

**CITY COUNCIL MEETING  
CITY OF FRIDLEY  
MAY 29, 2018**

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The City Council meeting for the City of Fridley was called to order by Mayor Lund at 7:00 p.m.

**ROLL CALL:**

**MEMBERS PRESENT:** Mayor Lund  
Councilmember Barnette  
Councilmember Saefke  
Councilmember Varichak  
Councilmember Bolkcom

**OTHERS PRESENT:** Wally Wysopal, City Manager  
Scott Hickok Community Development Director  
James Kosluchar, Public Works Director  
Deb Skogen, City Clerk  
Dave Mol, Redpath and Company  
Brandon Brodhag, Civil Engineer

**APPROVAL OF PROPOSED CONSENT AGENDA:**

**APPROVAL OF MINUTES:**

**1. City Council Meeting of May 14, 2018.**

**Jay Karlovich**, City Attorney, noted the date on page one of the minutes should reflect May 14, not May 15.

**APPROVED AS AMENDED.**

**NEW BUSINESS:**

**2. Resolution Scheduling a Public Hearing on June 25, 2018, on a Proposed Amendment to Fridley City Charter, Chapter 8, Public Improvements and Special Assessments and Directing Publication of the Text of the Ordinance in Full.**

**ADOPTED RESOLUTION NO. 2018-24.**

**3. Resolution Repealing and Replacing Resolution No. 2018-14 Considering a Comprehensive Plan Amendment, CP #18-01, to Update the Economic and Redevelopment Chapter of the Fridley 2030 Comprehensive Plan.**

**ADOPTED RESOLUTION NO. 2018-25.**

**4. Receive Bids and Award the Locke Parkway Construction Project No. 2018-02.**

**RECEIVED BIDS AND AWARDED CONTRACT TO LOCKE PARKWAY CONSTRUCTION PROJECT NO. 2018-02.**

**5. Claims (ACH PCard 1805; 180860 - 181013).**

**APPROVED.**

**ADOPTION OF PROPOSED CONSENT AGENDA:**

**MOTION** by Councilmember Barnette to adopt the proposed consent agenda as presented. Seconded by Councilmember Varichak.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**OPEN FORUM, VISITORS:**

No one from the audience spoke.

**ADOPTION OF AGENDA:**

**MOTION** by Councilmember Bolkcom to adopt the agenda. Seconded by Councilmember Saefke.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS:**

**6. Receive the 2017 Comprehensive Annual Financial Report and Audit Review.**

**Dave Mol**, Redpath and Company, presented the 2017 Comprehensive Annual Financial Report and Audit Review.

**Councilmember Bolkcom** asked when the audit related to federal funds would be completed and presented to Council.

**Wally Wysopal**, City Manager, replied that it would come before Council for review and acceptance very soon. The field work is completed and waiting for final review. He thanked staff for all their work preparing for this audit.

**MOTION** by Councilmember Bolkcom to receive the 2017 Comprehensive Annual Financial Report and Audit Review. Seconded by Councilmember Saefke.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**OLD BUSINESS:**

**7. Resolution Ordering Final Plans, Specifications and Calling for Bids: 2018 Street Rehabilitation Project No. ST2018-01 (Continued May 14, 2018).**

**MOTION** by Councilmember Varichak to remove the resolution from the table. Seconded by Councilmember Barnette.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**Brandon Brodhag**, City Engineer, said this item was tabled at the May 14 City Council Meeting. The resolution directs preparation of final plans and specifications and authorizes the advertisement for bids for the 2018 Street Rehabilitation Project No. ST2018-01. The City's Capital Investment Plan includes rehabilitation of 69th Avenue from Central Avenue to Stinson Boulevard and along Anoka Street from 69th Avenue to South Terminus. The total project length is approximately 0.65 miles. The existing roadway is 52 feet on the east end and 60 feet on the west end where there are turn lanes. This road was widened in anticipation of high traffic volumes to and from New Brighton as part of the Medtronic development. Traffic volumes on the roadway do not support the need for such a wide road section. The average annual daily traffic is 2,800 vehicles on the west end near Medtronic. The roadway connects to Ramsey County Road H at the eastern City limits, which is 32 feet wide, curbed on one side, with 4 feet shoulders (12-foot lanes) and no parking.

**Mr. Brodhag** said the proposed section for 69th Avenue on the eastern portion is similar with 28 feet wide, curbed on both sides with 2-foot unmarked shoulders and 12-foot lanes. This would reduce pavement by 24 feet along the entire corridor. On-street parking would be eliminated. Turn lanes would remain on the west end to serve Medtronic Parkway and Siverts Lane. The trail is proposed to be moved to the south side of the roadway, and a stormwater treatment swale will be constructed between the trail and the roadway.

**Mr. Brodhag** stated in addition to reconstructing the street, the project as proposed will help reduce maintenance, reduce speed, reduce the cost of the project and assessment and improve water quality. He said a public hearing on special assessments for this project was held at the May 14, 2018, City Council meeting. Comments received at the public hearing included concerns for lack of on-street parking and narrowing of the roadway. There were no comments or concerns raised on the proposed special assessments. On-street parking is generally not provided for multi-family residential developments as it has been to date on 69th Avenue. However, due to site constraints, Timber Ridge Townhomes was given special consideration and they have been presented with options to allow for additional parking spaces adjacent to their property on Anoka Street to supplement their on-site parking. Staff advised an agreed to number of spaces could be provided on either Anoka Street or 69th Avenue, but the association would be assessed for the added spaces at approximately \$2,000-\$2,500 per space. Staff provided a

concept for 12 spaces of on-street parking on Anoka Street as an example (Anoka Street was chosen as this would provide closer access to the southern set of townhomes). Staff attended their HOA meeting, and clarified these concepts. Timber Ridge Townhomes Association declined to pursue on-street parking due to cost.

**Mr. Brodhag** noted staff has had meetings and corresponded with Rice Creek Townhomes regarding a similar offering of on-street parking that would be assessed. Staff has not received a request from Rice Creek Townhomes for on-street parking. Staff also notes that no representative for Rice Creek Townhomes attended the hearing. While the road section would be a change as well for residents who live in the single-family homes on the south side of 69th Avenue, this was not brought up as a strong concern at prior meetings. The proposed roadway section meets state aid standards and is in place on other City state-aid routes. In addition, it is noted that residents on the south side of 69<sup>th</sup> typically have fairly large driveways compared to most single-family residential properties in Fridley.

**Mr. Brodhag** said staff believes the project as presented meets numerous important goals beyond rehabilitation of the roadway as outlined above. We also believe that reconstructing the existing overly-wide roadway section and maintaining extensive on-street parking at the City's cost is not in the best interest of the City. Staff recommends the City Council move to remove this item from the table and adopt the attached resolution ordering final plans, specifications and calling for bids for 2018 Street Rehabilitation Project No. ST2018-01. Further, staff will implement any specific direction Council may wish to provide regarding the proposed project in completion of its plans.

**Councilmember Varichak** asked what the result was after asking Timber Ridge Townhomes if they would consider paying for the extra parking.

**Jim Kosluchar**, Public Works Director, replied the townhome association emailed and said they still were not interested in paying for the additional parking.

**Councilmember Bolkcom** asked if the townhome association understood they would not be able to park on the street.

**Mr. Kosluchar** replied correct.

**Barb Rasmussen**, Timber Ridge Townhomes, stated the reason they voted no for the extra parking was that the Association does not think it should be a cost to the townhome owners. They do not understand why the parking on 69<sup>th</sup> Avenue is being taken away. The townhomes only have parking in circles in the streets that are for emergency vehicles. The car ports only allow for 2-3 cars plus the parking in the garages. The Association wanted to voice their concerns and wanted to keep one lane of parking on 69<sup>th</sup> at no cost to Timber Ridge.

**Mr. Kosluchar** replied that generally apartment and multi-family developments are responsible to provide their own parking within the site which is why staff came up with the proposal. The City should not pay have to pay for parking associated with the townhomes.

**Councilmember Bolkcom** noted there is a problem parking on 69<sup>th</sup> in the winter with plowing.

**Mr. Kosluchar** stated that Timber Ridge residents typically are not violators of the parking requirements on 69<sup>th</sup> Avenue in the winter.

**Councilmember Bolkcom** said if residents could find places to park in the winter, they should be able to park elsewhere if the parking was removed on 69<sup>th</sup> Avenue.

**Ms. Rasmussen** said parking is an issue if people have graduation parties or other events where extra parking is needed. She also noted they will be resurfacing the streets and carports in the future and parking will really be an issue during that construction.

**Mayor Lund** replied staff may have ideas for temporary parking for Timber Ridge when they are resurfacing the streets in the development. There is limited parking for Timber Ridge residents and staff has attempted to find options, but the homeowners do not want to pay the assessment. Parking on the street would be a benefit to the association which is why the homeowners would be assessed.

**Mr. Kosluchar** said staff would be able to offer a few options for parking during construction.

**MOTION** by Councilmember Varichak to adopt Resolution No. 2018-26. Seconded by Councilmember Barnette.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS:**

**8. First Reading of an Ordinance Repealing and Replacing Chapter 125 of the Fridley City Code Related to the Licensing of Massage Therapy Business and Massage Therapists.**

**Deb Skogen**, City Clerk, said staff conducted research of the massage therapy business licensing due to issues the City had with businesses claiming they do massage therapy but are really a front for criminal activity. After thorough study and review staff prepared an ordinance which would create massage therapy business license and individual massage therapist license and regulations. The draft was provided to the police department and city attorney for review. Staff presented the draft ordinance at the May 14, 2018 conference meeting for review and discussion by the City Council. After the meeting, the City Attorney completed drafting the ordinance recommending the repeal and replacement of City Code Chapter 125 entitled Saunas and Massage Parlors to Massage Therapy Businesses and Massage Therapists No major changes were made to the ordinance since the conference meeting.

**Ms. Skogen** noted the ordinance does the following:

- Provides findings for the licensing of massage therapy business and therapist

- Creates definitions more in tune with a massage therapy business and today's terminology
- Requires a license for a business and individuals
- Provides similar exceptions to what is currently in the Code
- Defines what is on an application
- Defines the requirements of the applicants
- Defines the initial term and renewal of license
- Provides for the license investigation and verification
- Provides a process for denial, suspension or revocation of a license
- Defines License restrictions
- Allows the police the authority to enter the business during business hours to inspect and search the premises to ensure compliance
- Sets the license and investigative fees

Staff recommended the City Council waive the reading and adopt the first reading of this ordinance.

**Councilmember Bolkcom** asked for an explanation of the paragraph on page 4 of the ordinance, number 3.

**Ms. Skogen** replied the language was provided for individuals who were licensed by the state. She was not sure why a dental professional was included but was information provided by the city attorney's office.

**Councilmember Bolkcom** asked on page 5, number 6, if they could still get a license if taxes were not paid.

**Ms. Skogen** replied it is similar to a liquor license. If taxes or utilities are not paid, there would be reason for denial or non-renewal of the license.

**Councilmember Bolkcom** asked staff to review the language in the section regarding term and renewal of the license on page 9. She asked if they had to show current education and insurance every time the license was renewed.

**Ms. Skogen** replied yes.

**Councilmember Bolkcom** asked for explanation on page 9, number 3, regarding the academic requirement and minimum of 7 years work experience.

**Ms. Skogen** replied this was for massage therapists without formal education who have taken a Board certified test allowing them to practice. The additional experience provided and the certification would be similar to taking a formal education program of 600 credits.

**MOTION** by Councilmember Barnette to waive the reading and order the adoption of the first reading of an Ordinance Amending Fridley City Code Chapter 125. Seconded by Councilmember Varichak.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**9. Informal Status Reports (sewer Rates Follow-up).**

**Wally Wysopal**, City Manager, stated that sewer use is unlike water, gas, or electric because it cannot be metered at the home. Determining a “fair and reasonable charge” for sewer, while not an exact science, is reasonable if the charge takes into account “system costs” and “usage”. System costs are expenses for repairs, maintenance, upgrades, labor, parts, materials, debt services, depreciation, and the entire system and are not based on usage. A 2008 study showed investment is below depreciation making it a non-perpetual system. Repairs/improvements to any part of the system are related each user. Each user needs to pay a reasonable share of the costs to the entire system.

**Mr. Wysopal** noted that water consumption is down 20%. Sewer revenues based on consumption are not covering system costs. Base charge needs to increase across all tiers. The impact has been the most on the lower water users. All cities are experiencing the same effects and moving to a base charge. If you take the sewer rate structure from 2008 increased by a modest 3.5% inflation rate, which is not close to the average increase in the MCES charges over the same period, that 2018 rate structure would be \$51.25 base and \$4.28 per 1,000 gallons. The 2018 rate strikes a tighter balance between commercial and residential.

**Mr. Wysopal** said we needed a year’s worth of experience to understand how this new rate will work. The increase is not going to be 4% for 2018 but will be 9%. Rates that we adjusted were predicated on a 4% increase charge. The amount of revenue we thought we would have will decrease. Staff report to council if adjustments need to be made on the fairness and reasonableness of the charge.

**Scott Hickok**, Community Development Director, announced the Fridley Environmental Quality and Energy Commission is sponsoring a five-mile bike and hike event on Saturday, June 2. They will meet at 10 a.m. at the Community Center and leave at 10:30 a.m.

**ADJOURN:**

**MOTION** by Councilmember Barnette to adjourn. Seconded by Councilmember Varichak.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED AT 8:05 P.M.**

Respectfully submitted,

Krista Peterson  
Recording Secretary

Scott J. Lund  
Mayor