



City Council

REGULAR MEETING MINUTES

June 16, 2020 – 6:30 pm

In light of the recently declared COVID-19 health pandemic, the Mayor of the City of Golden Valley declared a local emergency under Minnesota Statute, section 12.37. In accordance with that declaration, beginning on March 16, 2020, all meetings of the City Council held during the emergency were conducted by telephone or other electronic means.

The City used WebEx to conduct this meeting electronically. Members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, and by dialing in to the public call-in line. The public was able to participate in this meeting during public comment sections, including the public forum, by dialing in to the public call-in line.

1. Call to Order

Mayor Harris called the meeting to order at 6:30 pm.

1A. Pledge of Allegiance

1B. Roll Call

Present: Mayor Shep Harris, Council Members Larry Fonnest, Maurice Harris, Gillian Rosenquist and Kimberly Sanberg

Staff present: City Manager Cruikshank, City Attorney Cisneros and City Clerk Luedke

1C. Proclamation Recognizing Dr. Evans-Becker Principal of Meadowbrook Elementary School

Council thanked Dr. Evans-Becker for her leadership in the City of Golden Valley and the Meadowbrook Elementary Community. Dr. Evans-Becker thanked the City for their partnership with Meadowbrook School. Mayor Harris read the proclamation.

MOTION made by Council Member Rosenquist, seconded by Council Member Sanberg to adopt the Proclamation recognizing Dr. Evans-Becker Principal of Meadowbrook Elementary School. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

2. Additions and Corrections to Agenda

City Manager Cruikshank said item 3E3-Approve Emergency Repairs to Winnetka Avenue Storm Sewer Crossing should be removed from the agenda because the item was no longer necessary.

MOTION made by Council Member Fonnest, seconded by Council Member Harris to amend the agenda of June 16, 2020. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

2. Additions and Corrections to Agenda - continued

MOTION made by Council Member Rosenquist, seconded by Council Member Fonnest to approve the agenda of June 16, 2020, as amended. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

3. Approval of Consent Agenda

MOTION made by Council Member Rosenquist, seconded by Council Member Harris to approve the consent agenda of June 16, 2020, as revised: removal of 3F-Establishing Polling Place Changes for the 2020 State Primary and General Elections, 3I-Board and Commission Appointments and 3J-Receive and File Rising TIDES Task Force Recommendations Report. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

3A. Approval of Minutes:

3A1. City Council Meeting – May 19, 2020

3A2. Special City Council Meetings – May 29, 2020

3B. Approve City Check Register and authorize the payments of the bills as submitted.**3C. Licenses:**

3C1. Approve renewal of the liquor license for the applicant listed below for the license period of July 1, 2020, through June 30, 2021:

Wine On-Sale (including strong beer) and 3.2 Malt Liquor: Mill Valley Market

Approve renewal of the liquor licenses for the applicant listed below for the license period of July 1, 2020, through June 30, 2021 contingent upon a successful back ground investigation:

Wine On-Sale (including strong beer) and 3.2 Malt Liquor: Mort's

3C2. Approve the issuance of the of On-Sale Intoxicating Liquor License with Sunday Sales for New Bohemia Wurst & Bier Haus located at 8040 Olson Memorial Highway for the license period of July 1, 2020 through June 30, 2021 contingent upon provision of minor items missing from application materials.

3D. Minutes of the Boards and Commissions:

3D1. Planning Commission – May 11 and May 27, 2020

3D2. Open Space & recreation Commission – April 27, 2020

3D3. Bassett Creek Watershed Management Commission – April 16, 2020

3E. Approval of Bids, Quotes and Contracts:

3E1. Authorize the Mayor and City Manager to execute an agreement for the Welcome Avenue Sanitary Sewer Extension Project with Schneider Excavating, incorporated in the form approved by the City Attorney for the construction of the Welcome Avenue Sanitary Sewer Extension Project in the amount of in the amount of \$37,962.75.

3E2. Authorize the Mayor and City Manager to execute a Limited Use Permit with Three Rivers Park District for Permitting Land Usage on the Trunk Highway 100 Pedestrian Bridge.

~~**3F. Establish Polling Place changes for the 2020 State Primary and General Elections.**~~~~**3G. Approve an extension to June 18, 2021, for Conditional Use Permit 166.**~~~~**3H. Approve an extension until October 2, 2020, for Conditional Use Permit 161.**~~~~**3I. Board/Commission Appointments.**~~~~**3J. Receive and file the Rising TIDES Task Force Recommendations Report.**~~

3. Items Removed From the Consent Agenda:**3F. Establishing Polling Place Changes for the 2020 State Primary and General Elections**

Council Member Rosenquist said she would like to notify Golden Valley residents of the polling location change for precinct 4. The location is changing from LOGIS to Sandburg Middle School.

City Clerk Luedke provided additional information on the precinct change and added that the City does need additional election judges for 2020 elections.

MOTION made by Council Member Rosenquist, seconded by Council Member Sanberg to adopt **Resolution 20-35**, establishing polling place changes for the 2020 State Primary and General Elections. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

3I. Board/Commission Appointments

Council Member Fonnest said the Council interviewed Ms. Naamah Murphy and Mr. Brian Wright. He said he would like to make a motion to appoint Ms. Murphy to the Human Rights Commission as a youth member and Mr. Wright to the Open Space & Recreation Commission.

MOTION made by Council Member Fonnest, seconded by Council Member Rosenquist to appoint Ms. Murphy to the Human Rights Commission as a youth member with a term to expire May 2021 and Mr. Wright to the Open Space & Recreation Commission with a term to expire May 2021. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

3J. Receive and file the Rising TIDES Task Force Recommendations Report

Council Sanberg thanked the Rising TIDES Task Force for their recommendations and encouraged residents to reach out to the City Council with any questions or comments. City Manager Cruikshank answered questions from Council.

There was Council discussion regarding the Rising TIDES Task Force Recommendation report.

MOTION made by Council Member Sanberg, seconded by Council Member Harris to receive and file the Rising TIDES Task Force Recommendations report. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

4. Public Hearing**4A. Public Hearing - Amending Sections 113-1: Definitions, 113-92: Commercial Zoning District of the City Code in order to restrict the Sale of Tobacco**

Planner Campbell presented the staff report and answered questions from Council. City Manager Cruikshank answered questions from Council.

4A. Public Hearing - Amending Sections 113-1: Definitions - continued

Mayor Harris opened the public hearing. No one requested to speak. Mayor Harris closed the public hearing.

There was Council discussion regarding amending the City Code to restrict the sale of tobacco in the City. Council thanked the Planning Commission and staff for their work on the ordinance. Council Member Fonnest said the City received a letter from the Association for Nonsmokers-Minnesota in support of the City's efforts in updating the City Code in respect to tobacco sales in the City.

MOTION made by Council Member Fonnest, seconded by Council Member Sanberg to adopt **Ordinance #683** – Amending Sections 113-1: Definitions, 113-92: Commercial Zoning District of the City Code in order to restrict the sale of tobacco in the city. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

4B. Public Hearing to Vacate Easements at 1421 Rhode Island Avenue North

Planning Manager Zimmerman presented the staff report and answered questions from Council.

Mayor Harris opened the public hearing. No one requested to speak. Mayor Harris closed the public hearing.

MOTION made by Council Member Rosenquist, seconded by Council Member Harris to adopt **Resolution 20-36**, vacating Easements at 1421 Rhode Island Avenue North. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

5. Old Business**6. New Business****6A. Variance Appeal – 1421 & 1435 Rhode Island Avenue North**

Planner Campbell presented the staff report and answered questions from Council. Physical Development Nevinski and Planning Manager Zimmerman answered questions from Council.

Mayor Harris asked if Council would like to hear from the property owner regarding the variance appeal. City Attorney Cisneros recommended that the Council allow the applicant to speak if he wished to. The Council agreed with the recommendation.

Mr. Ward, property owner, said he was told if he removed the current driveway that he could lay down landscaping crushed rocks but said it would not make sense to do so because of snow removal. He said he planned to build next door so he would not have an issue with the driveway that is currently there and added he would like to keep the curb cut. Mr. Ward answered questions from Council.

There was Council discussion regarding variance appeal at 1421 and 1435 Rhode Island.

6A. Variance Appeal – 1421 & 1435 Rhode Island Avenue North - continued

MOTION made by Council Member Fonnest, seconded by Council Member Rosenquist to deny the variance request of a waiver of the second garage requirement in order to keep an existing secondary curb cut. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

MOTION made by Council Member Fonnest, seconded by Council Member Rosenquist to deny the variance request of 3 feet off the required 3 feet to a distance of 0 feet at the paved area's closest point to the side yard property line. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

6B. Variance Appeal – 4725 Olson Memorial Highway

Planner Campbell presented the staff report and answered questions from Council. Assistant City Engineer Kakach and City Attorney Cisneros answered questions for Council.

Mayor Harris asked if the Council would like to hear from the property owner regarding the variance appeal. The Council said that they would like to hear from the property owner.

Mr. Brit Amundson, applicant, said his company does not currently have an employee with needs for the ADA parking spaces but they may in the future. He said his company does have customers that come to their building and added there is another tenant in the building but said he was not sure of what their needs were. He said the building is a split level and is currently not easily accessible for customers with mobility issues. He said that the proposed hard cover is a lot less than what was presented to the Planning Commission and added his company would be happy to comply with the three contingencies from the engineering department. Mr. Amundson answered questions from Council.

There was Council discussion regarding variance appeal at 4725 Olson Memorial Highway.

MOTION made by Council Member Fonnest, seconded by Council Member Rosenquist to approve the addition of two ADA compliant parking spots at 4725 Olson Memorial Highway contingent upon the three conditions outlined by city staff are incorporated into the project. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

6C. Approval of Plat – Ward Addition (1421 Rhode Island Avenue North)

Planning Manager Zimmerman presented the staff report and answered questions from Council.

MOTION made by Council Member Fonnest, seconded by Council Member Rosenquist to adopt **Resolution 20-37**, approval of Plat – Ward Addition. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

6D. Adopt COVID-19 Operations Recovery and Readiness Plan

Human Resources Director Santelices presented the staff report and answered questions from Council.

Council thanked City staff for their hard work on the COVID-19 Operations Recovery and Readiness Plan and the Business and Community members for working with the City.

MOTION made by Council Member Sanberg, seconded by Council Member Rosenquist to adopt the City of Golden Valley COVID-19 Operations Recovery and Readiness Plan and repeal all Temporary Worksite Safety Policies and the Temporary Screening and Symptoms and Flexible Work Arrangements Policies. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

6E. Adopt Resolution Ending Local Emergency

City Attorney Cisneros presented the staff report and answered questions from Council.

MOTION made by Council Member Harris, seconded by Council Member Rosenquist to adopt **Resolution 20-38**, terminating the local emergency related to the civil unrest in Minneapolis and St. Paul. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

6F. COVID-19 Pandemic Emergency Administrative Actions

City Attorney Cisneros presented the staff report and answered questions from Council.

MOTION made by Council Member Rosenquist, seconded by Council Member Harris to ratify Emergency Administrative Actions 20-50 through 20-52. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

6G. Review of Council Calendar

Some Council Members may attend the Market in the Valley on June 21, June 28 and July 5, 2020, from 9 am to 1 pm in the City Hall Campus Parking Lot.

Some Council Members may attend the virtual Golden Valley Business Council meeting on June 25, 2020, at 9 am.

The City Offices will closed on July 3, 2020, in observance of Independence Day.

The next City Council meeting will be held virtually on July 7, 2020, at 6:30 pm.

6H. Mayor and Council Communication

Council Member Harris provided an update on the upcoming Community Conversation forum which would be held in July. Council Member Harris also reminded residents that Friday, June 19 was Juneteenth and provided information on Juneteenth.

Council Member Rosenquist said the League of Minnesota Cities will hold their annual conference virtually on June 24 through 26 and said it may be possible that three or more Council Members may be in attendance virtually at the same time.

Mayor Harris said that on June 18 at 5:30 pm there will be a peaceful demonstration in honor of George Floyd at the intersection of Highway 55 and Winnetka Avenue. He also said he wanted to acknowledge that June is Pride month.

7. Adjourn

MOTION made by Council Member Rosenquist, seconded by Council Member Sanberg to adjourn the meeting at 9:35 pm. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

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Shepard M. Harris
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Shepard M. Harris, Mayor

ATTEST:

DocuSigned by:
Kristine A. Luedke
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Kristine A. Luedke, City Clerk