



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, June 7, 2023

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

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 23-28](#) Letter from the Department of Safety and Inspections declaring 621 Bidwell Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed
- 2 [CO 23-29](#) Letter from the Department of Safety and Inspections declaring 401 Rose Avenue East a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed
- 3 [AO 23-53](#) Amending the 2023 Capital Improvement Budget to allocate funding for capital maintenance projects to the appropriate departments, as part of the first phase of deferred maintenance funding as recommended by the Capital Improvement Budget Committee.
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 8 would be taken separately.

Councilmember Prince moved approval.

Consent Agenda adopted as amended

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

Nay: 0

Absent: 1 - Councilmember Tolbert

- 4 [RES 23-781](#) Authorizing the Police Department to submit an application for funds under a Request for Proposals for the Enforcement Grant Program 2024 program, issued by the Minnesota Department of Public Safety (DPS) Office of Traffic Safety (OTS).
Adopted
- 5 [RES 23-782](#) Approving the application with a condition, per the Legislative Hearing Officer, for Hi Hi LLC (License ID # 20230000426), d/b/a same, which has applied for Liquor On Sale 101-180 seats, Liquor On Sale - Sunday, Liquor On Sale 2AM Closing, Liquor Outdoor Service Area (Patio) and Entertainment (B) licenses, located at 1079 Rice Street.
Adopted
- 6 [RES 23-784](#) Authorizing the Police Department to submit an application for funds under a Request for Proposals for the DWI/Traffic Safety Officer Grant Program, issued by the Minnesota Department of Public Safety (DPS) Office of Traffic Safety (OTS).
Adopted
- 7 [RES 23-792](#) Establishing the rate of pay for Senior Organizational Development in SPSO, EG 09.
Laid over to June 14, 2023
- 9 [RES 23-797](#) Authorizing the City to enter into a joint powers agreement with the State of Minnesota, acting through its Department of Human Services (DHS), to access the GrayKey device.
Adopted
- 10 [RES 23-799](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during January to March 2023, and setting date of legislative hearing for July 6, 2023 and City Council public hearing for August 23, 2023 to consider and levy the assessments against individual properties. (File No. CG2302A1, Assessment No. 230108)
Adopted
- 11 [RES 23-800](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during January to March 2023, and setting date of legislative

hearing for July 6, 2023 and City Council public hearing for August 23, 2023 to consider and levy the assessments against individual properties. (File No. CG2302A2, Assessment No. 230109)

Adopted

- 12 [RES 23-813](#) Authorizing the Department of Safety and Inspections to enter into a Joint Powers Agreement with the State of Minnesota regarding hotel fire inspections.
- Adopted**
- 13 [RES 23-814](#) Authorizing the Department of Safety and Inspections to enter into a Joint Powers Agreement with the State of Minnesota regarding public school fire inspections.
- Adopted**
- 14 [RES 23-820](#) Authorizing City staff to apply for and accept Safe Streets for All funding to implement transportation safety improvements entitled “the Eastside Systemic Transportation Safety Improvement Project.”
- Adopted**
- 15 [RES 23-825](#) Accepting the gift of travel expenses from Woodland Park Zoo for Kelsey Raffel to attend the Association of Zoos and Aquariums (AZA) Annual Conference in Columbus, Ohio from September 9 to September 14, 2023.
- Adopted**
- 16 [RES 23-827](#) Authorizing the Department of Parks and Recreation to purchase and provide up to \$1,500 of food and refreshments for staff working the 2023 Hmong Sports Tournament.
- Adopted**
- 17 [RES 23-829](#) Accepting the gift of travel expenses from Local Progress, State Innovation Exchange, and Re:power for Councilmember Mitra Jalali to attend the Progressive Governance Academy, Train the Trainer (T4T) program in Atlanta, GA from July 20-23, 2023.
- Adopted**
- 18 [RES 23-839](#) Requesting the Charter Commission to review the proposed amendment to Sec.17.07.1. (c) with regard to Commercial Development Districts and public hearings.
- Adopted**
- 19 [RES 23-716](#) Changing the rate of pay for the classification of Digital Evidence Technician to Grade 030, EG 02, AFSCME Technical.
- Adopted**
- 20 [RES 23-747](#) Approving the Memorandum of Agreement for the 2023 June Wage and

Fringe Adjustment (June 1, 2023) for the Sprinkler Fitters Local Union No. 417.

Adopted

FOR DISCUSSION

- 8 [RES 23-793](#) Approving the Cultural Sales Tax Revitalization (STAR) Program Guideline modifications. (laid over from June 7, 2023)

Council President Brendmoen moved to lay over for one week.

Laid over to June 14, 2023

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

Nay: 0

- 21 [RES 23-796](#) Celebrating 10 Years Since the Founding of the East Side Freedom Library and Proclaiming Saturday, June 3, 2023, as Beth Cleary and Peter Rachleff Day in the City of St. Paul.

Councilmember Yang spoke in favor, read from the resolution, and moved approval.

Councilmember Prince spoke in support.

Adopted

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

Nay: 0

SUSPENSION ITEM

ORDINANCE PUBLIC HEARING

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.

[Ord 23-26](#)

Granting the application of Minnesota Assistance Council for Veterans to rezone property at 704 Larpenteur Avenue East from R3 one family residential to RT2 townhouse residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map. (Public hearing continued and laid over for Final Adoption from June 7, 2023)

Council President Brendmoen moved approval.

Public hearing continued to June 14, 2023 for Final Adoption

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

Nay: 0

PUBLIC HEARINGS

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

- 22** [RES PH 23-119](#) Approving the application of The Center for Irish Music for a sound level variance in order to present amplified sound on June 10, 2023 at 836 Prior Avenue North. - Celtic Junction Arts Center. (public hearing continued from May 24, 2023)
- Councilmember Jalali 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 23-94](#) Ratifying the assessment for installation of a fire protection system requested by John Rupp for 79 Western Avenue North. (Project No. FP2021-05, Assessment No. 217104).
- Councilmember Balenger 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 23-95](#) Ratifying the assessment for installation of a fire protection system requested by Nou Vang and Toua Xiong for specially assessing the costs of a fire protection system at 1079 Rice Street. (Project No. FP2021-04, Assessment No. 217103).
- Council President Brendmoen moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 25** [RES PH 23-130](#) Approving the application of the Minnesota United FC for a sound level variance in order to present amplified sound on Wednesday, June 21, 2023

within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

- 26** [RES PH 23-131](#) Approving the application of Kyle Rucker for a sound level variance in order to present amplified sound on Saturday, June 10, 2023 at 109 Fourth Street West - Rice Park.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 27** [RES PH 23-132](#) Approving the application of Anderson Race Management for a sound level variance in order to present amplified sound on June 10, 2023 at Phalen Park Pavilion.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

- 28** [RES PH 23-133](#) Approving the application of Allianz Field for a sound level variance in order to present live amplified sound for the Juneteenth Celebration on June 17, 2023 outside of Allianz Field - 400 Snelling Avenue North.

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

- 29** [RES PH 23-134](#) Approving the application of Podium Sports Marketing for a sound level variance in order to present amplified sound on June 24, 2023, a revised date,

at Upper Landing Park.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 30** [RES PH 23-135](#) Approving the application of Tawfiq Islamic Center for a sound level variance in order to present amplified sound on June 28 or 29, 2023 at 270 Lexington Parkway North / Oxford Community Center.

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

- 31** [RES PH 23-141](#) Amending the financing and spending plans in the Department of Public Works Transportation Planning and Safety Division in the amount of \$20,000 for planned expenses related to the Shared Micro-mobility System.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 32** [RES PH 23-145](#) Approving the issuance by the City of Mounds View of conduit Multifamily Housing Revenue Bonds (for a project in St. Paul), approving a Joint Powers Agreement, Bond Compliance, Fee Agreement, and authorizing the execution of documents relating thereto, for the Joseph's Point at Upper Landing Project, at 200 Wilkin Street (District 9, Ward 2).

Councilmember Noecker 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 ITEMS

- 33 [RLH VO 23-19](#) Appeal of Christina Harding on behalf of Lynn Huynh to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1146 EDGERTON STREET. (public hearing closed and laid over from May 17, 2023)

Extension granted until July 1, 2023 to come into compliance or the property is to be vacated.

Marcia Moermond, Legislative Hearing Officer: My recommendation, based on your layover into June, is to grant to July 1st to come into compliance with the April fire correction orders or the property should be vacated. My initial recommendation was to June 1st and my revised recommendation is to July 1st based on the layover.

Councilmember Yang: I move support of the recommendation.

Adopted as amended

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

Nay: 0

- 52 [RLH TA 23-92](#) Ratifying the Appealed Special Tax Assessment for property at 779 THOMAS AVENUE. (File No. J2304E3, Assessment No. 238310)

Public hearing continued for 12 months to June 5, 2024. Assessment to be reduced by half if there are no same or similar violations during that time.

Also in attendance: Cher Vue, property owner

Marcia Moermond, Legislative Hearing Officer: There are people here to speak to items 52, 53, and 54. I would ask that the Council consider them together.

Council President Brendmoen: We are getting a report on all three at the same. These are three different assessments at the same address, correct?

Moermond: Yes. What we're looking at is excessive consumption assessments that are for inspector visits to the property that occurred between August 4th and October 14th. Each of those assessment roles contains a particular time period that the inspectors would have been visiting. They were visiting based on three sets of existing orders. Initially on July 28th, 2022, the City issued an order for removal of a refrigerator, chest, freezer, tires, household items, and miscellaneous debris from the driveway area. The deadline for having that work completed was August 4th. On the overhead you will see photos from July 28th of the refrigerator. You can see in the background another appliance, the chest freezer that's being referenced, and another view of various debris in the driveway. On August 4th, when the inspector went back, which was the deadline for the work to be complete, the work was not complete, so an Excessive Consumption of Inspector Services bill was issued, that has come to assessment. On the overhead is what we're looking at on August 4th. The inspector saw tires. We have the chest freezer. We'll be talking about the vehicles in a moment. We have the refrigerator now against the garage. There was no meaningful compliance with the order from the previous week. So, on August 4th, still no compliance. There's one bill. On August 18th, another bill was issued for non compliance. And on August 18th, we can see tires, scrap wood, still the chest freezer. Still, items underneath the boat there. You can see that there's household debris, tarps, baskets, and other

appliance type items, and confirmation on the address. So, a second day they revisited. Work was still not complete. A third day, August 25, when they revisited and issued another bill for not having completed the work, we see items beside the garage, including a appliance, and so on. So, all of the orders were not addressed at the time that there was a reinspection. In fact, they still weren't addressed on September 7th, when the inspectors came back again. Photos are again attached to the file. Still we have the chest freezer, the tires, now we have shopping carts, still scrap wood and so on. It was bad enough that the inspectors reissued an order that addressed the sort of mixed items. Some things remained. Some things were taken away. Some things came that weren't there before. The new set of orders that were issued on September 8th on that last reinspection date include auto parts, pallets and shopping carts. Those had arrived on the site where the refrigerator was removed on that reinspection. There is one bill in the packet in front of you for a reinspection on those September 8th orders and that is from six weeks later on October 14th where we can see the pallets, the freezer, and some various debris type items still on the property. So, there is a handful of excessive consumption assessments related to cleaning up the property and having these items on the property. The other item has to do with vehicles being improperly stored on the property. This begins with an order. A correction notice was issued on September 7th to the owner, and the correction notice which is: "Would you please do this or you'll be an receiving an excessive consumption?" It's not a, "If you don't, we'll tow them." This is the gentler version. This talks about removal of all vehicles, boats, and trailers on the property. It says that they need to be currently licensed, registered to the property, can't be missing any vital parts, or have flat tires. They have to be parked within 4 feet or more than four feet from the property line and on an approved surface, so that was the problem. The inspector documented the vehicles here. We have flat tires. We have plates not being present, expired plates on another. This one you can see has got flat tires and also an open hood. There we've got a light. You know they're doing the fixing on the vehicle there on site, and that's not compliant. Here we have a trailer. It's not a legal trailer license, parked too close to the property line, and the boat isn't properly licensed. When there was a reinspection on those September 7th orders on September 22nd, which was one week after the deadline to have the work done, the inspector documented that the work was not complete and took photos. Those were attached to your record and excessive consumption was issued. Each of these excessive consumption bills are for covering the cost of the inspector going out and the work not being done. It's a charge for the inspectors' time to go out to the property and again, you can see the hood is up and the tires are flat the same as it was with the original order. So then on October 6th there is another bill, work still not done. The photos will show you, identically really, what was there previously. Still no license. Still the hood being open, the car being worked on. The boat's still not being moved. Still, we have the license problems and then again. The following week, no change and the photos document that. Car still up on blocks, still hood open. Plates, the boat, all of it. I'm recommending approval of these assessments. Where I'm coming from with this, and I know that this is kind of hard hitting in terms of the rapidity, is that there have been orders on this property for vehicles and a multitude of different vehicles since 2017. There have been associated orders with junk auto parts, fridges, freezers, things that one would associate with scrap metal. That is kind of the nature of what's going on with this. In the Legislative Hearing process, the son had appealed on behalf of his parents. I understand he's been working with the Department of Safety and Inspections and providing some interpreting services for his parents. Also, there was some follow up from the Department of Safety and Inspections more recently to make sure that everything that they had provided was adequately translated. The inspectors have been out extensively talking with the family, trying to explain, over the past 5-6 years, what isn't acceptable. All these again are charges. They together come in just north of \$1000 for all of these

inspections. With respect to the cleanup of the property, I would note for the Council that the Department of Safety and Inspections finally did issue an order to proceed with cleanup, as in they sent an order to proceed to Kamish Excavating, so they went to an outside contractor. That order was issued on June 1st. So, that part of it has been addressed and my understanding from looking at the current record is there is an existing vehicle abatement order, that there was one in April with I think 6 vehicles on it. Those vehicles are gone and now we have a different vehicle that is still not in compliance and so this definitely fits the pattern of what's been seen. Those things aren't in front of you. That's just an update on what exists now. If the Council were to use this assessment to encourage compliance, that would involve a percentage decrease possibly, if there's no violations over a period of months that you would look at. That's quite a long report. That's three assessments, but quite a few bills embedded in all of those different assessments.

Brendmoen: I appreciate the need for the lengthy report. These types of properties are very challenging when it comes to enforcement. I've also have several similar properties in the area that I represent. It is very difficult to incentivize that compliance and to create an environment that's conducive to urban neighborhood living when there's scrap, auto repair, or stacks of items that are building up in the yard next to you. It's different than when it's just on a picture, and these are very difficult. I appreciate the longer report which helps me understand the many layers of trying to move forward with the enforcement.

Councilmember Noecker: At what point do we start charging for excessive consumption of inspection services? After how many visits? What qualifies as excessive consumption?

Moermond: If there is a deadline and there is not compliance on the deadline, the bill can be issued at that time because the inspector is going to have to make another visit. If it were done at the time, there's no charge for that follow up inspection.

Noecker: So, it's not having repeated things that kept appearing. It was that for each individual visit, the inspector came back and it hadn't been removed, so the inspector would have to come back again. That's the point at which it becomes excessive.

Councilmember Prince: So the vehicles are still there and we will be acting on assessments for excessive consumption. Do they understand that they will continue to get excessive consumption fees until the vehicles are moved? We're dealing with this in another instance where the property owner seems not to have understood that he should have appealed the vehicle abatement order and then has been, in the interim, paying the excessive consumption fees. But they haven't appealed the underlying order. I'm just wondering if that's happening here, so that they will continue to have these charges. Were you suggesting that we could reduce the charge, if there was an agreement to a compliance date to remove the vehicle? I'm just confused about whether they understand that this is going to continue until the vehicles are gone.

Moermond: This is not the first rodeo for this property. There have been extensive orders over a course of five to six years for this property, extensive conversations with the family about what the violations are, and many bills that have happened over time, that have shown up on property tax statements, and so on. With respect to understanding the ability to appeal these things, often that comes up in conversation with inspectors. Certainly it is in the orders themselves that these things are appealable and we are in appeal right now on the excessive consumption bills. But, given how long this process has been going on, the variety of orders, this is not a

surprise, I would say, in my estimation, just because of the volume of things that have been going on for this length of time.

Brendmoen: Just to clarify though, you said that the orders have been issued to remove. That there is a contractor that's hired to remove the items from the yard, so there will it would be a clean slate. Is the new care abatement under the order from Kamish?

Moermond: No. Kamish would not tow the vehicles. The vehicles would be towed by a city contractor under the supervision of parking enforcement, and they would be brought to the police impound lot where they would be stored for a minimum of two weeks. If they aren't reclaimed for the cost of doing that towing and storage, they would eventually be auctioned off. With respect to the current orders, I'll just put April 26th on the projector, there were five vehicles that shouldn't have been present on the property. There were various reasons that they were being written up. For example, this one appears inoperable. This Toyota lacks current tabs, is missing vital parts, also appears undrivable. The inspectors who were present in the hearing also talked about it. The one that we're talking about right now, with the June 2nd date and the deadline, these have all been to my understanding translated. Also in the legislative hearing there is an interpreter present. We walked through all of this.

Prince: I think what I'm concerned about is that they are appealing the excessive consumption, but they didn't appeal the underlying issue. So they're appealing something that isn't going to solve the problem. They'll just keep getting excessive consumption bills until they deal with the underlying violation. That's what I'm worried about. The appeal should be for the violation and they should be dealing with that before. They should be concerned that they're appealing excessive consumption, and not the violations of the cars, which if they leave there, they'll just keep paying excessive consumption.

Moermond: I would say that's if we go back to July 28th when the original set of orders, I would have to say, based on the photographs that I've seen, there is no question that it is a violation. Then the question becomes by what time and how should those items be removed? Failure to comply within that time period would result in either their removal by somebody like Kamish or an excessive consumption bill. Most likely the excessive consumption, to be followed by the cleanup. So, would there still be those bills? Would they have had the opportunity to negotiate a different deadline? Perhaps. But, I would say appealing the one doesn't directly lead to no excessive consumptions. We have plenty of cases where the Council has decided on a particular deadline, there's been failure to comply with that deadline, and then the Department of Safety and Inspections or Public Works is left with two enforcement tools to (abatement or excessive consumption) to comply with a Council decision.

Prince: I think the problem is that the Council isn't responding to the appeal of the violation in setting a date. So that they're leaving the violation in place while they're appealing the fines. If this isn't making sense, I'm sorry, but it doesn't make sense to me that we haven't dealt with setting a date, so that there is a firm date after which they understand. If we impose the excessive consumption today, there's no data on when the cars have to be gone.

Brendmoen: I understand where you're going with this, but we don't set a date for abatements.

Prince: If there had been an appeal.

Brendmoen: Right, but the Department of Safety Inspections does set a date for the abatements. It says if they're not removed by this time, then the actions will be taken. I understand what you're saying and I think that for me, the bigger question is (setting aside excessive consumption for a second): Is the order that Moermond mentioned that was issued June 1st going to give us a blank slate? The recommendation was that we could possibly say: No same or similar for a certain amount of time for some forgiveness? But, if there's not a clean slate and we're going to continue to amass and there's no acknowledgement of the appeal process, we're going to be back here, probably in a few years. I understand that the car is treated separately from their abatement ordered by Kamish, but is everything going with the with the June 1st order?

Moermond: The order to proceed to Kamish Excavating was pretty exhaustive. DSI sent the letter: "Serves as your official notice to proceed with the cleanup of improperly stored and accumulated refuse, which may include garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood, metal recycling materials, household items, building materials, rubble, tires, brush, etcetera from the property, including the yard, boulevard, alley and driveway. That's everything except the car. There is an order on the car that exists there now with: Missing parts appears inoperable and is not registered to the property.

Brendmoen: Does that answer your question, Miss Prince? Okay. It sounds like it's complicated, it's gone on for a long time. I'm hoping this is a moment to reset, but I'm going to look to Mr. Balenger, if you have questions or comments about this item.

Councilmember Balenger: What do the people here have to say?

Moermond: I understand that the owners, Neng Vue and Cher Vue, are present. I don't know if their son Xu Keng Vue is present. We have an interpreter as well.

Cher Vue (through interpreter): First of all, I understand all the rules that the Department of Safety and Inspections provided to us. The problem is my husband. He was the owner of an auto shop in the past and because we did not do the business any longer we removed all the items back to our personal property. After that, the garage was on fire and we had to move the items out into the driveway. We tried to remove some of the items, but we still own some of it. However, when the inspector came to the property, they did not come and meet with us personally. They met with people at the property who are not the owner. They are sometimes visitors and family members. We were not able to meet with the inspector personally. The problem is my husband. He loves homeless people. Sometimes he brings homeless people to our property and they live with us. Another issue is that some of the cars he and I own are not workable anymore, but then he does not want to throw them away. He said he said that he still wants to fix them for me. Even though I'm very frustrated about this situation, I can't really do much. I know that the Safety Department has a lot of fees that we need to pay but the problem is my husband is very sick and I'm very sick. I never received any government funds. My husband received government funds, but it's only \$300.00 per month. We do not have any money to pay. Last week, the inspector came and removed all the junk out of our property. Then they removed all the cars out of the property. At this point I'd like to find out is there a way that you, as a government, can you provide some support services to us so that we can pay the fee to the Safety Department?

Brendmoen: We're talking about the excessive consumption fees. After this hearing,

the Ward 1 office will be happy to work with you. But I want to make sure that we're focused. I heard a pretty good ask there, about what can we do to reduce these fees. If we could stick with that topic, that would be helpful because your timer is running out.

Vang: In that case I just want to let you know that I'm a low income person. I don't have any funds to pay the Safety Department and I'd like to find out what kind of rules I need to follow.

Balenger: I'm going to move that we cut the fines by 50% if there are no more violations within the next year. Otherwise, it will be the full amount. We will take a look at how we might be able to be of some assistance and take a closer look at the family and see what they might be able to do. That's my suggestion.

Brendmoen: I appreciate the motion and I'll support it. I do recognize Prince's thoughts as well. I think one of the things we want to make sure of is that the homeowners understand how to appeal a violation. Hopefully there won't be any, but I think it's really important for the translator to make clear to the homeowners that this is an opportunity for a fresh start. There'll be an abatement. It'll be cleared. There's a waiver of half of these fines and it's a chance to start over. I appreciate just how difficult these situations are for the homeowner, but also for the neighbors. Any other comments on Balenger's motion and then we'll take each of the items separately with a 50% reduction and a no same or similar for 12 months.

Amended and public hearing continued to June 5, 2024 (assessment reduced by half if no same or similar violation by June 5, 2024)

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

Nay: 0

53 [RLH TA 23-93](#)

Ratifying the Appealed Special Tax Assessment for property at 779 THOMAS AVENUE. (File No. J2305E3, Assessment No. 238314)

Councilmember Balenger moved to continue the public hearing for 12 months to June 5, 2024. Assessment to be reduced by half if there are no same or similar violations during that time.

Amended and public hearing continued to June 5, 2024 (assessment reduced by half if no same or similar violation by June 5, 2024)

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

Nay: 0

54 [RLH TA 23-94](#)

Ratifying the Appealed Special Tax Assessment for property at 779 THOMAS AVENUE. (File No. J2306E3, Assessment No. 238318)

Councilmember Balenger moved to continue the public hearing for 12 months to June 5, 2024. Assessment to be reduced by half if there are no same or similar violations during that time.

Amended and public hearing continued to June 5, 2024 (assessment reduced by half if no same or similar violation by June 5, 2024)

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 Jalali 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

- 34** [RLH VO 23-21](#) Appeal of Wesley Gakuo to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 0 BUSH AVENUE, vacant lot (Parcel 27-29-22-43-0149).

Adopted

- 35** [RLH TA 23-179](#) Ratifying the Appealed Special Tax Assessment for property at 1062 CHATSWORTH STREET NORTH. (File No. J2317A, Assessment No. 238517)

Adopted

- 36** [RLH VBR 23-20](#) Appeal of Doug Grimm, Northern Value Group LLC, to a Vacant Building Registration Renewal Notice at 1501 CLARENCE STREET.

Adopted

- 37** [RLH TA 23-155](#) Ratifying the Appealed Special Tax Assessment for property at 874 CONCORDIA AVENUE. (File No. J2318A, Assessment No. 238518)

Adopted

- 38** [RLH RR 23-25](#) Second Making finding on the appealed substantial abatement ordered for 975 HUDSON ROAD in Council File RLH RR 22-60. (Refer to June 13, 2023 Legislative Hearing)

Referred to June 13, 2023 Legislative Hearing

- 39** [RLH TA 23-213](#) Ratifying the Appealed Special Tax Assessment for property at 386

KENNARD STREET. (File No. J2318A, Assessment No. 238518)

Adopted

- 40 [RLH TA 23-171](#) Deleting the Appealed Special Tax Assessment for property at 602 LAWSON AVENUE WEST. (File No. J2317A, Assessment No. 238517)

Adopted

- 41 [RLH SAO 23-23](#) Making finding on the appealed nuisance abatement ordered for 1042 LAWSON AVENUE EAST in Council File RLH SAO 23-18.

Adopted

- 42 [RLH VO 23-20](#) Appeal of John S. Jagiela to a Re-Inspection Fire Certificate of Occupancy With Deficiencies (which includes vacating 2 areas) at 134 MONTROSE PLACE.

Referred to July 11, 2023 Legislative Hearing

- 43 [RLH TA 23-173](#) Ratifying the Appealed Special Tax Assessment for property at 828 MOUND STREET. (File No. J2317A, Assessment No. 238517) (Public hearing continued to October 11, 2023)

Public hearing continued to October 11, 2023

- 44 [RLH SAO 23-7](#) Making finding on the appealed nuisance abatement ordered for 1676 NEVADA AVENUE EAST in Council File RLH SAO 22-55. (Legislative Hearing on June 6, 2023)

Amended at public hearing continued to June 14, 2023

- 45 **RLH TA 23-170** Ratifying the Appealed Special Tax Assessment for property at 381 RAMSEY STREET (0 RAMSEY STREET). (File No. J2319A, Assessment No. 238519) (Refer back to June 20, 2023 Legislative Hearing)

Referred to June 20, 2023 Legislative Hearing

- 46 [RLH TA 23-159](#) Deleting the Appealed Special Tax Assessment for property at 1240 SAINT PAUL AVENUE. (File No. J2317A, Assessment No. 238517)

Adopted

- 47 [RLH FCO 23-29](#) Appeal of Albert Schuna to a Correction Order at 1344 SCHLETTI STREET.

Adopted

- 48 [RLH RR 23-24](#) First Making finding on the appealed substantial abatement ordered for 694 SHERBURNE AVENUE in Council File RLH RR 22-19.

Amended and public hearing continued to July 12, 2023

- 49 [RLH TA 23-157](#) Deleting the Appealed Special Tax Assessment for property at 839 SHERBURNE AVENUE. (File No. J2318A, Assessment No. 238518)
Adopted
- 50 [RLH TA 23-164](#) Deleting the Appealed Special Tax Assessment for property at 843 SHERBURNE AVENUE . (File No. J2318A, Assessment No. 238518)
Adopted
- 51 [RLH TA 23-180](#) Ratifying the Appealed Special Tax Assessment for property at 915 SHERBURNE AVE. (File No. J2318A, Assessment No. 238518)
Adopted
- 55 [RLH TA 23-167](#) Deleting the Appealed Special Tax Assessment for property at 767 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)
Adopted
- 56 [RLH TA 23-166](#) Deleting the Appealed Special Tax Assessment for property at 811 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)
Adopted
- 57 [RLH VBR 23-18](#) Appeal of Tyler Olsen, Executive Director, on behalf of Victoria Theater Arts Center, to a Vacant Building Registration Fee at 825 UNIVERSITY AVENUE WEST.
Adopted
- 58 [RLH TA 23-215](#) Ratifying the Appealed Special Tax Assessment for property at 938 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)
Adopted
- 59 [RLH TA 23-158](#) Deleting the Appealed Special Tax Assessment for property at 1401 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)
Adopted
- 60 [RLH TA 23-156](#) Ratifying the Appealed Special Tax Assessment for property at 1910 UNIVERSITY AVENUE WEST, ALSO 1908 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)
Adopted
- 61 [RLH TA 23-175](#) Deleting the Appealed Special Tax Assessment for property at 1307 WHITE BEAR AVENUE NORTH. (File No. J2318A, Assessment No. 238518)
Adopted
- 62 [RLH AR 23-40](#) Ratifying the assessments for Property Clean Up services during January 3 to 13, 2023. (File No. J2317A, Assessment No. 238517)
Adopted

- 63 [RLH AR 23-41](#) Ratifying the assessments for Property Clean Up services during January 18 to 30, 2023. (File No. J2318A, Assessment No. 238518)

Adopted as amended (referred 274 Sidney Street East to June 20, 2023 Legislative Hearing)

- 64 [RLH AR 23-42](#) Ratifying the assessments for Equipment and Labor for Clean Up services during October to November 2022. (File No. J2319A, Assessment No. 238519)

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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