

**City of Robbinsdale
CITY COUNCIL MINUTES
January 18, 2022
Meeting No. 2**

CALL TO ORDER

1. Mayor William A. Blonigan called the meeting to order at 7:00 p.m.

ROLL CALL

2. Present: Webb, Selman, Backen, Kline, Mayor Blonigan
Absent: None
Staff: Marcia Glick, City Manager; Dustin Leslie, City Clerk; Diaa Tahoun, Finance Director; Richard McCoy, Public Works Director; Patrick Foley, Police Chief.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL ON MATTERS NOT ON THE AGENDA

3. Mayor Blonigan opened the floor to anyone wishing to speak on any items not on the agenda.
4. Noah McDougal, 3800 Vera Cruz: Resident complained that he has received multiple dog-at-large tickets from the police and that the tickets have been as high as \$2,000. Resident said one ticket was for when the dog was at home and should not have to pay it.
5. Glick encouraged resident to look at the appeal process on the ticket.
6. Phyllis Fitts, 3800 Vera Cruz: Resident complained about nuisance calls to her house and said she should not have to pay the \$2,000 fine.

APPROVAL OF THE JANUARY 18, 2021 MEETING AGENDA

7. Leslie reported the following changes to the agenda:
 - Additional comment for the Rental License Amendment item under Old Business A from resident Julie Ralston Aoki. You may already have received this from her via email.
 - Voucher Report for Other Business A.
8. Glick also noted a comment from Blue Line CAC member Jason Greenburg regarding light rail which was added to New Business A.
9. **Member Selman MOVED, seconded by Member Backen to approve the January 18, 2022 Agenda with the updates given to Council by the City Clerk and City Manager. The vote was unanimous and the motion carried.**

CONSENT AGENDA

10. Mayor Blonigan removed item F for further consideration.
11. **Member Backen MOVED, seconded by Member Kline to approve the January 18, 2022 Consent Agenda with the exception of item F which was removed for further consideration. 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 Meeting minutes on 1/4/22
 - Regular City Council Work Session minutes on 1/4/22
 - Special City Council Work Session minutes on 1/11/22
 - B. Motion to receive advisory commission minutes:
 - Senior Commission minutes on 11/1/21
 - C. Motion to approve issuance of licenses dated 1/18/22.
 - D. Motion to acknowledge the Robbinsdale Wine & Spirits' financial reports for the month of November 2021.
 - E. Motion to acknowledge the Deputy Registrar's financial reports for the month of November 2021.
 - F. (Removed).
 - G. Motion to approve appointment of Stephan Papiz as Robbinsdale Assistant Weed Inspector for 2022.

CONSENT ITEM F: AMENDMENT TO WATER INFRASTRUCTURE PROFESSIONAL SERVICES CONTRACT

12. Mayor Blonigan asked City staff to address additional costs associated with the change order.
13. McCoy stated there were several changes in the change order. McCoy reviewed elements not included in the original plan as well as user guide development, additional project coordination, and additional engineering support.
14. Member Selman stated he did a tour of the Eden Prairie water facility which is similar to how the new Robbinsdale facility will look. Member Selman said these updates will be important for the health and safety of residents.
15. **Member Selman MOVED, seconded by Member Kline authorize an amendment to the Professional Service Contract with AE2S for the additional work associated with the Centralized Water Treatment Plant for the following elements: instrumentation**

& controls (I&C) integration services, enhanced operation and maintenance manual, additional project length, and additional engineering support, with the additional cost of these elements not to exceed \$845,000. The vote was unanimous and the motion carried.

PUBLIC HEARING A: RECEIVE COMMENTS REGARDING THE CITY'S STREET IMPROVEMENT AND RECONSTRUCTION PLAN AND ADOPT THE CITY'S STREET IMPROVEMENT AND RECONSTRUCTION PLAN

16. McCoy gave the report which included the purpose of the plan and expected highlights for 2022.
17. Member Webb questioned the cost benefits for continued road re-sheeting. McCoy stated the City saves money in the long-run by consistently re-sheeting.
18. Mayor Blonigan opened the public hearing. No one spoke.
19. **Member Selman MOVED, seconded by Member Backen to close the public hearing. The vote was unanimous and the motion carried.**
20. **Member Backen MOVED, seconded by Member Selman to waive the reading and order the adoption of Resolution #7949 "A RESOLUTION ADOPTING THE CITY'S STREET IMPROVEMENT AND RECONSTRUCTION PLAN 2022-2031." The vote was unanimous and the motion carried.**

PUBLIC HEARING B: RECEIVE COMMENTS REGARDING THE CITY'S CAPITAL IMPROVEMENT PLAN 2022-2031 AND ADOPT THE CITY'S CAPITAL IMPROVEMENT PLAN 2022-2031

21. McCoy gave the report highlighting recommended projects for the next ten years. These types of projects included: government buildings, park system, traffic & transportation, utilities, and capital equipment.
22. Mayor Blonigan opened the public hearing. No one spoke.
23. **Member Selman MOVED, seconded by Member Backen to close the public hearing. The vote was unanimous and the motion carried.**
24. **Member Backen MOVED, seconded by Member Selman to waive the reading and order the adoption of Resolution #7950 "A RESOLUTION ADOPTING THE CITY'S CAPITAL IMPROVEMENT PLAN 2022-2031." The vote was unanimous and the motion carried.**
25. Member Webb asked how informed the public was about these projects.
26. Glick stated the plan was shared on the website with agenda packets, required legal notices were published, and there was information in the November utility bill inserts

about the use of utility fees. Glick also stated that neighborhood visibility of the projects inform public of projects being done and that CCX has made videos in the past.

27. Mayor Blonigan asked staff to give a high level explanation of how the projects were funded. Glick referred to funding chart attached to the memo.

OLD BUSINESS A: SECOND READING – UPDATE TO SECTION 425 AND 927 OF CITY CODE REMOVING LEASE ADDENDUM REQUIREMENTS FOR RENTAL PROPERTIES

28. Glick gave a background of the request and changes made between first and second reading. Glick also discussed outreach efforts to get public comments in time for the council meeting.
29. Mayor Blonigan asked members of the audience to come forward for additional comments.
30. Mary Kaczorek from Legal Aid representing resident who lives at 4164 Adair Ave N: Kaczorek states resident resides with son who has mental health issues and went to eviction court due to nuisance tickets from arguments with her son. Kaczorek stated this proposal is a good first step but still has the potential to harm residents and displace families.
31. Eric Hague, Executive Director from Homeline: Hague shared statistics with the Council showing higher instances of harm to BIPOC communities. Hague further stated the proposal may have unintended consequences with residents not wanting to call police if they are worried about losing their housing. Hague asked Council to reconsider full repeal and study the racial equity impact.
32. Larry McDonough, Attorney from Housing Justice Center: McDonough gave examples of how the proposed ordinance could affect renters and compared it to existing ordinances in other cities. McDonough stated the City would still have power to pull licenses which would have a big influence over landlords. McDonough further stated the ordinance would deputize landlords to take actions against tenants. McDonough stated that harassment can be too broad and give too much power to landlords. McDonough closed by asking Council to pause and get more feedback.
33. Rita Fox – 4041 Perry Ave N: Fox reviewed details of a data request she requested through the city detailing enforcement for nuisances. Fox stated she so far had information for 47 of 123 active nuisances. Fox reviewed demographics of Robbinsdale and demographics of nuisance violations and stated the BIPOC community seems to be affected disproportionately. Fox also stated police already have a lot of tasks and should not be training landlords.
34. Julie Ralson Aoki – Ward 2 resident: Aoki reiterated comments previously sent to Council and asked them to reinstate eviction moratorium and get more time to look at

proposal before approving. Aoki further asked Council to appoint an advisory commission to create a report.

35. Glick stated the moratorium was in place for a year. Glick stated the City Attorney previously advised that a moratorium was not needed and that the Council can just direct staff not to enforce parts of city code.
36. Member Webb asked if this proposal just transfers the burden of eviction from the police to the landlords. Glick stated landlords would still have the option to take action or appeal to the city.
37. Member Webb stated there is a disparity between renters and homeowners in how they can be punished. Glick stated homeowners can be fined for repeated nuisances.
38. Mayor Blonigan asked McDonough his opinion on if the proposal will encourage landlords to evict tenants with the risk of losing their rental license. McDonough agreed with that it could.
39. Member Kline stated that many of the people addressing Council were not residents of Robbinsdale. Member Kline stated he understands the statements from the audience and wants landlords to be responsible business owners. Member Kline stated he has seen situations in which whole neighborhoods could be affected by bad situations.
40. Glick stated there were provisions in the proposal in which special needs circumstances could be addressed. Glick stated the City has a social worker to work with residents. Glick also stated the rental licensing department is in the Community Development Department rather than the Police Department. Glick further stated the Community Development Coordinator is very involved in the training which covers rental maintenance and owner responsibilities and ensures training is adequate for landlords.
41. Mayor Blonigan asked if the Community Development Department could take over the whole process from the Police Department. Glick stated that it could be possible and that the Community Development Department does have enough staff to handle it.
42. Member Selman thanked residents for speaking to Council and stated he supports passing the second reading as-is but would support changes in the future. Member Selman stated he was worried about problematic properties. Member Selman spoke about the appeal process and what it can accomplish.
43. Mayor Blonigan spoke about cleaning up the language in the ordinance for grammatical issues. Mayor Blonigan stated it is difficult to differentiate renters from homeowners. Mayor Blonigan stated he would support the formation of a commission for widespread input but also agreed with Council members that something needed to be done now.

44. **Member Selman MOVED, seconded by Member Backen to hold the second reading of Ordinance No. 21-12 “AN ORDINANCE UPDATING ROBBINSDALE CITY CODE SECTION 425 PROPERTY MAINTENANCE CODE AND SECTION 927 REPEAT NUISANCE SERVICE CALL FEES with grammatical and spelling corrections provided by the Mayor.”**

45. Member Kline stated he was not in favor of voting for a document he has not seen with the Mayor’s grammatical changes. Member Kline stated he wanted to see changes made by the City Attorney before voting.

46. Member Selman stated the motion approved the ordinance with only spelling and grammatical changes.

47. Glick stated the Council could table approval to clean up the document, but recommended passing something in order to give clarity to staff.

48. Julie Ralston Aoki asked Council if she could speak again. Council allowed her to speak. Aoki asked Council to reflect on the data provided by Rita Fox.

49. Mayor Blonigan stated he wanted to look over specific suggestions given by Aoki. Mayor Blonigan stated Aoki gave them to Council late and did not have time to digest the suggestions.

50. Glick stated it would make sense to table approval to the February 2nd Council meeting so that the changes can be reviewed by Council in advance.

51. **Member Selman withdrew his motion, seconded by Backen.**

52. Member Selman stated he is not interested in tabling again after February 2nd. Member Selman also stated he would be interested in a commission to look at changes in the future.

53. **Member Selman MOVED, seconded by Member Backen to table approval of second reading – update to section 425 and 927 of city code removing lease addendum requirements for rental properties to the February 2nd, 2022 City Council meeting. A roll call was taken with a unanimous vote approving the motion.**

NEW BUSINESS A: RESOLUTION RESPONDING TO DRAFT MODIFICATION REPORT – METRO BLUE LINE EXTENSION

54. Glick gave the report outlining the purpose of the resolution, the contents of the city’s response, and the process of creating the response.

55. Mayor Blonigan asked if it would be possible to look at placing the light rail on the west side of the road. Mayor Blonigan also asked if the city could have the Metropolitan Council and/or Hennepin County pay for an engineering study to look at possible build

options.

56. Member Kline stated he asked Metropolitan Council for this type of study in the past and never received a response.
57. Glick stated using the west side of the road has been looked at and it was found that this type of build would affect access points for businesses.
58. Member Backen read a prepared statement which is included as attachment 1 to the minutes.
59. Member Selman stated the Metropolitan Council's process of studying the light rail in Robbinsdale has been a criminal waste of tax dollars. Member Selman stated he would support a statement saying the City does not support a light rail route at all.
60. Member Webb stated she would love to see a light rail line in Robbinsdale but has concerns. Member Webb stated she has a lot of constituents who want it and a lot who do not want it. Member Webb further stated she wants it for the community but that people should be happy with it.
61. Member Kline indicated support for the resolution as drafted.
62. Mayor Blonigan asked to change the resolution asking Metropolitan Council and/or Hennepin County to pay for an engineering firm to complete a feasibility study for the light rail to be put on the westerly side of County Road 81. Glick indicated she liked the addition but recommended not using westerly and to look at all options. Blonigan indicated it should be added to the resolution as an additional "be it further resolved" line. Members Kline, Webb, and Backen supported the addition.
63. Glick reviewed responses to the report and went over all specific statements.
64. **Mayor Blonigan MOVED, seconded by Member Webb to waive the reading and order the adoption of Resolution #7951 "A RESOLUTION RESPONDING TO THE DRAFT ROUTE MODIFICATION REPORT FOR THE METRO BLUE LINE EXTENSION PROPOSAL with a change in the resolution stating to look at alternative methods of constructing light rail infrastructure in Robbinsdale down County Road 81." A roll call was taken. Ayes: Webb, Backen, Kline, Mayor Blonigan. Nays: Selman. The motion passed 4-1.**

NEW BUSINESS B: CLIMATE EMERGENCY RESOLUTION

65. Mayor Blonigan reviewed background and reasoning into the proposed resolution stating 15-20 cities would pass similar resolutions in the same time frame.
66. Member Backen indicated he would abstain from the vote because he views passing resolution as not accomplishing anything.

67. Member Selman MOVED, seconded by Member Kline to waive the reading and order the adoption of Resolution #7952 "A RESOLUTION JOINING CITIES AND COUNTIES ACROSS MINNESOTA DECLARING A CLIMATE EMERGENCY AND ASKING THE STATE AND FEDERAL GOVERNMENTS TO HELP ADDRESS IT AND PROVIDE VALUABLE RESOURCES." A roll call was taken. Ayes: Webb, Selman, Kline, Mayor Blonigan. Nays: None. Abstained: Backen. The motion passed 4-0.

NEW BUSINESS C: 1ST READING ORDINANCE ADOPTING UPDATES TO APPENDIX B GENERAL FEE SCHEDULE

68. McCoy gave the report and outlined reasons for the requested change.

69. Member Backen MOVED, seconded by Member Webb to hold the 1st Reading and order the adoption of Ordinance #22-01 "AN ORDINANCE ADOPTING AMENDMENTS TO APPENDIX B OF THE ROBBINSDALE ORDINANCE CODE AND GENERAL FEE SCHEDULE." The vote was unanimous and the motion carried.

NEW BUSINESS D: PRESENTATION AND SCHEDULING OF SPECIAL MEETINGS FOR REDISTRICTING

70. Leslie gave the report highlighting redistricting process, county support, and proposed timeline.
71. Member Selman MOVED, seconded by Member Backen to schedule a special meeting for first reading approval of redistricting ward boundaries on January 25, 2022, a special meeting on February 22, 2022 for second reading approval of redistricting ward boundaries, and a public hearing regarding redistricting ward boundaries at the February 2 regular City Council meeting. The vote was unanimous and the motion carried.

OTHER BUSINESS A: DISBURSEMENT REQUESTS

72. Member Selman MOVED, seconded by Member Backen to approve disbursement requests for period ending 1/18/2022. The vote was unanimous and the motion carried.

ADMINISTRATIVE REPORTS

73. Glick stated the annual meeting with the County Assessor will take place on March 15 at 6:15pm before the regular City Council meeting.
74. Glick stated that Commissioner Lunde is looking to schedule a meeting with the City Council for County Updates. The City Council agreed to schedule the meeting on April 19th.

COUNCIL GENERAL COMMUNICATIONS

75. Member Webb stated the City should be more proactive about holidays and spoke about Martin Luther King's work and mission.
76. Member Selman asked city staff to provide a report on the number of people who logs in to watch City Council meetings on CCX in 2021.
77. Member Backen thanked city staff about getting word out in the city about snow emergencies and about delay in Waste Management pickups. Member Backen also noted some trees are still needing to be picked up.
78. Member Kline paid tribute to his grandfather's 93rd birthday and encouraged residents to spend time with their loved ones.
79. Member Blonigan spoke about having members of the indigenous community help to present information about the indigenous community.
80. Member Webb would like there to be a wider outreach to the indigenous community regarding a land acknowledgement

Adjournment:

81. Member Backen MOVED, seconded by Member Webb to adjourn the meeting at 11:24 pm. The vote was unanimous and the motion carried.

A blue ink signature of Dustin Leslie, consisting of a stylized 'D' followed by several loops and a horizontal line at the end.

Dustin Leslie, City Clerk

A blue ink signature of William A. Blonigan, featuring a cursive 'W' and 'A' followed by 'Blonigan' in a more legible script.

William A. Blonigan, Mayor

My job, our job, as council members for Robbinsdale is to look after the best interests of our city. This issue is not different. We must identify issues and concerns as it relates to our city. We must insure that a regional project like this improves our city, our entire city. We must balance benefits with costs. Plusses with minuses.

This draft report does not come close to balancing these opposing forces, let alone providing a positive outcome for our city.

It is not a surprise to the council or project staff when I say I am not in favor of this new alignment through Robbinsdale. My concerns are wide ranging; some are specific, some are broad; they are localized to Robbinsdale, and also found throughout the corridor.

But for now, I want to address how this process has gone for us here in Robbinsdale.

We were told by the project staff and county officials that the City Council would have a say in choosing this route. And that the project would "move at the speed of trust".

Both of those things were disproven within days.

Project staff told attendees at the first open houses that this route is a "done deal" and that the previous city council already voted to approve the original rail corridor route and the project didn't need our approval for this new alignment. Personally I brushed it off as a misunderstanding. Of course we would have a vote. This massive project, likely the most costly project in state history, that will run through the middle of our town - a project that will dramatically change Robbinsdale forever. How could we not have a vote? Well, we have come to find out that, somehow, we do not get a vote on this particular alignment on County Road 81.

At a Corridor Management Committee meeting - Mayors and other stakeholders from cities across the route - Mayor Blonigan announced that there was not support from a majority of the city council for this route. Council Member Selman further stated this stance in a more forceful manner. Chair Zelle thanked Robbinsdale for raising a 'red flag', but they would continue with planning the route. Almost as if our red flag was not meant as caution, but as a signal of support.

A plan for engagement throughout the corridor was unveiled. It showed up to thirteen different organizations hired in Minneapolis to help the project with outreach. There were two in Robbinsdale, focusing on two very small segments of our population. To date there is no evidence that any action was taken at all by these groups in Robbinsdale. After I objected to the lack of engagement in Robbinsdale, Commissioner Lunde, to his credit, announced his intention to facilitate "driveway talks" with council members and interested residents. There were twelve meetings, not even as many meetings as organizations hired by the project for engagement in Minneapolis. According to stats from the Commissioners office roughly 200-225 residents attended the meetings. Out of nearly 15,000 residents.

To be fair - after several requests of the project office, a postcard was sent to all Robbinsdale residents, urging feedback and providing links for more information. Unfortunately it was sent over the end of year holidays, which is a busy time for anyone, and likely missed by some residents.

We asked for a meeting with our representative from the Met Council - we are one of two cities he represents. After a trip to the city in 2019 where the City Council shared our concerns, he pledged his support to work with us during the process. We never saw or heard from him again. He did come to our meeting, but was late and he announced he had gotten lost. He didn't know how to find Robbinsdale, even using GPS. So much for supporting his constituents here. We were thankful Met Council Chair Charlie Zelle and Sam O'Connell a Senior Public Affairs Manager from the Met Council attended as well. We questioned many points, we stated many concerns. After an hour of discussion, we asked if we would have Municipal Consent vote for the route (essentially approval from a city). The question needed to be asked 3 times. Chair Zelle finally answered that the project would continue to move forward to address concerns until municipal consent is achieved. It was suggested to focus on how to make this route work in Robbinsdale. As if we hadn't already been doing that. We did not receive an answer as to whether the city specifically had the ability to vote on this new route. We now had our very own red flag.

We have repeatedly asked for a discussion with our US Senators in an effort to re-engage the railroad. To date a meeting has not happened.

We were told that open houses and driveway talks would just answer questions, not push an agenda. I attended a handful of these meetings. There was no presentation of alternative routes. There was no discussion of a no build option. Every concern was essentially answered with "that will be handled as the project moves forward". Very few questions, if any, were answered with an actual plan.

The response the project will give is that it's too early in the process for fuller answers, and that more engineering will help define those answers. And that is true, the project is only at 4-5% of engineering complete. We will hear about mitigation, finding answers that make this work for Robbinsdale and promises of partnership.

But I have questions, some raised several times and have never received an answer, and unsettling answers for others.

Who defines and decides on a "community-preferred" route? The draft report specifically states that the "community-preferred" option will be voted on by the Met Council and County Board. The same groups that have a spotty history of promises with this project. The same people that have been charged with making this extension happen and have chosen this route. In other words, not a neutral party. How can we trust that our city, our community, is on board? That we really do prefer this route?

How do we sign off on this report, that is clearly designed to not only approve additional study but as a de-facto approval of this route, without answers to the impacts, options and mitigation in Robbinsdale? How do we look after the best interests of Robbinsdale? How do we insure the concerns of city staff and elected officials and residents are considered wholeheartedly?

The project team's answer is as smooth and easy as most political misdirection: Municipal Consent.

It sounds great, and really rolls off the tongue just like "moving at the speed of trust". There is only one catch: Municipal Consent is provided **after** a route is selected. After it is too late to find that the promises of mitigation and partnership aren't quite enough to address the concerns that

we have. Perhaps they are too difficult or too expensive to implement. But it will be too late, we will have to swallow the bitter pill that we have no options but to disrupt and damage our city forever.

So as we listen and discuss this proposal and this report, we MUST keep Robbinsdale in mind. We need to tread very carefully, and not just trust the project will do what's best for Robbinsdale. They have shown that their focus is not in the best interests of our community, but getting this project done.

So we need to do it. We need to insure that whatever happens - no build or build - improves Robbinsdale. All of us - opponents and proponents alike - insure that the city is better off and that we have the very best result for Robbinsdale.

As it stands, the draft Route Modification Report does not do that. And the project hasn't proven to me this route can do that.

My intention here is not to drive a wedge between Robbinsdale and the Project Office. But I do want their attention. I do more answers to questions before the final Route Modification Report is submitted to the FTA in March.