



City Council Meeting

March 11, 2024

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Mayor Lund called the City Council Meeting of March 11, 2024, to order at 7:00 p.m.

Present

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

Absent

Councilmember Ryan Evanson

Others Present

Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Nancy Abts, Associate Planner

Pledge Of Allegiance

Proclamations/Presentations

Approval of Proposed Consent Agenda

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

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

Approval/Receipt of Minutes

1. Approve the Minutes from the City Council Meeting of February 26, 2024.
2. Receive the Minutes from the Council Workshop Meeting of February 26, 2024.
3. Receive the Minutes from the Planning Commission Meeting of February 21, 2024.
4. Receive the Minutes from the Parks and Recreation Commission Meeting of December 4, 2023.

5. Receive the Minutes from the Parks and Recreation Commission Meeting of January 2, 2024.

Old Business

6. Ordinance No. 1419, Creating Title No. 5 (Lands and Buildings) of the Fridley City Code and the Chapters Contained Therein.
7. Ordinance No. 1420, Amending the Fridley City Code Chapter 209, Fees, to Update Parks and Recreation Fees.

New Business

8. Resolution No. 2024-29, Approving a Water Quality Cost Share Agreement with the Coon Creek Watershed District for the Purchase of a Leaf Vacuum System.
9. Resolution No. 2024-30, Approving a Grant Agreement with the Minnesota Department of Natural Resources for Shade Tree Management.
10. Resolution No. 2024-31, Approving the City of Fridley Housing Improvement Area Policy.
11. Resolution No. 2024-33, Approving the City of Fridley's Emergency Operations Plan (EOP) and Continuity of Operations Plan (COOP).

Claims

12. Resolution No. 2024-32 Approving Claims for the Period Ending March 6, 2024.

Adoption of Regular Agenda

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

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

New Business

13. Resolution No. 2024-34 Denying an Interim Use Permit (IUP #24-01) Requested by Amarok, LLC to Allow a 10-Foot-Tall Electric Fence at 4650 Main Street N.E. (Ward 3)

Nancy Abts, Associate Planner, presented a request from Amarok on behalf of Electric Motor Supply Company for an Interim Use Permit (IUP) to allow a ten-foot tall, low-voltage electric security fence at 4650 Main Street NE. She reviewed the site description and history and adjacent property uses. She also reviewed details of the IUP request, the purpose of an IUP, and the criteria that must be met to be eligible for an IUP. She stated that staff recommends denial of the request, as did the Planning Commission after its review on February 21 with a vote of 5-1. She stated that if electric fences are desired more broadly in industrial areas of the Fridley, the Commission agreed that it would be more appropriate to consider a text amendment rather than using the IUP tool.

Councilmember Bolkcom asked if there is any updated information on the offer for the police to meet with the property owner, as was discussed at the Planning Commission meeting.

Ms. Abts confirmed that a member from the department was able to go to the site and provide some recommendations.

Scott Hickok, Community Development Director, reviewed some of the recommendations made by the department related to fencing, lighting and camera use. He noted that a police trailer could also be used on the site.

Councilmember Bolkcom stated that she visited the site and was concerned with the condition of the fence and vegetation growth. She believed that this was a different situation than the previously granted electric fence.

Ted White, Electric Motor Supply, stated that the company has had issues with people cutting the fence and coming into the yard and damaging their equipment for the past ten years. He commented on the different things they have tried to improve security on the site and the path he has taken to reach this potential solution. He noted that because people are cutting the fence, it would not make sense to replace the fence with a new chain link fence. He stated that he did meet with police and fire to discuss potential solutions. He recognized that the steel fence would be quite a bit more expensive. He noted that they do plan to clean vegetation from the site to the extent possible and allowed by the railroad.

Mayor Lund commented that staff always work to help businesses in this community. He stated that he does not want to see electric fences all over the community and this request does not meet the criteria. He commented that other options have also been provided to aid in security and hoped that some of those options would solve the issues.

Councilmember Tillberry asked if the applicant understands the reasoning behind the recommendation of denial from the Planning Commission.

Mr. White commented that while he does understand the reasoning behind their recommendation, he did not believe someone would be injured by the fence which would be 300 feet interior to his property line.

Councilmember Tillberry commented that safety, location and appearance were reasonings for denial in this request compared to the Copart request.

Councilmember Bolkcom asked the applicant for more details on what is kept in that yard area that is becoming damaged.

Mr. White replied that the company buys and sells industrial electrical distribution equipment, noting that it is outdoor equipment that is large, heavy and difficult to move which cannot be stored inside. He stated that although the equipment is locked up, the people are cutting the locks similar to the fences. He explained that the copper wire is valuable to thieves, and the thieves taking out the couple hundred dollars in wire causes thousands of dollars in damage, often making the equipment unable to be resold. He averaged about \$100,000 per year in damages from theft.

Councilmember Bolkcom asked if the steel fence could be installed for less than the yearly damages. Mr. White replied that could be done but the electric fence was a cheaper option.

Councilmember Bolkcom commented that she does not like that aesthetic in a residential neighborhood area.

Councilmember Ostwald asked if a solid fence would be as effective in the opinion of the applicant.

Mr. White replied that the electric fence does provide immediate notification if someone is attempting to tamper with the fence.

Michael Pate, Amarok, commented that people will go over a solid fence and noted that a solid fence also blocks what is occurring inside that perimeter once the person scales the fence. He stated that the electric fence is an alarm, which is installed inside the existing perimeter fence and explained how the low-voltage system works in conjunction with the alarm system. He explained that there are no concerns for safety with this type of system. He said the fence will not be noticeable, although the signs may be visible in the same manner as a license plate would be. He stated that perhaps a three-year period be allowed to try this out, or perhaps the end date would be if the business changes ownership.

Mayor Lund commented that he would think about reviewing this within the City Code as they continue to update the Code.

Councilmember Bolkcom commented that in her discussions with staff, she does not believe staff would like to do that.

Mr. Hickok explained that this is not an apples-to-apples comparison with the previous application that was reviewed for this type of use. He stated that in that previous review the Council did not have an interest in pursuing a text amendment at that time. He stated that staff can only work under the parameters provided by the Council and therefore unless direction is provided by the Council, staff must go under the previous direction. He explained that if the Council approves this, it would be no different than any other business on the corridor.

Mr. Pate commented that he has these fences in 7,000 communities nationwide. He commented that this property is zoned industrial and is across from a residential neighborhood. He commented that

the standards of his company prevent installation within the residential district, again noting that this is an industrial district. He stated that the same type or even more powerful devices can be purchased at Tractor Supply and are installed on residential and farming properties. He noted that the fence would be 300 feet from the trail and further from the residential properties.

Motion made by Councilmember Bolkcom to adopt Resolution No. 2024-34, Denying an Interim Use Permit (IUP #24-01) Requested by Amarok, LLC to Allow a 10-Foot-Tall Electric Fence at 4650 Main Street N.E. Seconded by Councilmember Ostwald.

Councilmember Ostwald commented that he can see both sides of this request. He stated that he is basing his decision on the recommendation of the Planning Commission, staff, and the standards within the Code.

Council encouraged the applicant to continue to work with staff to find a solution for the property. Council agreed to have a discussion on whether a text amendment would be appropriate for this issue.

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

Informal Status Reports

Councilmember Tillberry noted the Springbrook Spree will be held on April 6 at Springbrook Nature Center, and encouraged the public to purchase tickets to attend this fundraising event. Mayor Lund noted that the Springbrook Nature Center Foundation Board is holding the event and all funds raised are used for improvements and enhancements for the Nature Center.

Councilmember Bolkcom congratulated the Public Safety Department, noting that the Council had the opportunity to view the new fire truck and its safety equipment tonight.

Wally Wysopal, City Manager, referenced the discussion on February 12 related to the redevelopment of Commons Park, and he stated staff heard the message from the public relating to the need for ball fields. He said staff have met with representatives from the athletic association and School District 14 to continue to identify needs and solutions.

Adjourn

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

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 7:54 p.m.

Respectfully Submitted,

Melissa Moore
City Clerk

Scott J. Lund
Mayor