



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 Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, December 1, 2021

3:30 PM

Remote Meeting

Please see below for meeting guidelines due to the COVID-19 pandemic emergency.
The Truth in Taxation Public Hearing will be held at 6:00 PM at a separate meeting.

ROLL CALL

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

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

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 21-88](#) Letters from the Department of Safety and Inspections declaring 1628 Darlene Street and 1457 Third Street East nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed
- 2 [CO 21-89](#) Mayor's Emergency Executive Order 21-42.
Received and Filed
- 3 [AO 21-13](#) Amending the 2021 spending budget for the Office of Financial Empowerment in the Office of Financial Services
Received and Filed
- 4 [AO 21-63](#) Authorizing the Department of Parks and Recreation to reallocate \$510,348 within its various accounting units in the 2021 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

- 5 [AO 21-64](#) Authorizing the Library to reallocate \$225,505 within its various accounting units in the 2021 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

- 6 [AO 21-66](#) Amending CDBG Project Budgets: Funding for 913 Payne (Gentlemen's Cuts), a project selected by CDBG subgrantee ESNDK to be funded with Payne Ave BIF program funds.

Received and Filed

- 7 [AO 21-67](#) Authorizing the Police Department to reallocate its 2021 Special Fund budget to reflect expenditures more accurately.

Received and Filed

CONSENT AGENDA

Council President Brendmoen stated that Items 9 and 14 would be taken separately.

Councilmember Tolbert moved approval.

Consent Agenda Adopted as amended

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

Nay: 0

- 8 [RES 21-1645](#) Accepting the 2022 Toward Zero Death Enforcement Program grant with the State of Minnesota, Department of Public Safety.

Adopted

- 10 [RES 21-1650](#) Authorizing the City to enter into a Work Order Contract with the Minnesota Department of Transportation for the State's Trunk Highway 5 Project.

Adopted

- 11 [RES 21-1651](#) Approving Ordinance Permit 20200010603 for Sanitary Sewer Collection Infrastructure Installed by Ryan on the Ford (Highland Bridge) Site.

Adopted

- 12 [RES 21-1652](#) Approving Ordinance Permit 20200010604 for Sanitary Sewer Collection Infrastructure installed by Ryan on the Ford (Highland Bridge) Site.

Adopted

- 13 [RES 21-1671](#) Authorizing the City Attorney's Office to apply for Byrne Justice Assistance Criminal and Juvenile Justice Intervention Renewal (Byrne-JAG) grant.

Adopted

- 15 [RES 21-1694](#) Memorializing the City's Council's denial of an appeal taken from a planning commission decision to grant a conditional use permit and dimensional and area variances requested by the owner of property at 695 Grand Avenue for the purpose of constructing a commercial and residential mixed use building.

Adopted

- 16 [RES 21-1695](#) Authorizing the City to enter into a lease agreement and management agreement with Your Boat Club, LLC for use and management of Watergate Marina.

Adopted

- 17 [RES 21-1696](#) Approving the settlement agreement and release between the City and Benjamin Smith and other members of the putative class, and their attorneys, Wrobel & Smith, PLLP, Michael J. Vanselow Law Office, PLLC, and Meyer Njus Tanick.

Adopted

- 18 [RES 21-1698](#) Waiving the 45-day notice requirement to issue a Malt On Sale (Strong) and Wine On Sale License to Yum Kitchen & Bakery Homeland LLC d/b/a Yum Kitchen & Bakery (License ID # 20210001764) for the premises located at 164 Snelling Avenue North.

Adopted**SUSPENSION ITEM****Rules Suspended**

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

Nay: 0

- [RES 21-1749](#) Affirming the Extension of Declaration of Local Emergency issued November 29, 2021 by Mayor Melvin Carter III.

Council President Brendmoen stated that this extension would continue the emergency through January 5, making it a 35-day extension instead of a 90-day extension. Expressed support for returning to normalcy.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

FOR DISCUSSION

- 9** [RES 21-1646](#) Establishing the City Council Legislative Advisory Committee on Garbage. (Laid over from December 1.)
- Council President Brendmoen moved a one-week layover to review details of the resolution.*
- Laid over to December 8**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
-
- 14** [RES 21-1682](#) Authorizing the City to transfer \$5,456,090 of American Rescue Plan funds to a specific account for public safety radio replacement costs.
- Laura Logsdon gave a staff report on an updated version.*
- Council President Brendmoen expressed support. Asked about owning vs. leasing radios and banking funds for purchases of radios.*
- Rick Schute addressed Brendmoen's question about owning vs. leasing.*
- John McCarthy addressed Brendmoen's question about banking funds.*
- Brendmoen expressed appreciation for the answers.*
- Councilmember Jalali expressed opposition to using pandemic relief funds for this use, worried that there was not a direct connection to COVID.*
- Logsdon addressed Jalali's concern.*
- Jalali continued expressing opposition.*
- Councilmember Noecker asked what makes the process cheaper to do before the end of the year, and why additional STAR funding wasn't used instead of ARP funds.*
- Logsdon addressed the question about the timeline and cost of purchasing radios.*
- Schute addressed the question about other funding sources, including STAR funds.*
- McCarthy continued discussing the question about funding sources.*
- Councilmember Yang asked for clarification on the change in dollar value for the grant.*

Logsdon addressed Yang's question.

Yang expressed concern about the resolution and the process surrounding it. Stated her opposition.

Councilmember Prince echoed concerns from Yang about process. Expressed support for quality equipment and for the idea of banking funds. Asked what would happen if there weren't ARP funds available.

Logsdon addressed Prince's question.

Prince continued expressing concern but did say she would be voting in favor.

Brendmoen echoed Prince's concern.

Councilmember Tolbert moved approval.

Adopted as amended

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

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

19 [RES 21-1575](#)

Approving the application with conditions, per the Deputy Legislative Hearing Officer, for DWD Group LLC (License ID # 20210000875), d/b/a Billy's on Grand, for a Liquor on Sale - 291 or more seats, Liquor on Sale - Sunday, Liquor on Sale - 2 AM Closing, Liquor Outdoor Service Area (Patio), Entertainment (B), and Gambling Location licenses, located at 857 Grand Avenue. (Laid over from November 17, 2021.)

Councilmember Noecker moved to lay the item over for two weeks.

Laid over to December 15

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

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 Legal Ledger. Public hearings on ordinances are held at the second reading.

First Reading

20 [Ord 21-52](#)

Granting the application of Selby Flats LLC to rezone property at 1708 Selby Avenue from B2 community business to RM2 medium- density multiple-family residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map .

Kady Dadlez gave a staff report.

Councilmember Jalali asked for clarification.

Dadlez provided additional information

Jalali expressed support for the project and appreciated the clarification.

Councilmember Prince asked for clarification

Dadlez provided additional information.

Council President Brendmoen stated that the public hearing on this item would be next week.

Laid over to December 8 for Second reading Public hearing

21 [Ord 21-53](#)

Considering the application of Gary and Catherine Ballman to rezone property at 1329-1331 Lincoln Avenue from RT1 two-family residential to RM1 low-density multiple-family residential. (The motion to deny the application was approved by the City Council.)

Council President Brendmoen stated that there would not be a staff report on the item.

Laid over to December 8 for Second reading Public hearing

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

Nay: 0

PUBLIC HEARINGS

22 [RES PH 21-274](#)

Authorizing the Department of Parks and Recreation to accept Minnesota Department of Natural Resources (MN DNR) Outdoor Recreation grant program funds, enter in a grant agreement required as a condition of receiving said funds, which includes an indemnification clause, and to amend the financing and spending plan in the amount of \$250,000 for the Victoria Park Multi-Use Athletic Field project.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

23 [RES PH 21-317](#)

Amending the financing and spending plan of the Office of Financial Services

and Department of Public Works in the amount of \$48,974 to utilize available capital maintenance funds for costs related to multiple HVAC renovation projects.

Councilmember Thao moved approval.

Adopted

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

Nay: 0

- 24** [RES PH 21-320](#) Authorizing an increase in the Parks and Recreation Grant Fund Budgets in the amount of \$1,056,000 to reflect various grant funding awarded in 2022 and establishing the appropriate grant activity budgets.

Councilmember Jalali moved approval.

Adopted

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

Nay: 0

- 25** [RES PH 21-325](#) Authorizing the Police Department to add fund equity to its 2021 Special Fund operating budget to reflect expenditures more accurately.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 26** [RES PH 21-321](#) Authorizing the Department of Planning and Economic Development to execute a grant agreement with the State of Minnesota Department of Employment and Economic Development, which includes an indemnification clause, acceptance of grant funds, and amendment of related City budgets.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 27 [RES PH 21-322](#) Approving the petition of Matthew Michel, on behalf of Noelna Holdings, LLC, to vacate a two-foot portion of Wynne Avenue abutting 1611 Wynne Avenue.

Councilmember Jalali moved approval.

Adopted

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

Nay: 0

- 28 [RES PH 21-323](#) Approving the application of Cathedral Heritage Foundation/Carolyn Will for a sound level variance in order to present live amplified sound for the Cathedral Festival of Lights on December 15 through December 19, 2021 at Cathedral Hill Park - 215 Summit Avenue.

Councilmember Thao moved approval.

Adopted

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

Nay: 0

- 29 [RES PH 21-327](#) Amending the 2021 spending budgets for the Public Works Traffic Building and the Grant Fund related to the LED electrical retrofit.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

LEGISLATIVE HEARING CONSENT AGENDA

Councilmember Yang moved approval.

Legislative Hearing Consent Agenda adopted as amended,

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

Nay: 0

- 30 [RLH VBR 21-75](#) Appeal of Shekita Moore to a Vacant Building Registration Notice at 201 GENESEE STREET.

Adopted

- 31 [RLH VBR 21-78](#) Appeal of William Acree to a Vacant Building Registration Notice, Summary Abatement Order, and Vehicle Abatement Order at 160 GRANITE STREET.

Adopted

- 32 [RLH RR 21-65](#) Ordering the razing and removal of the structures at 701 HAZEL STREET NORTH within fifteen (15) days after the December 1, 2021, City Council Public Hearing.

Adopted

- 33 [RLH OA 21-16](#) Appeal of Diane Slate to a denial of a Request for Fence Variance at 620 JESSAMINE AVENUE EAST.

Adopted

- 34 [RLH VBR 21-71](#) Appeal of Scott Beck, Havenbrook Homes, to a Vacant Building Registration Notice plus Revocation of Fire Certificate of Occupancy and Order to Vacate at 1125 MARGARET STREET.

Adopted

- 35 [RLH TA 21-472](#) Amending the previously ratified assessment to reduce the assessment for Property Clean Up services during August 3 to 14, 2020 at 1817 MARYLAND AVENUE EAST. (File No. J2105A2, Assessment No. 218522)

Adopted

- 37 [RLH VBR 21-73](#) Appeal of Greg Fry, Oak Knoll Property Management, to a Vacant Building Registration Fee Warning Letter at 912 ROSE AVENUE EAST.

Adopted

- 40 [RLH VO 21-43](#) Appeal of Amy Her to an Amended Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 360 WHEELLOCK PARKWAY EAST.

Adopted

- 41 [RLH RR 21-43](#) Making finding on the appealed substantial abatement ordered for 521 YORK AVENUE in Council File RLH RR 21-10.

Adopted

- 42 [RLH VBR 21-74](#) Appeal of James Brinker to a Vacant Building Registration Fee Warning Letter at 1739 YORK AVENUE.

Adopted

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

LEGISLATIVE HEARING CONSENT AGENDA

Legislative Hearing Consent Agenda adopted as amended.

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

Nay: 0

- 38** [RLH RR 21-44](#) Making finding on the appealed substantial abatement ordered for 1179 SEVENTH STREET EAST in Council File RLH RR 21-40. (Legislative Hearing on November 23, 2021)
- Adopted as amended (180 day extension granted)**
- 39** [RLH RR 21-62](#) Ordering the rehabilitation or razing and removal of the structures at 1514 VAN BUREN AVENUE within fifteen (15) days after the October 20, 2021, City Council Public Hearing. (Amend to grant 180 days)
- Adopted as amended (180 day extension granted)**

For the following item, the Legislative Hearing Officer's recommendation is contested and additional testimony from the appellant is in the record. A brief staff report was provided:

LEGISLATIVE HEARING DISCUSSION ITEM

- 36** [RLH VO 21-41](#) Appeal of Tamer Azzazi to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1843 MINNEHAHA AVENUE EAST.
- Marcia Moermond gave a staff report.*
- Councilmember Prince appreciated the work of Moermond and moved approval.*
- Adopted as amended (grant extension to March 1, 2022)**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0

ADJOURNMENT

Meeting adjourned at 4:37 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 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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