



City Hall and Court House  
15 West Kellogg Boulevard

## City of Saint Paul

Council Chambers - 3rd  
Floor

### City Council Meeting Minutes - Final

651-266-8560

*Council President Russ Stark*  
*Councilmember Dan Bostrom*  
*Councilmember Amy Brendmoen*  
*Councilmember Rebecca Noecker*  
*Councilmember Jane L. Prince*  
*Councilmember Dai Thao*  
*Councilmember Chris Tolbert*

Wednesday, September 27, 2017

3:30 PM

Council Chambers - 3rd Floor

#### ROLL CALL

*The meeting was called to order by Council President Stark at 3:33 p.m.*

**Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

#### COMMUNICATIONS & RECEIVE/FILE

- 1    **AO 17-58**            Amending the Citywide Long-Term Capital Maintenance Program for capital maintenance work on the driveway and trench drains at the George Latimer Central Library.  
**Received and filed**
  
- 2    **AO 17-61**            Authorizing the Department of Emergency Management to reallocate at total of \$136,447 for the 2015 UASI Grant in the 2017 adopted budget to more accurately record the grant expenditures.  
**Received and filed**
  
- 3    **AO 17-63**            Amending CDBG activities budgets.  
**Received and filed**
  
- 4    **AO 17-66**            Authorizing the Police Department to reallocate its 2017 Special Fund operating budget to more accurately record expenditures.  
**Received and filed**

- 5      **AO 17-68**                      Amending CDBG activity budget for Model Cities Families First rehab project.  
**Received and filed**

**CONSENT AGENDA**

**Note: Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.**

**Approval of the Consent Agenda (Items 6 - 22)**

*Item 16 was removed from the Consent Agenda for separate consideration.*

*Councilmember Prince moved approval of the Consent Agenda as amended.*

**Consent Agenda adopted as amended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 6      **RES 17-1537**                      Approving the second year of the Office of Justice Programs grant funding for the City Attorney's Office Crime Victim Services.  
**Adopted**
- 7      **RES 17-1539**                      Advising the Department of Safety and Inspection on modifications to overhead skyway sign text.  
**Adopted**
- 8      **RES 17-1530**                      Approving renewal of the lease for the Department of Safety and inspections.  
**Adopted**
- 9      **RES 17-1534**                      Approving the Labor Agreements between the Independent School District 625 and AFSCME, Local 844 - Clerical and Technical (July 1, 2016 - June 30, 2018); Minnesota School Employees Association - Classified Confidential Employees Association (July 1, 2016 - June 30, 2018); Minnesota Teamsters Local No. 320 - Nutritional Services Personnel (July 1, 2015 - June 30, 2017); International Union of Operating Engineers, Local 70 (July 1, 2016 - June 30, 2018); District Lodge 77 - International Association of Machinists and Aerospace Workers AFL-CIO (July 1, 2015 - June 30, 2017); Professional Employees Association (January 1, 2016 - December 31, 2017); Tri-Council, Local 49, Local 120 and Local 363 (July 1, 2016 - June 30, 2018); Bricklayers and Allied Craftworkers Local Union No. 1 Minnesota/North Dakota (May 1, 2016 - April 30, 2019); North Central States Regional Council of Carpenters

(May 1, 2016 - April 30, 2019); Minnesota Cements Masons, Plasterers and Shophands, Local 633 (May 1, 2016 - April 30, 2019); Operative Plasterers Local Union No. 265 (June 1, 2016 - May 31, 2019); International Union of Painters and Allied Trades District Council 82 (May 1, 2016 - April 30, 2019); United Association of Steamfitters, Pipefitters and Service Technicians, Local Union No. 455 (May 1, 2017 - April 30, 2020); United Association of Plumbers, Local 34 (May 1, 2017 - April 30, 2020); United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 96 (May 1, 2016- April 30, 2019); Sheet Metal Workers International Association, Local 10 (May 1, 2017 - April 30, 2020); and Memorandum of Agreements for the Sheet Metal Workers International Association, Local 10 (May 1, 2016 - April 30, 2016); United Association of Steamfitters-Pipefitters, Local Union No. 455 (May 1, 2016 - April 30, 2017); United Association of Plumbers, Local Union No. 34 (May 1, 2016 - April 30, 2017).

**Laid over to October 4 for adoption**

- 10 RES 17-1468** Approving the Memorandum of Agreement for the 2018 - 2020 health insurance contributions.  
**Adopted**
- 12 RES 17-1538** Approving the Mayor's appointments of Autumn Amadou-Blegen, Catherine Dahlberg, Cassandra Dutrieuille, Devon Gilchrist, Allison Hofstedt, and Brynn Smith to serve on the Human Rights and Equal Economic Opportunity Commission.  
**Adopted**
- 13 RES 17-1494** Accepting the gift of travel and expenses from the Cornell Lab of Ornithology, for Parks and Recreation staff member Faith Krogstad to travel to the Workshop for Community Advocates and Grassroots Leaders, September 25-27, 2017 in Ithaca, NY.  
**Adopted**
- 14 RES 17-1440** Authorizing the Department of Parks and Recreation to enter into an agreement with Ramsey/Washington Recycling & Energy Board for Waste Delivery.  
**Adopted**
- 15 RES 17-1502** Authorizing the Department of Parks and Recreation to apply for \$133,500 in funding through the Conservation Partners Legacy (CPL) grant program for the Cherokee Park Oak Woodland Enhancement project for vegetation enhancement on 61 acres in Cherokee and Lilydale Parks, and, if successful, enter into an agreement providing indemnification for the MN Department of Natural Resources.  
**Adopted**

17    **RES 17-1484**        Approving the issuance of up to \$1,850,000 of Tax Increment Refunding Revenue Note, Series 2017-6.

**Adopted**

18    **RES 17-1536**        Approving adverse action against the Dance or Rental Halls license held by Lao Family Community of Minnesota, d/b/a Lao Family Community of Minnesota at 320 University Avenue West.

**Adopted**

19    **RES 17-1518**        Approving adverse action against the Liquor On Sale - 100 Seats or Less license held by Red Lantern 2, Inc., d/b/a Red Lantern Sushi and Noodle Bar at 465 Wabasha Avenue.

**Adopted**

20    **RES 17-1519**        Approving adverse action against the Massage Practitioner license application submitted by Tracy Ann Porter for the premises at 2140 Ford Parkway.

**Adopted**

21    **RES 17-1517**        Approving adverse action against the Auto Repair Garage license application submitted by Integrity Auto Sales, LLC, d/b/a Integrity Auto Sales at 501 Maryland Avenue West, Suite B.

**Adopted**

22    **RES 17-1482**        Setting a public hearing date of November 1, 2017 for the 2018 Water Charges.

**Adopted**

**FOR DISCUSSION**

16    **RES 17-1495**        Proclaiming that September 30, 2017 be considered International Migratory Bird Day by the City of Saint Paul.

*Councilmember Prince made brief comments and moved approval of the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

23    **SR 17-135**        Update on the Coordinated Trash Collection.

*Anne Hunt, Mayor Coleman's Office, gave a brief update on negotiations. She said they had made progress in negotiations but not reached a final agreement, and were requesting a two-week extension. She said if the Council was supportive, a resolution*

*authorizing the extension would be brought in the following week.*

*Council President Stark thanked Ms. Hunt and the negotiating team for their work; he stressed the need to keep the process moving so implementation deadlines could be met.*

**Received and filed**

## **ORDINANCES**

**An ordinance is a city law enacted by the City Council. It is read at four separate council meetings and becomes effective after passage by the Council and 30 days after publication in the Saint Paul Legal Ledger. Public hearings on ordinances are held at the third reading.**

### **Final Adoption**

- 24 Ord 17-43** Granting the application of East Seventh Street Building Company LLC to rezone property at 1125 7th Street East from IT Transitional Industrial to I1 Light Industrial, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

*Councilmember Bostrom moved approval.*

#### **Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 25 Ord 17-45** Granting the application of Gary P. Gorman and Elisa R. Gorman to rezone property at 858 Oakdale Ave from R4 one-family to RT1 two-family and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

*Councilmember Noecker moved approval.*

#### **Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

### **Second Reading**

- 26 Ord 17-29** Amending Chapter 236 of the Legislative Code regarding plastic packaging. (Public hearing held October 4, 2017; laid over from October 11, 2017 and October 3, 2018)

**Laid over to October 4 for third reading/public hearing**

27     **Ord 17-38**           Amending Chapters 63, 65, and 66 of the Legislative Code pertaining to establishing a parking requirement for a short term rental dwelling unit, establishing short term rental dwelling unit as a permitted use in the RL-RM3, T1-T4, OS-B5, and IT-I2 zoning districts, and amending a condition for bed and breakfast residence use.

**Laid over to October 4 for third reading/public hearing**

28     **Ord 17-44**           Granting the application of the Housing and Redevelopment Authority to rezone their properties at 934-940 Selby Avenue from T1 Traditional Neighborhood to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

**Laid over to October 4 for third reading/public hearing**

29     **Ord 17-46**           Granting the application of the Housing and Redevelopment Authority to rezone their properties at 838 - 844 Selby Avenue from B2 Community Business and RM2 Multifamily Residential to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

**Laid over to October 4 for third reading/public hearing**

30     **Ord 17-47**           Amending Chapter 310 of the Legislative Code to add Short-term Rental Platform and Short-term Rental Host license fees.

**Laid over to October 4 for third reading/public hearing**

31     **Ord 17-48**           Amending Chapter 310 of the Saint Paul Legislative Code by adding Short-term Rental Platform and Short-term Rental Host licenses to Section 310.01.

**Laid over to October 4 for third reading/public hearing**

32     **Ord 17-49**           Creating Chapter 379 of the Saint Paul Legislative Code pertaining to Short Term Rentals.

**Laid over to October 4 for third reading/public hearing**

**PUBLIC HEARINGS**

33     **Ord 17-28**           Amending Chapter 324 of the Legislative Code by adding menthol, mint or wintergreen and fruit to the definition of flavored products.

*Council President Stark said he had asked Dan Niziolek, Department of Safety and Inspections, to coordinate a meeting with some of the advocates and some of the store owners. He said the meeting had taken place the day before, and Mr. Niziolek would provide a brief report.*

*Mr. Niziolek reviewed the priorities, suggestions, and challenges identified by the group.*

*Councilmember Bostrom introduced an amendment which would include tobacco*

shops in the restriction. In response to questions from Council President Stark and Councilmember Bostrom, Deputy City Attorney Rachel Tierney clarified some of the implications of that change.

Councilmember Brendmoen spoke in support. Councilmember Prince spoke in opposition. Following further discussion, it was decided that the amendment would be introduced after the public hearing.

*In opposition:*

*Hengbun Mao, Walter Brother's Liquor (438 University Avenue W.)*

*Lance Klatt, Executive Director of Minnesota Service Station and Convenience Store Association*

*Brian Henderson, Highland Park BP (1191 Randolph Avenue)*

*Cecelia Washington, employee of Capital City Station (32 Inner Drive)*

*Curtis Stramer (1562 David Street)*

*Lee McHenry (1749 Wordsworth)*

*Jamie Hendricks (1280 Galtier Street)*

*Jorge Samper Sunray BP (844 Ruth Street N.)*

*James Maranda (1262 James Avenue)*

*Steven Rush, Holiday Companies (4567 American Boulevard West)*

*Council President Stark asked those present in opposition to stand.*

*In support:*

*Dianne Binns (775 Dayton Avenue), President of the St. Paul branch of the NAACP*

*Damenica Ellis, Aurora St. Anthony Youth Program*

*Tom Kottke (571 Otis Avenue), Healthpartners*

*Ora Hokes (1350 Russell Avenue N. Minneapolis) read a statement from Rena Moran*

*Jonathan Rose (16 Cutler Street)*

*LaTrisha Vetau (3241 47th Avenue S.)*

*Jeanne Weigum (1647 Laurel)*

*Sylvia Amos, Stairstep Foundation (1404 14th Avenue N.)*

*Councilmember Brendmoen moved to close the public hearing. Yeas - 7 Nays - 0*

*Council President Stark: The motion carries. Discussion. Ms. Noecker.*

*Councilmember Noecker: Since I wasn't here for the public hearing last week, I thought I would share a few of the reflections that I have had. I appreciate the testimony tonight and all the testimony shared last week as well. I have heard a lot of people say this has been a rushed process and it's coming along very quickly and I want to be clear that I have been giving a lot of thought to this issue. I know that I am*

*not alone at this table in saying that. The great tragedy here, which is embodied in this room, is that we are all addicted to menthol. Physically, the individuals and the victims we have heard about just now. And economically, the retailers were talking about how this has become the lifeblood of their stores and the communities they support. That is a greater tragedy that we are not even talking about here. I have heard testimony about how this ordinance will hurt a lot of people but I think we have to acknowledge that the status quo is also hurting a lot of people. My father is a pulmonologist; he worked at the VA Center for a number of years. Now he is the head of care at Hennepin County Medical Center. He has seen this issue, first hand, from all stages of life and right now particularly at the end of life and seeing what this drug can do to people. Menthol is a dangerous and deadly drug. It is poisoning our communities. I appreciate the retailers' points about how they are in compliance with the law. I think the 98% rate is notable. But to me, this is about access and the*

*broader the access is to a poisonous drug like menthol, there are going to be leaks. Not just young people, but all people are going to have more access to it. As I was just looking through the list of FDA Compliance Report, which just covers the last 18 months, I noticed that there were sales to minors in my ward and from at least one of the businesses who spoke here tonight. I think limiting this access as a restriction, not a ban, is a responsible thing to do. It is for the health of our community and I am fully in support of it.*

*Councilmember Brendmoen: I want to thank the advocates and retailers for coming out in force, twice. The effort here at the public hearings has been incredible. I especially want to acknowledge the work of the advocates, Answer Vision and Living Life, Change is Possible, the NAACP, the Black Ministerial Alliance, the African American Leadership Forum, the Healthcare Community and so many others, for organizing support and educating the community about menthol legislation. I think we all have been overwhelmed and stunned by the group that you have assembled, the incredible base of support. It shows how much effort you have put into this and how passionate you are about the issue and that you are right. I agree about the public health goals with all of you. I think we need to take steps. Sometimes they are uncomfortable to get to that end. I have been with the anti-tobacco coalition in the past and I plan to continue being an advocate on this issue in the future. The intentional targeting of menthol to African-Americans and the LGBTQ community is reprehensible and it must be addressed. It is incumbent upon all of us to take measures and protect our young people from exposure to addictive, lethal, harmful substances. I know the advocates have worked very hard and they are eager to have a vote here today, so I apologize but I am going to talk about our role and our process and some things I think we messed up along the way. The job of the advocates is to identify issues, build support, bring their ideas and momentum to their elected officials for action. These days, as Representative Rena Moran said in her letter, much of this action is focused at the City level due to the dysfunction in the higher level bodies of government. This City Council has stepped up to the task of the ban on the fruit flavored and candy flavored tobacco, paid parental leave, earned sick and safe leave, to name just a few. We're in it. Typically, though, we engage the proper department to define the problem, to engage the stakeholders and the area businesses. We collect community input to determine what resources might be needed to help affected parties navigate those changes, and share proposals with our Community District Councils and neighborhood groups and business associations so people are aware of changes and can plan and prepare for them. Just today, we heard a second reading of an ordinance for some changes to our AirBnB regulation and also on "to go" packaging for restaurants. Both of these processes have taken well over a year. They've involved all sorts of impacted stakeholders and many meetings, many conversations, many revisions, lots of notification. Of course it's not always possible to reach a consensus. I think on both of these earlier issues, there are still plenty of people who don't agree with the change. But at least the voices were considered and the points of contention were addressed. In this situation, that is not what happened. I think we were excited after we passed the flavored cigarettes and cigars and it was fairly smooth. There were six interested authors on this ordinance and strong support for the goal. I think we got ahead of ourselves and input it into the system but we skipped over the process that we normally have. Even as late as today, my colleagues and I are talking to each other, this is the fourth reading and we are supposed to vote and we are still drafting parts of this legislation on the fly. Even as we started, Mr. Bostrom suggested that are we looking at a full ban and what are the implications with the tobacco stores. We are still talking about the implementation date and should we be aligned with Minneapolis or should it be shorter or longer. One thing we talked about is should we have a fund, with staffing and support, we have a small business development center at St. Thomas, to help these businesses as we move forward to these changes. All of these things are still ruminating; we haven't formalized them. So because we skipped our*



usual process, this ordinance, while it is good and right, it still feels a bit half-cooked. I am for the goal of this ordinance and I think the advocates have done everything that they are supposed to do and more. I feel we have dropped the ball in this process and that we have an obligation to walk the talk. We are constantly talking about transparency. We're constantly talking about community engagement. And we're constantly talking about how much we want to support our small businesses. The truth is, I think Rebecca is right, these businesses are kind of addicted to tobacco, too, from an economic perspective, and they need help to kick the habit because eventually, there's going to be no tobacco sales. My suggestion, and this may line up with Mr. Bostrom's suggestion, is that we lay the item over for four weeks, until October 25, and allow DSI, the advocates, and the retailers to continue the conversation they are having, but come up with a forward-focused plan but understand that this change is inevitable. The change will be better if our stakeholders are involved in the conversation. I would propose a four week layover to tidy this up before we pass this very important legislation.

*Council President Stark:* Ms. Brendmoen is moving a four week layover. That motion is on the table. We can have discussion on that motion now. Mr. Thao.

*Councilmember Thao:* I want to thank everybody for coming down here tonight. I talked to a retailer, Mr. Tobasi, who is here. He has bills to pay. He's got employees he's responsible for. I get that. He told his story about how the neighborhood gas station was run down and no one wants to invest in that neighborhood, a crime-ridden neighborhood. He took the risk and the responsibility to clean up the neighborhood and to invest in that neighborhood and now it's a thriving neighborhood in St Paul. I sympathize with that; I get that. It was a menthol cigarette that was introduced to me as a kid. It does impact our community. We have testimony here tonight of the kind of pain we have. We're in this together. The retailers, some of them spoke tonight, some of them live and work here and invest in this community. Our kids in the neighborhood are going to become the future leaders of this City. They are equally important. Your family is equally important. It was not the intent to harm anyone with the ordinance. We are asking them to take responsibility in helping the community and keep menthol tobacco from spreading into the African community, into our community. It is equally important that the community support these retailers. If we are asking them to be accountable and to be a part of our lives and protecting our kids, we are equally responsible. Instead of going to Walmart and Costco, shop at the local retailer. I encourage you to do that. That's how we support each other and get off our dependency on menthol tobacco. I support the layover and think it's important for us to continue to have this dialogue. I would be open to the implementation be over 365 days to help you figure out and be prepared for that. I would gladly support that as part of the discussion about Councilmember Brendmoen's motion.

*Council President Stark:* I am going to support the motion to layover as well. I think my colleagues said it very well. The analogy is perfect. We have to figure out a way for all of us to kick this habit, the retailers included. I think everybody in the room can agree we want our small businesses to be successful and they are an important part of the community. We also want them to not have them sell menthol cigarettes ultimately, most of us in the room and so I think this four week period will give us a little time to have further discussion, as Ms. Brendmoen stated, to figure out if we can actually can work with the businesses over the next several months to a year on this transition period as a community, as a city, to help with that transition. I fully support the ordinance that's in front of us, but I think the four week time period is a smart move for right now to get us to a better place where we can have more certainty about what that looks like, how we are going to support those businesses. I think right now we're thinking about it, talking about it. I think we need a little time to flesh that out.

Ms. Prince.

*Councilmember Prince: I am going to speak against the layover but it's evident that the votes are here to lay this over. We, as the Council, when we did earned sick and safe leave, we're looking at AirB&B regulations, we're looking at regulating "to go" packaging, we are frequently accused of overreaching. This is not an example of overreaching. In this particular case, this came to our attention because a very broad-based coalition of community groups, people of color, young people, a tremendous amount of energy and effort from young people, from Council 18 Hmong community leaders, from NAACP and the African-American Leadership Council and the African-American Leadership Foundation, from our own Public Health Department, from the medical community, from the LGBT community, that they are sick and tired of us, as a City, allowing the sale of menthol where it is easily accessible to young people. We have heard from the testimony that we have received and the numbers that have been presented that, in neighborhoods like mine that are lower income and that are made up of large groups of people of color, that menthol sales are about 80% of what they sell. That's what we're doing this for. It's because in communities like mine, the tobacco industry is targeting the people who live in my community. I want to work with the business community and I appreciate the input we've had from business community members, business owners. I feel for you. I have a meeting planned with the convenience stores in my area, we're in the process of reaching out, to talk about the things that the City can do. Are there other kinds of restrictions or red tape that we could lighten? Are there funds the City has through the Star program that we could use to help you improve the appearance of your building? Can we help you connect with neighbors and business associations to work on your business model so you are selling things that the community wants and that are healthy for the community. I am willing to do that even as we pass this ordinance which I believe we should be passing on the fourth reading because, as long as the companies that are here and the companies that are selling menthol in large quantities continue to proliferate a business model that depends on marketing the products of an immoral and poisonous industry, you will continue to come into conflict with the community, with the medical community, and with politicians like me who are sick and tired of the tobacco industry costing our country a tremendous fortune in lives and in dollars. I don't see anything inconsistent with passing the menthol restriction on the schedule we were on and making a commitment today to work with the business community on these issues. Clearly my colleagues do not agree and I have to respect that. I also want to point out, that as part of the efforts that we have been talking about this week in hopes of being able to keep this on schedule that the Association of Nonsmokers Minnesota has said they will help raise a fund to assist business owners in mitigation activities to help their businesses get through this loss of business. Even as we do this, we have support from the people in the green shirts to help you get through this. I am sorry we are not passing this next week and I really deeply appreciate all the people who brought this to our attention and had faith in us that we would do the right thing. I hope we do the right thing four weeks from now. You have my full commitment. I want to say one last thing. I do not feel that we ran a bad process. I know people were surprised by this but, again, we can pass this and still work on the issues that we're promising to work on over the next four weeks. Thanks very much to everyone.*

*Councilmember Noecker: I appreciate everything Councilmember Prince just said and I share your feelings about this ordinance. I also appreciate Councilmember Brendmoen's comments about the process and how exactly we are going to help mitigate this inevitable result for the business owners in our wards and in our neighborhoods. I appreciate that we could pass this tonight and make a commitment to business owners to be of assistance in the future, but I also know how things work around here, how busy we are, how quickly things can take over our priority list and I think it is important to have a deadline looming ahead of us at which point we are going*

*to pass this ordinance, to give us that tight timeline to work together to figure out how, not whether, this ordinance is going to be implemented. That's critical to my support for this, it's not delaying four weeks to have additional conversation about whether this is going to move forward. As far as I am concerned, I am coming back here in four weeks and voting for this menthol restriction. I do appreciate and will support the additional time to mitigate that. And also to talk to the business owners about an implementation timeline that makes sense for them.*

*Councilmember Bostrom: Thank you again to everyone who came out tonight. I hate to say it but what we are talking about tonight doesn't really change anything as far as the menthol landscape. We take the cigarettes out of convenience stores and gas stations and whatever and we transfer them to the tobacco shop. So, let's just say we are selling \$10,000 worth of menthol cigarettes today in the City of St Paul, what we effectively have done is take that away from the businesses that are currently doing it and we are transferring it to the smoke shops. We haven't lost the sale of one package of cigarettes. What in the world are we doing, this makes absolutely no sense to me at all. If we're serious about getting rid of this, let's do it. We are concerned about all the convenience stores losing money, but what are we doing, we are transferring it to the smoke stores. That doesn't make any sense to me at all. If we are serious about doing this, include them in this and let's be done with it. The effectiveness isn't for 90 days, we have time to do this, even if we have to have another hearing on this to do that and to get this done. I'm not going to ask the folks in the audience to stand up but for crying out loud, I hope it makes some sense to you if you want to get these things out of your community, why not get them out of the community. Why just move it from here to there. Maybe I'm not smart enough to get it, but it doesn't make sense to me at all. Let's get rid of it if you want to get rid of it.*

*Council President Stark: Any further discussion on the motion to lay this over for four weeks. If not, consistent with what Ms. Noecker said, important next steps are that we make sure that folks are getting back to the table to work with us, our City staff, and whoever else is willing to partner with us to put together a business transition strategy. Any discussion? Seeing none, let's have a roll call vote on the motion.*

*Ms. Moore: Noecker?*

*Councilmember Noecker: Yes.*

*Ms. Moore: Prince?*

*Councilmember Prince: No.*

*Ms. Moore: Thao?*

*Councilmember Thao: Yes.*

*Ms. Moore: Tolbert?*

*Councilmember Tolbert: Yes.*

*Ms. Moore: Bostrom?*

*Councilmember Bostrom: Aye.*

*Ms. Moore: Brendmoen?*

*Councilmember Brendmoen: Yes.*

*Ms. Moore: Council President Stark.*

*Council President Stark: Yes.*

*Ms. Moore: Six in favor, one opposed being Councilmember Prince. The ordinance is laid over to October 25.*

*Council President Stark: Mr. Bostrom.*

*Councilmember Bostrom: I would like to suggest that amendment that strikes out the tobacco shops.*

*Council President Stark: Folks, we have more business to do here. If you could move the conversations out to the hallway, we would sure appreciate it. Mr. Bostrom is proposing to move the amendment he talked about earlier to this item. Is there further discussion on Mr. Bostrom's amendment? Mr. Thao.*

*Councilmember Thao: I'm not against it but I'd like to know more information about it. Councilmember Prince brought up some legal implications. I need to be clear on that. Could that be part of the discussion in the next four weeks?*

*Council President Stark: Sorry, Mr. Thao. I just asked counsel and I think this amendment is now out of order since we have now laid the matter over.*

*Councilmember Bostrom: All right.*

*Council President Stark: But I think you have now put the matter onto people's radar. Go ahead, Mr. Thao.*

*Councilmember Thao: That was just my response to Councilmember Bostrom's amendment. The legal implication.*

*Councilmember Bostrom: What a joke.*

*Council President Stark: All right. We are going to move on to Item 34.*

**Public hearing held and closed; laid over to October 25**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**34 Ord 17-40**

Amending Chapter 66 of the Legislative Code to establish six new 'Ford' zoning districts and amending the Zoning Map as recommended in the Ford Site Zoning Study.

*Council President Stark: We are going to allow a minute for people to get out into the hallway so that we can actually hear what we're doing in here. Thank you.*

*[People moving out of chambers, noisily.]*

*Council President Stark: Consistent with last week, we are having the public hearing on both items, 34 and 35, continued tonight. I will reiterate that the continuation was for purpose of folks who were celebrating the holiday last week or otherwise could not*

be here or did not get a chance to speak. I will turn it over to Mr. Tolbert.

*Councilmember Tolbert: Maybe we can make sure the doors are shut because I know hearing can be difficult in the back of the chambers, especially if I mumble. Before we get started, I did want to make an amendment to the resolution in 35. We had a great discussion last week regarding affordable housing goals on the site and within the plan. I handed this around, it's also on the Web on our agenda. It clarifies those goals, so it still keeps the 20% goal which is consistent with City policy in the Comprehensive Plan and then it breaks down how that should be allocated within that 20%. "10% of housing units should be affordable to households earning 60% or less of Area Median Income; 5% of housing units should be affordable to households earning 50% or less of Area Median Income; 5% of housing units should be affordable to households earning 30% of area Median Income." It also adds "consistent with our HRA and City policy of any housing developments seeking subsidy from the City or the City's Housing and Redevelopment Authority Affordable Housing Standards under Strategy 3.3 of the Comprehensive Plans Housing Chapter shall apply which would equal 30% affordable housing goals within that building." I think that better allocates what the plan was trying to get at and reaffirms our goals of affordable housing throughout the Ford site. It's something I heard quite a bit about in our neighborhood and our discussions from a wide view of people on our affordable housings. Obviously in not as specific a sense as we are putting in there now of some of the goals based on Area Median Income levels, but I think this is a very good thing and the 20%, 30% breakdown is not only consistent with our current policy but it has been well thought out from our Planning and Economic Department as well as others. I will put that amendment before us for discussion and make a motion when necessary.*

*Council President Stark: OK. I think you can make a motion now.*

*Councilmember Tolbert: I make a motion.*

*Council President Stark: Mr. Tolbert moves the amendment that is in front of us on the affordable housing goals for the project. I appreciate Mr. Tolbert bringing forward this amendment. I thought we had a lot of testimony last week about this issue and how important this is that the site include affordable units at 30% of Area Median Income and we heard that from a variety of perspectives. I think this amendment achieves that goal; I think there's still a lot to be worked out and decided in the future when the actual Master Plan comes forward from a developer, in terms of detail, but I think this gives us the specific target of making sure we are getting a decent chunk of units at 30% with the opportunity to possibly seek more because the language is very clear about the 60% and the 50% of AMI less than that level. I appreciate the language that's put forward here and will support it. Other discussion? Mr. Thao.*

*Councilmember Thao: Thank you, Councilmember Tolbert, for putting forward this amendment. Last week, I initiated an amendment to have 10% at 60% AMI; 10% at 50% AMI, and 10% at 30% AMI. I'm willing to support a total of 20% affordable housing, but I'd like to make a friendly amendment to reverse the order to 5% at 60% AMI, 5% at 50%, and 10% at 30%. I think there's no reason that we couldn't support that as we are all in support of affordable housing.*

*Council President Stark: So Mr. Thao is moving to amend the amendment, to re-order the percentages essentially in the reverse order. Does everyone understand the motion? Any discussion on that motion? Ms. Noecker.*

*Councilmember Noecker: I am curious as to whether Councilmember Thao considers that a friendly amendment, not that that determines how the discussion proceeds. I am in support of that motion and I think that we need to be balancing a mix of housing*

*throughout the City and a mix of affordable housing and I appreciate Councilmember Thao's perspective for housing for those who are most in need and at the lowest end of the income spectrum. With the tight vacancy rates that we are seeing now, we are in a tight crunch for affordable housing I prefer to see the higher percentages be for the lower percent AMI. But I am not sure if it is considered a friendly amendment or not.*

*Councilmember Tolbert: I would need to be the one to call it a friendly amendment, not the person offering the amendment, but that's just a technical thing. We worked closely with the Planning and Economic Development Department on getting these numbers right. They have worked on crafting the 20% for years on what would be right, so maybe if Mr. Sage-Martinson could come up and discuss the numbers that he helped put together for this amendment.*

*Council President Stark: Mr. Sage-Martinson, welcome.*

*Mr. Sage-Martinson: I think I understood the general request to talk about why the recommendation from the Planning and Economic Development Staff on the breakdown of that 20% of affordable housing. The Planning and Economic Development Staff supports the breakdown of 10% of the units being at 60% of Area Median Income, 5% at 50% of Area Median Income and 5% at 30% of Area Median Income. We think that's a good distribution of affordability on the site and I want to just want to give a couple of reasons for our thinking around that distribution. First, the way this is written in the Master Plan is those percentages apply across type of housing, so they apply both to rental and to ownership. We don't know today how the site will split the units between ownership and rental. Affordable ownership is important in the City. It is very difficult to do, really well, affordable home ownership at 50% and 30% AMI. So by putting the larger percentage at 60% of AMI, it recognizes that we are going to try to do some affordable home ownership. That is typically the lowest AMI that we would hit with ownership. That's one reason, also, from 2011 to today, we have a goal at the Met Council to produce a certain number of affordable units under 60% of AMI. Against those goals we are doing quite well in the 30% AMI across the City. We could use more units in the other categories. And then, I just want to talk a little bit about the pure numbers here. If you think about the goal of 5% of the units on the Ford site, and we'll say maximum build-out which is 4000 units, we have some guidance from the Met Council to produce over the next 10 years, from 2021-2030, that St Paul should produce 830 units for 30% AMI and below. If we were to go with 10% at maximum build-out, that's a quarter of the City's 10 year goal, reached on the Ford site alone. We think it's very important that these 30% AMI units happen across the City. It's very important they happen in Ward 3. In my view, it's very important they happen on Ford, but we want to make sure they are not all clustered in one development. We don't want to do a quarter of them in one development site. So 5% puts us at 1/8 of our goal over the next decade with the numbers from the Met Council and allows us to do some of those 30% units elsewhere in the City and elsewhere in Ward 3. The final thing I will say that, of the affordable housing sites that are closest to the Ford site, there are two projects on Cleveland Ave that are immediately adjacent to the Ford site. There are 154 units in those two projects and they serve 30% of AMI. So, the closest affordable housing projects that we have to the Ford site are already in that 30% AMI. Because of those issues, we think the right breakdown to balance needs across the City is 10% at 60, 4% at 50, and 5% at 30. Is that responsive to your question?*

*Councilmember Tolbert: Yes. Thank you very much.*

*Council President Stark: Thank you. Ms. Prince.*

*Councilmember Prince: I'm not clear what you said, those numbers apply by housing*

type? By development? It's my understanding that the policy is applied by PED in the aggregate across all of the housing that we do. So it's not clear to me why we can't do it the same way on the Ford site which is 10% of units need to be available to 30% of median, regardless of where they fall in those projects.

Mr. Sage-Martinson: I think there's two components here. If you look at the City's Comprehensive Plan and our City-wide policy on affordable housing, that applies to any building where PED or HRA provides financial resources to help build that building. Then 30% housing applies, including 10% at the AMI; that's a City-side policy that applies today. It will continue to apply to the Ford site. What we are doing here in this 20% is above and beyond the existing policy because we are saying we want that 20% to apply to the site whether or not the HRA invests in the individual building. We want it to apply to the new 135 acres. So, regardless of whether PED or HRA invests in one of the new buildings, one in five units on the Ford site would be affordable in one of these categories. So the City's Comprehensive Plan Affordable Policy is different and not as strong as this Master Plan percentage because it applies, again, to everything built on the site. Is that responsive to your question?

Councilmember Prince: I think it is. As far as the 30% AMI, we have a lot of people in need. We have identified a need for 1,7000 units of affordable housing for cost-burdened households, so I have a hard time with not weighting these percentages on the 30% AMI. I support the motion.

Councilmember Noecker: Mr. Sage-Martinson, you talked about the projects that are nearest to the Ford site right now are at the 30% AMI. How does that compare with other Wards in the City? How does the percentage of 30% AMI in Highland compare to other Wards? I think what we are trying to get to here with 5% vs 10%. I also would prefer that weighting and it doesn't seem like a dramatic shift between the two and so I am just trying to understand what the broader implications are here.

Mr. Sage-Martinson: The difference between 5 and 10% is not insignificant on a site like Ford where the maximum buildout is 4000 units, so 10% would be 400 units, 5% is 200. That's a really big difference when we think about our ability as a City to fund the gap needed to build that many affordable housing units, which we are committed to doing with more resources. When you think about them in this 135 acre sites, this is the biggest redevelopment site in the City of St Paul. It is still a small portion of Ward 3, for example. It is a small part of the City as a whole. As we think about our goal from the Met Council to build 830 units serving people at 30% and below, we want to make sure we get a good number on this redevelopment site but we don't want to get too large a percentage. We want to make sure there's resources to serve people at 30% of median in other parts of the City as well.

Councilmember Noecker I think that's the essence of my question about where people at 30% AMI are living now. And whether that is equally distributed across the City.

Mr. Sage-Martinson: I have the more precise numbers in my binder. It would take me just a minute to find them, but I can give you, very quickly to your point, as we look at affordable housing across the City, we have some of the lowest numbers in this Ward. There's clear need for affordable housing in Ward 3. There's a clear need for affordable housing in Highland. I think there's a clear need for housing on the Ford site. Our recommendation, though, is to balance that with the needs throughout the City. And recognizing that this is one site in a much broader Ward, that this is a significant commitment without concentrating too many of our future units in the next decade in one place.

*Councilmember Thao: I represent Ward 1 and we have the most concentrated affordable housing of all sorts and Section 8, and I think having 10% at 30% AMI is a way to balance our development across the City. Now, we talk a lot about how the City would finance or put up gap money but we have to understand that the City is not the only one that is going to contribute to creating affordable housing. We have partners, state agency that is going to support us. I think this is a good amendment. When we talk about subsidizing the Palace Theater, the soccer stadium, doing the \$18 million construction of the grid system, Treasure Island Center, even the lawsuit put up against us, we're able to find money, but here we have an opportunity to create a roof over people's heads, who could be a single mom working two, three jobs or folks who are scrubbing our floor or our toilet. They are equally important. This is a policy decision to send a clear message. First of all it seemed like we're not listening to the people. we're not hearing them because a bunch of people don't like this plan. Now we're saying that we will support this plan but we won't allow folks who need housing there. So then, who is it really for? It sounds like we are really trying to create a plan that's best suited for the developer. If we are going to do density, then we've got to make sure there's appropriate affordable housing at the site.*

*Councilmember Tolbert: I think the amendment I put forward, and the form I put it forward, is a strong amendment, it's a good amendment. Just to remind people what we're working on here today The resolution is part of the plan and that's really our goals for the site. It sets our vision for the site and goals for the site and then we are also passing a rezoning. Our goal is 20% affordable housing and more if possible. Part of the reason on some of this stuff, it remains a little bit open-ended and not specified down to the details, is because a lot of it is going to matter when the master developer brings forward a proposal. Obviously they are going to have to work within our zoning framework and the goals of our plan but also the funding landscape could change during that time as well. We want to be able to negotiate with that and talk about that. What we are putting forward here wasn't just pulled out of a hat. This was thought out as this plan was thought out over a decade, and very closely over the last couple of years, and I think, as Jonathan Sage-Martinson articulately said, of why the breakdown and the goals are there, and that doesn't mean that 5% can't be more than, we can have 5% of housing units that are more, but that's the specific goal laid out in the plan, and I think it's well said and I support my amendment. And not the amendment to the amendment.*

*Council President Stark: I am torn, because I support the idea that we should be building more units for the lowest income, for those folks who need it the most, and also know that those units are very expensive on a per unit basis to invest in, and when we have conversations at this table and the HRA table about how we're going to spend our very limited 9% tax credit dollars that we are actually getting less of than we used to, as an example, and can only build one project a year. There's some possibility that at the 10% level, we'd be almost pre-committing ourselves to spending every one of those dollars for the next eight or 10 years on the Ford site. Maybe that's what we want to do but I'm not sure that we've fully thought that through as of today. It's unfortunate that we are at this table, this late in the game, wrestling with this issue because I think it's a really important issue. In St Paul we have the highest housing performance score in the metro region that the Metropolitan Council gives out. They actually rate the cities across the region and how they do to meet affordable housing goals. We meet our goal better than any other community across the metro, which is great. We also know that there is a lot more need than we can even meet, and part of the problem is that other communities are not helping meet that need, and so there's also a reasonable debate to be had about how many units we create, and how much of the pressure affordability needs to be at the regional level. I think Mr. Tolbert's version creates enough flexibility that we could actually play with these numbers moving forward, because it says 60% or less, 50% or less, when we have more information.*



*Right now, for the last couple of years, developers have been able to build 60% units without TIF or other traditional financing methods because the tax credits have been so valuable. They've been able to get those units built just with tax-exempt bonds and the 4% tax credits. That's been so popular that, for the first time in our history, we've run out of 4% tax credits. Those conditions are always changing, though. I am concerned that if we are locking into a number right now, the financing picture will change dramatically five years down the road. It could really affect things in ways that we are not anticipating. So, I think Mr. Tolbert's version provides enough flexibility for us to come back to the table when the Master Plan comes forward and do the right thing when we have more information. So I am going to speak against the amendment even though I support what it is really after. Ms. Noecker, Ms. Prince.*

*Councilmember Noecker: Well, Council President Stark, I was going to say, taking advantage of the fact that you are torn, though I don't know if you are actually torn now, but I do think that if we are serious about addressing our areas of concentrated poverty that we see in our City and we talk about a lot here, this is the way to do it. Ultimately, we are only going to have as much available in financing as we have and need to put it somewhere and I think setting a vision, and you're right, it is just a vision, but we know that developers are going to come present a Master Development Plan that's going to adhere to what we've said tonight and they are only going to aspire to the minimum that we put forward for them. I frankly think that dedicating our scarce resources to helping people in poverty live in a neighborhood that is not an impoverished neighborhood is more important than putting our resources toward building more housing for people who are in poverty in poverty-stricken neighborhoods. I think this is an opportunity to set an aspirational vision on a site to Mr. Sage-Martinson's point. It is an aspirational site, it is the only time we're going to have an opportunity to do this and hopefully going to be a privilege for the developer and not a chore.*

*Councilmember Prince: I agree with everything Councilmember Noecker just said. I'm also going to say something I may bring up a few more times tonight. Council President Stark, you mentioned it's too bad this is coming up at the last minute. This is a City-wide project. With all due respect to my colleague Councilmember Tolbert, the Ford plan and zoning represent the focus of City-wide development resources for decades to come, we have not talked about how this is going to meet Citywide goals, and a four week layover would be appropriate. We, as a Council, have not properly talked about the Ford site in terms of how it meets our City-wide housing goals, our City-wide economic development goals. I happen to believe, in this particular matter, that a four week layover would be very appropriate for us to look at some of the City-wide implications of what we are going to vote for today. But, we are clear, our City-wide goal is 10% at 30% of AMI and I see no reason why we need to change when, as Councilmember Noecker said, this is a plan that's aspirational. If as you say, we found out that it wasn't nearly as marketable as we'd hoped, or the money just wasn't going to work, plans can be amended. Plans don't have the legal effect of law. But they set what we believe are appropriate goals for development. In this particular case, when we're talking about the need of low income members of our community, and we look at it in view of areas of concentrated poverty in four of our wards. I see no reason why we shouldn't maintain 10% at 30% of AMI.*

*Councilmember Thao: I don't think this is a last minute thing that's come before us. I could say the same about Councilmember Tolbert's amendment. It's a surprise; I could say that, too, because it's being introduced at this moment. Last week I presented at the public hearing. I didn't want to present it before the public hearing because I wanted all of us to hear what folks who wanted affordable housing had to say. I presented at the end and it was just like ok we're running out of time so we will have to discuss this later and we're going to extend the public hearing and then I'm*

*bringing it up again, trying to do what is right, following the Comprehensive Plan to create affordable housing. My colleagues support it. I don't think this puts us in a disadvantage. I think it helps us send a clear message to the developer what kind of housing development that we want here, that we are inclusive, and that the Ford site is not immune to equity housing and that anybody can live in this neighborhood, hardworking people can live in this neighborhood; their income doesn't matter. I still cannot understand why this is not a friendly amendment.*

*Council President Stark: That is always for the person who put the amendment forward to decide.*

*Councilmember Brendmoen: Councilmember Prince, I heard you say that you believe that we have a City-wide goal of 10% at 30% AMI. You asked Mr. Sage-Martinson that question and I don't think that's the answer that you got. My understanding is that when the HRA is investing in an affordable project that's the goal. And that would also be the goal at Ford. But it's only in the projects that we are investing in as HRA.*

*Councilmember Prince: If we are going to put these goals into a plan, I think they should be consistent with what we, as a City, have determined. The underlying commitment of TIF to the project and the fact that we are talking about the need for TIF is directly related to the development of affordable housing at the site. I think it's appropriate that the developers will serve a range of incomes in their buildings.*

*Councilmember Brendmoen: I am not quibbling with your position. I just wanted to make sure you were clear of the information.*

*Councilmember Tolbert: Yah, I know you want to vote on this. I would say, Councilmember Prince, if you want to be consistent with our goals, you should support the amendment as I put forward because it's 20% for an area and 30% for any development project, specifically stated in the amendment. So, if you would like to be consistent, I would recommend supporting that.*

*Council President Stark: I gotta say, I think Ms. Prince actually talked me into this. What you said about, it doesn't hold the force of law, what we should be putting in a plan is what we should be aspiring to, I think strikes me as right and counter to the argument that I made a minute ago. Ms. Noecker.*

*Councilmember Noecker: Move to call the question.*

*Council President Stark: Let's have a vote, then, on Mr. Thao's amendment to the amendment. Roll call vote.*

*Ms. Moore: Noecker.*

*Councilmember Noecker: Yes.*

*Ms. Moore: Prince.*

*Councilmember Prince: Yes.*

*Ms. Moore: Thao.*

*Councilmember Thao: Yes.*

*Ms. Moore: Tolbert.*

*Councilmember Tolbert: No.*

*Ms. Moore: Bostrom.*

*Councilmember Bostrom: No.*

*Ms. Moore: Brendmoen.*

*Councilmember Brendmoen: No.*

*Ms. Moore: Council President Stark.*

*Council President Stark: Yes.*

*Ms. Moore: Four in favor, three opposed, being Councilmembers Tolbert, Brendmoen, and Bostrom. The amendment to the amendment is approved.*

*Council President Stark: Correct.*

*Councilmember Tolbert. Move to move the amendment forward.*

*Council President Stark: Ms. Tolbert moves the amendment in its amended version. Is there discussion? Hopefully not. All those in favor. [All say Aye.] Any opposed? [No one opposed.] The motion carries.*

*Ms. Moore: Seven in favor, none opposed. The amended amendment is approved.*

*Council President Stark: Thank you. All right. Mr. Thao.*

*Councilmember Thao: I want to introduce an amendment. It's in version 3. We are asking the Planning Commission to prepare a study and recommendations regarding possible inclusionary zoning requirement for the Ford site development area by mid 2018. I understand that we haven't used inclusionary zone in Minnesota but this is a request for a recommendation to us. I think it would be a good starting point for us to see how this would work or impact the Ford site.*

*Council President Stark: Mr. Thao, I thought you had multiple amendments in one.*

*Councilmember Thao: I do. They are separate.*

*Council President Stark: You are bringing forward separate amendments?*

*Councilmember Thao: Yes. I am going to read all of them.*

*Council President Stark: OK. Are those all in Legistar?*

*Councilmember Thao: Yes, in version 3.*

*Council President Stark: If you are bringing them forward separately, then we can take them separately. Ms. Noecker.*

*Councilmember Noecker: I am going to speak in opposition to this amendment. I support the idea of studying inclusionary zoning. I don't think I would want to limit that specifically to the Ford site, I think it complicates the plan and the issue we are really here tonight to address. I would support the idea of inclusionary zoning in the City as a whole, but not specifically related to the Ford site.*

*Council President Stark: I will also speak against this one. I think the action that we just took on the plan essentially is the inclusionary zone policy for the site. Inclusionary zoning is a complicated topic and we can get into it at some point, but I don't think just studying the Ford site makes any sense because we just took an action to plan for affordable housing on the site. Others? If there's nothing else, we'll have a vote on Mr. Thao's amendment. Roll call.*

*Ms. Moore: Noecker.*

*Councilmember Noecker: No.*

*Ms. Moore: Prince.*

*Councilmember Prince: No.*

*Ms. Moore: Thao.*

*Councilmember Thao: Yes.*

*Ms. Moore: Tolbert.*

*Councilmember Tolbert: No.*

*Ms. Moore: Bostrom.*

*Councilmember Bostrom: No.*

*Ms. Moore: Brendmoen.*

*Councilmember Brendmoen: No.*

*Ms. Moore: Council President Stark.*

*Council President Stark: No.*

*Ms. Moore: One in favor, six opposed being Councilmembers Noecker, Prince, Tolbert, Bostrom, Brendmoen and Council President Stark. The motion fails.*

*Council President Stark: Mr. Thao.*

*Councilmember Thao: This is to include definition in Chapter 9 Sustainability a new section called Community Benefit Agreement. Let me read it here. "9.6 Community Benefit Agreements Overview and Intent. Community Benefit Agreements are a private contract negotiated between real estate developers and community groups affected by the real estate development. Community Benefit Agreements may include health impact assessments. These agreements allow developers to receive support from community groups for their development proposal by providing community groups with the ability to share in the economic benefit of the proposed development. The City does not participate in negotiating Community Benefit Agreements. It is a party to any agreement and does not require them in order to obtain development permits. However, developers are encouraged to undertake Community Benefit Agreement negotiation when appropriate, including when developers seek public subsidy for their project." I am proposing this because the principle of our government is that government exists for the people and it is by the people. Clearly, I want to be united with my colleagues on this vote for the Ford site. What I think this does is add protection, and it adds community voice so that it's community driven into the process*

*and that should be part of the vehicle of driving this process going forward. The Community Benefit Agreement has been helpful at the Midway site where we have brought in community organizations and the District Council to sit down with Minnesota United so they can be in dialogue and working going forward in making the construction work with everybody and what kind of amenity that they want on that site. I think that this will give power back to the community, the folks that feel they have not been heard. It also gives voice to folks who support the Ford site to be in relationship with whoever the developer is, so that we can continue, as we move forward, we can begin to heal and we can come back and be neighbors again. I think this is a way to help us guide that and this would really help me make a decision whether I support the Ford plan or not.*

*Council President Stark: Mr. Tolbert.*

*Councilmember Tolbert: I just have a couple questions. So where in the plan would this be put in?*

*Councilmember Thao: I'm sorry?*

*Councilmember Tolbert: What page of the plan would this be put in?*

*Councilmember Thao: This is Chapter 9 Sustainability. And the Ford site is only in public realm Master Plan. And it's 9.6 Community Benefit Agreements Overview and Intent.*

*Councilmember Tolbert: And then how would a developer meet these requirements? What's the standard a developer would use to meet the*

*Councilmember Thao: They would sit down with community members and community organizations and make sure they are hearing what the community wants. It would include a health impact assessment so that those data could help drive decisions. This ultimately gives voice back to the community so that they can work with the developer. I think this is a good compromise so that folks who feel they've been left out can be at the table with whoever the developer is.*

*Councilmember Tolbert: So if a developer sat down at the same table as "members of the community" that would that meet this requirement?*

*Councilmember Thao: They would then create a Community Benefit Agreement out of those conversations.*

*Councilmember Tolbert: OK. What would that Community Benefit Agreement...*

*Councilmember Thao: That would be up to the developer and the community on what they agree on.*

*Councilmember Tolbert: OK. And what's the health impact assessment?*

*Councilmember Thao: The Community Benefit Agreement would include a health impact assessment so that the decision going forward would be inclusive of socioeconomic, health, physical health, how those data could be used to have this conversation. For example, if the health impact assessment shows that there is not enough green space or air quality concerns, they would have an opportunity to sit at the table and figure out how to mitigate that.*

*Councilmember Tolbert: And would that be different from the AUAR?*

*Councilmember Thao: It would be different.*

*Councilmember Tolbert: What we are doing today, potentially, is rezoning this site from an industrial use, which was used as an auto manufacturer, to a mixed use development. Would the health impact study compare, like are you talking about comparing pollution from an auto manufacturer that was 100 years old to a sustainable development. What kind of health impact comparison or numbers are you looking for? I've heard you talk about the health impact last week on Facebook and other places. Where are you...I just don't understand what you are getting at with it.*

*Councilmember Thao: Over and over again we heard from the community who have said that their voices haven't been heard and that this will affect their quality of life. What we argue from the City standpoint is that there's not major impact on traffic because we've used models to predict how traffic flow would be. I get that. Models are great for predicting weather patterns and hurricanes but doesn't predict the aftermath of a hurricane. Community Benefit Agreements allow the community to come back to the table to look at the health impact, socioeconomic, physical. Out of those conversations, the developer can work with the community to ensure that it doesn't infringe on their quality of life. And if it is, how do they mitigate that? This is something that is practiced all over the county I just want to also point out that, even when we do our traffic study, we haven't even reached out to Ramsey County. Ramsey County owns Ford Parkway. If we are going to support this plan and have a traffic model, should it not include them?*

*Council President Stark: I am going to speak against this amendment. Community Benefit Agreements can be a good tool for ensuring that a community is benefitting from a development. I think that there is a lot of other tools and I think that it doesn't need to be in a plan for the community to be able to talk to the developer, talk to the City. I think all of those things are going to happen anyway. The community can go out and do a health impact assessment today. Suggesting that possibility in the plan doesn't change anything. I think it just complicates the situation for a developer to come in and have all the questions that Mr. Tolbert just asked not be clear in terms of what the actual expectation is. I think that it's something that would scare people away from being interested in the site. Ms. Noecker.*

*Councilmember Noecker: Just a point of clarification. Are there circumstances in which we require a Community Benefit Agreement? And is there any way the Ford site would already meet that consideration?*

*Council President Stark: Mr. Tolbert.*

*Councilmember Tolbert: Um, and this isn't specifically going to answer your question but just to maybe address a few things. One of the things that what we are doing here today is we're rezoning it from industrial use to a mixed use development and one of the other things that we are doing is ensuring that when this property is sold to a master developer, as it will be, a Master Development Plan will be put together by the developer and that will come back before the City Council, which ultimately means it's going to have to go back before the community, because I know the City Council will not vote on something that it wasn't thoroughly vetted by the community. And all those things that I think Mr. Thao is attempting to get at will be met, or needs to be met, otherwise I can't imagine that making its way through. So really, having that Master Development Agreement having to come back before the City is stronger than a Community Benefit Agreement. I think the Community Benefit Agreement, if necessary, should happen via the Master Development Plan and through that process, similar to how it was on the soccer site that he's referring to. A couple of other*

*misconceptions, of just to kind to get at what also will need to be required to be done, I think. First of all, there was a traffic study done in 2015. It's probably the first time in the history of the City that we did a major traffic study prior on a project, prior to actually having a Master Development Plan, but rather having a proposed zoning plan. That traffic impact study looked at the first version of the plan put out last November by Planning and Economic Development. It based the traffic numbers on absolute maximum build-out at absolute max capacity, and it used those numbers in how it would affect both internally at the site and externally at the site. And fortunately in Minnesota, we are lucky not to have hurricanes, but what those numbers based on, our driving patterns today and if we took no mitigating factors. That's exactly what the traffic study looked at. Those numbers helped guide that, helped give us a chance to talk about that in the community, to talk about how that would impact surrounding streets and surrounding neighborhoods. It is also something that is helping guide us as we look to improve the driving, pedestrian, and biking experience in our neighborhood today, regardless of what happens with the development on the Ford site. Further, to kinda get at some of the community impacts, part of any development plan like this that will be required is an AUAR and part of that AUAR is a very more in-depth traffic study that will look at the plan, the traffic results of a Master Development Plan, or proposal by the master developer, not a proposed zoning plan. So there is still going to be much traffic study. There's still going to be impact studies*

*through the AUAR which will have to be approved by the City, as well as the Master Development Plan, which will be approved by this Council and I think that will leave ample opportunity. That's a long way of getting around to saying I don't support this amendment and I think we should vote it down.*

*Council President Stark: All right. Anyone else? Let's have a roll call vote on this amendment. Roll call.*

*Ms. Moore: Noecker.*

*Councilmember Noecker: Yes.*

*Ms. Moore: Prince.*

*Councilmember Prince: Yes.*

*Ms. Moore: Thao.*

*Councilmember Thao: Yes.*

*Ms. Moore: Tolbert.*

*Councilmember Tolbert: No.*

*Ms. Moore: Bostrom.*

*Councilmember Bostrom: No.*

*Ms. Moore: Brendmoen.*

*Councilmember Brendmoen: No.*

*Ms. Moore: Council President Stark.*

*Council President Stark: No.*

*Ms. Moore: Three in favor, four opposed being Councilmembers Tolbert, Bostrom, Brendmoen and Stark. The motion fails.*

*Council President Stark: All right. Are we ready to have a hearing. Anyone else? I think we are ready to have a hearing. As we did the other time, we will take first those who are here in opposition. As of an hour ago, we know there were 12 who wanted to speak in opposition, 16 in support. We are going to do 15 minutes a side, so those 12 of you have just over a minute apiece. Numbers one through five want to get ready; number one come on up and welcome.*

*Brian Steelman (473 Cretin Ave S): Presented documents on environmental and economic concerns and an alternate proposal for the site, making it a golf course and health/wellness complex with a five star hotel.*

*Mark Bradley (2164 Woodland Ave in Maplewood): St. Paul needs financial backing and growth. Nobody wants to live over here because we're landlocked with traffic problems. Access is important and we have an opportunity with that Hwy 55 crossing at the Ford site. Getting to the airport would be easier and Amazon might be serious about coming here.*

*Matt McGuire (1646 Niles): Wants a delay for the Planning Commission to present a plan that preserves established neighborhoods. 2000 people are opposed. Take another look at the plan; it's not the right fit. Voting yes would be a stunning marginalization.*

*Ethan Torrey (2023 Berkeley): I share concern just expressed about density. We have a downtown area with lots of opportunity for high density housing and I don't think that's being taken advantage of. I am also concerned about the relatively small amount of open space being set aside. The river is where it is and the birds will not ask for your vote. This is an opportunity to set aside more parkland.*

*Erin Probst (Highland Park east of the Ford fields): Concern about density, traffic, green space are still the concerns and it feels like Councilmember Tolbert has abandoned us in contrast to Councilmembers Thao, Noecker, and Prince. There is growing acrimony in the community because we have differing opinions and only a few of you are listening. We have one chance to get this right.*

*Mike Opack (1325 Cleveland): I find a level of indifference to the community and what makes Highland different in the first place, a unique community feel in the middle of two cities. Packing a bunch of people like sardines, an unintended consequences is that young families are going to leave the area, the traffic, that stuff is real. Just scale it back a little bit.*

*Jim McGuire (Hartford Ave): I reject this plan, as do my neighbors. Engineers, health care, and experts have not supported your plan. Selective hearing is not effective listening. Do not vote until you truly believe you have heard all voices. What has taken 10 years to develop and 10 months to present and scrutinize. What will you do when it doesn't work? This plan jeopardizes the health, safety and reputation of our City. Please rethink this development.*

*Karen Wilson (1690 Beechwood Ave): This neighborhood has always been a mixed neighborhood, the mix between incomes. My house is on the same block with houses that are worth twice as much. We are appreciative of that but we are not appreciative of the density that you are going to introduce into the neighborhood. I don't care about*



*the traffic studies; you can make numbers say whatever you want them to. You are taking our neighborhood away from us. I can't believe Thao's amendment requiring community input was turned down. I was utterly, completely shocked. We feel completely marginalized by you as a group and you are supposed to be representing us. Please don't take the neighborhood away from us.*

*Bruce Faribeu (1615 Beechwood): Kudos to Councilman Thao; he hit the nail right on the head. This Council has not considered the collateral consequences of building this structure. One consideration is the school district. That school is 20% over capacity at 1113. They have 141 on the waiting list, 33 buses come and go everyday. Second is this Council oversees 52 TIF districts now for \$177 million. You are going to add \$275 million to that, another \$200 million for the soccer stadium, another \$200 million to the buy-out. The City Council has a budget of \$690 million; you are going to be bumping right up against it. The poverty rate in this City is 47%. 20 cents of every tax dollar goes to debt payment. It's all blue sky, believe me, it is.*

*Council President Stark: Thank you, sir, please sign in. We will now hear from those who are here in support. We had 16 as of an hour ago. If numbers one through five would like to get up and speak and I will just remind folks that tonight was really for folks who did not get a chance to speak last week. We had some folks double up here tonight on the other side. I'm going to suggest that on this side we don't do that. Thank you and welcome.*

*In support:*

*Lori Krivitz (1758 Field Ave): One of the reasons I moved to my home was for the redevelopment of the Ford site. The tax base that funded the development of the City is gone; we need to replace it. We have a lot of people who want to live in the City and the proposed density provides places for them to live and brings in taxes.*

*Kyle Lukey (2034 Pinehurst): I support the plan for a variety of reasons. It puts our City at the forefront of climate change mitigation and combatting sprawl. For economic reasons, it expands our tax base. And the need for more housing in our community. I also come at it from the perspective of being a minority and gay. Zoning has been used to exclude those who have different incomes, races, religions, sexual orientations, etc. By approving the plan, you are telling the world that all are truly welcome in St Paul.*

*Aaron Burke (Community organizer at Jewish Community Action): Thank you for extending the public hearing. We want to support Councilmember Thao's amendment. Affordability is a big issue for us. We are pleased that 10% at 30% AMI will be included in the plan. We would encourage 10% at 50% and 60% as well to include as much affordability as possible. Looking at recent statistics, there are 26,000 households in St Paul with incomes at or below 30% AMI. It is critical to get as many affordable units in this plan as possible.*

*Joshua Hodak (Land Use and Transportation Manager at the Sierra Club, Minnesota North Star Chapter): The Ford site plan is sensible and sustainable. We urge full support.*

*Martha Faust (1904 Saunders): A special thanks to Councilmember Tolbert. I see this plan as fiscally and environmentally sustainable. The idea to walk, run or bike through the Ford site to the river is incredible. I urge you to trust in the process that has created this plan and approve this plan.*

*Russ Adams (Alliance for Metropolitan Stability): I want to thank you for the discussion about affordable housing and what you decided to do today to provide*

*housing for everybody. Thanks to Councilmembers Thao and Tolbert. 10% of housing at 30% AMI opens up housing to folks making minimum wage; it really opens up this new neighborhood you are creating to everybody.*

*Ryan Ricard (407 Snelling S): I think the affordable housing set-asides are important in the context of overall increases in housing supply, but we can't forget that the laws of supply and demand still exist in our highly demanded, growing City. I would like to see the Council pass the plan with the full heights and numbers of units stated in the plan.*

*Nathan Hartsorn (1711 Beechwood Ave): I speak on behalf of St Paul and Highland residents who want to see more diversity and, specifically, density. More density means more neighbors, more tax base, more customers for local businesses, more affordable housing, more voters for our legislative and congressional districts, more riders for expanding transit and less TIF financing for construction. This plan doesn't take the neighborhood away; this plan makes Highland Park better.*

*Brandon Mason (2038 Pinehurst): I strongly support this plan as do many of my neighbors and family. This has been a divisive debate, the rhetoric has become toxic. Yesterday I heard a vote for this plan is a vote for thalium in my kids' drinking water. I don't think anything can be gained by extending this process. Voices have been heard. I really commend City staff for creating a compromise plan. I would like the Council to step forward and enthusiastically lead us to the next phase of this process. This compromise plan addresses many of the hopes and dreams and concerns and worries for the site that it can address in terms of the legal, the fiscal, the marketplace constraints. It is the compromise plan we need; there is not a consensus plan hiding out there in the wilderness. I ask you to move forward so we, as a community, can have closure on this issue.*

*Tyler Blackman (1980 W. 7th Apt 105): I am a renter near Highland neighborhood so I especially appreciate the discussion of affordable housing and Councilmember Thao's amendment. I hope commitment to affordable housing also means support for a higher number of units, which will only happen if we have a dense development. If I have any complaint about this plan, it is that it should be more dense than it already is. Second, we need to take climate change seriously. Here in St Paul, we can do something real. Third, I want to live there. Contrary to an opposition speaker, young families want to live on this site because we see density as liveability.*

*Michele Molstad (51 Milton St S): I like this plan. I support the resolution.*

*Tom Bastion (659 Wilder St Unit A): The Ford site plan has been worked on for 10 years by some of the smartest professionals in this City. To ignore that seems awfully disparaging to that work. Beyond that, there's been an incredible community engagement process that has involved so many meetings, so much public outreach, and a real effort to inform and collect public comment. But some of my neighbors and some councilmembers don't seem to believe that's the case and I would just like to remind them that being heard and getting what you want are two entirely different things.*

*Bill Farr (148 W George Street): This is a really great traffic study. It makes reasonable assumptions in line with values of sustainability and healthy communities that we have in St Paul. Please take it seriously.*

*Tracy Farr (Randolph Ave): I support the plan as it's developed and the flexibility that's in it. I question that this plan will destroy the neighborhood because what was there before was behind a fence. It wasn't a part of the neighborhood. This gives an*

*opportunity for a new neighborhood to be built without really destroying what was a part of Highland.*

*Council President Stark: All right. Mr. Tolbert.*

*Councilmember Tolbert: I move to close the public hearing.*

*Council President Stark: Mr. Tolbert moves to close this public hearing. All those in favor. [All say Aye.] Any opposed? [None opposed.] That motion carries. Mr. Tolbert.*

*Councilmember Tolbert: Yah, um, thank you very much and thank you everybody who came out today. One thing and I'm not going to read it into the record. We had someone from MPCA here, she unfortunately had to leave before this hearing even started. There were some things that have been said about pollution and contamination that were not accurate. I'm going to put this on the record and also we can put it on the Ford website tomorrow so people can read it. It addresses a lot of the remediation things and the cleanup. I don't want to read it in whole but we can put it on there because the Ford is in the MPCA VIC program and they are remediating under the state law and it is some of the concerns that were thrown out there were not necessarily factually correct. So I had asked the PCA to do that so I will put that in the record. Also I want to thank everybody who came out tonight and who came out last week or, if you came out both weeks, I guess we are going to have to get punch cards to the Council meetings. I specifically want to thank the Department of Planning and Economic Development who has devoted a significant amount of time, a significant amount of resources to this site, specifically I want to thank Jonathan Sage-Martinson for his work since he became the PED director, Mike Richardson for his work over the last couple years, and most importantly, I want to thank Merrit Clapp Smith who was worked on this for over a decade. I know we don't normally do it, and regardless of how you feel on the plan, they have worked very hard, giving their nights, if we can give them a short little round of applause. [People clap, loudly, and cheer.] There has also been a larger City team that has worked Ford for the last decade to look at all different components, from streets to parks, and they've worked with the school district as well, to ensure that any development would be able to be absorbed by the school district and things like that. They will continue to meet and I want to thank the Mayors office for pulling that group together, to consistently meet and talk about the impacts on other City services that development here could have, think about different scenarios. I also want to thank the Ford Task Force, two of which members testified last week. The Task Force was mostly neighbors, they probably joined thinking it was a typical Task Force, but now have spent a decade in meetings and research. I think some of them have seen their kids from elementary school through high school and sent them off to college during that time. All the while, that same group, by and large, has consistently stayed together and I appreciate the considerable amount of time that they volunteered, to host meetings, to host tables, to talk to neighbors, and to have discussions. I know they spent a lot of time in that committee and who knows if they will ever volunteer for another Task Force or committee in the City again after 10 years on that. Also, I'd like to thank the Highland District Council. City staff came and met with them and informed them almost a decade ago and throughout that decade, they have hosted numerous meetings, thought about this plan critically through many Council Presidents, many of whom I see here today. And I want to thank them and the hundreds of volunteers that were on the District Council during that time who volunteered to work on this issue, thoughtfully about it. All that.*

*So, just a little history for my colleagues and the people here. The Ford site planning started over a decade ago and we have a very engaged community. That Task Force*

first met February, 2007. For context, the first iPhone came out June 29, 2007. The Task Force started before the first iPhone. I have a 6, probably need a 7 soon. They met over two dozen times over the past decade. As a result of their work and thorough discussion over the past decade, they support the plan that was put forward and is before us today. The Highland District Council has also had many many meetings on this, from transportation to the plan and had very robust, passionate discussions with public hearings. That Council also supports this plan. The plan that's before us today both protects the neighborhood and provides for the neighborhood. It protects the neighborhood because the zoning change that we are making is important. It is currently zoned industrial. Industrial is the most permissive zoning allowed in our City code. More than industrial uses are allowed in industrial zoning. For example, commercial uses are allowed, even residential uses are allowed as long as they are in taller buildings on top of commercial or industrial development. There's technically not a maximum building height in an industrial zone. You are only limited by your lot size, of which this property currently has no lot size restrictions, and steps back within the building. There's also no limits on the number of residential units allowed in an industrial zone. By changing this from the industrial zoning that it is currently to the mixed use development, we are protecting the neighborhood for the uses that we want, for the design standards that we want, and for the mixed use that we want. This zoning plan also provides for the neighborhood and provides in a way that thoughtfully was presented and thought out through many meetings with the neighborhood. It provides many things like the mixed use housing, the life cycle housing, the park amenities, and the such. I strongly believe, and I know this has been a point of contention, rezoning now from the industrial use to the mixed use is the right time. One of the things that I've learned from this plan in all the years and it was started by my predecessor, Pat Harris, and Mayor Coleman, is we have always been planning and been proactive in our planning for this site. And that has led to positive results. In 2007, when Ford announced their closing, we didn't deny the closing was going to happen. A lot of communities that I have traveled and I have looked at industrial sites across the country, a lot of communities have denied that. Those sites either sat there cold or development that the community didn't want happened. We didn't; we took this on, head on. And from that time, in 2007, there was a laser focus from my office, from the neighborhood groups, from the City staff and the Mayor's office, from the Task Force, and from many different departments here in the City of St Paul. This proactive approach has led to positive results so far. One of the most important results I think we've had so far is that this is the only site in the entire country that Ford is cleaning up to residential standards. I want to make that clear. This is the only site in the entire country that Ford is cleaning up to residential standards. They are not legally obligated to clean it up to residential standards under Minnesota state law; their legal obligation is to industrial standards. Because of our proactive approach, because of our visioning, we have pushed them to clean this up to a higher standard than they have to under the law, with their own dollars, not through a Superfund site, not through anything like that, but through the MPCA VIC program. That is an important thing for our neighborhood to remember, and for our City to remember, and it is an important victory for our neighborhood and our City. That proactive approach is the reason that happened.

Currently, as someone mentioned, this a large fenced off private area with no public parkland. It's been a large site along the river that the public didn't have access to and does not have access to, with no parkland along it. This plan, one, restricts the number of uses that are allowed and those uses are onto a general public consensus of a mixed use development with commercial and retail and this plan also provides for the housing development that we're looking for. It also should remember that this plan is a guide; it's our strategic plan for the neighborhood. As I mentioned earlier, we still will have a development proposal come before the City Council. That development proposal will have to fit within the strategic plan that we are putting forward today

*through the zoning and through the Master Plan. And if that strategic proposal does not meet our standards, this Council can, and I expect will, reject it. This is also why, and people should know, that development will probably not happen for a few years because that developer will have to put together that plan, will have to work with the community, will have to work with the District Council, will have to work with the City, to sell us that plan and ensure it fits within that framework and our guide. Also this development will likely happen over a couple years, many years. As I was thinking about it, there's a young girl on my street that just started kindergarten. She will likely be finishing college when this site is fully complete, just to think about how long that will take. A couple of other things that I know has been mentioned in our conversation. I know that this site embraces the future of our community. I know that a lot of people are concerned about the impacts of any development on the Ford site. I understand that concern and I have heard that concern. Growing up in the neighborhood with an automobile manufacturing plant in our backyard was certainly, is going to be different for a kid born today with a different use on the Ford site. The fact that the iPhone hadn't been released with the Ford Task Force was begun just underscores just how much change was happened, even in the past 10 years. But it also underscores the ingenuity that our country and our City has. We are a country and a City that comes up with innovative solutions to problems. Oftentimes, we even solve these things before the problems start. I believe we have a community and a neighborhood that's proactive and I think how many people have shown up to this Ford site shows that people want to solve these problems. And we are working on these problems. And I am confident that the things that we fear, the things that make people nervous about the development of the site, we are able to solve those. I am confident in our ingenuity and I am confident in our ability to meet the problems that we have.*

*One of the things that I know we have heard a lot about: traffic, density, ball fields, greenspace, parkland. We do have to address those. We have to address them as they go forward and we need to start addressing them tomorrow. And we already have started doing that. I know that we need traffic and pedestrian improvements in today's neighborhood, regardless of what happens at Ford. We've already started working on that with the District Council, with East Metro Strong, through the Riverview Corridor, through the traffic studies, and I know we will continue to do that and help solve the problems that we've heard about today. The ballfields also are an important thing and that's why I've continued to say how important those ballfields are. I played on those ballfields as a kid and I know we have other recreational needs in the neighborhood that we need to continue to support and expand. Parkland and greenspace, as many people have mentioned, what we set forward, the 9% under the City code. That 9% is required to be a part of the plan. We've added 15% with the water feature in the middle and I think my amendment is another way that we can get more parkland and open space for this site. And I know that there are other resources out there to attract parkland and open space, either through regional sources, state sources and whatnot. But, just as I've said through the start, we have to continue to be proactive and I know we will continue to be proactive. This is just one step and I will continue to be proactive throughout because that has continued to lead us to positive results. Just to kind of close, and I know I've been talking for a while, this plan presents a great opportunity and it's exciting. As someone who grew up in this neighborhood, someone who drives in this neighborhood, someone who has played on the Mississippi River since I was a little kid, someone who played baseball at all three fields on the Little League fields as a little kid, someone who had the great fortune to grow up in Macalester Groveland and Highland Park, I know this is a great opportunity. I welcome the opportunity for others to live in this great neighborhood. I welcome the opportunity for small business owners to open in Highland Park, for new restaurants to serve my friends and my family when we go out to dinner, for new families to have parks to bring their kids to. I welcome the opportunity to add currently missing housing options so*

*empty nesters can downsize but stay in the neighborhood. I welcome the new families that will buy that empty nester's home or move to the Ford site, who will be a part of the community just as I had the great fortune of being able to grow up on. This plan presents that opportunity for us to open up this great community that many of us here today are so lucky to live in. And I support that opportunity. With this plan, I know we can honor the things that made St Paul and Highland Park special for decades, while moving forward to strengthen our neighborhood and our City for future generations. This is an important step in this process and it is an important step in creating that great development we expect and that our neighborhood deserves. With that, I will make a motion to move these two resolutions forward.*

*Council President Stark: Officially we'll take them one at a time. All right, Mr. Tolbert has a motion on the table to first approve item 34 but also, ultimately, 35. Discussion? Ms. Brendmoen.*

*Councilmember Brendmoen: Some of you know I lived on Highland Parkway when my kids were little and, at that time, a hallmark of Highland was a steady stream of giant trucks full of trucks driving by which my kids thought was fantastic. But it was sometimes a little scary, too, but nevertheless it was devastating to all of us when we heard the news about the Ford plant closing and at the time I just wondered what on earth we could possibly put in that site and what was going to become of it. In my past six years, I have followed the progress of this in this role and I wanted to just say I'm grateful to Mayor Coleman and his staff for leadership on long term planning for this process and I really admire my colleague, Councilmember Tolbert and his predecessor for diving in and engaging and leading on this as well. I appreciate and honor the incredible amount of community and stakeholder input along the way. I was thinking my first job out of college was as a committee clerk at the Capital and I remember listening to both sides of a debate, sitting on the floor and being like [motions to one side] I totally agree, [motions to other side] I totally agree, [motions to first side] I totally agree, as everyone made their points and I think it is important to know that, and I heard some people say it tonight, you have been heard. It's hard when a decision has to be made for everybody to feel like they've been heard and honored but we've been getting briefings along the way. We've read your tweets, we've read your Facebook posts, we know the lay of the land and we know that some decisions are going to make people unhappy, but I really do think that the plan that the staff and the community has put forward is exciting, with the mix of housing and retail space, the greenspace set aside, the water management, and the traffic grid. I just want to thank you for that. I think it's great. I don't want to repeat things that Councilmember Tolbert said. I do think you set a really good baseline for reminding us of what we are talking about. I kept hearing people say the development, the project, the structure. We're not talking about projects or structures, it's*

**Adopted as amended**

**Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, Councilmember Stark and Councilmember Noecker

**Nay:** 2 - Councilmember Thao and Councilmember Prince

**35 RES PH 17-261**

Adopting the Ford Site Zoning and Public Realm Master Plan as a master plan for use with the Ford zoning districts for the Ford site redevelopment area.

*Please refer to minutes for Item 34 Ord 17-40.*

**Adopted as amended**

**Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, Councilmember Stark and Councilmember Noecker  
**Nay:** 2 - Councilmember Thao and Councilmember Prince

## **SUSPENSION ITEMS**

*Councilmember Noecker moved suspension of the rules.*

### **Rules suspended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince  
**Nay:** 0

## **Final Adoption**

**Ord 17-32** Amending Chapter 409 of the Legislative Code pertaining to private Christmas parties.

*Councilmember Noecker moved approval.*

### **Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince  
**Nay:** 0

## **ADJOURNMENT**

*Council President Stark moved adjournment.*

### **Meeting adjourned at 7:15 p.m.**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince  
**Nay:** 0