



**SPECIAL CITY COUNCIL WORKSESSION  
RICHFIELD MUNICIPAL CENTER, BARTHOLOMEW ROOM  
DECEMBER 12, 2017  
5:45 PM**

Call to order

1. Discussion of projects submittal for Corridors of Commerce solicitation
2. Discussion of Richfield Police Department's digital body recorders policy

Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**

**CITY OF RICHFIELD, MINNESOTA**  
Office of City Manager

December 7, 2017

Council Memorandum No. 113

The Honorable Mayor  
and  
Members of the City Council

Subject: Corridors of Commerce (December 12, 2017, Work Session Item #1)

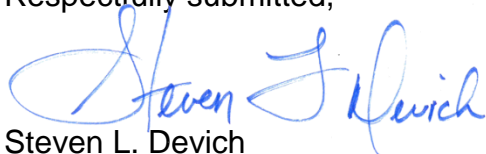
Council Members:

At the upcoming City Council Work Session, staff will be looking for direction on which projects to submit for consideration in the upcoming Corridors of Commerce solicitation. The Corridors of Commerce program is administered by the Minnesota Department of Transportation and authorizes the sale of up to \$300 million in new bonds for the construction, reconstruction, and improvement of trunk highways. Further history of the regional system and how it impacts Richfield will be presented along with a brief description of the criteria to be considered. The majority of time will be spent on the specific projects within the criteria and the benefits they present. Below are the projects that will be discussed:

1. 77<sup>th</sup> Street Underpass at TH 77
2. I-494
  - a. I-35W/I-494 Interchange (Phase 1)
  - b. I-494 Bridges and Auxiliary Lanes from I-35W to TH 77
    - i. Close ramps at Nicollet Ave.
    - ii. Close ramps at 12<sup>th</sup> and add full access at Portland Ave.
  - c. I-494 Bridges and Auxiliary Lanes from I-35W to TH 100
3. Crosstown (Highway 62)
  - a. Auxiliary Lanes in each direction from TH 77 to Portland Ave.
  - b. Auxiliary Lanes in each direction from Penn Ave to Highway 169
  - c. Ramp Modifications at Crosstown/TH 77 Interchange to improve the northbound to westbound traffic movement.

Please contact Kristin Asher, Public Works Director, at 612-861-9795 with questions.

Respectfully submitted,



Steven L. Devich  
City Manager

SLD:tab  
Email: Assistant City Manager  
Department Directors

**CITY OF RICHFIELD, MINNESOTA**  
Office of City Manager

December 7, 2017

Council Memorandum No. 114

The Honorable Mayor  
and  
Members of the City Council

Subject: Body Worn Cameras (December 12, 2017, Work Session Item #2)

Council Members:

On December 12, 2017, Chief Henthorne will discuss the Richfield Police Department Policy #143 Digital Body Recorders. This policy follows State Legislative guidelines that were passed by the Legislature. The policy is attached for your review prior to the meeting.

Please contact Chief Jay Henthorne, at 612-861-9810 for further discussion.

Respectfully submitted,



Steven L. Devich  
City Manager

SLD:jm  
Email: Assistant City Manager  
Department Directors

Attachment

## 143. DIGITAL BODY RECORDERS



### RICHFIELD POLICE DEPARTMENT POLICY

Effective Date:	05/21/14
No. of Pages:	9
Serial Number:	10-043
Authority:	Chief Jay Henthorne

*NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. PURPOSE

The primary purpose of using body-worn-cameras (BWCs) is to capture evidence arising from police-citizen encounters. This policy sets forth guidelines governing the use of BWCs and administering the data that results. Compliance with these guidelines is mandatory, but it is recognized that officers must also attend to other primary duties and the safety of all concerned, sometimes in circumstances that are tense, uncertain, and rapidly evolving.

### II. POLICY

It is the policy of this department to authorize and require the use of department-issued BWCs as set forth below, and to administer BWC data as provided by law.

### III. SCOPE

This policy governs the use of BWCs in the course of official duties. It does not apply to the use of squad-based recording systems. The chief or chief's designee may supersede this policy by providing specific instructions for BWC use to individual officers, or providing specific instructions pertaining to particular events or classes of events, including but not limited to political rallies and demonstrations. The chief or designee may also provide specific instructions or standard operating procedurals for BWC use to officers assigned to specialized details, such as carrying out duties in courts or guarding prisoners or patients in hospitals and mental health facilities, or to officers deemed to be Brady Giglio-impaired.

### IV. DEFINITIONS

The following phrases have special meanings as used in this policy:

- A. **MGDPA or Data Practices Act** refers to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et.seq.
- B. **Records Retention Schedule** refers to the General Records Retention Schedule for Minnesota Cities.
- C. **Law Enforcement-Related Information** means information captured or available for capture by use of a BWC that has evidentiary value because it documents events with respect to a stop, arrest, search, citation, or charging decision.
- D. **Evidentiary Value** means that the information may be useful as proof in a criminal prosecution, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer.
- E. **General Citizen Contact** means an informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation.



F. **Adversarial** means a law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.

G. **Unintentionally Recorded Footage** is a video recording that results from an officer's inadvertence or neglect in operating the officer's BWC, provided that no portion of the resulting recording has evidentiary value. Examples of unintentionally recorded footage include, but are not limited to, recordings made in station house locker rooms, restrooms, and recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded.

H. **Official Duties**, for purposes of this policy, means that the officer is on duty and performing authorized law enforcement services on behalf of this agency.

## V. USE AND DOCUMENTATION

A. BWC recordings generated are the exclusive property of the Richfield Police Department and shall be governed by the policy and law regarding government data and its collection and retention.

B. Officers may use only department issued BWCs in the performance of official duties for this agency or when otherwise performing authorized law enforcement services as an employee of this department.

C. Officers who have been issued BWCs shall operate and use them consistent with this policy. Officers shall conduct a function test of their issued BWCs at the beginning of each shift to make sure the devices are operating properly. Officers noting a malfunction during testing or at any other time shall promptly report the malfunction to the officer's supervisor and shall document the report in writing. Supervisors shall take prompt action to address malfunctions and document the steps taken in writing.

D. Officers should wear their issued BWCs at the location on their body and in the manner specified in training.

E. Officers must document BWC use and non-use as follows:

1. Whenever an officer makes a recording, the existence of the recording shall be documented in an incident report, citation, computer aided dispatch (CAD) records or other documented record of the event.
2. Whenever an officer fails to record an activity that is required to be recorded under this policy or captures only a part of the activity, the officer must document the circumstances and reasons for not recording in an incident report, CAD record, or other documented record of the event. Supervisors shall review these reports and initiate any corrective action deemed necessary.

F. The department will maintain the following records and documents relating to BWC use, which are classified as public data:

- a. The total number of BWCs owned or maintained by the agency;
- b. A daily record of the total number of BWCs actually deployed and used by officers;
- c. The total amount of recorded BWC data collected and maintained;
- d. This policy, together with the Records Retention Schedule.

## **General Guidelines for Recording**

- A. **Mandatory Recording** - Understanding that officers encounter tense, uncertain, and rapidly evolving situations, officers must activate their BWC at their earliest opportunity and before arriving on scene when recording is required by this policy.

Activating a BWC early, before an officer arrives on scene, allows an officer to safely turn on the BWC before reacting to or dealing with the circumstances of a particular call, incident, investigation or event. This also helps document important information from a view closer to that of the officer's perspective. Therefore, officers must activate their BWCs when preparing for or initiating any law enforcement action, when responding to any call or incident, and before arriving on scene in the following circumstances and conditions:

- When an officer is dispatched to or investigating any call or incident.
- When an officer is assisting another officer at a call or incident.
- When an officer is participating in any of the following police actions:
  - Any vehicle stop, including traffic and investigative stops.
  - Vehicle pursuits.
  - Investigative stops of individuals.
  - Initiating any arrest.
  - All frisks and searches (e.g., suspect, vehicle, structure, physical area).
  - All strip searches must be conducted in accordance with Prisoner Transport Policy #243 and will only be audio recorded with the BWC.
- When encountering or responding to resistance or aggression. See Use of Force Policy #201.
- When any situation becomes adversarial, including situations which are either verbally or physically adversarial
- In-custody transports.
- Suspect interviews in the field, including in-custody interviews occurring in the field when the Miranda warning is required.
- When directed by a supervisor.
- While operating a vehicle under Vehicle Operation General and Emergency Policy #208.

If an officer is at a location or in any situation where an event occurs or develops where this policy mandates recording and their BWC is not already activated, the officer must activate the BWC as soon as activation is possible and safe.

- B. **Discretionary Recording**

This policy does not describe every possible situation where the BWC may be activated. Beyond the mandated scenarios described above, an officer may activate the BWC when they believe it should be activated based on their training, experience, and judgement, except when recording is prohibited under this policy. If an officer is involved in a situation and they are unsure if the activation is mandatory, discretionary or prohibited, they should activate the BWC.

- C. **Prohibited Recording**

- Interactions solely among other department employees when not actively investigating or assigned to a call or incident.
- Non-work related activity.
- Within areas of a police facility restricted to personnel-only access, including roll call rooms, locker rooms, break rooms, and report rooms. BWCs should only record citizen contacts inside a police facility if relevant to an investigation or to comply with the Mandatory Recording situations described in this policy.
- When interacting with undercover officers or confidential informants, or persons providing information based on confidentiality, unless necessary for a law enforcement investigation or to comply with the Mandatory Recording situations described in this policy.

- During a work break.
- At any location where a reasonable expectation of privacy exists, such as a bathroom or locker room, unless necessary for a law enforcement investigation or to comply with the Mandatory Recording situations described in this policy.
- In patient care areas of a hospital, sexual assault treatment center, or other healthcare facility unless necessary for a law enforcement investigation or to comply with the Mandatory Recording situations described in this policy.
- This policy also recognizes that officers encounter tense, uncertain, and rapidly evolving situations regardless of location. Given this fact, officers may unintentionally create a prohibited recording or may intentionally record to comply with the Mandatory Recording requirements of this policy.

Officers who are aware they may have created a prohibited recording must report that recording to their supervisor. The video management personnel will manage data recorded in violation of policy.

Victim or witness interviews must also be recorded, unless the officer becomes aware of the following:

- Officers may be aware that the identity of a victim or witness is protected by the Minn. Stat. § 13.82. Individuals whose identities are protected under the Minn. Stat. § 13.82 include victims or alleged victims of criminal sexual conduct or sex trafficking. An officer may deactivate recording to protect the identity of someone afforded protection under the Minn. Stat. § 13.82, provided the request does not conflict with any other Mandatory Recording requirement under this policy.
- An officer may deactivate recording upon the request of a victim or witness, provided the request does not conflict with any other Mandatory Recording requirement under this policy.
- Officers should consider the totality of the circumstances before deactivating recording and determine the best approach for a particular circumstance. For example, deactivation may be the best option if the situation is not adversarial and a BWC inhibits a victim or witness from providing information. Nothing precludes an officer who has deactivated recording under these circumstances from reactivating it should mandatory recording circumstances emerge or the officer choose to reactivate recording in their discretion.
- Deactivation under these circumstances must be documented in an incident report, or if no incident report is otherwise required it must be documented in CAD comments.
- This policy recognizes officers cannot or will not always know of or have time or opportunity to account for protections afforded under the Minn. Stat. § 13.82. An officer may also intentionally record an individual with Minn. Stat. § 13.82 protections, or any witness or victim who has requested recording be deactivated, in order to comply with other sections of this policy. Compliance with the other Mandatory Recording requirements under this policy is the higher priority.
- The video management personnel will provide the final review to ensure appropriate management of data and compliance with the Minn. Stat. § 13.82.

**Special Guidelines for Recording** Officers may, in the exercise of sound discretion, determine:

- A. To use their BWC's to record any police-citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value, unless such recording is otherwise expressly prohibited.
- B. To use their BWC's to take recorded statements from persons believed to be victims of and witnesses to crimes, and persons suspected of committing crimes, considering the needs of the investigation and the circumstances pertaining to the victim, witness, or suspect.

- C. Officers need not record persons being provided medical care unless there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, BWC's shall be activated as necessary to document any use of force and the basis for it, and any other information having evidentiary value, but need not be activated when doing so would serve only to record symptoms or behaviors believed to be attributable to the mental health issue.
- D. Officers are encouraged to activate their BWC and in-car video system when transporting prisoners under the following conditions:
  - a. Prisoner is argumentative or combative.
  - b. Prisoner assaults an officer prior to transport.
  - c. Prisoner is injured or claims to be injured.
  - d. Prisoner is attempting to injure himself

#### **Downloading and Labeling Data**

- A. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from his or her camera to the Watchguard storage location by the end of that officer's shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of the officer's BWC and assume responsibility for transferring the data from it.
- B. Officers shall label the BWC data files at the time of video capture or transfer to storage, and should consult with a supervisor if in doubt as to the appropriate labeling. Officers should assign as many of the following labels as are applicable to each file:
  - 1. **Report:** The recording was made during an event which resulted in the creation of an incident report. *7 year retention*
  - 2. **Citation with no report:** The recording was made during an event which resulted in the issuance of one or more citations, but no incident report was created. *3 year retention*
  - 3. **Event with no report:** The recording was made during an event which did not require an incident report or issuance of citation(s). *90 day retention*
  - 4. **Test:** The recording was made during a test of the devices functionality. *90 day retention*
  - 5. **Unintentionally recorded footage:** *90 day retention*
- C. In addition, officers shall flag each file as appropriate to indicate that it contains information about data subjects who may have rights under the MGDPA limiting disclosure of information about them. These individuals include:
  - 1. Victims and alleged victims of criminal sexual conduct and sex trafficking.
  - 2. Victims of child abuse or neglect.
  - 3. Vulnerable adults who are victims of maltreatment.
  - 4. Undercover officers.
  - 5. Informants.
  - 6. When the video is clearly offensive to common sensitivities.
  - 7. Victims of and witnesses to crimes, if the victim or witness has requested not to be identified publicly.
  - 8. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.
  - 9. Mandated reporters.
  - 10. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
  - 11. Juveniles who are or may be delinquent or engaged in criminal acts.
  - 12. Individuals who make complaints about violations with respect to the use of real property.
  - 13. Officers and employees who are the subject of a complaint related to the events captured on video.

14. Other individuals whose identities the officer believes may be legally protected from public disclosure.
- D. Labeling and flagging designations may be corrected or amended based on additional information.

#### **Administering Access to BWC Data**

- A. **Data subjects.** Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC data:
  1. Any person or entity whose image or voice is documented in the data.
  2. The officer who collected the data.
  3. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.
- B. **BWC data is presumptively private** BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:
  1. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
  2. Some BWC data is classified as confidential (see C. below).
  3. Some BWC data is classified as public (see D. below).
- C. **Confidential data** BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the “private” classification listed above and the “public” classifications listed below.
- D. **Public data** The following BWC data is public:
  1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.
  2. Data that documents the use of force by a peace officer that results in substantial bodily harm.
  3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted if practicable. In addition, any data on undercover officers must be redacted.
  4. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

- E. **Access to BWC data by non-employees** Officers shall refer members of the media or public seeking access to BWC data to the Records Supervisor or Chief of Police, who shall process the request in accordance with the MGDPA and other governing laws. In particular:
  1. An individual shall be allowed to review recorded BWC data about him or herself and other data subjects in the recording, but access shall not be granted:
    - a. If the data was collected or created as part of an active investigation.

- b. To portions of the data that the agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. § 13.82, subd. 17.
  - 2. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, but subject to the following guidelines on redaction:
    - a. Data on other individuals in the recording who do not consent to the release must be redacted.
    - b. Data that would identify undercover officers must be redacted.
    - c. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.
- F. **Access by peace officers and law enforcement employees** No employee may have access to the department's BWC data except for legitimate law enforcement or data administration purposes:
  - 1. Officers may access and view stored BWC video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance.
  - 2. Officers involved in a Critical Incident may view or listen to video technology of the incident only after:
    - a. Officer(s) involved in a Critical Incident may view and/or listen to BWC and Squad Camera Data of the incident only after:
      - The Officer has met with the Union representative or legal counsel, if those entities are requested by the officer, and
      - The officer and legal counsel have met with the investigative entity or designee regarding the process for Critical Incident set out in Policy #213.
  - 3. Agency personnel shall document their reasons for accessing stored BWC data at the time of each access. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading BWC data recorded or maintained by this agency to public and social media websites.
  - 4. Employees seeking access to BWC data for non-business reasons may make a request for it in the same manner as any member of the public.
- G. **Other authorized disclosures of data.** Officers may display portions of BWC footage to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. § 13.82, subd. 15, as may be amended from time to time. Officers should generally limit these displays in order to protect against the incidental disclosure of individuals whose identities are not public. Protecting against incidental disclosure could involve, for instance, showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video. In addition
  - 1. BWC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.
  - 2. BWC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

## **Data Security Safeguards**

- A. Access to electronically archived BWC data shall be controlled by secure and individualized login credentials. BWC data storage is self-contained within the Watchguard system. Once data is captured, it migrates through multiple secure hard drives, making backup copies of

the data. BWC data is also automatically stored to a secondary external server, making it accessible in the event data cannot be retrieved from the primary server for some reason.

- B. Access to BWC data from city or personally owned and approved devices shall be managed in accordance with established city policy.
- C. Officers shall not intentionally edit, alter, or erase any BWC recording unless otherwise expressly authorized by the chief or the chief's designee.
- D. As required by Minn. Stat. § 13.825, subd. 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its BWC program.

### **Agency Use of Data**

- A. At least twice a month, supervisors will randomly review BWC usage by each officer to ensure compliance with this policy, and to identify any performance areas in which additional training or guidance is required.
- B. In addition, supervisors and other assigned personnel may access BWC data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.
- C. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.
- D. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered on a case-by-case basis. Field training officers may utilize BWC data with trainees for the purpose of providing coaching and feedback on the trainees' performance.

### **Data Retention**

- A. All BWC data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.
- B. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous, must be maintained for a minimum period of one year.
- C. Certain kinds of BWC data must be retained for six years:
  - 1. Data that documents the use of deadly force by a peace officer, or force of a sufficient type or degree to require a use of force report or supervisory review.
  - 2. Data documenting circumstances that have given rise to a formal complaint against an officer.
- D. Other data having evidentiary value shall be retained for the period specified in the Records Retention Schedule. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.
- E. Subject to Part F (below), all other BWC footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after 90 days.
- F. Upon written request by a BWC data subject, the agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 180 days. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.
- G. The department shall maintain an inventory of BWC recordings having evidentiary value.
- H. The department will post this policy, together with its Records Retention Schedule, on its website.

### **Compliance**

Supervisors shall monitor for compliance with this policy. The unauthorized access to or disclosure of BWC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.

By Order Of:

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Chief of Police





**REGULAR CITY COUNCIL MEETING  
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS  
DECEMBER 12, 2017  
7:00 PM**

**INTRODUCTORY PROCEEDINGS**

Call to order

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

Pledge of Allegiance

Approval of the minutes of the: (1) Special joint City Council and Planning Commission work session of November 20, 2017; (2) Special City Council meeting of November 20, 2017; (3) Special joint City Council, Housing and Redevelopment Authority, and Planning Commission work session of November 28, 2017; (4) Special City Council work session of November 28, 2017; (5) Regular City Council meeting of November 28, 2017; and (6) Special City Council meeting of December 5, 2017.

**PRESENTATIONS**

1. Richfield Foundation awarding of grants
2. Annual meeting with the Transportation Commission

**COUNCIL DISCUSSION**

3. Hats Off to Hometown Hits
  - Schedule commission interview date(s)

**AGENDA APPROVAL**

4. Approval of the Agenda
5. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
  - A. Consideration of the approval of a contract with Graymont (WI), LLC for the annual purchase of 1,400 tons of quick lime in the amount of \$737,240 for water treatment in 2018, 2019, and 2020.

Staff Report No. 204
  - B. Consideration of the approval of a resolution allowing the acceptance of monetary support solicited for the

Public Safety/Police Department in support of Safety Day, Nite to Unite, Heroes and Helpers, and Unity in the Community.

Staff Report No. 205

- C. Consideration of the approval of a resolution allowing acceptance of monetary support for the Fire Department to purchase equipment.

Staff Report No. 206

- D. Consideration of the approval of the renewal of the 2018 licenses for On-Sale 3.2 Percent Malt Liquor, Off-Sale 3.2 Percent Malt Liquor and taxi companies doing business in Richfield.

Licenses to Operate in Richfield

Gold Star Taxi - 10 vehicles

Airport Taxi - 6 vehicles

Licenses to sell 3.2 Percent Malt Liquor

Portland Food Mart - Off-Sale

Pump & Much - Off-Sale

Rainbow Foods - Off-Sale

Richfield Minnoco (Gas station 67th& Penn) - Off-Sale

Short Stop Supperette - Off-Sale

SuperAmerica #4186 - Off-Sale

SuperAmerica #4188 - Off-Sale

SuperAmerica #4191 - Off-Sale

SuperAmerica #4615 - Off-Sale

Target Corporation - Off-Sale

Sandy's Tavern - On-Sale

Vina Restaurant - On-Sale

Staff Report No. 207

- E. Consideration of the approval of a first reading of an ordinance adding City Code Section 430 pertaining to shore land management and schedule a second reading for January 9, 2018.

Staff Report No. 208

- F. Consideration for the approval of a resolution designating polling places for the 2018 State Primary and State General Election.

Staff Report No. 209

6. Consideration of items, if any, removed from Consent Calendar

**PROPOSED ORDINANCES**

7. Consideration of the approval of an ordinance authorizing the conveyance of vacated right-of-way owned by the City of Richfield to the Richfield Housing and Redevelopment Authority.

Staff Report No. 210

8. Consideration of the approval of an ordinance amending the City's Zoning Ordinance related to construction standards to mitigate the impact of airport noise and consideration of a resolution authorizing summary publication of said ordinance.

Staff Report No. 211

**PUBLIC HEARINGS**

9. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for Frenchman's Pub, Inc. d/b/a Frenchman's, 1400 66th Street East.

Staff Report No. 212

10. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for Paisan Incorporated, d/b/a Khan's Mongolian Barbeque, 500 78th Street East.

Staff Report No. 213

11. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for Lyn 65, LLC, d/b/a Lyn 65 Kitchen & Bar, 6439 Lyndale Avenue South.

Staff Report No. 214

12. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for El Tejaban Mexican Restaurant, LLC d/b/a El Tejaban Mexican Grill, 6519 Nicollet Avenue South.  
Staff Report No. 215
13. Public hearing regarding the approval of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for GM Richfield, LLC, d/b/a Four Points by Sheraton Minneapolis Airport, 7745 Lyndale Avenue South.  
Staff Report No. 216
14. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses with outside service, for Thompson's Fireside Pizza, Inc., d/b/a Fireside Foundry, 6736 Penn Avenue South.  
Staff Report No. 217
15. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, and with the optional 2 a.m. closing, for Pizza Luce VII, Inc., d/b/a Pizza Luce, 800 66th Street West.  
Staff Report No. 218
16. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, 6601 Lyndale Avenue South.  
Staff Report No. 219
17. Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for VPC Richfield Pizza, LLC d/b/a Giordano's of Richfield, 3000 66th Street West.  
Staff Report No. 220
18. Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle Mexican Grill, 7644 Lyndale Avenue South.  
Staff Report No. 221
19. Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Henry Thou, d/b/a Red Pepper Chinese Restaurant, 2910 66th Street West.  
Staff Report No. 222
20. Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians at the Richfield Ice Arena, 636 East 66th Street.  
Staff Report No. 223
21. Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Patrick's French Bakery, Inc., d/b/a Patrick's Bakery & Cafe, 2928 66th Street West.  
Staff Report No. 224
22. Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Davanni's, Inc. d/b/a Davanni's Pizza and Hot Hoagies, 6345 Penn Avenue South.  
Staff Report No. 225
23. Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for My Burger Operations, LLC d/b/a My Burger, 6555 Lyndale Avenue South.  
Staff Report No. 226
24. Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant, 7545 Lyndale Avenue South.  
Staff Report No. 227
25. Public hearing for the consideration of the renewal of 2018 Club On-Sale Intoxicating and Sunday Liquor licenses for Fred Babcock V.F.W. Post No. 5555 d/b/a Four Nickels Food and Drink, 6715 Lakeshore Drive.  
Staff Report No. 228
26. Public hearing for the consideration of the renewal of the 2018 Club On-Sale and Sunday Liquor licenses for Minneapolis-Richfield American Legion Post No. 435, 6501 Portland Avenue South.  
Staff Report No. 229
27. Public Hearing for the consideration of the renewal of 2018 Pawnbroker and Secondhand Goods Dealer licenses for Metro Pawn & Gun, Inc. 7529 Lyndale Avenue South.

Staff Report No. 230

28. Public hearing and consideration of the approval of a transitory ordinance vacating a portion of 67th Street East right-of-way and a storm sewer easement within The Chamberlain development.

Staff Report No. 231

29. Public hearing and consideration of the approval of a resolution granting approval of the preliminary and final plat of the Wexler's Second Addition (for The Chamberlain project).

Staff Report No. 232

### **RESOLUTIONS**

30. Consideration of the approval of resolutions approving the 2017 Revised/2018 Proposed budget and tax levy and related resolutions.

Staff Report No. 233

### **OTHER BUSINESS**

31. Consideration of the approval authorizing a capital improvement to upgrade the municipal liquor store at 6444 Penn Avenue South.

Staff Report No. 234

32. Consideration of the approval of a resolution regarding establishing a voluntary advanced resignation notice pilot program for regular full-time licensed officers and firefighters in the Police and Fire departments with a minimum of ten (10) years of continuous service with the City of Richfield.

Staff Report No. 235

### **CITY MANAGER'S REPORT**

33. City Manager's Report

### **CLAIMS AND PAYROLLS**

34. Claims and Payrolls

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

### **CLOSED EXECUTIVE SESSION**

35. Closed Session pursuant to Minnesota Statutes, Section 13D.05, Subd. 3(c)(2) to discuss protected nonpublic appraisal data (classified pursuant to Minnesota Statutes, Section 13.44, Subd. 3(a)) on the Motel 6 Property located at 7636 Cedar Avenue South, Richfield, Minnesota, and a Closed Session pursuant to Minnesota Statutes, Section 13D.05, Subd. 3(b) for an attorney-client privileged discussion of the initiation of real property/eminent domain acquisition legal processes pursuant to Minnesota Statutes, Chapter 117.

36. Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special Joint City Council and Planning Commission Work Session

**November 20, 2017**

<b>CALL TO ORDER</b>
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The work session was called to order by Mayor Elliott at 5:45 p.m. in the Bartholomew Room.

*Council Members Present:* Pat Elliott, Mayor; Michael Howard; Maria Regan Gonzalez; and Simon Trautmann.

*Council Members Absent:* Edwina Garcia.

*PC Members Present:* Sean Hayford Oleary; Allysen Hoberg; Bryan Pynn; and Gordon Vizecky.

*PC Members Absent:* Dan Kitzberger and Susan Rosenberg.

*Staff Present:* Steve Devich, City Manager; John Stark, Community Development Director; Melissa Poehlman, Assistant Community Development Director; Matt Brillhart, Associate Planner.

<b>Item #1</b>	<b>MIXED-USE DEVELOPMENT PROPOSAL - 6601 1ST AVENUE</b>
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Assistant Community Development Director Poehlman introduced the topic and the developers for a proposed development at 66th Street and 1st Avenue. Poehlman noted that some members of the Council and Planning Commission had seen an earlier version of plans for the site at a work session in 2016.

Mayor Elliott stated that he liked the 3 stories and density on this site.

Council Member Trautmann indicated general support for the concept and site layout, noting that it was a good fit for 66th Street.

Council Member Howard stated general support for this type of use along 66th Street and encouraged the developer to reach out to nearby residents. Council Member Howard asked about the site in relation to the 66th Street & Nicollet Avenue visioning.

Assistant Community Development Director Poehlman responded that the visioning for 66th Street and Nicollet Avenue indicated a multi-family building of three to four stories on this site. Poehlman noted that a primary concern of neighbors was the potential traffic on Stevens Avenue.

Planning Commissioner Hayford Oleary stated strong support for the project and stressed the importance of walk-up access to businesses from 66th Street.

<b>ADJOURNMENT</b>
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The work session was adjourned by unanimous consent at 6:09 p.m.

Date Approved: December 12, 2017

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Pat Elliott  
Mayor

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Jared Voto  
Executive Aide/Analyst

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special Meeting

November 20, 2017

### CALL TO ORDER

The meeting was called to order by Mayor Elliott at 6:00 p.m. in the Council Chambers.

*Council Members Present:* Pat Elliott, Mayor; Michael Howard; Maria Regan Gonzalez; and Simon Trautmann.

*Council Member Absent:* Edwina Garcia

*Staff Present:* Steven L. Devich, City Manager; Mary Tietjen, City Attorney; Jay Henthorne, Public Safety Director; and Chris Regis, Finance Manager.

### OPEN FORUM

None

### PLEDGE OF ALLEGIANCE

Mayor Elliott led the Pledge of Allegiance.

### APPROVAL OF MINUTES

M/Regan Gonzalez, S/Howard to approve the minutes of the: (1) Special joint City Council, HRA, and Planning Commission work session of October 16, 2017; (2) Special City Council work session of October 17, 2017, for youth commission interviews; (3) Special City Council work session of October 17, 2017, for HRA interviews; (4) Special joint City Council, HRA, and Planning Commission work session of October 24, 2017; and (5) Regular City Council meeting of October 24, 2017.

Motion carried 4-0.

### Item #1

### ANNUAL MEETING WITH THE FRIENDSHIP CITY COMMISSION

Ahmad Ansari, Friendship City Commission Chair, presented on the work of the commission over the previous year.

<b>Item #2</b>	<b>APPROVAL OF THE AGENDA</b>
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M/Elliott, S/Trautmann to approve the agenda.

Motion carried 4-0.

<b>Item #3</b>	<b>CONSENT CALENDAR</b>
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City Manager Devich presented the consent calendar.

- A. Consideration of the approval of a resolution approving deferral of special assessments against an owner occupied property. (S.R. No. 187)

RESOLUTION NO. 11434  
RESOLUTION APPROVING ELIGIBLE DEFERRAL OF SPECIAL  
ASSESSMENTS AGAINST OWNER OCCUPIED HOMESTEAD  
PROPERTIES IN HARDSHIP CASES FOR QUALIFYING OWNERS

This resolution appears as Resolution No. 11434.

- B. Consideration of the renewal of the Public Health and Environmental Health Mutual Aid Agreement. (S.R. No. 188)
- C. Consideration of the approval of an agreement between the Hennepin County Human Services and Public Health Department and the City of Richfield Police Department for continuing funds for a Police Cadet and/or Community Service Officer position and Joint Community Police Partnership training in 2018. (S.R. No. 189)
- D. Consideration of the approval of setting a public hearing to be held on December 12, 2017, for the consideration of the renewal of On-Sale Intoxicating and Sunday Liquor licenses for 2018 for El Tejaban Mexican Grill, LLC d/b/a El Tejaban Mexican Grill, Thompson's Fireside Pizza, Inc. d/b/a Fireside Foundry, GM Richfield, LLC d/b/a Four Points by Sheraton Minneapolis Airport, Frenchman's Pub, Inc. d/b/a Frenchman's, VPC Richfield Pizza, LLC d/b/a Giordano's of Richfield, Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, Paisan, Inc. d/b/a Khan's Mongolian Barbeque, Lyn 65, LLC d/b/a Lyn 65 Kitchen & Bar, Pizza Luce VII, Inc. d/b/a Pizza Luce, Minneapolis-Richfield American Legion Post 435, and Fred Babcock VFW Post 5555 d/b/a Four Nickels Food & Drink. (S.R. No. 190)
- E. Consideration of the approval of setting a public hearing to be held on December 12, 2017, for the consideration of the renewal of On-Sale Wine and On-Sale 3.2 Percent Malt Liquor licenses for 2018 for Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, Davanni's, Inc. d/b/a Davanni's Pizza & Hot Hoagies, Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant, Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians (located in the Richfield Ice Arena), My Burger Operations, LLC, d/b/a My Burger, Patrick's French Bakery, Inc. d/b/a Patrick's Bakery & Café, Henry Thou d/b/a Red Pepper Chinese Restaurant. (S.R. No. 191)
- F. Consideration of the approval of setting a public hearing to be held on December 12, 2017, for the consideration of the renewal of Pawnbroker and Secondhand Goods Dealer license for 2018 for Metro Pawn and Gun, Inc. (S.R. No. 192)

M/Elliott, S/Howard to approve the consent calendar.

Motion carried 4-0.



<b>Item #4</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>Item #5</b>	<b>CONSIDERATION OF THE APPROVAL OF A RESOLUTION AUTHORIZING THE REFUNDING OF THE \$4,550,000 G.O. CAPITAL IMPROVEMENT PLAN BONDS, SERIES 2009A, DATED JANUARY 14, 2009 WITH THE \$3,205,000 G.O. CAPITAL IMPROVEMENT PLAN REFUNDING BONDS, SERIES 2017B. (S. R. NO. 193)</b>
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Mayor Elliott presented Staff Report No. 193.

Brian Reilly, Ehlers, Inc., presented a summary of the refunding bond sale for the refunding of \$4,550,000 G.O. Capital Improvement Plan Bonds, Series 2009A, dated January 14, 2009, with \$3,205,000 G.O. Capital Improvement Plan Refunding Bonds, Series 2017B. Mr. Reilly stated that the low bid results in a savings of almost \$370,000 over the remaining life of the bonds. In addition, there was additional benefit in the reduction of the principal of the new bonding issue.

M/Elliott, S/Regan Gonzalez to approve the attached resolution awarding the sale of General Obligation Bonds, Series 2017B, in the original aggregate principal amount of \$3,205,000; fixing their form and specifications; directing their execution and delivery; providing for their payment; providing for the escrowing and investment of the proceeds thereof; providing for the redemption of bonds refunded thereby; and rescinding a prior resolution of the City.

RESOLUTION NO. 11435  
A RESOLUTION AWARDED THE SALE OF GENERAL OBLIGATION  
CAPITAL IMPROVEMENT PLAN REFUNDING BONDS, SERIES 2017B,  
IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$3,205,000;  
FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR  
EXECUTION AND DELIVERY; PROVIDING FOR THEIR PAYMENT;  
PROVIDING FOR THE ESCROWING AND INVESTMENT OF THE  
PROCEEDS THEREOF; AND PROVIDING FOR THE REDEMPTION OF  
BONDS REFUNDED THEREBY

Motion carried 4-0. This resolution appears as Resolution No. 11435.

<b>Item #6</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Howard, S/Elliott that the following claims and payrolls be approved:

<b>U.S. Bank</b>	<b>11/14/17</b>
A/P Checks: 26330 - 263726	\$ 1,593,748.62
Payroll: 131826 - 132156 ; 42784 - 42785	597,754.98
TOTAL	\$ 2,191,503.60

Motion carried 4-0.

<b>OPEN FORUM</b>
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None.

<b>Item #7</b>	<b>ADJOURNMENT</b>
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The City Council Meeting was adjourned by unanimous consent at 6:48 p.m.

Date Approved: December 12, 2017

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Pat Elliott  
Mayor

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Jared Voto  
Executive Aide/Analyst

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special Joint City Council, Housing and Redevelopment Authority, and Planning Commission Work Session

**November 28, 2017**

### CALL TO ORDER

The work session was called to order by Mayor Elliott at 5:45 p.m. in the Bartholomew Room.

*Council Members Present:* Pat Elliott, Mayor; Edwina Garcia; Michael Howard; Maria Regan Gonzalez; and Simon Trautmann (arrived at 5:53).

*HRA Members Present:* Mary Supple, Chair; Pat Elliott; Michael Howard; and Erin Vrieze Daniels.

*HRA Members Absent:* Sue Sandahl.

*PC Members Present:* Sean Hayford Oleary, Chair; and Susen Rosenberg.

*PC Members Absent:* Allysen Hoberg; Dan Kitzberger; Bryan Pynn; and Gordon Vizecky.

*Staff Present:* Steven L. Devich, City Manager; John Stark, Community Development Director; Julie Urban, Housing Manager; and Jared Voto, Executive Aide/Analyst.

#### Item #1

#### DISCUSSION REGARDING A REVISED PROPOSAL TO REDEVELOP THE CEDAR POINT HOUSING AREA.

Community Development Director Stark introduced the topic and provided a brief history of the area. Mr. Stark introduced members of the Cedar Point II LLC development team.

The Cedar Point II LLC development team described the new proposal of apartments and townhomes, and phasing in creating and “urban village” to connect the neighborhood of single-family homes to the west and the commercial properties to the east. The townhomes would be Phase I and apartment would follow in Phase II.

Members of the Council, HRA, and Planning Commission commented and asked questions about the phasing of the project as it relates to providing a resolution to the homeowners in the area; what factors would drive the start of Phase II of the project; the orientation of the townhomes to the neighborhood; the potential funding sources used to fill the previous funding gap; the potential timeline for construction; the breakdown of apartments by bedroom size; affordable housing in the

development; the City's sharing of information with the neighborhood; and the developers commitment to completing the project.

<b>ADJOURNMENT</b>
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The work session was adjourned by unanimous consent at 6:19 p.m.

Date Approved: December 12, 2017

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Pat Elliott  
Mayor

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Jared Voto  
Executive Aide/Analyst

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special City Council Work Session

### November 28, 2017

#### CALL TO ORDER

The work session was called to order by Mayor Elliott at 6:21 p.m. in the Bartholomew Room.

*Council Members Present:* Pat Elliott, Mayor; Edwina Garcia; Michael Howard; Maria Regan Gonzalez; and Simon Trautmann

*Staff Present:* Steven L. Devich, City Manager; Kristen Asher, Public Works Director; Jack Broz, Transportation Engineer; and, Jared Voto, Executive Aide/Analyst.

<b>Item #1</b>	<b>UPDATE TO THE BLUE CROSS BLUE SHIELD DEMONSTRATION PROJECT AND DISCUSSION OF THE CROSSWALK POLICY.</b>
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Transportation Engineer Broz presented information on the project including project background, crosswalk safety education that was provided during the project, and results of a online survey. He also provided results of a Hennepin County crossing study. He stated that the Transportation Commission is reviewing the crosswalk policy and it an updated policy will come before the Council at a future date.

Members of the City Council commented on their appreciation of incorporating more comprehensive measures considering a crosswalk policy and the City's transportation planning in general; and concerns about contributing to a false sense of security for pedestrians.

<b>Item #2</b>	<b>DISCUSSION REGARDING A PUBLIC ART POLICY.</b>
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Public Works Director Asher presented public art in the city of Richfield, including why public art matters, gave a background on the visual quality guidelines, and provided an outline of previous public art projects – sidewalk poetry on Portland Ave and utility box wrap. She also discussed potential funding sources as there is no current dedicated funding, and provided a draft policy for public art in the right-of-way.

Councilmember Trautmann discussed wrapping utility boxes at major intersections, such as Penn Ave and 66th Street. Ms. Asher responded the difficulty comes in who owns the box, as Xcel has not allowed their boxes to be wrapped.

Councilmember Regan Gonzalez commented on the draft policy and thought art is a way to make a community more inclusive. She discussed that is was not merely about beautifying space, but thinking of the human element and engagement with the space.

<b>ADJOURNMENT</b>
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The work session was adjourned by unanimous consent at 6:52 p.m.

Date Approved: December 12, 2017

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Pat Elliott  
Mayor

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Jared Voto  
Executive Aide/Analyst

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Regular Meeting

November 28, 2017

### CALL TO ORDER

The meeting was called to order by Mayor Elliott at 7:00 p.m. in the Council Chambers.

*Council Members Present:* Pat Elliott, Mayor; Edwina Garcia; Michael Howard; Maria Regan Gonzalez; and Simon Trautmann.

*Staff Present:* Steven L. Devich, City Manager; Mary Tietjen, City Attorney; Kristin Asher, Public Works Director; John Stark, Community Development Director; and Jared Voto, Executive Aide/Analyst.

### OPEN FORUM

Margaret Scheirman, 6856 Oliver Ave S, spoke regarding questions remaining on the Richfield Band Shell project

Steve Lavictoire, 4308 15th Ave S, Minneapolis, spoke regarding opposition to the Richfield Band Shell project.

### PLEDGE OF ALLEGIANCE

Mayor Elliott led the Pledge of Allegiance.

<b>Item #1</b>	<b>SWEARING-IN OF CITY OF RICHFIELD POLICE OFFICERS LUKAS EITREIM AND MICHAEL ANDERSON</b>
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Chief Henthorne introduced Officers Eitreim and Anderson, and their families, and completed their swearing-in.

<b>Item #2</b>	<b>2016 ANNUAL HEALTH REPORT TO THE COMMUNITY</b>
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Bonnie Paulsen, from Bloomington Public Health, presented the 2016 Annual Health Report for Richfield.

Council thanked the staff for their work and stated their appreciation for the annual report.

<b>Item #3</b>	<b>ANNUAL MEETING WITH THE TRANSPORTATION COMMISSION</b>
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This item was moved to the December 12, 2017 meeting.

<b>Item #4</b>	<b>ANNUAL MEETING WITH THE ARTS COMMISSION</b>
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Mia Simpson, Arts Commission member, presented the initiatives of the commission in 2017 and vision for 2018.

<b>Item #5</b>	<b>COUNCIL DISCUSSION</b> <ul style="list-style-type: none"><li>• Hats Off to Hometown Hits<ul style="list-style-type: none"><li>○ Consider a motion to cancel the second City Council meeting in December (December 26)</li></ul></li></ul>
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Council Member Garcia spoke regarding the passing of Floyd Roman who was dedicated service to the Richfield community.

Council Member Trautmann spoke regarding Small Business Saturday and his visits to businesses along the Penn Ave corridor.

Mayor Elliott spoke regarding all business passed their alcohol compliance check in November by not selling to a minor and the opening of advisory commission recruitment from December 1 to December 31.

Council Member Howard spoke regarding the Lyndale Avenue open house on November 29 and the completion of the 66th Street reconstruction for 2017.

Council Member Regan Gonzalez spoke regarding her interactions with the small businesses on 66th Street and her excitement about new businesses in the corridor.

M/Elliott, S/Howard to cancel the second City Council meeting in December (December 26, 2017).

Motion carried 5-0.

<b>Item #6</b>	<b>APPROVAL OF THE AGENDA</b>
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M/Garcia, S/Regan Gonzalez to approve the agenda.

Motion carried 5-0.

<b>Item #7</b>	<b>CONSENT CALENDAR</b>
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City Manager Devich presented the consent calendar.



- A. Consideration of the approval of an amendment to the Hennepin County Cost Participation Agreement for the acquisition of right-of-way for the 77th Street Underpass of Trunk Highway 77 Project. (S.R. No. 194)
- B. Consideration of the approval of a resolution to accept a grant of \$4,027.92 from the Office of Justice Programs for bullet proof vests. (S.R. No. 195)

RESOLUTION NO. 11436  
RESOLUTION APPROVING THE GRANT WITH THE U.S.  
DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS AND  
RICHFIELD POLICE FOR BULLETPROOF VESTS

This resolution appears as Resolution No. 11436.

- C. Consideration of the approval of a first reading of a transitory ordinance vacating a portion of 67th Street East right-of-way and a storm sewer easement within The Chamberlain development area and schedule a public hearing and second reading for December 12, 2017. (S.R. No. 196)
- D. Consideration of the approval of a first reading of an ordinance authorizing the conveyance of vacated right of-way owned by the City of Richfield to the Richfield Housing and Redevelopment Authority. (S.R. No. 197)
- E. Consideration of the approval of a first reading of an ordinance amending the City's Zoning Ordinance related to construction standards to mitigate the impact of airport noise and schedule a public hearing and second reading for December 12, 2017. (S.R. No. 198)
- F. Consideration of the approval of setting a public hearing to be held on January 9, 2018, for the consideration of the issuance of new On-Sale Wine and 3.2 Malt Liquor licenses, with outside service, for LRFC, LLC d/b/a Local Roots Food & Coffee located at 81766<sup>th</sup> Street East. (S.R. No. 199)

M/Elliott, S/Garcia to approve the consent calendar.

Motion carried 5-0.

<b>Item #8</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>Item #9</b>	<b>CONSIDERATION OF THE APPROVAL OF A RESOLUTION AMENDING A PLANNED UNIT DEVELOPMENT, CONDITIONAL USE PERMIT, AND FINAL DEVELOPMENT PLAN TO ALLOW A DAYCARE FACILITY (PRIMROSE SCHOOLS) AT CEDAR POINT COMMONS. (S. R. NO. 200)</b>
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Council Member Howard presented Staff Report No. 200.

M/Howard, S/Trautmann to approve a resolution amending the Planned Unit Development, Conditional Use Permit, and Final Development Plan to allow a daycare facility at Cedar Point Commons.

RESOLUTION NO. 11437

RESOLUTION APPROVING AN AMENDED FINAL DEVELOPMENT  
PLAN AND CONDITIONAL USE PERMIT FOR THE CEDAR POINT  
COMMONS PLANNED UNIT DEVELOPMENT

Motion carried 5-0. This resolution appears as Resolution No. 11437.

<b>Item #10</b>	<b>PUBLIC HEARING AND CONSIDERATION OF THE APPROVAL OF RESOLUTIONS RELATED TO THE ESTABLISHMENT OF A NEW TAX INCREMENT FINANCING DISTRICT FOR THE CHAMBERLAIN DEVELOPMENT. (S. R. NO. 201)</b>
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Council Member Regan Gonzalez presented Staff Report No. 201.

James Lehnhoff, Ehlers, Inc., presented a brief summary on the mechanics of Tax Increment Financing (TIF) Districts, in general, and the approvals that are being requested specifically for the Chamberlain development project.

Council Member Regan Gonzalez opened the public hearing.

M/Howard, S/Elliott to close the public hearing.

Motion carried 5-0.

M/Regan Gonzalez, S/Howard to approve a resolution to modify the Redevelopment Plan for the Richfield Redevelopment Project Area, establish Tax Increment Financing District 2017-1 (The Chamberlain) within the Richfield Redevelopment Project Area, and adopt a Tax Increment Financing Plan therefor.

RESOLUTION NO. 11438  
RESOLUTION ADOPTING A MODIFICATION TO THE  
REDEVELOPMENT PLAN FOR THE RICHFIELD REDEVELOPMENT  
PROJECT AREA AND ESTABLISHING TAX INCREMENT FINANCING  
DISTRICT NO. 2017-1 (THE CHAMBERLAIN) THEREIN AND  
ADOPTING A TAX INCREMENT FINANCING PLAN THEREFOR

M/Regan Gonzalez, S/Howard to approve a resolution to modify the Tax Increment Financing Plan for the Cedar Avenue Tax Increment Financing District.

RESOLUTION NO. 11439  
RESOLUTION ADOPTING A MODIFICATION TO THE TAX  
INCREMENT FINANCING PLAN FOR THE CEDAR AVENUE TAX  
INCREMENT FINANCING DISTRICT WITHIN THE RICHFIELD  
REDEVELOPMENT PROJECT AREA

Motion carried 5-0. These resolution appear as Resolution No. 11438 and No. 11439.

<b>Item #11</b>	<b>CONSIDERATION OF A VARIETY OF LAND USE APPROVALS RELATED TO A PROPOSAL FOR CONSTRUCTION OF A NEW AUTO DEALERSHIP AT 1550 78TH STREET EAST. (S. R. NO. 202)</b>
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Mayor Elliott stated that discussions are continuing between the City and Morrie's Automotive Group and both parties agreed to continue this item until the January 9, 2018, City Council meeting.

<b>Item #12</b>	<b>CITY MANAGER'S REPORT</b>
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City Manager Devich discussed a December 18 work session with the Richfield School Board and a Star Tribune article recently about infrastructure costs affecting local governments.

<b>Item #13</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Garcia, S/Elliott that the following claims and payrolls be approved:

<b>U.S. Bank</b>	<b>11/28/17</b>
A/P Checks: 263727 - 264009	\$ 758,408.43
Payroll: 132157 - 132493 ; 42786	635,542.76
TOTAL	\$ 1,393,951.19

Motion carried 5-0.

<b>OPEN FORUM</b>
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None.

<b>Item #14</b>	<b>ADJOURNMENT</b>
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The City Council Meeting was adjourned by unanimous consent at 8:13 p.m.

Date Approved: December 12, 2017

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Pat Elliott  
Mayor

\_\_\_\_\_  
Jared Voto  
Executive Aide/Analyst

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special Meeting

December 5, 2017

### CALL TO ORDER

The meeting was called to order by Mayor Elliott at 6:00 p.m. in the Council Chambers.

*Council Members Present:* Pat Elliott, Mayor; Edwina Garcia; Michael Howard; and Simon Trautmann.

*Council Member Absent:* Maria Regan Gonzalez

*Staff Present:* Steven L. Devich, City Manager; Pam Dmytrenko, Assistant City Manager/HR Manager; Kristin Asher, Public Works Director; John Stark, Community Development Director; Jim Topitzhofer, Recreation Services Director; Jay Henthorne, Public Safety Director; Wayne Kewitsch, Fire Services Director; Bill Fillmore, Municipal Liquor Operations Director; and Chris Regis, Finance Manager.

<b>ITEM #1</b>	<b>TRUTH IN TAXATION PUBLIC HEARING REGARDING THE 2018 PROPERTY TAX LEVY AND 2017 REVISED/2018 PROPOSED BUDGET AND PROPOSED 2018 WATER, WASTEWATER, STORM SEWER UTILITY, AND STREET LIGHT RATES. (STAFF REPORT NO. 203)</b>
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City Manager Devich made a brief presentation on the basic formula that equates the market value of a residence to the property taxes that are assessed.

Finance Manager Regis made a presentation summarizing the general fund budget and tax levy, the capital budget and utility rates including water, sanitary, and storm sewer.

Mayor Elliott opened the public hearing and asked if there was anyone who wished to speak on the tax levy. No one wished to speak.

M/Elliott, S/Howard to close the public hearing.

Motion carried 4-0.

### ADJOURNMENT

The City Council Meeting was adjourned by unanimous consent at 6:28 p.m.

Date Approved: December 12, 2017

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Pat Elliott  
Mayor

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Jared Voto  
Executive Aide/Analyst

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Steven L. Devich  
City Manager



**STAFF REPORT NO. 204**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Mike Petersen, Utilities Supervisor/Engineer

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director  
12/4/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a contract with Graymont (WI), LLC for the annual purchase of 1,400 tons of quick lime in the amount of \$737,240 for water treatment in 2018, 2019, and 2020.**

**EXECUTIVE SUMMARY:**

Quick lime is a chemical used in the water treatment process to lower hardness in water. Approximately 1,400 tons of quick lime is required each year to produce softened water. On November 29, 2017, a bid opening was held and two bids were submitted. Graymont (WI), LLC was the low bidder. They are a qualified supplier that meets all specifications and requirements.

**RECOMMENDED ACTION:**

**By motion: Approve the three-year contract with Graymont (WI), LLC for the purchase of quick lime in the amount totaling \$737,240.00 (\$171.75/ton 2018, \$175.50/ton 2019, \$179.35/ton 2020).**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- In the bid specifications for quick lime, language was included to allow the contract to be extended for additional one-year periods to a maximum contract period of three years (with mutual consent of both parties). Graymont agreed to extend the 2016 contract for the year 2017; however, Graymont did not agree to an extension for 2018, prompting the bidding process.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Contracts estimated to have a value over \$100,000 must be made by sealed bids, solicited by public notice, and awarded to the lowest responsible bidder.

**C. CRITICAL TIMING ISSUES:**

- Quick lime is a necessary chemical required in the water softening process. The current contract expires on December 31, 2017.

**D. FINANCIAL IMPACT:**

A recent history of prices for this product is:

Years	Base Price	Est. Annual Cost	Vendor
2007	\$95.20/Ton	\$133,280.00	Cutler Magner

2008	\$99.65/Ton	\$139,510.00	Cutler Magner
2009	\$112.00/Ton	\$156,800.00	Graymont
2010	\$120.00/Ton	\$168,000.00	Graymont
2011	\$120.00/Ton	\$168,000.00	Graymont
2012	\$124.45/Ton	\$174,230.00	Graymont
2013	\$143.00/Ton	\$200,200.00	Graymont
2014	\$154.85/Ton	\$216,790.00	Graymont
2015	\$160.95/Ton	\$225,330.00	Graymont
2016	\$166.58/Ton	\$233,212.00	Graymont
2017	\$166.58/ton	\$233,212.00	Graymont
2018	\$171.75/ton	\$240,450.00	Graymont
2019	\$175.50/ton	\$245,700.00	Graymont
2020	\$179.35/ton	\$251,090.00	Graymont

Funding for the purchase of quick lime is in the 2018 Water Department Budget, line item 51000-6413 (Chemicals).

**E. LEGAL CONSIDERATION:**

- When the purchase of materials, merchandise, equipment or construction exceeds \$100,000, authority to purchase shall be submitted to the City Council for consideration.
- The bid opening held on November 29, 2017, was in accordance with legal requirements.
- The City Attorney will be available for questions.

**ALTERNATIVE RECOMMENDATION(S):**

- None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description	Type
▢ Bid Tab	Backup Material
▢ Bid Opening	Backup Material
▢ Contract	Contract/Agreement

**BID TABULATION SHEET**

WATER TREATMENT CHEMICALS - QUICK LIME

Bid Number 17-07

Bid Opening: 2:00 p.m., Wednesday, November 29, 2017

Municipal Center, Babcock Room

Award of Contract: December 12, 2017

<b>Vendor</b>	<b>Bond</b>	<b>Non-Collusion</b>	<b>Intent to Comply</b>	<b>Responsible Contractor</b>	<b>Total Bid(s)</b>
<b><u>Pete Lien &amp; Sons</u></b>	X	X	X	X	
Quicklime, bulk delivery, (price per ton)					2018: \$267.50/ton 2019: \$285.00/ton 2020: \$293.50/ton
Base freight rate (price per ton)					2018: \$167.50/ton 2019: \$172.50/ton 2020: \$177.50/ton
Total bid					<b>\$1,184,400.00</b>
<b><u>Graymont (WI), LLC</u></b>	X	X	X	X	
Quicklime, bulk delivery, (price per ton)					2018: \$171.75/ton 2019: \$175.50/ton 2020: \$179.35/ton
Base freight rate (price per ton)					2018: Included 2019: Included 2020: Included
Total bid					<b>\$737,240.00</b>



**CITY OF RICHFIELD, MINNESOTA**

Bid Opening  
November 29, 2017  
2:00 p.m.

2017 Water Treatment Chemicals – Quick Lime  
Bid No. 17-07

Pursuant to requirements of Resolution No. 1015, a meeting of the Administrative Staff was called by Elizabeth VanHoose, City Clerk, who announced that the purpose of the meeting was to receive, open and read aloud bids for the 2017 Water Treatment Chemicals – Quick Lime, as advertised in the official newspaper on November 16, 2017.

Present: Elizabeth VanHoose, City Clerk  
Michael Petersen, Utilities Engineer  
Russ Lupkes, Utilities Superintendent  
Jared Voto, City Manager Representative

The following bids were submitted and read aloud:

Bidder's Name	Bond	Non-Collusion	Intent to Comply	Responsible Contractor	Total Base Bid
Pete Lien & Sons	Provided	Provided	Provided	Provided	\$ 1,184,400.00
Graymont	Provided	Provided	Provided	Provided	\$ 737,240.00

The City Clerk announced that the bids would be tabulated and considered at the December 12, 2017 City Council Meeting.

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Elizabeth VanHoose                      City Clerk

**CITY OF RICHFIELD HENNEPIN**

**COUNTY, MINNESOTA**

**C O N T R A C T**

Purchase of Quick Lime  
Bid No. 17-07  
Contract No. 2829

THIS AGREEMENT made this 12<sup>th</sup> day of December 2017 between the City of Richfield, Minnesota, acting by and through its Mayor and City Manager, herein called "The City," and Graymont (WI), LLC, 800 Hill Avenue, Superior, WI 54880, the "Contractor," witnesseth; that the Contractor, in consideration of the payment of the contract price therefore, amounting substantially to SEVEN HUNDRED THIRTY SEVEN THOUSAND, TWO HUNDRED FORTY AND NO/100 (\$737,240.00) Dollars agrees to furnish all materials (except such as are specified to be furnished by the City, if any), all necessary tools and equipment, and to do and perform all the necessary work and labor for the full completion of City projects as follows:

Purchase of an estimated 1,400 Tons of Quick Lime per year for the years 2018, 2019, and 2020 for the Water Treatment Plant  
At 6221 Portland Avenue South

as per specifications, for the price and compensation set forth and specified in the proposal signed by the Contractor, which is hereto attached and hereby made a part of this Agreement, all in accordance with the specifications and special provisions therefore on file in the office of the Utility Superintendent, City of Richfield, and hereby made a part of this Agreement. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

"The contract price is a unit price of \$ 171.75 per ton in calendar year 2018; \$175.50 per ton in calendar year 2019; and, \$179.35 per ton in calendar year 2020."

The Contractor agrees that the work shall be done and performed in the best and most workmanlike manner; that all materials and labor shall be in strict conformity in every respect with the plans, specifications and special provisions for the improvement, shall be subject to inspection and approval of the City or a duly authorized engineer of the City, and in case any material or labor supplied shall be rejected by the City or engineer as defective or unsuitable, then such rejected material shall be removed, and replaced with approved material and the rejected labor shall be done anew to the satisfaction and Approval of the City or Utility Superintendent and at the cost and expense of the Contractor.

Purchase of Quick Lime  
Bid No. 17-07  
Contract No. 2829

The Contractor further agrees that he will commence work immediately upon receipt of contract, and will have all work done and the improvement fully completed to the satisfaction and approval of the City Council of the City of Richfield, Minnesota, as provided in the specifications.

Time is the essence of this contract for prompt completion and if the Contractor shall fail to complete the work within the time herein specified, the City shall have the right to deduct from the unpaid part of the contract price, the amount, or amounts specified in the specifications, or, if no moneys shall be due the Contractor, to recover damages in accordance with said specifications, for each and every working day thereafter during which the contract shall remain unfinished and incomplete, such damages being hereby agreed upon as liquidated damages in lieu of actual damages occasioned by such delay, but special provisions, if any, contained in the proposal are also continued in effect and shall be read and construed as part of this provision as to the completion and liquidated damages for delay.

It is agreed, however, that upon receipt of written notice from the Contractor of the existence of causes over which the Contractor has no control and which will delay the completion of the work, the City Council in its discretion, and in accordance with the specifications, may extend the date hereinbefore specified for completion, and in such case the Contractor shall become liable for said liquidated damages only for failure to perform within the time so extended.

It is agreed, also, that delays caused by the elements or by strikes or other combined action of workmen employed in the construction or in the transportation of materials, but in no part caused or resulting from default or collusion on the part of the Contractor, shall be excused to the extent which the City Council may find and determine such conditions to have delayed completion within the time limit, but the judgement of the City Council in fixing such amount shall be final and conclusive upon the parties hereto.

It is distinctly understood and agreed that no claims for extra work done or materials furnished by the Contractor will be allowed by the City Council except as provided herein, nor shall the Contractor do any work or furnish any materials not covered by the plans, specifications, special provisions, and this contract, unless such work is first ordered in writing, as provided in the specifications.

Any such work or materials which may be done or furnished by the Contractor without such written order first being given shall be at his own risk, cost and expense, and he hereby agrees that without such written order he will make no claim for compensation for work or materials so done or furnished.

Purchase of Quick Lime  
Bid No. 17-07  
Contract No. 2829

It is further agreed, anything to the contrary notwithstanding, that the City of Richfield, City Council, and its agents or employees shall not be personally liable or responsible in any manner to the Contractor, Subcontractors, materialmen, laborers, or to any person or persons whomsoever, for any claim, demand, damages, actions or causes of action of any kind or character arising out of or by reason of the execution of this Agreement or the performance and completion of the work and improvement provided herein.

Dated at Richfield, Minnesota, this 12<sup>th</sup> day of December 2017.

**Signatures for Graymont (WI) LLC.**

By \_\_\_\_\_

Its \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Date \_\_\_\_\_

**Signatures for City of Richfield. MN**

By \_\_\_\_\_  
Pat Elliott, Mayor

Date \_\_\_\_\_

By \_\_\_\_\_  
Steven L. Devich, City Manager

Date \_\_\_\_\_



**STAFF REPORT NO. 205**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jay Henthorne, Director of Public Safety/Chief of Police

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/20/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution allowing the acceptance of monetary support solicited for the Public Safety/Police Department in support of Safety Day, Nite to Unite, Heroes and Helpers, and Unity in the Community.**

**EXECUTIVE SUMMARY:**

Throughout the year, donations are received from various agencies, businesses and private individuals to be used for special events or programs sponsored by the Police Department. The donations for events such as Safety Day, Nite to Unite, Heroes and Helpers, and Unity in the Community are solicited by the Department.

**RECOMMENDED ACTION:**

**By motion: Approve a resolution allowing the acceptance of monetary support solicited for the Public Safety/Police Department in support of Safety Day, Nite to Unite, Heroes and Helpers, and Unity in the Community.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- The Department of Public Safety/Police holds several annual events that require outside funding to occur. Staff members solicit donations from business and/or individuals to support these programs.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Minnesota Statute 465.03 requires that every acceptance of a grant or devise of real or personal property on terms prescribed by the donor be made by resolution of more than two-thirds majority of the City Council.
- The Administrative Services Department issued a memo on November 9, 2004 requiring that all grants and restricted donations to departments be received by resolution and adopted by two-thirds majority of the City Council in accordance with Minnesota Statute 465.03.

**C. CRITICAL TIMING ISSUES:**

- Donations have been received and applied to the designated areas as indicated by the donors.

**D. FINANCIAL IMPACT:**

- Financial donations have been deposited in the funds supporting the designated programs.
- All of the donations listed below were given without obligation to provide any additional matching funds:

**Safety Day & Nite to Unite:**

<b>DONOR</b>	<b>AMOUNT</b>
John and Nancy Schuneman	\$25.00
David and Theresa Carroll	\$75.00
Richfield American Legion	\$100.00
Dairy Queen International	\$250.00
Distribution Personnel Inc.	\$500.00
Richfield Rotary	\$500.00
Richfield R.E.A.D.Y.	\$500.00
Richfield Bloomington Honda	\$500.00
Richfield Bloomington Credit Union	\$500.00
Richfield Lions Club/Frenchmans Gambling Acct	\$1,200.00

**Bullet Proof Vests:**

<b>DONOR</b>	<b>AMOUNT</b>
Richfield American Legion	\$50.00

**Heroes & Helpers:**

<b>DONOR</b>	<b>AMOUNT</b>
Mark Poklar (2016)	\$300.00
Modern Manufacturing & Engineering Inc. (2016)	\$600.00
Phuoc Tran and Family (2016)	\$100.00
Martin Costello (2016)	\$150.00
Broadway Tip jar (2016)	\$122.00
Broadway (2016)	\$267.24
Rob Riley	\$150.00
Milissa Carter	\$140.00
Donna Williams	\$150.00
Michael Anderson	\$150.00
Kristin Kaiser	\$150.00
Jodi Flanery-Olson	\$260.00
Cecelia Flanery	\$50.00
Kristi Gay	\$50.00
Deborah Wells	\$150.00
Kathy Soucy	\$50.00
Martin Costello	\$150.00
Richfield R.E.A.D.Y.	\$500.00

**Unity in the Community:**

<b>DONOR</b>	<b>AMOUNT</b>
House of Prayer Lutheran Church	\$150.00

**E. LEGAL CONSIDERATION:**

- Minnesota Statute 465.03 requires every acceptance of a grant or devise of real or personal

property be received by resolution and adopted by two-thirds majority of the City Council.

**ALTERNATIVE RECOMMENDATION(S):**

- Council could disapprove the acceptance of the donations for the events and the monetary donations would have to be returned to the issuing agency/business/individual.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description		Type
□	Resolution Accepting Donations for Police Events and Programs	Resolution Letter

## RESOLUTION NO.

### RESOLUTION AUTHORIZING RICHFIELD PUBLIC SAFETY/POLICE DEPARTMENT TO ACCEPT DONATIONS FROM THE LISTED AGENCIES, BUSINESSES AND PRIVATE INDIVIDUALS FOR DESIGNATED USES

**WHEREAS**, the Department of Public Safety/Police Division, through its Director, received checks from the following for Safety Day, Nite to Unite, Heroes and Helpers, and Unity in the Community:

#### **Safety Day & Nite to Unite:**

<b>DONOR</b>	<b>AMOUNT</b>
John and Nancy Schuneman	\$25.00
David and Theresa Carroll	\$75.00
Richfield American Legion	\$100.00
Dairy Queen International	\$250.00
Distribution Personnel Inc.	\$500.00
Richfield Rotary	\$500.00
Richfield R.E.A.D.Y.	\$500.00
Richfield Bloomington Honda	\$500.00
Richfield Bloomington Credit Union	\$500.00
Richfield Lions Club/Frenchmans Gambling Acct	\$1,200.00

#### **Bullet Proof Vests:**

<b>DONOR</b>	<b>AMOUNT</b>
Richfield American Legion	\$50.00

#### **Heroes & Helpers:**

<b>DONOR</b>	<b>AMOUNT</b>
Mark Poklar (2016)	\$300.00
Modern Manufacturing & Engineering Inc. (2016)	\$600.00
Phuoc Tran and Family (2016)	\$100.00
Martin Costello (2016)	\$150.00
Broadway Tip jar (2016)	\$122.00
Broadway (2016)	\$267.24
Rob Riley	\$150.00
Milissa Carter	\$140.00
Donna Williams	\$150.00
Michael Anderson	\$150.00
Kristin Kaiser	\$150.00
Jodi Flanery-Olson	\$260.00
Cecelia Flanery	\$50.00
Kristi Gay	\$50.00



<b>Deborah Wells</b>	\$150.00
<b>Kathy Soucy</b>	\$50.00
<b>Martin Costello</b>	\$150.00
<b>Richfield R.E.A.D.Y.</b>	\$500.00

**Unity in the Community:**

<b>DONOR</b>	<b>AMOUNT</b>
<b>House of Prayer Lutheran Church</b>	\$150.00

**WHEREAS**, Minnesota Statute requires every acceptance of a grant or devise of real or personal property on terms prescribed by the donor be made by resolution of more than two-thirds majority of the City Council; and,

**WHEREAS**, the donated funds will be used towards the designated events sponsored by Richfield Police.

**NOW, THEREFORE, BE IT RESOLVED** that the Director of Public Safety/Chief of Police will accept the donations to be placed in the accounts as specified.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

---

Pat Elliott, Mayor

ATTEST:

---

Elizabeth VanHoose, City Clerk



**STAFF REPORT NO. 206**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Wayne Kewitsch, Fire Chief

DEPARTMENT DIRECTOR REVIEW: Wayne Kewitsch, Fire Chief  
12/5/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution allowing acceptance of monetary support for the Fire Department to purchase equipment.**

**EXECUTIVE SUMMARY:**

This past summer the staff at Village Shores, 6501 Woodlake Drive, approached the Fire Department requesting to host an event to raise funds to assist the department with the purchase of safety equipment. The event was very successful and the proceeds from the event were donated to the Fire Department.

**RECOMMENDED ACTION:**

**By motion: Approve a resolution allowing the acceptance of monetary support for the Fire Department to purchase safety equipment.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- The Fire Department is occasionally approached to be the recipient of funds from a variety of fundraising events held in the community. The department works closely with the donors to find a suitable use of the funds that aligns with the donors' mission or intention.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Minnesota Statute 465.03 requires that every acceptance of a grant or devise of real or personal property on terms prescribed by the donor be made by resolution of more than two-thirds majority of the City Council.
- The Administrative Services Department issued a memo on November 9, 2004 requiring that all grants and restricted donations to departments be received by resolution and adopted by two-thirds majority of the City Council in accordance with Minnesota Statute 465.03.

**C. CRITICAL TIMING ISSUES:**

- The donation has been received and applied to the designated area indicated by the donor.

**D. FINANCIAL IMPACT:**

- Financial donations have been deposited in the funds supporting the purchase of safety equipment by the Fire Department. The total amount of the donation was \$5,170.

**E. LEGAL CONSIDERATION:**

- Minnesota Statute 465.03 requires every acceptance of a grant or devise of real or personal property be received by resolution and adopted by two-thirds majority of the City Council.

**ALTERNATIVE RECOMMENDATION(S):**

- Should Council disapprove of the acceptance of the donations, the monetary donations would need to be returned to each individual donor.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description		Type
<input type="checkbox"/>	Resolution	Resolution Letter

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF MONETARY SUPPORT FROM THE  
RESIDENTS AND VENDORS OF VILLAGE SHORES FOR THE RICHFIELD FIRE  
DEPARTMENT TO PURCHASE SAFETY**

**WHEREAS**, the Richfield Fire Department was the beneficiary of a fundraising event held by the staff and residents of Village Shores to purchase safety equipment; and,

**WHEREAS**, the Richfield Fire Department has designated the \$5,170.00 to be used to purchase safety equipment.

**NOW, THEREFORE, BE IT RESOLVED** that the Fire Chief will accept funds designated for the purchase of safety equipment in accordance to and as listed above.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk



**STAFF REPORT NO. 207**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

Consideration of the approval of the renewal of the 2018 licenses for On-Sale 3.2 Percent Malt Liquor, Off-Sale 3.2 Percent Malt Liquor and taxi companies doing business in Richfield.

**Licenses to Operate in Richfield**

Gold Star Taxi - 10 vehicles  
Airport Taxi - 6 vehicles

**Licenses to sell 3.2 Percent Malt Liquor**

Portland Food Mart - Off-Sale  
Pump & Much - Off-Sale  
Rainbow Foods - Off-Sale  
Richfield Minnoco (Gas station 67th& Penn) - Off-Sale  
Short Stop Supperette - Off-Sale  
SuperAmerica #4186 - Off-Sale  
SuperAmerica #4188 - Off-Sale  
SuperAmerica #4191 - Off-Sale  
SuperAmerica #4615 - Off-Sale  
Target Corporation - Off-Sale  
Sandy's Tavern - On-Sale  
Vina Restaurant - On-Sale

**EXECUTIVE SUMMARY:**

Staff completed a staff report for each business at the time they originally applied for and received Council approval to operate their taxi business or to sell On-Sale 3.2 Percent Malt Liquor and Off-Sale 3.2 Percent Malt Liquor at their business in the City of Richfield. This is simply a request to renew their annual license for 2018. There is not a public hearing requirement for renewals for these types of licenses. The businesses named in this report are presented for Council's approval on this date.

**RECOMMENDED ACTION:**

**By Motion:**

1. Approve the 2018 renewal of named business licenses for On-Sale 3.2 Percent Malt Liquor and Off-Sale 3.2 Percent Malt Liquor establishments doing business in Richfield.
2. Approve the 2018 renewal of named business licenses for taxi companies doing business in

Richfield.

## **BASIS OF RECOMMENDATION:**

### **A. HISTORICAL CONTEXT**

- The listed businesses current licenses will expire on December 31, 2017.
- The businesses named below with the corresponding licenses are presented for Council's approval on this date.
- Licenses to Operate in Richfield
  - Gold Star Taxi - 6 vehicles
  - Airport Taxi - 6 vehicles
- Licenses to sell 3.2 Percent Malt Liquor
  - Portland Food Mart - Off-Sale
  - Pump & Munch - Off-Sale
  - Rainbow Foods - Off-Sale
  - Richfield Minnoco (Gas station 67th & Penn) - Off-Sale
  - Short Stop Supperette - Off-Sale
  - SuperAmerica #4186 - Off-Sale
  - SuperAmerica #4188 - Off-Sale
  - SuperAmerica #4191 - Off-Sale
  - SuperAmerica #4615 - Off-Sale
  - Target Corporation - Off-Sale
  - Sandy's Tavern - On-Sale
  - Vina Restaurant - On-Sale

### **B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- All businesses must annually request renewal of their 3.2 Percent Malt Liquor and Taxi Company licenses to the City Council.
- Businesses must meet the requirements for renewal of their licenses.

### **C. CRITICAL TIMING ISSUES:**

- There are no critical timing issues.

### **D. FINANCIAL IMPACT:**

- All license fees must be paid and application forms submitted in order to be considered for license renewal.

### **E. LEGAL CONSIDERATION:**

- There are no legal issues.

### **ALTERNATIVE RECOMMENDATION(S):**

- Deny the request for the renewal of 2018 licenses for On-Sale 3.2 Percent Malt Liquor, Off-Sale 3.2 Percent Malt Liquor and taxi companies doing business in Richfield. This would result in the applicants not being able to conduct business within the City in 2018; however, there have been no issues with any of these listed establishments and the Public Safety Department has found no reason to deny any of the requested licenses.

### **PRINCIPAL PARTIES EXPECTED AT MEETING:**

Businesses have been notified of the date of presentation to the City Council but are not required to attend.



**STAFF REPORT NO. 208**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Taylor Burandt, Administrative Aide/Analyst

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director  
12/5/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a first reading of an ordinance adding City Code Section 430 pertaining to shore land management and schedule a second reading for January 9, 2018.**

**EXECUTIVE SUMMARY:**

The purpose of the Shore Land Management Ordinance is to implement regulations concerning the use, development, and alteration of certain shore areas in the City of Richfield in compliance with directives and requirements of Minnesota Statutes, Section 103F.221, Subd. 1. These regulations are adopted in order to protect the natural characteristics of such shore areas to prevent pollution, minimize flood damage, and manage the effects of shore area crowding and development.

A significant portion of the designated public waters within Richfield (Wood Lake, Richfield Lake, and Legion Lake) are surrounded by park land with no development possibilities. In areas where improvements on public or private lands surrounding these public waters have been proposed in the past, staff considered the Department of Natural Resources (DNR) recommendations in all reviews. This ordinance would formalize those DNR recommendations at a City level with references specific to the public waters within Richfield jurisdiction.

It is in the best interest to adhere to the DNR recommendations to ensure the wise development of shore lands of public waters and thus preserve and enhance the quality of surface waters, conserve the natural environmental values of shore lands, and provide for the wise utilization of waters and related land resources.

**RECOMMENDED ACTION:**

**By motion: Approve first reading of an ordinance adding City Code Section 430 pertaining to shore land management and schedule a second reading for January 9, 2018.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- See Executive Summary for all relevant information.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Minnesota Statute, Section 103F.221, Subd. 1 and rules adopted pursuant.

- Section 430 will be included under Chapter IV of Richfield City Code.

**C. CRITICAL TIMING ISSUES:**

- Having a local shore land ordinance in place will provide regulation specific to Richfield water bodies and independent of changes at the state level, which will make reviews of proposed development and land changes within the shore land districts easier to perform and enforce.

**D. FINANCIAL IMPACT:**

- None

**E. LEGAL CONSIDERATION:**

- The City Attorney has reviewed the draft ordinance and will be available to answer questions.

**ALTERNATIVE RECOMMENDATION(S):**

- None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description	Type
☐ Shoreland Management Ordinance	Ordinance
☐ OHWL Setback Map	Exhibit



**BILL NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER IV OF THE RICHFIELD  
CODE OF ORDINANCES BY ADDING A NEW SECTION 430  
RELATING TO SHORELAND MANAGEMENT**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1. A new Section 430 is inserted into the Richfield City Code as follows:

**SECTION 430. – SHORELAND MANAGEMENT**

**430.01. – Statutory Authority.**

This Section is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F, Minnesota Regulations, Parts 6120.2500 – 6120.3900, and Minnesota Statutes, Chapter 462.

**430.02. – Purpose.**

The uncontrolled use of shorelands of the City of Richfield affects the public health, safety and general welfare by contributing to pollution of public waters and by impairing the local tax base. It is, therefore, in the best interests of the public health, safety and welfare to provide for the wise development of shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise utilization of waters and related land resources.

The purpose of this Section is to implement regulations concerning the use, development, and alteration of certain shore areas in the City of Richfield in compliance with directives and requirements of Minnesota Statutes, Section 103F.221, Subd. 1 and rules adopted pursuant thereto. These regulations are adopted in order to protect the natural characteristics of such shore areas and adjacent water areas to prevent the pollution of surface and ground waters to minimize flood damage, to manage the effects of shore area crowding and development, and to maintain shore area property values.

**430.03. – Jurisdiction.**

**Subdivision 1. Applicability.** The provisions of this Section shall apply to the shoreland district in the City, as defined in Subdivision 3.

**Subd. 2. Exemptions.** Pursuant to Minnesota Regulations, Parts 6120.2500 - 6120.3900, no lake, pond, or flowage less than 10 acres in size is subject to the regulations in this Section. A body of water created by a private user where there was no previous shoreland may, at the discretion of the governing body, be exempted from this Section.

**Subd. 3. Protected Waters and Classifications.** The provisions of this Section shall apply to the shore areas of the following public waters, as identified by the DNR.

	<b>DNR #</b>	<b>DNR Classification</b>	<b>Ordinary High Water Level</b>
Richfield Lake	27002100	Recreational Development	826.1 ft
Wood Lake	27002600	Recreational Development	820.7 ft
Legion Lake	27002400	Natural Environment	Elevation not established

**Subd. 4. Other Regulations.** Unless specifically stated to the contrary, the provisions of this Section shall be in addition to, and not in derogation of, other statutes, regulations, or ordinances, affecting shore areas. If both these regulations and other regulations impose similar restrictions upon shore areas, the more restrictive regulation shall apply.

-

#### **430.04. – Definitions.**

**Subdivision 1.** For purposes of this Section, the following words and terms will have the meanings as stated:

**Subd. 2. Backyard Appurtenant Structure** – accessory structures under 100 square feet in size, including but not limited to : children's recreational equipment (e.g., swing set or sandbox); clotheslines; arbors and trellises; outdoor fireplaces or grills; permanent benches; utility wires or poles; other public sewer, water, and gas utility appurtenances; flag poles; walls and fences less than six (6) feet in height; landscaping retaining walls; dog enclosures.

**Subd. 3. Best Management Practices** - the methods and practices described in the Minnesota Pollution Control Agency's "Protecting Water Quality in Urban Areas", commonly known as "Best Management Practices In Minnesota".

**Subd. 4. Deck** - a horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to the principal use of the site.

**Subd. 5. DNR** - Minnesota Department of Natural Resources.

**Subd. 6. Exotic species** - flora and fauna that are not indigenous to Minnesota, as determined by the DNR, the City, or other public agency.

**Subd. 7. Noxious weed** - those weeds so defined in Minnesota Statutes Section 18.77, subd. 8, or any plant which is identified and placed by Hennepin County on its noxious weed list.

**Subd. 8. Ordinary high water level (OHWL)** - the boundary of public waters, which is the elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural

vegetation changes from predominantly aquatic to predominantly terrestrial. The OHWLs for those public waterbodies governed by this Section are listed in subsection 430.03, subd. 3.

**Subd. 9. Paved area** - any impervious ground surface area created by means of concrete, asphalt, brick, mortar, or other materials.

**Subd. 10. Public waterbody** - the lakes listed in the table in subsection 430.03, subd. 3.

**Subd. 11. Shoreland district** - all land in the City lying within 1,000 feet from the Ordinary High Water Level (OHWL) of the public waterbodies listed in subsection 430.03, subd. 3.

**Subd. 12. Shore area impact zone** - all land between the ordinary high water level and a line parallel to it at a setback of 50 percent of the structure setback, as detailed below.

	<b>Shore Impact Zone</b>
Richfield Lake	37.5'
Wood Lake	37.5'
Legion Lake	75'

**Subd. 12. Vegetation** - flora of any variety, including trees, shrubs, plants, and grass.

**Subd. 13. Watercraft landing facility** - a dock, ramp, or other structure used to land watercraft.

**Subd. 14. Watercraft lift or storage facility** - an unenclosed structure designed and used solely to raise water craft out of the water or for the storage of watercraft and related equipment.

**Subd. 15. Water-oriented accessory structure** – a small, above ground building or other improvement, *except stairways, stairway landings, lifts, fences, docks, and retaining walls*, which, because of the relationship of its use with a public water body, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.

#### **430.05. – Permit Required.**

Unless otherwise exempted in this Section, a permit is required for any construction, grading, filling, excavation, impervious surface construction, or vegetation management within the shore area impact zone.

#### **430.06. – Uses and Development Standards within the Shoreland District.**

**Subdivision 1. Permitted Uses.** Permitted uses within the shoreland district shall be determined by the regulations of the underlying zoning district, as established in Appendix B of the City Code.

**Subd. 2. Lot area and width.** Lot area and width standards for residential development by a public water body shall be governed by the regulations of the underlying zoning district, as established in Appendix B of the City Code.

**Subd. 3. Setback requirements.** The following setbacks shall apply, except as exempted in subdivision 4.

	<b>Setback of Structures from OHWL</b>
Richfield Lake	75'
Wood Lake	75'
Legion Lake	150'

**Subd. 4. Structure setback exemptions.** The following types of structures are exempt from the required structure setbacks in subd. 3, but are required to follow the standards in Subdivisions 5 and 6 of this subsection:

- a. Stairways, stairway landings, and pedestrian lifts;
- b. Watercraft landing facilities;
- c. Watercraft lift or storage facilities;
- d. Water-oriented accessory structures;
- e. Utility sheds;
- f. Decks
- g. Other backyard appurtenant structures; and
- h. Public park, beach, and marina facilities and other public improvements.

**Subd. 5 Height.** The height of structures shall be governed by the underlying zoning district as established in Appendix B of the City Code.

**Subd. 6. Impervious surface coverage.** Impervious surface coverage shall not exceed 10% in the shore area impact zone.

#### **430.07. – Backyard Appurtenant and Water-Oriented Structures within the Shoreland District.**

**Subdivision 1.** Each residential lot may have one water-oriented accessory structure or facility located no closer to the OHWL than 10 feet.

**Subd. 2.** All other backyard appurtenant and water-oriented structures shall be at least 10 feet from the OHWL.

**Subd. 3. Performance Standards.**

- a. All backyard appurtenant and water-oriented structures must be located so as to minimize the impact upon existing vegetation, and whenever reasonable in the most visually inconspicuous portions of lots, as viewed from the surface of the public waterbody, assuming summer, leaf-on conditions.
- b. The structure must not exceed twelve feet in height, exclusive of safety rails, and cannot occupy an area greater than 250 square feet; provided that utility sheds shall not exceed 120 square feet in area. Detached decks must not exceed eight feet above grade at any point.
- c. The roof of a structure may be used as a deck with safety rails, but must not be enclosed or used as a storage area.
- d. The structure must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities.
- e. The following standards shall apply to attached or detached decks:
  - i) allowed only if no reasonable location exists for the deck outside of the shore area impact zone;
  - ii) the deck encroachment toward the OHWL shall not exceed fifteen (15) percent of the existing setback of the principal structure from the OHWL or shall not encroach into the shore area impact zone, whichever is more restrictive;
  - iii) the deck must be constructed primarily of wood, and shall not be enclosed, roofed or screened, and shall not result in the creation of an impervious surface;
- f. Nothing herein is intended to permit private watercraft landing facilities or other private water access where such rights have been acquired by the public.

**430.08. – Stairways, Lifts, Landings Within the Shoreland District.**

**Subdivision 1. Location.** Stairways, stairway landings, retaining walls, and pedestrian lifts shall be located whenever reasonable in the most visually inconspicuous portions of lots, as viewed from the surface of the public waterbody, assuming summer, leaf- on conditions.

**Subd. 2. Construction and Design.**

- a. Stairways and pedestrian lifts must not exceed four feet in width on residential lots. Wider stairways may be used for commercial properties, public open-space recreational properties, and planned developments where more than one lot or more than four dwelling units are served.
- b. Landings for stairways and pedestrian lifts on residential lots must not exceed 32 square feet in area. Landings not exceeding 60 square feet may be used for

commercial properties, public open-space recreational properties, and planned developments where more than one lot is served.

- c. Canopies or roofs are not allowed on stairways, stairway landings, or pedestrian lifts.
- d. Stairways, stairway landings, and pedestrian lifts may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.

**430.09. – Grading, Filling, Excavation, Impervious Surface Construction, and Vegetation Management Within the Shoreland District.**

**Subdivision 1. Permit required.** No grading, filling, excavation, impervious surface construction, or vegetation management within the shore impact zone areas shall occur without a shore area permit.

**Subd. 2. Permit exemptions.** The following activities do not require a permit:

- a. the removal of dead, diseased, hazardous or storm-damaged vegetation, or for the mowing of turf;
- b. the periodic pruning of woody vegetation up to four inches in diameter (as measured at the base of the cut provided the roots are left intact);
- c. removal of exotic species, noxious weeds or other public nuisances;
- d. removals or alterations for purposes of the construction of when all other requirements are met;
- e. landscaping activities customarily associated with gardening or lawn care, not including grading.

**Subd. 3. Performance standards.** The following standards shall be required for all grading, filling, excavation, and vegetation management within the shore area impact zone:

- a. The existing vegetative screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, must be substantially maintained; and
- b. Before any permit will be issued to grade or fill, the applicant must provide evidence that all provisions of federal, state, and local law pertaining to wetlands and shore area (including but not limited to the Wetland Conservation Act, Watershed District regulations, U.S. Corps of Engineers regulations, DNR protected waters regulations, and City floodplain,) have been satisfied to the satisfaction of the City Engineer.
- c. All shore area permits for grading, filling, or excavation shall be subject to all of the additional following conditions:

- (i) Alterations must be designed and conducted in a manner that ensures only the smallest amount of bare ground is exposed and is exposed for the shortest time possible.
  - (ii) Mulches or similar materials must be used, where necessary, for temporary bare soil coverage, and a permanent vegetation cover must be established as soon as possible.
  - (iii) Methods to minimize soil erosion and to trap sediments before they reach any surface water feature must be used.
  - (iv) Altered areas must be stabilized to acceptable erosion control standards consistent with Best Management Practices.
  - (v) Fill or excavated material must not be placed in a manner that creates an unstable slope.
  - (vi) Alterations of topography may be allowed only if accessory to uses allowed by this section and does not adversely affect adjacent or nearby properties.
  - (vii) Placement of natural rock rip rap, including associated grading and placement of a filter blanket, is permitted only if the finished slope does not exceed three feet horizontal to one foot vertical, the landward extent of the rip rap is within ten feet of the OHWL (as measured along the ground surface), and the height of the rip rap above the OHWL does not exceed three feet.
  - (viii) Such other conditions as are reasonable and necessary under the circumstances as determined by the City Engineer.
  - (ix) Excavations or grading where the intended purpose is connection to a public waterbody (such as boat slips, canals, lagoons, and harbors) shall not be allowed without the approval of the DNR.
- d. All shore area permits for impervious surface construction in the shore impact zone shall be subject to the additional following conditions:
- i) The impervious surface construction must: take advantage of natural vegetation and topography to achieve maximum screening of view from the public waterbody; limit the removal or alteration of vegetation; be designed so as to minimize and control erosion to the public waterbody consistent with Best Management Practices; and, be designed so as to minimize adverse impacts to the shore area.
  - ii) Existing natural drainage ways, wetlands, and vegetated soil surfaces must be used to convey, store, filter, and detain storm water runoff before discharge to public waters.
  - iii) Development and construction must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected

using methods and facilities designed and installed consistent with Best Management Practices.

- iv) When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle stormwater runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.

#### **430.10. – Water and Sewer Facilities.**

**Subdivision 1. Connection to public systems.** All lots within the shoreland district shall be connected to the public water and sanitary sewer systems and old sewer and water systems shall be abandoned in conformance with state law and city ordinances. Lots not meeting this requirement must be connected as part of any proposed development or redevelopment.

**Subd. 2. Wells/septic systems prohibited.** No new water wells or on-site sewage treatment systems may be constructed within the shoreland district.

#### **430.11. – Administration.**

**Subdivision 1. Permit Fee.** The fee for a shore area permit shall be as provided in Appendix D of this Code, except that a double fee may be required by the City in instances where work or an activity has been initiated without the required permit.

**Subd. 2. Other necessary permits.** The obtaining of a shore area permit for a given activity shall not abrogate the need to obtain any other permits required for the activity under the City Code or other federal, state, or local laws.

**Subd. 3. Applications.** Applications for a shore area permit shall be filed with the City Engineer and shall contain information necessary and relevant to the review and analysis of the application, as determined by the City. Such information may include a scaled plan showing some or all of the following:

- a. Existing and proposed contour lines with two-foot intervals and ground elevations;
- b. The OHWL;
- c. Existing vegetation and proposed removals;
- d. Existing and proposed improvements and utilities;
- e. Location of wells and private septic systems;
- f. Wetlands;
- g. Lot lines;
- h. Adjacent streets and right-of-way;
- i. Shore area and shore area impact zone;



- j. Other information relevant to the application, as determined by the City.

Section 2. Effective Date. This Ordinance is effective as provided by Section 3.09 of the Richfield City Charter.

Adopted by the City Council of the City of Richfield, Minnesota this \_\_\_\_ day of \_\_\_\_\_, 2018.

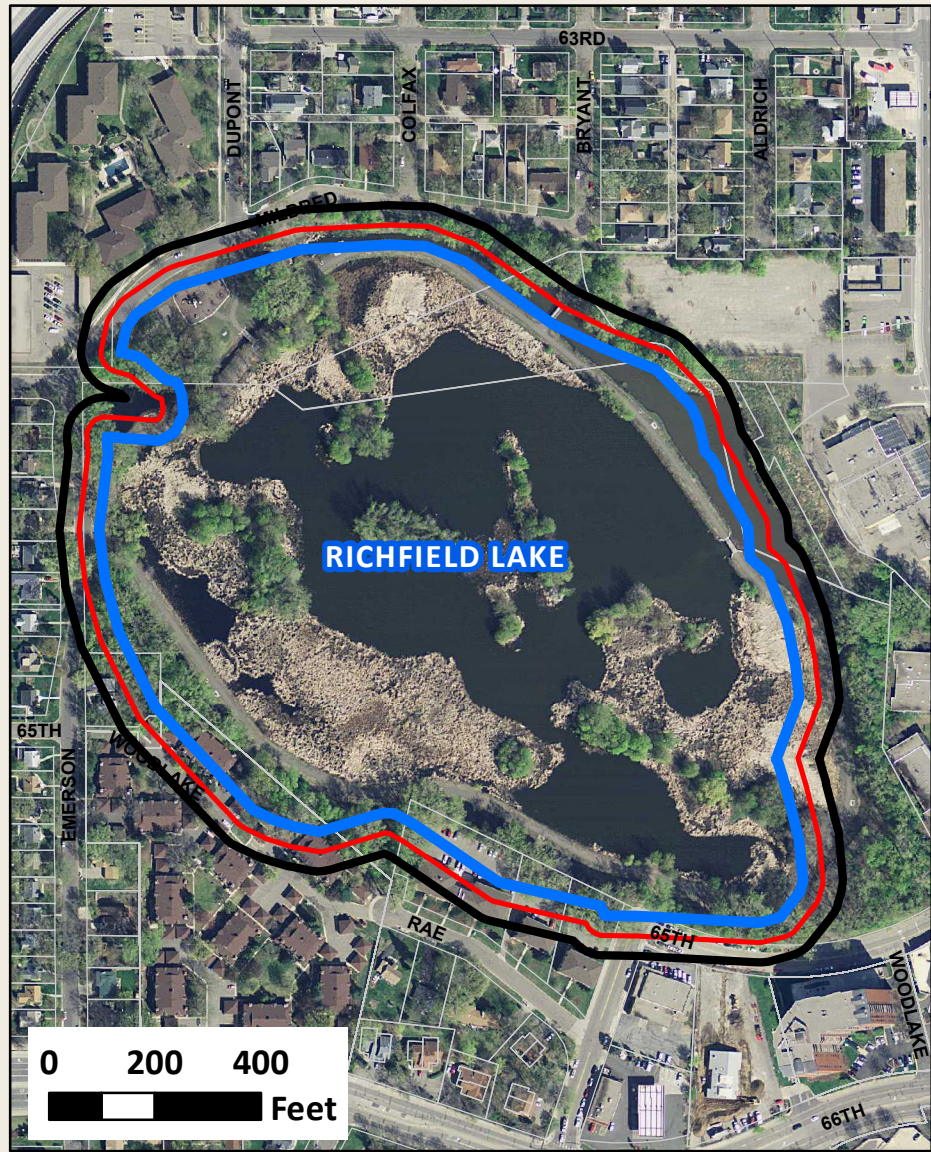
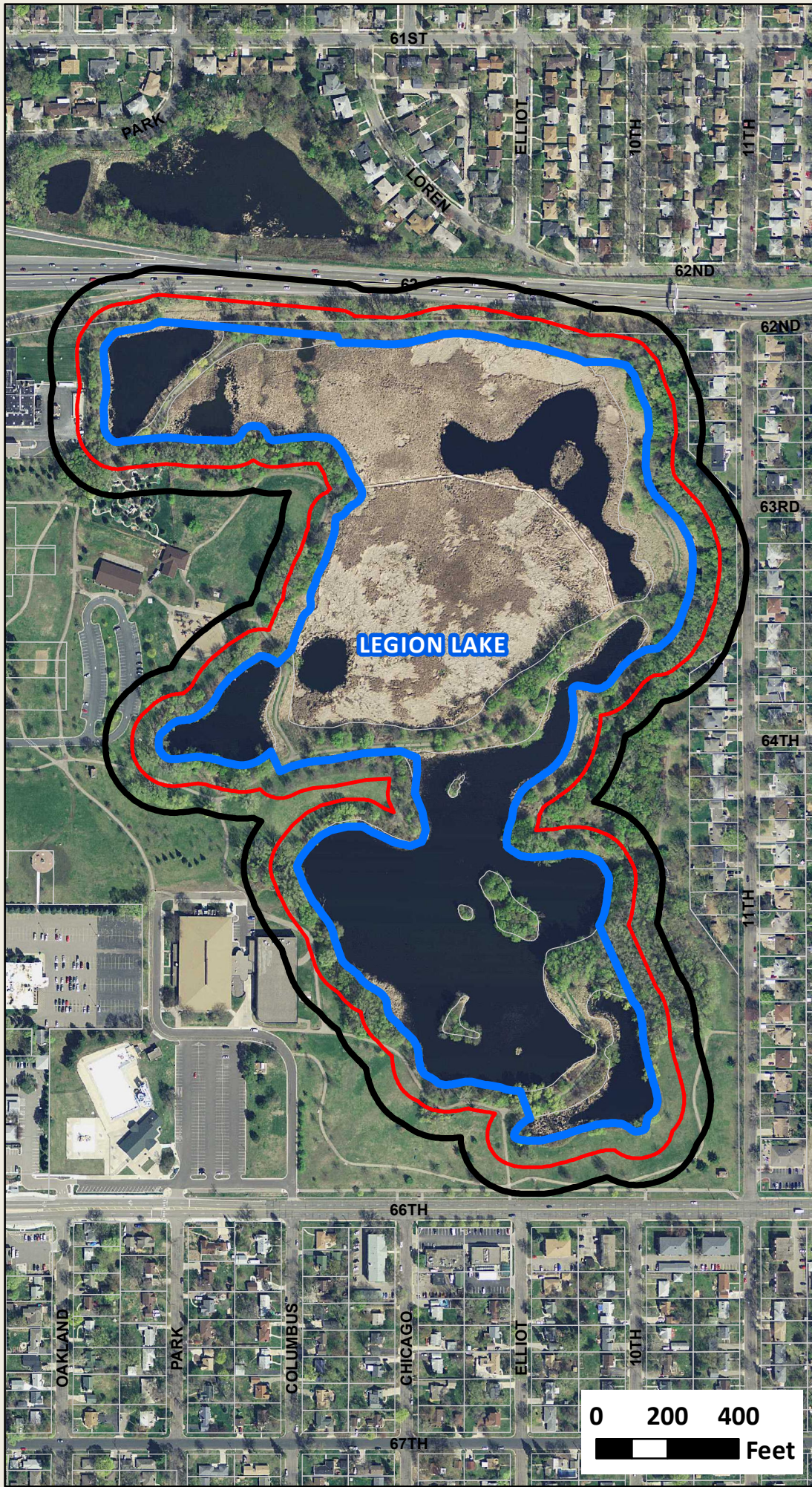
By:

\_\_\_\_\_  
Pat Elliott, Mayor



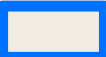
ATTEST:


\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

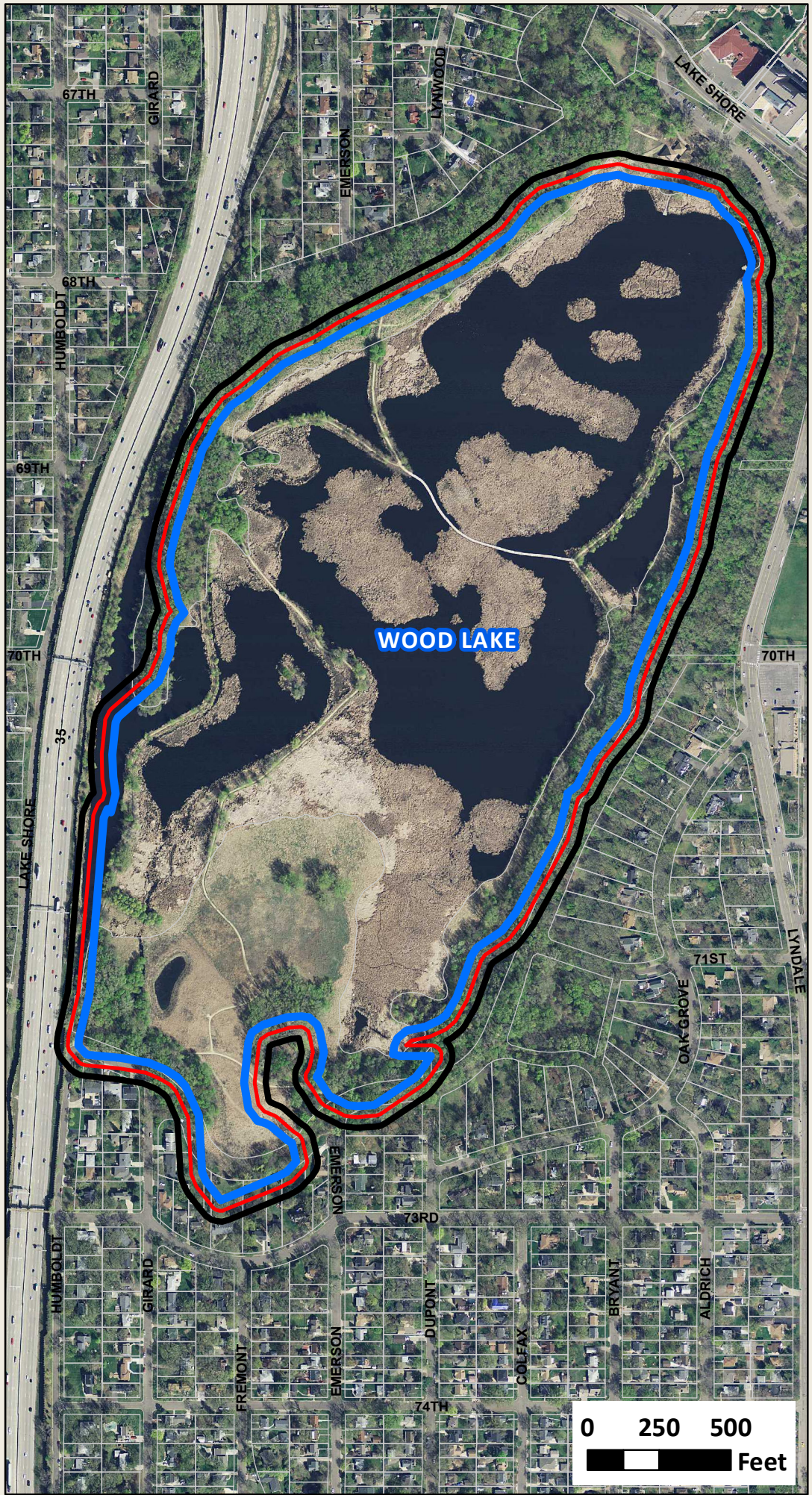




**Legend**

-  Shore Impact Zone
-  Structure Setback
-  Ordinary High Water Level









**STAFF REPORT NO. 209**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Elizabeth VanHoose, City Clerk

DEPARTMENT DIRECTOR REVIEW: Steven L. Devich, City Manager  
12/6/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

Consideration for the approval of a resolution designating polling places for the 2018 State Primary and State General Election.

**EXECUTIVE SUMMARY:**

Minnesota Statute section 204B.16, subd 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year by December 31.

**RECOMMENDED ACTION:**

By motion: Approve a resolution designating polling places for the 2018 State Primary and State General Election.

**BASIS OF RECOMMENDATION:**

A. **HISTORICAL CONTEXT**

- This is a new annual requirement that was passed in the most recent legislative session.

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Minnesota Statute section 204B.16, subd 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year by December 31.

C. **CRITICAL TIMING ISSUES:**

- Must be approved by December 31.

D. **FINANCIAL IMPACT:**

- None

E. **LEGAL CONSIDERATION:**

- None

**ALTERNATIVE RECOMMENDATION(S):**

- None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A

**ATTACHMENTS:**

	Description	Type
	Resolution	Resolution Letter

## RESOLUTION NO.

### RESOLUTION DESIGNATING POLLING PLACES FOR THE 2018 STATE PRIMARY AND STATE GENERAL ELECTION

**WHEREAS**, Minnesota Statute 204B.16, subd 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year; and

**WHEREAS**, changes to the polling places locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

**WHEREAS**, changes to the polling place locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting; and

**WHEREAS**, the state primary is August 14, 2018 and the state general election is November 6, 2018

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield hereby designates the following polling places for elections conducted in the city in 2018;

<u>Precinct No. 1</u> Ward 3	Mt. Calvary Education Building 6541 16th Avenue
<u>Precinct No. 2</u> Ward 2	St. Peter's Catholic Church 6730 Nicollet Avenue
<u>Precinct No. 3</u> Ward 1	Sheridan Hills School 6400 Sheridan Avenue
<u>Precinct No. 4</u> Ward 1	St. Richard's Catholic Church 7540 Penn Avenue
<u>Precinct No. 5</u> Ward 1	Richfield Middle School 7461 Oliver Avenue
<u>Precinct No. 6</u> Ward 2	Central School Building 7145 Harriet Avenue
<u>Precinct No. 7</u> Ward 2	Hope Presbyterian Education Facility 7132 Portland Avenue
<u>Precinct No. 8</u> Ward 3	Richfield Intermediate School 7020 12th Avenue
<u>Precinct No. 9</u> Ward 3	Centennial School 7315 Bloomington Avenue

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHFIELD, MINNESOTA that the nine locations listed above are the designated 2018 polling locations in Richfield.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk



**STAFF REPORT NO. 210**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Melissa Poehlman, Asst. Community Development Director

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
12/4/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of an ordinance authorizing the conveyance of vacated right-of-way owned by the City of Richfield to the Richfield Housing and Redevelopment Authority.**

**EXECUTIVE SUMMARY:**

As part of the platting of property for the Chamberlain Apartment Project, the City will vacate two sections of 67th Street that will become part of the development and no longer be necessary for road right-of-way. One of those sections (west of 18th Avenue) is owned in fee by the City. The remainder of the land that will be sold to the developer is owned by the Richfield Housing and Redevelopment Authority (HRA). In order to sell this land to the developer alongside the rest of the land, the Council should transfer this right-of-way to the HRA.

**RECOMMENDED ACTION:**

**By motion: Approve a second reading of an ordinance authorizing the conveyance of property owned by the City of Richfield to the Richfield Housing and Redevelopment Authority.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- N/A

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The approved Contract for Private Development calls for the land in question to be sold by the HRA to the developer.
- State statutes prescribe a process allowing a City's Housing and Redevelopment Authority to purchase and sell properties for redevelopment purposes.

**C. CRITICAL TIMING ISSUES:**

- A first reading of the ordinance was approved by the Council on November 28, 2017.

**D. FINANCIAL IMPACT:**

- While there is no direct financial impact to the City, the HRA is proposed to sell approximately 7 acres of land to the developer at its appraised value. This vacated right-of-way represents a very

small portion of that property.

E. **LEGAL CONSIDERATION:**

- City legal counsel has advised staff on this matter.

**ALTERNATIVE RECOMMENDATION(S):**

- None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description	Type
 Ordinance	Ordinance



ORDINANCE NO. \_\_\_\_

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF  
PROPERTY OWNED BY THE CITY

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Background; findings; authority.

- 1.01. The City of Richfield (the “City”) is governed by home rule charter adopted pursuant to the Constitution of the State of Minnesota and Minnesota Statutes, Chapter 410.
- 1.02. The City is the fee owner of vacated right-of-way located in the City of Richfield, as legally described in the attached Exhibit A (the “City Property”).
- 1.03. It has been proposed that the City convey the City Property to the Richfield Housing and Redevelopment Authority (“HRA”) for the purpose of future redevelopment. Pursuant to Section 13.04 of the City’s Charter, no real property of the City shall be disposed of except by ordinance.
- 1.04. Pursuant to Minnesota Statutes, Chapter 462.356, it has been determined that the proposed disposal of property has no relationship to the comprehensive plan.
- 1.05. The Council finds and determines that it is in the best interests of the City to convey the City Property to the HRA for the purpose of redevelopment.

Section. 2 Adoption; effective date; filing.

- 2.01. The conveyance of the City Property to the HRA is approved. The Mayor and the City Manager are authorized and directed to convey the City Property to the HRA and take all steps necessary to effect such conveyance.
- 2.02. This Ordinance shall take effect after the thirtieth (30th) day, exclusive of day of publication.

Passed by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

## **EXHIBIT A**

City of Richfield property to be conveyed to Richfield HRA

That part of 67th Street East as dedicated on the plat of Wexler's Addition, according to the recorded plat thereof, Hennepin County, Minnesota, which lies westerly of a line drawn from the southeast corner of Lot 8, Block 2 to the northeast corner of Lot 1, Block 3 and lies easterly of a line drawn from the southwest corner of Lot 8, Block 2 to the northwest corner of Lot 1, Block 3, all in said Wexler's Addition.



**STAFF REPORT NO. 211**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: John Stark, Community Development Director

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
12/5/2017

OTHER DEPARTMENT REVIEW: Pam Dmytrenko, Assistant City Manager

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of an ordinance amending the City's Zoning Ordinance related to construction standards to mitigate the impact of airport noise and consideration of a resolution authorizing summary publication of said ordinance.**

**EXECUTIVE SUMMARY:**

In 2009, the City adopted a new section to the Zoning Code entitled "541.19 Noise Attenuation." One of the main purposes of this code provision was to require building materials with superior sound transmission classification (STC) rating to better insulate against noise penetration in the area of the City most affected by aircraft overflight noise associated with operations at the Minneapolis-St. Paul International Airport (MSP).

In 2013, this section of the Code was amended to make it clear that the upgraded building requirements were to be considered only a recommendation for remodeling projects while remaining a requirement for new construction.

Since the original adoption of the Ordinance, only a few homes have been built in the affected area. Within the past 6 months, however, three new single-family homes and 283 units of multi-family housing have been proposed for the area. In applying the Code requirements, as currently written, to the new proposals, both staff and the construction contractors involved in these proposals have found that the language in the code is too vague in some cases and practically and/or financially infeasible in others.

Currently, the language states that construction in the affected areas "shall utilize building materials with a sound transmission classification rating of at least 40." While it was the intent of the Code that this requirement was only meant for the exterior envelope of the building, and not interior walls or floors, this is not clearly stated. It is also not clear whether the STC of 40 is required of each and every exterior building component (i.e. dryer vents, storm doors and primary doors, soffits, etc.). In practical terms, not every component receives an STC rating or is easy to test for sound transmission and there are some components that are either not offered on the market with an STC rating of 40 or greater or the cost of them can be so excessive as to render construction of any housing in this area as infeasible.

For these reasons, staff is recommending amending the language in the code to specify that the STC requirements only apply to exterior building materials and that the STC rating goal of 40 or higher would be

applied as an average to the exterior surfaces rather than to each individual component. Additional specificity for minimum STC ratings for windows and doors is being proposed, as these are a chief cause of concern for noise penetration. The specific STC ratings for windows and doors that are being recommended is the result of a great deal of research as to the market availability of windows and doors designed for noise insulation.

### **RECOMMENDED ACTION:**

By motion:

1. **Approve an ordinance amending the City's Zoning Ordinance related to construction standards to mitigate the impact of airport noise, and;**
2. **Approve a resolution authorizing summary publication of an ordinance amending the City's Zoning Ordinance related to construction standards to mitigate the impact of airport noise.**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

- When the Minnesota legislature and the Metropolitan Airports Commission (MAC) made the decision to expand the Minneapolis-St. Paul International Airport (MSP) in 1999, the City of Richfield had many concerns regarding the impact of airport related noise. In the early 2000's the City undertook legal challenges to address some of those concerns. Ultimately, a Consent Decree was agreed upon that served as a framework for a resolution, settling the legal dispute. As part of that Consent Decree, the MAC agreed to expand its noise mitigation program which made upgrades to homes in order to better insulate against noise penetration. A condition on Richfield was that the City had to consider an ordinance requiring new residential construction to include building materials and methods designed to better insulate against noise penetration.
- The City did pass such an ordinance in 2009 (subsequently revised in 2013). Since that time, application of this ordinance in practice has shown that the language is too vague and, in some cases, requires building materials that do not exist in the market.

#### **B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- As a requirement of the Consent Decree between the City and the MAC, the City was required to consider an ordinance governing construction standards to mitigate the impact of airport noise. The Consent Decree, however, did not require adoption (only consideration), nor did it affect whether the City could amend such an ordinance.
- The Planning Commission held a Public Hearing to consider this ordinance amendment at their November 27, 2017 meeting and voted unanimously to recommend its approval.
- The City Council held a 1st reading of this ordinance amendment at its November 28, 2017 regular meeting.
- It should be noted that the City Council's 1st Reading of this Ordinance required a minimum STC rating of 27 for glass doors; that number has been changed to 28 for this second reading.

#### **C. CRITICAL TIMING ISSUES:**

- There are three single-family homes and 283 units of multi-family housing planned in the affected area. The contractors involved in those projects have expressed to City staff that there is some confusion about the language in the existing ordinance and that, depending on the interpretation of that ordinance, it might affect whether their proposals are financially feasible. Those projects have paused their design phase as it applies to exterior construction materials until this issue is further considered by the Planning Commission and City Council.

#### **D. FINANCIAL IMPACT:**

- There is no direct financial impact to the City.

#### **E. LEGAL CONSIDERATION:**

- The City Attorney has been involved in discussions about this ordinance amendment and was involved in drafting the language for the proposed revision.

**ALTERNATIVE RECOMMENDATION(S):**

- Do not approve the recommended ordinance amendment.
- Approve the ordinance amendment with changes based on City Council direction.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description		Type
<input type="checkbox"/>	Ordinance Amendment	Ordinance
<input type="checkbox"/>	Resolution for Summary Publication	Resolution Letter
<input type="checkbox"/>	Inland Development Partners Letter	Backup Material

BILL NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE RICHFIELD CITY CODE  
SECTION 541.19 NOISE ATTENUATION (SUBDIVISION 3)**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1. Subsection 541.19 (Subdivision 3) of the Richfield City Code relating Noise Attenuation is amended to read as follows:

**Subsection 509.09. Accessory buildings.**

**Subd. 3.** Noise Attenuation Required. Any new residential construction on property located within the 2007 63+ or greater DNL Contours, or any infill construction or rebuilding of residential structures after tearing down the original structure which takes place within blocks or between structures that have received noise attenuation pursuant to the Consent Decree or pursuant to previous noise mitigation programs of the Metropolitan Airports Commission, shall utilize exterior building materials assemblies with an average Sound Transmission Class (STC) rating of at least 40 (notwithstanding, windows must have an individual STC rating of at least 31 and glass doors must have an average STC rating of at least 28) and shall include installation of central air conditioning and mechanical ventilation throughout the habitable areas of the structure.

Sec. 2. This Ordinance shall be effective immediately upon its passage and publication.

Passed by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING SUMMARY PUBLICATION  
OF AN ORDINANCE AMENDING THE RICHFIELD CITY CODE  
SECTION 541.19 NOISE ATTENUATION (SUBDIVISION 3)**

**WHEREAS**, the City has adopted the above-referenced amendment of the Richfield City Code; and

**WHEREAS**, the verbatim text of the amendment is cumbersome, and the expense of publication of the complete text is not justified.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield that the following summary is hereby approved for official publication:

**SUMMARY PUBLICATION  
BILL NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE RICHFIELD CITY CODE  
SECTION 541.19 NOISE ATTENUATION (SUBDIVISION 3)**

This summary of the ordinance is published pursuant to Section 3.12 of the Richfield City Charter.

This ordinance revised regulations related to construction standards in the area most impacted by airport noise associated with the Minneapolis St. Paul International Airport. It clarified that the construction standards are only intended to apply to the exterior construction of buildings, that the required Sound Transmission Classification of 40 is intended to be an average measurement of exterior surfaces, but sets minimum allowable STC ratings for windows and glass doors.

Copies of the ordinance are available for public inspection in the City Clerk's office during normal business hours or upon request by calling the Department of Community Development at (612) 861-9760.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk



3340 Republic Avenue, Suite 50  
Saint Louis Park, MN 55426  
952.495.6240 InlandDP.com

December 6, 2017

Mr. John Stark  
Community Development Director  
City of Richfield  
6700 Portland Avenue  
Richfield, MN 55423

RE: PROPOSED AMENDMENT TO NOISE ATTENUATION SUBDIVISION

Dear Mr. Stark:

As staff and the City Council are aware, we are the developers of The Chamberlain. The Chamberlain has been approved for 316 units of both new and existing rental apartments and is generally located within the area covered by the proposed amended language.

We have reviewed the proposed amendment to City Code Section 541.19, subdivision 3. Because the ordinance as currently drafted adds unnecessary costs to an already tight project budget, we propose three (3) minor changes that are incorporated into the attached document.

We are requesting a minimum window Sound Transmission Class (STC) of 30 and a minimum glass door STC of 27. We have calculated that the overall average building STC will be approximately 45 with these two changes. We believe an average building STC of 45 will be consistent with market expectations regarding noise. The building average and specific STC ratings for window and glass doors are also consistent with HUD's stringent noise standards.

I plan to attend the December 12<sup>th</sup> City Council meeting and look forward to addressing any questions you may have regarding these proposed changes.

Sincerely,

A handwritten signature in blue ink, which appears to read 'S. Schwanke', is written over a horizontal pink line.

Steven Schwanke  
Partner

Attachment



BILL NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE RICHFIELD CITY CODE SECTION 541.19 NOISE  
ATTENUATION (SUBDIVISION 3)**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1. Subsection 541.19 (Subdivision 3) of the Richfield City Code relating Noise Attenuation is amended to read as follows:

**Subsection 509.09. Accessory buildings.**

**Subd. 3.** Noise Attenuation Required. Any new residential construction on property located within the 2007 63+ or greater DNL Contours, or any infill construction or rebuilding of residential structures after tearing down the original structure which takes place within blocks or between structures that have received noise attenuation pursuant to the Consent Decree or pursuant to previous noise mitigation programs of the Metropolitan Airports Commission, shall utilize exterior building assemblies with an average Sound Transmission Class (STC) rating of at least 40 (notwithstanding, windows must have an individual STC rating of at least 30 and glass doors must have an average STC rating of at least 27), and shall include installation of central air conditioning and mechanical ventilation throughout the habitable areas of the structure.

Sec. 2. This Ordinance shall be effective immediately upon its passage and publication.

Passed by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk



**STAFF REPORT NO. 212**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for Frenchman's Pub, Inc. d/b/a Frenchman's, 1400 66th Street East.**

**EXECUTIVE SUMMARY:**

On October 10, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for Frenchman's Pub, Inc. d/b/a Frenchman's. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

This agenda item is the first request out of nine for the renewal on On-Sale Intoxicating and Sunday Liquor licenses. Of the remaining eight, if no Council member objects, the Council may conduct a single public hearing for all of the licenses approvals and may pass all of the resolutions with a single motion. If a single/individual public hearing is called, the Mayor should require each speaker to identify the particular license to which the person is speaking. Any Council member may request that the question be divided, if the Council member wishes to address any one or all of the proposed resolutions by a separate motion.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for Frenchman's Pub, Inc. d/b/a Frenchman's, 1400 66th Street East.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 10, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses for Frenchman's.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.

- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Scottsdale Insurance affording coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 52% of the total sales, while liquor accounted for 48% of the total sales.
- Environmental health staff has received no complaints regarding Frenchman's for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Frenchman's representative.

**ATTACHMENTS:**

Description	Type
<div> <div> <div></div> <div>Frenchman's Background Summary/ Breakdown of Public Safety contacts</div> </div> </div>	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR FRENCHMAN'S PUB, INC. d/b/a FRENCHMAN'S

Officers:

Mary Blake, Owner

Criminal History:

Mary Blake, who serves as the On Premise Manager has a DWI conviction from 2008.

Premises:

Mary Christine Blake Trust is the owner of the property. All payments are current.

Record of Service Calls:

There were 15 Public Safety/Police contacts with Frenchman's from October 2016 through September 2017. This compares with 18 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

The most recent violation for the sale of alcohol to underage youth with Frenchman's was June 8, 2004.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal on On-Sale Intoxicating and Sunday Liquor sales.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

**Frenchman's**  
**Directors and Officers**

Mary Blake

Owner

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**PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

**Frenchman's**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>18</b>	<b>15</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>16</b>	<b>10</b>
Incidents (see bottom of page for specifics)	(12)	(9)
Alarm	(4)	(1)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>2</b>	<b>5</b>
Assists	(0)	(5)
Traffic	(1)	(0)
Inspections/Licensing	(0)	(0)
Medical/Fire	(1)	(0)

The criminal contacts from October 2016 through September 2017 were: three thefts, two assaults, one private property, one suspicious vehicle, one suspicious activity, one credit card fraud and one alarm.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 213**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for Paisan Incorporated, d/b/a Khan's Mongolian Barbeque, 500 78th Street East.**

**EXECUTIVE SUMMARY:**

On October 31, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses, for Paisan Incorporated, d/b/a Khan's Mongolian Barbeque. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for Paisan Incorporated d/b/a Khan's Mongolian Barbeque, 500 78th Street East.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 31, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses for Khan's Mongolian Barbeque.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing State Auto P&C affording coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 95% of the total sales, while liquor accounted for 5% of the total sales.
- Environmental health staff has received no complaints regarding Khan's Mongolian Barbeque for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Khan's Mongolian Barbeque representative.

**ATTACHMENTS:**

Description		Type
D	Khan's Mongolian Barbeque Background Summary/	Cover Memo
	Breakdown of Public Safety contacts	

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR PAISAN, INC. d/b/a KHAN'S MONGOLIAN BARBEQUE

Officers:

Mitchal Law, Owner/President  
Paisan Law, Vice President

Criminal History:

Mitchal Law, who also serves as the On Premise Manager, has a DWI conviction from 2010. Paisan Law has a DWI conviction from 2006 and a careless driving conviction from 2007.

Premises:

A G Bogen Company is the owner of the property. The lease between the property owner and the applicant is in effect. All payments are current.

Record of Service Calls:

There were nine Public Safety/Police contacts with Khan's Mongolian Barbeque from October 2016 through September 2017. This compares with 10 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

The most recent violation for the sale of alcohol to underage youth for Khan's Mongolian Barbeque was on September 30, 2005.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## Khan's Mongolian Barbeque

### Directors and Officers

Mitchal Wellington Law  
Paisan Shieh Law

Owner/President/Secretary  
Vice President/Treasurer

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## PUBLIC SAFETY CONTACTS

October 2016 through September 2017

### Khan's Mongolian Barbeque

	<u>2016</u>	<u>2017</u>
<b><u>TOTAL CONTACTS</u></b>	<b>10</b>	<b>9</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>6</b>	<b>8</b>
Incidents (see bottom of page for specifics)	(4)	(7)
Alarm	(2)	(1)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>4</b>	<b>1</b>
Assists	(0)	(0)
Traffic	(4)	(1)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contacts from October 2016 through September 2017 were: one theft, one drug related, one harassment, one suspicious vehicle, one suspicious activity, one theft from auto, one parking complaint and one alarm.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 214**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for Lyn 65, LLC, d/b/a Lyn 65 Kitchen & Bar, 6439 Lyndale Avenue South.**

**EXECUTIVE SUMMARY:**

On October 31, 2017, the City received the application and other required documents for the renewal of On-Sale Intoxicating and Sunday Liquor licenses for Lyn 65, LLC, d/b/a Lyn 65 Kitchen & Bar. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for Lyn 65, LLC, d/b/a Lyn 65 Kitchen & Bar, 6439 Lyndale Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 31, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses for Lyn 65 Kitchen & Bar.

The applicant has satisfied the following requirements for the issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing XL Insurance America, Inc. affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 57% of the total sales, while liquor accounted for 43% of the total sales.
- Environmental health staff has received no complaints regarding Lyn 65 Kitchen & Bar for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Lyn 65 representative.

**ATTACHMENTS:**

Description	Type
□ Lyn 65 Kitchen & Bar Background Summary/ Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION FOR LYN 65, LLC  
d/b/a LYN 65 KITCHEN & BAR

Officers:

Bruce Hinks, President  
Ken Clark, Vice-President  
Ben Rients, Secretary

Criminal Histories:

Bruce Hinks has no known criminal record. Ken Clark has no known criminal record. Ben Rients, who also serves as the On-Premise Manager was convicted for a DWI in 2005 and convicted for intent to escape motor vehicle tax in 2012.

Premises:

HNC Properties, LLC is the owner of the property. All payments are current.

Record of Service Calls:

There were 16 Public Safety/Police contacts with Lyn 65 from October 2016 through September 2017. This compares with seven contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

There have been no violations for the sale of alcohol to underage youth for Lyn 65 Kitchen & Bar.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## **Lyn 65 Kitchen & Bar**

### **Directors and Officers**

Bruce Hinks	President
Ken Clark	Vice-President
Ben Rients	Secretary

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Lyn 65 Kitchen & Bar**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>7</b>	<b>16</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>6</b>	<b>9</b>
Incidents (see bottom of page for specifics)	(6)	(8)
Alarm	(0)	(1)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>1</b>	<b>7</b>
Assists	(0)	(6)
Traffic	(1)	(1)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contacts from October 2015 through September 2016 were: three thefts from auto, one open door, one suspicious vehicle, one theft, one suspicious activity, one damage to property and one alarm.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 215**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for El Tejaban Mexican Restaurant, LLC d/b/a El Tejaban Mexican Grill, 6519 Nicollet Avenue South.**

**EXECUTIVE SUMMARY:**

On October 30, 2017, the City received the application and other required documents for the renewal of On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for El Tejaban Mexican Restaurant, LLC d/b/a El Tejaban Mexican Grill. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for El Tejaban Mexican Restaurant, LLC d/b/a El Tejaban Mexican Grill, 6519 Nicollet Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 30, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses, with optional 2 a.m. closing, for El Tejaban Mexican Grill.

The applicant has satisfied the following requirements for the issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been provided showing Travelers Casualty Insurance Company of America affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 85% of the

total sales, while liquor accounted for 15% of the total sales.

- Environmental health staff has received no complaints regarding El Tejaban Mexican Grill for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor, with optional 2 a.m. closing, establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

El Tejaban representative.

**ATTACHMENTS:**

Description		Type
□	El Tejaban Background Summery/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR EL TEJABAN MEXICAN RESTAURANT, LLC d/b/a EL TEJABAN MEXICAN  
GRILL

Officers:

Miguel Hernandez-Cruz, Owner  
Rosa Zambrano, Owner

Criminal History:

Miguel Hernandez-Cruz has a disorderly conduct and a domestic assault from 2011. Rosa Zambrano, who also serves as the General Manager has no known criminal record.

Premises:

Richfield Shoppes, LLC is the owner of the property. The lease between the applicant and the landlord is in effect. All payments are current.

Record of Service Calls:

There were 11 Public Safety/Police contacts with El Tejaban Mexican Grill from October 2016 through September 2017. This compares with six contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

There have been no violations for the sale of alcohol to underage youth for El Tejaban Mexican Grill.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## **El Tejaban Mexican Grill**

### **Directors and Officers**

Miguel Hernandez-Cruz  
Rosa Zambrano

Owner  
Owner

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **El Tejaban Mexican Grill**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>6</b>	<b>11</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>4</b>	<b>7</b>
Incidents (see bottom of page for specifics)	(4)	(7)
Alarm	(0)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>2</b>	<b>4</b>
Assists	(1)	(3)
Traffic	(1)	(1)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contacts from October 2016 through September 2017 were: two customer troubles, one harassment, one disturbance, one suspicious activity, one suspicious vehicle and one trespassing.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 216**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing regarding the approval of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for GM Richfield, LLC, d/b/a Four Points by Sheraton Minneapolis Airport, 7745 Lyndale Avenue South.**

**EXECUTIVE SUMMARY:**

On October 31, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses for GM Richfield, LLC, d/b/a Four Points by Sheraton Minneapolis Airport, 7745 Lyndale Avenue South. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses for GM Richfield, LLC, d/b/a Four Points by Sheraton Minneapolis Airport, 7745 Lyndale Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 31, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses for Four Points by Sheraton Minneapolis Airport.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance has been received showing Travelers Commercial Insurance affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 75% of total sales, while liquor accounted for 25% of the total sales.

- Environmental health staff has received no complaints regarding Four Points by Sheraton Minneapolis Airport for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Four Points by Sheraton Minneapolis Airport representative.

**ATTACHMENTS:**

	Description	Type
□	Four Points Background Summary/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR GM RICHFIELD, LLC. d/b/a FOUR POINTS BY SHERATON MINNEAPOLIS  
AIRPORT

Officers:

Shannon Gangl, President  
David Meyer, Vice-President

Criminal History:

Sharon Gangl has no known criminal record. David Meyer has no known criminal record. Adam Selby, who serves as the On Premise Manager, has no known criminal record.

Premises:

GM Richfield, LLC is the owner of the property. The lease between the applicant and the landlord is in effect. All payments are current.

Record of Service Calls:

There were 62 Public Safety/Police contacts with Four Points by Sheraton Minneapolis Airport from October 2016 through September 2017. This compares with 46 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

There are no violations for the sale of alcohol to underage youth for Four Points by Sheraton Minneapolis Airport.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## **Four Points by Sheraton Minneapolis Airport**

### **Directors and Officers**

Sharon Gangl  
David Meyer

President  
Vice-President

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Four Points by Sheraton Minneapolis Airport**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>46</b>	<b>62</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>22</b>	<b>28</b>
Incidents (see bottom of page for specifics)	(19)	(27)
Alarm	(3)	(1)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>24</b>	<b>34</b>
Assists	(17)	(30)
Traffic	(5)	(4)
Inspections/Licensing	(0)	(0)
Medical/Fire	(2)	(0)

The criminal contacts from October 2016 through September 2017 were: two unwanted guests, one theft from auto, one theft, two assaults, five disturbances, two recovered stolen properties, two trespasses, four suspicious vehicles, two intoxicated people, one lost property, one attempt to locate, one drug related, one misc. public, one fraud, one noise complaint and one alarm.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 217**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses with outside service, for Thompson's Fireside Pizza, Inc., d/b/a Fireside Foundry, 6736 Penn Avenue South.**

**EXECUTIVE SUMMARY:**

On October 30, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses with outside service, for Thompson's Fireside Pizza, Inc., d/b/a Fireside Foundry. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses with outside service, for Thompson's Fireside Pizza, Inc., d/b/a Fireside Foundry, 6736 Penn Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 30, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses with outside service for Fireside Foundry.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance has been received showing West Bend Mutual as affording coverage. Worker's compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 69% of the total sales, while liquor accounted for 31% of the total sales.
- Environmental health staff received two complaints regarding Fireside Foundry for the previous

year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Intoxicating and Sunday liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution No. 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Fireside Foundry representative.

**ATTACHMENTS:**

Description		Type
▢ Fireside Foundry Background Summary/Breakdown of Public Safety contacts		Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR THOMPSON'S FIRESIDE PIZZA, INC. d/b/a FIRESIDE FOUNDRY

Officers:

Richard Thompson, Owner

Criminal History:

Richard Thompson has no known criminal record. Storm Thompson, who serves as the General Manager, has no known criminal record.

Premises:

Richard Thompson is the owner of the property. All payments are current.

Record of Service Calls:

There were 9 Public Safety/Police contacts with Fireside Foundry from October 2016 through September 2017. This compares with 5 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

Thompson's Fireside Foundry has received no violations for the sale of alcohol to underage youth.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## **Fireside Foundry**

### **Directors and Officers**

Richard Thompson

Owner

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Fireside Foundry**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>5</b>	<b>9</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>2</b>	<b>7</b>
Incidents (see bottom of page for specifics)	(2)	(7)
Alarm	(0)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>3</b>	<b>2</b>
Assists	(0)	(1)
Traffic	(3)	(1)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contacts from October 2016 through September 2017 were: three noise complaints, two disturbances, one suspicious activity and one customer trouble.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 218**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, and with the optional 2 a.m. closing, for Pizza Luce VII, Inc., d/b/a Pizza Luce, 800 66th Street West.**

**EXECUTIVE SUMMARY:**

On October 30, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses, with outside service, and the optional 2 a.m. closing, for Pizza Luce VII, Inc., d/b/a Pizza Luce. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, and the optional 2 a.m. closing, for Pizza Luce VII, Inc., d/b/a Pizza Luce, 800 66th Street West.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 30, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses, with outside service, and with the optional 2 a.m. closing, for Pizza Luce.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing State Auto Insurance Company affording coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 82% of the

total sales, while liquor accounted for 18% of the total sales.

- Environmental health staff has received no complaints regarding Pizza Luce for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses, with outside seating, and the optional 2 a.m. closing.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Pizza Luce representative.

**ATTACHMENTS:**

Description		Type
□	Pizza Luce Background Summary/Breakdown of Police Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR PIZZA LUCE VII, INC. d/b/a PIZZA LUCE

Officers:

Joseph Bernard Baier, Owner, President  
Scott Herbert Nelson, Owner, Vice President  
Julie Jon Haywood, Owner, CEO  
Laura Jayne Hansen, Owner, COO

Criminal History:

Joseph Baier has no known criminal record. Scott Nelson has no known criminal record. Julie Haywood has no known criminal record. Laura Hansen has no known criminal record. Michael Brundage, who serves as On-Premise Manager, has no known criminal record.

Premises:

JBB Properties, LLC is the owner of the property. All payments are current.

Record of Service Calls:

There were 49 Public Safety/Police contacts with Pizza Luce VII, Inc. from October 2016 through September 2017. This compares with 53 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

There are no violations for the sale of alcohol to underage youth for Pizza Luce VII, Inc.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses, with outside seating and the optional 2 a.m. closing.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## Pizza Luce

### Directors and Officers

Joseph Bernard Baier	Owner, President
Scott Herbert Nelson	Owner, Vice President
Julie Jon Haywood	Owner, CEO
Laura Jayne Hansen	Owner, COO

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## PUBLIC SAFETY CONTACTS

October 2016 through September 2017

### Pizza Luce

	<u>2016</u>	<u>2017</u>
<b><u>TOTAL CONTACTS</u></b>	<b>53</b>	<b>49</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>28</b>	<b>28</b>
Incidents (see bottom of page for specifics)	(14)	(25)
Alarm	(14)	(3)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>25</b>	<b>21</b>
Assists	(12)	(5)
Traffic	(12)	(15)
Inspections/Licensing	(0)	(0)
Medical/Fire	(1)	(1)

The criminal contacts from October 2016 through September 2017 were: two DWIs, one criminal sexual conduct, two damage to property, one intoxicated person, seven disturbances, one customer trouble, one terrorist threat, two suspicious vehicles, two animal complaints, one suspicious activity, two thefts, two thefts from auto, one parking complaint and three alarms.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 219**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, 6601 Lyndale Avenue South.**

**EXECUTIVE SUMMARY:**

On October 26, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, 6601 Lyndale Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 26, 2017, the City received the application and other required documents for On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for Houlihan's Restaurant & Bar.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing General Casualty Company of Wisconsin affording coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 68% of the total sales, while liquor accounted for 32% of the total sales.

- Environmental health staff has received no complaints regarding Houlihan's Restaurant & Bar for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Houlihan's representative.

**ATTACHMENTS:**

	Description	Type
□	Houlihan's Background Summary/ Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR WILTSHIRE RESTAURANTS, LLC d/b/a HOULIHAN'S RESTAURANT & BAR

Officers:

Paul Kirwin, President

Criminal History:

Paul Kirwin has no known criminal record. Lois Fillmore, who serves as the General Manager, has no known criminal record.

Premises:

Woodlake Partners, LLC is the owner of the property. The lease between the applicant and the landlord is in effect. All payments are current.

Record of Service Calls:

There were 32 Public Safety/Police contacts with Houlihan's Restaurant & Bar from October 2016 through September 2017. This compares with 20 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

The most recent violation for the sale of alcohol to underage youth with Houlihan's was July 16, 2001.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## Houlihan's Restaurant & Bar

### Directors and Officers

Paul Smith Kirwin                      President

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## PUBLIC SAFETY CONTACTS

October 2016 through September 2017

## Houlihan's Restaurant & Bar

	<u>2016</u>	<u>2017</u>
<b><u>TOTAL CONTACTS</u></b>	<b>20</b>	<b>32</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>12</b>	<b>19</b>
Incidents (see bottom of page for specifics)	(11)	(19)
Alarm	(1)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>8</b>	<b>13</b>
Assists	(4)	(10)
Traffic	(1)	(3)
Inspections/Licensing	(0)	(0)
Medical/Fire	(3)	(0)

The criminal contacts from October 2016 through September 2017 were: one noise complaint, seven suspicious vehicles, four hit and runs, two intoxicated people, two unwanted guests, one attempt to locate, one customer trouble and one kid-call.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 220**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for VPC Richfield Pizza, LLC d/b/a Giordano's of Richfield, 3000 66th Street West.**

**EXECUTIVE SUMMARY:**

On November 2, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for VPC Richfield Pizza, LLC d/b/a Giordano's of Richfield, 3000 66th Street West. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for VPC Richfield Pizza, LLC d/b/a Giordano's of Richfield, 3000 66th Street West.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On November 2, 2017, the City received the application materials for the renewal of On-Sale Intoxicating and Sunday Liquor licenses, with outside service, for VPC Richfield Pizza, LLC d/b/a Giordano's of Richfield.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are current.
- Proof of commercial and liquor liability insurance have been received showing Employers Insurance Company of Wausau as affording coverage.
- An accountant's statement has been prepared and submitted. This statement covers the period

from October 2016 through September 2017, and indicates food sales accounted for 88% of the total sales, while liquor accounted for 12% of the total sales.

- Environmental staff has received no complaints regarding Giordano's of Richfield for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

On-Sale Intoxicating and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Intoxicating and Sunday Liquor establishments to comply with all the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

Licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution No. 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Intoxicating and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Giordano's representative.

**ATTACHMENTS:**

Description	Type
▢ Giordano's of Richfield Background Summary/ Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION FOR VPC RICHFIELD PIZZA,  
LLC d/b/a GIORDANO'S OF RICHFIELD

Officers:

Yorgo Koutsogiorgas – President  
Brent Johnson - Secretary

Criminal Histories:

Yorgo Koutsogiorgas has no known criminal record. Brent Johnson has no known criminal record. Ehrick Holland, who serves as the General Manager has no known criminal record.

Premises:

DRFC Southdale Square, LLC is the owner of the property. All payments are current.

Record of Service Calls:

There were eight Public Safety/Police contacts with Giordano's of Richfield from October 2016 through September 2017. Because Giordano's of Richfield only recently opened in 2016 there are no prior records to compare. A breakdown of these contacts is attached to this report.

Violations:

There are no violations for sale of alcohol to underage youth.

Routine Information:

On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distance requirements to notify neighbors of the issuance or renewal of On-Sale Intoxicating and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## **Giordano's of Richfield**

### **Directors and Officers**

Yorgo Koutsogiorgas  
Brent Johnson

President  
Secretary

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Giordano's of Richfield**

	<b><u>2017</u></b>
<b>TOTAL CONTACTS</b>	<b>8</b>
<b>CRIMINAL CONTACTS</b>	<b>4</b>
Incidents (see bottom of page for specifics)	(3)
Alarm	(1)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>4</b>
Assists	(3)
Traffic	(1)
Inspections/Licensing	(0)
Medical/Fire	(0)

The criminal contacts from October 2016 through September 2017 were: one suspicious activity, one suspicious vehicle, one DWI and one alarm.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 221**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle Mexican Grill, 7644 Lyndale Avenue South.**

**EXECUTIVE SUMMARY:**

On October 26, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle Mexican Grill. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

This agenda item is the first request out of seven for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses. Of the remaining six, if no Council member objects, the Council may conduct a single public hearing for all of the license approvals and may pass all of the resolutions with a single motion. If a single/individual public hearing is called, the Mayor should require each speaker to identify the particular license to which the person is speaking. Any Council member may request the question be divided, if the Council member wishes to address any one or all of the proposed resolutions by a separate motion.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 7644 Lyndale Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 26, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle Mexican Grill.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Safety National Casualty Corporation affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period for October 2016 through September 2017. The statement indicates food sales accounted for 99% of the total sales, while liquor accounted for 1% of the total sales.
- Environmental health staff has received no complaints regarding Chipotle Mexican Grill for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Wine and 3.2 Percent Malt Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Richfield City Code Section 1202 requires owners of On-Sale Wine and 3.2 Percent Malt Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

- There are no critical timing issues.

**D. FINANCIAL IMPACT:**

- The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

- The requirements of Resolution No. 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicant would not be able to obtain On-Sale Wine and 3.2 Percent Malt Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Chipotle Mexican Grill representative.

**ATTACHMENTS:**

Description	Type
□ Chipotle Mexican Grill Background Summary/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT FOR  
CHIPOTLE MEXICAN GRILL OF COLORADO, LLC d/b/a CHIPOTLE MEXICAN GRILL

Officers:

Matthew Ells, President, LLC Manager - Denver, Colorado  
John Hartung, Vice President, LLC Manager - Boulder, Colorado

Criminal History:

Matthew Ells has no known criminal record. John Hartung has no known criminal record. Daniel Bloss, who serves as the On-Premise Manager has no known criminal record.

Premises:

Kensington Retail Center, LLC is the owner of the property. The lease between the applicant and the landlord is in effect. All payments are current.

Record of Service Calls:

There were 22 Public Safety/Police contacts with Chipotle Mexican Grill from October 2016 through September 2017. This compares with 11 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

There have been no violations for the sale of alcohol to underage youth with Chipotle Mexican Grill.

Routine Information:

On-Sale Wine and 3.2 Percent Malt Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distance requirements to notify neighbors of the issuance or renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## Chipotle Mexican Grill, LLC

### Directors and Officers

Matthew Ells  
Montgomery Moran

President, LLC Manager – Denver, Colorado  
Vice President, LLC Manager – Boulder, Colorado

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## PUBLIC SAFETY CONTACTS

October 2016 through September 2017

### Chipotle Mexican Grill

	<u>2016</u>	<u>2017</u>
<b><u>TOTAL CONTACTS</u></b>	<b>11</b>	<b>22</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>8</b>	<b>13</b>
Incidents (see bottom of page for specifics)	(8)	(8)
Alarm	(0)	(5)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>3</b>	<b>9</b>
Assists	(2)	(3)
Traffic	(0)	(5)
Inspections/Licensing	(0)	(0)
Medical/Fire	(1)	(1)

The criminal contacts from October 2015 through September 2016 were: one theft, one animal complaint, two suspicious activities, two suspicious vehicles, one hit and run, one terrorist threat and five alarms.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 222**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Henry Thou, d/b/a Red Pepper Chinese Restaurant, 2910 66th Street West.**

**EXECUTIVE SUMMARY:**

On November 1, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for Henry Thou, d/b/a Red Pepper Chinese Restaurant. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Henry Thou, d/b/a Red Pepper Chinese Restaurant, 2910 66th Street West.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On November 1, 2017, the City received the application and other required documents for On-Sale Wine and 3.2 Percent Malt Liquor licenses for Red Pepper Chinese Restaurant.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Scottsdale Insurance Company affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 97% of the total sales, while liquor accounted for 3% of the total sales.
- Environmental health staff has received no complaints regarding Red Pepper Chinese Restaurant for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Wine and 3.2 Percent Malt Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Wine and 3.2 Percent Malt Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the Resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicant would not be able to obtain On-Sale Wine and 3.2 Percent Malt Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Red Pepper representative.

**ATTACHMENTS:**

Description	Type
□ Red Pepper Background summary/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION FOR HENRY THOU d/b/a RED  
PEPPER CHINESE RESTAURANT

Officer(s):

Henry Thou, Owner

Criminal History:

Henry Thou has no known criminal record.

Premises:

DRFC Southdale Square, LLC is the owner of the property. The lease between the applicant and the landlord is in effect. All payments are current.

Record of Service Calls:

There were two Public Safety/Police contacts with Red Pepper Chinese Restaurant from October 2016 through September 2017. This compares with one contact for the previous year.

Violations:

There have been no violations for the sale of alcohol to underage youth with Red Pepper Chinese Restaurant.

Routine Information:

On-Sale Wine and 3.2 Percent Malt Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owner of the establishment.

There are no distant requirements to notify neighbors of the issuance of new On-Sale Wine and 3.2 Percent Malt Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## **Red Pepper Chinese Restaurant**

### **Directors and Officers**

Henry Thou

Owner

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Red Pepper Chinese Restaurant**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>1</b>	<b>2</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>0</b>	<b>1</b>
Incidents (see bottom of page for specifics)	(1)	(1)
Alarm	(0)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>0</b>	<b>1</b>
Assists	(0)	(1)
Traffic	(0)	(0)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contact from October 2016 through September 2017 was: one harassment.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 223**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians at the Richfield Ice Arena, 636 East 66th Street.**

**EXECUTIVE SUMMARY:**

On October 25, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians at the Richfield Ice Arena, 636 East 66th Street.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 25, 2017, the City received the application and other required documents for On-Sale Wine and 3.2 Percent Malt Liquor licenses for Minnesota Junior Hockey Group, LLC d/b/a Minnesota Magicians.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Illinois Scottsdale Insurance Company affording the coverage. Workers' compensation insurance has also been supplied.
- Alcohol sales at the Richfield Ice Arena fall under Minnesota 2014 Law Chapter 240, Section 22, therefore, there is no requirement of a food/alcohol sales ratio for the Minnesota Magicians.

- Environmental health staff has received no complaints regarding Minnesota Magicians for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Wine and 3.2 Percent Malt Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Wine and 3.2 Percent Malt Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the Resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicant would not be able to obtain On-Sale Wine and 3.2 Percent Malt Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Minnesota Magicians representative.

**ATTACHMENTS:**

Description	Type
Minnesota Magicians at the Richfield Ice Arena	
□ Background Summary/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR MINNESOTA JUNIOR HOCKEY GROUP, LLC d/b/a MINNESOTA MAGICIANS  
RICHFIELD ICE ARENA LOCATION

Officers:

Scott Meyer – Owner  
Joe Pankratz – Owner  
Kevin Ingvalson – Vice President

Criminal History:

Scott Meyer has no known criminal record. Joe Pankratz, who also serves as the On-Premise Manager has no known criminal record. Kevin Ingvalson was convicted for a DWI in 1995.

Premises:

The applicants have provided a copy of the rental agreement showing The City of Richfield holding financial interest as lessor of the property.

Record of Service Calls:

There were 56 Public Safety/Police contacts located at the Richfield Ice Arena from October 2016 through September 2017. It is difficult to differentiate between Minnesota Magicians and the ice arena in terms of which calls belonged to whom. A breakdown of these contacts is attached to this report.

Violations:

There are no violations for the sale to underage youth for Minnesota Magicians located at the Richfield Ice Arena.

Routine Information:

On Sale Wine and 3.2 Percent Malt Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distance requirements to notify neighbors of the issuance or renewal of On Sale Wine and 3.2 Percent Malt Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## **MN Magicians**

### **Directors and Officers**

Scott Meyer  
Joe Pankratz  
Kevin Ingvalson

Owner  
Owner  
Vice President

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **MN Magicians**

	<b><u>2016</u></b> <b>(47)</b>	<b><u>2017</u></b> <b>(56)</b>
<b><u>TOTAL CONTACTS</u></b>		
<b><u>CRIMINAL CONTACTS</u></b>	<b>31</b>	<b>9</b>
Incidents (see bottom of page for specifics)	(27)	(4)
Alarm	(4)	(5)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>16</b>	<b>47</b>
Assists	(4)	(17)
Traffic	(11)	(29)
Inspections/Licensing	(0)	(0)
Medical/Fire	(1)	(1)

The criminal contacts from October 2016 through September 2017 were: one suspicious activity, one suspicious vehicle, one private property, one disturbance and five alarms.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 224**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Patrick's French Bakery, Inc., d/b/a Patrick's Bakery & Cafe, 2928 66th Street West.**

**EXECUTIVE SUMMARY:**

On October 30, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for Patrick's French Bakery, Inc., d/b/a Patrick's Bakery & Café. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Patrick's French Bakery, Inc. d/b/a Patrick's Bakery & Café, 2928 66th Street West.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 30, 2017, the City received the application and other required documents for On-Sale Wine and 3.2 Percent Malt Liquor licenses for Patrick's French Bakery, Inc. d/b/a Patrick's Bakery Café.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Ohio Security Insurance Company affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 97% of the total sales, while liquor accounted for 3% of the total sales.
- Environmental health staff has received no complaints regarding Patrick's Bakery & Café for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Wine and 3.2 Percent Malt Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Wine and 3.2 Percent Malt Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicant would not be able to obtain On-sale Wine and 3.2 Percent Malt Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Patrick's Bakery representative.

**ATTACHMENTS:**

Description	Type
□ Patrick's Bakery & Cafe Background Summary/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR PATRICK'S FRENCH BAKERY, INC. d/b/a PATRICK'S BAKERY & CAFE

Officers:

Patrick Bernet, President  
Azita Bernet, Vice-President

Criminal History:

Patrick Bernet has no known criminal record. Azita Bernet, who also serves as the On-Premise Manager has no known criminal record.

Premises:

DRFC Southdale Square, LLC is the owner of the property. All payments are current.

Record of Service Calls:

There were two Public Safety/Police contacts with Patrick's Bakery & Cafe from October 2016 through September 2017. This compares with three contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

The most recent violation for the sale of alcohol to underage youth with Patrick's Bakery & Cafe was in June 2012.

Routine Information:

On-Sale Wine and 3.2 Percent Malt Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## Patrick's Bakery & Cafe

### Directors and Officers

Patrick Bernet  
Azita Bernet

President  
Vice-President

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## PUBLIC SAFETY CONTACTS

October 2016 through September 2017

### Patrick's Bakery & Cafe

	<u>2016</u>	<u>2017</u>
<b><u>TOTAL CONTACTS</u></b>	<b>3</b>	<b>2</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>2</b>	<b>2</b>
Incidents (see bottom of page for specifics)	(2)	(2)
Alarm	(0)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>1</b>	<b>0</b>
Assists	(1)	(0)
Traffic	(0)	(0)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contacts from October 2016 through September 2017 were: one fraud and one suspicious vehicle.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 225**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Davanni's, Inc. d/b/a Davanni's Pizza and Hot Hoagies, 6345 Penn Avenue South.**

**EXECUTIVE SUMMARY:**

On October 26, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for Davanni's, Inc., d/b/a Davanni's Pizza and Hot Hoagies. All required information and documents have been received. All licensing fees have been paid.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Davanni's, Inc., d/b/a Davanni's Pizza and Hot Hoagies, 6345 Penn Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 26, 2017, the City received the application and other required documents for On-Sale Wine and 3.2 Percent Malt Liquor licenses for Davanni's, Inc. d/b/a Davanni's Pizza and Hot Hoagies.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been provided showing West Bend Mutual affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 99% of the total sales, while the liquor accounted for 1% of the total sales.
- Environmental health staff has received no complaints regarding Davanni's Pizza and Hot Hoagies for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Wine and 3.2 Percent Malt Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Wine establishments to comply with all the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicant would not be able to obtain On-Sale Wine and 3.2 Percent Malt Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Davanni's representative.

**ATTACHMENTS:**

Description	Type
□ Davanni's Background Summary/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION FOR DAVANNI'S, INC. d/b/a  
DAVANNI'S PIZZA AND HOT HOAGIES

Officers:

Robert Stupka – President  
Gladstone Stenson – Owner/CEO  
Kristina Silva – Owner  
Katherine Stenson – Owner

Criminal History:

Robert Stupka has no known criminal record. Gladstone Stenson has no known criminal record. Kristina Silva has no known criminal record. Katherine Stenson has no known criminal record. Melissa Morrisette, who serves as the General Manager, has no known criminal record.

Premises:

Rich D, LLC is the owner of the property. The lease between the applicant and the landlord is in effect with all payments current.

Record of Service Calls:

There were two Public Safety/Police contacts with Davanni's from October 2016 through September 2017. This compares with three contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

The most recent violation for the sale of alcohol to underage youth with Davanni's Pizza and Hot Hoagies was 2007.

Routine Information:

On-Sale Wine and 3.2 Percent Malt Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owner of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## **Davanni's Pizza and Hot Hoagies**

### **Directors and Officers**

Robert Stupka	Owner/President
Gladstone Stenson	Owner/CEO
Kristina Silva	Owner
Katherine Stenson	Owner

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Davanni's Pizza and Hot Hoagies**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>3</b>	<b>2</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>2</b>	<b>1</b>
Incidents (see bottom of page for specifics)	(2)	(1)
Alarm	(0)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>1</b>	<b>1</b>
Assists	(0)	(0)
Traffic	(1)	(1)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contact from October 2016 through September 2017 was: one credit card fraud.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 226**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for My Burger Operations, LLC d/b/a My Burger, 6555 Lyndale Avenue South.**

**EXECUTIVE SUMMARY:**

On November 2, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for My Burger Operations, LLC, d/b/a My Burger. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for My Burger Operations, LLC, d/b/a My Burger, 6555 Lyndale Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On November 2, 2017, the City received the application and other required documents for On-Sale Wine and 3.2 Percent Malt Liquor licenses for My Burger.

The applicant has satisfied the following requirements for issuance of licenses:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of commercial and liquor liability insurance have been received showing West Bend Mutual as affording coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 98% of the total sales, while liquor accounted for 2% of the total sales.

The Public Safety background investigation has been completed. The results of the investigation are

summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Wine and 3.2 Percent Malt Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Wine and 3.2 Percent Malt Liquor license establishments to comply with all the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

Licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution No. 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain On-Sale Wine and 3.2 Percent Malt Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

My Burger representative.

**ATTACHMENTS:**

Description		Type
□	My Burger Background Summary/Breakdown of Public Safety contacts	Cover Memo

## SUMMARY OF BACKGROUND INVESTIGATION FOR MY BURGER OPERATIONS, LLC d/b/a MY BURGER

### Officers:

John Lawrence Abdo – President  
Paul Melvin Abdo – Vice President

### Criminal Histories:

John Abdo, who also serves as the On-Premise Manager, has no known criminal record. Paul Abdo has no known criminal record.

### Premises:

Lyndale Station, LLC is the owner of the property. The lease between the applicant and the landlord is in effect. All payments are current.

### Record of Service Calls:

There were eight Public Safety/Police contacts with My Burger from October 2016 through September 2017. This compares with 10 contacts for the previous year. A breakdown of these contacts is attached to this report.

### Violations:

There was one violation for sale of alcohol to underage youth in March of 2016.

### Routine Information:

On-Sale Wine and 3.2 Percent Malt Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distance requirements to notify neighbors of the issuance or renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## Directors and Officers

John Lawrence Abdo  
Paul Melvin Abdo

President  
Vice President

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **My Burger**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>10</b>	<b>8</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>8</b>	<b>5</b>
Incidents (see bottom of page for specifics)	(4)	(3)
Alarm	(4)	(2)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>2</b>	<b>3</b>
Assists	(1)	(0)
Traffic	(0)	(2)
Inspections/Licensing	(1)	(0)
Medical/Fire	(0)	(1)

The criminal contacts from October 2016 through September 2017 were: one theft from auto, two disturbances and two alarms.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 227**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant, 7545 Lyndale Avenue South.**

**EXECUTIVE SUMMARY:**

On October 30, 2017, the City received the application materials for the renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses for Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 On-Sale Wine and 3.2 Percent Malt Liquor licenses for Joy's Pattaya Thai Restaurant, LLC d/b/a Joy's Pattaya Thai Restaurant, 7545 Lyndale Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 30, 2017, the City received the application and other required documents for On-Sale Wine and 3.2 Percent Malt Liquor licenses for Joy's Pattaya Thai Restaurant.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Travelers Casualty Insurance Company of America affording the coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 97% of the total sales, while liquor accounted for 3% of the total sales.

- Environmental health staff received three complaints regarding Joy's Pattaya Thai Restaurant for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The On-Sale Wine and 3.2 Percent Malt Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of On-Sale Wine and 3.2 Percent Malt Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the Resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicant would not be able to obtain On-Sale Wine and 3.2 Percent Malt Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Joy's Pattaya Thai Restaurant representative.

**ATTACHMENTS:**

	Description	Type
▢	Joy's Pattaya Background Summary/ Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR JOY'S PATTAYA THAI RESTAURANT, LLC d/b/a JOY'S PATTAYA THAI  
RESTAURANT

Officers:

Dale Mueller, Owner  
Joy Mueller, Owner

Criminal History:

Dale Mueller has no known criminal record. Joy Mueller, who also serves as the On-Premise Manager, has no known criminal record.

Premises:

Donald Johnson of JSB Corporation, Bloomington, Minnesota, is the owner of the property. The current lease with the applicants is in effect with all payments current.

Record of Service Calls:

There was one Public Safety/Police contact with Joy's Pattaya Thai Restaurant from October 2016 through September 2017. This compares with two contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

There have been no violations for the sale of alcohol to underage youth with Joy's Pattaya Thai Restaurant.

Routine Information:

On-Sale Wine and 3.2 Percent Malt Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of On-Sale Wine and 3.2 Percent Malt Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## Joy's Pattaya Thai Restaurant

### Directors and Officers

Dale Mueller  
Joy Mueller

Owner  
Owner

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## PUBLIC SAFETY CONTACTS

October 2016 through September 2017

### Joy's Pattaya Thai Restaurant

	<u>2016</u>	<u>2017</u>
<b><u>TOTAL CONTACTS</u></b>	<b>2</b>	<b>1</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>0</b>	<b>1</b>
Incidents (see bottom of page for specifics)	(0)	(1)
Alarm	(0)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>2</b>	<b>0</b>
Assists	(1)	(0)
Traffic	(1)	(0)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(0)

The criminal contact from October 2016 through September 2017 was: one fraud.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 228**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of 2018 Club On-Sale Intoxicating and Sunday Liquor licenses for Fred Babcock V.F.W. Post No. 5555 d/b/a Four Nickels Food and Drink, 6715 Lakeshore Drive.**

**EXECUTIVE SUMMARY:**

On October 27, 2017, the City received the application materials for the renewal of Club On-Sale and Sunday Liquor licenses, for Fred Babcock V.F.W. Post No. 5555 d/b/a Four Nickels Food and Drink. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

This agenda item is the first request out of two for the renewal of Club On-Sale and Sunday Liquor licenses. Of the remaining one, if no Council member objects, the Council may conduct a single public hearing for the license approvals and may pass both of the resolutions with a single motion. If a single/individual public hearing is called, the Mayor should require each speaker to identify the particular license to which the person is speaking. Any Council member may request the question be divided, if the Council member wishes to address any one or all of the proposed resolutions by a separate motion.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 Club On-Sale and Sunday Liquor licenses for Fred Babcock V.F.W. Post No. 5555 d/b/a Four Nickels Food and Drink, 6715 Lakeshore Drive.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 27, 2017, the City received the application and other required documents for Club On-Sale and Sunday Liquor licenses for Fred Babcock V.F.W. Post No. 5555 d/b/a Four Nickels Food and Drink.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Integrity Mutual Insurance Co. affording coverage. Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 50% of the total sales, while liquor accounted for 50% of the total sales. Due to the fact they are a club/veterans organization, they are exempt from meeting the code requirement that states, "more than 50% of business activities must be related to the service of food".
- Environmental health staff has received no complaints regarding Fred Babcock V.F.W. Post No. 5555 d/b/a Four Nickels Food and Drink for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The Club On-Sale and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of Club On-Sale and Sunday Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of the Resolution has been given to the owners of the establishment.


**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean that the current applicants would not be able to obtain Club On-Sale and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

V.F.W. representative.

**ATTACHMENTS:**

Description	Type
<div>  VFW Background Summary/Breakdown of Public Safety contacts </div>	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR FRED BABCOCK V.F.W. POST NO. 5555 d/b/a FOUR NICKELS FOOD AND  
DRINK

Officers:

Deborah Vangel, Commander  
David Dahlquist, Sr. Commander  
John Barnes, Quarter Master

Criminal History:

Deborah Vangel has no known criminal record. David Dahlquist has no known criminal record. John Barnes has no known criminal record. Patricia Lobert, who serves as the General Manager has no known criminal record.

Premises:

Gramercy Park Cooperative at Lake Shore Drive is the owner of the property. The lease between the applicant and the property owner is in effect with all payments current.

Record of Service Calls:

There were 12 Public Safety/Police contacts with Four Nickels Food & Drink from October 2016 through September 2017. This compares with eight contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

The most recent violation for the sale of alcohol to underage youth with Four Nickels Food & Drink was April 3, 2008.

Routine Information:

Club On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal of Club On-Sale and Sunday Liquor licenses.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## **Four Nickels Food and Drink**

### **Directors and Officers**

Deborah Vangel  
David Dahlquist  
John Barnes

Commander  
Sr. Commander  
Quarter Master

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Four Nickels Food and Drink**

	<b><u>2016</u></b>	<b><u>2017</u></b>
<b><u>TOTAL CONTACTS</u></b>	<b>8</b>	<b>12</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>5</b>	<b>8</b>
Incidents (see bottom of page for specifics)	(4)	(8)
Alarm	(1)	(0)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>3</b>	<b>4</b>
Assists	(1)	(3)
Traffic	(2)	(0)
Inspections/Licensing	(0)	(0)
Medical/Fire	(0)	(1)

The criminal contacts from October 2016 through September 2017 were: two hit and runs, one suspicious activity, one intoxicating person, one theft, one auto theft and two disturbances.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 229**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing for the consideration of the renewal of the 2018 Club On-Sale and Sunday Liquor licenses for Minneapolis-Richfield American Legion Post No. 435, 6501 Portland Avenue South.**

**EXECUTIVE SUMMARY:**

On November 1, 2017, the City received the application materials for the renewal of Club On-Sale and Sunday Liquor licenses for Minneapolis-Richfield American Legion Post No. 435, 6501 Portland Avenue South. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 Club On-Sale and Sunday Liquor licenses for the Minneapolis-Richfield American Legion Post No. 435, 6501 Portland Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On November 1, 2017, the City received the application materials for the renewal of Club On-Sale and Sunday Liquor licenses for Minneapolis-Richfield American Legion Post No. 435.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- Proof of liquor liability insurance coverage has been received showing Integrity Mutual Insurance Co. affording coverage.
- Workers' compensation insurance has also been supplied.
- An accountant's statement has been prepared and submitted. This statement covers the period from October 2016 through September 2017, and indicates food sales accounted for 28%, while liquor accounted for 72% of the total sales. Due to the fact they are a club/veterans organization, they are exempt from meeting the code requirement that states, "more than 50% of business

activities must be related to the service of food".

- Environmental health staff received two complaints regarding the Minneapolis-Richfield American Legion for the previous year.

The Public Safety background investigation has been completed. The results of the investigation are summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The Club On-Sale and Sunday Liquor licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202 requires owners of Club On-Sale and Sunday Liquor establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

The requirements of Resolution No. 9511 must be met, which outlines the discipline expected if any ongoing problems occur. A copy of the Resolution has been given to the owners of the establishment.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain Club On-Sale and Sunday Liquor licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

American Legion representative

**ATTACHMENTS:**

Description	Type
D Mpls-Richfield American Legion Summary/Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR MINNEAPOLIS-RICHFIELD AMERICAN LEGION POST No. 435

Officers:

Thomas Hendrickson, Commander  
Robert Newcomb, Finance Officer

Criminal History:

Thomas Hendrickson has no known criminal record. Robert Newcomb has a DWI conviction from 2014. Richard Hervieux, who serves as the General Manager has no known criminal record.

Premises:

MPLS Richfield Post 435 is the owner of the property.

Record of Service Calls:

There were 48 Public Safety/Police contacts with Minneapolis-Richfield American Legion Post 435 from October 2016 through September 2017. This compares with 21 contacts for the previous year. A breakdown of these contacts is attached to this report.

Violations:

The most recent violation for the sale of alcohol to underage youth with Minneapolis-Richfield American Legion was March 19, 2010.

Routine Information:

Club On-Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distant requirements to notify neighbors of the issuance or renewal on Club On-Sale and Sunday Liquor sales.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.



## Minneapolis-Richfield American Legion Post No. 435

### Directors and Officers

Thomas Eckhoff  
Robert Newcomb

Commander  
Finance Officer

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### PUBLIC SAFETY CONTACTS

October 2016 through September 2017

## Minneapolis-Richfield American Legion Post No. 435

	<u>2016</u>	<u>2017</u>
<b><u>TOTAL CONTACTS</u></b>	<b>21</b>	<b>48</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>11</b>	<b>23</b>
Incidents (see bottom of page for specifics)	(10)	(15)
Alarm	(1)	(8)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>10</b>	<b>25</b>
Assists	(5)	12
Traffic	(4)	9
Inspections/Licensing	(0)	(0)
Medical/Fire	(1)	4

The criminal contacts from October 2016 through September 2017 were: one burglary, two damage to property, one auto theft, two disturbances, one kid call, one hit and run, three intoxicated people, two fireworks complaints, one terroristic threat, one theft and eight alarms.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 230**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
11/22/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public Hearing for the consideration of the renewal of 2018 Pawnbroker and Secondhand Goods Dealer licenses for Metro Pawn & Gun, Inc. 7529 Lyndale Avenue South.**

**EXECUTIVE SUMMARY:**

On October 31, 2017, the City received the application materials for the renewal of Pawnbroker and Secondhand Goods Dealer licenses for Metro Pawn & Gun, Inc. 7529 Lyndale Avenue South. All required information and documents have been provided. All licensing fees have been received.

The Public Safety Director has reviewed the background information and attached documents and approves of its contents and sees no basis for denial.

This agenda item is the only request for the renewal of Pawnbroker and Secondhand Goods Dealer licenses.

**RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Approve the renewal of 2018 Pawnbroker and Secondhand Goods Dealer licenses for Metro Pawn & Gun, Inc. 7529 Lyndale Avenue South.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

On October 31, 2017, the City received the application and other required documents for Pawnbroker and Secondhand Goods Dealer licenses for Metro Pawn & Gun, Inc.

The applicant has satisfied the following requirements for issuance of a license:

- The required license fees have been paid.
- Real estate taxes are paid and current.
- The \$5,000 bond has been submitted.
- Environmental health staff has received no complaints regarding Metro Pawn & Gun in the previous year.

The Public Safety background investigation has been completed. The results of the investigation are

summarized in an attachment to this report. The Public Safety Director has reviewed the information in the background investigation report. There is no information in the investigation that shows any cause for recommending denial of the requested licenses.

The Pawnbroker and Secondhand Goods Dealer licenses will expire on December 31, 2017.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Sections 1186 and 1187 require owners of Pawnbroker and Secondhand Goods Dealer establishments to comply with all of the provisions of both City Code and State Statutes.

**C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

There are no legal issues.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council could decide to deny the requested licenses, which would mean the current applicants would not be able to obtain Pawnbroker and Secondhand Goods Dealer licenses.
- Schedule the hearing for another date. However, this may delay the licensing process.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Metro Pawn & Gun, Inc. representative.

**ATTACHMENTS:**

Description	Type
□ Metro Pawn & Gun, Inc Background Summary/ Breakdown of Public Safety contacts	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION REPORT  
FOR METRO PAWN & GUN, INC.

Officers:

Mark Nichols, Owner  
Elizabeth Nichols, Owner

Criminal History:

Mark Nichols has no known criminal record. Elizabeth Nichols has no known criminal record. John Kunst, who serves as the On-Premise Manager, has no known criminal record.

Premises:

Lynrich Properties, LLC is the owner of the property. All payments are current.

Record of Service Calls:

There were 10 Public Safety/Police contacts with Metro Pawn & Gun, Inc. from October 2016 through September 2017. This compares with seven contacts for the previous year. A breakdown of these contacts is attached to this report.

Routine Information:

The owner of the business continues to act in a cooperative manner with the Public Safety Department on the recovery of stolen articles.

The Notice of Public Hearing was published in the Richfield Sun Current on November 30, 2017.

## **Metro Pawn & Gun, Inc.**

### **Directors and Officers**

Mark Nichols	Owner
Elizabeth Nichols	Owner

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## **PUBLIC SAFETY CONTACTS**

**October 2016 through September 2017**

### **Metro Pawn & Gun, Inc.**

<b><u>TOTAL CONTACTS</u></b>	<b><u>2016</u></b> <b>7</b>	<b><u>2017</u></b> <b>10</b>
<b><u>CRIMINAL CONTACTS</u></b>	<b>5</b>	<b>4</b>
Incidents (see bottom of page for specifics)	(5)	(3)
Alarm	(0)	(1)
<b><u>MISC. NON-CRIMINAL</u></b>	<b>2</b>	<b>6</b>
Assists	(0)	(2)
Traffic	(1)	(4)
Inspections/Licensing	(0)	(0)
Medical/Fire	(1)	(0)

The criminal contacts from October 2016 through September 2017 were: one credit card fraud, two suspicious vehicles and one alarm.

(Numbers in parenthesis are included in total contact figures)



**STAFF REPORT NO. 231**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Melissa Poehlman, Asst. Community Development Director

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
12/4/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing and consideration of the approval of a transitory ordinance vacating a portion of 67th Street East right-of-way and a storm sewer easement within The Chamberlain development.**

**EXECUTIVE SUMMARY:**

The City Council approved plans for The Chamberlain project (approximately 283 new apartments, 33 renovated apartments, and a 2-block extension of Richfield Parkway) on September 26, 2017. A condition of this approval is the platting of land within the development area. As part of the plat review process, the city considers whether or not existing easements should remain in place or be vacated; two segments of 67th Street and a storm sewer easement were identified for vacation. One segment of the 67th Street right-of-way in question was largely removed in 2007 and construction of The Chamberlain project will eliminate any potential for reopening this connection from 17th to 18th Avenue. The other segment of 67th Street was constructed as a temporary connection between 18th Avenue, south of the roundabout and Cedar Avenue. This area is beneath a proposed building. A new 67th Street connection, between the Vinocopia property (6636 Cedar Ave) and the development will be constructed as part of the project. Finally, there is an existing storm sewer that will be removed as part of the project; the easement over this area should also be vacated. Easements for all new roads and utilities shall be incorporated into the plat.

**RECOMMENDED ACTION:**

**Conduct and close a public hearing and by motion: Approve a second reading a transitory ordinance vacating a portion of 67th Street East right-of-way and a storm sewer easement within The Chamberlain development area.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- See Executive Summary.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The Council may by ordinance vacate a street, alley, public grounds or a part thereof, on its own motion or upon the petition of the owners of half of the land abutting the street, alley, public grounds or part thereof, to be vacated.

- The Housing and Redevelopment Authority is the owner of more than 50% of the land abutting the right-of-way and considered a petition requesting the vacation on November 20, 2017.
- Kraus-Anderson and Richfield Apartments LLC comprise more than 50% of the land abutting the storm sewer easement and have petitioned for its vacation.
- No vacation may be made unless it appears to be in the interest of the public to do so.
- Easements for identified utilities and drainage must be dedicated in the plat.

**C. CRITICAL TIMING ISSUES:**

- A first reading of the ordinance was approved on November 28, 2017.
- This vacation shall be contingent upon approval and recording of the final plat.

**D. FINANCIAL IMPACT:**

- N/A

**E. LEGAL CONSIDERATION:**

- Notice of the public hearing was published in the *Sun Current* newspaper, as required.
- The City Attorney's office has reviewed the proposed vacation.

**ALTERNATIVE RECOMMENDATION(S):**

- Reject the ordinance with a finding that the vacation would not be in the public interest.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Inland Development Partners Representative(s)

**ATTACHMENTS:**

Description	Type
□ Ordinance	Ordinance
□ 67th Street Vacations	Exhibit
□ Storm Sewer Easement Area	Exhibit
□ Site Plan with Vacation Areas Identified	Exhibit

**BILL NO.**

**TRANSITORY ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY EASEMENTS**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1: The following described lands are subject to the easements as described below for public street right-of-way and storm sewer purposes:

That part of 67th Street East as dedicated on the plat of WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which lies westerly of a line drawn from the southeast corner of Lot 8, Block 2 to the northeast corner of Lot 1, Block 3 and lies easterly of a line drawn from the southwest corner of Lot 8, Block 2 to the northwest corner of Lot 1, Block 3, all in said WEXLER'S ADDITION.

("Street Easement #1")

AND

That part of 67th Street East that approximately lies on Lots 1, 2, 15 and 16, Block 4, WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota lying westerly of the west right of way line of Cedar Avenue and lying easterly of the east right of way line of 18th Avenue South, as shown on said WEXLER'S ADDITION.

("Street Easement #2")

AND

A permanent easement for the construction, operation, maintenance, and repair of a storm sewer under and across the easterly twenty (20) feet of Lots 15 and 16, Block 4, WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

(the "Storm Easement")

Sec. 2: Street Easement #1 and Street Easement #2 are not required for access to the abutting properties.

Sec. 3: The following public facilities are located in Street Easement #1: water and storm sewer.



Sec. 4: The following facilities are reported to be located in the Street Easement #1: electric, cable, and telephone/internet. The City has notified the service providers for electric, cable, and telephone/internet of the proposed vacation.

Sec. 5: Electric, cable, and telephone/internet services will be relocated by the developer as part of the project which consists of platting and developing the underlying property as WEXLER'S SECOND ADDITION (the "Project").

Sec. 6: The Council finds that there is not a public need for Street Easement #1 or Street Easement #2.

Sec. 7: The storm sewer and sanitary sewer lines within the Storm Easement shall be removed by the developer as part of the Project.

Sec. 8: The City of Richfield held the first reading of this Ordinance on November 28, 2017 and second reading on December 12, 2017. Legal notice was published in the City's official newspaper as required by ordinance.

Sec. 9: Street Easement #1, Street Easement #2, and the Storm Easement are vacated conditioned upon the approval by the City Council and recording of the plat for WEXLER'S SECOND ADDITION.

Sec. 10: The vacation of Street Easement #1, Street Easement #2, and the Storm Easement are effective immediately following 30 days after publication of this Ordinance, provided that the final plat for WEXLER'S SECOND ADDITION has been recorded.

Sec. 11: The City Clerk is directed to prepare a certificate of completion of vacation proceedings and to record the vacation in the office of the Hennepin County Registrar of Titles or Hennepin County Recorder, as appropriate.

Passed by the City Council of the City of Richfield, Minnesota this \_\_\_\_\_, 2017.

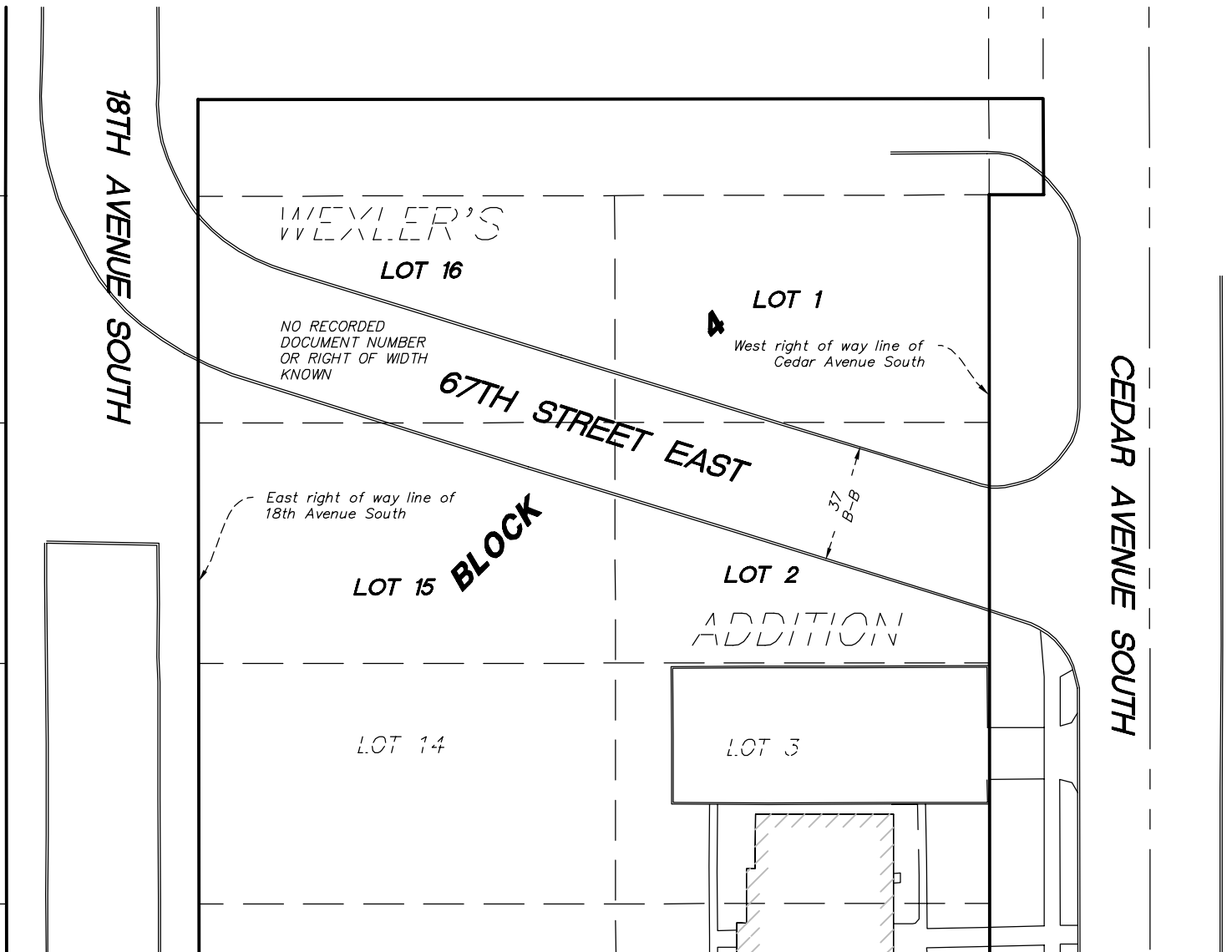
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Pat Elliott, Mayor

ATTEST:

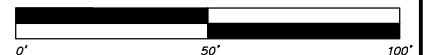
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Elizabeth VanHoose, City Clerk



#### 67TH STREET EAST ROAD VACATION

That part of 67th Street East that approximately lies on Lots 1, 2, 15 and 16, Block 4, WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, lying westerly of the west right of way line of Cedar Avenue and lying easterly of the east right of way line of 18th Avenue South, as shown on said WEXLER'S ADDITION.



Sheet: 1 OF 1

Date: 11/06/17

0011291SKF03.dwg

**Westwood**

Phone (952) 937-5150 7699 Anagram Drive  
Fax (952) 937-5822 Eden Prairie, MN 55344  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

Crew: \_\_\_\_\_

Checked: CWM

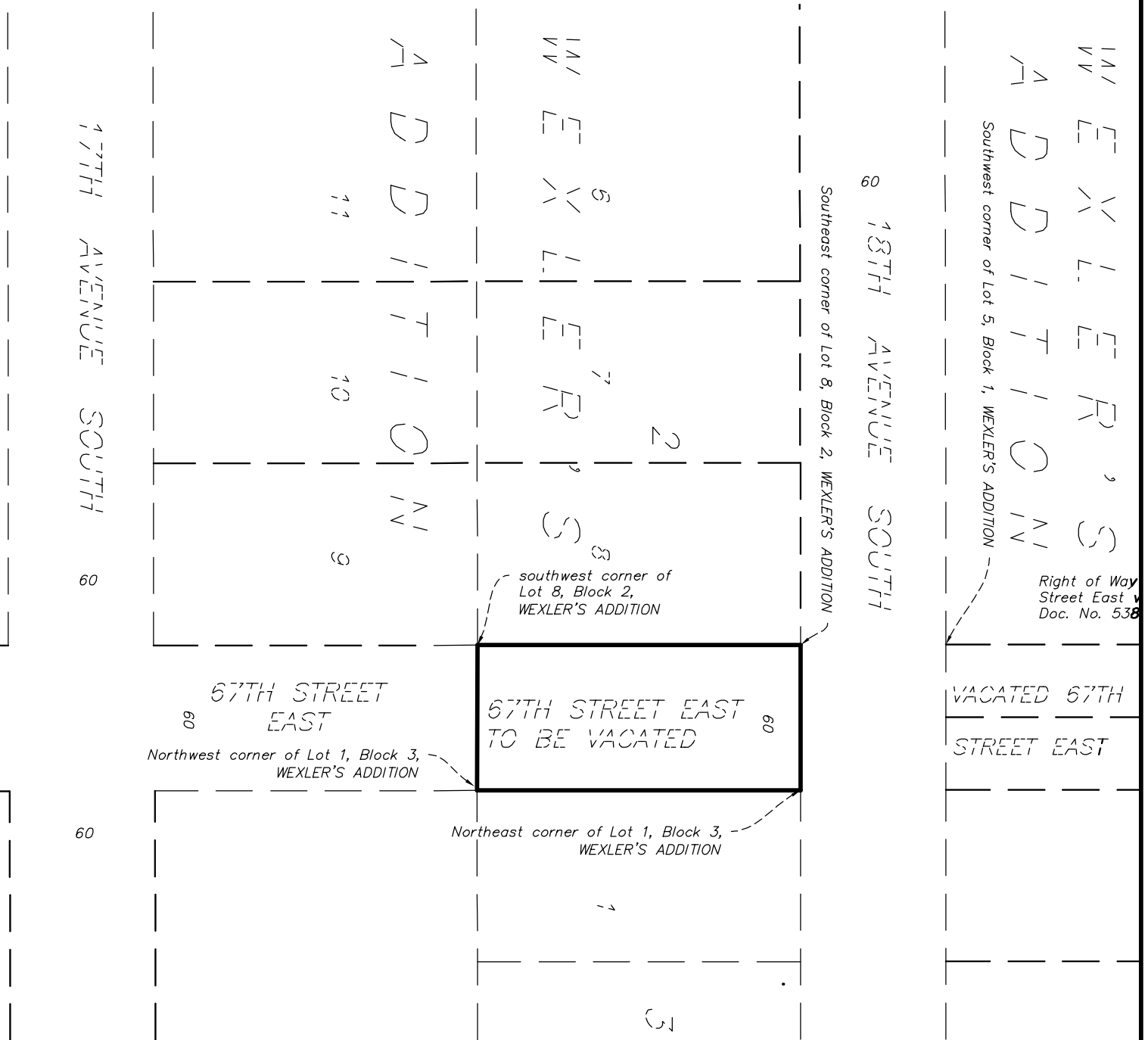
Drawn: BTW

Record Drawing by/date: \_\_\_\_\_

**The Chamberlain**

Richfield, MN

**Right of Way  
Easement  
Vacation  
Sketch**



### 67TH STREET EAST ROAD VACATION

That part of 67th Street East as dedicated on the plat of WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which lies westerly of a line drawn from the southeast corner of Lot 8, Block 2 to the northeast corner of Lot 1, Block 3 and lies easterly of a line drawn from the southwest corner of Lot 8, Block 2 to the northwest corner of Lot 1, Block 3, all in said WEXLER'S ADDITION.



Sheet: **1 OF 1**

Date: **10/30/2017**

0011291SKF02.dwg

**Westwood**

Phone (952) 937-5150 7699 Anagram Drive  
Fax (952) 937-5822 Eden Prairie, MN 55344  
Toll Free (888) 937-5150 [westwoodps.com](http://westwoodps.com)  
Westwood Professional Services, Inc.

Crew: **JMP**

Checked: **CWM**

Drawn: **CWM**

Record Drawing by/date:

**The Chamberlain**

Richfield, MN

**Easement  
Vacation  
Sketch**

18TH AVENUE SOUTH

CEDAR AVENUE SOUTH

VACATED 167TH STREET EAST

Easement for Utility purposes  
per Doc. No. 5386700 (Ex. 18)

Vacated right of way per Doc. No. 5386700, (Ex. 18)

Vacated right of way per  
Doc. No. 5386700, (Ex. 18)

LOT 15

LOT 1

20.00

LOT 15

LOT 2

20.00

Easement for storm sewer and related  
purposes per Doc. No. 3334159,  
and Doc. No. 3344674

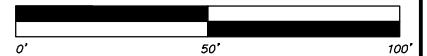
BLOCK 4

LOT 3

LOT 14

**EASEMENTS TO BE VACATED:**

Easements for storm sewer and related purposes recorded as Document Numbers 3334159 and Document Number 3344674, Hennepin County, Minnesota.



Sheet: 1 OF 1

Date: 10/31/2017

0011291ESF01.dwg

**Westwood**

Phone (952) 937-5150 7699 Anagram Drive  
Fax (952) 937-5822 Eden Prairie, MN 55344  
Toll Free (888) 937-5150 [www.westwoodps.com](http://www.westwoodps.com)  
Westwood Professional Services, Inc.

Crew: JMP.

Checked: CWM

Drawn: CWM

Record Drawing by/date:

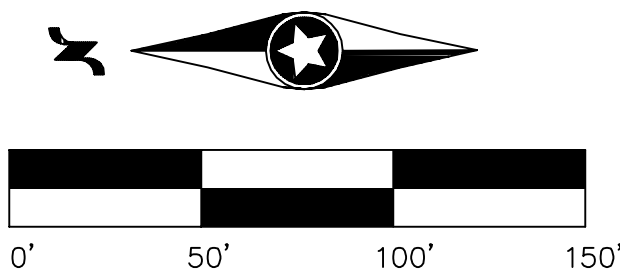
**The Chamberlain**

Richfield, MN

**Easement  
Vacation  
Sketch**

Site Legend

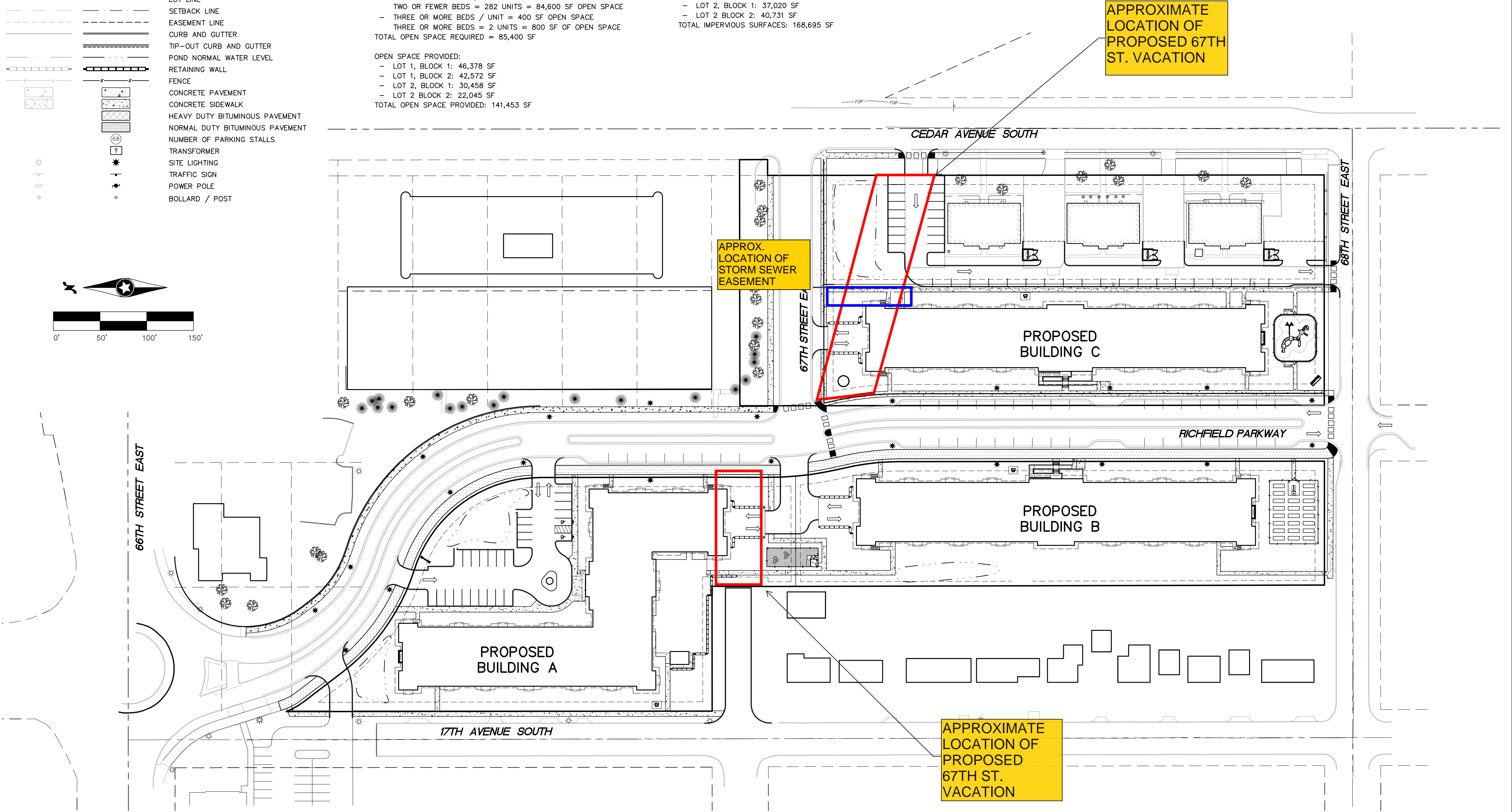
EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEAVY DUTY BITUMINOUS PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST



Site Calculations

OPEN SPACE CALCULATIONS:  
OPEN SPACE REQUIRED:  
- TWO OR FEWER BEDS / UNIT = 300 SF OPEN SPACE  
TWO OR FEWER BEDS = 282 UNITS = 84,600 SF OPEN SPACE  
- THREE OR MORE BEDS / UNIT = 400 SF OPEN SPACE  
THREE OR MORE BEDS = 2 UNITS = 800 SF OF OPEN SPACE  
TOTAL OPEN SPACE REQUIRED = 85,400 SF  
  
OPEN SPACE PROVIDED:  
- LOT 1, BLOCK 1: 46,378 SF  
- LOT 1, BLOCK 2: 42,572 SF  
- LOT 2, BLOCK 1: 30,458 SF  
- LOT 2 BLOCK 2: 22,045 SF  
TOTAL OPEN SPACE PROVIDED: 141,453 SF

IMPERVIOUS SURFACE CALCULATIONS:  
- LOT 1, BLOCK 1: 57,961 SF  
- LOT 1, BLOCK 2: 32,983 SF  
- LOT 2, BLOCK 1: 37,020 SF  
- LOT 2 BLOCK 2: 40,731 SF  
TOTAL IMPERVIOUS SURFACES: 168,695 SF





**STAFF REPORT NO. 232**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Melissa Poehlman, Asst. Community Development Director

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
11/20/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Public hearing and consideration of the approval of a resolution granting approval of the preliminary and final plat of the Wexler's Second Addition (for The Chamberlain project).**

**EXECUTIVE SUMMARY:**

The City Council approved plans for The Chamberlain project (approximately 283 new apartments, 33 renovated apartments, and a 2-block extension of Richfield Parkway) on September 26, 2017. The proposed plat of Wexler's Second Addition will combine a number of single-family lots and adjacent vacated right-of-way into two legal parcels on which the three new buildings and three existing buildings will be located.

The proposed plat has been reviewed by the City's Engineering Department and the City Attorney's Office. In conjunction with platting, the City will move forward to vacate a small portion of 67th Street that lies entirely within the boundaries of the development and a storm sewer easement that will no longer be necessary.

**RECOMMENDED ACTION:**

**Conduct and close a public hearing and by motion: Approve a resolution granting approval of the final plat of Wexler's Second Addition.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- None

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- All plats or subdivisions of land in the City must be approved by Council resolution pursuant to the provisions of Minnesota State Statutes 462.357.

**C. CRITICAL TIMING ISSUES:**

- Per State Statute, the City has 120 days from the date of submittal of a complete application to issue a decision regarding plat unless the applicant agrees to an extension.
- The final plat application was received by the City on October 4, 2017. The City Council must render a decision by February 1, 2018.

**D. FINANCIAL IMPACT:**

- None

E. **LEGAL CONSIDERATION:**

- Notice of this public hearing was published in the *Sun Current*.

**ALTERNATIVE RECOMMENDATION(S):**

- None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Representative(s) of Inland Development Partners LLC

**ATTACHMENTS:**

Description		Type
<input type="checkbox"/>	Resolution	Resolution Letter
<input type="checkbox"/>	Plat	Exhibit

**RESOLUTION NO.**

**RESOLUTION GRANTING APPROVAL  
OF PRELIMINARY AND FINAL PLATS FOR  
WEXLER'S SECOND ADDITION**

**WHEREAS**, Inland Development Partners LLC has requested approval of preliminary and final plat that combines properties legally described in the attached Exhibit A.

**WHEREAS**, Inland Development Partners LLC has secured purchase agreement and/or consent of the fee owners of the land to make this application; and

**WHEREAS**, the proposed subdivision is to be known as WEXLER'S SECOND ADDITION; and

**WHEREAS**, a public hearing was held on the proposed preliminary and final plat of WEXLER'S SECOND ADDITION on Tuesday, November 14, 2017 at which all interested persons were given the opportunity to be heard; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield, as follows:

1. The proposed preliminary and final plats of WEXLER'S SECOND ADDITION satisfy the requirements of the City's subdivision ordinances.
2. Approval of the preliminary and final plats of WEXLER'S SECOND ADDITION are granted with the following conditions:
  - a. Satisfaction (subject to City Attorney approval) of all items identified in the City Attorney's plat opinion letter dated October 26, 2017.
  - b. Compliance with any other applicable requirements of the Richfield City Code.
  - c. The Applicant must submit two mylar copies of the plat for signature by the City.
  - d. The Applicant must file the final plat with the Hennepin County Recorder or Registrar of Titles within 60 days of the approval of this resolution.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

---

Pat Elliott, Mayor

ATTEST:

---

Elizabeth VanHoose, City Clerk



**EXHIBIT A**  
**LEGAL DESCRIPTION**

Lot 16, Block 2 and Lot 1 and Lot 2, Block 3 all in WEXLER'S ADDITION.

TOGETHER WITH

Lots 3 through 15, inclusive, Block 2; Lots 3 through 8, inclusive, Block 3; Lots 1 through 16, inclusive, Block 4, all in WEXLER'S ADDITION.

TOGETHER WITH

That part of 67th Street East as dedicated on the plat of WEXLER' ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which lies westerly of a line drawn from the southeast corner of Lot 8, Block 2 to the northeast corner of Lot 1, Block 3 and lies easterly of a line drawn from the southwest corner of Lot 8, Block 2 to the northwest corner of Lot 1, Block 3, all in said WEXLER' ADDITION.

TOGETHER WITH

That part of vacated south half of 67th Street East as dedicated on the plat of WEXLER' ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which lies westerly of a line drawn from the southeast corner of Lot 5, Block 1 to the northeast corner of Lot 1, Block 4 and lies easterly of a line drawn from the southwest corner of Lot 6, Block 1 to the northwest corner of Lot 1, Block 4, all in said WEXLER'S ADDITION.

TOGETHER WITH

That part of the West 17.00 feet of vacated Cedar Avenue as dedicated on the plat of WEXLER' ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which abuts said vacated south half of 67th Street East.

# CHAMBERLAIN APARTMENTS

R.T. DOC. NO. \_\_\_\_\_

C.R. DOC. NO. \_\_\_\_\_

**KNOW ALL PERSONS BY THESE PRESENTS:** That the Housing and Redevelopment Authority in and for the City of Richfield, a public body corporate and politic of the State of Minnesota, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

TORRENS  
Lot 16, Block 2 and Lot 1 and Lot 2, Block 3 all in WEXLER'S ADDITION.

TOGETHER WITH

ABSTRACT  
Lots 3 through 15, inclusive, Block 2; Lots 3 through 8, inclusive, Block 3; Lot 1 and Lot 2, Lots 9 through 16, inclusive, Block 4, all in WEXLER'S ADDITION.

TOGETHER WITH

That part of vacated south half of 67th Street East as dedicated on the plat of WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which lies westerly of a line drawn from the southeast corner of Lot 5, Block 1 to the northeast corner of Lot 1, Block 4 and lies easterly of a line drawn from the southwest corner of Lot 6, Block 1 to the northwest corner of Lot 1, Block 4, all in said WEXLER'S ADDITION.

TOGETHER WITH

That part of the West 17.00 feet of vacated Cedar Avenue as dedicated on the plat of WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which abuts said vacated south half of 67th Street East.

That Kraus-Anderson, Incorporated, a Minnesota corporation, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

ABSTRACT  
Lots 3 through 8, inclusive, Block 4, WEXLER'S ADDITION.

That the City of Richfield, a Minnesota Municipal Corporation, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

ABSTRACT  
That part of vacated 67th Street East as dedicated on the plat of WEXLER'S ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, which lies westerly of a line drawn from the southeast corner of Lot 8, Block 2 to the northeast corner of Lot 1, Block 3 and lies easterly of a line drawn from the southwest corner of Lot 8, Block 2 to the northwest corner of Lot 1, Block 3, all in said WEXLER'S ADDITION.

Has caused the same to be surveyed and platted as CHAMBERLAIN APARTMENTS and does hereby dedicate to the public for public use forever the public ways and also dedicates the easements as shown on this plat for drainage and utility purposes as shown on this plat.

In witness whereof said Housing and Redevelopment Authority in and for the City of Richfield, a public body corporate and politic of the State of Minnesota, has caused these presents to be signed by its proper officers this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

## HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF RICHFIELD, MINNESOTA

By \_\_\_\_\_  
Mary B. Supple, its Chairperson

By \_\_\_\_\_  
Steven L. Devich, its Executive Director

**STATE OF MINNESOTA**  
**COUNTY OF \_\_\_\_\_**  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Mary B. Supple, its Chairperson and Steven L. Devich, its Executive Director of Housing and Redevelopment Authority in and for the City of Richfield, a public body corporate and politic of the State of Minnesota, has caused these presents to be signed by its proper officers this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, on behalf of the a public body corporate and politic.

\_\_\_\_\_  
(Signature) (Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

In witness whereof said Kraus-Anderson, Incorporated, a Minnesota corporation, has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

## KRAUS-ANDERSON, INCORPORATED, A MINNESOTA CORPORATION

By \_\_\_\_\_  
Bruce W. Engelsma, its chief executive officer

**STATE OF MINNESOTA**  
**COUNTY OF \_\_\_\_\_**  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Bruce W. Engelsma, its chief executive officer of Kraus-Anderson, Incorporated, a Minnesota corporation, has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, on behalf of the corporation.

\_\_\_\_\_  
(Signature) (Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

In witness whereof said City of Richfield, a Minnesota Municipal Corporation, has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

## CITY OF RICHFIELD, A MINNESOTA MUNICIPAL CORPORATION

By \_\_\_\_\_ its \_\_\_\_\_

**COUNTY OF \_\_\_\_\_**  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, its \_\_\_\_\_ of City of Richfield, a Minnesota Municipal Corporation, on behalf of the corporation.

\_\_\_\_\_  
(Signature) (Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

I Craig W. Morse do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Craig W. Morse, Land Surveyor  
Minnesota License No. 23021

**STATE OF MINNESOTA**  
**COUNTY OF \_\_\_\_\_**  
This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Craig W. Morse.

\_\_\_\_\_  
(Signature) (Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

**RICHFIELD, MINNESOTA**  
This plat of CHAMBERLAIN APARTMENTS was approved and accepted by the City Council of Richfield, Minnesota, at a regular meeting thereof held this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subdivision 2.

## CITY COUNCIL OF RICHFIELD, MINNESOTA

By \_\_\_\_\_ By \_\_\_\_\_  
Mayor Manager

**RESIDENT AND REAL ESTATE SERVICES.** Hennepin County, Minnesota  
I hereby certify that taxes payable in 20\_\_\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Mark V. Chapin, County Auditor By \_\_\_\_\_  
Deputy

**SURVEY DIVISION,** Hennepin County, Minnesota  
Pursuant to MINN. STAT. Sec. 383B.565 (1969) this plat has been approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chris F. Mavis, County Surveyor By \_\_\_\_\_

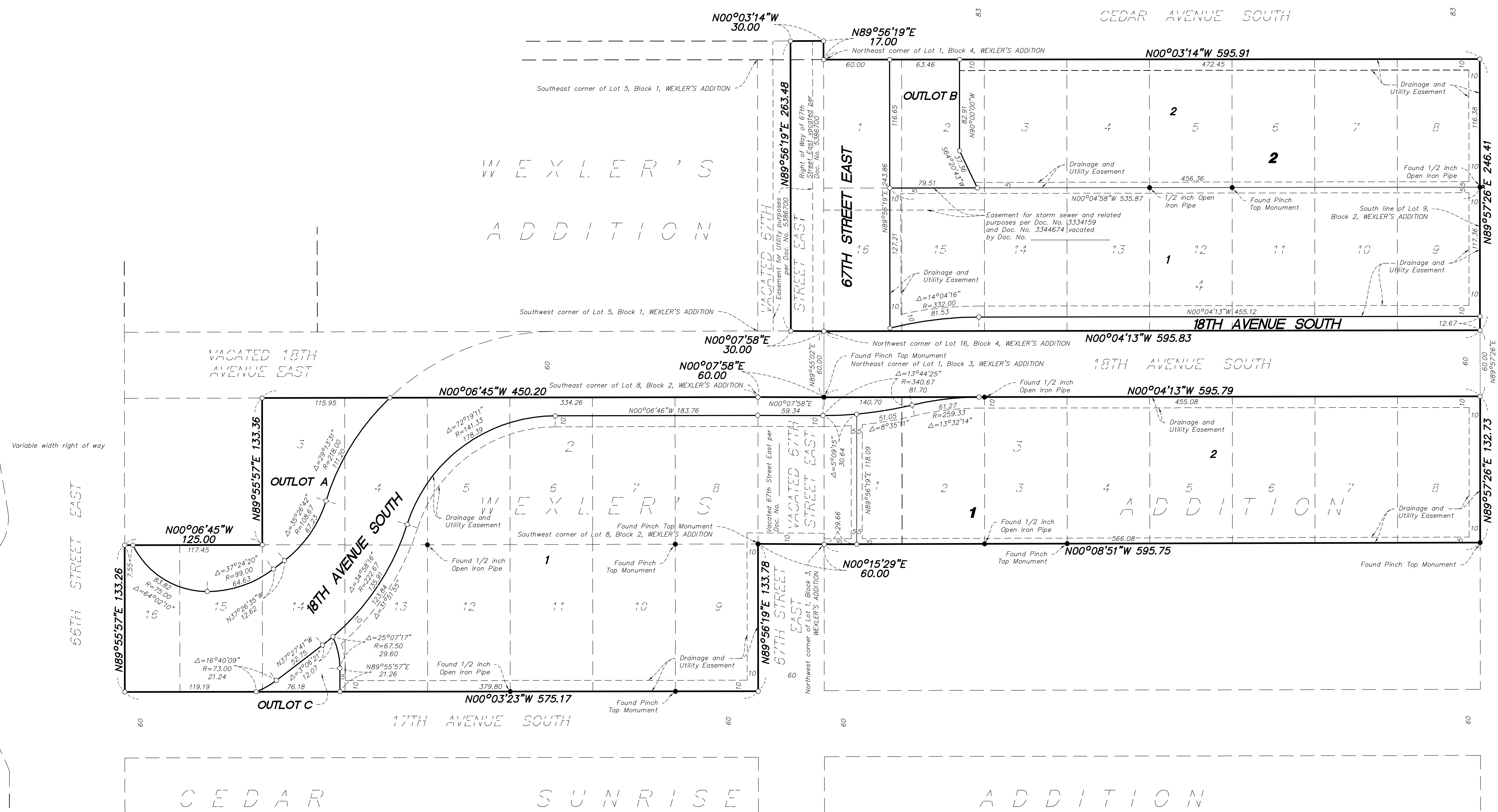
**COUNTY RECORDER.** Hennepin County, Minnesota  
I hereby certify that the within plat of CHAMBERLAIN APARTMENTS recorded in this office this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_ o'clock \_\_\_\_M.

Martin McCormick, County Recorder By \_\_\_\_\_  
Deputy

**REGISTRAR OF TITLES.** Hennepin County, Minnesota  
I hereby certify that the within plat of CHAMBERLAIN APARTMENTS was filed in this office this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_ o'clock \_\_\_\_M.

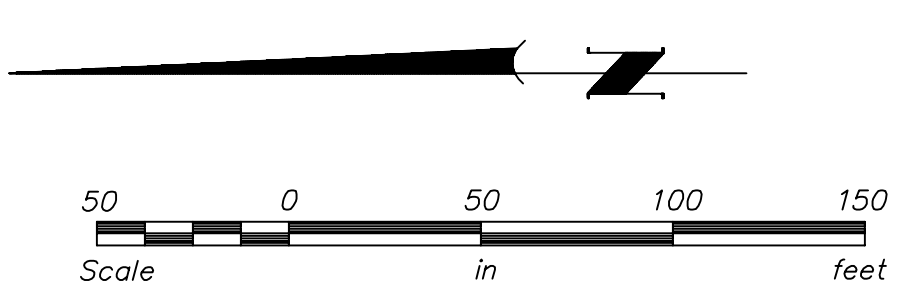
Martin McCormick, Registrar of Titles By \_\_\_\_\_  
Deputy

# CHAMBERLAIN APARTMENTS



The south line of Lot 9, Block 2, WEXLER'S ADDITION is assumed to bear N89°57'26"E.

- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 23021
- Denotes 1/2 inch iron rebar found and marked by License No. 23021, unless otherwise indicated.





**STAFF REPORT NO. 233**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Chris Regis, Finance Manager

DEPARTMENT DIRECTOR REVIEW: Steven L. Devich, City Manager  
12/6/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of resolutions approving the 2017 Revised/2018 Proposed budget and tax levy and related resolutions.**

**EXECUTIVE SUMMARY:**

On September 12, 2017, the City Council approved and certified a preliminary tax levy of \$20,399,828 and an Economic Development Authority (EDA) levy of \$560,467 to Hennepin County.

At the September 12, 2017 meeting, staff presented these levies as two separate levies. However, per state statutes, the EDA levy is part of the City's levy, and it is included on the City's tax rate, not on the special taxing district tax rate. Therefore, subsequent to that meeting, the City has refined its 2018 proposed budget and tax levy to include the EDA levy in the City's general tax levy.

In light of the fact that the EDA levy is included in the City's general tax levy and in order to mitigate the impact this has on the levy, staff is recommending an increase of \$335,000 in budgeted Local Government Aid revenues, which in essence reduces the overall levy.

Accordingly, with the additional local government aid included in the levy calculations, staff is now presenting to the City Council a gross tax levy of \$20,621,911, which includes a levy for general fund operations of \$15,995,394, a debt service levy of \$2,910,328, a tax abatement levy of \$370,722, an equipment levy of \$785,000, and an EDA levy of \$560,467. The gross levy, which now includes the EDA levy, now represents a 6.11% increase from the 2017 gross levy.

The final tax levy of \$20,621,911 must now be considered and approved by the City Council. Taxpayers have received individual parcel specific tax notices in anticipation of the truth-in-taxation hearing.

The City of Richfield conducted and closed its 2017 truth-in-taxation hearing on December 5, 2017. During the course of the public hearing, there was an opportunity for testimony from the general public. Information was also presented by staff regarding the proposed levy and budget. No official City Council action to act on the levy was permissible on the day of the public hearing.

Included for your consideration are salary increases for non-represented employee pay plans. The proposed increases are 3.00% for the Management, General Services, and the Specialized pay plans. The increases

are effective the first full pay period of January 2018.

**RECOMMENDED ACTION:**

**By motion: Approve the resolutions approving the 2017 Revised/2018 Proposed budget and tax levy and related resolutions.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- N/A

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- A revised 2017 budget and final 2018 budget and tax levy must be adopted on or before December 29, 2017.
- Cities then have five working days after December 20 or no later than December 29 to prepare all the documentation necessary to certify a final levy to the County Auditor and State Department of Revenue.
- A proposed 2018 tax levy has been submitted to the City Council for consideration.
- Several related resolutions included within the total budget document need to be considered. These related resolutions are itemized in the attachment section of this staff report.

**C. CRITICAL TIMING ISSUES:**

- None

**D. FINANCIAL IMPACT:**

- The proposed gross tax levy for 2018 is \$20,621,911, which includes an EDA levy of \$560,467.
- The gross tax levy for 2018 reflects a 6.11% increase from the previous year's gross levy.
- The City's tax capacity rate will increase from 56.8488% in 2017 to 57.388% in 2018.
- 3.00% wage increase for Management, General Services, Specialized pay plan employees effective January 2018.

**E. LEGAL CONSIDERATION:**

- A truth-in-taxation public hearing for the 2018 proposed budget and tax levy was conducted on December 5, 2017.

**ALTERNATIVE RECOMMENDATION(S):**

- The City Council could adopt a final 2018 budget and tax levy in any amount, which does not exceed the levy of \$20,621,911.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A

**ATTACHMENTS:**

Description	Type
❑ Resolution adopting a proposed budget and tax levy for the year 2018.	Resolution Letter
❑ Resolution authorizing budget revisions.	Resolution Letter
❑ Resolution authorizing revision of 2017 budget of various departments.	Resolution Letter
❑ Resolution authorizing adjustment to City's mileage reimbursement rate to conform to Internal Revenue Service statutory mileage reimbursement rate.	Resolution Letter
❑ Resolution adopting the 2018 Capital Improvement Budget.	Resolution Letter
❑ Resolution adopting the 2019-2022 Capital Improvement Program.	Resolution Letter

▣	Resolution relating to purchasing practices in the City of Richfield.	Resolution Letter
▣	Resolution establishing wastewater service rates and charges, water rates and charges, special water service charges, storm sewer rates and charges, street light rates and charges, and 6.5% penalty on past due accounts.	Resolution Letter
▣	Resolution establishing a Public Works On-Call compensation policy.	Resolution Letter
▣	Resolution establishing 2018 license, permit and miscellaneous fees pursuant to the provisions of appendix D of the ordinance code of the City of Richfield.	Resolution Letter
▣	Resolution approving the Car Allowance policy.	Resolution Letter
▣	Resolution relating to the 2018 General Services Salary Compensation Plan.	Resolution Letter
▣	Resolution relating to the 2018 Management Salary Compensation Plan.	Resolution Letter
▣	Resolution relating to the 2018 Specialized Pay Plan.	Resolution Letter

**RESOLUTION NO.  
RESOLUTION ADOPTING A BUDGET AND TAX LEVY  
FOR THE YEAR 2018**

**WHEREAS**, the Minnesota Truth in Taxation law provides for a proposed tax levy to be certified to the County Auditor by September 29, 2017 and then recertified before December 29, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield, Minnesota as follows:

1. The budget for the City of Richfield for the year 2018 is hereby approved and adopted with appropriations for each of the departments to be as follows:

General Fund

Legislative/Executive	\$ 902,290
Administrative Services	1,466,170
Public Safety	9,067,810
Fire Services	4,274,500
Community Development	1,426,480
Public Works	4,074,100
Recreation Services	1,943,660
Transfers Out	195,000
<b>TOTAL GENERAL FUND</b>	<u><u>\$23,350,010</u></u>

2. The estimated gross revenue of the City of Richfield from all sources, including general ad valorem tax levies as hereinafter set forth for the year 2018 which are more fully detailed in the City Manager's official copy of the 2018 budget, are hereby found and determined to be as follows:

TOTAL GENERAL FUND      \$23,350,010

3. There is hereby levied upon all taxable property in the City of Richfield a direct ad valorem tax in the year 2017, payable in 2018 for the following purposes and in the following amounts:

<u>PURPOSE</u>	<u>AMOUNT</u>
General Fund <sup>1</sup>	\$15,995,394 <sup>2</sup>
Equipment	785,000
Economic Development Authority	560,467
Debt Service	2,910,328
Cedar Point Tax Abatement	370,722

<sup>1</sup> Provision has been made in the General Fund for the payment of the City's contributory share to Public Employees' Retirement Association.

<sup>2</sup> General Fund Levy includes all fiscal disparities distribution amounts.

4. The debt service tax levy as established in the bond documents for the G.O. Street Reconstruction Bonds, Series 2012A, will be reduced from \$140,081 to \$127,701 due to the use surplus bond proceeds from the issue.
5. The debt service tax levy as established in the bond documents for the G.O. Street Reconstruction Bonds, Series 2015A will be reduced from \$629,534 to \$280,501 due to the utilization of gas and electric franchise fees.
6. The budget for the Housing and Redevelopment Authority of Richfield for the year 2018 is hereby ratified and approved. There is hereby levied upon all taxable property in the City of Richfield a direct ad valorem tax in the year 2017, payable in 2018 for the following purposes:

<u>PURPOSE</u>	<u>AMOUNT</u>
Housing and Redevelopment Authority	\$571,905

7. A certified copy of this resolution shall be transmitted to the County Auditor.

Adopted by the City Council of the City of Richfield, Minnesota this 12<sup>th</sup> day of December 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk



**RESOLUTION NO.**  
**RESOLUTION AUTHORIZING BUDGET REVISIONS**

**WHEREAS**, the City Charter and Minnesota Statutes provide for a process for adopting an annual budget and tax levy; and

**WHEREAS**, the City Charter provides certain authority for the City Manager and/or City Council to revise the annual budget; and

**WHEREAS**, it would be beneficial to restate such authority with the adoption of the budget.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield, Minnesota as follows:

The City Manager may increase the budget by City Council action provided that unbudgeted receipts will be available to equal or exceed the increased expenditures.

The City Manager may authorize transfers between divisions within a department providing the transfers do not increase or decrease the department or total budget.

The City Manager may transfer budgeted amounts between departments only with the approval of the City Council.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

## RESOLUTION NO.

### RESOLUTION AUTHORIZING REVISION OF 2017 BUDGET OF VARIOUS DEPARTMENTS

**WHEREAS**, Resolution No. 11302 appropriated funds for personal services, other expenses and capital outlays for each department of the City for the year of 2017; and

**WHEREAS**, The City Charter, Chapter 7, Section 7.09, gives the Council authority to transfer unencumbered appropriation balances from one department to another within the same fund at the request of the City Manager; and

**WHEREAS**, The City Manager has requested a revision of the 2017 budget appropriations in accordance with Charter provisions and as detailed in the Proposed 2018 budget document.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield, Minnesota as follows:

1. That the 2017 appropriations for each department of the General Fund be amended to establish the following totals:

<u>General Fund</u>	
Legislative/Executive	\$ 867,640
Administrative Services	1,441,510
Public Safety	8,562,100
Fire Services	4,150,030
Community Development	1,393,060
Public Works	3,968,540
Recreation Services	1,882,790
Transfer Out	175,000
TOTAL GENERAL FUND	<u>\$22,440,670</u>
DECREASE	<u>\$ 293,200</u>

2. Estimated 2017 gross revenue of the City of Richfield from all sources, as the same are more fully detailed in the City Manager's official copy of the proposed 2018 budget, are hereby revised as follows:

DECREASE	<u>\$293,200</u>
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3. That the City Manager and the Finance Manager bring into effect the provisions of this resolution.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk



**RESOLUTION NO.**  
**RESOLUTION AUTHORIZING ADJUSTMENT TO CITY'S MILEAGE**  
**REIMBURSEMENT RATE TO CONFORM TO INTERNAL REVENUE SERVICE**  
**STATUTORY MILEAGE REIMBURSEMENT RATE**

**WHEREAS**, the Internal Revenue Service periodically adjusts the business mileage reimbursement rate; and

**WHEREAS**, the City of Richfield's present mileage reimbursement is in conformance with the Internal Revenue Service business mileage reimbursement rate; and

**NOW , THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota:

1. That the City Manager of Richfield is hereby authorized and directed to adjust the City's mileage reimbursement rate to be in conformance with Internal Revenue Service guidelines.
2. That the City's mileage reimbursement rate is not to exceed the Internal Revenue Service guidelines.

Approved by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

**RESOLUTION NO.**

**RESOLUTION ADOPTING THE 2018 CAPITAL IMPROVEMENT BUDGET**

**WHEREAS**, a proposed Capital Improvement Budget for 2018 has been prepared and submitted for review by the City Council in accordance with charter requirements; and

**WHEREAS**, the City Council has received the recommendations and benefit of review of these proposed documents by the Planning Commission and has itself reviewed these proposals.

**NOW, THEREFORE, BE IT RESOLVED** that the 2018 Capital Improvement Budget in the sum total of \$13,060,000 is hereby approved as amended and adopted with full recognition of the fact that the cost estimates are approximate and are subject to final cost estimates and that all awards of contracts for these projects are subject to necessary hearings and must be approved by the City Council in accordance with established laws and practices governing such action, and

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to initiate the procedures which will lead to more formal and detailed consideration of these projects in accordance with the aforementioned laws and practices.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

**RESOLUTION NO.**  
**RESOLUTION ADOPTING THE 2019-2022 CAPITAL IMPROVEMENT PROGRAM**

**WHEREAS**, a proposed Capital Improvement Program 2019-2022 has been prepared for review by the Planning Commission in accordance with charter requirements; and

**WHEREAS**, the City Council has received the recommendations and benefit of review of these proposed documents by the Planning Commission and has itself reviewed these proposals.

**NOW, THEREFORE, BE IT RESOLVED** that the 2019-2022 Capital Improvement Program is hereby approved and adopted subject to annual review and revision;

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to initiate the procedures which will lead to more formal and detailed consideration of these projects in accordance with the aforementioned laws and practices.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

**RESOLUTION NO.**

**RESOLUTION RELATING TO PURCHASING PRACTICES IN THE CITY OF  
RICHFIELD AMENDING RESOLUTION NO. 11308**

**WHEREAS**, the City Manager of the City of Richfield has purchasing authority pursuant to the City Charter and Administrative Ordinance Code; and

**WHEREAS**, the City Charter and Administrative Ordinance Code expressly state a purchasing authority limit for the City Manager, and

**WHEREAS**, all purchases in excess of \$100,000 will require approval by City Council.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield as follows:

That the City Manager of the City of Richfield is hereby granted the authority to enter into contracts or approve purchases on behalf of the City of Richfield up to, but not to exceed \$100,000.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

## RESOLUTION NO.

### RESOLUTION ESTABLISHING WASTEWATER SERVICE RATES AND CHARGES, WATER RATES AND CHARGES, SPECIAL WATER SERVICE CHARGES, STORM SEWER RATES AND CHARGES, STREET LIGHT RATES AND CHARGES, AND 6.5% PENALTY ON PAST DUE ACCOUNTS

**BE IT RESOLVED** by the City Council of the City of Richfield, Minnesota, as follows:

#### SANITARY SEWER SERVICE RATES AND CHARGES FOR 2018

1. Pursuant to the provisions of Section 705.0 of the Ordinance Code of the City of Richfield, the rates and charges for use and service of the sanitary sewer system are hereby established to be those set forth in the following paragraphs of this resolution which rescinds Resolution No. 11309:
2. Where the rate is not based upon the metered use of water, the following quarterly flat charges are established effective January 1, 2018 for each billing district as defined in paragraph 3 of this resolution.

		<u>2018</u>
A)	Residential per unit	\$102.75
B) Commercial -		
	For the equivalent of 10 or less persons	\$102.75
	More than 10, less than 15	187.14
	More than 15, less than 20	262.12
	More than 20, less than 26	349.80
C) Institutional -		
For each public or private school the quarterly flat charge shall be charged whether the school is in session or not (rates being charged upon average yearly use); shall be based upon the number of students enrolled at the beginning of the quarterly billing period or the preceding period if school is not then in session; and shall be as follows:		
		<u>2018</u>
	For each 100 grade school students or fraction in excess thereof	\$ 107.58
	For each 100 junior high school students or high School students or fraction thereof	158.07
D)	In addition to the above flat rates there shall be a customer Charge on each invoice as determined in paragraph 4 of this resolution and a certification charge as determined in Section 705.0 of the City Ordinance Code.	

3. Where the rate for sanitary sewer service is based upon the metered use of water on the premises, such rates shall be as follows:



- A) For all residential premises the rate shall be based on The actual use, or less of water for the preceding winter quarter, per thousand gallons with a minimum of 7,000 gallons, effective January 1, 2018, for each customer billing district and shall be as follows: 2018  
\$ 5.12

For the purpose of this paragraph A), the winter quarter shall be the winter quarter as specified in Subdivision 3 of said section 705.0.

- B) For all commercial, institutional, industrial, and other premises, the rate per thousand gallons of water effective January 1, 2018, shall be as follows: \$ 5.12

- C) A customer charge shall be made for each invoice rendered effective January 1, 2018 as follows: \$ 10.00

If the invoice is for water service, as well as sanitary sewer service, the customer charge, when collected, shall be allocated proportionally between the City's water fund, sewer fund, and its storm sewer fund based on the user fees billed for by each fund.

- D) Where the metered use of water on the premises for the preceding winter quarter was not normal, the rate may be adjusted as provided in Subdivision 3 of said Section 705.0.

4. The foregoing rates and charges are in addition to, and not in lieu of, other rates and charges established by ordinance or resolution.
5. The Metropolitan Airports Commission (MAC) will be charged a sanitary sewer rate based on the Met Council Environmental Services (MCES) rate plus 15% for Inflow/Infiltration and \$1,000.00 per quarter for administration costs.

#### WATER RATES AND CHARGES FOR 2018

1. Pursuant to the provisions of Section 715.0 of the Ordinance Code of the City of Richfield, the rates and charges for City water and water service are hereby established to be those set forth in the following paragraphs of this resolution:

The charges due and payable to the City by each water customer of the City, during any quarter shall be based upon the Conservation Rate Structure.

- |               |  |
|---------------|--|
| Water-Tier 1: | The first tier rate is (\$3.55 per thousand) charged for consumption of the first 15,000 gallons.                            |
| Water-Tier 2: | The second tier rate is (\$4.27 per thousand) charged for consumption of 15,001 gallons but less or equal to 25,000 gallons. |
| Water-Tier 3: | The third tier rate is (\$5.13 per thousand) charged for consumption in excess of 25,001 gallons.                            |

Irrigation accounts: All consumption will be charged at the (\$5.13 per thousand) water-tier 3 rate.

The Conservation Rate Structure applies to multi-unit and residential premises. Commercial, institutional or industrial will only be subject to the Water-tier 1 rates for domestic use, irrigation accounts will be subject to the Water-tier 3 rate.

Water charges shall be payable quarterly, and all bills issued after January 1, 2018 shall be at this rate.

#### SPECIAL WATER SERVICE CHARGES FOR 2018

1. Pursuant to the provisions of Section 715.0 of the Ordinance Code of the City of Richfield, the rates and charges for special customer services are hereby established to be those set forth in the following paragraphs of this resolution:
2. The charge for establishing a new customer account shall be \$15.00 per account.
3. The charge for installation of meters shall be \$50.00 per installation.
4. The charge to flush and maintain fire hydrants located on privately owned property within the City shall be \$50.00 per hydrant per year plus any required parts.
5. The charge to thaw and service water pipes on customer property shall be actual cost to the City plus thirty percent.
6. The charge for any other services not covered by the above shall be based on actual hourly cost to the City plus thirty percent.
7. The MN lab fee will be \$6.36.

#### STORM SEWER RATES AND CHARGES FOR 2018

1. Pursuant to the provisions of Section 720.0 of the Ordinance Code of the City of Richfield, the rates and charges for City storm sewer service are hereby established to be those set forth in the following paragraphs of this resolution:
2. The rates and charges for the use and availability of the system are determined through the use of a "Residential Equivalent Factor" (REF). One REF is defined as the ratio of the average volume of surface runoff coming from one acre of land and subjected to a particular use, to the average volume of runoff coming from one acre of land subjected to typical single-family residential use within the City during a standard one year rainfall event. The REF's for the following land uses within the City and the billing classifications for such land uses are as follows:

<u>LAND USES</u>	<u>REF</u>	<u>CLASSIFICATION</u>
Cemeteries	.25	1
Parks and railroads	.75	2
Two-family residential	1.00	3
Single-family residential	1.00	4
Public and private schools and institutional uses	1.25	5

Multiple-family residential uses and churches	3.00	6
Commercial, industrial, and Warehouse uses	5.00	7

3. The basic system quarterly rate for storm sewer service is \$88.90 per acre of land. \$17.78 is the quarterly rate for a single-family residence, which is considered to have an acreage of one-fifth acre. The charge made against each parcel of land is then determined by multiplying the REF for the parcel's land use classification times the parcel's acreage times the basic system rate.

### STREET LIGHT RATES AND CHARGES FOR 2018

- Pursuant to the provisions of Minnesota State Statutes, Section 429.101 and Section 825 of the Ordinance Code of the City of Richfield, the rates and charges for City street light service are hereby established to be those set forth in the following paragraphs of this resolution:
- The street light fee for residential single family property is \$5.77 per quarter.
- Rates for other land uses will be determined by land use types based on the following table:

#### STREET LIGHT LAND USES:

COM	All commercial properties, to include multifamily residents (apartments) and industrial parcels.
RES	All residentially coded parcels.
PUB	Public buildings, i.e. City Hall, City Garage, and Fire Stations
CHURCH	All Churches also to include cemeteries and activity buildings associated with a Church
SCH	All schools, to include private and public schools.
PRK	All parks owned by the City of Richfield, also to include Nature Centers and all "properties" located within city park parcels
DPLX	Addresses that split a residential lot, to include townhomes, 3-plexes, and 4-plexes.

LAND USE CODE	MULTIPLIER	To Bill FACTOR
COM (acres>0.2)	5*	(5 x ACREAGE)
if acres≤0.2	----	1
RES	----	1
PUB (acres>0.2)	5	(5 x ACREAGE)
if acres ≤0.2	----	1
CHURCH (acres>0.2)	1.25**	(1.25 x ACREAGE)
if acres ≤0.8	----	1
if acres ≤0.2	----	1
SCH (acres>0.2)	1.25	(1.25 x ACREAGE)
if acres ≤0.8	----	1
if acres ≤0.2	----	1
PRK	1.25	(1.25 x ACREAGE)
DPLX	----	0.5

4. The multiplier of "5" is based on the definition that a residential lot is 1/5 of an acre; hence multiplying acreage by 5 produces the equivalent number of residential lots.
5. The multiplier of "1.25" " is based on the definition that a residential lot is 1/5 of an acre and multiplying acreage by 5 produces the equivalent number of residential lots. However, the total area of each parcel is not proportional to the number of street lights in an equivalent residential area so the factor of 5 is reduced by 75%, producing 1.25.

#### 6.5% PENALTY ON PAST DUE ACCOUNTS

1. Customers will have twenty eight (28) days to pay their water, sanitary sewer, storm sewer, and street light quarterly bills from the date of the mailing by the City. Any unpaid amount will be added to the next quarterly bill along with a 6.5% penalty on the delinquent amount.
2. The penalty charge when billed on past due accounts shall be allocated proportionally between the City's water fund, sewer fund, and storm sewer fund based on the user fees billed for each fund.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December, 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

**RESOLUTION NO.**

**RESOLUTION ESTABLISHING A PUBLIC WORKS ON-CALL COMPENSATION  
POLICY**

**WHEREAS**, the City Council has determined to provide Public Works Superintendent/Managers/Supervisors compensation for being on-call for possible Public Works emergencies; and

**WHEREAS**, the good judgment of a Public Works Superintendent/Managers/Supervisors is needed to provide quality response to Public Works emergencies such as water main breaks, street light knock downs, and sewer main back ups; and

**WHEREAS**, the City Council finds it necessary to establish a policy to provide such employees with on-call compensation.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Richfield hereby adopts the following On-call Compensation Policy:

Public Works Superintendents/Managers/Supervisors who remain on-call by carrying the emergency cell phone (or similar device) for a period of one week will be compensated at a rate established annually as part of the budget preparation process, beginning with \$120 a month in 2018.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of December 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

## RESOLUTION NO.

### RESOLUTION ESTABLISHING 2018 LICENSE, PERMIT AND MISCELLANEOUS FEES PURSUANT TO THE PROVISIONS OF APPENDIX D OF THE ORDINANCE CODE OF THE CITY OF RICHFIELD RESCINDING RESOLUTION NO. 11311

BE IT RESOLVED by the City Council of the City of Richfield, Minnesota as follows:

#### Section 1. - Establishing Fees.

- A. License, permit and miscellaneous fees required under the ordinances of the City of Richfield shall be as stated in the sections of this resolution.
- B. A period of no less than 30 days will be allowed for the remittance of City Business license renewal fees contained in Sections 5, 6, 7, 8 and 9 of this resolution.
- C. A 10% administrative surcharge will be assessed upon all renewals contained in Section 5, 6, 7, 8 and 9 of the resolution if not received by the City on or before December 31st of each year. The 10% surcharge will be based upon the cost of the license.
- D. Nothing in this section shall be deemed to require the City to issue or renew any license for which the fee has not been paid in a timely manner.

#### Section 2. - Construction and Related License Fees.

Type of Permit or License	Section Requiring	Description	Fee
(1) Heating and Ventilating Installer	400.07	1 Year	\$ 80.00
(2) Sign Installer	416.01—416.13	1 Year	\$ 80.00
(3) Electrical Installer	400.03—400.09	State License Required	
(4) Plumber	400.03—400.09	State License Required	
(5) Well Driller	620	State License Required	

#### Section 3. - Public Works Fees.

Type of Permit or License	Section Requiring	Description	Fee
(1) Benches	805.01— 805.27	First Year	\$ 80.00

		Renewal	\$ 30.00
(2) Boulevard feature Permit	811.07	a) Application to place a privately owned feature in the boulevard	\$ 30.00
		b) If applied for after installation of feature has begun	\$ 60.00
(3) Excavation in Public Right of way	800.01—800.15	a) For each transverse excavation and each 100 feet or portion thereof longitudinal excavation and for each 100 feet of curb and gutter or portion thereof installed or driveway apron installed, except when survey and grade stakes are set by City	\$ 125.00
		b) If applied for after excavation has begun	\$ 250.00
		c) For each pothole	\$ 20.00
(4) Pole Attachment /Small Cell Facilities Permit	802	a) Application to attach, collocate, or construct pole or pole attachment on City facilities in the City Right-of-way	\$1,500/unit
		a) Annual rental fee per attachment to collocate on the city structure, per agreement	Up to \$150/unit
		a) Annual maintenance fee associated with the collocation, per agreement	Up to \$25/unit
		Monthly Electrical Fees a) Radio node less than or equal to 100 maximum watts b) Radio node over 100 maximum watts c) The actual cost of electricity	\$73.00/node \$182.00/node
(5) Forestry Permit	810	Applies only to trees on City property and public ROW	\$ 50.00
(6) Seasonal Load Limit		a) Per load	\$ 25.00

Exemption			
		b) If applied for after delivery	\$ 50.00
(7) Obstruction Permit	802.17	(a) Short term, temporary single lane closure of less than four hours	No fee
		(b) Lane closures longer than four hours' duration (or if between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m.)	
		Arterial	
		Day (per block or portion thereof)	\$ 60.00
		Full Closure (per block or portion thereof)	\$ 300.00
		Collector	
		Day (per block or portion thereof)	\$ 30.00
		Full Closure (per block or portion thereof)	\$ 75.00
		Local/Residential	
		Day (per block or portion thereof)	\$ 15.00
		Full Closure (per block or portion thereof)	\$ 45.00
		Sidewalk/Bike Lanes	
		Day	\$ 30.00
		If applied for after obstruction closure has begun	
		(c) Short term, temporary single lane closure less than four hours	No fee
		(d) Lane closures longer than four hours' duration (or if between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m.)	



		Arterial	
		Day (per block or portion thereof)	\$ 120.00
		Full Closure (per block or portion thereof)	\$ 300.00
		Collector	
		Day (per block or portion thereof)	\$ 60.00
		Full Closure (per block or portion thereof)	\$ 150.00
		Local/Residential	
		Day (per block or portion thereof)	\$ 30.00
		Full Closure (per block or portion thereof)	\$ 90.00
		Sidewalk	
		Day	\$ 60.00
		If the closures are not removed by the permitted completion date, then additional Days will be charged at double the rate	
(8) Noise Ordinance Exemption	930.35	(a) With conditions added as required	\$ 50.00
		(b) If applied for after violation	\$ 100.00
(9) Certification Charge	705.03— 705.21	All delinquent accounts	\$ 50.00
(10) NSF Check Charge			\$ 30.00
(11) Utility Services			

Sanitary Sewer	700.05	All land uses	
New Service			\$ 125.00
Repair			\$ 125.00
Disconnect			\$ 125.00
Replacement			\$ 125.00
Sewer Service Line Televising			\$ 75.00
Water Service	715.01	All land uses	\$ 125.00
New Service			\$ 125.00
Repair			\$ 125.00
Disconnect			\$ 125.00
Replacement			
Turn on/off			\$ 50.00
Meter Installation			\$ 50.00
Private Hydrant			\$ 50.00
Storm Sewer	720	All land uses	
New Service			\$ 125.00
Repair			\$ 125.00
Disconnect			\$ 125.00
Replacement			\$ 125.00

(12) Street Light Banners	855.05	First time applicant to hang street light banners within a district of for an event.	\$ 50.00
		Per street light banner installation (no existing hardware)	\$ 20.00
		Per street light banner installation if supporting hardware exists on the light pole.	\$ 10.00
		Per street light banner removal	\$ 10.00
		Permit Renewal: Annually for both decorative and event banners, unless banner design has changed, then full application fee is charged. If annual renewal is not completed, the permittee risks removal of all banners at the permittee's expense.	\$ 10.00

#### **Section 4. - Fire Services Fees.**

Type of Permit or License	Section Requiring	Description	Fee
(1) Fire Prevention Code	400.21— 400.29	For initial fee required under code Per Year	\$ 70.00
		For each additional fee required under code	\$ 15.00
		Penalty If not renewed within 2 months of notification Per Year	\$ 50.00
(2) Daycare/Adult Foster Care Facility Inspection			\$ 50.00
(3) Reimbursement Fee for Fire/Rescue Unit		Per Hour	\$ 350.00
(4) Sale of Consumer	1131	(a) License per location selling only	\$ 350.00

Fireworks		consumer fireworks Per Year	
		(b) License per location of each other retail seller Per Year	\$ 100.00

### Section 5. - Amusement and Recreation Licenses and Permits.

Type of Permit or License	Section Requiring	Description	Fee
(1) Arcade	1105	1 Year	\$ 559.00
(2) Amusement Device	1100.01	(a) Mechanical Amusement Device (Pinball) 1 Year	\$ 15.00
		(b) Mechanical Music Box 1 Year	\$ 15.00
		(c) Video Games 1 Year	\$ 15.00
(3) Lawful Gambling	1100.13	Bingo, Tipboard, Paddle Wheel, Raffle, Pull Tabs	State Fee
(4) Itinerant Place of Amusement	1100.05— 1100.11	1 Day	\$ 301.00
(5) Public Dance	1110.03	For each day dances are held: 1 month:	\$ \$3.00 \$ 48.00
		No fee for locations holding tavern licenses.	
(6) General Amusement	1100.03	(a) Billiard, Pool or Pigeonhole table (each) 1 Year	\$ 15.00

		1. Coin operated 1 Year	\$ 15.00
		(b) Bowling Alley (per lane) 1 Year	\$ 46.00
		(c) Circus 1 Year	\$ 202.00
		(d) Dance Hall 1 Day	\$ 202.00
		(e) Golf	
		1. Miniature 1 Year	\$ 47.00
		2. Driving Tee 1 Year	\$ 47.00
		(f) Mountback 1 Day	\$ 193.00
		(g) Rides, mechanical/animal of any kind (ea) 1 Year	\$ 15.00
		(h) Shows, any kind 1 Day	\$ 193.00
		(i) Shuffleboard (each lane) 1 Year	\$ 16.00
		(j) Other games 1 Day	\$ 15.00
(7) Musical Concert	1110.01	Per event	\$ 48.00
(8) Theatre Cinema	1120	1 Year	\$ 235.00
		Plus a notice publication fee	\$ 7.00
(9) Roller Rink	1115	1 Year or portion thereof	\$ 235.00
(10) Commercial Adult- Oriented Enterprises	605	1 Year	\$ 2,792.00

		Investigation fee 1 Year	\$ 2,792.00
(11) Masseur/Masseuse	605	Certificate fee 1 Year	\$ 94.00
		Investigation fee 1 Year	\$ 235.00
(12) Public Baths	610	1 Year	\$ 3,234.00
		Investigation fee (actual cost minimum)	\$ 3,234.00
(13) Fortune Teller and related trade	1130.05— 1130.07	1 Day	\$ 187.00
		1 Week	\$ 557.00
		1 Month	\$ 1,114.00
		1 Year	\$ 1,682.00
(14) Adult Establishments	1196	Annual license 1 Year	\$ 2,792.00
		Investigation fee (new license)	\$ 2,792.00

#### Section 6. - Animal Licenses and Permits.

Type of Permit or License	Section Requiring	Description	Fee
(1) Animals	905.01— 905.29	(a) Animals (Spayed or Neutered) with option to purchase a multi-year license 1 Year	\$ 15.00
		(b) Animals (Not Spayed or Neutered) 1 Year	\$ 25.00
		(c) Duplicate Animal License	\$ 7.00
		(d) Late Penalty	\$ 10.00
	905.31— 905.33	(e) Commercial Kennel 1 Year	\$ 217.00
		(f) Residential Kennel 1 Year	\$ 100.00

		(g) Veterinary	\$ 217.00
	905.37— 905.39	(h) Pigeons 1 Year	\$ 43.00
	905.41	(i) Non-domestic Animals (Temporary Permit)	\$ 30.00
	905.01— 905.29	(j) Impounding (each animal) 1st time	\$ 64.00
		2nd Time	\$ 127.00
		3rd time (each impound after)	\$ 191.00
		(k) Dangerous dog registration fee State Statute 347.51)	\$ 500.00
	906.13	(l) Beekeeping Registration fee	\$ 30.00

#### **Section 7. - Vehicle and Transportation License and Permit Fees.**

Type of Permit or License	Section Requiring	Description	Fee
(1) Aircraft	1340	1 Day	\$ 54.00
(2) Garbage and Refuse Collection	601.01— 601.33	Commercial and Residential	
		First vehicle 1 Year	\$ 279.00
		Each additional vehicle 1 Year	\$ 59.00
(3) Motor Vehicle Dealer	1155	Per place of business 1 Year	\$ 417.00
		Each additional place of business 1 Year	\$ 158.00
(4) Motor Bicycle	1160	Per place of business 1 Year	\$ 242.00

Business			
		Per place of business to sell, rent or lease 1 Year	\$ 111.00
(5) Sound Truck	1165	Per vehicle 1 Year	\$ 242.00
		Per vehicle 1 Day	\$ 37.00
(6) Taxicab	1170	First vehicle or auto livery 1 Year	\$ 604.00
		Each additional vehicle or auto livery operated at any time within license period 1 Year	\$ 75.00
(7) Taxicab Driver	1175	1 Year	\$ 56.00
(8) Rental or Utility Trailers and Trucks	1185	Each place of business 1 Year	\$ 111.00

#### **Section 8. - Commercial Business and Trade Licenses and Permits.**

Type of Permit or License	Section Requiring	Description	Fee
(1) Firearms Dealer	920.01— 920.05	1 Year	\$ 1,862.00
(2) Food Establishments	617	(A) Type I Establishment, a large 1 year high-risk food establishment serving on average 500 or more meals per day; having 175 or more seats; or having 500 or more customers per day	
		(1) Food service or retail food establishment	\$ 836.00
		(2) School, kindergarten through grade 12	\$ 614.00



		(3) Daycare Center or Preschool	\$ 614.00
		(B) Type II Establishment, a small high-risk food establishment serving on average fewer than 500 meals per day; having fewer than 175 seats; or having fewer than 500 customers per day	
		(1) Food service or retail food establishment	\$ 717.00
		(2) School, kindergarten through grade 12	\$ 478.00
		(3) Daycare Center or Preschool	\$ 478.00
		(C) Type III Establishment, a medium risk food establishment serving mainly non-potentially hazardous foods and potentially hazardous foods prepared elsewhere and only heated or held cold onsite; or serving or retailing foods such as pizza carryout or delivery, requiring handling followed by heat treatment	
		(1) Food service or retail food establishment	\$ 614.00
		(2) School, kindergarten through grade 12	\$ 308.00
		(3) Daycare Center or Preschool	\$ 308.00
		(D) Type IV Establishment, a food establishment with minimal food handling such as preparing coffee, hot dogs, blended or mixed drinks, packaged foods customers heat onsite, continental breakfasts, unpackaged baked goods made elsewhere	
		(1) Food service or retail food establishment	\$ 400.00
		(2) School, kindergarten through grade 12	\$ 185.00

		(3) Daycare Center or Preschool	\$ 185.00
		(E) Type V Establishment, a food establishment with non-potentially hazardous food or food products sold in the original packaging	
		(1) Food service or retail food establishment	\$ 246.00
		(2) School, kindergarten through grade 12	\$ 153.00
		(3) Daycare Center or Preschool	\$ 153.00
		(F) Supplemental Facility	
		(1) High Supplemental Facility (like Type I and II)	\$ 153.00
		(2) Medium Supplemental Facility (like Type III and IV)	\$ 122.00
		(3) Catering Supplemental Facility (for Food Catering Vehicle(s) and equipment)	\$ 185.00
		(4) Low Supplemental Facility (like Type V)	\$ 91.00
		(G) Temporary Food Establishment	
		(1) Complex Temporary 1 to 3 days (like Type I and II)	\$ 153.00
		(2) Complex Temporary 4 to 21 days (like Type I and II)	\$ 277.00
		(3) Simple Temporary 1 to 3 days (like Type III, IV and V)	\$ 64.00
		(4) Simple Temporary 4 to 21 days (like Type III, IV and V)	\$ 148.00
		(5) Temporary Food Multi-Vendor	\$ 800.00

		(H) Farmer's Market Stand (stands not exempted from licensing in Minnesota Statue Chapter 28A)	\$ 185.00
		(I) Vending Machines	
		(1) Food and beverage (except items in 2)	\$ 20.00
		(2) Nuts, gum balls, hard candy and unsorted confections	\$ 15.00
(3) Automobile Washing Establishment	1125	Per calendar Year or fraction thereof	\$ 185.00
(4) Scavenger	601.17	Each vehicle 1 Year	\$ 54.00
		Permit fee for opening cesspool or dumping contents of each cesspool into City sewer	\$ 28.00
(5) Incinerator	601.29— 601.31	1 Year	\$ 54.00
(6) Tobacco	1146.01(MS 461.12)	Retail Sale and Distribution - License issued on calendar Year (cigarette vending machines prohibited) (Bill No. 1998-19)	\$ 467.00
(7) Transient Merchant	1181.01— 1181.09	1 Day	\$ 118.00
(8) Wagon Peddler	1181	1 Year	\$ 280.00
(9) State hawker or Peddler license	1181	6 month/per person covered	\$ 70.00
(10) Canvasser or Solicitor	1181	6 month/per person covered	\$ 70.00
(11) Christmas Tree Sale	1130.03	1 Year	\$ 151.00
(12) Lodging	618	(A) Hotel/Motel	\$ 258.00

Establishments			
		(1) Each Guestroom	\$ 19.00
		(B) Lodging House, lodging accommodation for 5 or more regular roomers, no food provided	
		(1) Five to 25 beds	\$ 246.00
		(2) 26 or more beds, each bed	\$ 11.00
		(C) Small Boarding House, food and lodging accommodations for 5 to 10 regular boarders. Food license included.	
		(1) Five to 10 beds	\$ 246.00
		(D) Large Boarding House, food and lodging accommodations for 11 or more. A separate food license is required.	
		(1) 11 to 25 beds	\$ 246.00
		(2) 26 or more beds, each bed	\$ 11.00
		(E) Bed and Breakfast, food license is included	\$ 246.00
(13) Outdoor Merchandising	1135	Permit	\$ 117.00
(14) Storage Enclosure	1135	Per Enclosure	\$ 102.00
(15) Pawnbroker	1187	(a) Pawnbroker 1 Year	\$ 4,853.00
		(b) Owner investigation fee 1 Year (nonrefundable)	\$ 2,790.00
		(c) Manager investigation fee 1 Year (nonrefundable)	\$ 1,010.00

		(d) Employee investigation fee 1 Year (nonrefundable)	\$ 97.00
		(e) Transaction fee - per transaction	\$ 2.00
(16) Secondhand Goods Dealer	1186	(a) Secondhand Goods Dealer 1 Year	\$ 533.00
		(b) Initial investigation fee (nonrefundable) actual costs in excess of above with total not exceeding	\$ 2,231.00
		Applicant shall deposit \$1,200.00 with Licensing Clerk along with application. Amount in excess of actual application costs shall be refunded.	
(17) Auto Detailing Establishment	1195.01	1 Year	\$ 415.00
(18) Tattoo, Body Piercing, Body Painting or Body Branding	630	(a) Tattoo, body piercing, body painting or body branding 1 Year	\$ 929.00
		(b) Initial investigation fee (nonrefundable) 1 Year	\$ 2,790.00
(19) Temporary Tattoo, Body Piercing, Body Branding and Body painting events	630	Per booth	\$ 54.00
(20) Massage Therapy Enterprise License (Business license)	1188	Annual license 1 Year	\$ 929.00
		Investigation fee (new license)	\$ 929.00
Massage Therapist (Individual		Annual license 1 Year	\$ 94.00

License)			
		Investigation fee (new license)	\$ 94.00
Temporary Massage Therapist License		Per temporary location	\$ 186.00
(21) Public Swimming Pools	619	(A) Indoor	
		(1) First pool	\$ 246.00
		(2) Each additional pool	\$ 122.00
		(B) Outdoor	
		(1) First pool	\$ 246.00
		(2) Each additional pool	\$ 122.00
		(C) School, K through grade 12, pools	
		(1) First pool	\$ 160.00
		(2) Each additional pool	\$ 91.00
(22) Motion pictures and commercial photography permit	1197	Per event Photography Motion picture (based on application)	\$ 50.00 \$ 200.00

**PLAN REVIEW FEE FOR FOOD, THERAPEUTIC MASSAGE AND LODGING**

**PERCENTAGE OF FACILITY INVOLVED WILL BE DETERMINED BY STAFF**

**Descriptions:**

Type I Establishment, a large high-risk food establishment serving on average 500 or more meals per day; having 175 or more seats; or having 500 or more customers per day.

Type II Establishment, a small high-risk food establishment serving on average fewer than 500 meals per day; having fewer than 175 seats; or having fewer than 500 customers per day.

Type III Establishment, a medium risk food establishment serving mainly non-potentially hazardous foods and potentially hazardous foods prepared elsewhere and only heated or held cold onsite; or serving or retailing foods such as pizza carryout or delivery, requiring handling followed by heat treatment.

Type IV Establishment, a food establishment with minimal food handling such as preparing coffee, hot dogs, blended mixed drinks, packaged foods customers heat onsite, continental breakfasts, unpackaged baked goods made elsewhere.

Type V Establishment, a food establishment with non-potentially hazardous food or food products sold in the original packaging.

Environmental plan review—includes the physical remodeling, updating, equipment replacement, equipment additions and the general overall review of all plans/work. This also includes all new development projects.

	New Construction and/or Major Remodel (over 50% of facility involved)	Extensive Remodel (25—50% of facility)	Minor Remodel 0—24% of facility)	Non-remodel approval consultation \$5,000 or less in costs)
Type I	\$2,967.00	\$1,547.00	\$835.00	\$142.00
Type II	\$2,044.00	\$1,119.00	\$622.00	\$142.00
Type III	\$1,119.00	\$623.00	\$372.00	\$142.00
Type IV	\$549.00	\$214.00	\$108.00	No fee
Type V	New project or change of owner - \$ 130.00		Minor remodel - permit but no plan check fee	
Therapeutic Massage	\$ 142.00	\$ 142.00	\$142.00	\$142.00
Lodging	\$2,473.00	\$1,331.00	\$693.00	\$142.00

## Section 9. - Liquor and Related License and Permit Fees.

Type of Permit or License	Section Requiring	Description	Fee
(1) 3.2 Malt Liquor	1202.05	(a) On-Sale 1 Year	\$ 912.00
		(b) Tavern (dance) 1 Year	\$ 745.00
		(c) Wholesale 1 Year	\$ 44.00
		(d) Growler (Micro Brewery Off-Sale Malt Liquor) 1 Year	\$ 175.00
		(e) Off-Sale 1 Year	\$ 264.00
		(f) Club (Bottle Club) 1 Year	\$ 603.00
		(g) Temporary per event	\$ 67.00
(2) Liquor	1202.05	(a) On-Sale 1 Year	\$ 15,036.00
		(b) Sunday (Fee set by state law) 1 Year	\$ 200.00
		(c) Wine 1 Year	\$ 1,325.00
		(d) Taproom (Micro Brew On-Sale Malt Liquor) 1 Year	\$ 700.00
		(e) Cocktail Room (Micro Distillery On Sale) 1 Year	\$ 800.00
		(f) Micro Distillery Off Sale 1 Year	\$ 600.00
		(g) Veterans' Organization (Ex-Sunday) 1 Year	\$ 863.00
		(h) Temporary per event	\$ 137.00
(3) Employee License On-Sale Liquor Establishments	1208.01	Effective 10/1/95 all licenses issued shall be valid for a period of two years from the date of initial application	\$ 37.00



(4) Investigation Fee	1202.01— 1202.21	(a) On-Sale liquor including Veterans' Organization	\$ 824.00 and
		Each person shown on application	\$ 247.00
		Each additional investigation for each person not listed on original or renewal application (excluding Veteran's Organizations)	\$ 247.00
	1202.11	(b) Wine, Taproom, Brewpub, Distillery, and	\$ 824.00
		Each person shown on application	\$ 247.00
		Each additional investigation for each person not listed on original or renewal application	\$ 247.00
	1202.11	Investigation of substitute manager	\$ 103.00

#### **Section 10. - Housing Inspection and Rental License Fees.**

Type of Permit or License	Section Requiring	Description	Fee
(1) License for Apartment Houses and Rental Homes	405	(a) Apartment House 1 Year	\$ 145.00
		Each unit	\$ 15.00
		(b) Rental Home - single family dwelling 1 Year	\$ 145.00
		(c) Duplexes/double bungalows/townhouses	
		First unit 1 Year	\$ 145.00
		Each additional rental unit 1 Year	\$ 85.00

		(d) Late Fee—To be charged each month the license is late	10% of the annual license fee, with a minimum monthly fee of \$50.00 and a maximum monthly fee of \$500.00, charged each month the fee is late
		(e) License Transfer Fee	\$ 50.00
		(f) Reinstatement of suspended license	100% of license fee (minimum \$80.00)
		(g) Reinstatement of Revoked license	200% of license fee
		(h) Re-Inspection Fee	
		1. multi-family	\$80.00 for each building with 4 to 11 units \$100.00 for each building with 12 or more units
		2. single family & duplex	\$50.00 ea.
		(Inspection over standard 2 inspections) Reinspection fees shall be payable at the time of license renewal and no renewal license shall be issued unless all inspection fees are paid	
		(i) Provisional license for apartment house Includes first unit	\$ 290.00
		Each additional unit	\$ 30.00
		Provisional license for Rental Home—single family dwelling 1 Year	\$ 290.00
		Provisional license for duplex	\$ 290.00

		First unit	
		Each additional unit	\$ 170.00
		(j) Investigation fee for operating a rental property without a license	\$ 500.00
(2) Certificate of Housing maintenance Compliance	405.26	Single family home (includes one reinspection)	\$ 150.00
		2-family home (includes one reinspection)	\$ 230.00
		Condominium (includes one reinspection)	\$ 100.00
		Reinspection Fee	\$ 50.00
		Fee to process cash escrow agreement	\$ 50.00
		Fee to process Agreement to Comply	\$ 50.00
(3) Permit Fee for Rooming House	405.15-16	1 Year	\$ 170.00

#### **Section 11. - Miscellaneous Fees.**

Type of Permit or License	Section Requiring	Description	Fee
(1) Permit to reside	1190	In motel for more than six Months	\$ 17.00
(2) Permit to Carry a Gun		Permit Issued By County	
(3) False Alarms (billable)		(a) in excess of 2 for calendar Year	\$ 100.00

		(b) in excess of 10 for calendar Year	\$ 200.00
		(c) in excess of 20 for calendar Year	\$ 300.00
(4) Nuisance Conduct Fee	925	Third call to a property for nuisance conduct within a 365-day period	\$ 250.00
(5) Copying Services Provided		Flat rate (per page)	\$ .25
		Special rate	
		(a) Black & White Photocopy rate	
		8.5 x 11 (per side)	\$ .25
		8.5 x 14 (per side)	\$ .25
		MN Statute 13.03C	
		11 x 17 (each)	\$ .50
		24 x 36 (each)	\$ 2.50
		X-large	\$ 2.50
		Color Photocopy rate	
		8.5 x 11 (per side)	\$ 1.00
		8.5 x 14 (per side)	\$ 2.00
		11 x 17 (each)	\$ 4.00
		24 x 36 (each)	\$ 18.00
		X-large	\$ 3.00/ sq. ft.
		(b) Labor	hourly wage

			& 33%
		(c) Postage	prevailing rate
		(d) Fax per page	\$ .50
		(e) CD of meeting (per CD)	\$ 5.00
		(f) DVD of meeting (per DVD)	\$ 15.00
		(g) Electronic copies (CD or disk)	\$ 5.00
		(h) As builts (per image)	\$ .50
(6) Notary Fee		Fee Set By State	
(7) Candidate Filing Fee	City Charter 4.04		\$ 25.00
(8) Photo Fee		Includes 2 photos	\$ 16.00 including tax
(9) Assessing Fees	Special	Abatement for Filing Homestead	\$ 25.00
		Special Assessment Searches	
		- One free property identification number (PID) search per Day	
		- if more than one search per Day (per search)	\$ 3.00
		Special Assessment Search Report	
		- per PID	\$ 15.00
		Creation of New or Special Report	
		- Fees to be based on time and materials to create	

		report	
		- Minimum Fee	\$ 25.00
		Review of Comparable Property Records	
		Residential Field Card Report	\$ .25
		- for up to five comparable properties (per copy)	
		Commercial/Industrial/Apartment Field	
		Card Report (per copy)	\$ 2.00
		Certified Card Report	\$ 3.00
(10) Domestic Partnership	120	Registration	\$ 30.00
(11) Certified copy of various documents		To certify documents i.e. resolutions, ordinances, minutes, registration forms, etc. on file (per copy)	\$ 5.00
(12) Vacant Building Registration Fee	925	Single Family Home or Duplex - Vacant less than one Year	\$ 100.00
		Single Family Home or Duplex - Vacant one Year or longer	\$ 200.00
		Any other type of property of less than 20,000 square feet in building size AND less than 1 acres of lot size - Vacant less than one Year	\$ 500.00
		Any other type of property of less than 20,000 square feet in building size AND less than 1 acres of lot size - Vacant one Year or longer	\$ 1,000.00
		Any other type of property larger than 20,000 square feet in building size OR more than 1 acres of lot size - Vacant less than one Year	\$ 1,250.00

		Any other type of property larger than 20,000 square feet in building size OR more than 1 acres of lot size - Vacant one year or longer	\$ 2,500.00
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## Section 12. - Room and Park Shelter Rental Fees.

LOCATION	DESCRIPTION	FEE CLASSIFICATION	FEE
Richfield Municipal Center	Bartholomew Room	Civic and non-profit groups and governmental agencies	\$ 75.00/Hr (2-hour minimum)
		Resident groups	\$ 100.00/Hr (2-hour minimum)
		Non-Resident and other groups	\$500.00/4-hour block
Richfield Municipal Center	Heredia Room	Civic and non-profit groups and governmental agencies	\$ 65.00/Hr (2-hour minimum)
		Resident groups	\$ 80.00/Hr (2-hour minimum)
		Non-Resident and other groups	\$400.00/4-hour block
Richfield Municipal Center	Fred Babcock Room	Civic and non-profit groups and governmental agencies	\$ 65.00/Hr (2-hour minimum)
		Resident groups	\$ 80.00/Hr (2-hour minimum)
Richfield Community Center	Augsburg Room Fireside Room Nicollet Room Ruth Johnson Room	Non-Profit  Resident Private	\$ 36.00/Hr  \$ 46.00/Hr

		Non-Resident: Private	\$ 52.00/Hr
	Combined Nicollet/Augsburg or Richfield Room	Non-Profit	\$ 62.00/Hr
		Resident: Private	\$ 74.00/Hr
		Non-Resident: Private	\$ 84.00/Hr
	Kitchen	All Renters	\$ 30.00/booking Free with combined Nicollet/Augsburg room rental
Wood Lake Nature Center	Auditorium	Non-Profit	\$ 36.00/Hr
		Resident: Private	\$ 46.00/Hr
		Non-Resident: Private	\$ 52.00/Hr
Park Buildings (depending on availability)	Augsburg, Christian, Donaldson (East), Jefferson, Madison, Taft, Washington Park Buildings	Resident	\$ 24.18/Hr
		Non-Resident	\$ 28.83/Hr
Park Shelters	Wood Lake Nature Center - Emily Day Pavilion		\$ 74.40/4-hour block
	Fairwood, Monroe, Augsburg Park Shelters		\$ 37.20/4-hour block
	Sheridan Park Shelter		\$ 74.40/4-hour block
	Veterans Park Shelter	<u>Monday – Thursday</u>  Day: 4-Hour Block (Includes Tax)  Evening: 3-Hour Block (Includes Tax)	1 Section: \$116.25 2 Sections: \$186.00 3 Sections: \$251.10  1 Section: \$88.35 2 Sections: \$144.15 3 Sections: \$190.65



	Veterans Park Shelter	<u>Weekend</u>  Day: 4-Hour Block (Includes Tax)  Evening: 3-Hour Block (Includes Tax)	1 Section: \$120.90 2 Sections: \$190.65 3 Sections: \$255.75  1 Section: \$93.00 2 Sections: \$148.80 3 Sections: \$195.30
Athletic Fields	Premium Baseball Fields	Resident	\$ 42.00/hr
	Donaldson, Roosevelt	Non-Resident	\$ 52.00/hr
	Premium Softball Fields	Resident	\$ 23.00/hr \$ 115.00/day (first 8 hrs)
	Lincoln, Taft	Non-Resident	\$ 33.00/hr \$ 165.00/day (first 8 hrs)
	General Baseball/Softball Fields	Resident	\$ 17.00/hr \$ 85.00/day (first 8 hrs)
	All other	Non-Resident	\$ 33.00/hr \$ 165.00/day (first 8 hrs)
Broomball/Hockey Rink	All broomball/hockey rinks	Resident	\$ 15.00/hr
		Non-Resident	\$ 20.00/hr
Tennis Courts	All parks	Resident	\$ 5.00/court/hr
		Non-Resident	\$ 6.00/court/hr
Open Space	All parks	Resident	\$ 15.00/hr
		Non-Resident	\$ 20.00/hr

Athletic Facility Light Use	Softball, Baseball, Soccer, Football, Hockey, Tennis	All renters	\$ 27.00/hr
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Passed by the City Council of the City of Richfield this 12<sup>th</sup> day of December, 2017.

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Pat Elliott, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION RESTABLISHING A CAR ALLOWANCE REIMBURSEMENT POLICY**

**WHEREAS**, the City Council has determined not to provide certain positions with a City vehicle for the performance of the employee's official City duties; and

**WHEREAS**, said employees are required to use their own personal vehicle in the performance of their official duties; and

**WHEREAS**, such employees are responsible for the fuel, maintenance, insurance and all other expenses required for the upkeep of their personal vehicles; and

**WHEREAS**, the City Council finds it necessary to establish a policy to provide such employees with a car allowance reimbursement; and

**WHEREAS**, the car allowance is an estimated amount intended to reimburse such employees for the reasonable expenses that they will incur in the performance of their official duties; and

**WHEREAS**, the car allowance reimbursement represents the City's full obligation and responsibility regarding the provision of automobile transportation to such employees.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Richfield hereby adopts the following car allowance reimbursement schedule at the amount of \$225 per month:

Community Development Director  
Public Works Director  
Recreation Director  
Liquor Operations Director  
Superintendents  
Chief Building Official

Adopted by the City Council of the City of Richfield, Minnesota this 12<sup>th</sup> day of December 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

## RESOLUTION NO.

### RESOLUTION RELATING TO THE 2018 GENERAL SERVICES SALARY COMPENSATION PLAN

**WHEREAS**, the compensation personnel policy of the City of Richfield provides for the adoption of a pay plan for General Services employees from time-to-time, and

**WHEREAS**, the City administration has prepared a 2018 pay plan for position classifications for General Services employees. The City Manager is authorized to add or reclassify positions as necessary. Examples of positions in each pay grade are attached.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council do and hereby does establish for the year 2018 the following pay plan, which is to be effective the first full pay period of January 2018, and subject to all applicable provisions of the personnel policy and City Code:

Effective the first full pay period of January 2018							
STEP RANGE		1	2	3	4	5	6
GS1	YR		39,166.40	41,329.60	43,576.00	46,176.00	47,548.80
	MO		3,263.87	3,444.13	3,631.33	3,848.00	3,962.40
	BW		1,506.40	1,589.60	1,676.00	1,776.00	1,828.80
	HR		18.83	19.87	20.95	22.20	22.86
GS2	YR		42,785.60	44,865.60	47,132.80	49,545.60	52,041.60
	MO		3,565.47	3,738.80	3,927.73	4,128.80	4,336.80
	BW		1,645.60	1,725.60	1,812.80	1,905.60	2,001.60
	HR		20.57	21.57	22.66	23.82	25.02
GS3	YR	45,281.60	47,652.80	50,232.00	52,707.20	55,390.40	58,552.00
	MO	3,773.47	3,971.07	4,186.00	4,392.27	4,615.87	4,879.33
	BW	1,741.60	1,832.80	1,932.00	2,027.20	2,130.40	2,252.00
	HR	21.77	22.91	24.15	25.34	26.63	28.15
GS4	YR	49,608.00	52,041.60	54,704.00	57,470.40	60,299.20	63,481.60
	MO	4,134.00	4,336.80	4,558.67	4,789.20	5,024.93	5,290.13
	BW	1,908.00	2,001.60	2,104.00	2,210.40	2,319.20	2,441.60
	HR	23.85	25.02	26.30	27.63	28.99	30.52
GS4SNE	YR	53,331.20	55,910.40	58,760.00	61,734.40	64,854.40	68,099.20
	MO	4,444.27	4,659.20	4,896.67	5,144.53	5,404.53	5,674.93
	BW	2,051.20	2,150.40	2,260.00	2,374.40	2,494.40	2,619.20
	HR	25.64	26.88	28.25	29.68	31.18	32.74
GS5	YR	54,704.00	57,470.40	60,299.20	63,481.60	66,622.40	69,992.00
	MO	4,558.67	4,789.20	5,024.93	5,290.13	5,551.87	5,832.67
	BW	2,104.00	2,210.40	2,319.20	2,441.60	2,562.40	2,692.00
	HR	26.30	27.63	28.99	30.52	32.03	33.65
GS5E	YR	58,760.00	61,734.40	64,812.80	68,099.20	71,510.40	75,561.60
	MO	4,896.67	5,144.53	5,401.07	5,674.93	5,959.20	6,262.53
	BW	2,260.00	2,374.40	2,492.80	2,619.20	2,750.40	2,890.40
	HR	28.25	29.68	31.16	32.74	34.38	36.13
GS6	YR	60,299.20	63,481.60	66,622.40	69,992.00	73,569.60	77,512.80
	MO	5,024.93	5,290.13	5,551.87	5,832.67	6,130.80	6,441.60
	BW	2,319.20	2,441.60	2,562.40	2,692.00	2,829.60	3,001.60
	HR	28.99	30.52	32.03	33.65	35.37	37.19
GS6E	YR	64,812.80	68,099.20	71,531.20	75,150.40	78,936.00	82,872.80
	MO	5,401.07	5,674.93	5,960.93	6,262.53	6,578.00	6,904.00
	BW	2,492.80	2,619.20	2,751.20	2,890.40	3,036.00	3,186.40
	HR	31.16	32.74	34.39	36.13	37.95	39.87

- a. Step 1 - Start
- b. Step 2 - One year from anniversary date.  
If an employee successfully passes probationary period.
- c. Step 3 - One year since last increase.  
If an employee is rated Below Expectations, the employee may not advance to Step 3 until performance is rated Meets Expectations or higher.
- d. Step 4 - One year since last increase.  
If an employee is rated Below Expectations, the employee may not advance to Step 4 until performance is rated Meets Expectations or higher.
- e. Step 5 - One year since last increase.  
An employee must achieve a Meets Expectations rating or better in all areas of responsibility before advancing to Step 5.
- f. Step 6 - One year since last increase.  
An employee must achieve a Meets Expectations rating or better in all areas of responsibility before advancing to Step 6.

Employees whose competency level and/or performance are rated Below Expectations may not advance to the next step until their performance improves.

Passed by the City Council of the City of Richfield, Minnesota this 12<sup>th</sup> day of December 2017.

\_\_\_\_\_  
Pat Elliott

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose

\_\_\_\_\_  
City Clerk

(Revised 12-2017)

## GENERAL SERVICES POSITION CLASSIFICATION STRUCTURE

GRADE	POSITION TITLES	CLASS
1	Office Assistant	Non-Exempt
	Customer Service Representative	Non-Exempt
2	Community Development Technician	Non-Exempt
	Community Service Officer	Non-Exempt
	Custodian	Non-Exempt
	Lead Liquor Clerk	Non-Exempt
	Licensing Clerk	Non-Exempt
	Police Cadet	Non-Exempt
	Senior Office Assistant	Non-Exempt
3	Accounting Clerk	Non-Exempt
	Assistant Planner	Non-Exempt
	Environmental Health Specialist	Non-Exempt
	Facility Operations Assistant	Non-Exempt
	Lead Licensing Clerk	Non-Exempt
	Secretary (Closed as of 1-1-16)	Non-Exempt
	Utility Billing Clerk	Non-Exempt
4	Administrative Assistant	Non-Exempt
	Assessment Clerk	Non-Exempt
	Associate Planner	Non-Exempt
	Deputy City Clerk	Non-Exempt
	Forester	Non-Exempt
	Information Technologies Help Desk Technician	Non-Exempt
	Records Technician	Non-Exempt
	Water Resources/GIS Specialist	Non-Exempt
4SNE	Administrative Assistant (Closed as of 1-1-12)	Non-Exempt
5	Code Compliance Officer	Non-Exempt
	GIS Analyst/IT Technician	Non-Exempt
	Housing Specialist Part-time	Non-Exempt
	Information Technologies Technician	Non-Exempt
	Recreation Supervisor Part-time	Non-Exempt
5E	Administrative Aide/Analyst	Exempt
	Crime Prevention Specialist	Exempt
	Executive Aide/Analyst	Exempt
	Media Coordinator	Exempt
	Multifamily Housing Program Coordinator	Exempt
	Naturalist	Exempt
	Payroll Accountant	Exempt
	Records Supervisor	Exempt
	Recreation Supervisor	Exempt
6	Civil Engineer	Non-Exempt
	Project Civil Engineer	Non-Exempt
	Trade/Building Inspector or Trade/Electrical Inspector	Non-Exempt
6E	Accountant	Exempt
	Community Development Accountant	Exempt
	Network Administrator	Exempt

## RESOLUTION NO.

### RESOLUTION RELATING TO THE 2018 MANAGEMENT SALARY COMPENSATION PLAN

**WHEREAS**, the compensation personnel policy of the City of Richfield provides for the adoption of a pay plan for Management employees from time-to-time; and

**WHEREAS**, the City administration has prepared a 2018 pay plan for position classifications for Management employees. The City Manager is authorized to add or reclassify positions as necessary. Examples of positions in each pay grade are attached.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council do and hereby does establish for the year 2018 the following pay plan, which is to be effective the first full pay period of January 2018, and subject to all applicable provisions of the personnel policy and City Code:

MANAGEMENT COMPENSATION PLAN				
PAY GRADE		MINIMUM	MID-RANGE	MAXIMUM
M-L	YR	63,814.40	72,883.20	81,868.80
	MO	5,317.87	6,073.60	6,822.40
	BW	2,454.40	2,803.20	3,148.80
	HR	30.68	35.04	39.36
M-1	YR	71,531.20	81,785.60	91,956.80
	MO	5,960.93	6,815.47	7,663.07
	BW	2,751.20	3,145.60	3,536.80
	HR	34.39	39.32	44.21
M-2	YR	83,054.40	94,931.20	106,808.00
	MO	6,921.20	7,910.93	8,900.67
	BW	3,194.40	3,651.20	4,108.00
	HR	39.93	45.64	51.35
M-3	YR	90,521.60	103,480.00	116,355.20
	MO	7,543.47	8,623.33	9,696.27
	BW	3,481.60	3,980.00	4,475.20
	HR	43.52	49.75	55.94
M-4L	YR	90,521.60	103,480.00	116,355.20
	MO	7,543.47	8,623.33	9,696.27
	BW	3,481.60	3,980.00	4,475.20
	HR	43.52	49.75	55.94
M-4	YR	99,840.00	114,004.80	128,252.80
	MO	8,320.00	9,500.40	10,687.73
	BW	3,840.00	4,384.80	4,932.80
	HR	48.00	54.81	61.66
M-5A	YR	107,806.40	122,512.00	137,654.40
	MO	8,983.87	10,209.33	11,471.20
	BW	4,146.40	4,712.00	5,294.40
	HR	51.83	58.90	66.18
M-5B	YR	111,508.80	127,400.00	143,374.40
	MO	9,292.40	10,616.67	11,947.87
	BW	4,288.80	4,900.00	5,514.40
	HR	53.61	61.25	68.93

## Normal Progression Through Management Compensation Plan

The Range Adjustment shall be applied to Management employees who have achieved at least a *Meets Expectations* performance evaluation during the preceding year. Employees who have received a *Below Expectations* performance evaluation are eligible for ½ of the following year's range adjustment. The Range Adjustment is effective January 1, 2018. Individual Merit adjustments will normally be made effective on an employee's anniversary date and will vary in size, depending on the individual's performance rating and current position in the salary range in line with the following criteria.

PERFORMANCE RATING	POSITION IN SALARY RANGE		
	UNDER 95% MIDPOINT	95-105% OF MIDPOINT	OVER 105% OF MIDPOINT
Outstanding	3.5 to 5%	1.6 to 4%	1 to 2%
Above Average	1.6 to 3.5%	.5 to 1.5%	.5 to 1%
Satisfactory	.5 to 1.5%	No Merit Increase	No Merit Increase
Needs Improvement	No Merit Increase. Requires mandatory 6-month evaluation.		
Not Satisfactory	No future increases until performance improves to at least Satisfactory. Performance and employee status subject to mandatory review every 3 months.		

Passed by the City Council of the City of Richfield, Minnesota this 12<sup>th</sup> day of December 2017.

\_\_\_\_\_  
Pat Elliott

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose

\_\_\_\_\_  
City Clerk



## MANAGEMENT POSITION CLASSIFICATION STRUCTURE

GRADE	POSITION TITLES	CLASS
M-L	Liquor Store Manager	Exempt
M-1	Assistant HR Manager	Exempt
	City Clerk	Exempt
	Engineer	Exempt
	Facility/Program Manager	Exempt
	Housing Manager	Exempt
	Operations Supervisor	Exempt
	Support Services Supervisor	Exempt
	Utilities Supervisor	Exempt
M-2	Chief Building Official	Exempt
	Operations Manager	Exempt
	(Parks/Fleet, Gov't Buildings)	
	Transportation Engineer	Exempt
M-3	Assistant Fire Chief	Exempt
	City Engineer	Exempt
	Planning & Redevelopment Manager/Asst CD Director	Exempt
	Information Technologies Manager	Exempt
	Operations Superintendent	Exempt
	Utilities Superintendent	Exempt
M-4L	Liquor Operations Director	Exempt
M-4	Assistant City Manager/HR Manager	Exempt
	Deputy Public Safety Director	Exempt
M-5A	Finance Manager	Exempt
	Fire Services Director/Fire Chief	Exempt
	Recreation Services Director	Exempt
M-5B	Community Development Director	Exempt
	Public Safety Director/Police Chief	Exempt
	Public Works Director	Exempt

(Rev. 12-17)

**RESOLUTION NO.**

**RESOLUTION RELATING TO THE 2018 SPECIALIZED PAY PLAN**

**WHEREAS**, the compensation personnel policy of the City of Richfield provides that the pay grades, the number of steps or range of each pay grade, the compensation rates in each pay grade and the method of normal progression through the pay grade be established by Council resolution; and

**WHEREAS**, the City administration has prepared a 2018 pay plan for the positions for which there are no essentially similar position classification in other regular pay plans. The City Manager is authorized to add or reclassify positions as necessary. Examples of positions in each pay grade are attached.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council do and hereby does establish for the year 2018 the following pay plan which is to be effective the first full pay period of January 2018 and subject to the provisions of the personnel policy and City Code:

**EFFECTIVE THE FIRST FULL PAY PERIOD OF  
JAN 2018 SPECIALIZED PAY PLAN INTERMITTENT AND  
SEASONAL**

Pay Grade	Step 1	Step 2	Step 3	Step 4
SP1-E/NE HR	LEFT INTENTIONALLY BLANK			
SP2-E/NE HR	LEFT INTENTIONALLY BLANK			
SP3-E/NE HR		10.03	10.58	11.09
SP4-E/NE HR	10.36	10.90	11.43	11.99
SP5-E/NE HR	11.15	11.77	12.30	12.95
SP6-E/NE HR	12.09	12.71	13.31	14.00
SP7-E/NE HR	13.04	13.70	14.37	15.08
SP8-E/NE HR	14.08	14.80	15.52	16.29
SP9-E/NE HR	15.21	16.00	16.76	17.60
SP10-E/NE HR	16.47	17.26	18.16	19.08
SP11-E/NE HR	17.71	18.65	19.57	20.53
SP12-E/NE HR	19.20	20.10	21.09	22.21
SP13-E/NE HR	20.55	21.65	22.76	23.95

Normal Progression Through the Specialized Pay Plan

Individual employees will be eligible to received increases to the next higher-grade step based on individual performance and the following progression:

Step 1 - Start

Step 2 – Minimum 500 hours worked per year from anniversary start date or two years from anniversary date

Step 3 – Minimum 500 hours worked per year from anniversary date or two years from last increase.

Step 4 – Minimum 500 hours worked per year from anniversary date or two years from last increase

Passed by the City Council of the City of Richfield, Minnesota this 12<sup>th</sup> day of December 2017.

\_\_\_\_\_  
Pat Elliott

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose

\_\_\_\_\_  
City Clerk

- 1
- 2
- 3 E Cashier/Concession  
E Winter Sports Attendant
- 4 NE Arena Event Attendant  
NE Dance Coordinator  
NE Skate Coordinator  
NE Sports Event Attendant
- 5 NE Adaptive Leader/Specialist  
NE Custodian  
NE Inclusion Facilitator  
NE Intern  
E Lead Concession  
E Lifeguard  
E Outdoor Skating/Winter Sports  
Supv  
E Playground Leader  
NE Teen Leader
- 6 NE Building Attendant  
NE Liquor Sales Associate  
NE Receptionist
- 7 NE Accounting Clerk – Int. & Sub.  
NE Housing Intern  
NE Ice Resurfacer Operator  
NE Maintenance Worker  
NE Naturalist I
- 8 NE Adaptive Coordinator  
NE Farmers Market Coordinator  
NE Office Assistant - Int. & Substitute  
E Playground Coordinator  
E Summer Food Program Coord.  
NE Teen Coordinator  
E Tennis Coordinator
- 9 NE Administrative Services Clerk  
NE Code Enforcement Tech  
E Pool Supervisor  
NE Video Production Assistant
- 10 NE Engineering Aide/Intern
- 11 NE Motor Vehicle Licensing Clerk
- 12 E Pool Coordinator

13 NE Utility Billing Assistant

### **Instructors**

- NE Building Inspector
- NE Figure Skating
- NE Hockey (Arena)
- NE Sports Official
- NE Substitute Naturalist
- NE Dance
- E Cross Country Ski
- E Hockey (outside)
- E Tennis
- E WSI

### **OTHER**

Instructor's Range: \$5.75 - \$50  
 Election Judge \$10.00  
 Election Co-Chair \$12.00  
 Election Chairperson \$13.00

NE=Non-Exempt, may work up to 40 hours per week without overtime pay.  
 E-Exempt may work up to 48 hours per week without overtime pay.

All Pool positions are exempt from overtime, even Concessions.

All Playground and Outdoor Rink positions are exempt.  
 All Community Center, Wood Lake Nature Center, Ice Arena and Maintenance positions are non-exempt.

(Revised 12-17)





**STAFF REPORT NO. 234**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: William F. Fillmore, Liquor Operations Director

DEPARTMENT DIRECTOR REVIEW: William F. Fillmore, Liquor Operations Director  
11/29/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/6/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval authorizing a capital improvement to upgrade the municipal liquor store at 6444 Penn Avenue South.**

**EXECUTIVE SUMMARY:**

At the September 6, 2017 City Council/Staff Budget Review, staff presented preliminary renderings prepared by Wold Architectural of the Penn Avenue liquor store.

The City Manager has discussed the need to upgrade the store prior to the budget meeting. The Penn liquor store was constructed in the late 1970's and seen no significant improvements in the facility for many years. Many of the mechanical components and the roof are beyond repairs and in need of total replacement. The store exterior and interior are outdated as well as deteriorating parking area. Liquor management and the city building superintendent have assessed and identified the areas in need of replacement or upgrading at the Penn location.

- Roof Replacement
- Concrete sidewalk replacement
- Parking area mill and overlay
- Exterior wall signage (new graphics)
- Exterior pedestal signage with dynamic sign
- Addition of five windows
- Relocation of customer entrance/exit pneumatic doors
- Expansion and installation of product refrigeration (beer cooler)
- Restroom and office relocation
- Point of Sale/Customer service counter relocation
- Removal of carpeting and expose and polish concrete floors
- Expose ceiling and HVAC system components
- New LED sales floor lighting
- New product shelving
- New product display case
- Product demonstration/sampling counter
- New outdoor landscape features

In addition to the work needed on the store, the initiative to upgrade the store is related to added competition

in the area and the positive consumer response to the recent upgrades at two other city-owned stores (6444 Lyndale and 6600 Cedar). Both stores have experienced immediate and continued sales increases after the upgrades.

The estimated cost of the proposed project is \$1.2 million and architectural fees of \$48,000. The project would take place in early April with an interruption of business for approximately nine weeks. A newly refurbished store, completed in late spring of 2018 would ensure strong summer sales and adequate timing to prepare for key holiday, year-end sales.

As in past upgrade projects, when stores were closed for extended periods, staff marketed Richfield's other liquor store locations prior to closure with maps and discounts attempting to not lose customers to competitors.

### **RECOMMENDED ACTION:**

**By motion: Authorize a capital improvement and direct staff to proceed with upgrading the municipal liquor store at 6444 Penn Avenue South.**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

- An upgrade to the Penn liquor store has been an ongoing goal with staff due to the age of the facility and exposure from Penn Avenue. A continuous land (site) search has been conducted by Community Development and Liquor Operations staff with minimal success.
- An upgrade would ensure customer interest similar to that when the Lyndale and Cedar stores were remodeled.
- Expanded retail competition has affected all metro retail beverage outlets, an upgrade will peak beverage consumers in a new state of the art local beverage store. The Penn store has traditionally been a profitable store regardless of it's size and limited visibility from Penn Avenue.

#### **B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- N/A

#### **C. CRITICAL TIMING ISSUES:**

- Staff will proceed with specifications and advertisement for bids immediately after authorization from City Council.
- Staff would like to begin construction in early April 2018.
- Staff would like the store to be completed for the Memorial Day weekend.

#### **D. FINANCIAL IMPACT:**

- Staff and Wold Architectural estimate the project cost of \$1.2 million and design costs of \$48,000.
- Resources to fund the upgrade are available within the liquor operations and other internal financing.

#### **E. LEGAL CONSIDERATION:**

- N/A

### **ALTERNATIVE RECOMMENDATION(S):**

- Delay the decision to a meeting at a later date or do not approve the renovation of the Penn Avenue liquor store.

### **PRINCIPAL PARTIES EXPECTED AT MEETING:**

A representative from Wold Architects will be invited to attend.

### **ATTACHMENTS:**

Description	Type
 Rederings	Backup Material









**STAFF REPORT NO. 235**  
**CITY COUNCIL MEETING**  
**12/12/2017**

REPORT PREPARED BY: Jesse Swenson, Asst. HR Manager

DEPARTMENT DIRECTOR REVIEW: Steven L. Devich, City Manager  
12/7/2017

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager  
12/7/2017

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution regarding establishing a voluntary advanced resignation notice pilot program for regular full-time licensed officers and firefighters in the Police and Fire departments with a minimum of ten (10) years of continuous service with the City of Richfield.**

**EXECUTIVE SUMMARY:**

The City is proposing to re-establish a pilot program for voluntary advanced resignations from licensed officers and firefighters in the Police and Fire departments with a minimum of ten (10) years of continuous service with the City of Richfield. This program was initially created and executed in 2014 as a pilot program and was successful. Due to that success, the City would like to re-establish the pilot program at this time in anticipation of upcoming vacancies within the two departments.

This program was designed to improve the efficiency and stability of the City's workforce by encouraging employees to give the City advance notice of their intent to resign. The purpose of this program is to begin the process of replacing an employee who is leaving the City as soon as possible after notice is received. By offering a one-time payment to employees who provide the City with an advanced resignation notice, the City hopes to reduce the time that a position remains unfilled and significantly reduce the costs associated with addressing staff shortages.

Currently, the process of replacing a full-time licensed officer takes a minimum of eight weeks from the beginning of a recruitment to the new employee's actual start date. Once hired, new firefighters require an additional week for on-the-job training. New police officers require an additional 14 weeks of on-the-job training before becoming a viable officer. The costs associated with this lengthy hiring and training process range from \$7,000 to \$15,000 per new hire. In addition, the costs of paying overtime costs to fill the temporary vacancy can far exceed the hiring costs. The advanced notice should significantly reduce such overtime expenditures.

In order to qualify for the program, the licensed officer or firefighter will need to remain an active City employee, in their current job status, until the effective date of his/her resignation.

Since this is a pilot program, staff will analyze its success at the end of 2019/beginning of 2020 and return to the City Council with a recommendation on whether it should be continued.

## **RECOMMENDED ACTION:**

By motion: Approve a resolution authorizing a voluntary advanced resignation notice pilot program for regular full-time licensed officers and firefighters in the Police and Fire departments with a minimum of ten (10) years continuous service with the City of Richfield.

## **BASIS OF RECOMMENDATION:**

### **A. HISTORICAL CONTEXT**

- An advanced resignation program was piloted in 2014/15. While that program was successful the City determined to let the program sunset until this time.
- During the 2014/15 pilot program there were approximately six employees who availed themselves of this opportunity to resign with advanced notice.

### **B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- There is currently no City voluntary advanced resignation notice program available to offer City employees. However, the program was in effect with the City in 2014/15.

### **C. CRITICAL TIMING ISSUES:**

- None.

### **D. FINANCIAL IMPACT:**

- The voluntary advanced resignation notice pilot program proposed is typical to other programs offered by other governmental subdivisions.
- The actual funding from the program would be established through the City's General Fund.
- One-time payments to eligible employees providing and advanced resignation notice are as follows:  
Sixty (60) days: \$500.00  
Ninety (90) days: \$1,000.00  
One hundred and twenty (120) days: \$1,500.00

### **E. LEGAL CONSIDERATION:**

- The City has the legal authority to provide a one-time voluntary advanced resignation notice pilot program.
- The voluntary advanced resignation notice pilot program has been reviewed by the City Attorney.
- Such financial programs should be formally authorized by City Council Resolution.

## **ALTERNATIVE RECOMMENDATION(S):**

- The City Council could decide not to approve this program.
- The City Council could direct staff to revise this proposed program.
- The City Council could decide to postpone consideration of this matter to a future meeting.

## **PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

## **ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Resolution	Resolution Letter
<input type="checkbox"/> Advanced Resignation Notice Pilot Program	Backup Material

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION AUTHORIZING A VOLUNTARY ADVANCED RESIGNATION NOTICE  
PILOT PROGRAM FOR REGULAR FULL-TIME LICENSED OFFICERS AND  
FIREFIGHTERS IN THE POLICE AND FIRE DEPARTMENTS**

**WHEREAS**, the City is committed to providing its existing level of quality service in the Fire and Police Departments while filling employee vacancies due to resignations; and

**WHEREAS**, it takes approximately eight (8) weeks to recruit and hire a licensed officer or firefighter and another one (1) to fourteen (14) weeks of training before a new officer or firefighter is ready to perform the duties of their job; and

**WHEREAS**, the costs associated with the lengthy hiring and training process for licensed firefighters and police officers are significant; and

**WHEREAS**, City staff has developed a pilot program setting forth the requirements and benefits for a voluntary advanced resignation notice pilot program and it is ready for implementation.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Richfield hereby adopts the attached Voluntary Advanced Resignation Notice Pilot Program, effective December 15, 2017 and directs the City Manager to implement such program.

Adopted by the City Council of the City of Richfield, Minnesota this 12<sup>th</sup> day of December, 2017.

\_\_\_\_\_  
Pat Elliott, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk

# **CITY OF RICHFIELD VOLUNTARY ADVANCED RESIGNATION NOTICE PILOT PROGRAM**

## **Purpose**

The City's Voluntary Advanced Resignation Notice Pilot Program is designed to improve the operational efficiency and stability of the City's workforce by encouraging employees to give the City advance notice of their intent to resign. The purpose of this program is to begin the process of replacing an employee who is leaving the City as soon as possible after notice is received. By offering a one-time payment to employees who provide the City with an advanced resignation notice, the City hopes to reduce the time that a position remains unfilled.

This program's primary purpose will be to serve as a means to minimize the extensive costs associated with replacing officers in the Public Safety and Fire departments, while also maintaining the existing service level to the public.

The process of replacing a full-time licensed officer or firefighter takes a minimum of eight weeks before the new employee's actual start date. Once hired, new firefighters require an additional week for on-the-job training. New police officers require an additional 14 weeks for on-the-job training before they are able to perform on the street. The costs associated with this lengthy hiring and training process range from \$7,000 to \$15,000 per new hire.

## **Eligibility**

This program is available only to regular (non-probationary), full-time licensed police officers and firefighters in the Public Safety Department and Fire Department with a minimum of ten (10) years of continuous service with the City of Richfield. In order to be eligible for an advanced notice payment, an employee must have completed a fully executed Advanced Resignation Notice Agreement within calendar years 2018 or 2019.

## **Application and Approval**

In order to be eligible for an Advance Notice payment, an employee must give at least 60 calendar days' notice and up to 120 calendar days' notice to the employee's Department Director before his or her last day of work. For the purposes of this program, the last day of work is defined as the last day that an employee will actively be working for the City (not on paid or unpaid leave).

It is the policy and intent for an employee utilizing this pilot program to remain actively working for the City and not use extended paid or unpaid time off during the 60-120 day notice period. All use of accrued leave benefits during the 60-120 notice period is subject to normal processes of approval per the City's leave policies and the relevant collective bargaining agreements.



The Advanced Resignation Notice Agreement must be signed by the Employee, the Department Director, and the City Manager in order to be effective. The City reserves the right to refuse to enter into this agreement with any employee. For purposes of this policy, the term day(s) shall mean calendar day(s).

The City will provide the following one-time payment for advance notice:

- Sixty (60) days: \$500.00
- Ninety (90) days: \$1,000.00
- One Hundred and Twenty (120) days: \$1,500.00

Payment will be made on or after the employment termination date. An employee can elect to have the payment included in their final pay check, subject to taxation and required deductions, or deposited tax-free into their Post-Employment Health Care Savings Plan (HCSP).

Once signed, an employee has up to five calendar days to revoke the agreement. Thereafter, the employee may not rescind his/her agreement without the City's agreement to either permit rescission or defer the resignation. Refusing to accept the Advance Notice payment will not void the agreement. In the event the employee breaches this Agreement by terminating employment with the City in advance of the agreed upon resignation date, the employee forfeits all eligibility for any advance resignation payment. In addition, the employee's separation from employment may be considered by the City as "not in good standing" and this determination may be relayed to the inquiries of the employee's prospective employers. Breach of the agreement may also serve as basis for ineligibility from future employment with the City.

### **Additional Considerations**

- Participation in this pilot program is strictly voluntary.
- To accept this offer, you must sign a release agreement acceptable to the City, which waives your right to pursue any legal claim against the City of Richfield or its employees or Council Members.
- All payments made are subject to customary payroll deductions.
- All payments contained in this pilot program are supplemental to traditional benefits of a resigning employee.
- The City reserves the right to decline any employee's request for the advanced resignation notice program based on the number of requests received, an employee's critical skills, or service delivery needs.
- Employees who resign under this program and are subsequently rehired by the City, will not be able to participate in this program again.
- The City reserves the right to not replace any employee who resigns under this program or to modify the position and duties prior to hiring a new employee. This decision will not affect an employee's eligibility for an Advance Notice payment.

This pilot program sunsets at the end of calendar year 2019.

Any questions regarding this program may be directed to the Human Resources Division.

DATE: \_\_\_\_\_

FROM: \_\_\_\_\_  
(Employee)

## VOLUNTARY RESIGNATION

By signing this document I agree to the terms and conditions of the City's Advance Resignation Notice program. I understand that in order to be eligible for an Advance Notice Payment, I must give at least 60 days' notice before my last day of work and that any payment will be based upon the actual number of calendar days elapsed between the date of this notice and the last day of work. I also understand that in signing this Notice I am agreeing that there will no longer be a position available to me after the stated termination date. I understand that this notice is irrevocable upon the 5<sup>th</sup> calendar day of this agreement.

## RESIGNATION ACCEPTED

City Manager \_\_\_\_\_ Date \_\_\_\_\_

- ☐ 60 Days (\$500.00)
- ☐ 90 Days (\$1,000.00)
- ☐ 120 Days (\$1,500.00)