



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
651-266-8560

Minutes - Final

City Council

Council President Amy Brendmoen
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, June 2, 2021

3:30 PM

Council Chambers - 3rd Floor

Please see the meeting guidelines due to the COVID-19 pandemic.

ROLL CALL

Meeting called to order at 3:32p.m.

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 21-45](#) Mayor's Emergency Executive Orders 21-21 and 21-22.
- Sponsors:** Brendmoen
- Received and Filed

Approval of the Consent Agenda

Council President Brendmoen pulled Item 6.

Councilmember Jalali moved the balance of the Consent Agenda.

7 in favor, none opposed
Consent Agenda is adopted as amended

Adopted as amended

- 2 [RES 21-799](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for a Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, Entertainment (A) licenses for Sachoua & Houa LLC (License ID # 20210000176), d/b/a Smokin Ninjas located at 879 Rice Street.
- Sponsors:** Thao
- Adopted**

- 3 [RES 21-802](#) Approving the Collective Bargaining Agreements (January 1, 2021 - December 31, 2022) and Memorandums of Agreement (2021 - 2022) between the City of Saint Paul and AFSCME District Council 5, Clerical -

Local 2508 and Technical - Local 1842.

Sponsors: Brendmoen

Laid over to June 9

- 4 [RES 21-803](#) Waiving the 45-day notice requirement to issue a Liquor On Sale - 181-290 Seats, Liquor On Sale - Sunday, and Entertainment (A) Licenses with conditions to Hung Tu Inc. d/b/a Peking Garden Chinese Restaurant (License ID #20210000659) for the premises located at 394 University Avenue West.

Sponsors: Thao

Adopted

- 5 [RES 21-806](#) Approving an Auto Repair Garage license to B & A Turso Inc. d/b/a All Tech Automotive (License ID #20210000513) for the premises located at 1581 White Bear Avenue North.

Sponsors: Yang

Adopted

- 7 [RES 21-811](#) Authorizing the City to approve the amendment to reduce Padelford Packet Company's 2020 contractual payment to City.

Sponsors: Noecker

Adopted

- 8 [RES 21-812](#) Authorizing the Department of Parks and Recreation to accept 6 archery sheds that were built and donated by Terra Firma remodeling for use at the archery range.

Sponsors: Prince

Adopted

- 9 [RES 21-813](#) Authorizing the Fire Department to accept the donation of use of the fitness facility valued at \$134,120 from Finish Line Wellness Group.

Sponsors: Brendmoen

Adopted

- 10 [RES 21-814](#) Approval of an Auto Repair Garage with conditions to JWP Automotive LLC (License ID #20210000642) for the premises located at 1457 Marshall Avenue Unit A.

Sponsors: Thao

Adopted

- 11 [RES 21-815](#) Approving the license agreement as the form for execution regarding the real estate commonly referred to as the downtown Saint Paul Farmers Market; and, further, authorizing the execution of license agreement documents accordingly (District 17, Ward 2).

Sponsors: Noecker

Adopted

- 12 [RES 21-705](#) Approving the Memorandum of Agreement for the 2021 Wage and Fringe Adjustment for the North Central States Regional Council of Carpenters. (laid over from May 26)

Sponsors: Brendmoen

Adopted

FOR DISCUSSION

- 6 [RES 21-807](#) Replacing RES 21-547 reaffirming the City Council's regular meeting schedule during the Covid-19 pandemic emergency and setting a date to return to in-person meetings.

Sponsors: Brendmoen

Council President Brendmoen said she was pulling this off for a quick comment. There was a lot of shifting around going on today. Council has an obligation to send out notices. The Council will be in-person the first week of September. They have no control of the number of people at public hearings. They have made a commitment to take testimony virtually. They will be back in the Chambers the week following Labor Day. The Council staff and Council members will work toward a return to work this summer.

Councilmember Tolbert said it is a thoughtful approach. He hoped they can expand this. In person or by e-mail or calls or other ways for people to engage their councilmembers. It is important to recognize there has been a lot of lifting of restrictions that are necessary. They are fortunate to be able to plan for this. Other countries don't have the vaccinations like we do. He is grateful for the scientists of this country. We are fortunate to have this accessibility.

Councilmember Jalali said she hopes they continue to have accessibility. They can make public participation more accessible. We should not leave people behind. A smart return is grounded in equity. She moved the resolution.

7 in favor, none opposed

Resolution is adopted

Adopted

- 13 [SR 21-92](#) Update on Covid-19 vaccinations.

Sponsors: Brendmoen

Lauren Andersen presented to the Council.

Received and Filed

- 14 [RES 21-836](#) Proclaiming Saturday, June 5, 2021 through Saturday, June 12, 2021, to be NeighborWorks Week in the City of Saint Paul.

Sponsors: Thao, Noecker, Yang, Tolbert, Brendmoen and Prince

Councilmember Thao said Jason Peterson is here. NeighborWorks is a great organization. They work in other suburbs, too. Peterson was at every community event. They provide affordable housing, new construction housing, loans, grants. Thao has made referrals to NeighborWorks for people who are having a hard time.

Peterson said this is a celebration of community and a recognition that when neighbors work together, they can build a community that works for everyone. They started with the West Side in 1981. They were known then as West Side Neighborhood Housing Services. Since that first loan, they have grown their mission to support home ownership at every stage. They changed their name several times to finally NeighborWorks Home Partners. They work closely with many communities across Saint Paul. They help over 1,000 families each year, home buyer education, down payment assistance, single family housing development, home repairs, foreclosure prevention. Home ownership is a primary wealth generator. Their goal is to eliminate the racial disparities in home ownership. 2/3 of all families are BIPOC households. This includes rebuilding dilapidated homes. It's about the individuals. (He told several stories of people they helped.)

Council President Brendmoen said they do not have a CDC functioning in the North End. Peterson helped create a program there.

Councilmember Noecker said she is grateful for everything he does for the community.

Councilmember Yang thanked them for their work.

*Thao moved approval.
7 in favor, none opposed
Resolution is adopted*

Adopted

- 15 [RES 21-835](#) Declaring the first Friday in June to be National Gun Violence Awareness Day.

Sponsors: Prince, Noecker, Thao, Yang, Tolbert and Brendmoen

Councilmember Prince said we have a guest today. (She read the key portions of the resolution.) She introduced Dawn Einwalter, board members of Moms Demand Action and Protect Minnesota.

Dawn Einwalter (phonetic) spoke. She encouraged the Council to promote this because this event honors the survivors of gun violence as well as the victims. As they have learned in the past year, there is not only an importance of addressing gun violence, but also comforting people who have been affected by this. Saint Paul has taken steps to address gun violence. People are watching what Saint Paul is doing and looking to them for guidance on this issue. She wants to encourage them.

Prince said she appreciates the work of Moms Demand Action and Protect Minnesota. They had a policy session with Moms Demand Action.

Councilmember Thao said they are thankful for this because gun violence has become an issue. (He spoke about a little girl who was shot in Minneapolis.) Almost every night there are shots fired.

*Prince moved approval.
7 in favor, none opposed
Resolution is adopted*

Adopted

SUSPENSION ITEM

*Councilmember Noecker moved suspension of the rules
7 in favor, none opposed
Rules are suspended*

Rules suspended

[RES 21-852](#)

Affirming the Extension of Declaration of Local Emergency issued June 1, 2021 by Mayor Melvin Carter III.

Sponsors: Brendmoen

Council President Brendmoen said we have 3 days to vote on an emergency order from the Mayor. This is drafted as a 90-day extension. We are not locked into those 90 days.

*Councilmember Yang moved approval.
7 in favor, none opposed
Resolution is adopted*

Adopted

ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at three separate council meetings and becomes effective after passage by the Council and 30 days after publication in the Saint Paul Legal Ledger. Public hearings on ordinances are held at the second reading.

First Reading

- 16** [Ord 21-20](#) Creating Chapter 233A of the Legislative Code to establish certain rights for hospitality workers who have suffered loss of employment due to the Covid-19 pandemic to return to work with their previous employer.

Sponsors: Brendmoen, Yang, Noecker, Thao, Jalali, Prince and Tolbert

Laid over to June 9

- 17** [Ord 21-21](#) Repealing Chapter 193 of the Legislative Code related to Tenant Protections.

Sponsors: Brendmoen, Noecker, Prince, Thao and Tolbert

Rachel Tierney, City Attorney's Office, said the City received a federal lawsuit from a group. They received an order granting that injunction. That suspended the ordinance. They have had several meetings about this.

Council President Brendmoen said they are not happy about it, but they will discuss it.

Councilmember Jalali said she is awaiting the public hearing. She would prefer to let the public hearing proceed. None of this can back down from our responsibility. She has heard from colleagues as a commitment to that. This is deeply important and serious. She wanted to speak to that because the community have poured their heart and soul into having fair housing in the City.

Councilmember Yang asked when does the Council decide when our public hearings are live. Shari Moore (City Clerk) said they take their direction from the Council. Brendmoen said they have had a public hearing when they are required by the law. They will be going back to a full Council schedule in September. We have that available to us.

Tierney said the practice of the Council during the pandemic is to allow testimony on due process rights: building tear downs, license revocation.

Laid over to June 9 for second reading/public hearing

Laid over to June 9

PUBLIC HEARINGS

- 18** [RES PH 21-124](#) Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$16,300 to reflect additional 2021 funding expected from Como Friends.

Sponsors: Jalali

Council President Brendmoen said this item has held a public hearing virtually.

Councilmember Jalali moved approval.

7 in favor, none opposed

Public hearing is closed and the resolution is adopted

Adopted

- 19** [RES PH 21-127](#) Approving the application of Avalon School for a sound level variance in order to present live amplified sound on June 10, 2021 at 525 Pelham Blvd.

Sponsors: Jalali

Council President Brendmoen said this public hearing has been held virtually.

Councilmember Jalali moved to close the public hearing and approve.

7 in favor, none opposed

Public hearing is closed and the resolution is adopted

Adopted

- 20 [RES PH 21-132](#) Approving the application of OSP Events, LLC for a sound level variance in order to present live amplified sound on June 10 and 17, July 8, 15, 22, and 29, August 5, 12, 19, and 26, September 2 and 9, 2021 at 221 Fifth Street East, Mears Park.

Sponsors: Noecker

Council President Brendmoen said this public hearing has been held virtually.

Councilmember Noecker said this is a lot of dates and a lot of fun in Lowertown. It is Lowertown Sound. It is coming back to Lowertown after a hiatus.

7 in favor, none opposed

Public hearing is closed and the resolution is adopted

Adopted

- 21 [Ord 21-17](#) Granting the application of Ali Alfureedy to rezone property at 444 Maryland Ave W from B1 local business district to T2 traditional neighborhood and amending Chapter 60 of the Legislative Code pertaining to the zoning map. (Public Hearing held June 2)

Sponsors: Brendmoen

Council President Brendmoen said the public hearing has been held virtually. She wanted to draw her colleagues' attention to the attachments on this item. She will have some comments to make on this troubled property. A lot of the public comments are grouped in one heading. She moved to close the public hearing.

7 in favor, none opposed

Public hearing is closed and ordinance is laid over to June 9 for final adoption

Laid over to June 9

- 22 [Ord 21-18](#) Granting the application of Stonewood Investments LLC rezone property at 300 Banfil Street/149-155 Dousman Street Rezone from B2 community business to RM2 medium-density multiple-family residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map. (Public Hearing held June 2)

Sponsors: Noecker

Council President Brendmoen said the public hearing was held virtually. Note the attachments.

Councilmember Noecker moved to close the public hearing.

7 in favor none opposed

Public hearing is closed and ordinance is laid over to June 9 for final adoption

Laid over to June 9

LEGISLATIVE HEARING ITEMS:

The Legislative Hearing Officer recommends adoption of the following resolutions, as no objections to these recommendations were received:

- 23** [RLH VBR 21-29](#) Appeal of Shalanda and Nathaniel Mathis to a Vacant Building Registration Notice and Summary Abatement Order at 474 BLAIR AVENUE.
Sponsors: Thao
Adopted
- 25** [RLH VBR 21-30](#) Appeal of Patrick Nguyen to a Vacant Building Registration Renewal Notice at 596 CHARLES AVENUE.
Sponsors: Thao
Adopted
- 27** [RLH TA 20-536](#) Deleting the Appealed Special Tax Assessment for property at 913 EARL STREET. (File No. J2023A, Assessment No. 208539)
Sponsors: Yang
Adopted
- 29** [RLH TA 21-263](#) Amending Council File RLH AR 20-160, adopted February 10, 2021, to ratify the assessment at 942 GALTIER STREET (File No. J2103B, Assessment No. 218102).
Sponsors: Thao
Adopted
- 30** [RLH TA 20-539](#) Deleting the Appealed Special Tax Assessment for property at 987 GERANIUM AVENUE EAST. (File No. J2024A, Assessment No. 208540)
Sponsors: Yang
Adopted
- 31** [RLH VBR 21-28](#) Appeal of Robert Lunieski, Lunieski & Associates, to a Vacant Building Registration Notice at 1204 GRAND AVENUE.
Sponsors: Noecker
Adopted
- 32** [RLH TA 21-222](#) Ratifying the Appealed Special Tax Assessment for property at 62 HATCH AVENUE. (File No. J2116A, Assessment No. 218515)
Sponsors: Brendmoen
Adopted

THOMAS AVENUE. (File No. J2113A1, Assessment No. 218540)

Sponsors: Thao

Adopted

- 43 [RLH VBR 21-27](#) Appeal of Carolina Sanchez to a Vacant Building Registration Fee Warning Letter at 1399 THOMAS AVENUE.

Sponsors: Jalali

Adopted

- 44 [RLH TA 21-253](#) Deleting the Appealed Special Tax Assessment for property at 981 UNIVERSITY AVENUE WEST. (File No. J2007P1, Assessment No. 208408)

Sponsors: Thao

Adopted

- 46 [RLH TA 20-527](#) Deleting the Appealed Special Tax Assessment for property at 970 WESTERN AVENUE NORTH. (File No. J2023A, Assessment No. 208539)

Sponsors: Brendmoen

Adopted

- 47 [RLH AR 20-119](#) Ratifying the assessments for Securing and/or Emergency Boarding services during April 2020. (File No. J2012B, Assessment No. 208111)

Sponsors: Brendmoen

Adopted

- 48 [RLH AR 20-120](#) Ratifying the assessments for Securing and/or Emergency Boarding services during July 2019 at 589 FIFTH STREET EAST. (File No. J2003B1, Assessment No. 208112)

Sponsors: Brendmoen

Adopted

- 49 [RLH AR 20-121](#) Ratifying the assessments for Dangerous Tree(s) Removal services during April 2020. (File No. 2007T, Assessment No. 209006)

Sponsors: Brendmoen

Adopted

- 52 [RLH AR 21-43](#) Ratifying the assessments for Property Clean Up services during January 5 to 14, 2021. (File No. J2115A, Assessment No. 218514)

Sponsors: Brendmoen

Adopted

- 53 [RLH AR 21-44](#) Ratifying the assessments for Property Clean Up services during January 12 to 29, 2021. (File No. J2116A, Assessment No. 218515)

Sponsors: Brendmoen

Adopted

For the following items, no objection to the Legislative Hearing Officer's amended recommendation was received, and therefore, she recommends amendment and adoption:

- 36 [RLH TA 20-535](#) Ratifying the Appealed Special Tax Assessment for property at 578 LAFOND AVENUE. (File No. J2023A, Assessment No. 208539)

Sponsors: Thao

Adopted as amended (amend and reduce assessment)

- 38 [RLH TA 20-530](#) Ratifying the Appealed Special Tax Assessment for property at 95 LITCHFIELD STREET. (File No. J2023A, Assessment No. 208539)

Sponsors: Thao

Adopted as amended (delete for separate consideration)

- 50 [RLH AR 20-123](#) Ratifying the assessments for Property Clean Up services during April 30 to May 13, 2020. (File No. J2023A, Assessment No. 208539)

Sponsors: Brendmoen

Adopted as amended (refer 1211 Randolph Ave to June 22, 2021 Legislative Hearing)

- 51 [RLH AR 20-124](#) Ratifying the assessments for Property Clean Up services during May 15 to 28, 2020. (File No. J2024A, Assessment No. 208540)

Sponsors: Brendmoen

Adopted as amended (refer 205 Goodrich Avenue to Legislative Hearing June 22, 2021)

The Legislative Hearing Office recommends to continue the public hearings to the dates listed:

- 24 [RLH TA 21-206](#) Ratifying the Appealed Special Tax Assessment for property at 750 BLAIR AVENUE. (File No. J2116A, Assessment No. 218515) (Public hearing continued to October 13, 2021)

Sponsors: Thao

Continue to Public hearing on October 13

- 45 [RLH TA 21-176](#) Ratifying the Appealed Special Tax Assessment for property at 553 VAN BUREN AVENUE. (File No. J2017A1, Assessment No. 208554) (Public Hearing continued to October 6, 2021)

Sponsors: Thao

Continue to Public hearing on October 6

For the following item, the Legislative Hearing Officer's recommendation is to refer to Legislative Hearing to the dates listed:

- 26 [RLH SAO 21-40](#) Appeal of Bob Marley, Jr. to a Summary Abatement Order, Vehicle Abatement Order, and Correction Notice at 1450 DALE STREET NORTH. (To refer back to June 22, 2021 Legislative Hearing)

Sponsors: Brendmoen

Refer to Legislative hearing on June 22.

For the following item, the Legislative Hearing Officer's recommendation is contested and additional testimony from the appellant is in the record:

- 28 [RLH SAO 20-40](#) Making finding on the appealed nuisance abatement ordered for 2233 ENERGY PARK DRIVE in Council File RLH SAO 20-24. (continued from May 26)

Sponsors: Jalali

Marcia Moermond, Legislative Hearing Officer, said this is a situation where they are following up on a previous order issued and decided on. February 3, 2020, Summary Abatement Order was issued to remove boulders from the public right of way. They are in several locations. (She showed pictures.) They constitute a nuisance condition. The Council heard this case in January of 2021. They went back and forth with it for a while. The crux was the owner was arguing that the boulders did not constitute a nuisance and were serving another purpose there. That becomes a discussion with Public Works. The Council found it was a nuisance and the boulders should be removed by May 1. Moermond followed up to see if they had been removed. They had not been. The owners repeated the arguments: the importance of having them present. Without them being allowed in the right-of-way, it is a nuisance. Her recommendation is to authorize to remove them after June 30. To grant the month of June to the owner to remove them.

Councilmember Jalali asked is there a reason for the boulders being there. Moermond said the best resource is the owner's own argument. Vehicles driving over the grass that was planted in that area. The boulevard grass was being granted. She also heard a bit about the layout of the road, that it was poorly done, Ramsey County's Public Works engineering was not good, and the layout was improved by the boulders in the right-of-way. Public Works had a different opinion on that. There were arguments that

the owner believed the boulders presented safety for pedestrians, and people were less likely to hit a pedestrian. Public Works analyzed those.

Jalali said this is a county road and there is a City right-of-way. Moermond said this is a county road and the City right-of-way is between the curb and the sidewalk. The owner is responsibility of the sidewalk and you do own it, but the City has a right to have the public pass through it, power line through it. In this case, boulders can't go in it. This would be in the code that you couldn't have in there.

Councilmember Thao said the ordinance is clear. Has someone asked if they need help moving them? Moermond responded this is one of the largest property owners in Saint Paul. They have the resources to handle this situation.

*Jalali said her staff has reached out and been out their multiple times. She appreciates the time. The additional time gave staff a chance to engage. Public Works put in effort to this issue. The property owners have pointed to things like pedestrians and passengers have been traveling on the road. This is not a regular road: it is coming off 280. There is a general public policy. Citizens reach out to her. There is a gas station right there. This is also her old neighborhood. There are challenges that we continue to address. She moved approval.
7 in favor, none opposed*

Public hearing is closed and resolution is adopted

Adopted

ADJOURNMENT

Meeting adjourned at 5:00 p.m.

In-person meetings, or meetings conducted under Minn. Stat. § 13D.02 of the City Council, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the City Council will participate in City Council meetings by telephone or other electronic means.

Public attendance at the City Council's regular meeting location is not feasible due to the COVID-19 health pandemic. Members of the public may view City Council meetings online at stpaul.legistar.com/Calendar.aspx or on local cable Channel 18.

The public may comment on public hearing items in writing or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the meeting will be attached to the public record and available for review by the City Council. Comments may be submitted as follows:

Written public comment on public hearing items can be submitted to Contact-Council@ci.stpaul.mn.us, CouncilHearing@ci.stpaul.mn.us, or by voicemail at 651-266-6805.

While the Council will make best efforts to decide all issues before them, the Council may delay decisions on certain matters where the members believe meeting in-person is necessary. More information is available at www.stpaul.gov/departments/city-council

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