



CITY OF SOUTH ST. PAUL MEETING AGENDA

WORK SESSION

Training Room
125 3rd Avenue North
South St. Paul, MN 55075

Monday, July 27, 2026
7:00 PM

1. CALL TO ORDER

2. DISCUSSION ITEMS

- A. Historical Markers Preservation Initiative
- B. SMFD Update - Chief Nelson
- C. PFAS Mitigation Update
- D. Discussion on Potential Updates to the 2016 Household Size Ordinance

3. COUNCIL COMMENTS & QUESTIONS

4. ADJOURNMENT



WORK SESSION AGENDA REPORT

DATE: July 27, 2026
DEPARTMENT: City Administrator
PREPARED BY: Ryan Garcia
AGENDA ITEM NUMBER: 2.A.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Historical Markers Preservation Initiative

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

No action; for discussion and future direction.

OVERVIEW

In late-April 2026 South St. Paul resident (and educator) Mark Westpfahl reached out to City Council and select City Staff to express an interest in contributing to an effort to restore, clean, and celebrate historic markers located in particular within Lawshe Park. Since that time, Staff have had ongoing conversations internally and with Mr. Westpfahl to contemplate how such an effort could be executed. Mr. Westpfahl will attend the Worksession on Monday to provide a brief presentation of a potential "scope of work". If the project is embraced by Council, Staff will be prepared to discuss next steps, which would include formalizing an agreement with Mr. Westpfahl for this initiative.

SOURCE OF FUNDS

Mr. Westpfahl has suggested that any labor would be donated. Any supplies would be reimbursable through the Parks Maintenance fund; an anticipated budget is less than \$500.

ATTACHMENTS

None



WORK SESSION AGENDA REPORT

DATE: July 27, 2026
DEPARTMENT: Fire
PREPARED BY: Ryan Garcia
AGENDA ITEM NUMBER: 2.B.

MEETING TYPE

Regular Meeting

AGENDA ITEM

SMFD Update - Chief Nelson

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

No action requested - for information and discussion only.

OVERVIEW

At its July 15, 2026 Meeting, the South Metro Fire Board (SMFD) [approved the 2027 Budget](#) and received an update on a Facilities Plan being conducted by the City of West St. Paul in the latter half of 2026 and into early 2027. Chief Nelson has offered to appear at Monday's worksession to provide a brief update and opportunity to answer any questions on these topics for Council.

SOURCE OF FUNDS

SMFD is a Joint Powers entity providing for fire and emergency medical services in South St. Paul and West St. Paul, and is funded through contributions by each city as well as an EMS District Levy.

ATTACHMENTS

None



WORK SESSION AGENDA REPORT

DATE: July 27, 2026
DEPARTMENT: Engineering
PREPARED BY: Kelsey Gelhar
AGENDA ITEM NUMBER: 2.C.

MEETING TYPE

Regular Meeting

AGENDA ITEM

PFAS Mitigation Update

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

Council discussion on recent exploration of PFAS mitigation strategies.

OVERVIEW

On April 10th, 2024, the EPA issued its final National Primary Drinking Water Regulation for several PFAS compounds. The federal regulations identified maximum contaminant levels (MCLs) for different PFAS compounds, set deadlines for monitoring PFAS, and set a timeline for public water suppliers to reach the MCLs. The compliance deadline, meaning the point at which PFAS levels must be below the federal MCLs, is April 2029. However, the EPA has announced their intent to extend the deadline to April 2031.

At the February 17th, 2026, Council meeting AE2S, an engineering consulting firm, presented the [feasibility report](#) for the treatment of PFAS at Well No. 4, the City's only well tracking to be above the proposed federal regulations. At the presentation, the City Council asked staff to look into what it would take to connect to Saint Paul Regional Water Services (SPRWS) instead of building a water treatment plant.

Over the last couple of months, South St. Paul staff met and discussed what it would take to pursue studying a connection to SPRWS and have also received proposals for designing a water treatment plant at Well No. 4. Staff members are currently reviewing the proposals and are preparing to take an item to Council at the August 3rd meeting to award the design of the Well No. 4 PFAS Treatment Plant. The design of a water treatment plant at Well No. 4 is funded by an MPCA grant which will expire on June 30, 2027, if unused. Completing the design of the Well No. 4 treatment plant during the 2026-2027 timeframe maintains the City's ability to meet the federal implementation requirements for PFAS mitigation.

SPRWS and South St. Paul staff collaborated on the next steps needed to evaluate a possible connection and suggest a phased approach to the feasibility study. A phased approach allows for points at which SPRWS and South St. Paul can review and discuss the data before moving forward with other portions of the study. Phases include an Early Study to consider how to connect and infrastructure needs, a Pipe Loop Study that primarily reviews water chemistry and

quality, a Mid-Level Study that reviews modeling and vulnerabilities of the proposed systems, and a Design and Contracting phase to propose projects, agreements, and rates. The Early Study alone is anticipated to cost between \$77,000 and \$100,000. Other studies are anticipated to cost between \$50,000 and \$75,000, depending on the outcome of the Early Study.

The goal of this meeting is to discuss the next steps for studying a connection to SPRWS and PFAS mitigation.

SOURCE OF FUNDS

Grant funding from Drinking Water Planning and Design Funds from the MPCA can fund design of a treatment plant at Well No. 4. Water Utility Funds would be needed to further explore connecting to SPRWS as the MPCA confirmed that such a study would NOT be eligible to be covered by the existing grant.

ATTACHMENTS

None



WORK SESSION AGENDA REPORT

DATE: July 27, 2026
DEPARTMENT: Code Enforcement
PREPARED BY: Michael Healy
AGENDA ITEM NUMBER: 2.D.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Discussion on Potential Updates to the 2016 Household Size Ordinance

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

- Discuss a relatively new ordinance that was adopted in 2016 which deemed any dwelling unit that has more than 3 unrelated persons living in it to be a “boardinghouse,” regardless of whether it is owner-occupied or a full rental. The ordinance states that boardinghouses are not allowed in any zoning district which means that it is not legal for more than 3 unrelated persons to live together as a household in any dwelling unit in SSP.
- Discuss the unintended consequences of the 2016 ordinance. Most of SSP’s peer communities allow 4, 5, or 6 unrelated persons to live together before it is considered a boardinghouse or otherwise deemed a code violation. Setting the number so low at 3 is challenging from a code enforcement perspective and it may be actively incentivizing approaches to housing that are potentially more disruptive of neighborhoods than normal rental housing.
- Get City Council feedback on potential ordinance changes that would better align SSP with “best practices” for regulating household size in situations where unrelated persons are living together as a household.

OVERVIEW

Background

The Minnesota State Building Code dictates that a dwelling unit should have at least 150 square feet of habitable gross floor area for the first occupant and at least 100 square feet of additional habitable gross floor area for each additional occupant. This rule applies to both adults and

children and it is in effect statewide regardless of whether a dwelling unit is owner-occupied or rented out. There are additional State Building Code rules related to sprinklers, accessibility, and other safety features that kick in for certain types of housing such as group homes and senior housing.

In addition to enforcing the State Building Code's occupancy limits, many cities in the metro use their zoning ordinance or licensing ordinance to restrict occupancy of a dwelling unit to one household. A household can be a traditional family comprised of any number of adults and minor children who are closely related by blood, marriage, or adoption. A household can also be a group of unrelated adults and the minor children in their care. Most communities in the metro allow between 4 and 6 unrelated adults to live together as a household. City Staff has prepared a table (see Attachment 1) that provides an overview of how this issue is being handled in nearby communities.

South St. Paul has historically relied on the State Building Code and has not had a local rule that restricts the number of unrelated adults who can live together as a household. In 2016, a new ordinance stating that no more than 3 unrelated persons can live together as a household was added to the City Code as part of a larger update of the rental licensing ordinance. Any dwelling unit that has more than three unrelated persons living in it is now deemed an illegal "boardinghouse" by the City Code. The City Code allows any number of adults to live together as a household if they meet the City's official definition of a family:

"Family" means those persons legally related to each other in a linear relationship such as spouses, grandparents, parents, children, grandchildren and siblings. Family does not include branching relationships such as aunts, uncles or cousins.

Code Enforcement Challenges

The 2016 household size ordinance presents a number of code enforcement challenges:

- Strict enforcement of the current ordinance would require City Staff to police people's relationship status. There are many romantic couples who live together without being legally married or in a legal domestic partnership. Technically, they are not considered "family" because they are not legally related to each other, so they each count as a separate unrelated person.
- The ordinance is difficult to enforce and relies primarily on the honor system. An illegal household that has four unrelated adults (i.e. two unmarried couples living together) does not look any different than a legal household that contains four related adults (i.e. two married couples living together). It is staff-time intensive to prove that more than three (3) adults are living in a house, and it is even more staff-time intensive to prove that the people living in a house are not related by blood, marriage, or adoption. It is often not

possible to obtain that proof, even if neighbors may have suspicions. City Staff would need to obtain a search warrant to enter someone's home without their consent to search for proof that there are too many unrelated adults living there.

- The household size ordinance has not been useful for code enforcement. The City Code already contains numerous ordinances that allow City Staff to issue administrative citations for active nuisances (noise, exterior storage, long grass, lack of reasonable maintenance, parking violations, Building Code violations, etc.). Additionally, rental licenses can be revoked in situations where a rental dwelling unit has become a problem property due to constant nuisances. City Staff usually only receive complaints about alleged household size violations if there are nuisance conditions at the property, if there is a neighbor feud taking place, or if the complainant is a strong believer in the City Code who is filing a complaint purely as a matter of principle. Most complainants are disappointed by the fact that City Staff cannot do anything about an alleged household size violation if there is no tangible proof and there are no other code violations taking place.
- There are many property owners who owner-occupy their single-family home and then rent out one or more bedrooms. This may be because they cannot afford homeownership without the rental income, or it may be for social reasons because they want to live with their friends. Technically, this is illegal as soon as more than three unrelated adults are in the home. However, City Staff have no good way of knowing that this situation is taking place unless a neighbor submits a complaint. Even then, it is difficult to prove the violation. The Dakota County Tax Assessor will list these houses as fully homesteaded and there are often no obvious signs that rental/roommate activity is taking place. It is not a high priority to go after an owner-occupied house for this type of alleged code violation if the property is not a nuisance in any other way.
- The household size ordinance has only been enforced via administrative citations or court action one time in recent memory. In 2023, the City encountered a landlord who openly housed 10 unrelated adults in a single-family home at 404 Orchard Lane. City Staff did not have to prove the violation because the landlord stated at televised City Council meetings that he had 10 unrelated adults living in the house even though he did not have a rental license. The landlord and his tenants also repeatedly violated numerous other ordinances. Even in this case, SSP's 3-person household rule was not particularly useful. The City still could have conducted the same type of code enforcement at this property with a more typical household size ordinance that capped unrelated adults at 4 persons, 5 persons, or 6 persons.

- The household size ordinance does give problem property owners a potential tool to mistreat their tenants, since “extra” tenants who are technically not allowed to be part of the household may be left off the written lease. This makes it easier to defraud these tenants or otherwise deprive them of their rights.
- There are some properties in town that are lawful nonconforming to have more than 3 unrelated adults living in them because they had that level of occupancy before the rules changed. This is difficult for City Staff to track and difficult for neighbors to understand and accept.

Unintended Consequences

Since 2016, the 3-person rule has pushed some property owners to seek ways around the household size restriction. Some of these workarounds may lead to a situation that has a larger impact on the surrounding neighborhood and emergency services providers than a standard rental home. City Staff generally sees two approaches:

1. There has been a State Statute on the books for many years which says that the owner of any single-family home in a residential zoning district must be allowed to turn it into a State Licensed Residential Care Facility (group home) for up to 6 unrelated adults. The law is based on the State’s desire to deinstitutionalize people with disabilities and give them access to housing in neighborhood settings. It is generally understood that many small group homes only “pencil out” from a staffing and maintenance perspective if they can collect rent from an adequate number of residents, hence the requirement that cities must allow at least 6 residents.

City Staff is aware of several properties where the landlord decided to turn their rental property into a group home, at least in part because it allows them to lawfully have more than 3 occupants. This has happened less often since 2021, when the State eliminated their “registered housing with services” program and made it more difficult to start a group home that gets to make use of the 6-person law.

State-Licensed Residential Care Facilities have historically had a higher level of calls for service (Fire, Police, and EMS) than rental properties without a care/service component. This issue can be exacerbated in situations where the group home is inadequately staffed or is consistently taking on residents with more challenging care needs than they are equipped to handle. The City is prohibited by State Law from requiring a local rental license for these facilities, so the City does not have any local control to deal with situations where inadequately supervised residents are driving up emergency services costs. There is a new State Law taking effect on August 1, 2027, that may make this situation better by increasing the requirements for onsite staffing to deal with non-

emergency medical events.

2. The Americans with Disabilities Act (ADA) requires the City Council to consider granting an exception to the 3-person rule in situations where a group of people with disabilities want to live together in a house that is not a licensed group home due to specific needs related to their disabilities. This type of exception is known as a “reasonable accommodation.” The City Council is not necessarily required to grant a requested exception, but they are legally required to approach each request with an open mind to determine whether the unique facts of the case related to the property, the occupants, and the financial structure of the housing would justify accommodation.

Reasonable accommodation requests have been around for years, but these requests have become somewhat more common since the State eliminated the “registered housing with services” program in 2021. Many supportive housing programs that previously qualified to use the 6-person law under that program must now seek reasonable accommodation from the municipality instead.

Reasonable accommodation requests related to household size have the potential to become emotionally charged, staff-time intensive, and expensive (denials being challenged in court). Neighbors who may not have a comprehensive understanding of the request or the applicable federal and state regulations may feel compelled to appear at public hearings to oppose these requests. An increasing number of communities have sought to de-politicize the situation and reduce reasonable accommodation requests by simply setting their maximum household size at 6 unrelated adults and then dealing with bad landlords and bad tenants via their rental licensing programs and administrative citation programs. Most landlords are willing to accept 6 people as a reasonable occupancy because it aligns with the State’s law for group homes which is written explicitly to help ensure that most supportive housing will “pencil out.” If a landlord does want to try to go beyond 6 occupants with a reasonable accommodation request, they must demonstrate that there is something truly necessary about their request and that is a high bar to meet.

Discussion

In some ways, the City is in a similar position as it found itself in 2020 (during the COVID-19 pandemic) when there was an old ordinance in effect that said that it was illegal to work from home or conduct any business activity in a home unless the City Council had granted a conditional use permit (a 60-day review process with a \$600 price tag). The City revised this ordinance in 2021, and it is now fully legal to work from home or have a home business if a resident agrees to follow a set of 15 rules that were carefully written to prevent nuisances. The new framework for home occupations is working very well. Residents who violate the new

framework generally cause a nuisance which leads to a complaint which leads to code enforcement action.

In City Staff's opinion, the maximum household size ordinance should be updated with the same goal in mind as the 2021 home occupation ordinance update. The City should pick a number that "works" for most of its otherwise law-abiding residents and should create a regulatory framework that is more closely aligned with preventing nuisances. Most residents would not try to claim that two unmarried couples living together in one home (4 unrelated adults) are automatically a nuisance. City Staff would like to have a conversation with the City Council about what the right household size number is for SSP.

POSSIBLE CODE UPDATES

If the City Council agrees with City Staff that the "status quo" could be improved, there are a couple of potential options:

Option 1: Allow up to 4 or 5 unrelated adults to live together as a household

- Would better align with how property owners are using their properties today and would resolve many of the code enforcement challenges.
- Would make it possible for two unmarried couples to legally live together as roommates.
- Would make it possible for a small group of friends to legally live together (what is known colloquially as a "Golden Girls House").

Option 2: Allow up to 6 unrelated adults to live together as a household

- Would have all the same benefits as allowing 4 or 5 adults to live together.
- A married couple is already treated as one "person" for the purposes of administering the ordinance, so up to 6 adults can already live together if they are three legally married couples. Changing the City Code to allow 6 adults without regard to marital status would make it so that City Staff does not need to police people's relationship status to administer the household size ordinance.
- Would greatly reduce the incentives that currently exist for landlords to seek ways to circumvent the maximum household size ordinance through a State-licensed group home conversion or an ADA reasonable accommodation request.

Direction Needed

The City Council should discuss the status quo and either direct City Staff to leave the ordinance alone or work with the City Attorney to prepare an ordinance amendment that would implement some version of Option 1 or Option 2.

If the City Council wants to update the City Code, the ordinance will be brought to the City Council for a first and second reading. The ordinance will not go to the Planning Commission because it is not zoning-related and only affects the rental licensing ordinance.

SOURCE OF FUNDS

NA

ATTACHMENTS

1. Maximum Unrelated Person Household Size in Metro-Area Cities

ATTACHMENT 1
MAXIMUM UNRELATED PERSON HOUSEHOLD SIZE IN METRO-AREA CITIES

City Name	Number of Unrelated Persons Allowed in One Dwelling Unit
Anoka	4 unrelated persons
Apple Valley	5 unrelated persons
Arden Hills	4 unrelated persons
Bloomington	6 unrelated persons
Burnsville	4 unrelated persons
Columbia Heights	No limit
Coon Rapids	6 unrelated persons
Cottage Grove	4 unrelated persons
Eagan	5 unrelated persons
Edina	No limit
Farmington	4 unrelated persons
Hastings	No limit
Inver Grove Heights	4 unrelated persons
Lake Elmo	4 unrelated persons
Lakeville	4 unrelated persons
Maplewood	5 unrelated persons
Mendota Heights	4 unrelated persons
Minneapolis	No limit
New Hope	4 unrelated persons

Newport	6 unrelated persons
Northfield	5 unrelated persons
North St. Paul	3 unrelated persons
Plymouth	6 unrelated persons
Richfield	3 unrelated persons
Robbinsdale	4 unrelated persons
Rosemount	5 unrelated persons
Roseville	4 unrelated persons.
Saint Paul	6 unrelated persons
St. Louis Park	4 unrelated persons
Stillwater	No limit
Vadnais Heights	5 unrelated persons.
Wayzata	6 unrelated persons
West St. Paul	3 unrelated persons
Woodbury	4 unrelated persons

This information was obtained using online City Code resources which were accessed in July of 2026. SSP City Staff did not reach out to staff in these communities to get additional firsthand information about whether there is any nuance to how they are interpreting and administering their definition of a “family” or a “household.”