has reason to believe that the registered owner of the vehicle, or any person who claims to be the registered owner of the vehicle, is at a different address, a copy of the notice shall be mailed or personally delivered to the owner or claimant so as to give them actual notice of the sale. If it is impossible to determine, with reasonable certainty, the identity and address of the registered owner or any lienholders, the notice shall be published once in a newspaper of general circulation in the area where the motor vehicle was towed from or abandoned. Published notices may be grouped together for convenience and economy.

114.06.404.06 Reclaim

1. The owner or any lienholder of an abandoned, ~~or~~ junk ~~or unsafe~~ motor vehicle ~~shall~~ will have a right to reclaim such vehicle from the City upon payment of all towing and storage charges resulting from taking the vehicle into custody within ~~fifteen~~ (15) days after the date of the notice required by ~~Section 114.05~~ this Chapter.

2. Nothing in this Chapter ~~shall~~ may be construed to impair any lien of a garagekeeper ~~under the laws of this State~~, or the right of a lienholder to foreclose. ~~For the purposes of this Section, "garagekeeper" is an operator of a parking place or establishment, an operator of a motor vehicle storage facility, or an operator of an establishment for the servicing, repair or maintenance of motor vehicles.~~

~~3. To reclaim a motor vehicle impounded pursuant to this ordinance, the owner or lienholder must pay any costs and administrative fees incurred by the city, and must agree to relocate the vehicle in accordance with local state and federal regulations. The owner or lienholder reclaiming such vehicle shall sign a "Release of Property" and shall agree to immediate impoundment without notice if such vehicle again violates this section. In addition, the City may require a bond to be posted if said vehicle has been subject to a prior impoundment.~~

114.07404.07 Hearing Appeals

~~Any property owner who feels aggrieved by an impoundment of a vehicle under this chapter may request a hearing before the Hearing Examiner. Such request shall be filed in writing with the office of the Community Development Director within twenty (20) days after the date of service of the notice by the City or other duly authorized agent. The Community Development Director shall notify the Hearing Examiner who shall notify the property owner of the date, time and place of the hearing. The hearing shall be conducted no more than twenty (20) days after the Hearing Examiner receives notice of the request, unless a later date is mutually agreed to by the Hearing Examiner, the property owner and the City. Both the property owner and the city may appear at the hearing with counsel and may call such witnesses and present such evidence as is determined by the Hearing Examiner to be relevant. Within ten (10) days after such hearing, the Hearing~~

~~Examiner shall affirm, repeal or modify the order of the City or other duly authorized agent. Notice of the decision shall be mailed to the owner at the address given in the hearing request. The Hearing Examiner's order shall be accompanied by written findings of fact, and may include a finding of fact as to the violation of this chapter. Any person aggrieved by the decision of the Hearing examiner may appeal that decision to the City Council by filing notice of such appeal with the Community Development Director within twenty (20) days of the mailing of the Hearing Examiner's decision. At its next available regular meeting following the filing of a notice of appeal, the Council shall review the decision and findings of fact of the Hearing Examiner and shall affirm, repeal or modify that decision. If the Council affirms the Hearing Examiner's decision declaring that a violation of this chapter exists, the City shall proceed to sell the vehicles after twenty (20) days following the Council's final determination, unless the property owner obtains a court order to the contrary within said twenty (20) days. (Ref Ord 1236)~~

1. Any person contesting a citation or decision associated with violations of this Chapter may file an appeal pursuant to the Appeals and Administrative Citations chapter of the Code.

2. Within 14 business days of a determination by the Hearing Examiner, any person contesting that decision may appeal to the Council by submitting a written appeal to the City Clerk. At its next regular meeting following the Hearing Examiner's decision, the Council will affirm, repeal, or modify that decision.

114.08.404.08 Public Sale

1. An abandoned, ~~or junk or unsafe~~ motor vehicle taken into custody and not reclaimed under ~~Section 114.06~~this Chapter becomes the property of ~~the duly authorized agent of the City or shall and may~~ be sold by the City to the highest bidder at public auction or sale, ~~following notice published a reasonable time in advance.~~ The purchaser of the vehicle ~~shall must~~ be given a receipt in a form prescribed by the ~~registrar of motor vehicles~~City, which ~~shall will~~ be sufficient title to dispose of the vehicle. The receipt ~~shall may~~ also entitle the purchaser of the vehicle to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership. Before a vehicle is issued a new certificate of title, it must receive a motor vehicle safety check.

2. ~~Disposing of unsold vehicles. Abandoned vehicles~~Vehicles not sold pursuant to ~~subdivision 1 this Section shall must~~ be disposed of in accordance with ~~Minnesota Statutes~~M.S. § 168B.09.

3. ~~Disposition of sale proceeds.~~ From the proceeds of the sale under this section of the abandoned motor vehicles, the City ~~shall will~~ reimburse itself for the cost of towing, preserving, and storing ~~the any the~~ vehicles ~~and all administrative, notice and publication costs incurred in handling the vehicle pursuant to sections 114.01 to 114.09.~~ The City may retain all proceeds from the sale of any personal belongings and contents in the vehicle that were not claimed by the owner or the owner's agent before the sale, except that any suspected contraband or other items that likely would be subject to forfeiture in a criminal trial must be turned over to the appropriate law enforcement agency. Any remainder from the proceeds of a sale ~~shall must~~ be held for the

owner of the vehicle or entitled lienholder for 90 days and then ~~shall~~ must be deposited with the City in the treasury of the unit of government.

~~114.09.404.09~~ Disposal Authority

~~1. — Units of government. —~~ The ~~city~~ City may contract with others ~~or and may~~ utilize its own equipment and personnel for the inventory of ~~impounded abandoned — motor —~~ vehicles and abandoned scrap metal, and if no bids are received, may utilize its own equipment and personnel for the collection, storage and transportation of ~~these abandoned motor vehicles and abandoned scrap metal~~; provided, however, that ~~the City a unit of government~~ may utilize its own equipment and personnel for the collection and storage of not more than five abandoned motor vehicles without advertising for or receiving bids in any 120 day period.

~~114.10. Penalties~~

~~Any person who abandons a motor vehicle on any public or private property, without the consent of the person in control of such property, or is otherwise in violation of this Chapter, is guilty of a misdemeanor and is subject to all penalties provided for such violations in Chapter 901 of this Code.~~

404.10 Vehicle Towing

1. All persons who tow or otherwise transport vehicles into, from, or through the City of Fridley (City), or who are under contract with the City to tow or transport vehicles, must not tow or otherwise transport a vehicle without taking reasonable steps to prevent or minimize the loss of parts or leaking of fluid from the vehicle, in accordance with safety concerns of both the public and the person transporting or towing the vehicle.

2. If fluids from the vehicle have leaked prior to towing or transporting the vehicle, or a leak from the vehicle occurs during towing or transportation, reasonable steps must promptly be taken by the person towing or transporting the vehicle to clean up and otherwise contain and remove the leaked fluids.

3. Persons who store vehicles towed or transported under this Chapter must comply with all environmental laws and regulations governing the leakage of motor vehicle fluids once the vehicle reaches the towing or transportation destination.

4. Any person removing a wrecked or damaged vehicle from a highway, road, alley, or street must also remove any glass, fluids, vehicle pieces, or other injurious substances from the highway, road, alley, or street.

Section 6

That the Fridley City Code Chapter 124, Noise, be hereby amended as follows:

Fridley City Code
Chapter ~~124.405~~ Noise

~~124.01.405.01~~ Purpose

The Fridley City Council (Council) ~~of the City of Fridley~~ deems that certain levels and amounts of noise are detrimental to the health, safety, and general welfare of the public.

~~124.02.405.02~~ Definitions

~~1.~~ Air Circulation Device: A mechanism designed ~~and used for the~~ to controlled ~~the~~ flow of air used in ventilating, cooling, or conditioning systems including, but not limited to, central and window air conditioning units.

~~2.~~ City: ~~A noise control officer, peace officer, or any other duly appointed representative of the City as designated by the City Manager.~~

~~3.~~ Decibel: A unit of sound pressure level, ~~abbreviated dBA.~~

~~4.~~ dBA: A unit of sound level. dBA is the weighted pound pressure level by the use of the A metering characteristic and weighting as specified in ANSI Specification for Sound Level Meters, SL4-1971, which is hereby incorporated by reference. For the purpose of those regulations, dBA is used as a measure of human response to sound.

~~5.~~ Exhaust System: A combination of components that provides for enclosed flow of exhaust gas from engine parts to the atmosphere.

~~6.~~^{L10}: The sound level, expressed in decibels (dBA), which is exceeded ~~ten percent (10%)~~ of the time for a one ~~(1)~~ hour period, as measured by a sound level meter having characteristics as specified in the latest standards, 1.4. of the American National Standards Institute, and using test procedures approved by the City of Fridley (City).

~~7.~~^{L50}: The sound level similarly expressed and measured that is exceeded ~~fifty percent (50%)~~ of the time for a one ~~(1)~~ hour period.

~~8.~~ Noise: Any excessive and unnecessary sound not occurring in a natural environment including, but not limited to, sounds emanating from aircrafts and highways, and industrial, commercial, and residential sources.

~~9.~~ Person: An individual, firm, partnership, corporation, trustee, association, the state and its agencies and subdivisions, or any body of persons whether incorporated or not. With respect to acts prohibited or required herein, "person" ~~shall~~ will include employees and licensees.

~~10.~~ Sound: An oscillation in pressure, stress, particle displacement, particle velocity, etc., in an elastic or partially elastic medium, or the superposition of such propagated alterations.

~~11.~~ Sound Pressure Level (SPL): 20 times the logarithm to the base 10 of the ratio of the pressure of a sound, p , to the reference pressure, p_r . For the purposes of ~~these regulations~~ this Chapter, the reference pressure shall be 20 micronewtons per square meter ($20 \mu\text{N/m}^2$). In equation form, Sound Pressure Level in units of decibels is expressed as $\text{SPL (dB)} = 20 \log 10p/p_r$.

~~12.~~ Sound Receiving Unit: A person, activity, animal life, or property that is affected by noise.

~~124.03.405.03~~ Receiving Land Use Standards

1. The sound level requirements of this Section shall apply at the property ~~linear zoning lines~~ of the sound receiving unit. Measurements may be made at any location on the property for evaluation purposes and to aid in the enforcement of other sections of this Chapter.

2. The sound levels as stated below shall be the highest sound levels permitted in each of the zoning districts as defined in ~~zoning chapters of the Fridley City Code (Code) Chapter 205 of the Fridley Code.~~

	Day (7 a.m. - 9 p.m.)		Night (9 p.m. - 7 a.m.)	
Zoning Districts	L50	L10	L50	L10
Residential, Public and Commercial	60	65	50	55
Planned Unit Development	65	70	65	70
Industrial	75	80	75	80

3. Sound levels resulting from cumulative travel of motor vehicles on State and County highways and railroads are exempt from these Receiving Land Use Standards, but are not exempt from other relevant sections of this Chapter ~~relating to motor vehicles and railroads~~. This ~~ordinance Chapter~~ does not exempt individual motor vehicles from applicable any and all federal, state, or local regulations. It is the intent of the City to reduce highway noise in the various land areas surrounding highways to, or below, the requirements of this Section when ~~and wherever~~ possible.

~~124.04.405.04~~ Motor Vehicles Noise Limits

No person ~~shall~~ may operate a motor vehicle in the City in violation of the motor vehicle noise rules limits adopted by the Minnesota Pollution Control Agency. ~~(Minnesota Statutes Section 169.693).~~

~~124.05. Central Air Conditioning Equipment~~

~~No person shall permanently install or place any central air conditioning device, except a window air conditioning unit, in any front or side yard without a permit from the City. Window air conditioning units are exempt from the provisions of this Section, except that the noise produced by such window units, as well as by all existing air circulation devices, shall not be in violation of Section 124.03 of this Chapter.~~

~~124.06.405.05~~ Operational Limits

1. Recreational Motor Vehicles. Recreational motor vehicles ~~shall beare~~ subject to Minnesota Statutes Section 84.90 and ~~Chapter 703, the Snowmobile Regulations Chapter~~ of the ~~City~~ Code.
2. Outdoor Power Implements. No person ~~shall may~~ operate any outdoor power implement including, but not limited to, ~~gasoline or electric~~ lawn mowers, hedge clippers, chain saws, mulchers, garden tillers, edgers, leaf blowers, or ~~such other any other~~ implements designed primarily for outdoor use, ~~at any time other than between the hours of before~~ 7:00 a.m. and after 9:00 p.m. on weekdays and before 9:00 a.m. and after 9:00 p.m. on weekends and national ~~legal~~ holidays. Snow removal equipment is exempted from this provision.
3. Construction Activities. Construction work hours ~~shall beare~~ subject to ~~Chapter 206 the Building Code chapter~~ of the ~~City code Code~~.
4. Refuse Hauling. Refuse hauling hours ~~shall beare~~ subject to ~~Section 113.10 the Solid Waste Management Chapter~~ of the ~~City~~ Code.

~~124.07.405.06~~ Public Nuisance Noises Prohibited

It ~~shall be is~~ unlawful for any person to make, or cause to be made, any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the health, safety, and general welfare of any persons, ~~or~~ precludes their enjoyment of property, or affects their property's value. The following acts, ~~among others~~, are declared to be nuisance noises in violation of this Chapter, but said list enumeration ~~shall not be deemed to be is not~~ exclusive.

1. Horns and Audible Signaling Devices. No person shall sound any horn or signaling device on any vehicle except as a warning of danger in accordance with (Minnesota Statutes (M.S.) §Section 169.68).
2. Radios and or other Sound Amplification Devices.

~~A.(a) No person shall use, operate, or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinctly and loudly audible manner as to disturb the peace, quiet and comfort of any persons nearby. No person may use, operate or permit the use or operation of any radio or other sound amplification device in a manner that disturbs the peace, quiet and comfort of any persons nearby.~~

~~B.(b)~~ No person may operate, ~~or~~ park, stop or leave standing a motor vehicle while using a radio or other electronic sound amplification device ~~emitting sound from or around the vehicle~~ that is audible from a distance of 75 or more feet, unless the electronic sound amplification device is being used to request assistance or warn against an unsafe condition.

This subsection does not apply to any of the following:

- (1) Operators of emergency vehicles when responding to an emergency.
- (2) Operators of public utility vehicles.
- (3) Operators of vehicles lawfully being used for advertising purposes.
- (4) Operators of vehicles that are being used in a licensed or permitted event, ~~or~~ celebration, procession, or assemblage.
- (5) The activation of a vehicle theft alarm signal device.

3. Participation in Noisy Parties or Gatherings.

No person shall ~~participate in host or attend~~ any unruly party ~~or other gathering of people in a residentially zoned or used area giving rise to which causes~~ noise ~~that, disturbing significantly disturbs or annoys~~ the peace, quiet, or repose of ~~other persons~~ a reasonable person. When a peace officer determines that a ~~gathering party~~ is creating such a noise disturbance, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person ~~shall~~ may refuse to leave after being ordered by a peace officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance ~~shall~~ must make every reasonable effort to see that the disturbance is stopped.

4. Loud ~~S~~ Speakers, Amplifiers for Advertising

Except as permitted by ~~Section 124.07.5~~ this Chapter, no person ~~shall~~ may ~~operate use or permit the use or operation of~~ any loudspeaker, sound amplifier, or other device for the production or reproduction of sound, on a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment ~~or vehicle~~ or activity. This Section is not meant to prohibit the reasonable use of amplified sound for religious purposes, including but not limited to, the tolling of church bells or a religious call to prayer.

5. Exception for Food/Beverage Vehicles

Notwithstanding any other provision to the contrary, food/beverage vehicles may sound a manually operated bell ~~while operating between the hours of 10:00 a.m. and 4:30 p.m., and 6:00~~

~~p.m. to 8:00 p.m. in any area zoned commercial or industrial, and only between the hours of 1:00 p.m. and 4:30 p.m. and 6:30 p.m. to 8:00 p.m. in any area zoned residential or other than commercial or industrial, which can produce a noise level measured at a distance of 50 feet from the source no greater than 65 decibels.~~

6. Animals

Animals ~~shall bear~~ subject to ~~Chapter 101~~the Animal Control Chapter of the ~~City~~ Code.

7. Exhausts

No person ~~shall may~~ discharge the exhaust ~~or permit the discharge of the exhaust~~ of any steam engine, stationary internal combustion engine, ~~or~~ motor boat, motor vehicle, or snowmobile except through a muffler or other device which will effectively prevent loud or explosive noises therefrom and complies with all applicable state laws and regulations, including but not limited to M.S. § 169.69. (Minnesota Statutes Section 169.69).

8. Defective Vehicle or Load

No person ~~shall may~~ use any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling or other noise.

9. Loading, Unloading, Unpacking

No person ~~shall may~~ create loud and excessive noise in connection with loading, unloading, or unpacking of any vehicle.

~~124.08.405.07~~ Exception for Emergency Work

Noise created exclusively in the performance of emergency work to preserve the public health, safety, or general welfare, or in the performance of emergency work necessary to restore a public service or eliminate a public hazard, ~~shall will~~ be exempt from the provisions of this Chapter. Any persons responsible for such emergency work ~~shall must~~ take all reasonable actions to minimize the amount of noise they create.

~~124.09.405.08~~ Enforcement

1. Administration

The noise control program established by this Chapter ~~shall will~~ be administered by the City.

2. Testing Procedures

The City ~~shall~~must adopt guidelines establishing the test procedures and instrumentation to be used in enforcing the provisions of ~~Section 124.03~~this Chapter, which imposes noise standards. A copy of ~~such~~the guidelines shall be kept on file in City Hall and ~~shall~~will be available to the public for reference during office hours.

3. Studies

The City ~~shall~~will conduct such research, monitoring, and other studies related to sound as are necessary or useful in enforcing this Chapter and reducing noise in the City. The City ~~shall~~will make such investigations and inspections in accordance with law as required in applying the requirements of this Chapter.

4. Noise Impact ~~Assessment~~Statements

The City may require any person applying to the City for a change in zoning classification ~~or, a permit or license for any structure, operation, process, installation or alteration or project that may be considered as a potential noise source to submit a noise impact statement assessment on a form prescribed by the City to the City. Such assessment must be submitted in a format prescribed by the City.~~

5. Civil Action

The provisions of this Chapter may be enforced through injunction, mandamus, or ~~any~~other appropriate civil remedy ~~that the City may deem appropriate.~~

6. Other Powers and Duties

The City ~~shall~~will exercise ~~such other~~its powers and perform ~~such other~~its duties as ~~are~~may be reasonable and necessary to enforce this Chapter.

~~124.10.407.09 Variances Exemptions~~

The ~~City~~ Council ~~shall have authority, consistent with this Section~~has the authority to grant ~~exemptions~~variances from the requirements of all sections of this Chapter.

~~124.11. Penalties~~

~~The violation of any provision of this Chapter, except Section 124.04, shall be subject to Chapter 901 of the City Code.~~

Section 7

That the Fridley City Code Chapter 123, Junk Vehicles, be hereby amended as follows:

~~Fridley City Code~~
~~Chapter 123. Junk Vehicles~~

~~123.01. Purpose~~

~~This Chapter is established for the following purposes:~~

- ~~1. — To promote health, safety, order, convenience, prosperity and general welfare in the City of Fridley by establishing that the outside parking or storage, on or near residential district properties, of vehicles, materials, supplies or equipment not customarily used or needed for the use in connection with the occupancy of residential property for residential purposes, is hereby found to create a nuisance.~~
- ~~2. — To prevent obstruction of view on streets and on private property, unhealthful and noxious odors and materials in residential neighborhoods, cluttered and otherwise unsightly areas and adverse effects to residential property values and neighborhood patterns.~~
- ~~3. — To allow the full use of residential streets for residential parking.~~

~~123.02. Definitions~~

~~The following definitions shall apply in the interpretation and enforcement of this Chapter:~~

~~1. — Junk Car.~~

~~Any motor vehicle that is not in operable condition, or that is partially dismantled or that is used for sale of parts or as a source of repair or replacement parts for other vehicles, or that is kept for scrapping, dismantling, or salvage of any kind, or that is not properly licensed for operation with, and by, the State of Minnesota.~~

~~2. — Person.~~

~~Any person, firm, partnership, association, corporation, company or organization of any kind.~~

~~3. — Property.~~

~~Any real property within the City that is not a street or highway.~~

~~4. — Street or Highway.~~

~~The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.~~

~~5. — Vehicle.~~

~~A machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners or slides, and transports persons or property or pulls machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles and tractors.~~

~~123.03. Parking and Storage of Junk Cars and Vehicles on Private Property~~

~~No person in charge or control of any property within the City, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled, nonoperating wrecked, junked or discarded vehicle to remain on such property longer than ten (10) days after notification by the City of a violation of this Chapter; and no person shall leave any such vehicle on any property within the City for a longer time than ten (10) days after notification by the City of a violation of this Chapter; except that this Chapter shall not apply with regard to a vehicle in an enclosed building; or a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the City; or a single inoperable vehicle that is in the reasonable process of restoration to an operable vehicle provided it has current registration and does not constitute a nuisance. (Ref. 710)~~

~~123.04. Impounding~~

~~The City or its duly authorized agent is hereby authorized to remove or have removed any vehicle left at any place within the City that reasonably appears to be in violation of this Chapter or is otherwise lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with Chapter 114 of the City Code.~~

Section 8

That the Fridley City Code Chapter 111, Vehicle Towing, be hereby amended as follows:

~~Fridley City Code Chapter 111. Vehicle Towing~~

~~111.01. Vehicle Towing~~

~~1. All persons who tow or otherwise transport vehicles into, from or through the City of Fridley, or who are under contract with the City of Fridley to tow or transport vehicles, shall not tow or otherwise transport a vehicle without taking reasonable steps to prevent or minimize the loss from the vehicle or fluids to the extent practicable and in accordance with safety concerns of both the public and the person transporting or towing the vehicle.~~

~~2. In the event that fluids from the vehicle have drained from the vehicle prior to towing or transporting, or a loss from the vehicle occurs during towing or transportation, reasonable steps shall promptly be taken by the person towing or transporting the vehicle to clean up and otherwise contain and remove the fluids lost.~~

~~3. Persons who store vehicles towed or transported under this section shall comply with all environmental laws and regulations governing the loss of motor vehicle fluids once the vehicle reaches the towing or transportation destination.~~

~~4. The person towing or transporting the motor vehicles shall be entitled to charge the owner of the motor vehicle, or the person, excluding a police officer engaged in his authorized duties, requesting that a vehicle be towed or transported, a reasonable fee for the services herein.~~

~~5. Any person removing a wrecked or damaged vehicle from a highway or street shall remove any glass or other injurious substance dropped upon the highway or street from such vehicle.~~

~~111.02 Penalty~~

~~Whoever does any act forbidden by this Chapter or omits or fails to do any act required by this Chapter shall be guilty of a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of the Fridley City Code.~~

Passed and adopted by the City Council of the City of Fridley on this 28 day of August, 2023.

Scott J. Lund - Mayor

Melissa Moore - City Clerk

Public Hearing: August 14, 2023

First Reading: August 14, 2023

Second Reading: August 28, 2023

Publication: August 31, 2023



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| ☐ Title 1 – General Provisions | ☐ Title 6 – Zoning |
| ☐ Title 2 – Administration | ☐ Title 7 – Licensing |
| ☐ Title 3 – Health, Safety and Welfare | ☐ Title 8 – Franchises, Utilities and Right-of-Way |
| ☒ Title 4 – Public Nuisance | ☐ Title 9 – Public Ways and Places |
| ☐ Title 5 – Lands and Buildings | ☐ Appendices |

Chapter Information

Chapter Title: Public Nuisances

Recodification Liaisons: Danielle Herrick, City Management Intern; Dan Cahill, Neighborhood Preservation Specialist; Stacy Stromberg, Planning Manager; Nancy Abts, Associate Planner; Melissa Moore, City Clerk; Beth Kondrick, Deputy City Clerk

Current Chapter Number: 110

New Chapter Number: 400

Substantive Changes

Section Number	Current Code	Proposed Changes
400.01	N/A	Added purpose statement to the Chapter.
400.03	Definitions applicable to the Chapter.	Staff recommends defining "Owner" to indicate and clarify people living at the property may be renters or the property may not be the owner's primary residence. "Hazardous materials" was added and "public nuisance" was clarified.
110.04	Section states that unpaved driveways in the City are a public nuisance.	Removed. Staff worked in the 2000's to make sure all driveways in the City were paved. This section is no longer needed as it is enforced through the zoning chapters of the Code.



RECODIFICATION REPORT

400.04	This section empowers the City to investigate and determine the existence of a public nuisance.	This section authorizes the City Manager or their designee to investigate and determine the existence of a public nuisance and clarifies the procedural process if a public nuisance is determined.
110.06-110.07	These sections detail the abatement, assessments and permitting process.	Removed. The procedures outlined in these sections were consolidated into the Abatement of Exterior Public Nuisances Chapter of the Code.
400.05	This section authorizes finding of emergency abatement.	This section describes the notice of the emergency abatement to owners, agents and occupants as advised by the City Attorney.
400.06	NA	Staff added this section to preserve the City's right to regulate public nuisances should those rights not be explicitly detailed in the Code/Chapter.



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| ☐ Title 1 – General Provisions | ☐ Title 6 – Zoning |
| ☐ Title 2 – Administration | ☐ Title 7 – Licensing |
| ☐ Title 3 – Health, Safety and Welfare | ☐ Title 8 – Franchises, Utilities and Right-of-Way |
| ☒ Title 4 – Public Nuisance | ☐ Title 9 – Public Ways and Places |
| ☐ Title 5 – Lands and Buildings | ☐ Appendices |

Chapter Information

Chapter Title: Abatement of Exterior Public Nuisances

Recodification Liaisons: Danielle Herrick, City Management Intern; Dan Cahill, Neighborhood Preservation Specialist; Stacy Stromberg, Planning Manager; Nancy Abts, Associate Planner; Melissa Moore, City Clerk

Current Chapter Number: 128

New Chapter Number: 401

Substantive Changes

Section Number	Current Code	Proposed Changes
401.01	N/A	Added purpose statement to the Chapter.
401.02	The section defines terms found throughout the Chapter	Staff recommends defining "Owner" to mean the owner listed with the City on rental license(s) and with the County Assessor.
401.06	This section details the abatement process in seven parts.	Title of section changed from "Removal" of Exterior Public Nuisances to "Abatement" of Exterior Public Nuisances to better align with statute.
401.06 (1-2)	NA	Staff recommend adding this section to create a clear outline in this section



RECODIFICATION REPORT

		on how the abatement investigation begins.
401.06 (3)	This section details the notice process if abatement is determined.	Section details how the property owner will be notified as suggested by the City Attorney. This section also details what the order for abatement will contain: (a) Updated to outline that compliance can be in the form of repair. (b) Updates hearing request from 10 days to 14 days (c) Notifies the property owner that unpaid abatement charges can be assessed against the property.
401.06 (4)	This section details the hearing process in front of the Planning Commission.	Staff suggest updating the hearing request timelines to 10 days from 14 days to ensure the 'appeal' time does not fall on a weekend and to create uniformity throughout the Chapter.
401.06 (5)	This section details the disposition of the nuisance by the City	Staff updated this section to detail 'abatement' of the nuisance rather than disposition. The section states the City will try to repair the nuisance, but will dispose of if repair is not practical.
401.06 (6)	This section details the disposal of the property by the City.	This section was updated to reference M.S. § 168B, which outlines the procedure for disposing of abandoned vehicles.
401.08	This section sets procedure for emergency abatement	Staff recommend creating an emergency abatement procedure to allow for removal of items that create an immediate danger to the community.



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| ☐ Title 1 – General Provisions | ☐ Title 6 – Zoning |
| ☐ Title 2 – Administration | ☐ Title 7 – Licensing |
| ☐ Title 3 – Health, Safety and Welfare | ☐ Title 8 – Franchises, Utilities and Right-of-Way |
| ☒ Title 4 – Public Nuisance | ☐ Title 9 – Public Ways and Places |
| ☐ Title 5 – Lands and Buildings | ☐ Appendices |

Chapter Information

Chapter Title: Houses of Prostitution

Recodification Liaisons: Ryan George, Public Safety Director; Stacy Stromberg, Planning Manager; Steve Monsrud, Lieutenant; Andy Todd, Sergeant; Nick Knaeble, Lieutenant; Melissa Moore, City Clerk; Beth Kondrick, Deputy City Clerk; Danielle Herrick, City Management Intern

Current Chapter Number: 126

New Chapter Number: 402

Substantive Changes

Section Number	Current Code	Proposed Changes
402.02	Various definitions important to regulations of the Chapter	Updated and added definitions to align with State law.
402.05	This describes how someone who feels a violation of this Chapter is occurring, may appeal to the City to respond.	This update aligns with State law and common practice among cities.
126.07-126.08	Describes civil legal remedies.	These are processes are all laid out in State law.



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| ☐ Title 1 – General Provisions | ☐ Title 6 – Zoning |
| ☐ Title 2 – Administration | ☐ Title 7 – Licensing |
| ☐ Title 3 – Health, Safety and Welfare | ☐ Title 8 – Franchises, Utilities and Right-of-Way |
| ☒ Title 4 – Public Nuisance | ☐ Title 9 – Public Ways and Places |
| ☐ Title 5 – Lands and Buildings | ☐ Appendices |

Chapter Information

Chapter Title: Clandestine Drug Lab and Chemical Dump Sites	Recodification Liaisons: Ryan George, Public Safety Director; Stacy Stromberg, Planning Manager; Steve Monsrud, Lieutenant; Andy Todd, Sergeant; Nick Knaeble, Lieutenant; Melissa Moore, City Clerk; Beth Kondrick, Deputy City Clerk; Danielle Herrick, City Management Intern
---	--

Current Chapter Number: 130

New Chapter Number: 403

Substantive Changes

Section Number	Current Code	Proposed Changes
403.03	Definitions related to the Chapter.	Updated definitions to align with State Law.
403.04	Describes how the City will declare a site associated with a clandestine drug lab or chemical dump site.	Updates the City's processes to align with State law.



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| ☐ Title 1 – General Provisions | ☐ Title 6 – Zoning |
| ☐ Title 2 – Administration | ☐ Title 7 – Licensing |
| ☐ Title 3 – Health, Safety and Welfare | ☐ Title 8 – Franchises, Utilities and Right-of-Way |
| ☒ Title 4 – Public Nuisance | ☐ Title 9 – Public Ways and Places |
| ☐ Title 5 – Lands and Buildings | ☐ Appendices |

Chapter Information

Chapter Title: Vehicles

Recodification Liaisons: Melissa Moore, City Clerk; Ryan George, Director of Public Safety; Andy Todd, Sergeant, Nick Knaeble, Lieutenant; Beth Kondrick, Deputy City Clerk; Danielle Herrick, City Management Intern

Current Chapter Number: 114

New Chapter Number: 404

Substantive Changes

Section Number	Current Code	Proposed Changes
404.02	Lists definitions applicable to the chapter.	Updates applicable definitions to the chapter to align with State law.
404.03	Enables the City to abate or impound a nuisance vehicle.	Removes notifications and eligibility language, which is outlined elsewhere in the Chapter.
404.04	Describes how the City will sell any Abandoned Vehicle or Junk Vehicle.	The language was simplified and now aligns with State law.
404.05	Describes how the City will notify the owner of an abandoned or junk vehicle of its removal and sale.	The language now aligns with State law.
404.07	Describes how a person may appeal the action of the City.	Refers the reader to the Appeals and Administrative Citations Chapter of the Code for consistency.
404.08	Describes how the City will dispose of vehicles at public sale.	The proposed change updates some of the City's processes and aligns them with State law.
404.10	Lists required processes for companies that tow vehicles in the City.	This language was taken from the Vehicle Towing Chapter, which is recommended for repeal.



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| ☐ Title 1 – General Provisions | ☐ Title 6 – Zoning |
| ☐ Title 2 – Administration | ☐ Title 7 – Licensing |
| ☐ Title 3 – Health, Safety and Welfare | ☐ Title 8 – Franchises, Utilities and Right-of-Way |
| ☒ Title 4 – Public Nuisance | ☐ Title 9 – Public Ways and Places |
| ☐ Title 5 – Lands and Buildings | ☐ Appendices |

Chapter Information

Chapter Title: Noise

Recodification Liaisons: Ryan George, Public Safety Director; Stacy Stromberg, Planning Manager; Nancy Abts, Assistant Planning Manager; Dan Cahill, Code Enforcement Officer; Melissa Moore, City Clerk; Beth Kondrick, Deputy City Clerk; Danielle Herrick, City Management Intern

Current Chapter Number: 124

New Chapter Number: 405

Substantive Changes

Section Number	Current Code	Proposed Changes
405.02	Definitions applicable to the Chapter.	Updated to align with State Law.
405.07	Describes rules for various situations when excessive noise may be an issue for the City to respond to.	The proposed update modernizes some language, aligns the Chapter with federal and State law.



AGENDA REPORT

Meeting Date: August 14, 2023

Meeting Type: City Council

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

Title

Resolution No. 2023-94, Awarding 2023 Neighborhood Parks Improvements Project No. 23-70123

Background

On August 7 at 3:00 p.m., bids were publicly opened online via the virtual platform available on QuestCDN and Microsoft Teams for the 2023 Neighborhood Parks Improvements Project. Five responsive bids were received.

This project is part of the City of Fridley's (City) Park System Improvement Plan (PSIP). The parks included in this year's project are Creekview Park, Ed Wilmes Park and Skyline Park (see Exhibit A). These parks were prioritized based on the PSIP findings and recommendations. The purpose of the project is to provide park improvements that include improved accessibility, playground equipment, and added amenities such as picnic shelters. The playground equipment and shelters will be installed by specialized contractors and the remaining sitework and installations will be completed by the 2023 Neighborhood Parks Improvements Project contractor.

As noted, five bids were received. The low bid was received from Sunram Contracting, Inc. of Corcoran, MN in the amount of \$399,695, which is 18.5% below the final engineer's estimate of \$490,745 (See Exhibit B). The next two lowest bids were within \$32,991 (8.25%) of Sunram's bid. Of the five bids, the high bid received was \$536,225.25 and staff believes Sunram's competitive bid is attributed to having availability in their schedule prior to the close of the 2023 construction season.

Construction of this project is anticipated for this season with substantial completion by late-October 2023. Note all work under the project must meet the City's prevailing wage requirements.

Sunram Contracting has successfully completed two projects for the City in the past two years as well as others within the past several years. The two most recent were the Civic Campus Trail and the Civic Campus West Plaza Projects. Staff believes they are a responsive and reputable contractor and will deliver the project with the requisite quality specified in the bid documents.

The resolution requests the bid amount of \$399,695 with a 5% contingency. The contingency would be available for any unforeseen minor exclusions in the plans, or additional improvements that may be identified by staff during construction of the project. If the Council approves the attached resolution,

Vision Statement

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

staff will notify the contractor of the award and issue a notice to proceed to the contractor upon receipt of acceptable submittals.

Financial Impact

Funding is provided by bond proceeds through the Capital Investment Program (CIP). The 2023 Neighborhood Parks Improvements Project combined with the playground equipment and installation is approximately \$335,000 under the approved 2023 CIP budget. This is a result of in-kind work performed by Parks Maintenance Staff that included miscellaneous site removals. Additionally, Engineering Staff provided in-house surveying, project design, and contract administration through the bid solicitation phase. Construction administration and oversight will also be provided by Public Works Staff through project completion.

Recommendation

Staff recommends the approval of Resolution No. 2023-94.

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. 2023-94
- Exhibit A – Project Location
- Exhibit B – Bid Tabulation

Vision Statement

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

Resolution No. 2023-94

Award 2023 Neighborhood Parks Improvements Project No. 23-70123

Whereas, the City of Fridley (City) began a process of understanding the needs and desires of residents for City parks improvements in 2019 called "Finding Your Fun in Fridley" by conducting public workshops with residents; and

Whereas, Fridley residents expressed an interest in improving City parks by upgrading playgrounds and amenities; and

Whereas, on April 25, 2022, the City Council adopted Resolution No. 2022-36, which approves the Park System Improvement Plan Final Report and authorizes staff to begin the implementation phase of the Plan; and

Whereas, the Park System Improvement Plan provides funding for its implementation and includes site improvements in Creek View Park, Ed Wilmes Park, and Skyline Park.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby receives the bids for the 2023 Neighborhood Parks Improvements Project No. 23-70123 per the attached bid tabulation and awards the project to the lowest responsive bidder, Sunram Contracting, Inc. of Corcoran, MN in the amount of \$419,679.75 which includes a 5% contingency.

Passed and adopted by the City Council of the City of Fridley this 14th day of August, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk



EXHIBIT B - BID TABULATION

2023 NEIGHBORHOOD PARKS IMPROVEMENTS PROJECT NO. 23-70123
 BID OPENING: AUGUST 7, 2023 / 3:00 P.M. (QUEST CDN #8592741)



				EST.	ENGINEERS ESTIMATE		SUNRAM CONSTRUCTION, INC.		PETERSON COMPANIES, INC.		NEW LOOK CONTRACTING, INC.		PEMBER COMPANIES, INC.		PARKSTONE CONTRACTING, LLC.	
		UNITS	QTY		UNIT PRICE	EXTENDED VALUE	UNIT PRICE	EXTENDED VALUE	UNIT PRICE	EXTENDED VALUE	UNIT PRICE	EXTENDED VALUE	UNIT PRICE	EXTENDED VALUE	UNIT PRICE	EXTENDED VALUE
SEQ.	DESCRIPTION															
1	MOBILIZATION	LUMP SUM	1	\$	7,500.00	\$ 7,500.00	\$ 6,255.00	\$ 6,255.00	\$ 22,000.00	\$ 22,000.00	\$ 17,000.00	\$ 17,000.00	\$ 18,980.00	\$ 18,980.00	\$ 13,600.00	\$ 13,600.00
2	REMOVE BITUMINOUS PAVEMENT	SQ YD	9	\$	5.00	\$ 45.00	\$ 90.00	\$ 810.00	\$ 32.00	\$ 288.00	\$ 58.00	\$ 522.00	\$ 35.00	\$ 315.00	\$ 35.00	\$ 315.00
3	REMOVE SIDEWALK PAVEMENT	SQ YD	40	\$	12.00	\$ 480.00	\$ 26.00	\$ 1,040.00	\$ 20.00	\$ 800.00	\$ 15.00	\$ 600.00	\$ 21.00	\$ 840.00	\$ 35.00	\$ 1,400.00
4	REMOVE CURB AND GUTTER	LIN FT	15	\$	5.00	\$ 75.00	\$ 35.00	\$ 525.00	\$ 19.00	\$ 285.00	\$ 30.00	\$ 450.00	\$ 14.50	\$ 217.50	\$ 35.00	\$ 525.00
5	REMOVE FENCE MESH	LUMP SUM	1	\$	1,500.00	\$ 1,500.00	\$ 5,500.00	\$ 5,500.00	\$ 1,200.00	\$ 1,200.00	\$ 3,000.00	\$ 3,000.00	\$ 1,900.00	\$ 1,900.00	\$ 1,000.00	\$ 1,000.00
6	REMOVE RETAINING WALL	LIN FT	270	\$	20.00	\$ 5,400.00	\$ 10.00	\$ 2,700.00	\$ 4.00	\$ 1,080.00	\$ 10.00	\$ 2,700.00	\$ 15.50	\$ 4,185.00	\$ 8.00	\$ 2,160.00
7	SITE GRADING	LUMP SUM	1	\$	35,000.00	\$ 35,000.00	\$ 18,375.00	\$ 18,375.00	\$ 16,500.00	\$ 16,500.00	\$ 7,500.00	\$ 7,500.00	\$ 10,600.00	\$ 10,600.00	\$ 46,100.00	\$ 46,100.00
8	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	15	\$	100.00	\$ 1,500.00	\$ 80.00	\$ 1,200.00	\$ 65.00	\$ 975.00	\$ 85.00	\$ 1,275.00	\$ 178.30	\$ 2,674.50	\$ 215.00	\$ 3,225.00
9	4" CONCRETE WALK & PADS	SQ FT	2,551	\$	20.00	\$ 51,020.00	\$ 18.00	\$ 45,918.00	\$ 13.00	\$ 33,163.00	\$ 19.00	\$ 48,469.00	\$ 12.00	\$ 30,612.00	\$ 10.00	\$ 25,510.00
10	TRUNCATED DOMES	SQ FT	12	\$	65.00	\$ 780.00	\$ 79.00	\$ 948.00	\$ 105.00	\$ 1,260.00	\$ 85.00	\$ 1,020.00	\$ 70.25	\$ 843.00	\$ 75.00	\$ 900.00
11	BASKETBALL COURT (COMPLETE)	LUMP SUM	1	\$	40,000.00	\$ 40,000.00	\$ 26,750.00	\$ 26,750.00	\$ 19,000.00	\$ 19,000.00	\$ 25,000.00	\$ 25,000.00	\$ 19,700.00	\$ 19,700.00	\$ 31,500.00	\$ 31,500.00
12	RETAINING WALL	LIN FT	90	\$	150.00	\$ 13,500.00	\$ 95.00	\$ 8,550.00	\$ 180.00	\$ 16,200.00	\$ 205.00	\$ 18,450.00	\$ 240.00	\$ 21,600.00	\$ 185.00	\$ 16,650.00
13	INSTALL SIGN	EACH	1	\$	1,500.00	\$ 1,500.00	\$ 350.00	\$ 350.00	\$ 1,975.00	\$ 1,975.00	\$ 1,500.00	\$ 1,500.00	\$ 400.00	\$ 400.00	\$ 750.00	\$ 750.00
14	PARKING LOT STRIPING	LUMP SUM	1	\$	3,500.00	\$ 3,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,300.00	\$ 1,300.00	\$ 1,500.00	\$ 1,500.00	\$ 1,315.00	\$ 1,315.00	\$ 1,400.00	\$ 1,400.00
15	FENCE (COMPLETE)	LUMP SUM	1	\$	10,000.00	\$ 10,000.00	\$ 2,125.00	\$ 2,125.00	\$ 6,800.00	\$ 6,800.00	\$ 10,000.00	\$ 10,000.00	\$ 9,215.00	\$ 9,215.00	\$ 12,000.00	\$ 12,000.00
16	INLET PROTECTION	EACH	1	\$	250.00	\$ 250.00	\$ 200.00	\$ 200.00	\$ 160.00	\$ 160.00	\$ 250.00	\$ 250.00	\$ 140.00	\$ 140.00	\$ 200.00	\$ 200.00
17	SEDIMENT CONTROL LOG TYPE WOOD FIBER	LIN FT	200	\$	5.00	\$ 1,000.00	\$ 5.00	\$ 1,000.00	\$ 4.00	\$ 800.00	\$ 8.00	\$ 1,600.00	\$ 5.50	\$ 1,100.00	\$ 6.00	\$ 1,200.00
18	SITE RESTORATION	LUMP SUM	1	\$	5,000.00	\$ 5,000.00	\$ 7,550.00	\$ 7,550.00	\$ 11,500.00	\$ 11,500.00	\$ 3,000.00	\$ 3,000.00	\$ 28,500.00	\$ 28,500.00	\$ 12,500.00	\$ 12,500.00
19	MOBILIZATION	LUMP SUM	1	\$	7,500.00	\$ 7,500.00	\$ 5,000.00	\$ 5,000.00	\$ 23,500.00	\$ 23,500.00	\$ 15,000.00	\$ 15,000.00	\$ 16,800.00	\$ 16,800.00	\$ 12,100.00	\$ 12,100.00
20	REMOVE BITUMINOUS PAVEMENT	SQ YD	4	\$	5.00	\$ 20.00	\$ 90.00	\$ 360.00	\$ 39.00	\$ 156.00	\$ 85.00	\$ 340.00	\$ 54.00	\$ 216.00	\$ 35.00	\$ 140.00
21	REMOVE SIDEWALK PAVEMENT	SQ YD	70	\$	12.00	\$ 840.00	\$ 26.00	\$ 1,820.00	\$ 20.00	\$ 1,400.00	\$ 15.00	\$ 1,050.00	\$ 18.50	\$ 1,295.00	\$ 35.00	\$ 2,450.00
22	REMOVE CURB AND GUTTER	LIN FT	15	\$	5.00	\$ 75.00	\$ 35.00	\$ 525.00	\$ 11.00	\$ 165.00	\$ 30.00	\$ 450.00	\$ 14.50	\$ 217.50	\$ 35.00	\$ 525.00
23	SITE GRADING	LUMP SUM	1	\$	20,000.00	\$ 20,000.00	\$ 4,575.00	\$ 4,575.00	\$ 13,750.00	\$ 13,750.00	\$ 9,500.00	\$ 9,500.00	\$ 6,100.00	\$ 6,100.00	\$ 44,100.00	\$ 44,100.00
24	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	15	\$	100.00	\$ 1,500.00	\$ 90.00	\$ 1,350.00	\$ 65.00	\$ 975.00	\$ 85.00	\$ 1,275.00	\$ 178.00	\$ 2,670.00	\$ 215.00	\$ 3,225.00
25	4" CONCRETE WALK & PADS	SQ FT	1,210	\$	20.00	\$ 24,200.00	\$ 18.00	\$ 21,780.00	\$ 13.75	\$ 16,637.50	\$ 19.00	\$ 22,990.00	\$ 13.00	\$ 15,730.00	\$ 10.00	\$ 12,100.00
26	TRUNCATED DOMES	SQ FT	12	\$	65.00	\$ 780.00	\$ 79.00	\$ 948.00	\$ 105.00	\$ 1,260.00	\$ 85.00	\$ 1,020.00	\$ 70.25	\$ 843.00	\$ 75.00	\$ 900.00
27	BASKETBALL COURT AND GOAL (COMPLETE)	LUMP SUM	1	\$	65,000.00	\$ 65,000.00	\$ 51,080.00	\$ 51,080.00	\$ 40,000.00	\$ 40,000.00	\$ 50,000.00	\$ 50,000.00	\$ 53,500.00	\$ 53,500.00	\$ 59,600.00	\$ 59,600.00
28	INSTALL SIGN	EACH	1	\$	1,500.00	\$ 1,500.00	\$ 350.00	\$ 350.00	\$ 1,975.00	\$ 1,975.00	\$ 1,500.00	\$ 1,500.00	\$ 400.00	\$ 400.00	\$ 750.00	\$ 750.00
29	INLET PROTECTION	EACH	2	\$	250.00	\$ 500.00	\$ 200.00	\$ 400.00	\$ 157.00	\$ 314.00	\$ 250.00	\$ 500.00	\$ 140.00	\$ 280.00	\$ 200.00	\$ 400.00
30	SITE RESTORATION	LUMP SUM	1	\$	2,500.00	\$ 2,500.00	\$ 6,500.00	\$ 6,500.00	\$ 8,700.00	\$ 8,700.00	\$ 3,000.00	\$ 3,000.00	\$ 23,000.00	\$ 23,000.00	\$ 12,500.00	\$ 12,500.00
31	LANDSCAPING AND PLANTINGS	LUMP SUM	1	\$	2,500.00	\$ 2,500.00	\$ 8,000.00	\$ 8,000.00	\$ 3,100.00	\$ 3,100.00	\$ 7,500.00	\$ 7,500.00	\$ 6,050.00	\$ 6,050.00	\$ 4,000.00	\$ 4,000.00
32	MOBILIZATION	LUMP SUM	1	\$	7,500.00	\$ 7,500.00	\$ 7,900.00	\$ 7,900.00	\$ 23,500.00	\$ 23,500.00	\$ 15,000.00	\$ 15,000.00	\$ 18,910.00	\$ 18,910.00	\$ 16,900.00	\$ 16,900.00
33	REMOVE BITUMINOUS PAVEMENT	SQ YD	8	\$	5.00	\$ 40.00	\$ 90.00	\$ 720.00	\$ 47.00	\$ 376.00	\$ 75.00	\$ 600.00	\$ 46.00	\$ 368.00	\$ 35.00	\$ 280.00
34	REMOVE SIDEWALK PAVEMENT	SQ YD	40	\$	12.00	\$ 480.00	\$ 26.00	\$ 1,040.00	\$ 20.00	\$ 800.00	\$ 15.00	\$ 600.00	\$ 21.00	\$ 840.00	\$ 35.00	\$ 1,400.00
35	REMOVE CURB AND GUTTER	LIN FT	25	\$	5.00	\$ 125.00	\$ 35.00	\$ 875.00	\$ 15.00	\$ 375.00	\$ 30.00	\$ 750.00	\$ 17.10	\$ 427.50	\$ 35.00	\$ 875.00
36	SITE GRADING	LUMP SUM	1	\$	15,000.00	\$ 15,000.00	\$ 5,400.00	\$ 5,400.00	\$ 19,000.00	\$ 19,000.00	\$ 16,000.00	\$ 16,000.00	\$ 11,000.00	\$ 11,000.00	\$ 38,500.00	\$ 38,500.00
37	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	25	\$	100.00	\$ 2,500.00	\$ 90.00	\$ 2,250.00	\$ 67.00	\$ 1,675.00	\$ 85.00	\$ 2,125.00	\$ 142.20	\$ 3,555.00	\$ 215.00	\$ 5,375.00
38	4" CONCRETE WALK & PADS	SQ FT	1,150	\$	20.00	\$ 23,000.00	\$ 18.00	\$ 20,700.00	\$ 13.75	\$ 15,812.50	\$ 19.00	\$ 21,850.00	\$ 12.00	\$ 13,800.00	\$ 10.00	\$ 11,500.00
39	TRUNCATED DOMES	SQ FT	24	\$	65.00	\$ 1,560.00	\$ 79.00	\$ 1,896.00	\$ 105.00	\$ 2,520.00	\$ 85.00	\$ 2,040.00	\$ 70.25	\$ 1,686.00	\$ 75.00	\$ 1,800.00
40	BASKETBALL COURT AND GOALS (COMPLETE)	LUMP SUM	1	\$	110,000.00	\$ 110,000.00	\$ 97,455.00	\$ 97,455.00	\$ 76,000.00	\$ 76,000.00	\$ 86,000.00	\$ 86,000.00	\$ 91,200.00	\$ 91,200.00	\$ 109,200.00	\$ 109,200.00
41	INSTALL SIGN	EACH	1	\$	1,500.00	\$ 1,500.00	\$ 350.00	\$ 350.00	\$ 1,975.00	\$ 1,975.00	\$ 1,500.00	\$ 1,500.00	\$ 400.00	\$ 400.00	\$ 750.00	\$ 750.00
42	FENCE (COMPLETE)	LUMP SUM	1	\$	15,000.00	\$ 15,000.00	\$ 9,350.00	\$ 9,350.00	\$ 6,400.00	\$ 6,400.00	\$ 10,500.00	\$ 10,500.00	\$ 9,450.00	\$ 9,450.00	\$ 10,200.00	\$ 10,200.00
43	SITE RESTORATION	LUMP SUM	1	\$	2,500.00	\$ 2,500.00	\$ 4,650.00	\$ 4,650.00	\$ 8,800.00	\$ 8,800.00	\$ 3,000.00	\$ 3,000.00	\$ 21,200.00	\$ 21,200.00	\$ 7,500.00	\$ 7,500.00
44	SOD	SQ YD	45	\$	35.00	\$ 1,575.00	\$ 25.00	\$ 1,125.00	\$ 36.00	\$ 1,620.00	\$ 28.00	\$ 1,260.00	\$ 33.00	\$ 1,485.00	\$ 20.00	\$ 900.00
45	LANDSCAPING AND PLANTINGS	LUMP SUM	1	\$	5,000.00	\$ 5,000.00	\$ 12,000.00	\$ 12,000.00	\$ 2,700.00	\$ 2,700.00	\$ 13,500.00	\$ 13,500.00	\$ 11,850.00	\$ 11,850.00	\$ 7,500.00	\$ 7,500.00
Bid Total:				\$		490,745.00	\$	399,695.00	\$	408,772.00	\$	432,686.00	\$	466,410.00	\$	536,405.00
Contingency (5%):				\$		24,537.25	\$	19,984.75	\$	20,438.60	\$	21,634.30	\$	23,320.50	\$	26,820.25
Construction Total:				\$		515,282.25	\$	419,679.75	\$	429,210.60	\$	454,320.30	\$	489,730.50	\$	563,225.25