



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, October 25, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:33 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 23-99](#) Amending the 2023 Neighborhood STAR budget to reallocate funds in the amount of \$658,071.26.
Received and Filed
- 2 [AO 23-100](#) Amending the 2023 Neighborhood STAR budget to reallocate funds in the amount of \$53,156.55.
Received and Filed
- 3 [AO 23-102](#) Amending the 2023 Neighborhood STAR budget to reallocate funds for three (3) projects in the amount of \$131,500.
Received and Filed
- 4 [AO 23-103](#) Amending the 2023 Saint Paul Regional Water Services spending budget to record the cost-neutral change in spending for the cost of issuance, principal and interest due on PFA note DW08.
Received and Filed
- 5 [AO 23-104](#) Amending the 2023 Neighborhood STAR budget to reallocate funds for one (1) project in the amount of \$15,000.
Received and Filed
- 6 [AO 23-105](#) Authorizing the Police Department to reallocate its 2023 Special Fund budget 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

Council President Brendmoen stated that Item 17 would be taken separately and that she would be recusing herself from that item.

Councilmember Yang 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

- 7 [RES 23-1476](#) Approving the City's cost of providing Property Clean Up services during August 8 to 11, 2023, and setting date of Legislative Hearing for November 21, 2023 and City Council public hearing for February 7, 2024 to consider and levy the assessments against individual properties. (File No. J2406A, Assessment No. 248505)

Adopted

- 8 [RES 23-1477](#) Approving the City's cost of providing Property Clean Up services during August 14 to 22, 2023, and setting date of Legislative Hearing for November 21, 2023 and City Council public hearing for February 7, 2024 to consider and levy the assessments against individual properties. (File No. J2407A, Assessment No. 248506)

Adopted

- 9 [RES 23-1478](#) Approving the City's cost of providing Equipment and Labor for Clean Up services during July to August, 2023, and setting date of Legislative Hearing for November 21, 2023 and City Council public hearing for February 7, 2024 to consider and levy the assessments against individual properties. (File No. J2408A, Assessment No. 248507)

Adopted

- 10 [RES 23-1479](#) Approving the City's cost of providing Miscellaneous Abatement services during July to August, 2023, and setting date of Legislative Hearing for November 21, 2023 and City Council public hearing for February 7, 2024 to consider and levy the assessments against individual properties. (File No. J2409A, Assessment No. 248508)

Adopted

- 11 [RES 23-1612](#) Authorizing the Police Department to enter into an agreement with People Incorporated to provide services with funding from a Miscellaneous Funding 2022 Byrne Justice Assistance Grant from the Minnesota Department of Public Safety.
- Adopted**
- 12 [RES 23-1617](#) Approving the issuance by the City of Coon Rapids of conduit Multifamily Housing Revenue Bonds on behalf of Mississippi View Housing Partners, LP using, in part, recycled bonding authority from the Fairview & University Project, Fairview Avenue & University Avenue (District 11, Ward 4).
- Adopted**
- 13 [RES 23-1598](#) Establishing an additional Step 7 for the existing classification of Street Services Worker in Grade 012 of EG 71, Tri-Council Laborers.
- Adopted**
- 14 [RES 23-1599](#) Establishing the rate of pay for Chemical Feed Specialist II and Senior Water Operator in Grade 12U, of EG 12, Operating Engineers Salary Schedule.
- Adopted**
- 15 [RES 23-1600](#) Approving the 2023 Memorandums or Agreement between the City and Manual & Maintenance Supervisors Association and Tri-Council (LIUNA Laborers, Local 363; General Drivers, Local 120; Operating Engineers, Local 49) for the purpose of establishing a process for determining compensation for the supervising of and potholing and skim paving work performed on a weekend shift.
- Adopted**
- 16 [RES 23-1601](#) Establishing the rate of pay for Maintenance Worker III in Grade 11U, of EG 12, Operating Engineers Salary Schedule.
- Adopted**

FOR DISCUSSION

- 17 [RES 23-1649](#) Authorizing the City to enter into Privately Owned Public Space Parkland Agreements with Snelling-Midway Redevelopment, LLC.
- Andy Rodriguez, Director of Parks and Recreation, spoke to Version 2 and gave a staff report.*
- Mike Hahm, Project Consultant, continued the staff report.*
- Councilmember Prince expressed concern and asked about parkland diversion.*
- Hahm and Rodriguez addressed Prince's concerns and question.*
- Councilmember Jalali spoke in support.*
- Prince expressed additional concerns and asked if it would be possible to lay over for*

one week.

Jalali spoke against a one-week layover.

Councilmember Tolbert spoke in support.

Jalali overviewed the public process that took place for this item.

Councilmember Yang asked for additional details on the public process.

Rodriguez and Hahm spoke to the public process as well.

Yang spoke in support.

Prince spoke in opposition.

Noecker spoke in support.

Jalali moved approval of Version 2.

Adopted as amended

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

Nay: 1 - Councilmember Prince

Abstain: 1 - Councilmember Brendmoen

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

- 18** [Ord 23-47](#) Amending Section 220.05 of the Legislative Code to set rates for base level garbage service to be effective January 1, 2024.
Councilmember Yang moved approval.
- Adopted**
- Yea:** 6 - Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen
-
- 19** [Ord 23-49](#) Granting the application of 2285 Hampden LLC to rezone property at 2285 Hampden Avenue from I1 light industrial to IT transitional industrial and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
Councilmember Jalali spoke in support and moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

PUBLIC HEARINGS

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

- 20** [Ord 23-51](#) Granting the application of Pillai Builders LLC to rezone property at 597- 605 Front Avenue from B3 general business to T2 traditional neighborhood and amending Chapter 60 of the Legislative Code pertaining to the Zoning Map.
- Councilmember Balenger moved to close the public hearing.*
- Laid over to November 1, 2023 for Final Adoption**
- Yea:** 6 - Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen
- 21** [RES PH 23-296](#) Authorizing the Department of Parks and Recreation to accept State General Obligation Bond Funds, in the amount of \$8,000,000, enter into a grant agreement, and amend the financing and spending plan for the Mississippi River Learning Center.
- Councilmember Tolbert spoke in support and moved approval.*
- Adopted**
- Yea:** 6 - Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen
- 22** [RES PH 23-307](#) Accepting an Arts and Cultural Heritage Fund grant administered through the Minnesota Department of Administration, establishing a financing and spending plan in the Department of Parks and Recreation in the amount of \$432,000 for the construction of the Hmong Plaza in Phalen Regional Park, and entering into a required grant agreement (which includes an indemnification clause).
- Councilmember Yang spoke in support and moved approval.*
- Councilmember Prince spoke in support.*
- Adopted**

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 23** [RES PH 23-311](#) Establishing the financing and spending plan in the Department of Parks and Recreation in the amount of \$500,000 for funds contributed from the Port Authority for the Hillcrest Heights project.

Councilmember Yang spoke in support and moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 24** [RES PH 23-319](#) Amending the City's Operating Budget to reflect the final sale details resulting from the issuance of the Sewer Revenue Bonds, Series 2023E.

Councilmember Jalali moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 25** [RES PH 23-320](#) Approving the petition of Curt Trisko, on behalf of York Avenue Land Development LLC, to vacate an unimproved alley opened behind 1500 York Avenue.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 26** [RES PH 23-322](#) Amending the 2023 Saint Paul Regional Water Services adopted budget in the amount of \$1,000,000 to record the increase in spending and financing for chemical, electricity, sludge handling, and plumbing supplies.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 27** [RES PH 23-331](#) Approving the Capital Improvement Plan submitted by the Saints identifying Capital Improvements to be performed at the Ballpark as part of the Saints' Triple-A affiliation with the Minnesota Twins, authorizing the use of Capital Expenditure Funds in an amount not to exceed \$151,000, and amending the spending and financing budget in the Lowertown Ballpark Fund.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

Abstain: 1 - Councilmember Brendmoen

LEGISLATIVE HEARING DISCUSSION ITEM

- 31** [RLH SAO 23-37](#) Appeal of Richard Heller to a Summary Abatement Order at 1223 MARION STREET.

Appeal granted to allow wheelbarrows, step ladders, a picnic table, and other items manufactured for exterior use that are in good repair. Granted to November 1 for compliance with balance of the orders, including proper storage or removal of extension ladders, card tables, and all other items.

Also in attendance: Richard Heller, appellant

Marcia Moermond, Legislative Hearing Officer: This is a summary nuisance abatement order to remove items that constitute a nuisance. It indicates that the owner is to remove improperly stored or accumulated refuse, which may include garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts scrap, wood and metal recycling materials, household items, building materials, tires, brush, etc. from entire property including the yard, boulevard, alley, and driveway. In all capital letters it says to please remove and properly dispose of the tables, ladders, vacuum fans, tires, wheelbarrow, and other miscellaneous debris from the front yard and entire property. The orders were issued on September 5 with a deadline to comply of September 12. The owner of the property, Mr. Heller, came to file an appeal the day after the deadline on September 13th. It is our practice to accept appeals, even though they're late, if a work order hasn't been sent for the crew to go and execute a cleanup. We will let the department know to hold off, and schedule it for hearing, which we did in this case. I really would be failing if I didn't give a shout-out one of our colleagues. When Mr. Heller came on September 13th to file an appeal, she stayed for 90 minutes to help Mr. Heller with his appeal, because he needed an accommodation. Heller did ask for and receive accommodations to be able to fully participate in the appeals process. By and large, what that amounts to is to have the ability to have Adobe or another computer program be able to read aloud the written documents that are a part

of the city record. Documents that were not readable were rendered readable. It took two hearings to get all of the documents into that format. The second accommodation is the ability to read what's transpiring when hearing or conversation is happening in real time. Heller, who's here, is using a laptop which is using Microsoft Teams to be able to have live captioning of the conversation here, exactly as it's happening. The City Council Chambers don't have this ability for the TVs you see here, but if someone were at home watching this meeting on the live stream, there is a closed captioning button for them. When Heller comes up, he'll have that laptop with him. It will be writing out what's being said as it's being said. To the orders themselves, I will show you some photos that the inspector took when the orders were written. The front yard is kind of overgrown and there are various items like step ladders, a wheelbarrow, a clothing rack, a table with a rug on it, shelving, tires, and a vacuum. On September 25, before the Legislative Hearing, the inspector went back to take photos. Some items were removed, but many are still there. A final set of photos was taken on October 10. Many items are still there, and a lot of kids-sized bicycles have turned up. Breaking this down, some items can be stored outside if they are in good condition: picnic tables, lawn mowers, chairs, and things intended for exterior use. My recommendation speaks to that and differentiates between items that are allowed and those that are not, and sets a deadline of November 1 (a 7-week extension) to remove items that are not allowed. The inspector will work with Heller to make determinations if there is a question of if something is allowed.

Richard Heller: Two minutes is not appropriate. I've testified here before about the those limitations. I've always asked for more than two minutes (Heller continued with additional remarks about accessibility). Moermond did say that the piping system had to come down in the front of the house but didn't give any discretion to the inspectors on that. I think it's tidied up and meets compliance for what is outside. I don't know how much discretion is going to happen with this property. It's up to the inspectors. (Heller continued with additional remarks about accessibility).

Councilmember Noecker: You are out of time. Moermond recommended you be granted to November 1 to remove items that should not be there. What is your request?

Heller: I've been told different things by different inspectors and law enforcement officials on what is allowed. (Heller continued with additional remarks about accessibility).

Councilmember Noecker moved to close the public hearing. Approved 6-0.

Noecker: Moermond, could you just state again what will happen going forward if this resolution is approved, so it is clear?

Moermond: With the deadline of November 1, the inspector will follow up at the property to ensure that the Council's deadline has been met. If it has not been met, the inspector reports that back in the Legislative Hearing process for a "Making Finding" resolution. That will go through hearings with me and then come back before you.

Noecker moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

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 Tolbert moved approval.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 28** [RLH TA 23-358](#) Amending Council File No. RLH AR 23-65 to delete the assessment for Graffiti Removal services during January 27 to March 28, 2023 at 1112 ARCADE STREET. (File No. J2306P, Assessment No. 238405)

Adopted

- 29** [RLH RR 23-54](#) Making finding on the appealed substantial abatement ordered for 1618 HAMLIN AVENUE NORTH in Council File RLH RR 23-2.

Adopted

- 30** [RLH RR 23-53](#) Making finding on the appealed substantial abatement ordered for 771 IOWA AVENUE WEST in Council File RLH RR 22-56.

Adopted

ADJOURNMENT

Meeting ended at 4:32 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>.

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