

# City Council/Manager

October 13, 2020 – 6:30 pm  
Virtual WebEx Meeting

## REGULAR MEETING MINUTES

The meeting began at 6:30 pm.

Present: Mayor Harris and Council Members; Rosenquist, Fonnest, Sanberg and Harris.

Staff present: City Manager Cruikshank, City Attorney Cisneros, Police Chief Sturgis, Physical Development Director Nevinski, City Engineer Oliver, Assistant City Engineer Kakach, Deputy Fire Chief Massicotte, Physical Development Assistant Schwalbe and Finance Director Virnig.

Also present: Nicole Appelbaum (Chestnut Cambronne)

### 1. Pavement Management Policy

Assistant City Engineer Kakach presented the staff report including feedback from residents in the remaining four PMP project areas. The majority of input received was in favor of 28-foot-wide streets. Kakach explained that increasing street width may increase project costs by an estimated \$150,000 to \$235,000 for the 2020 (now 2021) PMP.

Councilmember Fonnest asked about the impact of moving from 26 to 28 foot, in terms of cost to the City. Staff explained that over a four year period, the low estimate was of \$600,000 whereas the high was of \$940,000 when considering the four quadrants left to be done.

Councilmember Rosenquist asked staff to address input and comments from residents including issues with intersections, plowing and clearing snow, and large vehicles passing through the street. City Engineer Oliver explained that intersections are looked at so that center lines match up, so that drivers are looking at the other car once they are approaching an intersection. This improves intersection safety, he said. He continued explaining that if there are cars parked, it can be difficult for vehicles to pass, hence vehicles tend to slow down. This effect in slowing vehicles down is referred to as traffic calming, but this is not necessarily measurable. Oliver explained that in 26 foot-wide streets, large vehicles such as a snow plows or fire trucks can get through when there are cars parked immediately adjacent, so long as they do it one at a time. In terms of snow plowing and snow clearing, Oliver explained that plows don't get up against the curb—they do what is commonly referred to as “winging up the banks”, where they push back, clear the edge of the roadway and clear the snow further away from the streets. Rosenquist added that speed on big roads is also a concern from residents. Oliver explained that studies find that speeds are usually far lower than what pedestrians perceive, making this a perception issue. He added that it is generally accepted that narrower streets promote slower travel.

Councilmember Fonnest shared that his motivation on bringing this topic back to Council stems from a concern for safety and the sense of community streets bring to Golden Valley. Of equal importance, the financial implications of the pandemic and downturn in the economy need to be considered in all projects that demand money from the City.

Councilmember Harris shared he empathized with residents who are concerned with Council changing their minds midstream. Harris said residents took the time to bring these concerns and comments and that, while the pandemic does have a financial impact, residents understood the costs associated with this project. Harris said at this point he is leaning towards 28 foot-wide streets.

Councilmember Sanberg shared that she understood residents' concerns and that the current climate of unpredictability made the Council re visit the decision. She stated that she is currently undecided on the topic.

Mayor Harris said that the upcoming City Council Meeting on October, 20 would enable the opportunity to hear more feedback from residents and others who support 26 foot width streets. He added that all of Council's decisions take into consideration the best interest of those living in the community as a whole—and not just those living in the neighborhood. Mayor Harris said the Council will discuss the issue on the upcoming Council meeting and have a final decision. Finally, Mayor Harris asked residents to put this issue into perspective and continue to have reasonable and respectful conversations.

## 2. Crime Free Ordinance Discussion

Deputy Fire Chief Massicotte presented the staff report. He explained that this agenda item comes forth for discussion as a result of recent inquiries staff has had from Council and residents. The item refers to four sections on the Rental Licensing section of ordinance (Article III, Sec. 16). According to Massicotte, these sections are concerning to fair housing advocates as they can lead to negative impact on the public's perception and people being deterred from seeking emergency assistance for fear of being evicted from their properties. Understanding that those perceptions can be drastic, the City certainly wants to avoid that. Staff agrees with the potential negative impacts these sections can produce and recommends removing them from ordinance.

Councilmember Sanberg inquired about Sec. 16-56. (h) *Crime Fee Training* and if there is any other program that would deal with landlord-tenant rights and relationships. Massicotte explained that the Safer Tenants and Renters (STAR) program encourages landlords to participate in training and regular meetings with City inspections and Police staff. Police Chief Sturgis added that the program focuses primarily on crime prevention, advocacy and giving the landlords access to the resources they need. City Attorney Cisneros explained the program is referenced in the training section of the code that staff is proposing to get rid of. Cisneros therefore recommended that should this section of code be approved for removal, a few lines referring to the City's STAR program be added as a policy for adoption by the Council or by staff (if the authority is delegated). Cisneros also commented that wording on the most recent STAR program description would require some changes because it references the Crime Free Housing Lease Addendum which is proposed to be eliminated in this provision.

Councilmember Rosenquist commented that Housing Advocates have discussed having a simplified mechanism where landlords and tenants could access information about rules and regulations in Golden Valley in a simple way. City Manager Cruikshank explained that hiring a dedicated Housing Manager will enable these sorts of responsibilities to reside with the individual on this position.

Councilmember Fonnest inquired about lease agreements and if they would need to be modified to reflect the deletion of these sections. Cisneros explained the lease agreements wouldn't necessarily need to be rewritten as it is up to the landlord's discretion to keep or remove this addendum from the leasing contract, the change being that the City is no longer requiring it. Cisneros added that the enforceability of the addendum is a matter of contract law and the lease agreement has to comply with the requirements of Minnesota landlord-tenant law (a field that is regulated by State Statute).

The Council directed staff to look at incentives to further protect renters and to bring back this topic to a future Council meeting to remove the aforementioned sections from ordinance.

### 3. Proposed Revision to Disorderly Conduct Ordinance

City Attorney Cisneros presented the staff report. She explained that there was overlap and repetition between the Disorderly Conduct Ordinance and State Law adding that the Golden Valley Police Department and the prosecutor's office is usually inclined to rely on State law rather than City Ordinances when dealing with cases. Cisneros gave an overview of the proposed changes.

Councilmember Fonnest inquired if the language change in paragraph two inferred that Golden Valley was assuming policing responsibility for property that technically is part of the Minneapolis Park Board or if the language change proposal is more in alignment with the Park Board's in terms of unauthorized activities. Cisneros explained the addition of the terms "lake" "creek" and "pond" were appropriate because it would not make sense that the referenced activities would only apply to a river when there are more bodies of water in Golden Valley. It was also noted that the primary concern is occasional flooding in Golden Valley where, during flood conditions, those bodies of water can be very dangerous to swim in. Cisneros added the proposed changes do not affect the relationship between the City of Golden Valley and the Minneapolis Park police when it comes to policing those areas of common jurisdiction.

In reference to the proposed changes on paragraph 3, Councilmember Sanberg commented that these types of ordinances might disproportionately affect unhoused people (i.e. obstructing sidewalks, loitering, public urination). She asked staff if there was any insight regarding the circumstances people are cited, in relation to this section of the ordinance. Chief Sturgis explained that primarily the police department deals with this issue in buildings (like a gas station or restaurant) during the weekend nights and that it is not something the department gets called on usually.

The Council thanked staff for their work and proposed changes.

### 4. Council Review of Future Draft Agendas: Housing and Redevelopment Authority - October 20, 2020, City Council - October 20, 2020, City Council - November 4, 2020, Council/Manager - November 10, 2020, City Council - November 17, 2020, Housing and Redevelopment Authority - December 1, 2020, City Council - December 1, 2020, Council/Manager - December 8, 2020 and City Council - December 15, 2020.

City Manager Cruikshank informed the Council that the October, 20 HRA Meeting would be cancelled and that the topics listed on that agenda would be discussed on a future HRA work-session.

No changes were submitted for future draft agendas.

The meeting adjourned at 8:15pm

City of Golden Valley  
October 13, 2020 – 6:30 pm

City Council/Manager Regular Meeting Minutes

*Shepard M. Harris*

Shepard M. Harris (Nov 5, 2020 20:05 CST)

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Shepard M. Harris, Mayor

ATTEST:



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Tomas Romano, Assistant to the City Manager's Office



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