



# 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*

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Wednesday, November 16, 2022

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

Meeting started at 3:32 PM

**Present** 6 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert,  
Councilmember Rebecca Noecker, Councilmember Jane L. Prince,  
Councilmember Mitra Jalali and Councilmember Russel Balenger

**Absent** 1 - Councilmember Nelsie Yang

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 22-66](#) Authorizing the Department of Parks and Recreation to reallocate \$100,000 within its various accounting units in the 2022 adopted budget to most accurately reflect the projected actual spending in each accounting unit and provide the appropriate levels of spending authority.

Received and Filed

- 2 [AO 22-70](#) Amending CDBG Project Budgets: funding for 541 Ohio (FoxFace).

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

*Council President Brendmoen stated that Items 3 and 12 would be taken separately.*

*Councilmember Noecker moved approval.*

**Consent Agenda adopted as amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Yang

- 4     [RES 22-1698](#)     Approving the City's cost of providing Property Clean Up services during September 1 to 13, 2022, and setting date of Legislative Hearing for December 20, 2022 and City Council public hearing for February 15, 2023 to consider and levy the assessments against individual properties. (File No. J2307A, Assessment No. 238506)  
**Adopted**
- 5     [RES 22-1699](#)     Approving the City's cost of providing Property Clean Up services during September 14 to 29, 2022, and setting date of Legislative Hearing for December 20, 2022 and City Council public hearing for February 15, 2023 to consider and levy the assessments against individual properties. (File No. J2308A, Assessment No. 238507)  
**Adopted**
- 6     [RES 22-1746](#)     Approving assignment and assumption of City and HRA loans to the HRA for the Selby Commons and Wilkins Townhomes Projects (District 8, Ward 1).  
**Adopted**
- 7     [RES 22-1747](#)     Approving an Auto Repair Garage license to Automate Car Repair LLC (License ID #20220001440) for the premises located at 991 Front Avenue.  
**Adopted**
- 8     [RES 22-1750](#)     Authorizing the City to enter into a Joint Powers Agreement with the State Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's Criminal Justice Data Communications Network.  
**Adopted**
- 9     [RES 22-1751](#)     Suspending the Tobacco License held by Holiday Station Stores LLC at 500 7th Street, for non-payment of the fine imposed under RES 22-1492.  
**Adopted**
- 10    [RES 22-1752](#)     Authorizing carryforward of unused private activity bond volume cap.  
**Adopted**
- 11    [RES 22-1765](#)     Waiving the 45-day notice requirement to issue a Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) License to Masooda Enterprises Inc. d/b/a Bar Cart Lounge and Restaurant (License ID # 20220001568) for the premises located at 1571 Grand Avenue.

**Adopted**

- 13     [RES 22-1769](#)     Authorizing the transfer of \$1,260,214 in CDBG funds and \$439,786 in CDBG-CV funds to a specific account for COVID-related spending activities related to the Keystone Community Food Center, District 13, Ward 4

**Adopted**

- 14     [RES 22-1713](#)     Approving the Memorandum of Agreement between the City and Manual and Maintenance Supervisors Association in order to provide on-call pay for MMSA employees in the Saint Paul Regional Water Services (SPRWS) Distribution Division.

**Adopted**

- 15     [RES 22-1726](#)     Approving the Memorandum of Agreement between the City and Manual and Maintenance Supervisors Association in order to establish a one year pilot program in Public Works Street Maintenance division for Public Works Supervisor II and IIIs to volunteer to be placed on the oncall schedule.

**Adopted****ROLL CALL**

**Present**   7 -   Councilmember Amy Brendmoen, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali, Councilmember Nelsie Yang and Councilmember Russel Balenger

**FOR DISCUSSION**

- 16     [RES 22-1768](#)     Approving the appointment of Axel Henry as Chief of Police.

*Mayor Melvin Carter gave introductory remarks.*

*Council President moved approval of Version 2, making technical changes.*

*Motion approved 7-0.*

*Axel Henry was sworn in and gave remarks.*

*Councilmember Noecker spoke in support.*

*Councilmember Tolbert spoke in support.*

*Councilmember Prince spoke in support.*

*Councilmember Jalali spoke in support.*

*Councilmember Yang spoke in support.*

*Councilmember Balenger spoke in support.*

*Council President Brendmoen spoke in support.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

**3**      [RES 22-1594](#)

Authorizing the City to transfer \$4,650,000 of American Rescue Plan funds to specific accounts for Family and Businesses support investments.

*Laura Logsdon, Office of Financial Services, gave an overall staff report.*

*Muneer Karcher-Ramos, Office of Financial Empowerment, gave a presentation on allocations to the Locally Owned Cooperative Assistance Loan (LOCAL) Fund and answered councilmember questions.*

*Mary Rick, Department of Planning and Economic Development, gave a presentation on allocations to the Creative Economies Program and answered councilmember questions.*

*Kurt Schultz, Department of Planning and Economic Development, gave a presentation on allocations to Healthy Homes Saint Paul and answered councilmember questions.*

*Angie Wiese, Department of Safety and Inspections, gave a presentation on allocations for Sewer Availability Charge (SAC) Financial Assistance and answered councilmember questions.*

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

**12**      [RES 22-1767](#)

Authorizing the City to make budget neutral technical amendments to American Rescue Plan funds in specific projects and accounts to align with actual spending and in correct revenue accounts.

*Laura Logsdon, Office of Financial Services, gave a staff report.*

*Councilmember Tolbert moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

- 17 [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)
- Council President Brendmoen moved to deny the appeal.*
- Councilmember Prince spoke in favor of the appeal, against Brendmoen's motion.*
- Councilmember Jalali spoke against the appeal, in favor of Brendmoen's motion.*
- Prince offered additional remarks.*
- Jalali offered additional remarks.*
- Motion of intent, appeal denied**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 1 - Councilmember Prince

#### **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 Pioneer Press. Public hearings on ordinances are generally held at the first reading.

#### **PUBLIC HEARINGS**

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

- 18 [Ord 22-50](#) Granting the application of Selby Commons Limited Partnership to rezone the property at 909 Selby Avenue / 180 Milton Street & 912 Selby Avenue, from B3 general business & VP vehicular parking to T2 traditional neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Councilmember Balenger moved approval.*
- Laid over to December 7, 2022 for Final Adoption**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 19 [ABZA 22-4](#) Considering the appeal of Amy & Kurt Atkinson to a decision of the Board of Zoning Appeals denying zoning variances to create a new lot that would be suitable for a new single-family dwelling at 1841 Lincoln Avenue. (Public hearing closed and laid over from November 16, 2022)

*David Eide, Department of Safety and Inspections, gave a staff report.*

*Amy and Kurt Atkinson, appellants, spoke in favor of the appeal.*

*Council President Brendmoen thanked the testifiers for their patience through the process.*

*Councilmember Tolbert asked the appellants where they believed the Board of Zoning appeals erred.*

*Amy and Kurt Atkinson addressed Tolbert's question.*

*Councilmember Jalali asked about clarification on the lot size.*

*Kurt Atkins addressed Jalali's question.*

*Jalali offered additional comments.*

*Phil Goldberg, neighbor, spoke during the public hearing.*

*Tolbert moved to close the public hearing and lay over to December 7, 2022, and welcomed the public to submit written comments prior to that meeting.*

*Councilmember Noecker asked about zoning clarification.*

*Eide addressed Noecker's question.*

**Public hearing closed and laid over to December 7, 2022**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

**20      [RES PH 22-307](#)**

Ratifying the reassessment for the Ford Site 429 Improvement Project. (File No. 19246B, Assessment No. 225206)

*Councilmember Tolbert moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

**21      [RES PH 22-339](#)**

Amending the CDBG general ledger budget to reflect the receipt of an additional \$3,903,983.75 in prior year CDBG Program Income and amend the CDBG activity budget to reflect the HUD undesignated balance.

*Councilmember Yang moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

- 23**     [RES PH 22-352](#)     Giving host approval to the issuance by the City of Mounds View of conduit Multifamily Housing Revenue Bonds on behalf of Vitas, approving a Joint Powers Agreement and Bond Compliance and Fee Agreement and authorizing the execution of documents relating thereto, all for the Sherman Forbes Project, at 310 7th Street West (District 9, Ward 2).

*Marge Norquist, City of Mounds View, gave a staff report.*

*Councilmember Noecker spoke in support and moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

- 22**     [RES PH 22-347](#)     Authorizing an increase in the Parks and Recreation Grant Fund Budget in the amount of \$10,000 to reflect the funding awarded from the Capital Region Watershed District for Marydale Park/Loeb Lake shoreland enhancement activities grant.

*Council President Brendmoen moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

- 24**     [RES PH 22-354](#)     Accepting and allocating a McKnight Foundation Climate and Energy Program Grant of \$150,000.

*Councilmember Jalali moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

**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:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

**Nay:** 0

- 25**     [RLH TA 22-400](#)     Deleting the Appealed Special Tax Assessment for property at 1621 ARCADE STREET. (File No. CG2203A1, Assessment No. 220109)  
**Adopted**
- 26**     [RLH TA 22-357](#)     Ratifying the Appealed Special Tax Assessment for property at 1233 ARKWRIGHT STREET. (File No. CG2203A1, Assessment No. 220109)  
**Adopted**
- 27**     [RLH TA 22-342](#)     Ratifying the Appealed Special Tax Assessment for property at 1933 BERKELEY AVENUE. (File No. CG2203A1, Assessment No. 220109)  
**Adopted**
- 28**     [RLH TA 22-375](#)     Deleting the Appealed Special Tax Assessment for property at 1198 BURR STREET. (File No. CG2203A2, Assessment No. 220110)  
**Adopted**
- 29**     [RLH TA 22-384](#)     Ratifying the Appealed Special Tax Assessment for property at 779 CORTLAND PLACE. (File No. CG2203A3, Assessment No. 220111 )  
**Adopted**
- 30**     [RLH TA 22-402](#)     Deleting the Appealed Special Tax Assessment for property at 956 DUCHESS STREET. (File No. CG2203A2, Assessment No. 220110)  
**Adopted**
- 31**     [RLH SAO 22-38](#)     Making finding on the appealed nuisance abatement ordered for 139 DUNLAP STREET NORTH in Council File RLH SAO 22-33.  
**Adopted**
- 32**     [RLH TA 22-372](#)     Ratifying the Appealed Special Tax Assessment for property at 1019 EDGERTON STREET. (File No. CG2203A2, Assessment No. 220110)

**Adopted**

- 33     [RLH TA 22-351](#)     Deleting the Appealed Special Tax Assessment for property at 741 FLANDRAU STREET. (File No. CG2203A2, Assessment No. 220110)
- Adopted**
- 34     [RLH TA 22-413](#)     Amending the previously ratified assessment to reduce the assessment for Collection of Fire Certificate of Occupancy fees billed during February 28 to April 23, 2022 2100 FORD PARKWAY. (File No. CRT2210, Assessment No. 228211)
- Adopted**
- 35     [RLH VBR 22-48](#)     Appeal of Elizabeth Klimmek (Sibet), representing Sibet Renovations LLC, to a Vacant Building Registration Notice at 227 FULLER AVENUE.
- Adopted**
- 36     [RLH TA 22-348](#)     Ratifying the Appealed Special Tax Assessment for property at 205 GEORGE STREET WEST. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 37     [RLH TA 22-383](#)     Ratifying the Appealed Special Tax Assessment for property at 783 HAGUE AVENUE. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 38     [RLH TA 22-373](#)     Ratifying the Appealed Special Tax Assessment for property at 775 HAWTHORNE AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 39     [RLH TA 22-343](#)     Ratifying the Appealed Special Tax Assessment for property at 473 HOWELL STREET SOUTH. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 40     [RLH TA 22-350](#)     Deleting the Appealed Special Tax Assessment for property at 690 HOYT AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 41     [RLH RR 22-60](#)     Making finding on the appealed substantial abatement ordered for 975 HUDSON ROAD in Council File RLH RR 22-18.
- Adopted as amended (granted 180 days)**
- 42     [RLH TA 22-341](#)     Ratifying the Appealed Special Tax Assessment for property at 1016 IGLEHART AVENUE. (File No. CG2202A3-1, Assessment No. 220112)
- Adopted**

- 43     [RLH TA 22-401](#)     Ratifying the Appealed Special Tax Assessment for property at 1016 IGLEHART AVENUE. (File No. CG2203A3, Assessment No. 220111)  
**Adopted**
- 44     [RLH TA 22-359](#)     Deleting the Appealed Special Tax Assessment for property at 732 JENKS AVENUE. (File No. CG2203A2, Assessment No. 220110)  
**Adopted**
- 45     [RLH TA 22-374](#)     Ratifying the Appealed Special Tax Assessment for property at 615 LAWSON AVENUE EAST. (File No. CG2203A2, Assessment No. 220110)  
**Adopted**
- 46     [RLH CO 22-12](#)     Amending Council File RLH CO 22-5, adopted June 22, 2022, to grant Frances Carr, an additional extension to a Correction Notice at 1384 MARGARET STREET.  
  
**Adopted**
- 47     [RLH TA 22-378](#)     Ratifying the Appealed Special Tax Assessment for property at 833 MARSHALL AVENUE. (File No. CG2203A3, Assessment No. 220111)  
**Adopted**
- 48     [RLH TA 22-376](#)     Ratifying the Appealed Special Tax Assessment for property at 75 MARYLAND AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)  
**Adopted**
- 49     [RLH TA 22-379](#)     Ratifying the Appealed Special Tax Assessment for property at 679 MARYLAND AVENUE EAST. (File No. CG2203A1, Assessment No. 220109)  
**Adopted**
- 50     [RLH TA 22-347](#)     Deleting the Appealed Special Tax Assessment for property at 984 MILTON STREET NORTH. (File No. CG2203A2, Assessment No. 220110)  
**Adopted**
- 51     [RLH VO 22-32](#)     Appeal of Jarett Harmon to a Reinspection Fire Certificate of Occupancy With Deficiencies (which includes condemnation) at 548 MINNEHAHA AVENUE EAST.  
**Adopted**
- 52     [RLH VBR 22-55](#)     Appeal of Desta Foghe, Longano Housing LLC, to a Vacant Building Registration Renewal Notice at 373 NEBRASKA AVENUE WEST.  
**Adopted**
- 53     [RLH TA 22-387](#)     Deleting the Appealed Special Tax Assessment for property at 461 OSCEOLA AVENUE SOUTH. (File No. CG2203A1, Assessment No. 220109)

**Adopted**

- 54     [RLH FCO 22-108](#)     Appeal of Alena Carl, Southern Minnesota Regional Legal Services, on behalf of Tanisha McCloud to a Fire Certificate of Occupancy Correction Notice at 1548 REANEY AVENUE #2.
- Adopted**
- 55     [RLH TA 22-360](#)     Ratifying the Appealed Special Tax Assessment for property at 2079 REANEY AVENUE. (File No. CG2203A2, Assessment No. 220110)
- Adopted**
- 56     [RLH RSA 22-7](#)     Appeal of Amleset Workneh to a Rent Stabilization Determination at 1461 SAINT PAUL AVENUE, #12
- Adopted**
- 57     [RLH TA 22-358](#)     Ratifying the Appealed Special Tax Assessment for property at 778 SIXTH STREET EAST. (File No. CG2203A3, Assessment No. 220111)
- Adopted**
- 58     [RLH TA 22-346](#)     Deleting the Appealed Special Tax Assessment for property at 750 STEWART AVENUE. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 59     [RLH TA 22-349](#)     Deleting the Appealed Special Tax Assessment for property at 1081 THOMAS AVENUE. (File No. CG2203A3, Assessment No. 220111)
- Adopted**
- 60     [RLH TA 22-408](#)     Deleting the Appealed Special Tax Assessment for property at 1315 WESTMINSTER STREET. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 61     [RLH TA 22-409](#)     Amending Council File RLH AR 22-66 to delete the assessment for Collection of Delinquent Garbage Bills for services during January to March 2022 at 1315 WESTMINSTER STREET. (File No. CG2202A1, Assessment No. 220105)
- Adopted**
- 62     [RLH AR 22-94](#)     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2022. (File No. CG2203A1, Assessment No. 220109)
- Adopted**
- 63     [RLH AR 22-95](#)     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2022. (File No.

CG2203A2, Assessment No. 220110)

**Adopted**

- 64**     [RLH AR 22-96](#)     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2022. (File No. CG2203A3, Assessment No. 220111)
- Adopted as amended (delete 802 for separate consideration to refer back to January 5, 2023 Legislative Hearing)**

## **ADJOURNMENT**

**Meeting ended at 5:45 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:**

**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](mailto:Contact-Council@ci.stpaul.mn.us), [CouncilHearing@ci.stpaul.mn.us](mailto: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](http://www.stpaul.gov/council) or <https://forms.office.com/g/TD3xN7WHy5>.**

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