



City Hall and Court House
15 West Kellogg Boulevard

City of Saint Paul

City Council Meeting Minutes - Final

Council Chambers - 3rd
Floor
651-266-8560

Council President Amy Brendmoen
Councilmember Kassim Busuri
Councilmember Mitra Jalali Nelson
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert

Wednesday, April 10, 2019

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

The meeting was called to order by Council President Brendmoen at 3:33 p.m.

Present 7 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali Nelson and Councilmember Kassim Busuri

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

Item 2 was removed from the Consent Agenda for separate consideration.

Councilmember Busuri moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

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

Nay: 0

- 1 **RES 19-571** Authorizing the City Attorney's Office to pursue an available funding opportunity offered by the Bush Foundation.

Adopted

3 **RES 19-592** Accepting the gift of airfare, transportation, and food expenses from the National League of Cities for City staff to attend the National League of Cities' Supporting a Strong Prenatal to Age 3 convening.

Adopted

4 **RES 19-563** Approving the agreement between the Saint Paul Fire Department and the East Metro Public Safety Training Facility.

Adopted

5 **RES 19-542** Establishing the rate of pay for the new classification of Accessibility Coordinator.

Laid over to April 17 for adoption

6 **RES 19-567** Authorizing the Mayor's Office and the Department of Public Works to enter into and sign a host site agreement(s) with the MPCA to host 3 AmeriCorps members from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency, for the 2019-2020 program year.

Adopted

7 **RES 19-568** Accepting the gift of the costs of travel expenses from the National League of Cities (NLC) for the City of Saint Paul delegation including: Councilmember Jane Prince and Chief Equity Officer, Toni Newborn to attend the National League of Cities' cross site convening in Washington D.C. to be held from April 11 - April 12, 2019.

Adopted

8 **RES 19-534** Authorizing the Department of Parks and Recreation to apply for grant funds of \$15,000 from the Minnesota State Arts Board to support the McDonough Celebrate Me - Celebrate Community Festival and Art Crawl 2019 and, if awarded, accept and enter into a grant agreement, and indemnify and hold harmless the State of Minnesota, the Board, its agents, and employees in the performance of the contract related to the grant funds.

Adopted

FOR DISCUSSION

2 **RES 19-594** Appointing Ballard Spahr LLP as special counsel, and approving the agreement for outside counsel services between the City Attorney's Office and Ballard Spahr LLP.

Councilmember Prince said she'd had a question for the City Attorney's office and was going to request a layover, but would take the answer now from Deputy City Attorney Rachel Tierney.

Ms. Tierney said the date on the contract was the one used when the contract was being drafted but would be amended to today's date.

Councilmember Prince moved approval of the resolution.

Adopted

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

Nay: 0

9 RES 19-531

Honoring the recipients of the 2019 Saint Paul Business Awards.

Council President Brendmoen made introductory comments and acknowledged members of the selection committee, City Council staff, and other City staff who had worked on the awards. Mayor Carter said a few words.

Council members presented the awards. Awardees made brief comments.

Councilmember Brendmoen moved approval of the resolution.

Adopted

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

Nay: 0

10 RES PH 19-36

Ratifying the assessment for the 2018 Street Maintenance Service Program-Sealcoating Street and/or Alley. (File No. 185600, Assessment No. 185600)

Council President Brendmoen asked for a four-week layover to have a few questions answered on the mill and overlay policy.

Public Works Director Kathy Lantry clarified that this item was for assessments for sealcoating, not the mill and overlay.

Councilmember Prince said she had requested the layover of this item from last week, and was able to get answers for the issues she had questions on.

Council President Brendmoen moved approval of the resolution.

Adopted

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

Nay: 0

11 RES PH 19-40

Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Stryker Avenue. (File No. MO1805, Assessment No. 185503) (Public hearing held April 3; laid over from April 10)

Councilmember Noecker thanked everyone for their testimony the previous week, and said good questions were raised about the policies. She moved a layover to May 8.

Laid over to May 8

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

Nay: 0

- 12 RES PH 19-42** Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Victoria Street. (File No. MO1807, Assessment No. 185505) (Public hearing held April 3; laid over from April 10)

Councilmember Noecker moved to lay the matter over to May 8.

Laid over to May 8

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

Nay: 0

- 13 RES PH 19-38** Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Arlington Avenue. (File No. MO1802, Assessment No. 185501) (Public hearing held April 3; laid over from April 10)

Council President Brendmoen moved to lay the matter over to May 8.

Laid over to May 8

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

Nay: 0

- 14 RES PH 19-41** Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Forest Street. (File No. MO1806, Assessment No. 185504) (Public hearing held April 3; laid over from April 10)

Councilmember Busuri moved to lay the matter over to May 8.

Laid over to May 8

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

Nay: 0

- 15 RES PH 19-73** Amending the Ford Site Zoning and Public Realm Master Plan for use with the Ford zoning districts for the Ford site redevelopment area.

Councilmember Tolbert moved approval of the resolution.

Councilmember Noecker thanked everyone for their work. She said she had continued to think about the single-family home zoning, which she had voted against when the amendment was introduced. She said especially given the affordable housing needs in

St. Paul housing, she felt multi-family housing could be included and was an important part of the vision for the site. She said she supported the other amendments but since they were all together she would be voting against this.

Councilmember Tolbert said he appreciated the conversations over the past couple of weeks. He noted that the amendment regarding housing along the river added single-family housing as an option but didn't preclude two- to six-unit housing. He said this was an important next step in delivering a great redevelopment of the Ford site.

Adopted as amended (amended March 27)

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 1 - Councilmember Noecker

ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at four 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 third reading.

Final Adoption

- 16 Ord 19-19** Amending sections of the Legislative Code pertaining to the Ford Districts (Leg. Code §§ 66.912 - F1 Residential District, 66.917 - F6 Gateway District, 66.921 - District Use Table, 66.931 District Dimensional Standards Table, 66.942 - District Vehicle Parking Standards, 66.943 - District Bicycle Parking Standards), and amending the City's Zoning Map (Leg. Code § 60.303) to adjust zoning district boundaries to follow realigned streets.

Councilmember Tolbert moved approval.

Adopted as amended (amended March 27)

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 1 - Councilmember Noecker

- 17 Ord 19-20** Creating Chapter 141 of the Legislative Code to regulate shared transportation systems.

Councilmember Jalali Nelson moved approval.

Adopted

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

Nay: 0

Second Reading

- 18 **Ord 19-15** Amending Chapter 4.04 of the Charter of the City of Saint Paul to allow for cancellation of council meetings pursuant to a process outlined by ordinance.
Laid over to April 17 for third reading/public hearing
- 19 **Ord 19-16** Amending Saint Paul City Charter Chapter 8.02 and 8.03 to clarify signature and petition requirements.
Laid over to April 17 for third reading/public hearing
- 20 **Ord 19-18** Amending Chapter 6.03.1 of the Saint Paul City Charter pertaining to the imposition of civil penalties for violations of city ordinances.
Laid over to April 17 for third reading/public hearing
- 21 **Ord 19-17** Amending Saint Paul City Charter Section 11.03 regarding the City of Saint Paul's Property Tax Authority.
Laid over to April 17 for third reading/public hearing
- 22 **Ord 19-26** Amending section 106.01 of the Legislative Code to permit sidewalk signs on the public sidewalk and boulevard.
Laid over to April 17 for third reading/public hearing
- 23 **Ord 19-27** Amending Chapter 64 of the Legislative Code pertaining to zoning to allow businesses and institutions to place sandwich board signs on public sidewalks and boulevards in certain zoning districts.
Laid over to April 17 for third reading/public hearing

PUBLIC HEARINGS

- 24 **Ord 19-21** Amending Section 409.06(n) of the Legislative Code, exempting the Downtown Business District from certain liquor license location restrictions, and removing restrictions relative to religious organizations City-wide. (Title amended April 10, 2019.)
Councilmember Noecker moved an amendment which better clarified the boundaries of the downtown district. Yeas - 6 Nays - 0 (Councilmember Prince not present)
No one was present to testify. Councilmember Noecker moved to close the public hearing.
Amended; public hearing held and closed; laid over to April 17 for final adoption
Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri
Nay: 0
Absent: 1 - Councilmember Prince

- 25 Ord 19-22** Amending Section 410.03(g) of the Legislative Code, exempting the Downtown Business District from certain non-intoxicating malt liquor license location restrictions, and removing restrictions relative to religious organizations City-wide. (Title amended on April 10, 2019.)
- Councilmember Noecker moved an amendment which better clarified the boundaries of the downtown district. Yeas - 6 Nays - 0 (Councilmember Prince not present)*
- No one was present to testify. Councilmember Noecker moved to close the public hearing.*
- Amended; public hearing held and closed; laid over to April 17 for final adoption**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Prince
- 26 RES PH 19-85** Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$316,450 to reflect additional 2019 funding expected from Como Friends.
- No one was present to testify. Councilmember Jalali Nelson moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Prince
- 27 RES PH 19-95** Amending the 2019 budgets related to Solid Waste.
- Council President Brendmoen said there had been some misinformation about this item, so she had asked for a quick staff report.*
- Ellen Biales, Public Works, said the resolution was not seeking any additional funding, and residents would see no increases in costs for the service. She described the transfers of funds within the budget.*
- In opposition:*
- Christine Wahlstrom (1824 Selby Avenue) said she thought this was poor budgeting, and the money could be better used elsewhere. She said it was taking money needed elsewhere and applying to this garbage system they didn't need.*
- Eric Lein (361 Summit Avenue) said he did see how the numbers offset each other. He displayed a budget breakdown sent by Ward 3 the previous June for \$24.60 fee for each dwelling unit, including \$3.02 for cash flow stabilization. He said that amount of income, budgeted a year ago to cover delinquent bills from people like him who didn't pay trash bills, would have been paid twice - once for the end of last year and once for this year, giving the haulers two years of income by December of this year. He said the*

problem he saw was that there was \$500,00 to \$600,000 of unpaid bills, and if people didn't change their payment habits the quarterly payment to the haulers would not be covered by fees collected. He said even though the money was moving from existing funds, he hoped the Council would look out three, six, nine, twelve months at why people weren't paying their trash bills. He said he was not paying his because he was being charged for un-used empty containers at a multi-unit property.

Bruce Clark (663 Oakdale Avenue) said he was not as concerned about the budget shifts as with program itself. He said he wondered how, in two to three years, the City was going to back-fill the amounts taken out of the original budgets to make up for the shortfall due to delinquent bills. He said he was aware of the bond sold last December to purchase trash carts, which was another expense the citizens would eventually pay for this ill-conceived program. He said he hoped the Council members would consider their futures as they were coming up for election in the fall.

Councilmember Tolbert moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Tolbert moved approval of the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Prince

- 28 RES PH 19-84** Approving the application of Minnesota United FC & Allianz Field for a sound level variance to present a DJ and amplified music on Saturday, April 13, 2019 at 400 Snelling Avenue North for the MN United FC Home Opener.

No one was present to testify. Councilmember Jalali Nelson moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Prince

- 29 RES PH 19-88** Approving the application of Planned Parenthood MN ND SD for a sound level variance for amplified music and announcements at 671 Vandalia Street for Solidarity Day on Friday, April 19, 2019.

No one was present to testify. Councilmember Jalali Nelson moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Prince

SUSPENSION ITEM

Councilmember Noecker moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Prince

RES 19-638

Declaring April 10, 2019 as "Water Action Day" in St. Paul in support of efforts at the State Capitol to protect our water and watershed basins now and for future generations to come.

Councilmember Noecker made brief comments and moved approval of the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Prince

LEGISLATIVE HEARING CONSENT AGENDA

Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda (Items 30 - 36)

Legislative Hearing Consent Agenda adopted as amended

Legislative Hearing Consent Agenda adopted as amended

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Prince

- 30 **RLH FCO 19-27** Appeal of Augustine Mai to a Correction Notice-Reinspection Complaint at 1330 BLAIR AVENUE.
 Adopted
- 31 **RLH VBR** Appeal of Taylor Johnson to a Vacant Building Registration Notice plus
19-25 Revocation of Fire Certificate of Occupancy and Order to Vacate at 1047
FOURTH STREET EAST.
 Adopted as amended (extension granted)
- 32 **RLH RR 19-5** Ordering the rehabilitation or razing and removal of the structures at 718
ORANGE AVENUE EAST within fifteen (15) days after the March 13,
2019 City Council public hearing. (To be referred to Legislative Hearing
on May 28)
 Referred to Legislative Hearings on May 28
- 33 **RLH VBR** Appeal of Mark Kaehler, Property Restoration Management, to a Vacant
19-24 Building Registration Notice and Fire Certificate of Occupancy
Revocation at 1241 SIXTH STREET EAST.
 Adopted
- 34 **RLH FCO 19-24** Appeal of Bob and Leah Usselman to a Reinspection Fire Certificate of
Occupancy With Deficiencies at 1210 THOMAS AVENUE.
 Adopted
- 35 **RLH TA 19-198** Amending Council File RLH AR 19-14 to delete the assessment for
Graffiti Removal services during October 24 to November 20, 2018 at
2274 UNIVERSITY AVENUE WEST. (File No. J1905P, Assessment No.
198404)
 Adopted
- 36 **RLH RR 19-12** Ordering the rehabilitation or razing and removal of the structures at 1143
WOODBIDGE STREET within fifteen (15) days after the April 10, 2019
City Council public hearing.
 Referred to Legislative Hearings on April 23

Council members shared news from the wards.

ADJOURNMENT

The meeting was adjourned at 4:32 p.m.

Adjourned

Council Meeting Information

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Web

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