



# CITY COUNCIL MEETING

January 04, 2021

7:00 PM

Fridley Civic Campus, 7071 University Avenue N.E.

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## MINUTES

### **CALL TO ORDER**

PRESENT

Ann Bolkcom

Stephen Eggert

Scott Lund

Dave Ostwald

Tom Tillberry

Wally Wysopal, City Manager

Scott Hickok, Community Development Director

### **PLEDGE OF ALLEGIANCE**

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### **OATH OF OFFICE**

The City Clerk will administer the Oath of Office to Scott Lund for the office of Mayor, and David Ostwald for the office of Councilmember-at-Large. The Director of Public Safety will administer the Oath of Office to Maddison Zikmund for the position of Deputy Director - Fire Operations.

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### **APPROVAL OF PROPOSED CONSENT AGENDA**

Motion made by Bolkcom, Seconded by Tillberry.

Voting Yea: Bolkcom, Eggert, Lund, Ostwald, Tillberry

### **APPROVAL OF MINUTES**

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1. Approval of Minutes from the City Council Meeting of December 14, 2020

**NEW BUSINESS**

2. Resolution No. 2021-01, Confirming City Council Appointments and Designations

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**CLAIMS**

3. Claims: 191412 - 191490

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**OPEN FORUM, VISITORS:** Consideration of Items not on Agenda – 15 minutes.

No one from the audience spoke.

**ADOPTION OF REGULAR AGENDA**

Motion made by Bolkcom, Seconded by Tillberry.

Voting Yea: Bolkcom, Eggert, Lund, Ostwald, Tillberry

**REGULAR AGENDA ITEMS****PUBLIC HEARING(S)**

4. Public Hearing and Adoption of Resolution No. 2021-02 Approving a Street Vacation Request, SAV #20-02 by Mark and Shannon Estlund (Ward 2)

Motion to open the public hearing made by Eggert, Seconded by Ostwald.

Voting Yea: Bolkcom, Eggert, Lund, Ostwald, Tillberry. Public hearing opened at 7:10 p.m..

Scott Hickok, Community Development Director, stated that the petitioners and property owners of 1631 66 1/2 Avenue are requesting to vacate an unimproved and unused portion of Stinson Blvd, directly east of their property. This property is a little unique in that, it's on the border of the City and County and half of Stinson Blvd is in the City of Fridley and Anoka County and the other half is in the City of New Brighton and Ramsey County.

Mr. Hickok reviewed that in mid-2020, Mr. Eastlund contacted City staff about constructing a garage addition or a detached garage on his property. At that time, staff noticed that the petitioner's driveway was almost entirely within an unused portion of the Stinson Blvd right-of-way (ROW). In order to have the land area needed to meet setback requirements for this project, the petitioner and staff explored the idea of vacating the 33 ft. Stinson Blvd ROW adjacent to the property. the 33 ft. portion of Stinson Blvd that the petitioner is asking to be vacated is owned by the City and after consulting with City Engineering staff, it was determined that there aren't any City utilities within the ROW and it isn't expected that this ROW would ever be paved and improved and used by the general public. The City has

contacted all private utility companies and none of them have requested an easement, as they don't have any utilities in the existing ROW.

Mr. Hickok noted that there is an undefined connection to the Rice Creek Regional Trail system that runs through this Stinson Blvd ROW. If the vacation is approved, staff is suggesting that a 12 ft. trail easement be dedicated to the City to ensure that there is a clear and designated access to the trail system. In its current undefined condition, it isn't clear to trail users if they are on private or public property when they reach the southern point of the trail that ends in the Stinson Blvd ROW. The new driveway will be separated from the trail. The trail edge to be saw cut by the petitioner's driveway contractor. City staff recommends that the Council hold a public hearing for SAV #20-02. City staff then recommends approval of Resolution No. 2021-02 to vacate a portion of Stinson Blvd, as legally described in the resolution.

Councilmember Eggert agreed that the trail could be made more obvious and define the driveways on both sides.

Mr. Hickok said that the strategy that would work best is to make a distinct driveway for the home owner and a separate trail path.

Councilmember Eggert asked if this was part of the County trail system and if they would take over this area.

Mr. Hickok replied that the area is owned by the City and maintained by the County. In this segment, this edge is out of Fridley's boundary and the County would maintain the portion that goes out into the roadway.

Mayor Lund assumed the homeowner would want to put in a new driveway that goes out to the street rather than utilize the portion of the street that is maintained by two cities. The easement goes up deeper into the park so it comes up to the backyard border, the homeowner cannot build on this easement.

Mr. Hickok replied that the portion that is vacated is the right of way that the petitioner will gain and this is their opportunity to build a garage in that space.

Mayor Lund asked if this becomes an addition to their property and if any money would be changing hands.

Mr. Hickok replied that once the right of way is vacated it goes back to the land owner from where it came. The City received the right of way as a dedication and it will go back to the home owner.

Mr. Eastlund, homeowner, noted that nobody maintains this area right now. He has asked for assistance and they have declined. This area is just gravel and is at the end of the development making the area look unfinished. This is the only place to put a garage and this will help the City define the area so people can access the trail.

Mayor Lund noted that the trail moves to the right into the neighbors property line. He asked what would happen if the neighbor wants to expand their home. He asked if the trail should go up into the center of both property lines.

Mr. Hickok replied that there are contours and other things to help define where the trail should go. Staff has met with the City of New Brighton and since the neighbor isn't interested to making a petition, New Brighton is okay with the proposed layout. The trail would stop at the same point on both properties.

Mayor Lund thought that an easement would let Fridley have accessibility to the trail, rather than on the homeowners property.

Mr. Hickok said that it is important to New Brighton and Fridley to protect the trail and maintain and preserve the connections.

Mayor Lund thought that normally the City wants a 12' easement, he thought 6' on each side of the trail would be fair.

Councilmember Bolkcom said that the issue is this involves more than one County.

Mr. Hickok said an easement could be considered but engineers have been involved and this is the best option.

Councilmember Bolkcom noted that currently there is nothing wrong with the way it is today, it's workable and people can enjoy the trail.

Councilmember Eggert noted that this is also adding value and redevelopment to this home.

Mr. Hickok agreed that we need to look at what the City is gaining. Members of the Development Review Committee have reviewed this and this is a peculiar exit with a very wide area that appears paved. This is currently hard to define and by making this separation people will feel like they are on a trail and not in someone's yard.

Mayor Lund drove by a similar area but in this situation, the driveways go into the trail and the other area didn't.

Mr. Hickok thought that the petitioner should have his own driveway and not be connected to the trail.

Councilmember Eggert said that this is the first step to getting entitlement to moving forward with the project. He is excited when people invest in their home. The next step is to work on the plans. He asked if the homeowner had the financial means to proceed with the goal.

Mr. Eastlund replied he has the equity and means to move forward. He will approach this slowly and originally had hoped to break ground in the spring. He needs to develop a design and is not sure if this will happen in 2021.

Councilmember Eggert said that the next steps may move fairly quickly.

Motion to close the public hearing made by Eggert, Seconded by Oswald.

Voting Yea: Bolkcom, Eggert, Lund, Oswald, Tillberry. Public hearing closed at 7:45 p.m.

Motion to approve Resolution 2021-02 made by Eggert, Seconded by Oswald.

Voting Yea: Bolkcom, Eggert, Lund, Oswald, Tillberry.

**OLD BUSINESS**

**NEW BUSINESS**

**INFORMAL STATUS REPORTS**

Next Council Meeting January 19, 2021.

**ADJOURN**

Motion made by Oswald, Seconded by Eggert.

Voting Yea: Bolkcom, Eggert, Lund, Oswald, Tillberry and Meeting adjourned at 7:50 p.m.

Respectfully Submitted,

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Krista Peterson  
Recording Secretary

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Scott J. Lund  
Mayor