

## City Council

May 4, 2021 – 6:30 pm  
Meeting Held Virtually

### REGULAR MEETING AGENDA

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. As such, all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded pursuant to Minnesota Stat. 13D.021.

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](https://www.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.

##### A. Pledge of Allegiance

##### B. Roll Call

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

Staff present: City Manager Cruikshank, Deputy City Manager/Human Resources Director Santelices, Physical Development Director Nevinski, City Attorney Cisneros, Finance Director Virnig, Equity and Inclusion Manager Zackery, Park Maintenance Superintendent Lundstrom, Environmental Resources Supervisor Eckman, Assistant City Engineer Kakach, Planner Manager Zimmerman, City Planner Campbell, Environmental Specialist Chirpich, and City Clerk Schyma

##### C. Proclamation for Arbor Day and Arbor Month

Park Maintenance Superintendent Al Lundstrom presented an overview of the proclamation. He also discussed the City receiving the 2020 Tree City USA Award and Tree City Growth Award

**Motion by Rosenquist, Second by Sanberg** to proclaim May 5, 2021 as Arbor Day and May 2021 as Arbor Month in the City of Golden Valley, and urge all citizens to support efforts to protect our trees and woodlands and to support our City's urban forestry program.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

## 2. Additions and Corrections to Agenda

**Motion by Fonneist, Second by M. Harris** to approve the meeting agenda as submitted.

**Motion carried 5-0.** (In Favor: Fonneist, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

## 3. Consent Agenda

**Motion by Fonneist, Second by Rosenquist** to approve the Consent Agenda as revised: removal of Items #3D6 - Approve Revised Memorandum of Understanding between the City of Golden Valley and the Minneapolis Park and Recreation Board Regarding Theodore Wirth Park, #3D7 - Joint Powers Agreement between Hennepin County and the City of Golden Valley regarding 911 Embedded Social Worker Program, #3E1 - Approve Resolution No. 21-30, Supporting Application to the Pohlad Family Foundation for Reducing Harm Through Collaborative Solutions Grant, and #3F1 and #3F2 - Golden Valley Energy Action Plan and Plan Implementation.

**Motion carried 5-0.** (In Favor: Fonneist, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

- A. Approval of Minutes – Special City Council Meeting (Interview) – April 20, 2021
- B. Approval of City Check Register
- C. Boards, Commissions, and Task Forces:
  - 1. Receive and File Meeting Minutes – Human Rights Commission – January 26, 2021
  - 2. Receive and File Meeting Minutes – Environmental Commission – March 22, 2021
- D. Approval of Bids, Quotes and Contracts:
  - 1. Authorize Contract for Water Distribution Repairs with Valley Rich Co., Inc.
  - 2. Authorize User Agreement with Hennepin County for Nearmap Aerial Imagery
  - 3. Approve Construction Contract for the 2021 Briarwood Habitat Restoration Project with Cardno, Inc.
  - 4. Authorize Agreement and Award Contract for Native Vegetation Maintenance with Minnesota Native Landscapes
  - 5. Approve MicroMobility License with Bird Rides, Inc.
  - 6. ~~Approve Revised Memorandum of Understanding between the City of Golden Valley and the Minneapolis Park and Recreation Board Regarding Theodore Wirth Park~~
  - 7. ~~Joint Powers Agreement between Hennepin County and the City of Golden Valley regarding 911 Embedded Social Worker Program~~
- E. Grants and Donations:
  - 1. ~~Approve Resolution No. 21-30, Supporting Application to the Pohlad Family Foundation for Reducing Harm Through Collaborative Solutions Grant~~
- F. ~~Golden Valley Energy Action Plan and Plan Implementation:~~
  - 1. ~~Approve Golden Valley Energy Action Plan~~
  - 2. ~~Authorize a Memorandum of Understanding with Xcel Energy for Phase 2 Plan Implementation~~

**3. Items Removed From the Consent Agenda:**

**3D6. Approve Revised Memorandum of Understanding between the City of Golden Valley and the Minneapolis Park and Recreation Board Regarding Theodore Wirth Park**

City Manager Cruikshank discussed why the MOU was revised and appearing again before the Council.

**Motion by Rosenquist, Second by Sanberg** to approve the revised Memorandum of Understanding between the City of Golden Valley and the Minneapolis Park and Recreation Board Regarding Theodore Wirth Regional Park in the form approved by the City Attorney.

**Motion carried 5-0.** (In Favor: Fonneist, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**3D7. Joint Powers Agreement between Hennepin County and the City of Golden Valley regarding 911 Embedded Social Worker Program**

Human Resources Director Santelices and Police Chief Sturgis stated they are excited for this program to begin. The program will help response time, follow-up, and provide resources for residents. They thanked Commissioner Fernando for reaching out to Golden Valley.

Bill Emory, staff for Hennepin County Commissioner Fernando, read a statement from Commissioner Fernando in appreciation of the partnership in this agreement.

**Motion by Sanberg, Second by Rosenquist** to approve Joint Powers Agreement between Hennepin County and the City of Golden Valley regarding 911 embedded social worker program in the form approved by the City Attorney.

**Motion carried 5-0.** (In Favor: Fonneist, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**3E1. Approve Resolution No. 21-30, Supporting Application to the Pohlad Family Foundation for Reducing Harm Through Collaborative Solutions Grant**

City Planner Campbell discuss the grant process and possibilities for Golden Valley if a grant is awarded.

**Motion by M. Harris, Second by Rosenquist** to adopt Resolution No. 21-30 Supporting Application to the Pohlad Family Foundation for Reducing Harm Through Collaborative Solutions Grant

**Motion carried 5-0.** (In Favor: Fonneist, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**3F1 – 3F2. Golden Valley Energy Action Plan and Plan Implementation:**

- 1. Approve Golden Valley Energy Action Plan**
- 2. Authorize a Memorandum of Understanding with Xcel Energy for Phase 2 Plan Implementation**

Environmental Resources Supervisor Eckman and Mike Holsinger, Community Energy Planner for Minnesota Center for Energy and Environment – MNCEE, discussed the community plan.

Tami Gunderzik and Michelle Swanson of Xcel Energy were also in attendance.

The Council consensus was they are excited for the plan and happy that there are measurable action steps and goals.

The Environmental Commission members and Partners in Energy (PIE) team members were recognized.

**Motion by Fonnest, Second by Sanberg** to approve the Energy Action Plan

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**Motion by Fonnest, Second by Rosenquist** to authorize the City Manager to enter into a Memorandum of Understanding with Xcel Energy for Phase 2 Plan Implementation in a form approved by the City Attorney.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

#### **4. Public Hearing**

- A. Public Hearing to Vacate an Alley Easements North of Manor Drive between Zenith Avenue North and Xerxes Avenue North, Resolution No. 21-31**

Assistant City Engineer Kakach 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 by M. Harris, Second by Sanberg** to a adopt Resolution No. 21-31 Vacating Alley Easements North of Manor Drive between Zenith Avenue North and Xerxes Avenue North.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

- B. Public Hearing to Approve a Major PUD Amendment for Hidden Lakes PUD #74 – 1300 Hidden Lakes Parkway, Ordinance No. 712 and Adopt Resolution No. 21-32 Approving Summary Publication of Ordinance No. 712**

Planning Manager Zimmerman presented the staff report and answered questions from Council. David Garman, Director of Design & Construction for Select Medical (Regency Hospital), discussed the history of the building, limitations of current space, the need to modernize the space to improve the level/quality of medical care provided to patients, and the details of their application.

Jeff Eisenberg, Hidden Lakes Homeowner's Association Board of Directors, discussed the negotiations process with the hospital.

Scott Booher, Hidden Lakes Homeowner's Association Board of Directors, discussed the engagement/feedback process with their homeowners.

The Council discussed road maintenance, snow/ice issues, increased traffic concerns, difficulty of doing an accurate traffic study during a pandemic, security along property lines, emergency vehicles, noise from sirens, making it a priority to mend the damaged fencing immediately, landscaping plans, and any energy efficiency initiatives that would part of the proposed renovations.

Mayor Harris opened the public hearing.

David Barry, 1385 Waterford Drive, wanted to raise the issue of the northern third of Waterford Drive that has direct views onto the parking lot and whether or not it has been considered to extend the wall approximately 30-45 feet to provide more privacy to neighbors.

Patrick Lewis, 1750 Waterford Court, does not believe that Regency has been a good steward in respect to traffic, speeding, behavior, trash, and security issues in the past. He also stated there are more emergency vehicles than are being reported and that it is a narrow residential road not meant for commercial vehicles especially during the winter with snow/ice issues buildup. He further has issues with the durability of the agreement that was reached.

Paul Pink, 1405 Waterford Drive, suggested eliminating five parking spaces to create more of a barrier near the wall for safety and privacy concerns.

William Howard, 1339 Waterford Drive, rebutted Mr. Lewis's statement about the durability of the agreement; there was a need for the agreement because the HOA really didn't have any protection before. He further stated the road was built with the hospital in mind.

Mayor Harris closed the public hearing.

Mayor Harris said it would help residents feel safer if Mr. Garman would send a written commitment to staff in the coming week that the fence will be mended immediately.

Mr. Garman said they will make that commitment because they are in this for the long haul and they want to be good neighbors.

Council Member Harris stated that this is a complex issue but he is supportive of the proposal. He also likes that the HOA now has an agreement with the hospital to help hold them responsible in being good neighbors. The proposal is not perfect but it is progress.

**Motion by Fonnest, Second by Rosenquist** to adopt Ordinance No. 712, Approval of Major PUD Amendment, Hidden Lakes P.U.D. No. 74, Amendment #8, with the addition of Section 1, Item #1e - Working with staff to develop a landscaping plan for the north side of the parking lot to address concerns around headlight glare.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**Motion by Rosenquist, Second by Sanberg** to adopt Resolution No. 21-32, Approving Summary Publication of Ordinance No. 712.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**C. Public Hearing Regarding Amendments for Golden Valley Country Club:**

- 1. Approve Resolution No. 21-33, Future Land Use Map Amendment for a portion of the property at 7001 Golden Valley Road**
- 2. Approve Ordinance No. 713, Zoning Map Amendment for a portion of the property at 7001 Golden Valley Road**

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

Melanie Dunleavy, Chairperson of the Golden Valley Country Club, spoke about the proposed development.

LJ Rothman and Mike Waldo, representing the Golden Valley Country Club, also discussed details of the proposal.

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

After continued Council discussion, it was discovered that some residents had issues accessing the call center. Council consensus was to reopen the public hearing in order to receive comments from those residents.

Mayor Harris re-opened the public hearing.

Eric Brandt, 7400 Plymouth Avenue North, believes the homes would be nicely built but he is very concerned with squeezing more homes into the area and reducing the green space and natural feel of the area. He believes there is more downside to this proposal than upside.

Joseph Forster, 1316 Kelly Drive, stated he is concerned with removing green space, and increased traffic. He believes the Golden Valley Country Club are great neighbors but does not agree with this proposal.

Sara Greethurst, 1205 Pennsylvania Avenue North, stated she is also representing some of her fellow neighbors who were unable to attend the hearing due to the late hour. They are against this proposal for many of the reasons already stated in the hearing and because she does not believe it is in agreement with the City's 2040 plan.

Mayor Harris closed the public hearing.

City Planner Campbell discussed the process in regards to tabling the ordinance and about the approval needed by the Met Council.

Council Member Rosenquist stated she still has some concerns with the proposal.

Council Member Sanberg commented that her main hesitations are in the reduction in green space and tree removal.

**Motion by Fonnest, Second by M. Harris** to adopt Resolution No. 21-33, Amendment to the Future Land Use Map to designate a Portion of the Property at 7001 Golden Valley Road for Low Density Residential Use.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**Motion by Fonnest, Second by Rosenquist** to table the adoption of Ordinance No. 713, Amending the Zoning Map to change the zoning designation for the proposed parcel as described in the land survey from Institutional Sub-district I-4, to Single Family Residential R-1, until the change in land use has been reviewed by the Metropolitan Council.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

## 5. Old Business

## 6. New Business

All Ordinances listed under this heading are eligible for public input.

- A. Resolution No. 21-34 Awarding the Sale of \$3,420,000 General Obligation Improvement Bonds, Series 2021A

Finance Director Virnig presented the staff report and answered questions from Council.

Elizabeth Bergman, BakerTilly, discussed the bond sale process.

**Motion by M. Harris, Second by Fonest** to adopt Resolution No. 21-34 Awarding the Sale \$3,420,000 General Obligation Improvement Bonds, Series 2021A Fixing Their Form and Specifications: Directing Their Execution and Delivery; and Providing for Their Payment.

**Motion carried 5-0.** (In Favor: Fonest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**B. Second Consideration of Ordinance No. 711, Amending City Code Chapter 8, Relating to Emergency Management and Adopt Resolution No. 21-35 Approving Summary Publication of Ordinance No. 711**

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

Mayor Harris opened the item for public comment. No one requested to speak.

**Motion by Sanberg, Second by Rosenquist** to second consideration of Ordinance No. 711 Amending City Code Chapter 8, Relating to Emergency Management.

**Motion carried 5-0.** (In Favor: Fonest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**Motion by Rosenquist, Second by Sanberg** to adopt Resolution No. 21-35 Authorizing Summary Publication of Ordinance No. 711.

**Motion carried 5-0.** (In Favor: Fonest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**C. Review of Council Calendar**

Mayor Harris reviewed upcoming city meetings, events, and holiday closures.

**D. Mayor and Council Communications**

1. Other Committee/Meeting updates

Council Member Rosenquist discussed a recent Police Commission Task Force community engagement session.

Mayor Harris encouraged residents to keep wearing their masks and to get vaccinated, if they are able, in hopes of bringing an end to this pandemic.

**7. Adjournment**



**Motion by Rosenquist, Second by M. Harris** to adjourn the meeting at 11:36 pm.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

---

Shepard M. Harris, Mayor

ATTEST:

---

Theresa J. Schyma, City Clerk