



## Task Force Agenda Meeting Minutes

February 1, 2012 - Third Meeting

6:00 p.m. – 9:00 p.m.

City Council Chambers -- Brooklyn Park City Hall

Present: Grant Radamacher, Gary Taylor, Dan Swartz, Brett Ackerman, Mark Chenowith, Scott Bernstein, Rick Fanning, Tony Spears., James Singular, Annette Lund

Introductions – “good news – business is up and crime is down”!

Because of the topic we thought it was appropriate to have the city staff at the table as they will be able to directly answer the questions you might have during this discussion. This is a change in the format for this meeting. (Keith Jullie, Amy Baldwin)

Follow-up from Last Meeting:

-Review of minutes from last meeting –no comments or questions.

Review Draft Recommendations from Second Meeting

*Access to workers/training providers*

-build business awareness to the services available, including tools available (tax incentives, training & assessments, job description assistance)

-promote resources to BP residents as well, not just businesses

-Explore how city can help expand public transit for employees to get to work and/or connect to community college opportunities

-Cherie Rollings gave an overview of what Hennepin Technical College does and talked about “M-Powered” as she was absent during the workforce training discussion

*Community Engagement & Diversity:*

-Insure businesses stay involved in discussion, after this task force – more joint meetings

-recruit more businesses to town

-More frequent business town hall meetings

-Develop & invest in more frequent marketing to include more positive stories

Information on business recycling

-Amy Baldwin provided information – city provides residential recycling but does not do commercial recycling. Feedback is that businesses don’t want to pay a fee for that service. Businesses can contact any of the providers for service. Residents pay through their water bill and the City provides a subsidy for residential recycling pick up. If there is a desire for the business group to lean more, she will followup. The City wasn’t aware of any business groups that are included in the city contract for residents. Amy will clarify and share any additional information to the group via email.

Ellen recommended that this question be included on the next survey sent to the businesses.

Dumpsters need to be in an enclosure and so does the recycling so the city makes it expensive to manage this process.

### Improving Business Regulation:

#### Code and Regulation Overview: City Staff:

Amy provided a handout that showed what types of policies are created by the City and enforced by the City and what policies are those of the state and the City just enforces state regulations.

Inspectors may not have the same level knowledge of the codes in other communities so some communities may not enforce state code the same way BP does. BP prides themselves in the high level of training and education available to the inspectors.

Discussion of “racking” and challenges with move of a company from New Brighton to Brooklyn Park and how difficult it will be for the business to do this. Not really sure how the city can help because the business doesn’t have enough information on the racks to meet state code. This is a real-life example of what businesses face when trying to expand or relocate to the city. There is a cost to what the company is trying to do and there is a consequence to the city if they decide to just keep the business in New Brighton.

Seems like the codes are based on putting up “new” things – is there a way to better figure out how to deal with parameters with using “used” racks or equipment.

Ellen: Rules can’t anticipate every single scenario. We should think about how we could work on issues like this “in the spirit of partnership”.

Is it the city’s responsibility to help the business connect to the state for clarification or assistance with these issues? Yes, that is the appeal process. Can the city consult with other cities on how they enforce these codes? Can they check to see why some are lax and BP isn’t? BP can’t police other communities.

Timing also plays into a business’ frustration – when these snags occur – it can cost the business lots of time to process and figure out solution.

Reiterated that when these situations arise, that there is someone at the city who can advocate for a solution and not just say “no” that won’t work – you need to “fix it”.

What happens to these inspectors who do “not” enforce a code in some cities – what is the penalty to the inspector who doesn’t pass the site. Usually it is liability – if an inspector leaves and passes a site – and something happens, it will be the first thing that is checked – who passed this when inspected.

We need to report to the state that there is inconsistency in building inspections – so that there can be more equity to this process.

Recommendations do not just have to be city specific – perhaps one suggestion could be to ask the State to step in and facilitate a discussion about this issue.

#### Review Task Force list of priorities from last meeting

#### How Brooklyn Park regulations compare to other cities

NAIOP study: Done several years ago comparing costs and time and efficiency to build a standard industrial building in different cities.

BP scored in the middle of the pack.

BP requires a neighborhood meeting/extra step that they require & other cities don't.

BP requires site plan review process is more extensive than other communities. (5 of 18 required that)

BP is the 4<sup>th</sup> highest in fees for new building – but compared to fastest growing communities we were in the middle. The Park dedication fee sometimes skews this when comparing. (for new construction)

Overall summary we ultimately end up in the “middle” so improvement can be made. Since study has been done the City is working on improving efficiency.

#### Metro Cities study:

Can look at the comparison per specific fee, not broken down per city but data does show how cities do vary on fees – which can be frustrating if doing business in multiple cities

Discussion: The last project was significantly improved and everything went really well – kudos to the staff and processes at the city! Amy thinks that it went so well because they came in so early at the process. Grant – I think we just come prepared and we build quality buildings and I don't expect the city to do my work for me – but I do expect to be treated fairly.

My experience was different, we had to get the EPA and OSHA involved and it was so time consuming and too much cost that we just became to afraid to make the commitment to what looked like a long process.

#### Permitting process for existing and new buildings

BP has made some improvement on efficiencies. Used to be a standing meeting once a week – in case anyone who would call that week – you come in at 10 on Wednesday to understand what they would need before they start the process. Would this be worth reinstating?

City of New Hope does do this – once a month – and my experience is that the staff is there to be helpful and to save time and money for the business folks.

People agreed – this would be a good idea and helpful.

#### Streamlining the process

There could be a value to the city to map some of the processes to see what the routing looks like and where there may be some room for improvement. If we discover there is a way to speed up the timing we could review and figure out how to do better.

### Signage and Exterior Storage: City Zoning:

It is important to have fair and equal enforcement of the codes. Back in 2005 there was an initiative to focus on commercial areas in town to strategically map out areas in town, the big focus was the big "trash enclosure" codes. We tried sending out a letter a year before, provided examples and explanations. It was a really difficult process and this code change drove the city to go through commercial neighborhoods to compare and review. (The code was driven by policy makers to address the beautification initiative and reduce the unsightly and public health issues around dumpsters)

BP tries the best that they can to address this in "chunks" of neighborhoods but sometimes the timing doesn't translate to individual businesses. Gave the example of signage regulations.

### Discussion:

Have the city convene no more than 6 people from business to review signage ordinances and codes, bring to city council and then go around with a camera and bring the pictures to the group and have them review. Some of the types of signs we could use were not even available when these codes were made – they need to be updated. There is a need for aesthetics- but there should be consistency.

Example of flags in front of Edinburgh USA-- they were able to keep theirs, and mine were asked to be taken down. It was interpreted as a moving sign. Ellen asked the city for clarification on why that happened. The city will investigate.

Maybe there should be book with pictures on what you can have and what you cannot. There should be a variance for permanent signs vs. temporary signs and what qualifies as temporary?

When residents complain to the council, the results is ordinances and that is where they originate.

We should prevent having to come to the city for every single sign. It should just be updated and assessed based on the current situation and variety of what is currently being used.

Example of repainting with older building and expense of trying to get signs back up and how there was a big difference between how the different tenants were treated with the reposting of the signs. A new tenant was treated differently than previous tenant.

There are challenges in every city with compliance.

It seems the city wants our business to be in the city, but they also want us to be invisible. They want us to be clean and clear, but never give us a way to do this.

City once tried a sticker policy to encourage businesses to self-police and it just wasn't feasible to continue for a variety of reasons.

City staff feels if the business community can give us direction and get the council to provide the policy to support it – we can make the changes.

Are there areas where cities are looking to loosen regulations?

Discussion: Outcome/Recommendation

There were two city goals at odds with each other – we were asked to build a fence and then provide enclosure for our trash and recycling – but it was just too cost prohibitive and the shared tenants were not complying. So we just made smaller dumpsters and pick up our trash more frequently. We quit recycling– it just wasn't working.

There is trash on the sidewalks, parking lots, bus stops – where is the consistency – what is the enforcement for this – but I get the burden for building a fence around a dumpster.

How can we access the “common sense” of the BP city staff – they have the knowledge and information to know when these ordinances are not realistic.

Is there some way to make sure this forum doesn't just happen every 10 years – we need to engage the business community to connect with city staff and policy makers more frequently.

Maybe the city thinks too much of what their residents think instead of asking what support the business needs. Example of residents complaining about noise at a business and then requesting the business to add lights and other video equipment etc.

A conditional use permit triggers neighborhood canvassing, so the feedback came because of that process. Proved to me how hard it is to try and make money in the city.

How could this have process been handled differently?

Ask me to come in and talk one on one – give me an opportunity to defend my position and find out what other options or if there is a way to compromise. This would make me feel like I was given a fair shot. The business was given 8 things to do. The association across the street had a complaint – but I was given 8 things to do – the association didn't come up with this list/solution – the city did. Why couldn't I be given a chance to discuss and compromise?

It would be interesting to see if the businesses wrote the codes, what the codes would look like. The association president is 85 years old and has no clue what decisions affect the businesses, but she complains and the council listens to her.

Does the value of residents' opinions outweigh the value of the business opinion?

There is a business driven amendment about exterior storage in business park zoning. We are working with them and the policies to accommodate their needs but still make it work and figured out how to make adjustments to the code to better support businesses in this situation.

Has there been any discussion around the fact that these aesthetic driven codes may not be business friendly? Could we have a task force that could have business owners take a look at this?

“Lets have a common sense business task force” some of the things we are asking the city to enforce is foolish – we should change the situation not make the city chase around and enforce violations.

The mayor and councilmembers who attended do seem genuinely interested in what business has to say – but they do get elected by the residents. The policy makers do seem to want to help and make changes if there can be open and authentic communication.

We will build in time at the next meeting to revisit this and to hear some follow up on the questions asked here. We are not dismissing the discussion on business regulation. Please send any additional comments or questions to me.

Meeting for all Brooklyn Park Businesses

In the middle of March we would like to invite “all” of the businesses in BP to hear the recommendations this Task Force is coming up with. This would allow the larger community to weigh in on the recommendations before we give them to the council/policy makers.

Group agreed. This would give more credibility to the recommendations – and we can show that the majority of the businesses support these ideas. We would present the “key items/priorities” that we want to request from the city – and get buy in from the larger population.

9:00            Adjourn