



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 12, 2022

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:32 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

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Council President Brendmoen stated that Items 10 and 13 would be taken separately, and that Item 11 would be withdrawn.

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

- 1 [RES 22-1439](#) Approving the Memorandum of Agreement for the establishment of the 2023 - 2025 health insurance contribution rates and VEBA contribution rates.
Laid over to October 19, 2022
- 2 [RES 22-1540](#) Approving assessment costs and setting date of City Council public hearing to ratify the reassessment for the Ford Site 429 Improvement Project. (File No. 19246B, Assessment No. 225206)
Adopted

- 3 [RES 22-1543](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for 3MC Auto Repair LLC (License ID# 20220001315), d/b/a 3MC Auto Repair, for Auto Repair Garage and Auto Body Repair/Painting Shop licenses located at 881 Newcomb Street.
- Adopted**
- 4 [RES 22-1553](#) Authorizing the Department of Parks and Recreation to enter into Lease Agreement between the City and First Tee - Minnesota ("FTMN") for the First Tee Sanford Family Learning Center.
- Adopted**
- 5 [RES 22-1561](#) Authorizing stipend payments for Police Chief Qualifications and Examining Committee members.
- Adopted**
- 6 [RES 22-1566](#) Authorizing the Fire Department to pay for all costs incurred to hold a graduation ceremony for the BLS Academy on October 10, 2022 at the Conway Recreation Center.
- Adopted**
- 7 [RES 22-1568](#) Approving the Memorandum of Agreement between the City and International Union of Painters and Allied Trades District Council 82 for the purpose of establishing funding of uniforms for those employees in the Saint Paul Regional Water Services.
- Laid over to October 19, 2022**
- 8 [RES 22-1569](#) Approving the Memorandum of Agreement between the City and District Lodge 77 International Association of Machinists and Aerospace Workers AFL-CIO for the purpose of establishing a tuition sponsorship program for Vehicle Technician Trainees.
- Laid over to October 19, 2022**
- 9 [RES 22-1570](#) Authorizing the Fire Department to enter into Terms and Conditions with Butterfly Network Inc. which requires indemnification language for the use of their ultrasound product.
- Adopted**
- 11 [RES 22-1576](#) Authorizing the Department of Public Works to request from the Minnesota Department of Transportation a variance from its State Aid Operation Rules for the Hamline Avenue Mill and Overlay Project and to indemnify the State of Minnesota for claims, demands, actions, or causes of action that may arise based the Department of Transportation granting the variance request. (To be withdrawn.)
- Withdrawn**

- 12 [RES 22-1577](#) Authorizing the City on behalf of the Police Department to accept a grant from the U.S. Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant 2022 program.

Adopted

FOR DISCUSSION

- 10 [RES 22-1575](#) Accepting the notification that Gateway Park and Uñčí Makhá Park have been installed by Project Paul, LLC (a wholly-owned subsidiary of Ryan Companies US, Inc.) ("Ryan") on the Ford (Highland Bridge) Site.

Councilmember Tolbert spoke in favor of the resolution, thanked staff for their work, and moved approval.

Council President Brendmoen spoke in support.

Adopted

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

Nay: 0

- 13 [RES 22-1582](#) Approving adverse action against the Liquor On Sale - 100 seats or less License held by Bark and The Bite LLC d/b/a Bark and The Bite (License ID #20190000556) for the premises located at 2186 Marshall Avenue. (laid over from October 12, 2022) (To be withdrawn)

Councilmember Jalali moved to lay the item over one week, as the license holder had recently submitted payment and the Department of Safety and Inspections needed time to process it.

Laid over to October 19, 2022

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

Nay: 0

SUSPENSION ITEMS

- [RES 22-1559](#) Supporting Ramsey County's pursuit of a Reconnecting Communities Pilot Program Discretionary Grant for the Rice Street Reconstruction Project.

Reuben Collins from Public Works gave a staff report.

Council President Brendmoen spoke in support and asked about the city's contribution to the project.

Collins addressed that question and stated that the total cost of the project was yet to be determined.

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

RES 22-1500

Authorizing the Mayor and Public Works to submit a joint application with Reconnect Rondo to the US DOT's Reconnecting Communities Program.

Russ Stark, Chief Resiliency Officer in the Mayor's Office, gave a staff report.

Councilmember Prince asked what the City's commitment would be if the grant were received.

Stark addressed Prince's question, stating that the City's contribution would be \$100,000 of the \$500,000 local match with the remainder being covered by funding that has been secured by Reconnect Rondo.

Councilmember Jalali spoke in support.

Council President Brendmoen spoke in support.

Councilmember Balenger 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 first reading.

First Reading

14 Ord 22-42

Granting the application of PHS Norfolk Avenue LLC to rezone the property at 1883 Norfolk Avenue from R3 one-family residential to RM2 medium-density multiple-family residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Spencer Miller-Johnson from Planning and Economic Development gave a staff report.

Councilmember Tolbert asked about the differences between the two zoning classifications.

Miller-Johnson addressed Tolbert's question.

Council President Brendmoen explained the ordinance process for those in attendance.

Laid over to October 19, 2022 for Second Reading

PUBLIC HEARINGS

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

- 15** [RES PH 22-257](#) Ratifying the assessment for a water main and connection at 2166 Carver Avenue (File No. 18982B5, Assessment No. 226100).
- Councilmember Prince moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 16** [RES PH 22-299](#) Approving the petition of the Church of the Sacred Heart to vacate the portion of public alley which runs through their property at 840 6th Street East. (public hearing closed and laid over from October 12, 2022)
- James Haynes, Parishioner at Sacred Heart spoke in support.*
- Councilmember Prince stated that she planned to lay the matter over for a few weeks to give the district council time to review the plan. Asked if a two week layover would avoid a hardship.*
- Haynes said they wanted to start work as soon as possible in order to finish work before the ground freezes.*
- Prince moved to close the public hearing and lay over for one week.*
- Public hearing closed and laid over to October 19, 2022**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 17** [RES PH 22-301](#) Approving the petition of Nancy Schapiro to vacate the public alley in the block bounded by Howell Street, Bayard Avenue, Sue Place and Eleanor Avenue.
- Councilmember Tolbert moved approval.*
- Adopted**

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

Nay: 0

- 18** [RES PH 22-302](#) Approving the petition of Joseph Kolar to vacate the portion of public alley which abuts the property at 1911 Saunders Avenue. (public hearing closed and laid over from October 12, 2022)

Joseph Kolar spoke in support and said one more thing still needed to be adjusted before approval.

Bruce Engelbrekt from Financial Services gave a staff report.

Councilmember Tolbert moved to close the public hearing and lay over for one week.

Public hearing closed and laid over to October 19, 2022

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

Nay: 0

- 19** [RES PH 22-305](#) Approving the application of Monster Series LLC for three sound level variances in order to present amplified sound on October 29, 2022 at 180 Shepard Rd. -Upper Landing Park, SW Corner, Shephard Road underneath the Smith Avenue Bridge, and Summit Avenue near the Cathedral;

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 22-306](#) Approving the application of the Minnesota United FC/Allianz Field for four sound level variances in order to present amplified sound for the 2022 MLS Cup Playoffs on October 15-17, October 20 or 23, October 30 and November 5, 2022 at 400 Snelling Ave. N. - Amplified sound within the Street and the Beer Garden Area outside of Allianz Field.

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

- 21 [RES PH 22-309](#) Authorizing the Police Department to accept and amend the 2022 Special Fund Budget for the Minnesota Department of Public Safety, Office of Traffic Safety, Enforcement Grant Program grant.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 22 [RES PH 22-311](#) Amending the financing and spending plans in the Fire Department in the amount of \$8,587.15 for the Minnesota Task Force One reimbursement from the City of Edina.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

- 23 [RES PH 22-314](#) Amending the financing and spending plans in the Fire Department in the amount of \$92,857.14 to accept the 2021 Fire Prevention & Safety Grant to purchase supplies for the Project Safe Haven program.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

- 24 [RES PH 22-315](#) Amending the financing and spending plans in the Fire Department in the amount of \$1,055,454.54 to accept the 2021 Assistance to Firefighters Grant (AFG) to provide turnout gear, paramedic training, Blue Card training, Fit to Thrive training, and physical exams for firefighters.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

LEGISLATIVE HEARING DISCUSSION ITEM

- 31 [RLH SAO 22-46](#) Making finding on the appealed nuisance abatement ordered for 319 FULLER AVENUE in Council File RLH SAO 22-42.

Council found that the nuisance condition was not abated and the Department of Safety and Inspections (DSI) was authorized to abate the nuisance.

Also in attendance: Daniel Fix, property owner

Marcia Moermond, Legislative Hearing Officer: The Council previously approved an extension to the property owner to abate the nuisance, and this is about making a finding on whether or not that has happened. It would then authorize DSI to clean up the property and abate the nuisance. This is about trash and other materials that have accumulated on the property (showed photos from the complaint). Last Tuesday, October 4, was the deadline, and a legislative hearing was held. During that hearing, the inspector submitted photos showing many of the items still in the yard, though some has been removed (showed additional photos). A lot of it has not been addressed though, so I recommend that you find that the nuisance condition has not been abated and that DSI be authorized to clean up the property. The property owner is here and I believe he will be asking for additional time. My recommendation is not to grant additional time.

Fix: I apologize for the mess. I was planning to move and started collecting stuff but then plans got put on hold because of the pandemic. I have made a lot of progress. Most of the stuff is out of there and either gone or moved into the garage. I just want to make sure that as much as possible can be kept out of a landfill to recycle, liquidate, or give to charity. Hopefully I will be done in a couple weeks. I would like an extension until the next month.

Council President Brendmoen: You would like an extension to November?

Fix: I apologize I didn't catch that. I have hearing issues.

Moermond: She clarifying that you are asking for an extension to November.

Fix: Yes.

Councilmember Balenger: This has gone on for a long time and we could be looking at tough cleanup situation as the weather changes if we wait. I move approval of Moermond's recommendation.

Adopted

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

Nay: 0

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 Prince 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

- 25** [RLH TA 22-318](#) Ratifying the Appealed Special Tax Assessment for property at 1610 BLAIR AVENUE. (File No. J2213B, Assessment No. 228118)
Adopted
- 26** [RLH CO 22-10](#) Appeal of Fred Sasse to a Correction Order at 1197 BURNQUIST STREET.
Adopted
- 27** [RLH FCO 22-84](#) Appeal of Cassandra and Eric Larson to a Fire Inspection Correction Notice at 920 CLARK STREET.
Adopted
- 28** [RLH TA 22-327](#) Ratifying the Appealed Special Tax Assessment for property at 1931 CLEAR AVENUE. (File No. CRT2210, Assessment No. 228211)
Adopted
- 29** [RLH TA 22-175](#) Ratifying the Appealed Special Tax Assessment for property at 2229 DOSWELL AVENUE. (File No. J2222A, Assessment No. 228524) (Public hearing continued to October 12, 2022)
Adopted as amended (assessment reduced)
- 30** [RLH VBR 22-43](#) Appeal of Nathan Erickson, NJE Holdings LLC to a Vacant Building Registration Fee Warning Letter, at 1303 EDMUND AVENUE.
Adopted
- 32** [RLH TA 22-147](#) Ratifying the Appealed Special Tax Assessment for property at 1597 HAZELWOOD STREET. (File No. J2208E, Assessment No. 228307) (Public hearing continued to October 12, 2022)
Adopted as amended (assessment deleted)
- 33** [RLH TA 22-179](#) Ratifying the Appealed Special Tax Assessment for property at 2118

HENDON AVENUE. (File No. J2222A, Assessment No. 228524) (Public hearing continued to October 12, 2022)

Adopted as amended (assessment reduced)

- 34 [RLH RR 22-53](#) Ordering the rehabilitation or razing and removal of the structures at 39 HILLTOP LANE within fifteen (15) days after the October 12, 2022, City Council Public Hearing. (Grant 180 days)

Adopted as amended (granted 180 days)

- 35 [RLH TA 22-322](#) Ratifying the Appealed Special Tax Assessment for property at 459 LAUREL AVENUE. (File No. CRT2210, Assessment No. 228211)

Adopted

- 36 [RLH TA 22-317](#) Ratifying the Appealed Special Tax Assessment for property at 329 LAWSON AVENUE WEST. (File No. VB2213, Assessment No. 228821)

Adopted

- 37 [RLH FCO 22-74](#) Appeal of Mary Callander to a Fire Inspection Correction Notice at 1378 LINCOLN AVENUE.

Adopted

- 38 [RLH VBR 22-42](#) Appeal of Kevin Christ, CBW Properties LLC, to a Vacant Building Registration Requirement at 1118 MARGARET STREET.

Adopted

- 39 [RLH TA 22-193](#) Ratifying the Appealed Special Tax Assessment for property at 20 MARYLAND AVENUE EAST. (File No. J2223A, Assessment No. 228525) (Public hearing continued to October 12, 2022)

Adopted as amended (assessment reduced)

- 40 [RLH TA 22-176](#) Ratifying the Appealed Special Tax Assessment for property at 38 MARYLAND AVENUE EAST. (File No. J2223A, Assessment No. 228525) (Public hearing continued to October 12, 2022)

Adopted as amended (assessment reduced)

- 41 [RLH VO 22-27](#) Appeal of Jacob Smith to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 627 MENDOTA STREET.

Adopted as amended (extension granted)

- 42 [RLH SAO 22-39](#) Making finding on the appealed nuisance abatement ordered for 1930 NORTONIA AVENUE in Council File RLH SAO 22-31.

Adopted

- 43 [RLH RR 22-39](#) Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71. (Public hearing continued to September 28, 2022)
Amended and public hearing continued to November 2, 2022.
- 44 [RLH TA 22-323](#) Ratifying the Appealed Special Tax Assessment for property at 797 PARK STREET. (File No. J2213E, Assessment No. 228321)
Adopted
- 45 [RLH VBR 22-45](#) Appeal of Matthew Brown to a Vacant Building Registration Fee Warning Letter at 689 PARKVIEW AVENUE.
Adopted
- 46 [RLH TA 22-354](#) Ratifying the Appealed Special Tax Assessment for property at 792 ROSE AVENUE EAST. (File No. J2214A1, Assessment No. 228530)
Adopted
- 47 [RLH TA 22-326](#) Deleting the Appealed Special Tax Assessment for property at 1146 ROSS AVENUE. (File No. J2213E, Assessment No. 228321)
Adopted
- 48 [RLH TA 22-328](#) Deleting the Appealed Special Tax Assessment for property at 201 SEVENTH STREET WEST. (File No. J2209P, Assessment No. 228408)
Adopted
- 49 [RLH TA 22-184](#) Ratifying the Appealed Special Tax Assessment for property at 532 SHERBURNE AVENUE. (File No. J2219A, Assessment No. 228519) (Public hearing continued to October 12, 2022)

Adopted as amended (assessment reduced)
- 50 [RLH RR 22-54](#) Ordering the rehabilitation or razing and removal of the structures at 342 THOMAS AVENUE within fifteen (15) days after the October 12, 2022, City Council Public Hearing. (Legislative Hearing October 11, 2022)

Referred to October 25, 2022 Legislative Hearing
- 51 [RLH TA 22-297](#) Ratifying the Appealed Special Tax Assessment for property at 733 THOMAS AVENUE. (File No. J2212B, Assessment No. 228116) (Amend to reduce)
Adopted
- 52 [RLH TA 22-298](#) Ratifying the Appealed Special Tax Assessment for property at 733 THOMAS AVENUE. (File No. J2213B, Assessment No. 228118)
Adopted as amended (assessment reduced)

- 53 [RLH VO 22-25](#) Appeal of Thomas Harris, Alliance Motor LLC, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 468 UNIVERSITY AVENUE WEST.
Adopted
- 54 [RLH TA 22-186](#) Ratifying the Appealed Special Tax Assessment for property at 850 UNIVERSITY AVENUE WEST. (File No. J2223A, Assessment No. 228525) (Public hearing continued to October 12, 2022)
Adopted as amended (assessment deleted)
- 55 [RLH TA 22-356](#) Amending Council File No. RLH AR 22-64 to delete the assessment for Graffiti Removal services during February 28 to March 29, 2022 at 916 UNIVERSITY AVENUE WEST. (File No. J2207P, Assessment No. 228406)
Adopted
- 56 [RLH TA 22-355](#) Amending Council File No. RLH AR 22-64 to delete the assessment for Graffiti Removal services during February 28 to March 29, 2022 at 981 UNIVERSITY AVENUE WEST. (File No. J2207P, Assessment No. 228406)
Adopted
- 57 [RLH AR 22-81](#) Ratifying the assessments for Collection of Vacant Building Registration fees billed during January 10 to April 18, 2022. (File No. VB2213, Assessment No. 228821)
Adopted
- 58 [RLH AR 22-82](#) Ratifying the assessments for Securing and/or Emergency Boarding services during May 2022. (File No. J2213B, Assessment No. 228118)
Adopted
- 59 [RLH AR 22-83](#) Ratifying the assessments for Demolition services from May to June 2022 (C.D.B.G. Funds). (File No. J2207C, Assessment No. 222006)
Adopted
- 60 [RLH AR 22-84](#) Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during February 28 to April 23, 2022. (File No. CRT2210, Assessment No. 228211)

Adopted
- 61 [RLH AR 22-85](#) Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during January 4 to April 21, 2022. (File No. J2213E, Assessment No. 228321)
Adopted
- 62 [RLH AR 22-86](#) Ratifying the assessments for Graffiti Removal services during May 31 to June 22, 2022. (File No. J2209P, Assessment No. 228408)

Adopted

ADJOURNMENT

Meeting ended at 4:21 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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