

PAYNE PHALEN DISTRICT FIVE PLANNING COUNCIL

STRONG  SAFE  WELCOMING  CONNECTED  NEIGHBORHOODS

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March 3, 2010
Neighborhood Issue Meeting
First Covenant Church
Arcade Street, Saint Paul, MN
3:30 p.m. – 5:00 p.m.

Attendees:

Chu Wu – Koob Moo Funeral Chapel, 1235 Arcade
Cheryl Ellstrom - Resident
Bob Lauzon - Resident
Betty Lauzon – Resident
Charlene Mortel – Resident
Maria Roberts – Resident
Scott Renstrom, Aide - Councilmember Dan Bostrom's Ward Six Office.
Leslie McMurray, Executive Director – Payne Phalen District Five Planning Council
Sgt Ray Jefferson – Saint Paul Police – ACOP
Phil Owens – St. Paul Fire Dept. – DSI
Senior Commander Greg Pye – St. Paul Police
Linda Murphy – St. Paul Public Works – Traffic

Purpose of meeting: Hearing repeat reports of unresolved issues involving a local business (1235 Arcade) and residents who live in the area of Hawthorne and Arcade, Ward Six Councilmember Dan Bostrom's Aide Scott Renstrom and District Five Planning Council staff convened the meeting to identify issues and seek non-enforcement voluntary solutions.

The meeting was facilitated by Leslie McMurray. All were thanked for attending and cooperating to set up the meeting. The meeting was to focus on the present and future, to identify past concerns and to craft joint solutions and assign responsibilities to improve quality of life for all in this area. It was noted that District Five supports business success on the key commercial corridors and that the parcel has been used as a funeral home for some years. The District Council also affirms that residents should have a high quality of

life, free of unnecessary or illegal nuisances or conditions. City staffs were thanked for attending to provide resources, information and ideas. It was noted that lasting solutions would have to come with the full cooperation of both the business owner and the neighbors. We seek to address issues at the level at which they occur.

Each attendee introduced themselves and spoke of their history with the issue and concerns. Key concerns were identified and questions of clarification were addressed.

Parking:

The residents feel that street parking is overly full and it is sometimes difficult for residents to park near their homes. This is a change they associate with the current ownership of the 1235 Funeral home. There is often illegal parking which was defined as:

1. Blocking entryways or driveways or parking too close
2. Parking too close to intersections and impeding visibility at intersections
3. Parking too close to fire hydrants
4. The intensified use of these streets for parking has raised concerns for children's safety in terms of cars pulling in and out, speeding and inattentive driving.

5. **Nuisance behaviors** associated with this parking issue in the residential area included:

1. Strangers sleeping in cars with the car running for many hours. This is unnerving for residents.
2. Loud noise as people exit the business and late hour noise after 10:00 p.m.
3. People stopping to chat and smoking outdoors in close proximity to residences.
4. Public urination in people's yards and on the boulevard.
5. One resident had a funeral home patron come to her house to ask to use the bathroom.
6. Trash that gets onto the boulevard from the high use of parking.
7. People have sometimes visited on the boulevards, pulling out folding chairs and visiting for times on the boulevard. This is perceived by some residents as disrespectful to the residents who live in the area.

Odors and Trash Disposal

The funeral customs include serving meat dishes and the meat is delivered from the butcher in whole carcasses. Parts of the animal are used in various ways during the ceremonies.

There were strong objections to the blood and parts of the meat not going into receptacles and creating strong odors and pollution in the paved areas. This is particularly offensive in the summer.

The trash has not always been properly handled and trash is visible and overflowing and unsightly.

Two neighbors expressed that they don't like hearing the chopping of meat and wondered if something could be done so they don't hear this for long periods of time.

One asked about the consumption of alcohol on the premises and wondering about licensing.

Police Calls for Service

The police report of calls for service in the past year is attached. These are not charges but are a record merely of calls.

A neighbor mentioned that Chu Wu had talked about a gang issue in relation to the Funeral Home and this was a concern.

Noise

There has been noise after 10:00 p.m. that some neighbors find excessive.

Two neighbors expressed that they don't like hearing the chopping of meat and wondered if something could be done so they don't hear this for long periods of time.

Fire Safety and Open Burning

Funeral customs include the burning of items of the deceased and paper money. This has been occurring outdoors and there are associated problems with how the burning has been controlled and managed.

A priority concern for neighbors was fear and bad experiences with open burning occurring in the paved area behind the funeral home. Pictures were shared of burning without a screen and neighbors have called the Fire Department when burning ash and debris has been released into the neighborhood. This is a priority concern for neighbors.

The Property database maintained by the City is attached with notations regarding this burning and fire issue.

The group did not take a great amount of time to verify and validate each concern, since the City has enforcement authority and has already validated a number of the major issues such as fires and police calls and parking. For the group's purposes, this listing is of neighbor identified issues and is not a validated list of problems.

Mr. Chu Wu was asked if he had any problems or concerns with the residential neighbors in relation to his business and he indicated there were no problems. He opted to hear out the issues before commenting, but was invited to add his ideas or concerns. He agreed to do so.

Solutions - Brainstorming ideas

Parking:

1. Use communication networks in the Hmong community such as Hmong media to alert the public and 1235 patrons to the need to be cognizant of preferred parking at the Covenant Church. Affirm and actively promote acceptable parking and remind patrons through pre-event communications, communications from on-site staff, and signage to be respectful of the neighborhood. Give specific parking instructions to the families making funeral arrangements so that their invitations include the parking information.
2. Remind patrons of what is acceptable and not- acceptable in print and verbal communications. This can be done in a tasteful, non-offensive manner that respects all people concerned. It seemed very helpful to find ways to alert people before they come to the funeral home about the preferred parking at Covenant Church parking lot.
3. Valet parking was strongly encouraged. This would allow people to come directly to the funeral home but would minimally impact the neighborhood.
4. Fixed signage on the premises of the Funeral Home outlining parking available at Covenant Church.
5. Fixed signage on the business premises alerting people to respect the residential neighborhood – particularly after 10:00 p.m.

All acknowledged that it is quite difficult to know whose car is parked on the street and for what purpose; we cannot assume that cars do not belong to residents. More enforcement would be equally applied to all parked cars.

Parking Enforcement

Senior Commander Pye spoke of how enforcement respects the right to varied religious expression and that enforcement is respectful of the context of funerals. No bereaved family wants to get a parking ticket on leaving a funeral. Sensitivity must be shown for the context of this issue, and enforcement will require that parking rules will be equally applied to both resident and business patron.

The on-street parking spots do not belong to the resident homeowner and this is often a mis-perception. Anyone can legally park in a spot for up to 48 hours.

Occasional blocking of alleys during deliveries is acceptable.

When neighbors know what is legal and illegal and can accurately report violations, this helps parking officers. District Five can help residents get the word out about

accurately reporting issues effectively. Calling 911 for a parking issue will not always get a timely response since all 911 calls are applied to a priority dispatch matrix. But a call that requests a PEO (Parking Enforcement Officer) will be more effective. It is reasonable that residents should expect at least an hour before seeing a response.

New Signage

Some of the nuisance issues may be irritating but are not illegal and so more enforcement is not going to be a lasting solution. However, existing parking rules can be reinforced with increased signage (if resources are available for this). Senior Commander Pye suggested that No Parking Here to Corner signs be erected at the key intersections to reinforce parking compliance. The group felt this was a good solution, noting that some residents may find these more restrictive to their own parking habits. The need for equal and fair enforcement was emphasized by Scott Renstrom and Senior Commander Pye.

Permit Parking – Pros and Cons – a solution of last resort

The possible solution for residents to obtain Permit Parking was outlined by Public Works' Linda Murphy. There is a clear process in place by which residents garner the required support and approach their District Council to initiate a Permit Parking Zone. All agreed that the Permit Parking can create more problems than it solves and that there are clear Pros and Cons to consider in its application. This is a measure of last resort and is not typically ideal for those neighborhoods which adopt it.

Open Burning & Pollution

Phil Owens reported on the good work of SPFD Diane McCabe, noting she was unable to attend this meeting. He reported very positive outcomes in recent work with the business owner Chu Wu. On Monday, commitments were garnered to finalize an indoor burning facility that meets City Fire Code. Conditions are put on the permit which includes the need for staff supervision during all burning, proper filtration of ash and coverings on the burner, capacity of 10 people allowable in the space. Only paper, paper money and documents may be burned. No other material may be burned.

Full responsibility rests with the owner for compliance of conditions, even when some activity is delegated to the patrons of the business. It was clear in the meeting between SPFD and Chu Wu that the differences in operations of this culturally responsive funeral home, compared to mainstream expectations of funeral homes had contributed to some of the problems. The family group has much greater autonomy and leadership authority in the funeral process than is typical of the American European funeral custom. Wu had in essence been leasing out the funeral home to the families who provided the leadership of the funeral events. In Saint Paul, the property owner is solely responsible for what occurs on his/her property and so this model created conflicts when a family did not follow Chu Wu's directives. His business model now creates fines and consequences for non-compliance and there are hired staff who can reinforce the proper burning process that meets safety code.

Chu Wu has stated his belief that as soon as the building permits are approved by the City, that he could have the structure ready for operation within 3 weeks. He is waiting on the Building Permit approvals and then he will comply with the full agreements.

The group commended Chu Wu and Phil Owes and SPFD staff for crafting this plan and asked for progress reports in the upcoming two months. Chu Wu will talk with Leslie McMurray (District 5) as the process is implemented. The neighbors expressed very positive enthusiasm and support for this outcome of an enclosed burner that is well supervised and which meets all code requirements.

An enclosure for trash receptacles is common on Arcade businesses and this would greatly help alleviate the neighbors concerns. Phil Owens will look into this issue further with DSI staff. All animal parts are to be in waste receptacles and there should not be blood going into open drainage and such. The owner needs to meet code in terms of waste disposal. The group strongly encouraged Chu Wu to put an enclosure around his waste receptacle area, similar to other businesses in the area.

Conclusions and Next Steps:

1. The new No Parking Here to Corner signs will help residents and business patrons be aware of legal parking zones.
2. Information about parking and how to report issues effectively can be distributed by District Five with the help of area residents.
3. Leslie McMurray will follow up with Parking Enforcement to draft meaningful communications to residents on this issue. Neighbors will help to distribute this information.
4. The owner is to come up with a communications plan with his business clients/patrons that strongly encourages participants to park in the Covenant Church lot. This is not an enforceable matter, but is a good will gesture asked of the business owner in response to neighborhood concerns. Cheryl Ellstrom offered to support this outcome and will work with Chu Wu.
5. The owner needs to meet code in terms of waste disposal. The group strongly encouraged Chu Wu to put an enclosure around his waste receptacle area, similar to other businesses in the area.
6. Chu Wu will talk with Leslie McMurray (District 5) as the process to construct the burner is implemented. The neighbors expressed very positive enthusiasm and support for this outcome of an enclosed burner that is well supervised and which meets all code requirements.
7. District Five will write up minutes and will distribute the contact information to all who attended the meeting. Everyone approved this information sharing.

A follow up meeting will be scheduled to see how well issues are managed and to hear if there are other concerns. McMurray asked Wu to identify any issues that he felt might be of help to his business success in the neighborhood and to let the Council know of his ideas.

(One participant stressed her dissatisfaction with past promises that she felt were not met by the business owner. Acknowledging this feeling, the group determined to start afresh with this action plan and to give both residents and the business owner a chance to implement changes for the betterment of the neighborhood.)

All participants were thanked for their candor, commitment, open minded approach and participation. The meeting was adjourned.

DRAFT Minutes Submitted by Leslie McMurray