

City of Robbinsdale
CITY COUNCIL MINUTES
SEPTEMBER 15, 2020
Meeting No. 18

CALL TO ORDER

1. Mayor Murphy called the meeting to order at 7:00 p.m.

ROLL CALL

2. Present: Blonigan, Rogan, Selman, Backen (via Webex), Mayor Murphy
Staff: Marcia Glick; Jeff Zuba, Finance Director

OPPORTUNITY FOR THE PUBLIC

3. Mayor Murphy opened the floor to anyone wishing to speak on any items not on the agenda.
4. Molly Beahen, 2908 Drew, indicated that she wanted to talk in support of the Human Rights Commission recommendation for a conversion therapy ban. She is a member of Birdtown Pride and was eager to hear council members' thoughts.
5. Glick shared that the resolution was still being reviewed by the Human Rights Commission and had not been forwarded to the City Council.
6. No one else chose to speak. The Mayor closed the session.

APPROVAL OF AGENDA

7. Glick noted additional feedback from the public for New Business B.
8. Member Selman **MOVED**, seconded by Member Rogan to approve the September 15, 2020 meeting agenda. **The vote was unanimous and the motion carried.**

CONSENT AGENDA

9. Member Blonigan removed item D.
10. Member Rogan **MOVED**, seconded by Member Blonigan to approve the consent agenda items with the exception of item D. **The vote was unanimous and the motion carried.**
 - A. Motion to approve and order placed on file minutes of the City Council meeting:
 - City Council Minutes on 9/01/20
 - Work Session Minutes on 9/01/20
 - Special work session minutes on 9/08/20
 - Budget work session minutes on 9/08/20
 - B. Motion to accept the following commission minutes:
 - Parks, Recreation & Forestry Commission – 5/26/20
 - Planning Commission – 7/16/20
 - C. Motion to approve issuance of licenses dated September 15, 2020.

- D. (removed)
- E. Motion to authorize the City Manager and Finance Director to issue a Purchase Order to MacQueen Equipment of St Paul, MN for the purchase of a new 2021 Vactor 2100i for the net amount of \$404,847.00 + license.
- F. Motion to approve Travail Kitchen and Amusement planned event on their parking lot at 4131 West Broadway on Saturday, October 3, 2020 from 12:00 noon to 10:00 p.m. with 2 planned seatings and conditions listed in the staff report.
- G. Motion to authorize the Mayor and City Manager to sign the School Resource Officer Agreement between Independent School District 281 and the City of Robbinsdale.

11. Member Blonigan indicated that he had removed the item to thank Melanie Sedqi for volunteering to serve on the Charter Commission.

12. Member Blonigan **MOVED**, second by Member Rogan to waive the reading and order the adoption of Resolution No. 7845 "A RESOLUTION RECOMMENDING TO THE CHIEF JUDGE OF THE HENNEPIN COUNTY DISTRICT COURT APPOINTMENT OF QUALIFIED VOTER OF THE CITY OF ROBBINSDALE TO THE ROBBINSDALE CHARTER COMMISSION." **The vote was unanimous and the motion carried**

OLD BUSINESS A: Public Facilities Authority Loan Agreement

13. Zuba reviewed the staff report noting significant interest savings with the 1% interest rate.

14. Member Selman **MOVED** second by Member Rogan to approve Resolution 7846 "A RESOLUTION ACCEPTING THE OFFER OF THE MINNESOTA PUBLIC FACILITIES AUTHORITY TO PURCHASE A GENERAL OBLIGATION WATER REVENUE NOTE, SERIES 2020B, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$36,430,904; PROVIDING FOR ITS ISSUANCE; AND AUTHORIZING THE EXECUTION OF A PROJECT LOAN AGREEMENT AND OTHER DOCUMENTS IN CONNECTION THEREWITH."

15. Blonigan noted that every few generations a water treatment plant comes up. The plant will have a softened appearance reflecting area resident feedback and will include water softening.

16. **Upon a vote being taken, the vote was unanimous and the motion carried**

OLD BUSINESS B: 2021 Preliminary Budget

17. Zuba reviewed the staff report highlighting that the budget maintains city services; a 3.9% increase in revenues and 4.6% increase in expenses.
18. Murphy noted that city wages had fallen behind the market and a multi-year gradual step adjustment was implemented to assure competitive wages.
19. Lindsay Jendraszak, 4120 Abbott, indicated that she would like to hear more about cost of living adjustments and steps. She is a state employee and they have gone through cuts to pay.
20. Glick shared that there is stiff competition for many specialized city positions and that if wages are below market, it is difficult to find qualified candidates.
21. Selman indicated support for a 10% increase in the levy vs. the 7% proposed. He expressed concern about the unknown potential cuts in state funding while noting that the proposed levy could be decreased in December when there was more certainty.
22. Blonigan noted that Hennepin County is trying to get to a 0% levy. He would like to see a goal of 5% by year end but supported starting with 7%.
23. Backen would also like to get to 5%, while also thinking of starting at 10%.
24. Moved by Rogan second by Blonigan to adopt Resolution No. 7847 “A RESOLUTION ADOPTING THE PROPOSED 2021 GENERAL FUND AND DEBT SERVICE NET LEVIES AND FOR CERTIFICATION TO HENNEPIN COUNTY.”
25. Rogan understood the risks but he didn’t expect ultimately even 7% would be the final levy. If state cuts happen, the city can’t continue its service mode; would need to look at cutting unfilled positions from the budget among other steps.
26. Selman indicated that he would vote no. He indicated concern for election impact on the economy.
27. Backen indicated he would also vote no. He would rather start with 10%.
28. ROLL CALL: Aye: Blonigan, Rogan, Mayor Murphy. Nay: Selman, Backen. Motion carried.

OLD BUSINESS C: 2021 HRA Property Tax Levy

29. Zuba reviewed the staff report highlighting that the funds support activities of the Robbinsdale Economic Development Authority.
30. Murphy noted that this levy could also be reduced in December.
31. Moved by Blonigan second by Selman to adopt Resolution No. 7848 “A RESOLUTION ADOPTING THE PROPOSED 2021 HOUSING AND REDEVELOPMENT AUTHORITY (HRA) PROPERTY TAX LEVY FOR CERTIFICATION TO HENNEPIN COUNTY.” **The vote was unanimous and the motion carried.**

OLD BUSINESS D: Schedule the Truth-in-Taxation Budget Meeting

32. Zuba reviewed the staff report setting December 1, 2020 as the public meeting date for review of the 2021 Budget and Levy.

33. Moved by Selman second by Blonigan to adopt Resolution No. 7849 "A RESOLUTION SCHEDULING THE DATE FOR THE TRUTH-IN-TAXATION BUDGET MEETING FOR THE 2021 BUDGET AND PROPERTY TAX LEVY." **The vote was unanimous and the motion carried.**

NEW BUSINESS A: Approval of Block Party Requests for National Night Out

34. Glick reviewed the report noting that there is still plenty of time for residents to submit a block party application. You can find the application by searching NNO on the city webpage.

35. Moved by Blonigan second by Backen to approve the National Night Out parties listed in the report. **The vote was unanimous and the motion carried.**

NEW BUSINESS B: Consideration of Moratorium Related to Crime-Free Housing and Excessive Nuisance Regulations

36. Glick reported that several documents supplied by members of the public were forwarded to the City Council in late August for review. Additional comments received by the city manager and council members from 9 individuals were distributed and added to the agenda at the beginning of tonight's meeting.

37. Glick noted that the ordinance adding crime-free lease addendums under the property maintenance code (Chapter 425) was adopted in August 2010; requirement for crime-free lease addendums followed property owner training rolling out in 2011-12. The nuisance regulations and fees for excessive nuisance calls apply to all residents. Fees attach for the 3rd and subsequent calls. Excessive calls – defined as four substantiated repeat nuisance service calls occurring within any 12-month period – generate a letter to the property owner to proceed with eviction. This action is preceded by 3 previous notices, opportunity for review, and a fee for the 3rd nuisance service call. An appeal process for crime free housing and excessive nuisance calls includes consideration of whether the eviction would be successful in housing court. The chart on page 79 shows information compiled for both nuisance communications and evictions. Hearings to review nuisance fees and crime-free housing actions have been as many as 5 in 2014.

38. Attorney Biggerstaff noted that the city currently requires lease addendums. If the moratorium goes into effect, the landlord cannot relate the eviction solely to city-required lease language; there would not be pro-active calls from police to landlords to report. He confirmed that Section 8 lease language has similar requirements independent from the city code.

39. Jennifer Hill, 4100 Abbott, spoke about racism. She is a member of Robbinsdale for Racial Justice which is educating themselves on the intersection of racism and housing. The City needs to begin to work on being an anti-racist community, look at unintentional harm to both non-white and female residents caused by the city requirements.

40. David Ulbrich, 3700 Hubbard, shares an alley with 4-5 apartment buildings. He had been talking to apartment residents about the lease language and some indicated that they like it because they know that they will have a safe place; to know that crime and drugs aren't supposed to be there. He noted that things have gotten better since the ordinance was adopted.
41. Anne Mazzacco, 3407 Grimes, noted that the calls had gone down and attributed it to the change to the process from the introduction of the regulations.
42. Steve Sommer, 3809 Hubbard, addressed quality of life, has it been positive, and does it discriminate. He indicated that everyone deserves to live in a safe, crime-free environment. Those looking for good, safe, affordable housing can find it. Police used to come to area 2 to 3 time a week; now 1 to 2 times a month. He sees the same families from the apartments year after year at Halloween. The code doesn't indicate different treatment for those causing trouble. The ordinance is working. Training for landlords and police has been positive.
43. Molly Behan, 2908 Drew, lived in Robbinsdale 4 years. Grateful to the Human Rights Commission. Tenants are required to have untarnished histories. Questioned the fairness of penalizing someone involved in drugs and taking away their rights. When a lease is terminated, they still need housing. Naïve to think the problem goes away.
44. Eric Hillman, 3803 Orchard, supports crime free housing and opposes the moratorium. He expressed concern for removing support for landlords enforcing rules. Believes Minneapolis is enabling chaos. Had been a landlord. If you have a good tenant, you do what you can to help them. If you put in more restrictions, owners will raise rents or sell out. Are you helping those who can't afford to buy a house?
45. Lindsay Jendraszak, 4120 Abbott, indicated it's naïve to think the law isn't color blind. If the Chair and Vice Chair of the Human Rights Commission support the request to eliminate the regulations, that should be considered. The consequence would be that the city doesn't intervene to enforce additional consequences. Follow the advice of the Human Rights Commission.
46. Jennifer Hill, 4100 Abbott, added that rental housing is expensive because of capitalism beginning with the housing crisis. Help keep people housed who need health, support, and services.
47. Selman supported the review of the ordinance. He noted in 2007 when he joined the council the most frequent concern was about rental property. People were moving out of town and the city worked really hard to get things under control. Now he doesn't get complaints as often. The program is working. He would like to investigate if it is fair.
48. Blonigan noted that laws change. Currently people in homes side by side have different rules rental vs non-rental. He indicated that you could be evicted if you were a victim. There is no impediment to a landlord having this type of lease. He discussed negative impacts of unlawful detainer in finding new housing.

49. Rogan agreed with Blonigan. He thanked the Human Rights Commission. The council had good intentions. There are parts of the code that make sense. It would be good if there were a way to remove a tenant without an unlawful detainer. He noted that systemic racism isn't always based on intent. He noted that landlords can still remove problem tenants. The study should be undertaken quickly. Do we still need these tools or different tools?
50. Backen agreed the code should be looked at and as quickly as we can. It's a good time to look at any glaring issues and address them.
51. Murphy noted that the feedback was from a small sample size. Everyone wants to live in a city that's safe and has a good quality of life. There have been a lot of 1-way conversations and speculation. Need 2-way conversation. Would like to hear from both renters and landlords. He supported taking the time to review. Would like more discussion.
52. Attorney Biggerstaff confirmed that there is an on-going case started in 2018 in Fairbault regarding the legality of this type of regulation.
53. Selman confirmed that he is interested in a study; he doesn't agree with a pause. This is a critical issue. His constituent feedback has been overwhelming opposition to the moratorium. A lot of people enjoy their homes now because of the impact.
54. Member Blonigan **MOVED**, second by Rogan to hold the first reading of Ordinance 20-08 "AN INTERIM ORDINANCE REGARDING THE REGULATION OF RENTAL PROPERTY LICENSING WITHIN THE CITY OF ROBBINSDALE."
55. Glick noted that the vote is on 1st reading of an ordinance, not enacting an immediate moratorium. Second reading will be scheduled for October 20 after which, in Robbinsdale, the ordinance is published and there is a window in which the community could require a referendum. She noted that between the two readings there will be time to reach out to the community for additional feedback.
56. Backen confirmed the time frame of up to 1 year. Attorney Biggerstaff noted the city council can repeal the moratorium ordinance at any time.
57. Blonigan reported that the majority of his contacts wanted the ordinances repealed. Even if the addendums were just, the city involvement is questioned.
58. **ROLL CALL:** Aye: Backen, Blonigan, Rogan, Mayor Murphy. Nay: Selman. Motion carried.

NEW BUSINESS C: Recommendation for Liquor License Renewal Fee Reduction

59. Glick reviewed the information in the staff report recommending a reduction in liquor license renewal fees for those businesses impacted in 2020 by reduced business capacity.
60. Council members indicated support for this step to address the significant impact of the COVID restrictions.

61. Member Rogan **MOVED**, second by Blonigan to adopt Resolution No. 7850 “A RESOLUTION REDUCING LIQUOR LICENSE RENEWAL FEES BASED ON PRO-RATA IMPACT OF CLOSURES IN 2020 RELATED TO COVID-19 RESTRICTIONS.”
The vote was unanimous and the motion carried.

OTHER BUSINESS A: Voucher Request Pending Approval for Disbursement

62. Member Selman **MOVED**, seconded by Member Backen to approve disbursement requests for period ending 09/15/20. **The vote was unanimous and the motion carried.**

OTHER BUSINESS B: Scheduling additional budget work sessions

63. Member Rogan **MOVED**, seconded by Member Backen to work sessions on October 20, November 4, and November 10 following the regular meetings those evenings to discuss the Proposed City Manager’s Budget for 2021 Enterprise and Capital Project Funds, and the 2021-30 Capital Improvement Plan. **The vote was unanimous and the motion carried.**

OTHER BUSINESS C: Scheduling a work session with the Liquor Manager

64. Member Selman **MOVED**, seconded by Member Backen to schedule a special work session for review of liquor operations on October 5, 2020 at 6:30 p.m. **The vote was unanimous and the motion carried.**

ADMINISTRATIVE REPORTS

65. Glick noted that the Robbinsdale Chamber of Commerce virtual Meet & Greet event is posted on the chamber FaceBook page and Chamber website.

COUNCIL GENERAL COMMUNICATIONS

66. Backen thanked staff for setting up a WebEx log in for him as he is waiting for COVID test results.
67. Selman reported that he had run into former Mayor Mike Holtz and his wife Joan. Mike is doing better.
68. Selman reported that at September 14th Citizens Advisory Committee (CAC) on the LRT he had pushed the question of who they were providing advice to? He had made a motion to make the current LRT alignment 1st priority while other options are secondary. He was informed that the CAC doesn’t vote. He noted that the CAC has been asked to vote numerous times in the past including languages to be included on kiosks and the name of the line. They were informed that the Chair of the Committee carries the information forward to the CMC.
69. Jason Greenberg, CAC member, agreed with the report noting that those running the meeting indicated that this is the way it’s going to be.
70. Selman reported that today members of the BlueLine Connect Now! Met with the Governor and Lieutenant Governor to make the case for the initial LRT plans. The Governor assured the group that he had done all he could. Mayor Harris and Mayor Lunde stated the case for the group. The Governor agreed that the line is only going to be LRT, but the question is where?
71. Murphy who was also at the meeting shared the encouraging news that Southwest had finally had funding confirmed and now resources could be pivoted to work on the BlueLine extension. He noted it had taken a year to get the meeting with the Governor.
72. Selman wished happy anniversary to his wife Merilee and happy birthday to his granddaughter.

ADJOURNMENT

73. Member Rogan **MOVED**, seconded by Member Selman to adjourn the meeting at 9:51p.m.
The vote was unanimous and the motion carried.

Marcia Glick, Recording

Regan L. Murphy, Mayor