



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
651-266-8560

Minutes - Final

City Council

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 20, 2017

3:30 PM

Council Chambers - 3rd Floor

The Library Board will convene during the 3:30 portion of the City Council meeting.
Budget Amendment and Legislative Hearing Public Hearing Items at 3:30 p.m.
Public Hearings at 5:30 p.m. Ford Site Master Plan public hearings will be held in Rm 40.

ROLL CALL

The meeting was called to order by Council President Stark at 3:30 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

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 1 - 16)

Councilmember Brendmoen moved approval of the Consent Agenda.

Consent Agenda adopted

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

Nay: 0

- 1** [RES 17-1453](#) Approving the State of Minnesota Joint Powers Agreements with the City on behalf of its City Attorney.

Adopted

- 2 [RES 17-1392](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during May 11 to June 6, 2017, and setting date of Legislative Hearing for October 17, 2017 and City Council public hearing for January 3, 2018 to consider and levy the assessments against individual properties. (File No. CRT1802, Assessment No. 188201)
Adopted
- 3 [RES 17-1393](#) Approving the City's cost of providing Property Clean Up services during July 3 to 31, 2017, and setting date of Legislative Hearing for October 17, 2017 and City Council public hearing for January 3, 2018 to consider and levy the assessments against individual properties. (File No. J1802A, Assessment No. 188501)
Adopted
- 4 [RES 17-1394](#) Approving the City's cost of providing Trash Hauling services during July 3 to 26, 2017, and setting date of Legislative Hearing for October 17, 2017 and City Council public hearing for January 3, 2018 to consider and levy the assessments against individual properties. (File No. J1802G, Assessment No. 188701)
Adopted
- 5 [RES 17-1395](#) Approving the City's cost of providing Graffiti Removal services during July 25 to August 5, 2017, and setting date of Legislative Hearing for October 17, 2017 and City Council public hearing for January 3, 2018 to consider and levy the assessments against individual properties. (File No. J1801P, Assessment No. 188400)
Adopted
- 6 [RES 17-1468](#) Approving the Memorandum of Agreement for the 2018 - 2020 health insurance contributions.
Laid over to September 27 for adoption
- 7 [RES 17-1470](#) Approving the Memorandum of Agreement for the September 1, 2017 Wage and Fringe Adjustment between the City of Saint Paul and the Pipefitters, Local 455.
Laid over to September 27 for adoption
- 8 [RES 17-1466](#) Approving the Mayor's appointment of Melissa Houghtaling to be Chairperson of the Human Rights and Equal Economic Opportunity Commission.
Adopted

- 9 [RES 17-1377](#) Authorizing the Police Department to renew the lease with KIWI Properties, LLC for space to be used by its Auto Theft Prevention Program.
Adopted
- 10 [RES 17-1497](#) Authorizing the Police Department to enter into an agreement with ISD #625 to provide them with school resource officers.
Adopted
- 11 [RES 17-1458](#) Authorizing the appropriate personnel to enter into an agreement with AARP for the construction of temporary pedestrian safety improvements on Marion Street between St. Anthony Avenue and University Avenue.
Adopted
- 12 [RES 17-1391](#) Affirming that existing city regulations meet the intent of Minnesota Statute 174.40 requiring safe routes to school infrastructure in new subdivisions.
Adopted
- 13 [RES 17-1472](#) Approving adverse action against the Pedal Car Driver application submitted by Aaron Mather Hauge.
Adopted
- 14 [RES 17-1474](#) Approving adverse action against the Taxicab Vehicle license #5589 held by Osman Haji, d/b/a Midwest Star Taxi.
Adopted
- 15 [RES 17-1473](#) Approving adverse action against the Taxicab Vehicle license #1584 held by Abdulkadir Omar, d/b/a Midwest Star Taxi.
Adopted
- 16 [RES 17-1460](#) Approving adverse action against the Malt On Sale (Strong) and Wine On Sale licenses held by Ortega Enterprises, LLC, d/b/a Sonia's Steakhouse at 990 Payne Avenue.
Adopted

FOR DISCUSSION

The City Council will recess, and convene as the Library Board to consider RES 17-1492: Requesting that the City levy property taxes for the library agency.

The Library Board will adjourn and the City Council will reconvene.

The City Council recessed at 3:32 p.m. and convened as the Library Board.

The Library Board adjourned and the City Council reconvened at 3:33 p.m.

- 17 [RES 17-1493](#) Approving a 2018 maximum property tax levy for the City of Saint Paul.

Council members made statements. Councilmember Bostrom spoke in opposition.

Council President Stark moved approval of the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 1 - Councilmember Bostrom

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.

First Reading

- 18 [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 September 27 for second reading

- 19 [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 September 27 for second reading

- 20 [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 September 27 for second reading

- 21 [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 September 27 for second reading

- 22 [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 September 27 for second reading

- 23 [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 September 27 for second reading

- 24 [Ord 17-49](#) Creating Chapter 379 of the Saint Paul Legislative Code pertaining to Short Term Rentals.

Laid over to September 27 for second reading

BUDGET AMENDMENT PUBLIC HEARINGS (Held during the 3:30 portion of the meeting)

- 25 [RES PH 17-265](#) Amending the financing and spending plans in the Fire Department in the amount of \$5,000 for a donation received from the Bruning Foundation.

No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

- 26 [RES PH 17-266](#) Amending the financing and spending budgets in the Department of Parks and Recreation in the amount of \$1,891,358 for Metropolitan Council Clean Water, Land, and Legacy Amendment projects, detailed below; and accepting grant funds from the Metropolitan Council and through the Clean Water Land and Legacy Amendment funds through the Parks and Trails program.

No one was present to testify. Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

- 27 [RES PH 17-271](#) Accepting a redevelopment grant from the Department of Employment and Economic Development (DEED) and Livable Communities Tax Base Revitalization Account grants from Metropolitan Council and amending the 2017 Budget.

No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

- 28 [RES PH 17-280](#) Amending the 2017 budget in the amount of \$12,000,000 to accept a grant from the State of Minnesota for the construction of the Dorothy Day Opportunity Center, and approving and authorizing execution of State Grant Agreement, Ground Lease, Lease/Use Agreement, and other necessary documents in connection therewith (Ward 2, District 17).

No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

- 29 [RES PH 17-277](#) Authorizing the Police Department to amend the 2017 grant budget for the ServeMinnesota grant.

No one was present to testify. Councilmember Bostrom moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

- 30 [RES PH 17-278](#) Authorizing the Police Department to amend the 2017 budget to more accurately reflect spending and finance in the Police Special Fund.

In opposition:

A concerned mother read a statement related to the an incident at St. Catherine University, and asked what the City was doing in response, and who would pay for the police response.

Councilmember Tolbert moved to close the public hearing and approve of the resolution.

Adopted

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

Nay: 0

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

41 [RLH VO 17-38](#)

Appeal of Jenny Rundenza to a Summary Abatement Order, and Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 784 HOLTON STREET.

Legislative Hearing Officer Marcia Moermond gave a staff report on the issues related to maintenance, egress, overcrowding, smoke and CO detectors, and an illegal third unit in the basement. She said given the significant issues with an owner occupant present, she felt a lack of confidence that the items would be addressed. She said her recommendation was to deny the appeal on the condemnation and order to vacate; grant an extension until today for compliance with the items in the condemnation, noting that some items may require a permit; and ordering that, if there was not compliance by September 20, the property should be vacated by October 1. She recommended an extension to December 1 for compliance with exterior items. She said there was a follow-up inspection that day to determine compliance; she reviewed the inspector's notes indicating partial compliance. She said based on the inspection results, her recommendation remained the same, which would result in vacation on October 1. She answered Council members' questions.

In opposition:

Jeanette Ruidenza (784 Holton) and Ryan Hatton (phonetic), attorney, appeared. Ms. Ruidenza said the inspector came on a bad day when renovations were in process. She said she didn't realize the contractor filed the permit as a single-family home. She reviewed the items that had been completed for that day's deadline, and said other items required would be will be done by December 1. She said she had cut off access to the basement and there were no longer any tenants. She said she was asking for 30 days to have the basement done properly so a determination could be made as to whether it could be a legal duplex. Council President Stark clarified that it was a legal duplex but couldn't be a triplex. Ms. Ruidenza said the basement and second level were one contiguous and private unit, and she was just asking to have the City inspect it.

Mr. Hatton said the two issues were the existence of the wet bar in the basement, which he said did not meet the definition of a kitchen because it had no "cooking implement," and the fact that it was contiguous with the upstairs living space place made it legal anyway. He said the primary issue being appealed was the portion of the order requiring removal of the kitchen or wet bar.

Ms. Ruidenza said she had put a lot of money in the basement and was just asking to have it re-inspected.

Council President Stark said he understand that, but there were other issues to be addressed, including the life-safety issues that had led to the vacate order. Ms. Ruidenza said everything was done. Council President Stark said the inspector indicated that wasn't the case. He said another reinspection might have to take place prior to the vacate date.

Council President Stark moved to close the public hearing. Yeas - 7 Nays - 0

Council President Stark asked Ms. Moermond if the owners had continued to do work even to today, was it possible for them to continue until October 1 and have the vacate order lifted if there was compliance. Ms. Moermond said it was possible for the department to lift the order to vacate once there was compliance. She said number of permits needed to be resolved, and the concept of a contiguous basement and second

floor unit was suspect and needed to be looked at by the building official.

Council President Stark moved to adopt Ms. Moermond's recommendation.

Councilmember Noecker asked about removal of the wet bar. Ms. Moermond said in this situation the basement bedrooms were rented and there was a kitchen, and it was rented as an independent living unit.

Councilmember Noecker said there was nothing illegal about having two kitchens in a home, and it sounded like the locks that made it a separate unit had been removed.

Council President Stark said Ms. Moermond had determined there could be other building code issues. He said it would be up to the building official to determine if the unit was legal or not.

Ms. Moermond read the Chapter 60 code reference.

Adopted (appeal denied; extensions granted)

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

Nay: 0

44 [RLH SAO 17-74](#) Appeal of Maria T. Denison to a Summary Abatement Order at 1990 HOYT AVENUE EAST.

Legislative Hearing Officer Marcia Moermond reviewed the vacate order and summary abatement order that had been before the Council previously, and said the current appeal was for a summary abatement for additional items moved into the yard. She said her recommendation was for compliance today, which was two weeks after the initial deadline. She said this was an ongoing and a significant problem for the neighbors, and public resources had gone into providing dumpsters and assistance. She said the yard couldn't continue to be a landing and sorting zone.

In opposition:

Maria Denison said she was cleaning up the best she could, given that her husband worked and she was dealing with medical problems. She said one neighbor kept calling (the City) and treating her and her children badly. and she had called the police about the neighbor. She said the inspector said everything was alright, and the next day it was placarded for condemnation because it was not safe for her kids. She said she knew she had a lot of garbage, but she was fighting for her life, and had taken care of a lot of garbage. She said she had set some items aside for recycling and donation, and had been waiting for help to move some items from the back to the container in front. She said those items had been moved. She said her kids were safe and the house was safe. She said five years ago her brother in law left and left his stuff, and she was working very hard.

In response to a question from Council President Stark, Ms. Moermond clarified that there had been an order to vacate, and the concerns related to that order had been addressed with the help of House Calls.

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

Ms. Moermond reviewed her recommendation for Councilmember Bostrom. Councilmember Bostrom moved to amend to grant ten additional days.

Ms. Moermond said she would report back on October 4.

Adopted as amended (extension granted)

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

Nay: 0

LEGISLATIVE HEARING CONSENT AGENDA (Held during the 3:30 portion of the meeting)

Note: Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda (Items 31 - 67)

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

- 31** [RLH RR 17-18](#) Ordering the razing and removal of the structures at 675 AURORA AVENUE within thirty (30) days after the July 19, 2017 City Council public hearing. (Public hearing continued from August 16) (Amend to grant 180 days)

 Referred to Legislative Hearings on October 10; Council public hearing continued to October 18
- 32** [RLH TA 17-289](#) Deleting the Appealed Special Tax Assessment for Property at 1633 BEECH STREET. (File No. VB1713, Assessment No. 178819) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 33** [RLH TA 17-323](#) Ratifying the Appealed Special Tax Assessment for Property at 411 CHARLES AVENUE. (File No. J1710E, Assessment No. 178313; amended to File No. J1710E1, Assessment No. 178316) (Public hearing continued from September 20)

 Public hearing continued to October 18
- 34** [RLH RR 17-37](#) Ordering the rehabilitation or razing and removal of the structures at 880 CLARK STREET within fifteen (15) days after the September 20, 2017 City Council public hearing. (Amend to grant 180 days for remove or repair)

 Public hearing continued to October 4
- 35** [RLH TA 17-342](#) Deleting the Appealed Special Tax Assessment for Property at 879 CONWAY STREET. (File No. VB1713, Assessment No. 178819) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 36** [RLH TA 17-326](#) Ratifying the Appealed Special Tax Assessment for Property at 2409 EDGCUMBE ROAD. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 37** [RLH FCO 17-158](#) Amending Council File RLH FCO 17-78, adopted on June 21, 2017, to grant Dale Mackereth an additional extension for property at 1135 EDGERTON STREET.

 Adopted

- 38 [RLH TA 17-346](#) Ratifying the Appealed Special Tax Assessment for Property at 726 EDMUND AVENUE. (File No. J1710E, Assessment No. 178313) (Public hearing continued from September 20)
Public hearing continued to October 4
- 39 [RLH FCO 17-146](#) Appeal of William Anderson to a Correction Notice - Re-Inspection Complaint at 1067 ENGLEWOOD AVENUE. (Public hearing continued from September 20)
Public hearing continued to October 4
- 40 [RLH TA 17-330](#) Deleting the Appealed Special Tax Assessment for Property at 1044 GERANIUM AVENUE EAST. (File No. J1710E, Assessment No. 178313) (Public hearing continued from September 20)
Public hearing continued to October 4
- 42 [RLH VO 17-39](#) Appeal of Sam Barth (tenant) to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 784 HOLTON STREET.
Adopted
- 43 [RLH TA 17-337](#) Ratifying the Appealed Special Tax Assessment for Property at 787 HOWELL STREET NORTH. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4
- 45 [RLH TA 17-338](#) Ratifying the Appealed Special Tax Assessment for Property at 428 JESSAMINE AVENUE EAST. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4
- 46 [RLH TA 17-334](#) Ratifying the Appealed Special Tax Assessment for Property at 674 JESSAMINE AVENUE EAST. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4
- 47 [RLH TA 17-328](#) Ratifying the Appealed Special Tax Assessment for Property at 719 JESSAMINE AVENUE EAST. (File No. J1710E, Assessment No. 178313) (Public hearing continued from September 20)
Public hearing continued to October 4

- 48 [RLH TA 17-101](#) Deleting the Appealed Special Tax Assessment for Property at 916 JESSAMINE AVENUE EAST. (File No. J1707A, Assessment No. 178506; amended to File No. J1707A5, Assessment No. 178522) (Public hearing continued from September 20)
Public hearing continued to October 4
- 49 [RLH TA 17-343](#) Ratifying the Appealed Special Tax Assessment for Property at 632 LEXINGTON AVENUE. (File No. VB1713, Assessment No. 178819) (Public hearing continued from September 20)
Public hearing continued to October 4
- 50 [RLH TA 17-345](#) Ratifying the Appealed Special Tax Assessment for Property at 722 MAGNOLIA AVENUE EAST. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4
- 51 [RLH TA 17-340](#) Ratifying the Appealed Special Tax Assessment for Property at 1092 MAGNOLIA AVENUE EAST. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4
- 52 [RLH SAO 17-73](#) Appeal of John Brandon to a Vehicle Abatement Order at 996 MARION STREET.
Adopted
- 53 [RLH TA 17-336](#) Deleting the Appealed Special Tax Assessment for Property at 759 MARYLAND AVENUE EAST. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4
- 54 [RLH TA 17-335](#) Ratifying the Appealed Special Tax Assessment for Property at 976 REANEY AVENUE. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4
- 55 [RLH TA 17-329](#) Ratifying the Appealed Special Tax Assessment for Property at 1636 REANEY AVENUE. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4

- 56 [RLH FCO 17-145](#) Appeal of Nakeela Hall to a Fire Inspection Correction Notice at 607 SAINT CLAIR AVENUE.

 Adopted
- 57 [RLH TA 17-3](#) Ratifying the Appealed Special Tax Assessment for Property at 1523 SCHEFFER AVENUE. (File No. J1705A, Assessment No. 178504; amended to File No. J1705A1, Assessment No. 178512) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 58 [RLH TA 17-341](#) Ratifying the Appealed Special Tax Assessment for Property at 346 SHERBURNE AVENUE. (File No. VB1713, Assessment No. 178819) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 59 [RLH VBR 17-61](#) Appeal of Alejandro De La Mora to a Vacant Building Registration Fee at 1733 STANFORD AVENUE. (Public hearing continued from September 20)

 Public hearing continued to October 4
- 60 [RLH TA 17-344](#) Ratifying the Appealed Special Tax Assessment for Property at 662 THIRD STREET EAST. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 61 [RLH TA 17-321](#) Deleting the Appealed Special Tax Assessment for Property at 647 VAN BUREN AVENUE. (File No. J1710E, Assessment No. 178313) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 62 [RLH TA 17-339](#) Ratifying the Appealed Special Tax Assessment for Property at 515 YORK AVENUE. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)

 Public hearing continued to October 4
- 63 [RLH TA 17-347](#) Ratifying the Appealed Special Tax Assessment for Property at 851 YORK AVENUE. (File No. J1701V, Assessment No. 178000; amended to File No. J1701V1, Assessment No. 178002) (Public hearing continued from September 20)

 Public hearing continued to October 18

- 64 [RLH AR 17-63](#) Ratifying the assessments for Excessive Use of Inspection/Abatement services billed during February 21 to March 21, 2017. (File No. J1710E, Assessment No. 178313) (Public hearing continued from September 20)
Public hearing continued to October 4
- 65 [RLH AR 17-64](#) Ratifying the assessments for Boarding and/or Securing services during April 2017. (File No. J1711B, Assessment No. 178113) (Public hearing continued from September 20)
Public hearing continued to October 4
- 66 [RLH AR 17-65](#) Ratifying the assessments for Collection of Vacant Building Registration Fees billed during February 8 to March 28, 2017. (File No. VB1713, Assessment No. 178819) (Public hearing continued from September 20)
Public hearing continued to October 4
- 67 [RLH AR 17-66](#) Ratifying the assessments for Towing of Abandoned Vehicle services during January to December 2016. (File No. J1701V, Assessment No. 178000) (Public hearing continued from September 20)
Public hearing continued to October 4

The Council recessed at 4:34 p.m.

PUBLIC HEARINGS (Public hearings will begin at 5:30 p.m.)

The Council reconvened for Public Hearings at 5:32 p.m.

Present 5 - Councilmember Dan Bostrom, Councilmember Chris Tolbert, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

Absent 2 - Councilmember Amy Brendmoen and Councilmember Dai Thao

Council members Thao and Brendmoen arrived after roll call.

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

Items 68 and 69 will be heard in Room 40 of City Hall.

Council President Stark explained the public hearing procedure for items 68 and 69. He said there would be a one staff report, and a combined public hearing allowing 45 minutes per side.

68 [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: Welcome tonight, folks. It's kind of a big occasion. Unusual circumstances for us to hold a hearing down here. We are always up on the third floor in Council Chambers. This space does have a bit more capacity. I know you are still cramped. I apologize for that. This is really the biggest space we have in the building. I think most of you are aware that there are two overflow rooms right next door as well, with screens to be able to see what's going on. I understand there's a bit of delay in that viewing, maybe 30 seconds. So you're not quite in time if you're over there. A couple of things to go over tonight before we get into our public hearing on the Ford site. For those of you that follow City Council process, we normally give 15 minutes per side, pro and con, on any given issue that's before us. Because of the nature of this issue and the level of interest represented by the number of folks in this room and the overflow rooms, we have decided to increase that tonight to 45 minutes per side. That might not sound like very much time but we have a whole additional set of public hearings to go back to upstairs right after we finish here, including another substantial one on menthol cigarettes that some of you may be here for and interested in. That is why, to respect everyone's time, we have to put some reasonable limits. We have a tradition here in the Council, of first hearing from folks who are opposed to the thing before us, and then from those in support. I got a note from someone asking to change that up and maybe alternate. I'm going to definitely take that into consideration for the future. For the time being, I'm going to keep to what has been our practice. It's not meant to advantage or disadvantage anyone; it's just been our practice. With the number of people here tonight, we are going to ask people to keep their comments to a minute. There is going to be a timer in front of you when you are speaking. A minute goes by really quickly; it's kind of here and gone. We apologize for that as well. It's in the interest of hearing from as many people as possible who are in the room. In some cases, if someone has said something already, please keep in mind you can say you just want to reiterate someone's comment and that you are for or against. It helps with everyone's time so we appreciate that. I'm going to keep you to that limit. I will give leeway in terms of finishing a sentence but again, it's my job to keep people to that limit. To start, I will have Ms. Shari Moore, our City Clerk, read the items. We are going to take both items at the same time as opposed to having separate public hearings on items 68 and 69, the zoning amendments and the master plan. She will read both, Mr. Martinson will give staff reports on both, and then we are asking you to comment on both.

[Ms. Shari Moore reads items 68 and 69]

Jonathan Sage Martinson, Director of Planning and Economic Development (PED), City of St Paul: [displays Powerpoint presentation] This Powerpoint should help illustrate the plans that are before you. Briefly, I will cover the Planning Process that we used to get to tonight and the Key Principles that came out of that Planning Process that have guided the planning for the Ford site. There's two elements that are before you, the Zoning Plan and then the Proposed Public Realm Plan, that's the streets, the parks, anything in the public realm. Then I will talk a little bit about next steps.

The Ford site is a key site both in St Paul and in the region with great proximity to both downtown Minneapolis and downtown St Paul, the Highland Park neighborhood, the Minneapolis-St Paul Airport and the Mississippi River. We've known that Ford was

going to leave the site since 2006. In January of 2007, the City Council and the Mayor appointed a Ford Site task force which has been meeting since then to guide the planning process, made of neighbors and key stakeholders. That task force held 45 public meetings over the past decade, made 80 presentations to businesses, civic, and other groups. There have been 17 studies on the site, looking at everything from reuse for manufacturing to understanding its market potential to understanding its historic significance and exploring innovative ways to reduce energy usage on this site. Data from these studies have gone into the draft plans you are looking at tonight.

There has been significant support for the six Key Planning Principles. Those are: mix of uses and activities; housing variety; jobs and tax base; energy and sustainability; transportation; and parks and amenities.

About a year ago, Ford, which had been working on tearing down the buildings and doing testing on the site, was far enough along with their testing and their planning with the MPCA cleanup plan for the site to begin to say with confidence that they would remediate the vast majority of the site to residential standards, with limited restrictions. The importance of that decision cannot be understated. Ford is responsible for the pollution on this site but they are not required to clean up beyond industrial standards. Cleaning up to residential standards is above and beyond their legal obligations. With this commitment, we were able to take those six key planning principles and apply them onto the Ford site: connecting the site to the natural neighborhood; maximizing the amenities on and around the site; offering a variety of housing including jobs and a mix of uses. We looked at the givens for the site: airport, river height restrictions; environmental information coming from Ford and the MPCA; stormwater requirements from the Capital Region Watershed; the transportation system. We added strong neighborhood preferences and financial feasibility, from recommending similar housing form that exists today north and south of the site to looking at balancing housing with high amenities to understand the financial feasibility. We were able to take all those elements and develop a draft plan which was first shared at St Thomas University on November, 2016, with 400 people in attendance. That's the first phase of public review. The second phase of public review started on March 7, 2017, at Cretin Durham Hall with another large group in attendance. The Planning Commission phase started May 19, 2017. The City Council phase started in late July, 2017. At each stage there were changes made and proposed to the plan: to layout; to density or massing; and to regulatory. The number of blocks in the highest density zoning code was reduced. A widened bike path was included on Ford Parkway. Increased maximums for parking were included. Maximum building lengths were limited so buildings didn't become too big. Maximum lot coverage was reduced to allow more unbuilt space on each private lot. The intent to realign part of Mississippi Blvd was included.

This is a zoning map of the site today, it is zoned I1, light industrial. This zoning allows a wide variety of uses, including housing. It has a 50 foot base limit with no height limit if proper setbacks are accommodated. We studied its use for manufacturing and found that not to be feasible because of transportation. The rail spur is no longer in use. The new proposed zoning is shown, dividing it into four parcels. This does not include the 22 acres Ford owns between Mississippi Blvd and the river. Ford used to own a hydroelectric plant which they sold some years ago to Brookfield Energy. They do own a parking lot and two buildings on the river level. The upper bluff area has completed testing, cleanup plans to remediate the site have been approved by MPCA, and they are in the process of implementing these plans. Ford is also responsible for the pollution on the river level. They are working on testing and remediation planning with the MPCA.

There are six zoning districts; four are predominantly residential; two are predominantly commercial. The first one we will look at is River Residential, the backwards J-shaped part that runs along Mississippi Blvd. This mimics in form what exists north and south of the site, similar setbacks, similar form, two to four stories, 40 foot max. Primary uses are multi-unit homes and carriage houses. Slightly east from there is the Residential-Low zoning district, three to five stories, 55 feet max. Primary uses are townhomes, multi-family residential, limited commercial and live/work. The middle of the site is Residential-Mid. The height maximum is 65 feet or up to 75 feet with a 10 foot setback within 25 feet of the street. The top of the building would step back, reducing the mass of the building as seen from the street. Limited office and live/work are the primary uses. Residential-High is in the middle of the site in the far eastern portion. The proposal is 75 feet maximum height but up to 110 feet with additional parkland dedication on the site. Primary uses are townhomes, multifamily, limited commercial and office, and live/work. The Business Mixed zoning is just to the north, south of Ford Parkway and will allow three to six story, 75 foot max with that required setback. Primary use is retail service, office, and family residential. In many ways, this is continuing the commercial corridor that is along Ford Parkway today. Finally, the Gateway zoning, this is commercial only with primary use being office and services, no residential allowed. Heights will be three to six stories with a max of 65 feet. The city would like to see jobs available in these last two zones.

The plan also includes minimums and maximums for each land use type. This was to allow flexibility for developers and to ensure the site includes a variety of uses which we heard from the community was so important. Nine percent is set aside as City parks, the maximum amount the City can require from a landowner. We are allowed to do other set asides: for storm water system (8% of the site); and trails (4% of the site). That's a total of 21% of the site in publicly accessible parks, trails, and open space. There is a desire in the plan to set aside 11% for recreational fields. That leaves 21% for transportation and right of way and 47% is buildable land.

St Paul is growing again. We are on track to have more residents than we have ever had in the next couple of years. The Ford build-out would allow Highland to retain approximately the same percentage of St Paul residents as it has now.

A minimum of 25% of each private lot has to be open space. Buildings can cover no more than 70% of the lot. Currently the requirement is that 9% be set aside for park space, but it doesn't prevent the City or the developer from setting aside more in the future. Storm water management is pooled, rather than required on each individual site. This is more efficient and it can become an amenity feature. This is consistently one of the more popular parts of the plan. The transportation network will be covered by arterial roads, residential roads, and bike and pedestrian trails and pathways. Where practical, every street that formerly ended at the Ford site is now connected through to help knit the site back into the surrounding neighborhood. Normally, the transportation study will come as part of a detailed master plan from a developer in an environmental review. We wanted to do the transportation study early on this plan to size the proposed zoning plan on the capacity of the existing surrounding transportation network. In 2016, the transportation study was completed based on the maximum allowed build-out of the site; it used today's localized driving, walking, and biking habits in Highland Park; and it assumed no mitigating factors around the site. It showed that, while car traffic would increase, it would not exceed the existing road capacity around the site.

Financial feasibility is a requirement. We want to see the Ford site developed; we want to see it become a thriving part of Highland and the City of St Paul. We want to make

sure that what we are proposing works financially. There is some reduction in the cost of development as you reduce the density on the site. The number and quality of the parks remain constant. However, the less development capacity, the less revenue developers get from the development. The gap (development cost minus revenue) illustrated by the blue line shows that, at maximum build-out, there's likely to be a need for developers to need assistance to build the public realm. There's quite a bit that doesn't exist today and needs to be built: sewer; water; streets; parks; and parking. As the number of units is decreased, the gap increases. Some costs come down but not nearly at the same rate as revenues drop. Less than 2400 units would challenge the financial feasibility of the site.

The City is looking at the Zoning and Public Realm plan. Ford is working on remediation and will need at least another year to complete. Ford is doing some marketing now and intends to formally market the site in the next six months or so. They have given us this time window, late 2017 to early 2018, for putting the site on the market. They plan to select one developer to work with. That developer would develop a detailed master plan and an environmental review either in the form of an Environmental Impact Statement or an AUAR. It is at least a nine month process. The plans would need to be reviewed by the Planning Commission and the City Council. Once that's done, infrastructure could be built in the 2020-2021 timeframe and the developer could bring the site plans for the first buildings on the site. Each site plan would need to be reviewed by the City. If you vote to approve next week, you will not see buildings go up October 1. It's important to note that there is a process here before we begin to see buildings built. It will come back for public review before we see buildings go up. This fall, the City will kick off the design guideline process to detail specific design guidelines for the site.

Council President Stark: Great. I've got a couple questions and I guess Ms. Prince and others do, too. The first is the Financial Analysis, that only includes the public infrastructure costs for the site. I know one of the things being considered is affordable housing with 20% of units being envisioned as a target. Are affordable housing costs on top of the public infrastructure costs?

Mr. Sage Martinson: I'm going to doublecheck but my understanding is the gap includes the 20% affordable housing. We have assumed a lower per unit subsidy in this plan than we have typically seen across the City. We are expecting the developer to subsidize portions of the cost of affordable housing. We believe they will need additional subsidy as well. It is included in the number.

Council President Stark: Thank you for that clarification. My other question is broader, dating back to the task force work and the overall community engagement process. What was considered, were developers part of the conversation to figure out what's really feasible versus what people might like to see, that sort of thing.

Mr. Sage Martinson: The draft plan was informed by both the market study we had done as well as we hired a development consultant to look through the site through a developer's eyes in terms of the feasibility. After the November meeting, we held meetings with a number of developers who are active in the local market to get their take on the draft plan, what they saw as obstacles or opportunities. That feedback was brought back into the community process since November. We have been talking with marketing and development folks along the way in the previous eight years to make sure this was informed from a feasibility standpoint as well.

Council President Stark: Thank you. Ms. Prince.

Councilmember Prince: You mentioned that Ford has agreed to clean up the site to multifamily residential standards. My concern is about Area C, the area down below the bluff. I am concerned about a Paul Wattskill Land and Water Consulting study that was shared with the MPCA that raises serious concerns about groundwater pollution so has Ford made any commitment to the City about the cleanup of that area prior to any development occurring on the Ford site?

Mr. Sage Martinson: The environmental remediation on this site, as anywhere in the state, is overseen by the MPCA. The City has been working with Ford and the MPCA all along, throughout this process. The report you are referring to came in the initial report that Ford submitted to the MPCA. Ford did an initial round of testing for Area C. They are legally obligated to identify, develop a plan, and then to implement that plan. The MPCA called it a very thorough report and requested additional testing which Ford is in the process of doing now. When that is done, it will be reported back to the MPCA and they will determine next steps. We plan to stay very closely aligned with that. Our understanding is that Ford will most likely not be selling the river parcel. they may look at lease arrangements. Their obligation is up through the MPCA. We've been staying engaged and they are in the middle of that process.

Councilmember Prince: My concern is that we not get ahead of that cleanup and analysis prior to proceeding with any development because of the water quality issues that have been raised. I appreciate that it is all on-going but I just want to call that out.

Mr. Sage Martinson: Just to be clear, the cleanup plans have been approved and are being implemented on the area we are talking about tonight. The area you are talking about is not part of this. It is not being rezoned.

Councilmember Prince: Has the MPCA concluded that the pollution on that site will not impact the site to the east?

Mr. Sage Martinson: The MPCA is very comfortable with the work that has been concluded on the 122 acres that is being proposed here and is very comfortable with the uses being proposed. They would permit even a broader set of uses than what is being proposed here. We are following both the MPCA's and the landowner's restrictions.

Council President Stark: I see Ms. Clapsmith saying yes is the answer to that question. The concern about the pollution is there is that it is moving toward the river, not up the bluff. Other questions? Mr. Thao, and then Ms. Brendmoen.

Councilmember Thao: Does the traffic study model winter driving conditions, including air quality in the surrounding neighborhood? It makes sense to include those data in determining the zoning recommendation.

Mr. Sage Martinson: The transportation study was to look at the volume and types of traffic that would come from the proposed zoning to make sure that there is enough existing capacity in the surrounding transportation infrastructure for that additional transit traffic. That included the existing habits of transportation in Highland Park, in summer and winter. People are out and about so it includes the habits that are exhibited in the neighborhood today. A more detailed study of air quality would be part of an environmental review that would be attached to any developer's master plan which must be done before they can build. That covers anything from endangered species

to air quality to transportation. It's quite broad and that's the stage at which those kinds of questions would be answered.

Councilmember Thao: That's helpful and my concern is that models are great for predicting hurricanes, for example, but it doesn't measure the devastation and the quality of life that it can impact. Any recommendation for zoning should have that sort of detail so that we aren't just looking at a model but looking at the quality of life.

Council President Stark: Other questions? Ms. Brendmoen.

Councilmember Brendmoen: Thank you. Is this most recent presentation part of our packet of information?

Mr. Sage Martinson: This is not in Legistar but will be shortly. It is close to what is on our website from the Planning Commission but we will make sure that it is the exact one.

Councilmember Brendmoen: You mentioned that, on the developable blocks, that 75% could be developed and 25% would be set aside for green space and not developed. I am curious if that is part of the 9% parkland set aside or is that in addition to?

Mr. Sage Martinson: This is in addition to. The 25% is the space you see around private lots. The open space in my lot is my front yard and my back yard, private space that is open and unbuilt.

Councilmember Brendmoen: I am just trying to make sure that it is not part of the 9% that we are talking about for parks. Thank you, that helps.

Council President Stark: Any other questions? OK, it looks like people are ready to dive into a hearing here. Ms. Prince.

Councilmember Prince: I do have an amendment that I would like to make to the resolution that is conveying the master plan. I have placed it in Legistar and I have given it out to my colleagues. It reads "Be it further resolved that the City will actively pursue to acquire more contiguous bluff-top acreage by expanding Hidden Falls Regional Park and re-aligning Mississippi River Blvd to the east at the southern end of the Ford site." I would like to move that amendment.

Council President Stark: All right. Ms. Prince is moving an amendment to the resolution on the public realm plan. Discussion on that amendment? Mr. Tolbert?

Councilmember Tolbert: I consider it a friendly amendment so I will support it.

Council President Stark: Great. And Ms. Prince, I appreciate that you got this to us ahead of time and I think it's a sensible amendment. Any further discussion? Seeing none, we are just going to vote on amending this little piece into what is before us. All those in favor signify by saying Aye.

[All say aye.]

Council President Stark: Any opposed?

[There were none opposed.]

Council President Stark: The motion carries.

Ms. Shari Moore: 7 in favor, none opposed. The amendment is approved.

Council President Stark: All right. Anything else before we start the hearing? Very good. All right, folks. We will now start the hearing process. A couple of things I forgot to mention at the outset. First it is Mr. Tolbert's intention at the end of this hearing to move a continuance of the hearing until next Wednesday, the 27th, at the 3:30PM portion of our meeting. The timing of this hearing coincided with Rosh hashanah. That was not intentional; it was the way things lined up. So for those folks who couldn't be here tonight, in large part because of the holiday, the intention was for some of those folks to come and be heard next Wednesday. For those thinking about trying to talk tonight and next Wednesday, it's really for the folks who couldn't be here tonight. Obviously not everyone is going to get a chance to speak, at the same time we understand that. So, getting to the hearing, we are going to try to keep you to one minute apiece. I understand numbers have been passed out for folks both opposed and in support. We are going to start with those in opposition. Those folks who are in opposition and have the first 10 numbers, get ready to join us at the front. There is a sign-in sheet to your right after you have spoken. So speak, give us your name and address and then sign in on the sheet to your right. Thank you and welcome, sir.

In opposition:

Tony Giuliani (2154 Pinehurst Avenue): Requested that the ball fields be preserved for the youth that they serve. Over 800 youth use the fields. The fields have been used for baseball since the 1950s and requested that they be considered a legacy.

Ava Figeura (2106 Watson Avenue): Plays baseball on the field as does older brother and his friends. Requests that the Council not forget about the kids and that they have ball fields for years to come.

Peter Berglund (2028 Grand Avenue): I am mostly concerned about too many cars. We need a formal system to limit the cars. Proposing a method to do this by limiting parking for the new units.

Jim Winterer (1032 Boudoin Street): Opposed to this level of density on the Ford site. The property can be developed without destroying the neighborhood.

Steve Wiegner (65 illegible): Item 68 opposed; Item 69 opposed.

Alissa Lawler (2160 Bayard Avenue): Concerned about the vehicle exhaust (particulate matter of 2.5 microns) impact on health. Asks for limits to traffic increases on all city streets.

Kathy McGuire (2203 Fairmount): How will this state of the art, high-density, transit oriented development do anything to mitigate traffic congestion and car pollution in our area, in the City of St Paul, and in the seven county metro region where traffic is a problem? All questions related to the Ford plant, in particular, unmitigated pollution, has the potential to impact tens of thousands of people in St Paul for generations. There is no justification for taking that risk. I fear the population projections on which this proposal is based are already outdated; US Census data for 2015 and 2016 project zero population growth for the Twin Cities.

Mary Dienhart (701 Mount Curve Blvd.): Some people are viewing this issue as a battle between generations. As a millennial, my husband and I are opposed to this plan.

Passing this plan will further divide our neighborhood and our City.

Kevin Cunningham (1773 Wellesley Avenue): I am a busy person. I don't know why you are trying to put these buildings in on a toxic polluted site. You are trying to drop a piece of Manhattan on this site. This is politically motivated. I have three kids in Highland Little League

Carlos Garcia Velasco (phonetic) (no address given): I represent the working poor. [Holds a sign that reads "People Over Profits"]. We need to put the people's ideals and visions first. We are a family and don't always have to agree but the little brother sometimes, and the little sister sometimes, need your help. Profit is at the center, not people, not environment, not families, not affordable housing. We need to take our time and get it right.

Bob Moeller (2065 Ford Parkway): Three generations of Moellers have sunk everything they have into living in the community and having a business in the community. My major opposition is the density to this plan. I see the pedestrians cross the street like "Frogger." I've seen people get killed on the corner in front of my store.

Suzette Bielinski (2032 Bordner Place): I oppose the current plan because of the density; it's more of a social experiment. I am concerned that the Council is supportive of this plan in contrast to the people of the area. Slow down and build consensus.

Tim Morehead (1932 Bayard Avenue): I like a lot of things on this plan but I am concerned about the density. My recommendation is to cap the density at 2000 units. I don't want to risk the developers buying out of the 9% green space. Many people want park space.

Susan Duffy (657 Fairview Avenue S.): I would like you to rethink this development. I love our values in community and our families. What I want to see is some unique innovation to grow these values in this site.

Linda Hovland (1982 Worcester Avenue): Change is a part of a living organism. I am opposed to the zoning and the density. The Ford plant has been notorious for chemical dumping since the beginning of time. I was involved in getting OSHA involved in the 1970s. There was a small cluster of cancer. It is something to be taken into consideration. They are almost down to the soft bedrock. Vapors can come up. We need to wait until it is thoroughly cleaned.

Bruce Hoppe (531 Mount Curve Blvd.): I am representing the littles of St Paul who brought the lovely signs. We are opposing this and asking for a rethink. We have 700 of these signs out. Close to 2000 people have signed the petition opposing this. Please listen to us and read the comments. Find the balance.

Jean Hoppe (531 Mount Curve Blvd.): My home is about 1/2 mile from the site. I am a nurse and a lawyer. I serve as a national health care officer. Friends of the Mississippi River called out concern about the presence of arsenic in Area C. But if we disrupt this site but putting piling on it, we are losing leverage with Ford by giving this away right now.

Michelle Doyle (1878 Hampshire Avenue): My home is 1/2 mile east of the Ford site. We like the idea of the mixed use development but this plan goes too far. Balance of housing density does not provide opportunities for families; it's skewed to singles. The

green space is not sufficient. We support a plan with half of the housing density of the current plan with building heights limited to two, to four, to five stories. And more green space than is currently planned for. Ford should be required to repair its environmental damage on all areas of the site.

Kip Hathaway (507 Montrose Lane): Recently graduated theatre major from Lawrence University and looking for a job. I grew up in highland and have fond memories. I want to make sure that families can raise children and they have a great childhood, like I did. I do not believe giving this plan to the corporations, as we are doing, will do any of that. They will put profit over people. I believe we are not that far off and can work together on this.

Jim Ginther (1019 Colby Street): We own the closest homestead to the Ford site property. I request an extra minute because Councilmember Prince just brought up an amendment that might put my homestead in jeopardy of eminent domain. I am against the density but my main concern is for the creek that forms Hidden Falls. That creek is at the back of our property. The creek and the watershed that feeds it could be compromised by the deep footings needed to support the six or seven story residential buildings. The water features are good but I wouldn't want them to co-mingle contaminated water with the creek. Mr. Fossum feels the creek could be helped by the new development and that the Platteville limestone St Peter sandstone that form the bedrock below may not have to be disturbed to lay down footings. I repeat "may not have to be." He said some of the water in the creek is runoff from the surrounding area; however, I suggest the City Council hold off on voting to consult with experts in geology, hydrology, and pollution control before going ahead with the plan that could impact or even dry up the creek that took thousands of years to create the Hidden Falls that we enjoy today.

Kevin Leehan (1337 Cleveland Avenue S.): We have a triangle of asphalt. Three streets carry all the traffic. Mississippi Blvd can't be expanded without condemning property. The other side is a park. Congestion is bad. Where people go, there follow cars. To think that old people are going to buy a fat tire bike to go to Lunds in the dead of winter is strange credulity. This property is going to be developed but we could take some time and come up with something truly worthy of St Paul. This is the best place on the planet to live and it deserves more than this.

Mark Hanson (1945 Saunders Avenue): I oppose the plan for the density and the buildout. Over the long term, I don't think it is going to pay for itself.

Tom Goldstein (1399 Sherburne Avenue): I have submitted specific objections to the plan. I want to talk about leadership. The people here are an indication of what should be done. There's no letter from Ford with the deadline. The political decisions of others should not dictate your decisions. I would remind you of other projects where we made big bets: Bandana Square, Town Square and Galtier Square--we don't want to end up with any more boondoggles because we didn't build consensus. There are smart people on both sides. Let's listen to them.

Sam Tsai (2215 Scheffer Avenue): I can feel objections to height, density, and traffic. I want to see trust between the Council and the residents of Highland Park. There is no trust. The relationship is broken. I am asking to postpone this decision to build up the relationship. Then we can move forward together.

Carol Kist (1959 Palace Avenue): I walk and bike and drive in the neighborhood. It's hard to cross the streets like Cleveland, Cretin, Ford Parkway. A lot of people don't

bike or ride mass transit. I'm not going to take compost to the compost site or my dog to the dog park on the bus or on a bike. We want traffic calming. I've often wondered if having Cretin and Cleveland be one ways would alleviate some problems of crossing the street. Could we consider traffic circles or roundabouts on Ford Parkway?

Tracy Nash (2180 Eleanor Street): I represent myself and the people on Cretin and Eleanor. We have to get back to committing ourselves to our neighborhood. This has divided our neighbors. We all deserve a good quality of life. This is a hidden secret. We need to respect each other and the values. We want this neighborhood to stay the way it is. We don't need this. It will do nothing but divide.

Kyle Robertson (2208 Bayard Avenue): I spent my childhood in Highland Park. I spent years in Illinois where there was a high density area and I saw issues with cars, parking, pedestrian safety and bicycle safety. These issues are already occurring in Highland Park and will be exacerbated. It happens even with the site empty right now. Not everyone is willing to take alternative forms of transportation. Please delay the vote and reconsider to limit the population density so we can get the future residents, as well as the current residents, of Highland Park, set up for success in the future.

Mark Seuntjens (2211 Sargent Avenue): I would be exposed to the traffic that would develop. I don't know how things got this way. This is the most contentious I have seen this. The planning process was flawed. The density was forced upon us. We have time to stop and delay the vote and put together a team that represents all groups with a deadline to coordinate with the Ford cleanup. I believe in the Council and the City of St Paul. Stop and set up a good plan for St Paul.

Ben Mingo (1311 Grand Avenue): I am the newest home owner in the audience. Compliments to councilmembers for preservation along Snelling and Grand. This proposal does not reflect the best we can do.

Pratik Joshi (1690 Beechwood Avenue): I sent a note to the Councilmembers. The project has been touted as live, work, and play. There is wishful thinking. We need more studies because, if the people who did the plan drove where I live, they would get an idea. I grew up in New Delhi. I grew up on public transportation. There will be more traffic, more noise, more pollution, more road rage. And then it's a quality of life issue. Why do people come to Highland Park? Because they want to be able to walk. It's nothing about the people but the project is being pushed. It seems the Council or somebody already made a decision about how this has to go. That's why a transportation study guy. Who pays the piper, calls the tune. It's a great moment for the City Council to leave the politics behind. A \$5 million TIF. The Highland residents would suffer from high taxation; they already suffer from high taxation. Why not demand they donate this patch of land to the City. They can get a write-off. I saw the video. The European model is certainly not applicable in St Paul. I would request the City Council to delay the vote and take another look at the Transportation Study and reduce the density.

Leah Hedman (507 Mount Curve Blvd.): My street will double in traffic. My kids play with others in the front yards. You are going to turn my street into Cretin. You are going to change the quality of my life and my kids' lives. You need to protect this neighborhood. I've been going to Ford meetings for 10 years. Those dark green things are all 10 story buildings. It would never be built now because it's too close to the river bluffs. The green space included the CP rail lines which the City doesn't own, Ford doesn't own. There is no good fight between neighbors. Please meet with the

neighbors and build consensus. We need leadership.

Chris Holbrook (1302 Van Buren): i am on the ballet for Mayor. I am a fiscal conservative and there is nothing conservative about this plan. This is not a public hearing. There were emails that disappeared. Community engagement has been only with developers. The neighborhood of Highland is being slapped in the face. I'm getting slapped in the face with the stadium.

Dale Thompson (2230 Sargent): I walk to work, my son takes the bus. We cross Cretin. It's tough and dangerous now. I'm very concerned.

Kelly Harmon Schmitt (2203 Sargent): I know blood, sweat and tears went into this. It's not there yet. I hope revision can be done. I didn't own a car until I was 33. This area is amazing and a wonderful place to raise a family. We have book clubs, dinners, borrowing food from one another, taking our kids to school. High density doesn't allow that. Understand that we should play to the strengths. Businesses strive to build culture.

Stuart Orlowski (1516 Grand Avenue): There's an affordable housing crisis in the Twin Cities. This plan doesn't go far enough to help with this. I am concerned people will get priced out.

Council President Stark: Thank you and thank you for everyone speaking in opposition tonight. We will give folks a chance who are here in opposition who didn't get a chance to speak to stand up or raise your hands and we know there are folks in the other rooms as well. If people would like to do that, just to show your numbers, if you are here in opposition, raise hands or stand up.

[People stand, raise signs.]

Council President Stark: All right, thank you. Just wanted to give everyone a chance to be seen who didn't necessarily get a chance to speak. All right. We will now move on to people here in support.

[Person from audience calls out.]

Council President Stark: Oh, you would like to stand at the beginning. Let's go ahead and stand for the people who are here in support.

[People stand. Some hold signs]

Council President Stark: Thank you very much. All right. We will have 50 minutes. Numbers one through five get ready to go. Welcome.

In support:

Heidi Schallberg (706 Mississippi River Boulevard S.): I love the proposed plan. Although I preferred the plan that came from Planning, I support Councilmember Tolbert's changes. Half of the housing in Highland is multifamily now. Although single family homes take up the most physical space and dominate our political space, residents in multifamily buildings have been integral to the character of Highland since the Ford plant opened in 1925. We need more multifamily housing; research shows we will need 125,000 units over the next 13 years just to keep up with demand in the region. The current rental vacancy rate in St Paul is 2.2%. That's really low and it makes it tough to rent. Staff have done an excellent job over the decade of work and

the community involvement of this forward-thinking plan. The plan is what we need for Highland, for the City, and for the Metro. Please vote to support this plan next week. I can't wait for construction to start.

Peter Armstrong (18?? Bohland): I represent the Ford task force commissioned by this City Council in 2006. We've met over 40 times in the last 10 years, most recently on September 11 to review the current plan. We continue to endorse that plan.

Gary Marx, (1500 Mississippi River Boulevard): I am a 10 year member of the task force. At the September 11 meeting, the group voted eight to one in support. The task force urges the City to pursue re-aligning the curve of Mississippi Blvd at the south end of the Ford site. However, the City should work with the Highland District Council to engage the community regarding the proposal to seek input from affected neighbors and review the impact on traffic and other neighborhood concerns. Your amendment is premature. There's been no discussion at all regarding this re-alignment with affected Mississippi Blvd residents. There was one up here saying how his house would be subject to eminent domain. There are a number of houses there, all of a sudden their front yard is the street. I would ask you to revise the amendment to seek the input of the affected residents.

Mike Daigh (525 Montrose Lane): I moved into my house after reading the thoughtful plan and I was impressed by it. Shortly after moving, some neighbors came round and were trying to scare me about it. I am an American fighter pilot. I don't take kindly to being scared, so I became a partisan for this plan. It might not be perfect, but it seems like a good one and a hopeful one. If it is the one I read three years ago that encouraged me to move to a neighborhood I hadn't considered, have the courage to support it. We are all in agreement, opposition and supporters alike, to moving St Paul away from being a car-centric city and make it a city where this plan can succeed. We can change as a city.

Russ Adams, The Alliance (2525 East Franklin Avenue, Minneapolis): We are an advocacy organization and have broad support for the plan with one reservation. There is not a commitment to building affordable housing at the most affordable levels; that's at or below 30% of the area median income. That's an individual who makes \$18,000 yearly or a family that makes no more than \$26,000. We'd like to see that in the plan.

Nathaniel Hood (1879 Montreal): Do the right thing, support the Ford site.

Brandon Long (1189 Cleveland Avenue S.): I am a member of Sustain Ward 3. I am a 30 year old homeowner and will be over 55 years old when the Ford site is built out. By the time it is done, I may be ready to downsize. At the heart of this is equity. The St Paul housing plan states 20% of new housing should be affordable. Twenty percent of the Ford site would be 800 affordable units. The Met Council projects St Paul will require 2600 new affordable housing units by 2020. The new units on the site would be 30% of that need. We will need even more units by the time the site is fully built out. With a low vacancy rate in St Paul, we desperately need more housing. Density alone does not equate to affordability, we cannot create the housing we need without it. Sustain Ward 3 looks forward to future conversations about housing equity on this site. Right now, that starts with zoning the Ford site that will allow us to accommodate all of our future wonderful neighbors.

Asad Aliweyd, New American Development Center: I work with the East African Immigrant community throughout the metro and particularly the East African and Somali community in St Paul. We support moving forward with this zoning plan tonight

and wish to raise some concerns. We haven't seen goals for large size housing, Section 8 type of affordable housing in this plan. We urge everyone to be mindful of how housing issues affect immigrant communities. Affordable, safe, dignified homes should be available. We value the contribution of the immigrants to this City and our housing policies should also reflect that. Together let's build a vision where all are welcome and all can thrive.

Kevin Gallatin (1822 Highland Parkway): I support the plan. We live in a desirable city and we must compete globally. We need to attract the best talent for the jobs in St Paul in the 21st Century. We can't attract that talent if we don't have growth. There's been two major steps for compromise, including Councilmember Tolbert's wise amendment. I see no evidence that further delay will improve the plan. Let's get the zoning done and move on things we agree on, like the ball field and better transit flow.

Caitlin Magistad (1425 Ashland Avenue): I support the plan. I support the affordable housing units, especially those below 30% of income. Housing instability affects families and communities. The City cannot wait any longer to produce more deeply affordable units. The Ford site is an unprecedented opportunity to expand housing choice and housing opportunities in St Paul. This site will require layers of planning, approval, and financing from City staff, its commissions, and this very Council. I encourage you to look for tools and strategies that will allow you to expand housing affordability at the site.

Matthews Holinshead (2114 Pinehurst Avenue): I live 200 yards from the Ford fence. I am the conservation chair with the Sierra Club Northstar Chapter in Minnesota. We have several hundred members and thousands more Sierra Club members in St Paul. We have signed on to a letter which you have already seen, so I will speak personally. A century ago, Ford invented mass production and mass consumption of motor vehicles. These things have leveled much of our urban fabric, helped launch climate change and separated us from each other by distance and isolation. Unique, priceless communities have been wiped off the map and replaced with faceless concrete, isolation and road rage. Ford is not a good four letter word. Hope is. That is what I call this site. I welcome the prospect of thousands of new workers and taxpayers of every color, background, and income. Some, not all, some are asking us to slam the door on the future, jam the bus into reverse, and mow down years of good faith planning that has always been open to all. Please pass the Ford site plan; let's not forfeit the future. We don't get this great an opportunity often.

Lael Robertson (1534 Laurel Avenue): I am a staff attorney at the Housing Justice Center. While HJC supports the plan as it calls for varying levels of density, transit oriented development and sustainability, we are deeply concerned about the lack of affordable housing for those households making 30% of median income or below, believing that it conflicts with St Paul's Comprehensive Plan and does not address its future obligations under the Land Use Planning Act. The Master Plan currently has no goal of 30% AMI housing; however, Met Council's projection of this need over the next decade is over 800 units. This is one of the largest developments that the region will see for a decade and has the potential to spur rapid land and housing costs, making it extremely difficult to build deeply affordable units. We ask the Council to pass the Ford plan and then work to reflect the 30% AMI.

Rick Varco (2265 Youngman Avenue): I grew up in St Paul and played in the little league. Right field. Badly. Having failed to convince you to deprive families of a place to live, opponents now complain about the process. I agree this process is rigged. It is rigged to favor special interests, current property owners, especially those who are

insulated against inflation. The process is rigged because local neighbors are most aware of the situation and have the most incentive to speak out especially since the solutions don't cost them anything. In contrast, the thousands of families who will move into the Ford site have no idea they are going to do that and they have no idea what is at stake tonight. It is far easier to organize those with an immediate direct interest than those with a remote future interest. The proof of the failure of this process is in the cost of housing in St Paul. If we had a fair process, we would be building housing to reduce the vacancy rate and the cost of housing.

Bea Kyle, President and CEO of the St Paul Area Chamber of Commerce (401 N Robert St.): I am speaking on behalf of the business community in St Paul. We support the zoning plan as proposed. We also support voting on the plan next week. The loss of Ford translated to a loss of jobs, property tax revenue and school district revenue. The rezoning essentially makes that loss permanent. We request the City zone industrial in more appropriate locations and more narrowly defined possible uses therein.

Will Schroer, Executive Director-East Metro Strong (214 East 4th St): We care about what happens on this site because it affects the prosperity of the entire east metro. We have studied the plan and have three conclusions: 1.the transportation system in the area can handle the increased travel and by extending streets through the site, it will relieve pressure on Cleveland and Ford; 2.the mix of uses and number of residences will reduce traffic providing for living, working, shopping, and playing on the site; 3.the plan is good not only for St Paul but for east metro and the entire region. This is a great place for St Paul and the east metro to grow, to maximize benefits, minimize impacts, and we look forward to working with you to make that plan a reality.

Amanda Willis (1727 Race Street): I support the Ford site plan.

Robert Wales (1727 Race Street): I am webmaster of Sustain Ward 3 and I support this plan. I see every comment and it strikes me the variety of people that support the plan with the common support and concern for the City's future.

Jennifer Kingsbury (1783 Portland): I am here to speak on behalf of my Jewish friends who are excluded because of the Jewish holiday. And on behalf of those who need affordable housing and likely could not make it today because they need to work. We need to look at this site with our children's eyes, looking to our future means higher density, more energy efficiency. We need to work hard on affordable housing.

Ellen Baudler, Housing Access Director--The Arc Minnesota: We assist and move people with disabilities into independent housing. We support this plan at the highest density rate with a caveat. That is there is not any housing for the extremely low income people. The people with disabilities that we serve are extremely low income. I talk to homeless people every day who have disabilities and nowhere to live. It would be my hope they would be welcomed in Highland Park so they can live independently and integrate into the community. I think you would find them to be a big asset. As it stands now, that is not going to be an option for them. Please introduce into this plan affordable housing for the extremely low income.

Elizabeth Wefel (444 Warwick): This is a City-wide project, not just a local issue. We have a lot of issues that can be addressed in this plan. Let's do this for St Paul.

Frank Jossi (1810 Hartford Avenue): I am here to say the Highland District Council fully supports the plan. The plan must be completed in a manner that enhances and

protects the surrounding area. Several points: maximize green space as much as possible; keep traffic concerns in the surrounding streets in mind in implementing; use traffic calming measures; and finally, work to ensure a seamless integration into the surrounding neighborhood.

Connor Shaefer (948 Cromwell): I commend this plan. I love the options for housing. It brings a needed density to the region and an opportunity to bring more park space. This plan has taken a lot of time, taken into account traffic, geology, and community concerns about park space. I have heard about what makes Highland special and I would like to see that open for more people.

Andrea Kiepe, Transit for Livable Communities and St. Paul Smart Trips (2356 W University Ave): We will provide our comments in writing. Since the traffic has been such a bone of contention, I think we have established, in our many decades as an organization, that we are not interested in furthering car traffic. The statements about the traffic studies being conservative and realistic, are true. The connectivity provided by the additional street grid plus the wonderful walking and biking resources, the existing transit already in this neighborhood, and the commitment of the City and the County to ensure that it is connected to high quality transit in the future, is going to make the traffic from the site manageable. We believe that's real, that it's fair and it is reasonable. We urge opponents to please come talk to me. We would love your help in advocating for better walking, biking, in the City of St Paul and the region. It can go further, but what is in the plan will work.

Whitney Clark, Executive Director-Friends of the Mississippi River (101 E 5th St): We speak in favor of the plan. We are very happy with the proposed density. Density allows for more green space and helps pay for amenities. It helps us not build more on the bluffs in Dakota County or in the wetlands of Scott County. I have provided detailed comments which you have in your packet, but I want to mention one concern that we have: our disappointment that there is only 9% parks in the plan, especially on the bluffs of the Mississippi River, the one and only gorge on the river. We should be taking the opportunity to grow bluff-top open space and I appreciate councilmember Prince's amendment to that effect. We'd like more park space in the site and on the bluff. By moving Mississippi Blvd to the east and purchasing a few acres of land from Ford, we can expand the total amount of parkland and reallocate the park. Dedicate dollars to get more parks within the site.

Tim Brackett, Volunteer-Transit for Liveable Communities: I have spent time with residents who support this plan and I encourage you to vote yes.

John Slade (3 Linder Court): I representing the Interfaith Council on affordable housing. We are highly critical of not putting in 30% AMI. Chuck and Don's is the dog food place and if you are a single mom working there full time, you need affordable housing. Those are the jobs that are available and that's the housing we think should be provided. I think you should increase your request for parkland from the developer. You should probably go with a density bonus for affordable housing. This critical demand for rental is going to continue to be the case.

Stephen Rubis (1910 Sheridan Avenue): Currently, there \$6.8 billion in tax exempt value in St Paul. If half of that amount was put onto the tax roles, that would raise \$56 million for local units of government. Bringing more taxable value into St Paul means less of a burden on existing properties. As someone whose monthly mortgage payment is 25% property tax, any relief makes it more affordable for everyone. I would gladly accept 3 seconds of increase in traffic for everything I've listed. I've dealt with

people like those who oppose this plan all my professional life. No amount of extra time will be good enough. You've done your due diligence. This has been over a decade. It's time to move forward.

Dan Cornejo (1657 Saunders): My home is about 3 1/2 blocks from the Ford site. I've been a City Planner for 45 years, some of that here in St Paul as PED director. I will make four points. It's thoughtful, bold plan. You've had expansive consideration of the needs of all of St Paul and all of the region. We need to embrace the future and welcome newcomers to share in everything our City offers. I think the plan will provide the best of urban living for all ages and all incomes. I would add policies and tools to ensure all incomes have the opportunity to live there. This plan, done well, will welcome everybody.

Sam Wils (946 Cleveland Avenue S.): My grandfather is listing his house. He is in a wheelchair. Places like this, with elevators, would allow him to stay out of a nursing home. Not everyone can maintain a single family home for their entire life. St Paul has a debt and has been raising tax levies. This plan will build tax capacity and expand the tax base.

Nick Hannola (999 Grand Avenue): By 2020, the metro is expected to grow by 600,000 and the vacancy rate is 3%. The Ford plan is a vital part of solving a coming housing crisis. I encourage you to support it.

Chris Kunz (484 Montrose Lane): There were plenty of opportunities to give comment and to talk to task force members. The plan is well organized and well thought through. Highland has been buffered from the Ford plant. The buffers are finally coming off and this expands the walkable village, especially to the water feature. I am excited about the bigger range of housing. Twenty somethings can move into apartments and seniors can move into it as well.

Dane Smith (569 Mostrose Lane): We have to look at the big picture for the metro, housing shortage, equity. The opportunities for elderly are there. I would love to be on a ninth story in a place where I can look over the whole neighborhood. The spectre of Manhattan--I like that! I want my city to be more like that.

Anne Carroll (1357 Highland Parkway): I speak in support. We've had 10 plus years of looking at this. The plan makes room for people like me, as well as a full spectrum of race, age, language, income and other factors that make a strong, healthy community. I ask that you support the plan and then help to ensure the health of the plan over the next generation.

Amy Schwarz (2031 Itasca Avenue): I live three blocks away. I can't wait for it to start. The plan before you is already a compromise. I liked the old one better. Please say yes to St Paul.

Tyler Teggatz (2031 Itasca Avenue): I live 1500 feet from the Ford site. I support the plan and urge you to support the plan. I am excited that St Paul can elevate itself to a world-class city. Be leaders and vote yes.

Mary Henke-Haney (372 Cleveland Avenue N.): I echo what some of the other supporters said this evening. I speak from the heart about sharing the prosperity and the neighborhood with other people. I am concerned that opposing people are trying to shut people out.

Gary Findell (1742 Hartford): I want to urge you to vote to approve as soon as you can. I want to move there when I get older. It's a framework for developing a more liveable and viable St Paul.

Joe Kendrick (780 Curfew Street): I am an environmental researcher and have worked in climate science in an academic setting and in advocacy in a nonprofit setting. As a community, we have to do something about climate change. Density is one thing we have to do. It reduces the need for personal automobiles. We need to make these small sacrifices to defend the future of our planet.

William Totten (1808 Highland Parkway): No plan is perfect; this one is pretty darn good. The changes outweigh the negatives. More than 100 years ago, things were constrained by horse dung, but electric and oil-based transportation took care of this problem. Self-driving and shared vehicles will cut down on the number of cars. There are a few people who will have that fat tire bike who will go to Lunds in the winter. I'm that guy. I won't be alone. It needs a few people to push this over the edge and make the traffic better.

Council President Stark: I believe that is it for tonight in terms of our public testimony. The intention is that this hearing will be continued until next Wed at 3:30PM for folks who couldn't be here tonight, especially for the holiday. You can continue to make written comments to us. We ask that those come in no later than Tuesday at noon so they can be compiled for us to have seen them before the meeting. Thank you again for coming out.

Councilmember Thao: Can I make an amendment?

Council President Stark: Mr. Thao.

Councilmember Thao: I appreciate the amount of effort the folks, the staff, the City leaders have put into this process. However, I believe this is a once in a lifetime opportunity to create a part of our City that we want and we must get it right. As a City, we have the most leverage right now through our zoning process and we have to listen to hear the voice of our community. The community is being pitted against each other over a timeline I think Ford has given the City. We know this timeline has created arbitrary pressure for the City and for the community. We know that high density development is where developers will make the most profit, and not industrial development, especially on this land. We don't have to be scared. I know we all want the Ford development. I use this analogy. A family has agreed to remodel the kitchen but they haven't agreed where to place the sink or the type of flooring. In almost any type of democratic household, I don't think they will start remodeling until they have an agreed-upon plan. It is important to listen to the voices of the residents. Because of their investment, it has become a desirable place. I think those of us who don't live close to the Ford site should consider the hardship that may arise when there is too much congestion and pollution. When I imagine this happening across the street from my home, how it would impact me, my family, my neighbors, it makes it a difficult proposition. That's why I think we should put the people first and not big profit for the developer. The current plan, it seems to be zoned in such a way that the developer can make the most profit. Meanwhile, neighbors become lifelong enemies. I can't stand for that. I'd rather our neighbors stand united, fighting for each other's hope and dreams instead of fighting each other. Meanwhile, the big developer can make massive profit from subsidy on the backs of taxpayers. With that said, I think we must find a compromise. We must fight for environmental justice. We must conduct a health impact study and pass a community benefit resolution which I will introduce at

the next public hearing. For now, I'd like to add a friendly amendment that we include 10% affordable housing to be at 30% AMI, as we have heard tonight, to the Public Realm Master Plan so people don't get priced out of St Paul. We have an opportunity tonight to prevent that by passing this friendly amendment. I'd like to move that 10% of the affordable housing at this site to be 30% AMI.

Council President Stark: We can have some discussion on this motion. I just want to let my colleagues and the folks in the room know chambers upstairs are full of folks waiting for us on other issues. There is some pressure for us to wrap up, continue next week, and keep moving. Mr. Tolbert.

Councilmember Tolbert: Mr. Thao, do you have a amendment in Legistar that we could see before we vote on something this important?

Councilmember Thao: I do, it's on the last page.

Councilmember Tolbert: Maybe I could ask Mr. Sage Martinson, we still have a public hearing. We have 50 items upstairs, including one that will take at least an hour and we've been here three hours. Mr. Sage Martinson, could you address the 20% and what it means within the plan and the City's mechanism to make that happen and when our leverage can make that happen. Obviously we all are supportive for affordable housing because we know it will be needed for everybody, at all income levels. But how to do it and when to do it as a City is an important thing. Maybe some background, I know this 20% number wasn't picked out of thin air. Could you just talk a little about that?

Mr. Sage Martinson: The City has a policy that applies to both ownership and rental that applies to the entire City. It applies to this site and will apply to this site. It has different levels of affordability that are called out for ownership and rental because of the different mechanisms for funding. When the City invests in a rental building, 30% must be affordable with 60, 50, and 30% AMI and that will continue to apply here. The recommendation for 20% affordable on the Ford site applies not just to the building, it applies to the 135 acres, a big chunk of the Highland neighborhood. It applies to a large area, could be 4000 additional units here. Ward 3 has 700 low income and public assisted rental unit currently, 500 of those serve 30% AMI and below. We took into account the existing affordable housing in Ward 3, the vast majority of which already serve that very low income category. The City is ahead of schedule on the 30% AMI. this is a big development with 800 affordable housing units, all of which will require some form of public subsidy.

Council President Stark: I will just jump in briefly and say the testimony tonight, of which we heard a ton, I am most compelled on this issue. However, this language has just been put in front of me. I've not seen it before and I'm not sure I even understand the implications of this language versus different language sitting here today so I don't think I can support it today but I do support the spirit of what Mr. Thao is trying to accomplish on this issue. It needs some further discussion. There are major implications for the amount of public dollars that would need to be spent for these additional units at 30% AMI. That's not a reason not to do it, but it is a reason.

Public hearing continued to September 27 at 3:30 p.m.

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 2 - Councilmember Bostrom and Councilmember Noecker

- 69** [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.

Councilmember Tolbert moved to continue the public hearing to September 27. (See minutes for item 68)

Public hearing continued to September 27 at 3:30 p.m.

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 2 - Councilmember Bostrom and Councilmember Noecker

The Council will recess, and reconvene in the Council Chambers, Room 300 City Hall.

reconvene 8:35

- 70** [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.

No one was present to testify. Councilmember Brendmoen moved to close the public hearing.

Public hearing held and closed; laid over to September 27 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Noecker

- 71** [RES PH 17-273](#) Approving the application of Fred Shepherd, Event Architects / Minnesota Public Radio, for a sound level variance in order to present announcements and amplified music at Landmark Plaza and Ecolab Plaza during the Minnesota Public Radio 50th Anniversary Street Dance on Saturday, October 7, 2017.

No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Noecker

72 [Ord 17-32](#)

Amending Chapter 409 of the Legislative Code pertaining to private Christmas parties.

No one was present to testify. Council President Stark moved to close the public hearing.

Public hearing held and closed; laid over to September 27 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Noecker

73 [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.

No one was present to testify. Councilmember Bostrom moved to close the public hearing.

Public hearing held and closed; laid over to September 27 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Noecker

74 [RES PH 17-276](#)

Approving the application of Twin Cities in Motion for nine sound level variances in order to present amplified sound for announcements, speakers and music on Saturday, September 30, 2017 and Sunday, October 1, 2017 during the Medtronic Twin Cities Marathon Event 2017 at the following locations: State Capitol Complex, 75 Reverend Doctor Martin Luther King Jr Boulevard; and eight other locations from Mississippi River Boulevard and Marshall Avenue east along Summit Avenue to Selby Avenue.

Council President Stark moved an amendment changing the start time for the sound level variance from 6:15 to 7:15. Yeas - 6 Nays - 0

No one was present to testify. Council President Stark moved to close the public hearing and approve the resolution.

Adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Noecker

75 [Ord 17-28](#)

Amending Chapter 324 of the Legislative Code by adding menthol, mint or wintergreen and fruit to the definition of flavored products.

Dan Niziolek, Department of Safety and Inspections, gave a brief staff report clarifying the change.

Councilmember Thao moved an amendment changing the effective date to 90 days rather than 30 days after passage and publication.

Council President Stark spoke in support of the amendment.

Vote on amendment: Yeas - 6 Nays - 0

Councilmember Tolbert said, for consistency, the Council should continue this item to next week as well. Council President Stark expressed support.

In opposition:

Bruce Nustad, Minnesota Retailers Association (411 Robert Street N.)

Cynthia Schanno (256 Spring Street)

Steve Dahl, owner of two Super Americas (525 Lafayette Road)

Todd Knudten (1205 Homer Street)

Katelyn Knudten (1205 Homer Street)

Chuck Durand (281 Snelling Avenue N.)

Brandon Fuhr, Holiday Station Store (1770 Old Hudson)

James Hawila (2057 Marshall Avenue)

Abdalla Tobasi, Tobasi Stop (809 Selby Avenue)

Mike Valke, Holiday Station Store (281 Snelling Avenue)

??

Nate Grand (1599 Taylor Avenue W.)

Charlie Rose, two convenience stores in downtown (30 E. 7th Street)

Scott Olson, Parkway BP (304 E. Wheelock Parkway)

Paul Muilenberg, with Croix Oil Company

Gary Cooper, Cooper's Foods

Tony Chesak, Minnesota Licensed Beverage Association (1983 Sloan Place)

Bruce Milbrandt, wholesaler, 121 Creekside Drive

Anwar Kamal, Maryland SuperUSA (1198 Earl Street)

In support:

Anika Ward (417 Western Avenue N.) Director for Prevention of Blue Cross Blue Shield of Minnesota

Traielle Godfrey (1205 Arcade Street)

Ed Owens (1008 Carroll) NAACP

Tyler Winkelman (1888 Grand Avenue)

Ka Thao (1344 White Bear Avenue N.)

Ashley Cordoba (257 E. Robie Street)

Dr. Earl Miller, pastor emeritus of Progressive Baptist Church (1505 Burns Avenue)

William Williams (665 Thomas Avenue)

Eugene Nichols, Open Cities Health Center

Damone Presley (380 Dunlap), Aurora - St. Anthony Youth Program

Anne Barry, St. Paul - Ramsey County Public Health Director (90 N. Plato Boulevard)

Council President Stark, Councilmember Prince, and Councilmember Tolbert made statements.

Councilmember Tolbert moved to continue the public hearing to September 27.

Public hearing continued to September 27 at 3:30 p.m.

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Noecker

ADJOURNMENT

Councilmember Bostrom moved adjournment.

Meeting adjourned at 9:43 p.m.

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Noecker

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