



# 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, August 17, 2022

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

**Meeting started at 3:32 PM**

- Present** 5 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Mitra Jalali and Councilmember Russel Balenger
- Absent** 2 - Councilmember Jane L. Prince and Councilmember Nelsie Yang

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 22-46](#) Authorizing the Department of Parks and Recreation to reallocate \$400,000 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**

#### 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 2 would be taken separately.*

*Councilmember Balenger moved approval.*

#### Consent Agenda adopted as amended

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 3     [RES 22-1176](#)     Authorizing the City to enter into an agreement with Ramsey County for the Marion at Ravoux Pedestrian Improvements Project.
- Adopted**
- 4     [RES 22-1177](#)     Authorizing the City to enter into an agreement with Ramsey County for the Energy Park Drive, Cleveland and Selby Traffic Signal Interconnect Project.
- Adopted**
- 5     [RES 22-1203](#)     Approving the City's cost of providing Replacement of Lead Water Service Line on Private Properties during April to June 2022, and setting date of City Council public hearing for September 14, 2022 to consider and levy the assessments against individual properties. (File No. 2203LDSRP, Assessment No. 224006)
- Adopted**
- 6     [RES 22-1208](#)     Approving the City's cost of providing Repair of Sanitary Sewer Line on Private Properties during April to June 2022, and setting date of City Council public hearing for September 14, 2022 to consider and levy the assessments against individual properties. (File No. SWRP2203, Assessment No. 223003)
- Adopted**
- 7     [RES 22-1227](#)     Authorizing the City to accept a donation in the amount of \$24,475 from the Saint Paul Police Foundation (SPPF) on behalf of the Police Department (SPPD) to purchase Trauma Kits.
- Adopted**
- 8     [RES 22-1228](#)     Authorizing the Department of Parks and Recreation to submit an application for \$10,000 in funding from the Capitol Region Watershed District, requiring a five percent in-kind match, to enhance and restore 2.5 acres of native shoreland habitat at Loeb Lake.
- Adopted**
- 9     [RES 22-1235](#)     Authorizing the City Attorney to amend the scope of legal services under its current agreement with Brian Grogan and the law firm of Moss & Barnett and authorizing Brian Grogan and the law firm of Moss & Barnett to represent the City in upcoming Comcast cable franchise negotiations.
- Adopted**
- 10    [RES 22-1238](#)     Approving the Settlement Agreement and Release between the City and Donna Corbo and her attorney, Christopher Moreland.
- Adopted**

- 11     [RES 22-1249](#)     Authorizing the Department of Parks and Recreation to donate surplus tackle football equipment to Frogtown Football to support youth tackle football programs.
- Adopted**
- 12     [RES 22-1254](#)     Appointing Kennedy & Graven, Chartered as special counsel for the purpose of providing advice and counsel on the legal business of the City of Saint Paul; and consenting, pursuant to Administrative Code Section 24.03(A)(1)(iii), to Rachel Tierney performing work through Kennedy & Graven, Chartered in furtherance of the City's need for the services of outside counsel.
- Adopted**
- 13     [RES 22-1255](#)     Appointing LeVander, Gillen and Miller, P.A. as special counsel for the purpose of providing advice and counsel on the legal business of the City.
- Adopted**
- 14     [RES 22-1260](#)     Authorizing the Fire Department to accept a donation of \$200 from Carey Thompson.
- Adopted**
- 15     [RES 22-1268](#)     Declaring the official intent of the City to reimburse certain original expenditures related to the capital projects from the proceeds of tax-exempt bonds to be issued by the City after the payment of such original expenditures.
- Adopted**
- 16     [RES 22-1272](#)     Memorializing the City Council's decision to grant an appeal from a decision of the Planning Commission to approve an application to reestablish a non-conforming use permit for auto sales at 847 Hudson Road.
- Adopted**
- 17     [RES 22-1275](#)     Accepting the gift of lodging and conference registration expenses from People for the American Way's Big Ideas Summit for Ward 6 Legislative Aide Chris Xiong to attend the 2022 Big Ideas Summit Conference.
- Adopted**
- 18     [RES 22-1282](#)     Approving the request for adverse action for removal of license condition #2 deleting the requirement for uniformed security on the licensed premises and modifying license condition #3 for the licenses held by TK Inspiration Inc d/b/a Tracks Bar & Grill (License ID #20180000178) for the premises located at 1091 Rice Street.

**Adopted**

- 19 [RES 22-1202](#) Approving the Labor Agreements between the Independent School District 625 and the Operative Plasterers Local Union No. 265 (June 1, 2022 - May 31, 2025) and the International Union of Painters & Allied Trades District Council 82 (May 1, 2022 - April 30, 2025). (Laid over from August 10, 2022)

**Adopted****FOR DISCUSSION**

- 2 [RES 22-1001](#) Supplemental Resolution #22-1001 Supplementing the General Resolution (CF 88-835) Relating to Sewer Revenue Bonds and providing for the issuance of Sewer Revenue Bonds, Series 2022B (Green Bonds) and taking other required actions.

*Sarah Brown, City Treasurer, presented the details on the bond sale and thanked her colleagues for their work.*

*Council President Brendmoen congratulated Brown on her new position and echoed the appreciation of staff.*

*Councilmember Noecker moved approval.*

**Adopted as amended**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

**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.**

**Final Adoption**

- 20 [Ord 22-36](#) Amending Chapter 409.01 of the Legislative Code to align with the requirements for caterer's permits with MN State Statute 340A.404 Subd. 12.

*Council President Brendmoen acknowledged the city-wide nature of the ordinance and the testimony the previous week from Ward 2 residents and business representatives.*

*Councilmember Noecker spoke in favor of the ordinance and moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

#### **PUBLIC HEARINGS**

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

- 21**    [Ord 22-38](#)    Granting the application of Fulford Family Partnership LP to rezone property at 533 & 567 Randolph Avenue from T2 traditional neighborhood to IT transitional industrial and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

*Josh Hamann spoke in favor of the ordinance, representing the Fulfords. Made himself available for questions.*

*Councilmember Noecker moved approval.*

**Laid over to August 24, 2022 for final adoption**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 22**    [RES PH 22-219](#)    Approving the application of Tanya Adelman for a sound level variance in order to present amplified sound on September 10, 2022 at 700 Cherokee Heights Blvd. - Cherokee Regional Park.

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 23**    [RES PH 22-220](#)    Approving the application of Minnesota Recovery Connection for a sound level variance in order to present amplified sound on September 17, 2022 at 75 Rev Dr Martin Luther King Jr Blvd - State Capitol Upper and Lower Malls.

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 24**    [RES PH 22-224](#)    Approving the application of Compassionate Action for Animals for a sound level variance in order to present live amplified sound on September 18, 2022 at 200 Dr Justus Ohage Blvd. - Harriet Island Regional Park.

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 25**    [RES PH 22-225](#)    Approving the application of Church of Lumen Christi for a sound level variance in order to present amplified sound on September 10, 2022 at 1668 Montreal Ave. - Urban Academy Charter School parking lot.

*Councilmember Tolbert moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 26**    [RES PH 22-226](#)    Amending the financing and spending plans in the Fire Department for \$8,187.55 for the reimbursement from the Minnesota Firefighter Initiative for firefighters to attend the mental health strategies training on April 22-23, 2022.

*Councilmember Balenger moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 27**    [RES PH 22-229](#)    Amending the financing and spending plans in the Fire Department in the amount of \$2,740 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.

*Councilmember Jalali moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 28**    [RES PH 22-230](#)    Amending the financing and spending plans in the Fire Department in the amount of \$24,837.64 for the Minnesota Task Force One (MNTF1) reimbursement from the City of Edina.

*Councilmember Tolbert moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 29**    [RES PH 22-233](#)    Considering and adopting the Findings of Fact, Conclusions of Law, and Recommendation of the Administrative Law Judge, and request of the Department of Safety and Inspections to upwardly depart to revocation of the Cigarette/Tobacco license held by Bright Star Inc., d/b/a Tom and Joe's Market, for the premises located at 684 Western Avenue. (Public hearing closed and laid over from September 14, 2022.)

*Councilmember Balenger moved to lay the item over until September 14, 2022.*

**Public hearing continued to September 14, 2022**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

**SUSPENSION ITEMS**

- [RES PH 22-239](#)    Approving the issuance of a conduit multifamily housing revenue note by the Housing and Redevelopment Authority (HRA) for a multifamily rental housing development project; reciting a proposal for a Housing Finance Program related to such multifamily rental housing development; approving the related project and program pursuant to Minnesota Statutes, Chapter 462C; authorizing the HRA to issue a conduit multifamily housing revenue note and authorizing the preparation of necessary documents and materials in connection with said project and program, and approving an ARPA Loan, and

related documents for 176 South Robert Street, Soul Project (District 3, Ward 2). (Public hearing is continued from August 17.)

*Council President Brendmoen stated that the public hearing would be continued to the following week, and that this was brought in under suspension because there was a notice that a public hearing would take place this week.*

*Councilmember Noecker moved to continue the public hearing to the following week.*

**Public hearing continued to August 24, 2022**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

[RES 22-1300](#)

Waiving the 45-day notice requirement to add a Malt Off Sale (Small Brewery - 128 oz) to existing Licenses to Burning Brothers Brewing LLC (License ID # 20130004023) for the premises located at 1750 Thomas Avenue.

*Council President Brendmoen explained the need for this resolution and the following one to be taken under suspension.*

*Councilmember Jalali moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

[RES 22-1301](#)

Waiving the 45-day notice requirement to add a Malt Off Sale (Small Brewery - 128 oz) to existing Licenses to Bad Weather Brewing LLC (License ID # 20150000267) for the premises located at 414 7th Street West.

*Councilmember Noecker moved approval.*

*Council President Brendmoen stated that the Council tries very hard not to bring things in under suspension and highlighted the importance of providing timely public notice for the agendas.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince 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 Jalali moved approval.*

**Legislative Hearing Consent Agenda adopted as amended**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Balenger

**Nay:** 0

**Absent:** 2 - Councilmember Prince and Councilmember Yang

- 30 [RLH TA 22-257](#) Ratifying the Appealed Special Tax Assessment for property at 210 AVON STREET NORTH. (File No.CG2202A1, Assessment No. 220105)  
**Adopted**
- 31 [RLH TA 22-252](#) Ratifying the Appealed Special Tax Assessment for property at 1615 BAYARD AVENUE. (File No. CG2202A1, Assessment No. 220105)  
**Adopted**
- 32 [RLH TA 22-255](#) Deleting the Appealed Special Tax Assessment for property at 1043 BEECH STREET. (File No.CG2202A3, Assessment No. 220107)  
**Adopted**
- 33 [RLH TA 22-272](#) Deleting the Appealed Special Tax Assessment for property at 657 CANTON STREET. (File No. VB2211, Assessment No. 228816)  
**Adopted**
- 34 [RLH TA 22-247](#) Ratifying the Appealed Special Tax Assessment for property at 788 CHARLES AVENUE. (File No. J2211E, Assessment No. 228314) (Public hearing continued to February 22, 2023)  
**Public hearing continued to February 22, 2023**
- 35 [RLH TA 22-277](#) Deleting the Appealed Special Tax Assessment for property at 113 COOK AVENUE WEST. (File No.CG2202A3, Assessment No. 220107)  
**Adopted**
- 36 [RLH TA 22-243](#) Deleting the Appealed Special Tax Assessment for property at 662 EDMUND AVENUE. (File No. J2211E, Assessment No. 228314)

**Adopted**

- 37 [RLH TA 22-253](#) Ratifying the Appealed Special Tax Assessment for property at 1223 FARRINGTON STREET. (File No. CG2202A2, Assessment No. 220106)

**Adopted**

- 38 [RLH TA 22-236](#) Ratifying the Appealed Special Tax Assessment for property at 323 FOREST STREET. (File No. VB2211, Assessment No. 228816)

**Adopted**

- 39 [RLH TA 22-256](#) Deleting the Appealed Special Tax Assessment for property at 640 HOLLY AVENUE. (File No. CG2202A1, Assessment No. 220105)

**Adopted**

- 40 [RLH TA 22-260](#) Deleting the Appealed Special Tax Assessment for property at 795 HYACINTH AVENUE EAST. (File No. CG2202A1, Assessment No. 220105)

**Adopted**

- 41 [RLH TA 22-245](#) Ratifying the Appealed Special Tax Assessment for property at 467 IVY AVENUE EAST. (File No. J2211B, Assessment No. 228114)

**Adopted**

- 42 [RLH TA 22-261](#) Deleting the Appealed Special Tax Assessment for property at 329 LAWSON AVENUE WEST. (File No. CG2202A2, Assessment No. 220106)

**Adopted**

- 43 [RLH TA 22-248](#) Ratifying the Appealed Special Tax Assessment for property at 1778 MARGARET STREET. (File No. J2211E, Assessment No. 228314) (Public hearing continued to February 22, 2023)

**Public hearing continued to February 22, 2023**

- 44 [RLH TA 22-232](#) Ratifying the Appealed Special Tax Assessment for property at 587 MARION STREET (218 THOMAS AVENUE). (File No. J2211B, Assessment No. 228114)

**Adopted**

- 45 [RLH TA 22-244](#) Deleting the Appealed Special Tax Assessment for property at 165 MCKNIGHT ROAD NORTH. (File No. J2211B, Assessment No. 228114)

**Adopted**

- 46 [RLH TA 22-263](#) Deleting the Appealed Special Tax Assessment for property at 1681 MINNEHAHA AVENUE EAST. (File No. CG2202A2, Assessment No. 220106)

**Adopted**

- 47 [RLH TA 22-251](#) Deleting the Appealed Special Tax Assessment for property at 564 MONTCALM PLACE. (File No. CG2202A1, Assessment No. 220105)

**Adopted**

- 48 [RLH TA 22-254](#) Deleting the Appealed Special Tax Assessment for property at 692 POINT DOUGLAS ROAD SOUTH. (File No. CG2201A1-1, Assessment No. 220108)

**Adopted**

- 49 [RLH TA 22-258](#) Ratifying the Appealed Special Tax Assessment for property at 1053 SHERBURNE AVENUE. (File No. CG2202A3, Assessment No. 220107)

**Adopted**

- 50 [RLH TA 22-276](#) Ratifying the Appealed Special Tax Assessment for property at 1609 SHERBURNE AVENUE. (File No. CG2202A3, Assessment No. 220107)

**Adopted**

- 51 [RLH TA 22-275](#) Ratifying the Appealed Special Tax Assessment for property at 393 STRYKER AVENUE. (File No. CG2202A1, Assessment No. 220105)

**Adopted**

- 52 [RLH TA 22-242](#) Deleting the Appealed Special Tax Assessment for property at 1685 UNIVERSITY AVENUE WEST. (File No. J2207P, Assessment No. 228406)

**Adopted**

- 53 [RLH TA 22-259](#) Ratifying the Appealed Special Tax Assessment for property at 1311 VAN BUREN AVENUE. (File No. CG2202A3, Assessment No. 220107)

**Adopted**

- 54 [RLH VO 22-20](#) Appeal of Abby Miskowic to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 608 WELLS STREET.

**Adopted**

- 55 [RLH TA 22-249](#) Ratifying the Appealed Special Tax Assessment for property at 905 WHITE BEAR AVENUE NORTH. (File No. J2211E, Assessment No. 228314)

**Adopted**

- 56 [RLH AR 22-65](#) Ratifying the assessments for Removal of Dangerous Tree services during March 2022 at 1032 JESSIE STREET. (File No. 2206T, Assessment No. 229005)

**Adopted**

- 57     [RLH AR 22-61](#)     Ratifying the assessments for Collection of Vacant Building Registration fees billed during July 27 to February 16, 2022. (File No. VB2211, Assessment No. 228816)  
**Adopted**
- 58     [RLH AR 22-62](#)     Ratifying the assessments for Securing and/or Emergency Boarding services during March 2022. (File No. J2211B, Assessment No. 228114)  
**Adopted**
- 59     [RLH AR 22-63](#)     Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during January 20 to February 18, 2022. (File No. J2211E, Assessment No. 228314)  
**Adopted**
- 60     [RLH AR 22-64](#)     Ratifying the assessments for Graffiti Removal services during February 28 to March 29, 2022. (File No. J2207P, Assessment No. 228406)  
**Adopted**
- 61     [RLH AR 22-66](#)     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2022. (File No. CG2202A1, Assessment No. 220105)  
**Adopted**
- 62     [RLH AR 22-67](#)     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2022. (File No. CG2202A2, Assessment No. 220106)  
**Adopted**
- 63     [RLH AR 22-68](#)     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2022. (File No. CG2202A3, Assessment No. 220107)  
**Adopted**

**ADJOURNMENT****Meeting ended at 3:57 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**

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#### **Web**

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