

**CITY COUNCIL MEETING  
CITY OF FRIDLEY  
MARCH 11, 2019**

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The City Council meeting for the City of Fridley was called to order by Mayor Lund at 7:00 p.m.

**MEMBERS PRESENT:** Mayor Lund  
Councilmember Barnette  
Councilmember Tillberry  
Commissioner Eggert  
Councilmember Bolkom

**OTHERS PRESENT:** Wally Wysopal, City Manager  
Jay Karlovich, City Attorney

**APPROVAL OF PROPOSED CONSENT AGENDA:**

**APPROVAL OF MINUTES:**

**1. City Council Meeting of February 25, 2019.**

**APPROVED.**

**NEW BUSINESS:**

**2. Claims (184178 – 184406; PCard 1902).**

**APPROVED.**

**ADOPTION OF PROPOSED CONSENT AGENDA:**

**MOTION** by Councilmember Barnette to adopt the proposed consent agenda as presented.  
Seconded by Councilmember Eggert.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**OPEN FORUM, VISITORS:**

No one from the audience spoke

**ADOPTION OF AGENDA:**

**MOTION** by Councilmember Bolkom to adopt the agenda as presented. Seconded by Councilmember Tillberry.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS:**

**3. First Reading of an Ordinance Prohibiting Acceptance or Consideration for Zoning Applications Related to Message Therapy Businesses to Allow for the Study, Adoption, or Amendment of Official Controls.**

**Wally Wysopal**, City Manager, stated the City currently licenses massage therapy businesses and regulates them through zoning controls. In 2018, a police investigation found proposed criminal activity at two massage therapy businesses within the City. On February 25, 2019, the City Council conducted a public hearing to consider denying an application for message therapy license. During the hearing, several concerns were raised regarding the effectiveness of the current Message Therapy Ordinance. Concerns raised included whether the City's current licensing and zoning provisions adequately address issues relating to massage therapy businesses, appropriate locations, conditions under which the establishment may be allowed, compatibility with existing uses, and potential limitations on the total number of stores allowed. The City Council desires to reduce criminal activity at massage therapy businesses within the City. Furthermore, the City Council is concerned about the zoning of massage therapy businesses as it relates to present and future development of the City. The specific regulations are found in Section 125 of the City Code.

**Mr. Wysopal** noted that to protect the health, safety, and general welfare of the citizens, the City Council desires to conduct studies for the purpose of consideration of possible amendments to the City's massage therapy business licensing provisions and official controls to address issues concerning massage therapy businesses and to determine if the best interests of the citizens are being met. The study is expected to take approximately six months. During that time, it is reasonable to prohibit applications related to massage therapy businesses, including applications for building permits, conditional use permits, site plan reviews, interim uses, variances, rezoning, or business licenses. It would not affect the renewal of business licenses, massage therapy business licenses, or individual massage therapist licenses.

**Mr. Wysopal** said that Minnesota Statutes, Section 462.355, Subdivision 4, authorizes municipalities to adopt interim ordinances to regulate, restrict, or prohibit any use, development, or subdivision for the purpose of protecting the planning process and the health, safety, and welfare of its citizens. The City Charter provides for Emergency Ordinances under Section 3.06 which have the advantage of taking effect immediately. However, staff does not consider this situation reaches the reasonable threshold of an emergency. Therefore, it will require two readings as usual and go into effect in about a month. In the meantime, applications could be received. Staff recommends Council conduct the first reading of the proposed and set the second reading for March 25.

**Councilmember Bolkom** asked if anyone who currently has a license is acceptable if they meet all the criteria.

**Mr. Wysopal** replied yes, the City Attorney has been working with staff on this.

**MOTION** by Councilmember Bolkcom to waive the reading of the ordinance and adopt the ordinance on first reading. Seconded by Councilmember Eggert.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**4. Informational Status Reports.**

**Councilmember Bolkcom** reported there was a large for the second University Avenue and Highway 65 Development project design meeting. The next meeting is on March 21 from 6 to 8 p.m.

**Mayor Lund** said that on Saturday, March 30, there will be coffee and conversation with the new County Commissioner Mandy Meisner and Mayor Lund from 11:00 a.m. to 12: 30 p.m.

**ADJOURN:**

**MOTION** by Councilmember Barnette to adjourn. Seconded by Councilmember Eggert.

**UPON A VOICE VOTE, ALL VOTING AYE, MAYOR LUND DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED AT 7:07 PM.**

Respectfully submitted,

Krista Peterson  
Recording Secretary

Scott J. Lund  
Mayor