



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, August 16, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:30 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 23-82](#) Authorizing the Police Department to reallocate its 2023 Special Fund budget on the DPS JAG Miscellaneous Funding 2022 Grant to reflect expenditures more accurately.
- 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 Prince 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

- 3 [RES 23-1184](#) Approving the application for Wine On Sale, Malt On Sale (Strong), and Liquor Outdoor Service Area (Sidewalk) licenses with conditions for The Herbivorous Dragon LLC, d/b/a J Selby's (License ID #20230000698)], for the premises located 169 Victoria Street North.

Adopted

- 4 [RES 23-1187](#) Authorizing the defense and indemnity of Ecolab regarding operation and maintenance of infrastructure which the City is responsible to maintain pursuant to an operations and maintenance agreement regarding improvements to Ecolab Plaza entrance to Ecolab's Global Headquarters Building.
- Adopted**
- 5 [RES 23-1198](#) Approving the Wine on Sale and Malt On Sale (Strong) licenses for Slice Brothers Frogtown, LLC d/b/a Slice Brothers (License ID 20230001117) for the premises located at 641 University Avenue West.
- Adopted**
- 6 [RES 23-1199](#) Approving the Liquor On Sale-181-290 seats, Liquor On Sale-Sunday, Liquor On Sale-2AM Closing, Liquor-Outdoor Service Area (Patio) and an Entertainment (B) licenses for Plaza Pizza LLC, d/b/a Wrestaurant At The Palace (License ID 20230000953) for the premises located at 33 Seventh Place West.
- Adopted**
- 7 [RES 23-1202](#) Authorizing the Office of Neighborhood Safety to accept grant funds from the Saint Paul and Minnesota Foundation to support the Project PEACE and St. Paul Public Schools Summer School Initiative, and to amend the financing and spending plan in the amount of \$50,000.
- Adopted**
- 8 [RES 23-1203](#) Approving the addition of retroactive language to the Animal Services Manager change in rate of pay.
- Laid over to August 23, 2023**
- 9 [RES 23-1219](#) Approving the Liquor On Sale-100 Seats or Less, Liquor On Sale-Sunday and Liquor-Outdoor Service Area (Sidewalk) licenses for Intermax Izakaya, Inc. d/b/a Potsticker (License ID 20230001072) for the premises located at 1214 Randolph Avenue.
- Adopted**
- 10 [RES 23-1228](#) Authorizing the renewal of a Five-Year Lease (PW/3) to Health Partners Inc. for a parking lot at the Como Avenue Clinic.
- Adopted**
- 11 [RES 23-1156](#) Approving the Collective Bargaining Agreements (January 1, 2023 - December 31, 2025) and Memorandums of Agreement between the City of Saint Paul and AFSCME Council 5, Clerical - Local 2508 and Technical - Local 1842.
- Adopted**

FOR DISCUSSION

- 2 [RES 23-1152](#) **A resolution authorizing issuance of and awarding the sale of General Obligation Capital Improvement Bonds, Series 2023D and levying a tax for the Series 2023D Bonds**

Neal Younghans, Debt Manager with the Office of Financial Services, gave a staff report.

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

- 12 [RES 23-1094](#) Ordering a special election to be held on November 5, 2024 to add a ballot question on whether the City should create a dedicated fund for subsidies for children's early care and education through a property tax levy. (This item was vetoed by the Mayor on July 27, 2023 and over-ridden on August 16, 2023.)

Councilmember Noecker spoke in support and moved to override the Mayor's veto.

Councilmember Jalali spoke in opposition.

Councilmember Yang spoke in support.

Veto Overriden, resolution adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Yang

Nay: 2 - Councilmember Jalali and Councilmember Balenger

- 13 [SR 23-183](#) Forestry/Emerald Ash Borer Update.

Andy Rodriguez, Parks Director, gave an introduction.

Rachel Jongeward, City Forester, gave a staff report and answered councilmember questions.

Rodriguez gave closing comments.

Received and Filed**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.

First Reading

- 14** [Ord 23-32](#) Amending Chapter 310 of the Legislative Code to correct license fee tables and implement annual license fee increases.
Laid over to August 23, 2023 for Second Reading
- 15** [Ord 23-38](#) Amending Sections 411.01 and 411.04 of the Legislative Code to remove a reference to previously removed consent requirements and remove the requirement for a prospective licensee to provide off-street parking.
Dan Niziolek, Deputy Director of the Department of Safety and Inspections, gave a staff report and answered councilmember questions.
Laid over to August 23, 2023 for Second Reading
- 16** [Ord 23-40](#) Amending Title XXIII Public Health Safety and Welfare of the Legislative Code to add Chapter 222, titled Smoking of Tobacco, Hemp and Cannabis Products in City Owned Public Places Prohibited.
Councilmember Tolbert spoke in support.
Councilmember Jalali expressed concerns and moved to lay over to September 6.
Tolbert addressed Jalali's concerns.
Councilmember Prince spoke in support of the ordinance and Jalali's motion.
Councilmember Noecker spoke in support of the ordinance and Jalali's motion.
Council President Brendmoen spoke in support of the ordinance and Jalali's motion.
Laid over to September 6, 2023 for Second Reading
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.

- 17** [RES PH 23-185](#) Adopting the 2024 Operating Plan for the Downtown Improvement District and imposing a service charge pursuant to Minnesota Statutes Chapter 428A. (Public hearing continued from July 26, 2023)
Councilmember Noecker moved to close the public hearing and lay over for three weeks.
Public hearing closed and laid over to September 6, 2023

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

Nay: 0

- 18 [RES PH 23-218](#) Approving the application of Laurel Gamm for a sound level variance in order to present amplified sound on August 20, 2023 at 625 Stryker Avenue - Beautiful Laundrette.

Councilmember Noecker 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 23-219](#) Approving the application of the Minnesota United FC for a sound level variance in order to present amplified sound on Sunday, August 27, 2023 for the MNUFC v Seattle game and on Wednesday, August 30, 2023 for the MNUFC v Colorado game within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

Councilmember Balenger 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 23-221](#) Approving the application of Friends of Rebecca Noecker for a sound level variance in order to present amplified sound on September 24, 2023 at Parque Castillo - 149 Cesar Chavez Street.

Councilmember Jalali moved approval.

Adopted

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

Nay: 0

Abstain: 1 - Councilmember Noecker

SUSPENSION ITEMS

- [RES PH 23-222](#) Amending the financing and spending plan in the Department of Parks and Recreation in the net amount of \$1,000,000 to reflect \$6,000,000 in additional

funding from a State of Minnesota DEED grant and a \$5,000,000 reduction in city bond funding for the North End Community Center ("NECC") project. (Public hearing continued from August 16)

Councilmember Noecker moved to continue the public hearing for one week.

Public hearing continued to August 23, 2023

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

Nay: 0

[RES PH 23-220](#)

Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$6,000,000 to utilize approved General Fund and City Bond Funds for the Pedro Park project. (Public hearing continued from August 16)

Councilmember Noecker moved to continue the public hearing for one week.

Public hearing continued to August 23, 2023

Yea: 5 - Councilmember Brendmoen, Councilmember Noecker, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Tolbert and Councilmember Prince

LEGISLATIVE HEARING DISCUSSION ITEM

21 [RLH RR 23-18](#)

Fourth Making finding on the appealed substantial abatement ordered for 318 EDMUND AVENUE in Council File RLH RR 21-11. (Public hearing closed. Laid over from July 26, 2023)

Marcia Moermond, Legislative Hearing Officer: I am asking that Council lay this over to September 27, 2023.

Councilmember Balenger moved Moermond's recommendation.

Laid over to September 27, 2023

Yea: 5 - Councilmember Brendmoen, Councilmember Noecker, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Tolbert and Councilmember Prince

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: 5 - Councilmember Brendmoen, Councilmember Noecker, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Tolbert and Councilmember Prince

- 22** [RLH RR 23-22](#) Ordering the rehabilitation or razing and removal of the structures at 326 CHARLES AVENUE within fifteen (15) days after the August 16, 2023, City Council Public Hearing. (Continue Public Hearing to September 13, 2023)
- Public hearing continued to September 13, 2023**
- 23** [RLH RSA 23-12](#) Appeal of Erika Ronnow to a Rent Stabilization Determination at 549 DAYTON AVENUE, Unit 1.
- Adopted**
- 24** [RLH VO 23-16](#) Appeal of Monica Mogren to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1604 MARGARET STREET.
- Adopted as amended (appeal granted)**
- 25** **RLH RR 23-33** Ordering the rehabilitation or razing and removal of the structures at 1356 REANEY AVENUE within fifteen (15) days after the August 16, 2023, City Council Public Hearing. (Refer back to August 22, 2023 Legislative Hearing)
- Referred to August 22, 2023 Legislative Hearing**
- 26** [RLH RR 23-32](#) Ordering the rehabilitation or razing and removal of the structures at 792 ROSE AVENUE EAST within fifteen (15) days after the August 2, 2023, City Council Public Hearing.
- Adopted as amended (remove within 15 days)**

ADJOURNMENT

Meeting ended at 4:52 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

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