

Minutes of 1999-06-28 PPERRIA Meeting.

1. The 6/28/99 Prospect Park East River Road Improvement Association, Inc. (PPERRIA) Board/Membership/Neighborhood (B/M/N) meeting was called to order by Steve Cross, PPERRIA President, at 7 pm at the Prospect Park United Methodist Church (PPUMC,) Orlin/Malcolm SE. A quorum was present. Motion made, seconded and passed without noes “to accept the printed agenda as available at the meeting.” There were no additions or corrections.
2. Motion made, seconded and passed without noes “to accept without additions or corrections, the minutes as published in the 6/99 PPERRIA Newsletter of the 5/24/99 PPERRIA B/M/N meeting.”
3. Nicole Magnan, Crime Prevention, Mpls. Police Dept. announced there has been an arrest of an individual suspected responsible for the recent burglaries in the neighborhood, see 6/17/99 Star Tribune. She also circulated copies of the monthly neighborhood crime report listing 13 burglaries, 9 thefts and 9 auto related crimes. Thanks were expressed for the Police Department’s activities related to the burglaries, especially the flyers to each building and the posters.
4. Motion made, seconded and passed without noes “to close debate and vote on the motion as amended to release an additional \$500,000 to develop townhomes at 4th St. and Bedford Avenue SE.” An earlier motion to close debate and vote on the issue did not pass.
Motion made, seconded and passed without noes “to release an additional \$500,000 from the PPERRIA/NRP Action Plan, Housing A.1, for a total of \$600,000 to develop townhomes on Kampa Tire, 10 and 12 Bedford Street and the adjacent lot on Fourth street subject to review and acceptance...by the PPERRIA Executive Committee...of the terms and conditions of the redevelopment agreement between Brighton Development Corporation (Brighton) and Minneapolis Community Development Agency (MCDA). Concurrently, this motion assumes that Brighton will continue in pursuit of a larger townhome building project on the UNOCAL site.” Earlier motions first added... “by PPERRIA”....and then...”by PPERRIA Executive Committee...” Not accepted were motions to add...”with review and written comments by an attorney”...and wording for stronger commitment by Brighton for development on the UNOCAL site. The discussion of the issue lasted for over an hour. Of general concern and agreement was that PPERRIA needed additional review of this project and to accept the development agreement between Brighton and MCDA. This in addition to PPERRIA’s review and agreement to the later Brighton development proposal. There were wide differences as to the amount and type of PPERRIA review and agreement of the Brighton/MCDA agreement as \$600,000 in PPERRIA/NRP funds for housing will be transferred to Brighton so early in the project’s process. Due to the expiration in 7/99 of the latest purchase agreements on three of the four sites and that the sellers have already extended the closing date several times, it is expected that the sellers will not agree to another extension; there is a risk that the project will not be built and what will be built will not be as attractive to the neighborhood and to the benefit of existing Fourth street properties. See the article reviewing the history of this project in the 6/99 issue of the PPERRIA Newsletter. The president did not receive any written questions concerning this issue, as requested at the 5/99 B/M/N meeting. The issue of Brighton as a developer was also talked about. It was also pointed out that even though Brighton will use the PPERRIA/NRP \$600,000 in the purchase of the four sites, if Brighton does not fulfill the development contract, the title of the four sites will revert to MCDA. PPERRIA/NRP is the first neighborhood to include new housing development rather than existing housing rehab in its NRP Action Plan. NRP requires that the majority of the neighborhood action plan funds be used for housing. Therefore, the

ground rules are being written as the plan progresses. Also, the different time lines that have emerged for the two (UNOCAL and Fourth Street) housing developments have further complicated the process. Brighton had earlier developed the Motley Townhomes that were built on the Motley school site. Brighton has completed several projects in the Southeast area and is one of the few developers to extensively develop within the city of Minneapolis. That here would be a necessity to invest public funds to buy down the site costs, so competitive priced townhouses could be built has been known for a long time and widely talked about. This NRP fund buy-down is necessary as the MCDA no longer provides buy-down funding. Joan Campbell, Councilmember, reminded everyone of the nine year history of this project and of the mistakes made by the city over those nine years. As Kampa Tire has already moved from their site, they and the two houses on Bedford are impatient about further delays in selling their property to this townhouse project. She also reminded everyone the PPERRIA had earlier reviewed possible developers for townhouse development on the two sites and had selected Brighton as the most likely to build what the neighborhood wanted.

5. Motion made, seconded and passed with some noes “to close debate and vote on the motion to adopt the revised PPERRIA/NRP Grievance Procedures.”

Motion made, seconded and passed with some noes “to accept as the PPERRIA/NRP grievance policy the attached document as amended 12/6/93 and 5/3/99.” See attached.

Steve Cross indicated that the grievance policy address the “process” used in handling the issue being grieved not the “content” of the issue being grieved. This procedure reflects the major change of who hears and decides the grievance as the original PPERRIA/NRP Steering Committee was disbanded when the PPERRIA/NRP Action Plan was accepted by PPERRIA and NRP, as well as being more specific as how to file a grievance and what will happen to a filed grievance. As there have been no grievances filed to PPERRIA/NRP other than those filed since 1/99 and there have been few throughout the whole NRP program, once an actual grievance was filled, it became evident that an update and revision of the grievance policy was necessary.

Motion made, seconded and did not pass to add between items 2.e (first of three grievance steps) and 2.f (second of three grievance steps) an additional step that a “Neutral Third Party (arbitration) resolve the grievance if not resolved through item 2.e (first step).” An immediate previous motion was made, seconded and passed with some noes “to close the debate and vote on the above motion.” Steve Ficker, PPERRIA member, indicated that he felt it was impossible to get a fair grievance decision using PPERRIA, mediation and NRP as there was no outside neutral third party (arbitrator or some one agreed to by both the grievor and PPERRIA). He indicated that he filed the grievances because the “process had gone wrong.” A meeting attendee pointed out in that turning the arbitration over to a neutral third party for a decision, both the grievor and PPERRIA cannot make the final decision and, further, the courts have supported the neutral third parties decisions over appeals by the original parties. The existing 2.g (third of three) appeal is to the NRP who already is a neutral party to the grievor and PPERRIA and does not have any interest in the neighborhood other than as the sponsor of the overall NRP program.

Motion made, seconded and passed without noes “that the grievance process is a public sharing of the comments and opinions of all involved, and that the meeting(s) be conducted in a respectful manner.”

Motion presented by Peter LaSha, PPERRIA member.

6. Motion made, seconded and passed without noes “to close debate and vote on the motion to conduct a non binding referendum of neighbors of the UNOCAL development project.”

Motion made, seconded and passed with some noes “to refer the issue to the PPERRIA/NRP Housing Committee and that committee to report back at a PPERRIA B/M/N meeting. Mike Atherton, PPERRIA member, indicated that the purpose of the motion is to better inform neighbors of upcoming projects in their geographical proximity; we should try to be as inclusive as possible (not everyone is a PPERRIA

member or receives the PPERRIA Newsletter.) PPERRIA should conduct an informational survey with a non-binding ballot to determine the feelings and opinions of neighbors within a one-block radius of the UNOCAL property about the proposed townhouse development. The survey will be conducted by mailing a preliminary description of the development (as much as is known at present) and a ballot to the property taxpayers. The ballot would contain the choices: Support, Oppose or Undecided. Property taxpayers will be required to provide sufficient information so that each ballot could be verified. It was pointed out that the proposed is an elaboration of what is required by the city for zoning and variances and has been used by PPERRIA committees in one form or another. What is proposed is a written PPERRIA policy that is to be part of all PPERRIA committee procedures of notification, information and polling of opinions. Several specific questions were raised: (1) "who?"- residents and/or owners and/or non resident properties?;)2) "cost?"-in addition to materials, printing and postage, labor is required; (3) "where?"-immediate block or larger? most projects affect the larger, if not the whole, neighborhood; 4. "when?"-timing is a critical but an elusive item. Although ASAP seems to be the best, often early in a project only general, incomplete and changeable information is known. If several polls are taken, there is a risk of creating an impression of deception as things develop and probably change. The consensus of those at this meeting is that: (1) Change "referendum" to "survey; (2) That Mike Atherton and Andy Mickel are to be part of the development of this motion as they so far are responsible for this motion; (3) A UNOCAL survey at this point is premature as development and preference for housing on the site has been talked about for generations and until the site is sold to a developer, a detailed proposal is not available.

7. Jeanne Moses, PPERRIA member, who volunteered at the 5/99 B/M/N meeting to explore additional means of communication with the neighborhood PPERRIA activities, asked for volunteers to post notices at "gateways" to the neighborhood. Individuals who "put up" the notices also are to "take them down." She will announce additional "means" at future meetings.

8. Tony Garmers, PPERRIA "sage," reported there will be two summer concerts. Watch for announcements of the concerts and ways for neighbors to contribute to the paying for the concerts. Jerry Stein, PPERRIA/NRP Education/Human Services Committee co-chair, made a request for 7th and 8th graders to assist at the upcoming Summer Splash day camp, Contact Bruce Graff at 627 2279. He also indicated that the Minneapolis School System is "seriously" (!!!) considering, after earlier ending discussions, a pre- to grade two public school at Pratt!! This includes a Minneapolis Public Library facility at Pratt. Bill Kahn, PPERRIA/NRP Environment co-chair, reported that the Minnesota Department of Natural Resources has matched the earlier allocated \$1,000 of PPERRIA/NRP Action Plan funds for nesting projects in the East River Sand Flats Park. Watch for announcements as to upcoming Tuesday 8/3/99 6pm to ? Neighborhood National Night Out.

9. Alison Savin, PPERRIA Zoning Committee co-chair, reported that it was not necessary to have a zoning committee meeting this month. Committee meetings are the third Tuesday of each month at Pratt, if open, or at PPUMC. She announced that St. Francis Cabrini Church will be financing 100% their proposed parking lot on the east side of their property between the church building and the railroad property. This project was discussed earlier this spring when the financing was to be shared with Good Samaritan Care Center. Although now no change in zoning is required, some permits will be required and the church has indicated that there will be consultations with affected neighbors.

10. See the 6/99 PPERRIA Newsletter for the 5/8/99 to 6/11/99 PPERRIA/NRP contractor activities. Expenses continue to be under budget. In addition to the ongoing activities, added was research on issues related to neighborhood concerns and needs of the Y2K issue.

11/12. There were no additional items of business.

Motion made, seconded and passed without noes “to adjourn.”

Daniel Patenaude, PPERRIA Secretary. Comments and concerns to 117 Arthur Avenue SE or marko001@tc.umn.edu

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