



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, November 15, 2023

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

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 23-112](#) Amending the spending plans in the Department of Public Works Capital Budget for the Kellogg/Third Street Bridge Project.

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 Item 10 would be taken separately.

Councilmember Balenger moved approval.

Consent Agenda adopted as amended

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

Nay: 0

- 2 [RES 23-1605](#) Approving the City's cost of providing Property Clean up services during September 7 to 8, 2023, and setting date of Legislative Hearing for December 19, 2023 and City Council public hearing for February 21, 2024 to consider

and levy the assessments against individual properties. (File No. J2410A, Assessment No. 248509)

Adopted

- 3 [RES 23-1704](#) Authorizing the Department of Public Works to accept the terms and conditions for use of Quest Software & its affiliates software and/or software apps (TOAD for Oracle Base Addition Software).
- Adopted**
- 4 [RES 23-1715](#) Approving adverse action against the Tree Trimmer and Tree Trimmer Vehicle license applications submitted by Arban Inc. d/b/a Arban Outdoor Services (License ID# 20210000564 located at 3718 Sumter Avenue South in Saint Louis Park, MN 55426).
- Adopted**
- 5 [RES 23-1734](#) Authorizing the Department of Parks and Recreation to apply for up to \$219,070 from the Ramsey County Environmental Response Fund (ERF) for the Fish Hatchery Trail project.
- Adopted**
- 6 [RES 23-1738](#) Authorizing the Office of Financial Empowerment to apply for a \$25,000 grant from the Saint Paul and Minnesota Foundation for CollegeBound Saint Paul operations.
- Adopted**
- 7 [RES 23-1740](#) Approving the 2023 Cultural Sales Tax Revitalization (STAR) Grant Program awards.
- Adopted**
- 8 [RES 23-1746](#) Authorizing the Department of Safety and Inspections to apply for a grant in the amount of \$65,000 from the Minnesota Department of Labor, to participate in the 2024 Building Official Training (BOT) grant program.
- Adopted**
- 9 [RES 23-1754](#) Staying enforcement of Council File Number RLH RR 23-7, an Order to Remove 901 Fuller Avenue.
- Adopted**
- 11 [RES 23-1764](#) Authorizing the Office of the City Attorney to negotiate and settle claims and lawsuits in a dollar amount not to exceed \$45,000, without the necessity of a City Council resolution.
- Adopted**
- 12 [RES 23-1766](#) Authorizing the City to enter into the Overpass Agreement that includes temporary easement rights from BNSF Railroad for the Public Works Kellogg Third Street Bridge Project.

Adopted

- 13 [RES 23-1767](#) Authorizing the City to enter into the Overpass Agreement that includes temporary easement rights from Union Pacific Railroad for the Public Works Kellogg Third Street Bridge Project.

Adopted

- 14 [RES 23-1690](#) Changing the rate of pay for Parks Services Assistant (formerly Refectory Assistant).

Adopted

- 15 [RES 23-1727](#) Approving the Memorandum of Agreement between the City and Manual & Maintenance Supervisors Association for the purpose of establishing an on-call scheduling and payment process for Supervisors in the Street Maintenance division of the Public Works department.

Adopted**FOR DISCUSSION**

- 10 [RES 23-1761](#) Authorizing the appropriate City designees to solicit donations, enter into contracts, and establish the budget for the purpose of holding City Council Inaugural events.

City Clerk Shari Moore described Version 2.

Councilmember Noecker moved approval of Version 2.

Adopted as amended

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

Nay: 0

- 16 [RES 23-1611](#) Canvassing the returns and declaring the results of the City General Election held November 7, 2023. (To be amended with the results of the reallocation of votes)

Councilmember Yang spoke to the resolution and moved approval.

Adopted as amended

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

Nay: 0

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 second reading.

Final Adoption

- 17 [Ord 23-46](#) Amending Chapter 74 of the Legislative Code by adding a new section 74.04 for the purpose of designating the Dwight H. and Clara Watson House at 402 Hall Avenue as a Saint Paul Heritage Preservation Site.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

First Reading

- 18 [Ord 23-52](#) Amending Chapter 324 of the Legislative Code to remove tobacco vending machine licenses, reduce the number of Tobacco Shop Licenses from 150 to 100, reduce the number of Tobacco Product Shop Licenses from 25 to 15, and move the penalty section into the matrix penalties under section 310.

Council President Brendmoen described the ordinance.

Councilmember Prince spoke in support.

Laid over to December 6, 2023 for Second Reading

- 19 [Ord 23-57](#) Amending specific sections of the Legislative Code pertaining to zoning regulations to allow micro-unit dwellings as an accessory use to religious institutions.

Nellie Jerome, City Planner, gave a staff report.

Council President Brendmoen spoke in support.

Councilmember Prince asked about the rationale for part of the state law.

Councilmember Noecker addressed Prince's question.

Laid over to December 6, 2023 for Second Reading

- 20 [Ord 23-59](#) Amending Chapter 183 of the Legislative Code pertaining to human rights protections for persons with disabilities.

Kyle Dareff, Human Rights and Labor Standards Manager with the Department of Human Rights and Equal Opportunity (HREEO), gave a staff report.

Laid over to December 6, 2023 for Second Reading

- 21** [Ord 23-60](#) Amending Chapter 293 of the Legislative Code to create an administrative process for Amplified Sound Permits and modify the process for Sound Level Variances.
- Angie Wiese, Director of the Department of Safety and Inspections, gave a staff report and answered councilmember questions.*
- Andy Rodriguez, Director of Parks and Recreation, provided additional details.*
- Councilmember Noecker spoke in support.*
- Councilmember Yang spoke in support.*
- Council President Brendmoen spoke in support.*
- Councilmember Prince spoke to the applicant's responsibility for neighborhood notification.*

Laid over to December 6, 2023 for Second Reading

- 22** [Ord 23-61](#) Amending Chapter 140 of the Legislative Code regarding the maintenance of the Skyway Pedestrian System including responsibilities, abatements and assessments.
- Councilmember Noecker spoke in support.*
- Angie Wiese, Director of the Department of Safety and Inspections, gave a staff report.*
- Tina Gassman, President of the Greater St. Paul Building Owners and Managers Association (BOMA), provided additional details.*
- Council President Brendmoen spoke in support.*

Laid over to December 6, 2023 for Second Reading

- 23** [Ord 23-62](#) Amending Chapter 105.04 of the Saint Paul Legislative Code to allow raised planter beds to be placed in the boulevard of the public right-of-way.
- Councilmember Tolbert spoke to the ordinance.*
- Council President Brendmoen expressed concerns.*
- Councilmember Prince expressed concerns.*

Laid over to December 6, 2023 for Second Reading**PUBLIC HEARINGS**

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

- 24** [RES PH 23-340](#) Amending the financing and spending plans in the Department of Emergency Management budget in the amount of \$30,000 for the 2023 Emergency Management Performance Grant (EMPG) to provide assistance for

Emergency Management to attend and provide training, public education and purchase equipment.

Councilmember Noecker 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 23-348](#)

Approving the host issuance by the City of Maplewood of its Charter School Lease Revenue Notes, Series 2023 (under Minnesota Statutes, Sections 469.152 through 469.1655), approving a Bond Compliance and Fee Agreement, and authorizing the execution of documents relating thereto, all for the Achieve Language Academy Project at 2169 Stillwater Avenue West (District 5, Ward 6).

Council President Brendmoen asked for clarification.

Jenny Wolfe, Debt Administrator with the Department of Planning and Economic Development, gave a staff report.

Councilmember Prince moved approval.

Councilmember Yang spoke in opposition.

Brendmoen expressed concerns and asked if it could be laid over.

Wolfe stated that there was a time constraint.

Brendmoen stated she would be voting no.

Justin Fincher, Vice President of Development for JB Vang, the owner of Achieve Language Academy, provided additional details.

Adopted

Yea: 4 - Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Balenger

Nay: 3 - Councilmember Brendmoen, Councilmember Jalali and Councilmember Yang

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

- 26** [RLH FCO 23-92](#) Appeal of Jason Overs to a Correction Notice-Complaint Inspection at 950 ARKWRIGHT STREET, UNIT 2.
Adopted
- 27** [RLH TA 23-324](#) Deleting the Appealed Special Tax Assessment for property at 2082 DAYTON AVENUE (File No. CG2303A1, Assessment No. 230111)
Adopted
- 28** [RLH VBR 23-61](#) Appeal of Jeff Johnson to a Vacant Building Registration Renewal Notice at 811 FOURTH STREET EAST.
Adopted
- 29** [RLH SAO 23-32](#) Making finding on the appealed nuisance abatement ordered for 761 HOWELL STREET NORTH in Council File RLH SAO 23-26.
Adopted
- 30** [RLH SAO 23-31](#) Making finding on the appealed nuisance abatement ordered for 845 HOWELL STREET NORTH in Council File RLH SAO 23-22.
Adopted
- 31** [RLH SAO 23-42](#) Making finding on the appealed nuisance abatement ordered for 0 ISABEL STREET EAST (PIN: 08-28-22-21-0085) in Council File RLH SAO 23-40.
Adopted
- 32** [RLH RR 23-10](#) Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (To refer back to February 13, 2024 Legislative Hearing)

Referred to February 13, 2024 Legislative Hearing
- 33** [RLH SAO 23-41](#) Making finding on the appealed nuisance abatement ordered for 1523 LAUREL AVENUE in Council File RLH SAO 23-36.
Adopted
- 34** [RLH SAO 23-43](#) Making finding on the appealed nuisance abatement ordered for 1223 MARION STREET in Council File RLH SAO 23-37.
Adopted
- 35** [RLH RR 23-52](#) Second Making finding on the appealed substantial abatement ordered for 1006 THIRD STREET EAST in Council File RLH RR 23-14. (Public hearing

continued to November 15, 2023)

Public hearing continued to December 6, 2023

- 36** [RLH TA 23-331](#) Ratifying the Appealed Special Tax Assessment for property at 900 WESTMINSTER STREET. (File No. CG2303A1, Assessment No. 230111)

Adopted

- 37** [RLH AR 23-83](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2023. (File No. CG2303A1, Assessment No. 230111)

Adopted

ADJOURNMENT

Meeting ended at 4:27 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>.

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 for meeting videos and updated copies of the agendas, minutes, and supporting documents.

Cable

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