



# 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, September 28, 2022

3:30 PM

Council Chambers - 3rd Floor

---

#### ROLL CALL

Meeting started at 3:31 PM

**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

#### 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 Balenger moved approval.*

#### Consent Agenda adopted

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

**Nay:** 0

- 1     [RES 22-1219](#)     Authorizing the Department of Public Works accept the terms and conditions for use of the Google LLC & its affiliates apps/software.

#### Adopted

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

Laid over to October 5, 2022

- 3      [RES 22-1460](#)      Authorizing the Department of Public Works to accept and sign Amendment #1 (Exhibit A) to the original agreement (Exhibit B) for the MCES Inflow and Infiltration (I&I) Demonstration Grant Project thereby extending the completion date from January 31, 2022 to December 31, 2024; and accepting an additional \$300,000 of MCES grant funding.
- Adopted**
- 4      [RES 22-1473](#)      Accepting the gift of the costs of travel, food, and lodging from Mayors for a Guaranteed Income (MGI), so that Mayor Melvin Carter can attend the 2022 Guaranteed Income NOW! Conference in Atlanta, Georgia, on September 28, 2022.
- Adopted**
- 5      [RES 22-1480](#)      Authorizing the Fire Department to enter into a joint powers agreement with Ramsey County for a mental health crisis worker to coordinate with the CARES team.
- Adopted**
- 6      [RES 22-1482](#)      Approving and authorizing the non-use of project labor agreement on the Department of Planning and Economic Development and Housing and Redevelopment Authority single-family housing redevelopment projects at 947 Sylvan Street and 964 Woodbridge Street.
- Adopted**
- 7      [RES 22-1490](#)      Approving adverse action against the Tobacco License held by Sami Ibrahim d/b/a Fresh Food Market ("Licensee") (License ID# 20200001735) at 65 George Street West.
- Adopted**
- 8      [RES 22-1492](#)      Approving adverse action against the Tobacco License held by Holiday Station Stores LLC ("Licensee") (License ID# 0016584) at 500 7th Street East.
- Adopted**
- 9      [RES 22-1493](#)      Authorizing the proper City officials to enter into a cooperative agreement with the Minnesota Department of Natural Resources for the reconstruction of the Gateway State Trail bridge over Westminster Street and the Arkwright Street Local Trail Connection.
- Adopted**
- 10     [RES 22-1498](#)      Approving the fourth rider to the lease agreement between the City and the Saint Paul Regional Water Services (SPRWS).

**Adopted**

- 11     [RES 22-1522](#)     Supporting nuclear war prevention.

**Adopted**

- 12     [Min 22-33](#)     Approving the minutes of the Saint Paul City Council meetings of August 3, 10, 17, and 24, 2022.

**Adopted**

- 13     [RES 22-1430](#)     Approving the Memorandum of Agreement between the City and the Manual and Maintenance Supervisors Association for the purpose of creating an exception to the pay for holidays worked in Article 14.4 of the Collective Bargaining Agreement for the classifications of Senior Zoo Keeper and Parks Maintenance Supervisor assigned to the Como Campus section of the Department of Parks and Recreation.

**Adopted**

- 14     [RES 22-1431](#)     Establishing the rate of pay for the new Business Analyst series in EG 06, Professional Employees Association (PEA), consisting of four new classifications.

**Adopted**

- 15     [RES 22-1471](#)     Approving the Memorandum of Agreement between the City of Saint Paul and Classified Confidential Employees Association for the purpose of establishing new options for pre-65 Retiree Health Insurance.

**Adopted****FOR DISCUSSION**

- 16     [RES 22-1499](#)     Approving the appointment of Drew Nelson as Interim Director of the Office of Technology and Communication, effective August 27, 2022.

*Councilmember Noecker moved approval.*

*Drew Nelson was sworn in as Interim Director of the Office of Technology and Communications.*

**Adopted**

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

**Nay:** 0

- 17     [RES 22-1501](#)     Approving the appointment of Barb Sporlein as Interim Director of Saint Paul

Public Libraries, effective September 17, 2022.

*Councilmember Noecker moved approval.*

*Barb Sporlein was sworn in as Interim Director of Saint Paul Public Libraries.*

**Adopted**

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

**Nay:** 0

**SUSPENSION ITEM**

**[RES 22-1549](#)**

Establishing the Saint Paul City Council Early Learning Legislative Advisory Committee

*Councilmember Noecker spoke in support and moved approval.*

*Councilmember Yang spoke in support.*

*Councilmember Jalali spoke in support.*

*Councilmember Prince moved approval.*

*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

**PUBLIC HEARINGS**

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

**18**

**[RES PH 22-271](#)**

Adopting the 2023 Operating Plan for the Downtown Improvement District and imposing a service charge pursuant to Minnesota Statutes Chapter 428A. (Public hearing continued from September 21, 2022)

*Councilmember Noecker thanked staff for their work on this, thanked property owners, and moved approval.*

**Adopted**

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

**Nay:** 0

- 19**     [RES PH 22-248](#)     Final Order approving the Seventh Place Mall operation and maintenance for 2021. File No. 18428-22, Assessment No. 227200.
- Councilmember Noecker moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 
- 20**     [RES PH 22-251](#)     Amending the financing and spending plans in the Department of Public Works Capital Budget to transfer \$600,000 street reconstruction bond funding to the 2019 Lexington Project.
- Councilmember Balenger 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 22-254](#)     Approving the request of District Energy St. Paul, Inc. to amend District Cooling rates for fiscal year 2023.
- Councilmember Tolbert 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 22-255](#)     Approving the request of District Energy St. Paul, Inc. to amend District Heating rates for fiscal year 2023.
- Councilmember Prince 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 22-281](#)     Approving the application of Laura LeFebvre for a sound level variance in

order to present live amplified sound on October 8, 2022 at 1227 Montreal Ave (Highland Park picnic shelter).

*Councilmember Tolbert 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 22-282](#)     Amending the City's operating budget to reflect the final sale details resulting from the issuance of the Sewer Revenue Bonds, Series 2022B.

*Councilmember Yang moved approval.*

**Adopted**

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

**Nay:** 0

- 25**     [RES PH 22-286](#)     Approving the application of Sean Denniston for a sound level variance in order to present amplified sound on September 30, 2022 at Mears Park - 221 5th St E.

*Councilmember Noecker moved approval.*

**Adopted**

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

**Nay:** 0

- 26**     [RES PH 22-287](#)     Approving the application of University of St. Thomas for a sound level variance in order to present live amplified sound on October 15, 2022 at 2115 Summit Avenue near Summit Ave and Cretin Ave.

*Councilmember Jalali moved approval.*

**Adopted**

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

**Nay:** 0

- 27     [RES PH 22-289](#)     Amending the 2022 special fund budget and adding an activity for an amended Making A Difference grant from the State of Minnesota, Department of Health in the amount of \$90,000.

*Councilmember Noecker moved approval.*

**Adopted**

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

**Nay:** 0

- 28     [RES PH 22-290](#)     Accepting grant funds, authorizing execution of a grant agreement with indemnity obligations and other documents related thereto and amending the operating budget with respect to the City's sponsorship of a Metropolitan Council Livable Communities Demonstration Account Pre-Development grant for the benefit of the African American Community Development Center LLC (AACDC) project.

*Councilmember Yang moved approval.*

**Adopted**

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

**Nay:** 0

- 29     [RES PH 22-297](#)     Approving the adoption of a spending plan under Minnesota Statutes, Section 469.176, Subd 4n.

*David Brooks spoke in opposition during the public hearing.*

*Sandra Erickson spoke in opposition during the public hearing.*

*Councilmember Tolbert moved approval.*

**Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING DISCUSSION ITEMS**

- 35     [RLH SAO 22-47](#)     Appeal of Joseph Dalbec to a Summary Abatement Order and Vehicle Abatement Order at 913 JOHNSON PARKWAY.

*Expectation is to have the property cleaned up by October 11. If that is not done, Council will be asked to authorize the Department of Safety and Inspections to execute a cleanup.*

*Also in attendance: Joseph Dalbec, property owner (by phone)*

*Moermond: This is for several trucks and a pile of scrap material. The order for the cleanup was issued on September 9 with a deadline of September 19. The owner asked for an extension to spring. I am making a recommendation to extend to October 11. This is the 3rd time in 3 years (orders in 2020, 2021, and now 2022) that summary abatement orders have been issued for this similar reason. Extensions have been granted on similar cleanups in the past, and so the owners should know what the expectations are.*

*Councilmember Yang: In the past, when extensions were given, did the resident do the cleanup or did the city have to do the cleanup?*

*Moermond: On at least one occasion the city has had to do at least a partial cleanup. We have had assessments go through for the cleanup.*

*Dalbec: I need more time than I thought I could have. October 11 is not enough time. I'm trying my best. I don't want to have to pay for it.*

*Brendmoen: If you do the work yourself you don't have to pay for it, but if the city does the work the city will bill you.*

*Dalbec: I don't want that. I want to get it done.*

*Yang: I understand that you want more time, but we are already past the original deadline of the order and the additional two weeks should be enough time. Based on the past extensions, I am concerned about a longer extension and I move approval of Moermond's recommendation.*

**Adopted**

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

**Nay:** 0

**40**     [RLH RR 22-39](#)

Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71. (Public hearing continued to September 28, 2022)

*Public hearing continued to October 12. If property reaches code compliance by noon on that day, the council will consider returning the remaining \$2,500 performance deposit.*

*Also in attendance: Frank Viggiano, property owner*

*Moermond: This has been before you several times in the past month. The project is past 95% done but plumbing still needs to be completed. The contractor indicated to the owner that the permit was finalized. What I heard from the building official is that the rough in inspection was approved, so the work is not completed done. Because of missed deadlines, the City Council did already forfeit half of the performance deposit. The other half is pending today for non-completion. The building inspector is still checking the status and so I would ask a one-week layover on this. Mr. Viggiano is here and can explain the issue he is having with his contractor.*



*Viggiano: I own 575 and 595 Park St. I currently live in Mahtomedi. We've had a lot of challenges with getting contractors to finish their work on time. I would appreciate if the council could waive the penalties of \$2,500 or \$5,000, whichever it was. We are very close to completion on this.*

*Council President Brendmoen: Are these the only properties you own in St. Paul?*

*Viggiano: I own 6 properties in St. Paul.*

*Councilmember Balenger: I move to keep the public hearing open and continue it to October 12. If the property reaches code compliance by noon on October 12, I will consider supporting a return of the \$2,500 performance deposit.*

*Brendmoen: Does the public hearing need to remain open or should we close it?*

*Moermond: If there is a question of losing additional performance deposit, it would be wise to keep the public hearing open.*

**Public hearing continued to October 12, 2022**

**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 Prince 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

- 30**     [RLH RR 22-50](#)     First Making finding on the appealed substantial abatement ordered for 288 AVON STREET NORTH in Council File RLH RR 22-16.

**Adopted**

- 31**     [RLH TA 22-310](#)     Deleting the Appealed Special Tax Assessment for property at 754 BLAIR AVENUE. (File No. J2232A, Assessment No. 228539)

**Adopted**

- 32**     [RLH TA 22-302](#)     Deleting the Appealed Special Tax Assessment for property at 264 EARL

STREET. (File No. J2232A, Assessment No. 228539)

**Adopted**

- 33     [RLH TA 21-410](#)     Ratifying the Appealed Special Tax Assessment for property at 52 GERANIUM AVENUE WEST. (File No. J2203A, Assessment No. 228502) (Public hearing continued to September 28, 2022)

**Adopted as amended (assessment reduced)**

- 34     [RLH RR 22-51](#)     Second Making finding on the appealed substantial abatement ordered for 655 JESSAMINE AVENUE EAST in Council File RLH RR 22-5.

**Adopted as amended (granted 180 days)**

- 36     [RLH FCO 22-88](#)     Amending Council File RLH FCO 22-49, adopted June 22, 2022, to grant Arnold Kampa an additional extension for property at 1084 LARPENTEUR AVENUE WEST.

**Adopted**

- 37     [RLH TA 22-306](#)     Deleting the Appealed Special Tax Assessment for property at 672 MAGNOLIA AVENUE EAST. (File No. J2232A, Assessment No. 228539)

**Adopted**

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

**Adopted**

- 39     [RLH TA 22-99](#)     Ratifying the Appealed Special Tax Assessment for property at 975 PALACE AVENUE. (File No. J2217A, Assessment No. 228516)

**Adopted as amended**

- 41     [RLH TA 22-34](#)     Ratifying the Appealed Special Tax Assessment for property at 577 PASCAL STREET NORTH. (File No. J2212A, Assessment No. 228511)

**Adopted as amended (assessment reduced)**

- 42     [RLH TA 22-335](#)     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 750 STEWART AVENUE. (File No. CG2202A1, Assessment No. 220105)

**Adopted**

- 43     [RLH RR 22-30](#)     Ordering the rehabilitation or razing and removal of the structures at 1006 THIRD STREET EAST within fifteen (15) days after the June 22, 2022, City Council Public Hearing. (Amend to grant 180 days)

**Adopted as amended (grant 180 days)**

- 44     [RLH AR 22-77](#)     Ratifying the assessments for Property Clean Up services during April 29 to May 10, 2022. (File No. J2231A, Assessment No. 228538)
- Adopted**
- 45     [RLH AR 22-78](#)     Ratifying the assessments for Property Clean Up services during May 13 to 27, 2022. (File No. J2232A, Assessment No. 228539)
- Adopted**
- 46     [RLH AR 22-79](#)     Ratifying the assessments for Equipment and Labor for Clean Up services during May to June 2022. (File No. J2233A, Assessment No. 228543)
- Adopted**
- 47     [RLH AR 22-80](#)     Ratifying the assessments for Tree Removal service during May 2022 at 1011 Burns Ave. (File No. J2234A, Assessment No. 228544)
- Adopted**

**ADJOURNMENT**

**Meeting ended at 4:21 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>.

#### **Council Meeting Information**

The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Council members use mobile devices to review the files during the meeting. Using a mobile device greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

#### **Web**

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released minutes, agendas, and meetings are available by subscription. Visit [www.stpaul.gov/council](http://www.stpaul.gov/council) for meeting videos and updated copies of the agendas, minutes, and supporting documents.

#### **Cable**

Meetings are live on St Paul Channel 18 and replayed at various times. Check your local listings.