



City Council Meeting

June 26, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Mayor Lund called the City Council Meeting of June 26, 2023, to order at 7:00 p.m.

Present

Mayor Scott Lund
Councilmember Dave Ostwald
Councilmember Tom Tillberry
Councilmember Ryan Evanson
Councilmember Ann Bolkom

Absent

Others Present

Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Sarah Sonsalla, City Attorney
Brian Weierke, Public Safety Director
Jim Kosluchar, Public Works Director
Beth Kondrick, Deputy City Clerk

Pledge Of Allegiance

Proclamations/Presentations

1. Proclamation: Brian Weierke Appreciation Day – June 30, 2023

Mayor Lund presented the proclamation declaring June 30, 2023 as Brian Weierke Appreciation Day.

Brian Weierke, Public Safety Director, commented that he has enjoyed serving the community for the past 28 years and spent his entire career in Fridley. He commented that he feels good with the way he will be leaving the department and appreciates all the members of the Police and Fire. He congratulated Ryan George who will do a great job leading the department forward. He also commended the great job that Wally Wysopal has done as City Manager. He also thanked the City Council for its support.

Approval of Proposed Consent Agenda

Motion made by Councilmember Evanson to adopt the proposed Consent Agenda. Seconded by Councilmember Ostwald.

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

Approval/Receipt of Minutes

2. Approve the Minutes from the City Council Meeting of June 12, 2023.
3. Receive the Minutes from the City Council Conference Meeting of June 12, 2023.

Old Business

4. Ordinance No. 1409, Amending the Fridley City Code to Add Chapter 35, Mobile Food Units, Amend Chapter 209, Fees and Repeal Chapter 216, Street Vending (Second Reading).

New Business

5. Resolution No. 2023-66, Designating the Public Safety Director.
6. Resolution No. 2023-67, Approving an Extension on the Final Plat Approval and Recording for PS #22-03, Roers Companies.
7. Resolution No. 2023-71, Declaring Costs to be Assessed, Ordering Preparation of the Proposed Assessment Roll and Directing Publication of the Public Hearing Notice for the Street Rehabilitation Project No. ST-2022-01.
8. Resolution No. 2023-72, Approving Gifts, Donations and Sponsorships Received Between May 13, 2023 and June 16, 2023.

Claims

9. Resolution No. 2023-73 Approving Claims for the Period Ending June 21, 2023.

Adoption of Regular Agenda

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

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

Open Forum, Visitors: (Consideration of Items not on Agenda – 15 minutes.)

No one from the audience spoke.

Regular Agenda**New Business**

10. Resolution No. 2023-68, Awarding the 53rd Avenue Trail & Walk Improvements Project No. ST2023-21.

Jim Kosluchar, Public Works Director, provided background on the proposed project which is a joint project between Fridley and Columbia Heights. He reviewed the existing conditions as well as the proposed improvements. He also reviewed the partners in this project. He reviewed the project bidding details and noted the low bid submitted by Park Construction Company in the amount of \$1,776,297.26 which was 13.4 percent below the final engineer's estimate and also within the budgeted funds for the project. He reviewed the tentative schedule and next steps.

Motion made by Councilmember Tillberry to adopt Resolution No. 2023-68, Awarding 53rd Avenue Trail and Walk Improvements Project No. ST2023-21. Seconded by Councilmember Bolkom.

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

11. Resolution No. 2023-69, Approving Change Order No. 2 (Final) for 2022 Street Rehabilitation Project No. ST2022-01.

Jim Kosluchar, Public Works Director, presented a request for Change Order No. 2 for the 2022 Street Rehabilitation Project. He reviewed a summary of the change order details. He noted that construction began in 2022 and required winterization before completion in 2023. He provided details on the different elements included in the change order including Hartman Circle, bituminous base and wear course, subgrade preparation, and concrete curb and gutter spot replacement. He said staff did learn some things with this project that will be applied to future projects. He noted that this is the final change order for the project and staff recommends approval.

Mr. Kosluchar said staff did learn some things with this project that will be applied to future projects. Motion made by Councilmember Evanson to adopt Resolution No. 2023-69, Approving Change Order No. 2 (Final) for 2022 Street Rehabilitation Project No. ST2022-01. Seconded by Councilmember Bolkom.

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

12. Resolution No. 2023-70, Authorizing a Safe Streets and Roads for All Grant Application to Create a Safe Action Plan.

Jim Kosluchar, Public Works Director, provided background information on the Safe Streets and Roads for All Program (SS4A). He reviewed the project components for the grant application. He noted that

the new Safety Action Plan would be implemented and integrated with existing transportation planning documents. He reviewed the grant details.

Motion made by Councilmember Tillberry to adopt Resolution No. 2023-70, Authorizing a Safe Streets and Roads for All Grant Application to Create a Safe Action Plan. Seconded by Councilmember Ostwald.

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

13. Resolution No. 2023-74 Awarding 53rd Avenue Roundabout Safety Project No. ST2023-22.

Jim Kosluchar, Public Works Director, provided background on the proposed project and existing conditions. He reviewed the proposed project scope and improvements, the project layout and the project partners. He provided details on the project bidding noting the low bid from Forest Lake Contracting in the amount of \$1,384,132. He reviewed the tentative project schedule and recommended adoption of the draft resolution awarding the project. He said there would be access to businesses during the project, although the road may be rough and dusty at times.

Motion made by Councilmember Tillberry to adopt Resolution No. 2023-74 Awarding 53rd Avenue Roundabout Safety Project No. ST2023-22. Seconded by Councilmember Bolkom.

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

14. Interim Ordinance No. 1408, Authorizing a Study and Imposing a Moratorium on the Sale of Cannabinoid Products (Reconsideration and Approval)

Sarah Sonalla, City Attorney, provided background information on the discussions of the Council thus far on this topic, and the direction that had been provided to staff. She reviewed the three proposed actions before Council tonight, two of which will take place tonight and the third to come before the Council in July. She explained that the first action would be to reconsider and adopt Interim Ordinance No. 1408 which would become effective July 14, 2023. She noted that would allow the businesses selling 151 products prior to the effective date of the ordinance to continue selling those products, provided that they have a City license. She stated that the second action would be to adopt the Ordinance requiring licensing of 151 products. She noted that the third action to consider in July will involve a public hearing and consideration of a moratorium that will temporarily prohibit the establishment of businesses selling newly legalized cannabis products until January 1, 2025. She reviewed the next steps.

Council asked for more information on the threshold for children at a daycare center. Ms. Sonalla was unsure how that threshold was set. Wally Wysopal, City Manager, commented that he thought it would eliminate the smaller in-home daycare operations that come and go and would be hard to identify.

Motion made by Councilmember Ostwald to suspend Rosenberg's Rules of Order regarding reconsideration to allow the reconsideration. Seconded by Councilmember Evanson.

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

Motion made by Councilmember Ostwald to reconsider the Interim Ordinance No. 1408, Authorizing a Study and Imposing a Moratorium on the Sale of Cannabinoid Products. Seconded by Councilmember Bolkom.

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

Motion made by Councilmember Evanson to approve of the Interim Ordinance No. 1408, Authorizing a Study and Imposing a Moratorium on the Sale of Cannabinoid Products. Seconded by Councilmember Tillberry.

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

Motion made by Councilmember Ostwald to approve summary publication of Interim Ordinance No. 1408. Seconded by Councilmember Evanson.

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

Motion made by Councilmember Bolkom to call for a public hearing to consider Interim Ordinance No. 1411 on July 10, 2023. Seconded by Councilmember Evanson.

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

15. Ordinance No. 1410, Amending the Fridley City Code to Add Chapter 310, Hemp THC Products and Amend Chapter 209, Fees

Beth Kondrick, Deputy City Clerk, presented the first reading of Ordinance No. 1410 which would amend the City Code to add Chapter 310, Hemp and THC Products, and amend Chapter 209, Fees. She provided details on the Hemp THC products shop license as proposed and the procedure that licensees would follow. She also reviewed the requirements for a hemp THC product shop. She noted the ordinance as proposed states a license expiration of March 1, 2025. She stated the second reading will propose a change to revise that language to state that a license issued under this chapter becomes effective from the date on which the license is issued through April 30 to better coincide with other license renewals. She reviewed regulations and proposed fees.

The Council asked and received confirmation that the fees are in line with tobacco and alcohol license fees. The Council also requested additional clarification on the limitation of six licenses. Ms. Kondrick clarified that the licenses would not be prorated if obtained part way through the year. She stated the City currently only allows five tobacco shops and this limit would also include the one hemp THC business.

Motion made by Councilmember Bolkom to approve the first reading of Ordinance No. 1410, Amending the Fridley City Code to Add Chapter 310, Hemp THC Products and Amend Chapter 209, Fees. Seconded by Councilmember Tillberry.

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

Informal Status Reports

Councilmember Ostwald noted the summer concert occurring the following evening.

Councilmember Bolkom thanked all who volunteered and participated in '49er Days.

Mayor Lund thanked Short Stop for sponsoring the fireworks for the event.

Adjourn

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

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Melissa Moore
City Clerk

Scott J. Lund
Mayor