

**CITY COUNCIL MEETING
CITY OF FRIDLEY
APRIL 22, 2019**

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 Tillberry
Councilmember Eggert
Councilmember Bolkom

OTHERS PRESENT: Wally Wysopal, City Manager
Patrick D. Maghrak, City Assessor
Scott Hickok, Community Development Director
Tim Beres, Certified Power Incorporated
Sara Massey, Certified Power Incorporated
Margaret Maeckelberg, 425 Rice Creek Boulevard
Marcus Green, student at University of Minnesota

PROCLAMATIONS:

Arbor Month – May, 2019
Presentation of 2018 Tree City USA Award

Buddy Poppy Days Proclamation.

APPROVAL OF PROPOSED CONSENT AGENDA:

APPROVAL OF CITY COUNCIL MINUTES:

- 1. City Council Meeting of April 8, 2019**

APPROVED.

NEW BUSINESS:

- 2. Resolution in Support of a Job Creation Fund Application to the Minnesota Department of Employment and Economic Development in Connection with Certified Power Incorporated.**

Scott Hickok, Community Development Director, introduced Sara Massey, site selector, and Tim Beres, the CEO of Certified Power Incorporated. He stated they are very excited to have the business come to Fridley and help them in this way.

Sara Massey, said they will be back next month to bring forward the Minnesota Investment Fund application. Tim is here this month, and he thought it would be nice for him to say what it means to be coming to Fridley.

Tim Beres said they really appreciate the City's support. They are an actively growing company and very excited to be moving into the Fridley area. They are very excited about the location and the opportunity that it presents to bring more employees into their organization.

ADOPTED RESOLUTION NO. 2019 – 19.

- 3. Approve Joint Powers Agreement between the City of Fridley and County of Anoka for Conveyance of Right-of-Way and Trail Easement (Ward 1).**

APPROVED.

- 4. Approve Appointment of Mark Revering, General Manger of WoodSprings Suites, to the Board of Directors of Twin Cities Gateway.**

APPROVED.

- 5. Licenses**

APPROVED AS SUBMITTED.

- 6. Claims (184725 – 184881).**

APPROVED.

ADOPTION OF PROPOSED CONSENT AGENDA:

MOTION by Councilmember Barnette adopting the proposed consent agenda. Seconded by Councilmember Eggert.

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

OPEN FORUM, VISITORS:

Margaret Maeckelberg, 425 Rice Creek Boulevard, stated she lives in the Holiday Hills area just south of City Hall. Her concern is the closing of 69th Avenue. She thanked City staff for keeping them informed when the Civic Campus was being done. There were a lot of meetings, and she went to all of them. The maps, charts and input were all very good.

Ms. Maeckelberg said she did not feel they have had the same information on the closing of 69th Avenue. Verbally it was out there as Rice Creek Boulevard going to 71st up to 73rd. She does not recall ever seeing a map or a chart that showed the complete closing of 69th Avenue or given a date of when that is going to happen.

Ms. Maeckelberg stated when they went to the meetings, she believes the focus was on this campus and the building of the Pulte Homes. They were looking at the amount of homes coming in, the losing of their green space, and the parks. She does not remember a lot of focus on the closing of 69th Avenue. Maybe it was out there and their focus was just elsewhere.

Ms. Maeckelberg stated she knows staff has done a lot of planning. She just wanted to make sure all the options have been looked at. She does not recall ever seeing a traffic counter to assess the amount of traffic coming in and out of 69th. It could have been there. She does not know if any other options were ever discussed, at least not to them.

Ms. Maeckelberg stated she and her husband did a little homework. Her husband did go over and talk with the pastor and principal at Woodcrest. For the Sunday morning service there are about 120 cars that come in between 9 a.m. and 12 p.m., and that is 120 that leave and that is 240 that come in. During the school days there are 160 students. There are 80 families. There is no bus service. That is 80 cars that come in and go out. There are 20 staff who come in, and in the afternoon, there are approximately 80 cars that come in and out plus the 20 staff. That is a lot of cars going in and out, going through the Pulte Homes development, if 69th Avenue is closed. . The Holiday Hills neighborhood has many 2-car families. She said she hoped the Pulte Homes neighborhood had been informed of all the traffic. There are also garbage trucks, buses, UPS, mail trucks and FedEx trucks going in and out of the neighborhood. That is just a lot of traffic.

Ms. Maeckelberg stated they understand that one of the reasons, if not the main reason, for closing 69th Avenue is the retention pond needs to be bigger. They are not engineers, but her husband has been monitoring the water this winter and spring. It does seem to be doing its job.

Ms. Maeckelberg stated her objective right now is to keep 69th Avenue open. There is no perfect solution to anything. They feel one option would be a no left turn. There will still be traffic concerns if 69th Avenue is closed.

Ms. Maeckelberg stated she was a teacher for 30 years. One of the things they learned were the elements of instruction by Madeline Hunter. One of those elements was monitor and adjust. It does not matter if you are in business, education, or government. You need to monitor and adjust if you are going to have a successful outcome. What they are asking is to make sure staff has done all of their homework. Has staff looked at all the options? Then when they have done all of it, does they need to monitor and adjust. Once the City closes 69th Avenue, it is a done deal. If the City leaves it open, it can always close it at another time..

Mayor Lund stated that he, Ms. Maeckelberg and her husband had an opportunity to talk this afternoon about this. He said Mr. and Mrs. Maeckelberg have made a reasonable request. He will have City staff review this matter.

Councilmember Barnette stated he would like to speak in support of Ms. Maeckelberg. Two weeks ago, at their City Council meeting, they reviewed how the new roadway was going to work. It showed 69th Avenue going out to the Service Road, the development of the Service Road all the way up to 73rd, and the development of 71st Avenue. At the time, he thought it was good that 69th Avenue was going to be allowed to go out onto the Service Road. He was told that was probably not going to happen.

Councilmember Barnette stated he happens to be a resident of the Holiday Hills community, but he is speaking on behalf of the entire City here. He and his wife and their kids have lived in the City for 50 years and the Maeckelbergs have lived there 52 years. Scott Lund lives there also. They have all gone out 69th Avenue to the Service Road, and out onto University Avenue. There was an occasional problem with semi-trucks coming out of the industrial area stacking up. This is no longer a problem. The semi-trucks apparently tend to go out 73rd Avenue.

Councilmember Barnette stated Holiday Hills, that is those houses south of 69th, is in Independent School District No. 14 (Fridley School District). There are two buses going through every morning--one for elementary and one for middle school/high school. They pick up the kids in the morning and bring them back in the afternoon. They come in off of University onto the Service Road, and then onto 69th Avenue into the neighborhood. The new homes that are being built, north of 69th are in Independent School District No. 16 which is Spring Lake Park. They will be served by buses from that district. With the change, the Fridley school buses, rather than exiting conveniently onto 69th Service Road to University, will have to go through the new neighborhood, and that is going to cause problems.

Councilmember Barnette stated the biggest problem is Woodcrest Church. Here we have 60 or 70 cars coming through every morning bringing their kids to school. They come in from University Avenue or go down the 73rd Avenue Service Road, exit onto 69th Avenue, and then an immediate right into the church parking lot. In the afternoon, they come back to pick up their kids, same thing, out they go, no problem. On Sunday there is anywhere from 90 to 110 cars. Currently, they come in off University Avenue or down 73rd Service Road, take a right into the church parking lot, stay there during the church services. Church lets out at 12:30 and you have 70/80 cars no longer being able to go out onto the Service Road and having to go up through the new neighborhood. That is not a good idea.

Councilmember Barnette stated another situation is, as you come up University there is a sign there that says, "69th Avenue." That sign will no longer have any significance because you cannot turn into that area.

Councilmember Barnette stated he does not think this is a done deal. Somebody said, what is done is done. So far it is not done. John Dunn who is a famous English philosopher made this comment, using his own name as a parody, "That which is done cannot be undone". If that is closed off, they will probably never be able to get it open again. He is not representing just their neighborhood. Many of the people who go to the church come from all over Fridley. He would like the staff and whoever to take another look and consider allowing 69th Avenue to continue onto the Service Road.

Councilmember Barnette stated there has been some talk about the retention pond. They go by there three or four times a day. It does look anywhere full or half full. He asked if there is a reason why they are going to close that exit onto the Service Road.

Mayor Lund stated they will look at it and respond appropriately. He said they would take another look at it.

Councilmember Barnette stated he realizes they cannot take any action at this time.

Councilmember Bolkcom stated she has been to a lot of those meetings and remembered a meeting right over here in a tent talking about 69th Avenue and closing it. The neighborhood was there and all the charts, etc. There has been conversation more than once about closing 69th Avenue. If there is going to be a presentation made at the next meeting or whatever staff proposes to do, let's lay it all on the line. Just because a retention pond is not full now does not mean it will not be. The area is not fully built up.

Councilmember Bolkcom said she also thought there were regulations which Mr. Kosluchar can discuss stated also, she believes there are regulations which Mr. Kosluchar can bring forward, why they need a big retention pond. She believes the minister also has had conversations with City staff related to this and how they feel. She believed it was at one of the last Planning Commission meetings there was conversation about the same thing. There has been conversation also with the church.

Councilmember Bolkcom stated if they bring something back, they should bring the whole piece back. At some point, they will be far into this project and if they suddenly start changing things, what is it going to do and what cost will be involved. Tonight, they passed a joint powers agreement about a trail. This all plays into the whole piece. She is not saying it cannot happen, but she wanted information on why they are doing it. Also, the townhomes and Pulte were aware that there would be this traffic going through; and they were okay with that if she remembered reading that correctly and hearing that at different meetings.

Marcus Green, student at University of Minnesota, stated he is taking an environmental policy class right now and for one of their projects they are tasked with trying to change public policy somewhere in the environmental realm. With that being said, last summer he interned with the Rice Creek Watershed District. He dealt with a lot of their public outreach, etc. One thing he looked at a lot was bacterial pollution and e-coli pollution within Rice Creek and the waterways around Fridley, Blaine, New Brighton, and those areas.

Mr. Green stated bacterial pollution in the rivers comes from many sources. It comes from animal waste in the northern cities that are more rural but also in our metropolitan cities, from dog waste, animal waste, and just in general, pets. Most cities have ordinances against leaving out dog waste but most of them are based on nuisance issues. His group is looking at changing city ordinances in favor of not just nuisance issues but public health and water health issues. As this is a learning experience, he would just like to get their opinion on changing ordinances and doing some sort of change for environmental reasons and not just because poop is gross.

Mayor Lund asked Mr. Green if he had some recommended policy changes.

Mr. Green stated his change would be just to change city ordinances so that city ordinances do not just say, look, if you have dog waste in your yard, you need to get rid of it. The City ordinance needs to say it is a hazard to human health and that it needs to be picked up. .

Councilmember Bolkcom stated an ordinance must be able to be enforced. Also, there is a fine line between what someone does on their own property and what the City can do. It is not a bad idea, but Mr. Green is walking down a thin line. He really must explore this, because someone could say, I use it for fertilizer in my compost or whatever. You can pass all the ordinances you want, but you must make sure they can be enforced.

Mayor Lund asked if he had reached out to any other communities.

Mr. Green replied, not yet.

Mayor Lund asked Mr. Green to provide his full name and contact information to City staff so they can look at it and get back to him.

Councilmember Barnette stated, in response to what Councilmember Bolkcom said regarding the closing of 69th Avenue and the meetings that were held, there were no question that it came up, but the major context at those meetings was about the housing and what was going to happen. There was nothing definite at that time, and he hopes there is nothing definite this time. Last week when they passed that, it said “preliminary” passage meaning, there is nothing definite. He does not want to hang it on the City staff because he thinks the world of them, but personally and with the support of his neighborhood and the rest of the City and the church, they would like to keep the access onto the Service Road available. If they cannot, they need a reasonable reason why not.

7. Informal Status Reports.

ADJOURN:

MOTION by Councilmember Barnette to adjourn. Seconded by Councilmember Eggert.

UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED AT 7:42 P.M.

Respectfully submitted by,

Denise M. Johnson
Recording Secretary

Scott J. Lund
Mayor