



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
651-266-8560

Meeting Minutes

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, April 7, 2021

3:30 PM

Council Chambers - 3rd Floor

Please see the meeting guidelines due to the COVID-19 pandemic.

ROLL CALL

The meeting was called to order at 3:34 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 21-33](#) Mayor's Emergency Executive Orders 21-13 and 21-14.

Received and Filed
- 2 [AO 21-15](#) Amending CDBG projects budget: funding for 1064 Bush Avenue and 535 Forest Street.

Received and Filed
- 3 [AO 21-16](#) Amending CDBG projects budget: funding for 1090-1092 Payne Avenue.

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

A motion was made by Councilmember Jalali to Approve the Consent Agenda
The motion carried by the following vote:

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

Nay: 0

- 4 [RES 21-307](#) Authorizing the City to renew a lease agreement with the Minnesota Pollution Control Agency for use of space on City property at 1450 Red Rock Road.

Adopted

- 5 [RES 21-450](#) Approving the City's cost of providing Collection of Vacant Building Registration fees billed during October 5 to December 22, 2020, and setting date of Legislative Hearing for May 4, 2021 and City Council public hearing for June 16, 2021 to consider and levy the assessments against individual properties. (File No. VB2108, Assessment No. 218811)

Adopted

- 6 [RES 21-451](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during January 2021, and setting date of Legislative Hearing for May 4, 2021 and City Council public hearing for June 16, 2021 to consider and levy the assessments against individual properties. (File No. J2108B, Assessment No. 218108)

Adopted

- 7 [RES 21-452](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during December 21 to January 12, 2021, and setting date of Legislative Hearing for May 4, 2021 and City Council public hearing for June 16, 2021 to consider and levy the assessments against individual properties. (File No. CRT2108, Assessment No. 218208)

Adopted

- 8 [RES 21-453](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during November 23 to December 22, 2020, and setting date of Legislative Hearing for May 4, 2021 and City Council public hearing for June 16, 2021 to consider and levy the assessments against individual properties. (File No. J2108E, Assessment No. 218307)

Adopted

- 9 [RES 21-454](#) Approving the City's cost of providing Graffiti Removal services during December 3 to January 6, 2021, and setting date of Legislative Hearing for May 4, 2021 and City Council public hearing for June 16, 2021 to consider and levy the assessments against individual properties. (File No. J2106P, Assessment No. 218408)

Adopted

- 10 [RES 21-455](#) Approving the City's cost of providing Towing of Abandoned Vehicle(s) service during November 2019 at 306 Sidney St E, and setting date of Legislative Hearing for May 4, 2021 and City Council public hearing for June 16, 2021 to consider and levy the assessments against individual properties. (File No. J2003V1, Assessment No. 208006)
- Adopted**
- 11 [RES 21-458](#) Authorizing the City to enter into an agreement with MnDOT for the ownership and maintenance of a pipe and drainage structure along I-94 north of the Kellogg Boulevard bridge crossing.
- Adopted**
- 12 [RES 21-460](#) Accepting the Offer of the Minnesota Public Facilities Authority to Purchase a Water Revenue Note in an Aggregate Principal Amount of \$15,400,000; providing for the Issuance of the Water Revenue Note, Series 2021; and Authorizing Execution of a Project Loan Agreement with the Minnesota Public Facilities Authority.
- Adopted**
- 13 [RES 21-419](#) Authorizing the Department of Parks and Recreation to apply for funds up to \$250,000 from the Outdoor Recreation grant program and up to \$150,000 from the Local Trail Connections grant program, and to apply for grants to other agencies and groups as needed for any matching amounts required.
- Adopted**
- 14 [RES 21-468](#) Approving the agreement with Bird and Lime to provide e-scooter sharing services for the 2021 scooter season.
- Adopted**
- 15 [RES 21-429](#) Approving the Labor Agreement between the Independent School District 625 and the Minnesota School Employees Association representing Classified Confidential Employees Association (July 1, 2020 - June 30, 2022). (Laid over from March 24)
- Adopted**
- 16 [RES 21-473](#) Establishing the rates of pay for the Animal Services Officer I-III series in EG 01, AFSCME, in Grades 028, 032, and 035, respectively. (Laid over from April 7)
- Laid over to April 14**

- 17 [RES 21-478](#) Authorizing the Department of Public Works to apply for the Metropolitan Council Environmental Services 2020 State Bond Fund Municipal Inflow and Infiltration Grant program.
- Adopted**
- 18 [RES 21-438](#) Authorizing the City to approve the amendment to allow Saint Paul Yacht Club to establish, maintain, and utilize dredging and sedimentation infrastructure at the Upper Harbor.
- Adopted**
- 19 [RES 21-486](#) Changing the rate of pay for Heavy Equipment Operator-Water and abolishing the classification of Revolving Power Equipment Operator. (Laid over from April 7)
- Laid over to April 14**
- 20 [RES 21-490](#) Authorizing the submission of the 2021-22 Consolidated Plan-Annual Action Plan (CDBG, ESG, HOME) to the U.S. Department of Housing and Urban Development (HUD), and execution of HUD agreements.
- Adopted**
- 21 [RES 21-492](#) Authorizing the Fire Department to accept the donation of a \$100 gift card to Cub Foods from an anonymous donor.
- Adopted**
- 22 [RES 21-493](#) Approving the 2021 Cultural Sales Tax Revitalization (STAR) Program Guidelines.
- Adopted**
- 23 [RES 21-529](#) Approving and authorizing a STAR loan restructure loan made to Community Dental Care (“Borrower”).
- Adopted**
- 24 [RES 21-505](#) Approving the use of grant funds through the Neighborhood Star Year-Round Program for a new furnace and roof at 1494 Dale Street.
- Adopted**
- 25 [RES 21-412](#) Authorizing a Temporary License between the City of Saint Paul and Shidler/West Finance Partners V for the Police Department's use of vacant commercial space for police canine training activities.
- Adopted**

- 26 [RES 21-494](#) Authorizing the Police Department to partner with Aitkin County Sheriff's Office to donate its used personal protective gear (hereinafter referred to as "protective gear").

Adopted

- 27 [RES 21-495](#) Approving a Liquor On Sale-100 seats or less, Liquor On Sale-Sunday, Liquor On Sale-2 A.M. Closing, Entertainment (A), and Cigarette/Tobacco licenses with conditions to White Squirrel LLC, d/b/a The White Squirrel (License ID #20200001333), for the premises located at 974 Seventh Street West.

Adopted

- 28 [RES 21-497](#) Authorizing the exercise of Joint Powers with Ramsey County to carry out an Emergency Rental Assistance Tenant Application Program; approving program guidelines; and authorizing the execution of necessary agreements.

Adopted

- 29 [RES 21-506](#) Approving the Mayor's reappointments of Mitra Jalali and Rebecca Noecker to serve on The Family Housing Fund.

Adopted

- 30 [RES 21-543](#) Approving the Mayor's appointment of Rebecca Noecker to the Saint Paul Port Authority for a term ending on July 31, 2023.

Adopted

- 31 [RES 21-547](#) Reaffirming the City Council's regular meeting schedule during the Covid-19 pandemic emergency.

Adopted

FOR DISCUSSION

- 32 [SR 21-52](#) American Rescue Plan presented by Congresswoman Betty McCollum.

Congresswoman Betty McCollum spoke to the Council.

Received and Filed

- 33 [SR 21-22](#) Update on Covid-19 vaccinations.

Lauren Andersen gave a presentation to the City Council.

Received and Filed

- 34 [RES 21-540](#) Proclaiming April as the Melody Vang Child Abuse Prevention Month in the City of Saint Paul.

*Councilmember Thao said he will be moving Version 2.
7 in favor, none opposed
The amendment is approved.*

Councilmember Thao said he brought forward this resolution to remember the 2-year old who was killed by her parents. He is also here to talk about child abuse. He felt we have to do something to protect young children in our community. He has seen people come together to protect kids. He thanked Department of Safety and Inspections, the Police Department-Crime Prevention Unit, Ramsey County-Foster Advocate Program, Saint Paul Domestic Abuse Intervention Project.

Shelly Cline, Saint Paul Domestic Abuse, said their service levels have gone up by 12%. The people they serve during COVID were warriors. 85% of the people they worked with needed help. People needed help maintaining housing. 9% were homeless. They worked with victims in crisis. They worked with someone who is leaving the relationship and those who are still in the relationship. They have been stretched beyond capacity. There were 4 domestic homicides in 2020. They have been working hard with the courts. During COVID, the community has been so strained. They bring programs and services to victims. It takes a whole community to address this. Melody and all those people whose lives were stolen from them will not happen anymore.

Council President Brendmoen said they know how important it is that these resources are delivered to them.

Paul Murphy is founder and Executive Director of Foster Advocates, a nonprofit he founded in 2018. There was no one working in this space in the foster care. Foster Advocates is their mission. They foster advocacy, policy change, and organizing by partnering with fosters and impacted communities. He is in this work because the City of Saint Paul saved his life. He entered foster care when he was 8 years old. He went to school for the first time in third grade. A teacher saw that he was emaciated, wearing the same clothes, and he entered foster care that same day. It was a life saving intervention for him. Foster care is also a challenging and difficult process. He ended up being adopted and graduated from high school. His younger brother was aged out of the system and ended up in penitentiary. Paul's story could have easily been his. The biggest shift was in 2018. Many people remember the death of Eric Dean. Welfare authorities were notified on 15 occasions and did not intervene. He was beat to death by his parents. That draws a lot of parallels to now with Vang in January. This prompted a response by then Governor. There were 93 recommendations. It was to provide a response to a tragedy. There is an increase with children entering care. There are 15,297 kids in foster care in 2019. In Saint Paul, the largest are from the East Side, Rondo, and Frogtown communities. When we talk about foster care, we also talk about rates. He talked about races and rates in foster care. Foster kids don't celebrate when exiting the foster care system. At midnight, they are exiting from care. With a flip of a coin, young people aging out of system will be showing up in homeless shelters. 65% of youth leaving foster care need immediate housing upon aging out.

The Minnesota impact is significant. 38% of youth in shelters have had experience in foster care. There are chronic homelessness. Some are deflated. How do people

define homelessness? Hanging out on a friend's couch. 25% of our young people experience homeless, 20% were couch surfing, or sleeping in a car. Murphy would like to see this more of a priority.

Councilmember Jalali, Prince, and Yang commented on the presentation.

*7 in favor, none opposed
The resolution is adopted as amended*

Adopted as amended

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

Nay: 0

35 [RES 21-324](#)

Approving a Lease Agreement between the City and the Board of Water Commissioners to lease a portion of Board-owned property at 750 Snelling Avenue South for use by the City's Parks and Recreation Department.

Council President Brendmoen said there is a request for a 2-week layover for renotification.

*Councilmember Yang moved a 2-week layover.
7 in favor, none opposed
Resolution is laid over to April 21*

Laid over to April 21

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

Nay: 0

36 [APC 21-1](#)

Public hearing to consider the appeal of Alatus Development LLC to a decision of the Planning Commission to deny a site plan for Lexington Station Apartments at 411-417 Lexington Parkway North. (Public hearing was closed on March 17)

Councilmember Thao said they already did the staff report. He wants to ground us in the timeline. We had a great presentation from the PED (Planning and Economic Development) Director. Overall, we have a housing shortage in Saint Paul. There is so much interest in this project from all over the City. They read the e-mails and listened to the calls. The appellant appeal focuses on two findings by the Planning Commission when it denied the Appellant's site plan and application: 1) The site plan is inconsistent with certain core values expressed in the 2040 comprehensive plan. 2) The site plan is inconsistent with certain design standards in the zoning code that are applicable in traditional neighborhood zoning districts.

There is a housing shortage for affordable housing. The housing proposed by the appellant is not affordable within the surrounding neighborhood and not consistent with certain core values expressed in the comprehensive plan.

Thao said he will address each of the Appellant's arguments: 1) The Planning Commission found that the appellant's site plan was inconsistent with the core values of equity, affordability, and sustainability of the 2040 plan when it moved denial of the site plan based upon inconsistency with the requirement of Legislative Code § 61.402 (c)(1). 2) The Planning Commission found the site plan was inconsistent with two design standards applicable to "Traditional Neighborhood" district under Legislative Code § 66.343. Legislative Code § 66.643 provides that "Site plans within traditional neighborhood district shall be consistent with the applicable design standards unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable." Specifically, the Planning Commission found that the site plan did not meet Legislative Code § 66.343(b)(2) entitled "Transition to lower density neighborhoods" states that "transitions in density or intensity shall be managed through careful attention to building height, scale, massing, and solar exposure." The commission's also found that the plan did not meet Legislative Code § 66.343(b)(16) which is "Interconnected street and alley network" and states that "the existing street and alley network shall be preserved and extended as part of any new development. If the street network has been interrupted, it shall be restored whenever possible."

Thao continued: the appellant urges the Council to grant the appeal arguing that the Commission's Finding Number 2 is incorrect because there are circumstances "unique to the property" because "the site is bordered by a gas station, parking garage, four-lane road and a commercial area" and that given these surrounding land uses "not only are a 'gradual transition' in building height and mass unreasonable, it is simply impractical for this particular location."

Thao continued: what the appellant fails to mention is that there are also single-family homes adjacent to a portion of the site. While it is true that a 20-foot alley and an 8.5-foot side-yard setback separate TN4 property from the adjacent TN3 properties with single-family homes, this is a flat parcel of land. There is nothing unique about this site that prevents the appellant from designing a building that better transitions in scale and mass to the single-story homes to the south. This can be accomplished either through variation in height along the south and west elevations of the building, by stepping back upper floors, or adjusting other aspects of the design such as the

building's scale or mass. As the site plan stands today, the building's "S" shaped design appears only to make design accommodations along its east-west axis where there already exists adequate buffering from the T2 and T3 districts located across the wide Lexington Parkway right-of-way and the similarly zoned T4 parcels to the west of the site. Nothing however shows that the building's "S" design attempts to provide for a transition to the single-family homes in the abutting T3 district to the south beyond the width of the alley. The requirement is only that some attempt at transition is made.

Reviewing the Appellant's site plan indicates that no attempt at transitioning the design of its building as it relates to TN4 and the adjacent TN3 single-family residential uses. Accordingly, the Planning Commission did not err when it found that Appellant's site plan did not meet Legislative Code § 66.343(b)(2) standard for a "careful transition" which actuates Land Use Policy 29 of the 2040 Plan which calls for ensuring that building massing, height, scale, and design transition to those permitted in adjoining districts.

Whether Fuller or any other public street is ever extended west of Lexington Parkway may be debatable; however, it would be trivial to connect the sidewalk that already runs along the north side of the Carty Heights facility running along existing private driveway and ends at the west corner of the Appellant's site, to the public sidewalk along Lexington Avenue. It would also be a more logical connection for cycling purposes as well rather than have cyclists follow the looping route along the proposed private drive around the north and west sides of the Appellant's site. As appellant has already agreed to a bike path on its private property, making a connection along the south side of the building in the private alley is also reasonable. The Planning Commission did not err when it found that Appellant's site plan did not meet Legislative § 66.343(b)(16) standard to preserve or extend existing streets as part of any new development as bike paths or pedestrian walkways are the functional equivalent of a "street or alley" when it comes to facilitating transportation modes.

For all the reasons stated, Thao moved that the Appellant's appeal regarding the Planning Commission's decision under Finding Number 1 be denied, and that the appellant's appeal regarding the Planning Commission's decision under Finding Number 2 be denied, that the overall denial of the Appellant's Site Plan as set forth in Planning Commission Resolution 21-05 is affirmed, that Planning Commission Resolution 21-05 Finding Numbers 1 and 2 be amended to incorporate the findings above in support of the commission's denial, and that the other findings expressed in the resolution remain the same.

Brendmoen said she is not clear what he just moved. She does not fully understand what was presented.

Councilmember Yang said there is a motion to deny the appeal. Thao responded that is correct. It is very technical. We had a staff presentation two weeks ago and a lot happened between then and now.

Yang said she supports the things shared. When reading all of the testimony from people who living in the community, they are clear this is a deep violation of the City's goals and where we want to go in the future. We live on indigenous land. We need to make sure development is rooted in community. It is not in line with our City's priorities and goals. It is up to the developer to make this happen. This is an opportunity for us to see if the developer is here to meet the needs of the community or not. She thanked Thao for the work that has been done on this item. She is appreciative for the community and thanked everyone who submitted their concerns.

She can't express how important it is to be more aggressive about inclusionary zoning. We need to work with each other and staff. Otherwise, we will run into issues like this again. This needs to stop.

Councilmember Noecker concurred with people who worked on this. There are 2 different issues: 1) There is a very narrow technical sense of the site plan and if the Planning Commission erred in fact, finding, or procedure. 2) The bigger, more important issue is gentrification and displacement when a new development takes place, especially when the City's history of racism effects a community. She thinks the Planning Commission erred in denying the site plan. Staff recommended approval, Zoning Committee recommended approval, and the Planning Commission by one vote denied approval. This project does not require any variances, conditional use permits, or public subsidy. This is an entirely private transaction. The only reason we are seeing it is because the Planning Commission chose to review the site plan. She appreciates Thao's point by point. As she reads the Planning Commission minutes and public testimony, it seems the main question really relates to if the property was affordable or in line with the values in the comprehensive plan. That is the crux to the Planning Commission. There are different opinions if the 144 units are affordable or not. She is assuming the entire property is market rate. Even if not, it does not run afoul of the comprehensive plan because it allows market rate housing. Planning Commission's logic is problematic because any housing project would be denied. That is not the intention of the comprehensive plan. She wants to be really clear that she is supportive of affordable housing, but we know that developers don't build affordable houses at that level without public subsidy. Public subsidy dollars are limited. We can deny and have them ask for subsidy, but then we have fewer dollars to create affordable housing elsewhere. The bigger issue is we cannot allow seniors and low-income families to get priced out of neighborhoods they call home. The City's discriminatory racist policies have displaced families in the past. At the same time, we want investment in the community. Any new investment runs the risk of increasing property values which can increase taxes and rent. The challenge is development without displacement. We need new development. We need to put in place an anti-displacement policy. Denying the site plan is not legally justified.

Councilmember Prince says the way she heard Thao's motion is that it concedes the current plan argument. She is inclined to support the motion. This is a fantasy world that people would come together and figure this out. Wilder, the developer, and the neighbors should define what would be affordable. She is frustrated in the past 2 weeks, we hear nothing from the developer until yesterday or Monday. They drop more breadcrumbs into the mix. Another reason she would call for people to come together to figure something out, is in the record, the Wilder executive director is saying if the City Council voted this down, they intend to not go forward with this developer and work with the community and rethink this development. She can't remember an issue where there is such a huge amount from 3 planning district from negative feedback and concern, and it hit her when she got a call from Debbie Montgomery about Rondo. We are in the Rondo area. Alatus needs to come to the table. This is ridiculous that we have the seller of the site, and the developer and the neighborhood get together and have changes in the plan without a sincere effort by the developer to figure out what that looks like. She doesn't see how we can vote today anyway. If we can get 50 units out of this, we should probably get them. If Alatus would define how many units they are talking about, they will keep them affordable for 10 years. This is not a legal matter. This is an issue where the Wilder Foundation did something they now regret and a developer who is trying to make changes to make it affordable and a community that has been left out of the decision. She will support the motion to vote today, but it is not fair to anyone on the Council to vote when there are so many moving pieces right

now. They need to get in a room together and pound something out or a Zoom call. She is frustrated. She did hear Thao state a legal basis for denial which related directly to the T4 zoning requirements. The way it does not meet T4 zoning is a legal basis.

Brendmoen asked did she say that if this development is denied, Wilder will not move forward with this developer and go back to the drawing board. Prince responded it is the public record in Legistar today.

Brendmoen said that is an interesting development. She would like to know what is the timer on this one. Palmer said that was one question she was not prepared for. She will get an answer in 5 minutes. She does need to clarify something Prince say about Thao's motion: actually Thao moved to deny both of the items. That may have been a misstatement.

Thao said he moved to deny both because the Planning Commission did not err in that they found inconsistencies with the comp plan.

Brendmoen said she got the answer; it is April 17, which is next Saturday. That is the drop dead date for decision making.

Councilmember Jalali said she appreciates the complexity of this issue. There is a plethora of community input. After struggling, she believes there is a basis to deny the appeal. She intends to support Thao's motion. She went back and listened to the Planning Commissions discussions. They cited codes we do have in addition to the comp plan—which is not a legal code and not an ordinance—that actually indicate a basis for denial. It's something that she struggled with. The code in question is not one she agrees with either. The code is problematic. She serves as the land use and advisory committee member of the Met Council. The zoning code is higher priority. There is a legal basis for denial. She would offer that. We passed a relocation assistance that were very hard fought by the same community in protecting our community. We have talked about a slew of things that we intend to do. We don't have the supply we need. Every single development should matter because all development is good for the community.

Councilmember Tolbert wants to clarify exactly what the vote today would be. What Thao said was complex and legally based. It was hard to hear on the fly. I want to make sure we all have the full knowledge of what we are voting on.

Thao said they are moving to deny the appeal because 1) it is inconsistent with the core values in the comp plan and the Planning Commission did not err on this, 2) the site plan's inconsistent design plan. It is also interconnected street and alley network. The appellant could make a connection to a bike path instead of having that bike path circle and go around the perimeter of that proposal.

Noecker said the appellants were correct in the second finding. We grant flexibility on those things when it is difficult to comply. Our staff supported it originally. The technical issues were okay.

Thao reiterated his motion: For all the reasons stated, he moved the Appellant's appeal regarding the Planning Commission's decision under Finding Number 1 be denied, and that the Appellant's appeal regarding the Planning Commission's decision under Finding Number 2 be denied, that the overall denial of the Appellant's Site Plan as set forth in Planning Commission Resolution 21-05 is affirmed, that Planning

Commission Resolution 21-05 Finding Numbers 1 and 2 be amended to incorporate the findings above in support of the commission's denial, and that the other findings expressed in the resolution remain the same.

Thao said this is a transaction between private properties. It's important for us to get to be at the table and talk this through if we want Saint Paul to work for all of us. This area is a neighborhood that has been displaced. They ran 94 through this area. There are lots of memories of what happened in this community. It is very important to have affordable housing and all the site plan and everything is met so we can move forward together.

Tolbert said he doesn't recall them reviewing a site plan. If the motion passes, where does this leave that application: is it gone, can they reapply, can it be litigated in court?

Palmer said if it is denied, you have denied the site plan. The Planning Commission has determined they will not accept the site plan. There is an appeal of that. If that appeal is denied then you go back to that decision. Ms. Anderson is in a better position to tell you if it can be brought back in.

Tia Anderson said a vote to deny the appeal would deny the site plan application. At that point, there is nothing more for Zoning to do with that application. A new application could be submitted for a new site plan application.

Brendmoen said she is going against the motion to deny the appeal. She appreciates Noecker comments of separating the larger issue and acknowledging that work by community members and the Council and the administration on housing.

Tolbert said he concurs. He respects what Thao said. Jalali laid out the competing things we had. He thinks back to what we talked about early on in the affordable housing work. We can't just build housing that is needed in Saint Paul with public dollars. We also need private partners whether we like them or not. His fear is we are sending a message to private developers that we do not want to send. This is a bigger signal. I don't want to lose that private development partnership in Saint Paul. It could be appealed in court and a different resort could happen. If this passes and the site plan is revisited, he hopes that people get together and work on what would be an acceptable development in this case. This is 100% privately financed development. He read the e-mails. We are making a larger decision for the entire City. He will vote against the motion.

Brendmoen said the motion from Thao is to deny. A vote no is not in support of the motion to deny. If you are voting yes, you are supporting that motion.

Prince said there are 2 take aways. One is when a developer is interested in developing in a neighbors, they should get to know the neighbors. If a developer is going to work with us, they need to come in and be open to hearing from the surrounding community. We need the inclusionary zoning study sooner than later. We need to find a way to work with developers.

Yeas – Thao, Yang, Jalali, Prince

No – Tolbert, Noecker, Brendmoen

4 in favor, 3 opposed (Tolbert, Noecker, Brendmoen)

Motion of intent – appeal is denied

Motion of intent - appeal denied

- Yea:** 4 - Councilmember Thao, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 3 - Councilmember Brendmoen, Councilmember Tolbert and Councilmember Noecker

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

- 37** [Ord 21-11](#) Granting the application of 1164 W 7th, LLC (previously Miley H R Separate Prop Trust) to rezone property at 1164 Seventh Street West from RT2 townhouse residential to RM2 multiple-family residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Council President Brendmoen said this is the new ordinance policy.*
- Councilmember Noecker says she does not need a new staff report.*
- Brendmoen said the staff report is first reading, public hearing at second, and the third reading is a vote.*
- This ordinance is laid over to April 14 for second reading/public hearing*
- Laid over to April 14 for second reading/public hearing**

PUBLIC HEARINGS

- 38** [RES PH 21-53](#) Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$203,000 to reflect additional 2021 funding expected from Como Friends.
- Council President Brendmoen said this is a public hearing held online and transcribed over the phone.*
- Councilmember Jalali moved approval.*
- 7 in favor, none opposed*
- Public hearing is closed and the resolution is adopted*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0

- 39** [RES PH 21-62](#) Approving a Lease Agreement and parkland diversion for the City to lease a portion of City-owned property known as Pig's Eye Regional Park to the Board of Water Commissioners to use for soils recycling and storage.

Council President Brendmoen said this will be laid over for 2 weeks per Councilmember Yang.

7 in favor, none opposed

Public hearing is continued to April 21

Public hearing continued to April 21

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

Nay: 0

- 40** [RES PH 21-76](#) Authorizing the Police Department to accept and amend the 2021 special fund budget and adding an activity for the Speed and Aggressive Driving Enforcement grant from the State of Minnesota Department of Public Safety.

Council President Brendmoen said the public hearing was held online and over the phone. She moved to close the public hearing and approve.

7 in favor, none opposed

Adopted

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

Nay: 0

LEGISLATIVE HEARING ITEMS

Items 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66

Councilmember Yang moved to adopt these items.

6 in favor, none opposed

Public hearing are closed and the resolutions are adopted

For the following items, the Legislative Hearing Officer recommends adoption of the following resolutions as no objections to these recommendations were received:

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 41 [RLH TA 21-146](#) Ratifying the Appealed Special Tax Assessment for property at 1193 and 1195 ARONA STREET. (File No. J2016A1, Assessment No. 208549)
Adopted
- 42 [RLH TA 21-175](#) Amending Council Files No. RLH AR 20-98 to delete the assessment for Property Clean Up March 16 to 30, 2020 at 559 BLAIR AVENUE. (File No. J2020A, Assessment No. 208535)
Adopted
- 43 [RLH TA 21-142](#) Deleting the Appealed Special Tax Assessment for property at 564 BLAIR AVENUE. (File No. J2111A, Assessment No. 218510)
Adopted
- 44 [RLH TA 20-335](#) Ratifying the Appealed Special Tax Assessment for property at 956 BURR STREET. (File No. J2010B, Assessment No. 208109)
Adopted
- 45 [RLH TA 21-181](#) Amending Council Files No. RLH AR 20-98 to delete the assessment for Property Clean Up March 16 to 30, 2020 at 749 CHARLES AVENUE. (File No. J2020A, Assessment No. 208535)
Adopted
- 46 [RLH SAO 21-21](#) Making finding on the appealed nuisance abatement ordered for 1216 CHARLES AVENUE in Council File RLH SAO 21-17.
Adopted
- 49 [RLH OA 21-6](#) Appeal of Leo Domenichetti to a Summary Abatement Order plus a Department of Safety and Inspections letter requiring a code compliance inspection at 1145 FOURTH STREET EAST.
Adopted
- 50 [RLH TA 21-120](#) Deleting the Appealed Special Tax Assessment for property at 646 FULLER AVENUE. (File No. J2112A, Assessment No. 218511)
Adopted
- 51 [RLH TA 21-129](#) Ratifying the Appealed Special Tax Assessment for property at 655 JESSAMINE AVENUE EAST. (File No. J2016A1, Assessment No. 208549)
Adopted
- 52 [RLH TA 21-143](#) Ratifying the Appealed Special Tax Assessment for property at 853 JOHNSON PARKWAY. (File No. J2112A, Assessment No. 218511)
Adopted

- 54 [RLH VBR 21-14](#) Appeal of Tabatha Jackson to a Vacant Building Registration Notice at 1094 KENT STREET.
Adopted
- 55 [RLH AR 20-94](#) Ratifying the assessments for Towing of Abandoned Vehicle service during October 2019 at 814 MANOMIN AVENUE. (File No. J2004V, Assessment No. 208004)
Adopted
- 56 [RLH SAO 21-20](#) Making finding on the appealed nuisance abatement ordered for 2359 PEARL STREET in Council File RLH SAO 21-13.
Adopted
- 57 [RLH TA 21-118](#) Deleting the Appealed Special Tax Assessment for property at 105 ROSE AVENUE WEST. (File No. J2111A, Assessment No. 218510)
Adopted
- 58 [RLH TA 21-183](#) Amending Council File No. RLH AR 21-21 to spread payments in the assessment for Removal of Dangerous Tree(s) service during February 2020 at 1711 SAINT CLAIR AVENUE. (File No. 2101T, Assessment No. 219000)
Adopted
- 59 [RLH TA 21-114](#) Deleting the Appealed Special Tax Assessment for property at 930 SAINT PAUL AVENUE. (File No. J2112A, Assessment No. 218511)
Adopted
- 61 [RLH TA 21-184](#) Amending Council File RLH AR 20-97 to delete the assessment for Property Clean Up March 2 to 11, 2020 at 1743 SHERWOOD AVENUE. (File No. J2019A, Assessment No. 208534)
Adopted
- 62 [RLH SAO 21-22](#) Appeal of Caleb Santangelo to a Summary Abatement Order at 1646 TAYLOR AVENUE.
Adopted
- 63 [RLH VBR 21-15](#) Appeal of Callan Crawford, Stepping Stones Supportive Services, to a Vacant Building Registration Fee Warning Letter at 1047 WAKEFIELD AVENUE.
Adopted
- 64 [RLH AR 20-93](#) Ratifying the assessments for Securing and/or Emergency Boarding services during February 2020. (File No. J2010B, Assessment No. 208109)
Adopted

- 65 [RLH AR 21-22](#) Ratifying the assessments for Property Clean Up services during November 2 to 13, 2020. (File No. J2111A, Assessment No. 218510)

Adopted

- 66 [RLH AR 21-23](#) Ratifying the assessments for Property Clean Up services during November 13 to 30, 2020. (File No. J2112A, Assessment No. 218511)

Adopted

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

- 48 [RLH RR 20-44](#) Ordering the rehabilitation or razing and removal of the structures at 854 EDMUND AVENUE within fifteen (15) days after the December 2, 2020, City Council Public Hearing. (Amend to remove in 15 days)

Councilmember Thao moved to amend and adopt.

6 in favor, none opposed

Public hearing is closed and the resolution is adopted

Adopted as amended (grant 180 days)

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

For the following items, the Legislative Hearing Officer recommends continuing the public hearings to the dates listed:

- 47 [RLH TA 21-162](#) Ratifying the Appealed Special Tax Assessment for property at 859 DESOTO STREET. (File No. J2019A1, Assessment No. 208550) (Continue public hearing to September 15, 2021)

Continue public hearing to September 15

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 53** [RLH TA 21-144](#) Ratifying the Appealed Special Tax Assessment for property at 551 KENT STREET. (File No. J2111A, Assessment No. 218510) (Public hearing continued to September 8, 2021)

Public hearing continued to September 8

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

For the following item, the Legislative Hearing Officer recommends referring to the Legislative Hearing of April 20, 2021:

- 60** [RLH VO 21-8](#) Appeal of Cynthia Johnstone to a Fire Inspection Correction Notice (which includes condemnation) and a Vehicle Abatement Order at 1352 SEVENTH STREET WEST.

Referred to the April 20 Legislative Hearing

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

ADJOURNMENT

The meeting was adjourned at 6:34 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 the Minnesota Governor Tim Walz and 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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