



City of Saint Paul

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

Meeting Minutes - Action Only

City Council

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

Wednesday, October 5, 2022

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:32 PM

Present 6 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert, Councilmember Jane L. Prince, Councilmember Mitra Jalali, Councilmember Nelsie Yang and Councilmember Russel Balenger

Absent 1 - Councilmember Rebecca Noecker

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 22-52](#) Amending the 2022 spending budget for the Office of Neighborhood Safety in the City Attorney's Office.
- Received and Filed**

CONSENT AGENDA

Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

Approval of the Consent Agenda

Councilmember Jalali moved approval.

Consent Agenda adopted as amended

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 2 [RES 22-1262](#) Waiving the 45-day notice requirement to approve a Liquor Outdoor Service Area (Sidewalk) license with existing Liquor On Sale - 100 seats or less and

Liquor On Sale - Sunday licenses held by Hogan Bard LLC d/b/a Emerald Lounge (License ID # 20210000674) for the premises located at 455 7th Street West in Saint Paul.

Adopted

- 3 [RES 22-1433](#) Approving the City's cost of providing Collection of Vacant Building Registration fees billed during January 10 to June 20, 2022, and setting date of Legislative Hearing for November 1, 2022 and City Council public hearing for January 25, 2023 to consider and levy the assessments against individual properties. (File No. VB2302, Assessment No. 238801)

Adopted

- 4 [RES 22-1434](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during July 2022, and setting date of Legislative Hearing for November 1, 2022 and City Council public hearing for January 25, 2023 to consider and levy the assessments against individual properties. (File No. J2302B, Assessment No. 238101)

Adopted

- 5 [RES 22-1435](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during August 6, 2021 to June 20, 2022, and setting date of Legislative Hearing for November 1, 2022 and City Council public hearing for January 25, 2023 to consider and levy the assessments against individual properties. (File No. CRT2302, Assessment No. 238201)

Adopted

- 6 [RES 22-1436](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during May 23 to June 21, 2022, and setting date of Legislative Hearing for November 1, 2022 and City Council public hearing for January 25, 2023 to consider and levy the assessments against individual properties. (File No. J2302E, Assessment No. 238301)

Adopted

- 7 [RES 22-1437](#) Approving the City's cost of providing Graffiti Removal services during June 23 to August 10, 2022, and setting date of Legislative Hearing for November 1, 2022 and City Council public hearing for January 25, 2023 to consider and levy the assessments against individual properties. (File No. J2301P, Assessment No. 238400)

Adopted

- 8 [RES 22-1475](#) Authorizing the Department of Parks and Recreation to accept a gift of travel and lodging from the Cities for Financial Empowerment fund for two staff to attend the Summer Jobs Connect annual convening in Denver, Colorado.

Adopted

- 9 [RES 22-1519](#) Authorizing the Department of Parks and Recreation, Como Park Zoo and Conservatory, to accept funding from Polar Bears International to be used for hotel and travel costs for Senior Zookeeper to facilitate at PBI Climate Alliance 2022 Summit; 3 October - 10 October 2022 in Churchill, Manitoba, Canada.

Adopted

- 10 [RES 22-1521](#) Authorizing the Office of Neighborhood Safety to expend up to \$25,000.00 on wraparound supports for individuals and families in crisis and in need of emergency assistance.

Adopted

- 11 [RES 22-1525](#) Setting the date of Public Hearing for November 2, 2022 for 2023 Sanitary Sewer Rates and 2023 Storm Sewer System Charges.

Adopted

- 12 [RES 22-1532](#) Authorizing the Department of Parks and Recreation to add organizations to the List of Eligible Recipients for Charitable Gambling funds for 2022.

Adopted

- 13 [RES 22-1534](#) Approval to apply for Department of Employment and Economic Development ("DEED") funds in the amount of \$500,000 and authorization to enter into an agreement with the State of MN, which includes an indemnification clause, for Phase II of the Chinese Garden project.

Adopted

- 14 [RES 22-1545](#) Waiving the 45-day notice requirement to issue a Wine On Sale and Malt On Sale (Strong) License to Cook St. Paul LLC d/b/a Cook St. Paul (License ID # 20220001432) for the premises located at 1124 Payne Avenue.

Adopted

- 15 [RES 22-1550](#) Approving the use of grant fund through the Neighborhood STAR Year-Round Program for Our Redeemer in partnership with Loaves and Fishes.

Adopted

- 16 [RES 22-1551](#) Approving an Auto Repair Garage and Second Hand Dealer - Motor Vehicle Parts license to Fredy Auto Repair LLC d/b/a Fredy Auto Repair (License ID #20220000743) for the premises located at 601 Rice Street.

Adopted

- 17 [RES 22-1552](#) Suspending the Auto Repair Garage License held by Dukes Cars and Towing LLC d/b/a Dukes Car and Towing at 977 Front Avenue, for non-payment of the matrix penalty and costs imposed under RES PH 22-193. (to be withdrawn)

Withdrawn

- 18 [RES 22-1554](#) Authorizing the Department of Parks and Recreation to enter into Lease Agreement between the City and Como Friends for portions of the Como Park Zoo and Conservatory Gift Shop.

Adopted

- 19 [RES 22-1454](#) Establishing the rate of pay for the new classifications of Human Rights Investigator I and II in Employee Group 06, PEA.

Adopted

FOR DISCUSSION

- 20 [RES 22-851](#) Authorizing the conveyance of thirty-eight City-owned properties to the St. Paul Public School District.

Bruce Englebrekt, Real Estate Manager for the Office of Financial Services, gave a staff report.

Councilmember Tolbert moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 21 [RES 22-1555](#) Recognizing the second Monday in October as Indigenous Peoples Day.

Councilmember Prince spoke in support and read from the resolution.

Strong Buffalo thanked Council and spoke in support.

John Bobolink thanked Council and spoke in support.

Prince moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 22** [RES 22-1558](#) Honoring the legacy of lifelong Saint Paul resident Barbara Satin upon her retirement.

Councilmember Prince spoke in support, read from the resolution, and moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

PUBLIC HEARINGS

Live testimony is limited to two minutes for each person. See below for optional ways to testify.

- 23** [ABZA 22-2](#) Considering the appeal of Friends of Pigs Eye Lake Park - Tom Dimond to a decision by the Board of Zoning Appeals denying a request to issue a Stop Work Order on the Pigs Eye Lake Island Building Project, a project regulated and permitted by the Department of Natural Resources. (public hearing closed, laid over from November 2, 2022)

Andrew Hogg, Water Resource Coordinator for the Department of Safety and Inspections, gave a staff report.

Councilmember Prince asked about the ordinary high water level.

Dan Scollen, East Metro Area Hydrologist for the Minnesota Department of Natural Resources, spoke to Prince's question.

Prince asked about the need for local permits.

Scollen spoke to Prince's question.

Tom Dimond presented public testimony.

Kiki Sonnen presented public testimony.

Prince moved to close the public hearing. Approved 7-0. Public hearing closed.

Councilmember Tolbert asked staff about the underlying issue.

Hogg addressed Tolbert's question.

Councilmember Yang asked what would happen if Council sided with the appellant.

Hogg deferred to the City Attorney's office.

Prince moved a two-week layover.

Public hearing closed and laid over to October 19, 2022

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 24** [RES PH 22-241](#) Ratifying the assessment for the Prior Avenue from University to St. Anthony paving and lighting project constructed as part of the 2022 St. Paul Streets Program (SPS). (File No. 19239, Assessment No. 225201)

Councilmember Jalali moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 25** [RES PH 22-247](#) Ratifying the assessments for benefits, costs, and expenses for the Grand/Snelling parking lot operation and maintenance costs for 2023. (File No. 18746-22, Assessment No. 227202)

Councilmember Tolbert moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 26** [RES PH 22-249](#) Ratifying the assessment for benefits, costs and expenses for the Seventh Place Mall operation and maintenance costs for 2021. File No. 18428-22, Assessment No. 227200.

Councilmember Yang moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 27** [RES PH 22-291](#) Amending the 2022 financing and spending budgets in the Department of Public Works Department, Sewer Utility for the Private Sewer Connection Program.

Councilmember Balenger moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 28** [RES PH 22-292](#) Approving adverse action against the Tobacco License held by Northern Tier Retail LLC d/b/a Speedway #4023 ("Licensee") (License ID# 20100004236) at 577 Smith Avenue.

Therese Skarda, City Attorney's Office, gave a staff report.

Jesse Sinadinos presented public testimony with steps the business has taken since the violation.

Council President Brendmoen moved approval.

Councilmember Yang spoke in support and thanked the testifier for speaking.

Councilmember Jalali spoke in support.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 29** [RES PH 22-293](#) Authorizing the Department of Public Works Asphalt Plant to amend the spending and financing budget for the professional evaluation, consultation,

and redesign of the sediment pond for future operation.

Council President Brendmoen moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 30** [RES PH 22-294](#) Approving the application of Twin Cities Mobile Jazz Project for a sound level variance in order to present live amplified sound on October 11, 2022 at 205 7th St W. - rear parking lot.

Councilmember Balenger moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 31** [RES PH 22-298](#) Authorizing the Police Department to accept and amend the 2022 Special Fund Budget for the State of Minnesota, Department of Public Safety, Office of Justice Programs, submitted for the 2022 American Rescue Plan Act Innovation in Community Safety Program (ARPIC) grant.

Councilmember Tolbert moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 32** [RES PH 22-300](#) Authorizing the Police Department to accept and amend the 2022 Special Fund Budget for the State of Minnesota, Department of Public Safety, Office of Traffic Safety (OTS) DWI/Traffic Safety Officer program grant.

Councilmember Prince moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 33** [RES PH 22-303](#) Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$1,171,450 to reflect additional 2022 funding expected from Como Friends.

Councilmember Jalali moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

LEGISLATIVE HEARING ITEM TO BE RECONSIDERED

- 34** [RLH TA 22-316](#) Ratifying the Appealed Special Tax Assessment for property at 874 MARION STREET. (File No. J2231A, Assessment No. 228538)

Assessment reduced to \$291 and made payable over the course of five years.

Also in attendance: Niko Lee, property owner.

Marcia Moermond, Legislative Hearing Officer: This is for an assessment to clean up a property. The cleanup was ordered on April 13, 2022, with a deadline by April 21. The actual recheck occurred on two dates, on April 26th and 29th, and cleanup occurred on May 3. Cost totaled to \$582. In the Legislative Hearings, the property owner said he did not receive notice, however the city did not have any returned mail for either the mail they sent to the property owner by name or to the resident. The owner claimed he was out of the country and has a relative looking in on the property.

Moermond then showed video from the Department of Safety and Inspections (DSI) both before and after the cleanup.

Moermond: During the hearing, financial issues came up. That, combined with the good caretaking of the property, I recommend that the assessment be reduced to \$291 and made payable over five years. I understand he will be looking for a further reduction to that.

Council President Brendmoen: I appreciate that care was taken to not disturb items that were not to be cleaned up. I also find the recommendation to halve the assessment to be very generous. The work was done, and the rest of our taxpayers pay the bill if we don't assess it to the property.

Moermond: *This is an unusual recommendation coming from me.*

Lee: *I never received any notice of a cleanup order. I have also had medical issues. My house sitter unfortunately did not take care of the place while I was gone. I cannot afford this expense. I am struggling to pay my mortgage and medical payments.*

Brendmoen: *To clarify, you would like the assessment reduced further?*

Lee: *Yes.*

Balenger: *I'm sorry this is such a hardship on Mr. Lee, but I do find the recommendation to be generous and fair. I move approval of the recommendation.*

Brendmoen: *This would be collectible on the property tax statement, correct?*

Moermond: *Yes. The property taxes are current. The \$58 would be billed in halves so it would come forward as two payments of \$29 each year.*

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

LEGISLATIVE HEARING DISCUSSION ITEM

- 36** [RLH OA 22-9](#) Making recommendation to Ramsey County on the application of Jeffery William Guertin for repurchase of tax forfeited property at 824 COMO AVENUE.

Council recommends to Ramsey County that the property be allowed for repurchase.

Marcia Moermond, Legislative Hearing Officer: It is our practice based on Ramsey County code, that after a tax forfeiture, when the county receives an application for repurchase from the former owner, the county sends a letter to the city asking for evaluation on whether the property is a municipal problem. To do this we look back over five years at code enforcement actions, police incidents, and come to a finding. The Council then can recommend to the county that the property be repurchased, recommend that it be repurchased with conditions, not make any recommendation, or recommend that a repurchase be denied. For this property the recommendation is to allow for the property's repurchase. The review was done without considering the reason for applying for a repurchase. The reason why is public information, but it has been redacted from the record. Looking at city records without this information, we can do our best with myself and the Department of Safety and Inspections working together.

Council President Brendmoen: I wanted to discuss this for two reasons. First, I wanted to draw attention to this and ask for an update from Ramsey County on changes to their tax forfeiture program. I think that some of their changes are about taking a more human approach and I appreciate that. There is an issue of missing information, though, when the information is both public and redacted. In this case, I am supportive

of recommending to Ramsey County that this property be repurchased. This property is also a business that doubles as the person's livelihood and the person is struggling. There is some slow progress on a business renovation. I would like to add to this recommendation somehow that if we don't get this person some kind of support, this is going to happen again in 5 years. We need to do more than just allow a repurchase without providing a support.

Brendmoen moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

LEGISLATIVE HEARING CONSENT AGENDA

Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda

Councilmember Yang moved approval.

Legislative Hearing Consent Agenda adopted as amended

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 1 - Councilmember Noecker

- 35** [RLH OA 22-8](#) Making recommendation to Ramsey County on the application of Aretta-Rie Johnson, Resurrection Temple Church, for repurchase of tax forfeited property at 0 ATWATER STREET, Parcel ID 302922330239.
- Adopted**
- 37** [RLH TA 22-110](#) Ratifying the Appealed Special Tax Assessment for property at 113 COOK AVENUE WEST. (File No. J2208E, Assessment No. 228307) (Public hearing continued to October 5, 2022)
- Adopted as amended (assessment deleted)**
- 38** [RLH RR 22-42](#) Ordering the rehabilitation or razing and removal of the structures at 1803 IVY AVENUE EAST within fifteen (15) days after the August 10, 2022, City Council Public Hearing. (Amend to grant 180 days)
- Adopted as amended (granted 180 days)**

- 39 [RLH TA 22-59](#) Ratifying the Appealed Special Tax Assessment for property at 1577 MARION STREET. (File No. J2206E, Assessment No. 228305) (Public hearing continued to October 5, 2022)

Adopted as amended (assessment ratified)

- 40 [RLH RR 22-24](#) Ordering the rehabilitation or razing and removal of the structures at 1457 THIRD STREET EAST within fifteen (15) days after the June 8, 2022, City Council Public Hearing. (Amend to grant 180 days)

Adopted as amended (granted 180 days)

ADJOURNMENT

Meeting ended at 4:54 PM

City Council meetings are open for in person attendance, but the public may also 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:

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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. Live testimony will be taken in person in the Council Chambers, and by telephone by registering to speak by noon on the day before the meeting. The registration link is located on the City Council website at www.stpaul.gov/council or <https://forms.office.com/g/TD3xN7WHy5>.

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