



# City of Saint Paul

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

## Minutes - Final

### 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*

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Wednesday, July 28, 2021

3:30 PM

Council Chambers - 3rd Floor

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

#### ROLL CALL

Meeting called to order at 3:35 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 21-59](#) Mayor's Emergency Executive Order 21-31.

Received and Filed

#### CONSENT AGENDA

*Council President Brendmoen said we are pulling Item 11.*

*Councilmember Jalali moved the balance of Consent Agenda.*

*7 in favor, none opposed*

*Consent Agenda 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

2 [Min 21-22](#) Approving the Saint Paul City Council meeting minutes of March 3, 10, 11, and 24, 2021.

**Adopted**

- 3     [RES 21-958](#)     Approving the Memorandum of Agreement for the purpose of recognizing and adding June 19 (Juneteenth Day) as a paid holiday under the collective bargaining agreement between the City and the Fire Supervisory Association, Local 3939. (Laid over from July 28)
- Laid over to August 4**
- 4     [RES 21-981](#)     Authorizing the Department of Parks and Recreation to apply for funds up to \$215,000 from the Minnesota Historical Society Historical and Cultural Heritage grant program for Cochran Park restorations, and to apply for grants to other agencies and groups as needed for any matching amounts required.
- Adopted**
- 5     [RES 21-1009](#)    Approving a Gambling Location license with conditions to be added to existing licenses for Scanlon's Pub Inc. d/b/a Dubliner Pub (License ID #0015999) at 2162 University Avenue West.
- Adopted**
- 6     [RES 21-1019](#)    Authorizing the Department of Parks and Recreation to accept a Fitlot, an outdoor fitness space, valued at \$159,000, at MLK Recreation Center, built by Landscape Structures and donated by the American Association of Retired Persons (AARP).
- Adopted**
- 7     [RES 21-1025](#)    Authorizing the City to enter into an agreement with Ramsey County related to reconstruction of Cleveland Avenue from Como Avenue to Larpentour Avenue.
- Adopted**
- 8     [RES 21-1051](#)    Authorizing the City to apply for \$308,000 in grant funding from the Saint Paul & Minnesota Foundation for the People's Prosperity Pilot.
- Adopted**
- 9     [RES 21-1052](#)    Authorizing the Office of Financial Empowerment to apply for a \$350,000 grant from the Saint Paul Foundation to support program operations for CollegeBound Saint Paul.
- Adopted**
- 10    [RES 21-1055](#)    Approving the Deputy Legislative Hearing Officer's recommendation of no conditions for CJ Tunes LLC (License ID # 20210000857), d/b/a CJ Tunes, for an Auto Repair Garage license, located at 186 Forbes Avenue.
- Adopted**
- 12    [RES 21-1075](#)    Approving a license for Liquor On Sale - 181 -290 seats, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Liquor- Outdoor Service Area (Patio), and Gambling Location license to DTSP Grill LLC d/b/a Wild Bill's Sports

Saloon (License ID #20210000985) for the premises located at 175 Seventh Street West.

**Adopted**

- 13     [RES 21-1065](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for installation of a fire protection system, as requested by Travis Temke for 754 Randolph Avenue (File No. FP2021-02, Assessment No. 217101)

**Adopted**

- 14     [RES 21-1080](#)     Approving the Memorandum of Agreement between the City and AFSCME District Council 5, Clerical - Local 2508, for the purpose of providing a shoe allowance for Zoo Keepers at the Como Park Zoo & Conservatory. (Laid over from July 28)

**Laid over to August 4**

**SUSPENSION ITEM**

**Rules suspended**

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

**Nay:** 0

- [RES 21-1111](#)     Recommending release of \$86,034 from the City general fund contingency account to the Parks and Recreation Department to increase rec center hours and to release \$70,000 from the Library general fund contingency account to increase staff capacity.

*Councilmember Tolbert moved suspension of the rules.  
7 in favor, none opposed  
Rules are suspended*

*Councilmember Tolbert said this should come as no surprise. During the budget last year, some of the toughest decisions were regarding Libraries and Parks. At the time, some of the services were not being offered in some of the buildings. As part of the budget, we passed a resolution to put money into contingency. This is starting the formal action to have the administration release those dollars to get the hours back into the rec centers and libraries. They are filling up again. This will be a great thing if we can get the Sunday hours back and the rec hours.*

*Councilmember Noecker spoke in support of it. She is glad that we are at the point of bringing forward this resolution and restore these funds. Last year, there was a zero levy increase to make every cut we could to restore basic services. Even at the time, we felt libraries and parks and rec are basic services. That creative solution was being able to say that mid year we would check back and restore the services if we have the dollars. We were able to get \$160 Million of American Rescue Plan funding. I'm glad the Council laid out its priorities.*

*Councilmember Prince said she is delighted and wants to say that last year, this*

*looked like a long shot. She is so pleased that they used this budgeting tool that they are now able to activate. She is proud of that work and proud of her colleagues for coming up with that.*

*Council President Brendmoen said the Mayor's Office shares the values of the Parks and Libraries. This is the mid-year check-in and a good opportunity to say the resources are there and let's move ahead with the release of the funds.*

*7 in favor, none opposed*

*Resolution is adopted*

**Adopted**

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

**Nay:** 0

**FOR DISCUSSION**

- 11**     [RES 21-1073](#)     Approving the appointment of Adam Yust as Legislative Aide in Ward 3.

*Councilmember Tolbert welcomed Adam Yust to the City as his legislative aide. Many people on this Council already know him. Although he is a Ward 2er, he will be in Ward 3. He comes from the University of Minnesota. This is just one step of the greatest high school in the world—Saint Paul Central—continuing to take over the world.*

*7 in favor, none opposed*

*Resolution is adopted*

**Adopted**

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

**Nay:** 0

- 15**     [RES 21-1050](#)     Authorizing the City to transfer \$5,108,644 of American Rescue Plan funds to specific accounts to address immediate public safety needs.

*Council President Brendmoen said this is a momentous budget resolution in front of them. They are happy to have Deputy Mayor Tincher here.*

*Deputy Mayor Tincher said she will turn it over to Laura Logsdon, federal funds budget manager. She is leading that team.*

*Laura Logsdon, OFS, shared her screen and gave an overview of items. She showed her Powerpoint and explained what the City is receiving in American Rescue Plan funds. (She explained what the City Attorney's Office would be receiving.) There is a huge backlog of criminal cases. They will be hiring full time attorneys and victim witness coordinator. (She explained what Public Works would be receiving.) They would be able to hire 2 temporary painters for disappearing roadway markers. The Downtown Alliance is for a contract that covers ambassador services. They are*

*continuing those services to address public safety needs and reopening Downtown and economic recovery. This allows the Ambassador Services to cover throughout Downtown. Saint Paul Ramsey County Domestic Abuse Intervention Project will get funds to help support staffing they need and address housing issues. They saw an increase in the demands for their services. Overtime costs for Saint Paul Police to add additional patrols and enforcement to respond to increased public safety needs. The department has had a small amount of overtime that they have already incurred related to this increased public safety need. The unsheltered response funds 3 full time employees in Department of Safety and Inspections. They provide dedicated services to the 24/7 needs of the unsheltered community.*

*Councilmember Thao said they have talked about this with the overtime hours and action plan. He asked for the locations. Logsdon responded 5th Street & Cedar Street, Lowertown-Mears Park, Pedro Park, West 7th Street and Grand Avenue.*

*Thao said they have nothing to do with the encampment. They are just public safety extra patrol. Tincher responded that last year said they had over 100 encampments and they took an approach of having a focused plan to tackle what they could. They took that learning and said let's support Downtown and utilize that learning. They identified the locations they wanted to focus that coordinated response, which include the Ambassador work, SPPD (Saint Paul Police Department), Met Council, Community Ambassadors, maintenance staff from the large facilities. They wanted to increase public safety, maintenance, and cleanliness. Those were the areas they identified. As the work evolved, they could move the locations to where they have a need. Rice and Sherburne is an area they want to move in. Thao responded the overtime dollars are very specific for the encampment. They shouldn't expect patrols in Frogtown, University Avenue. Tincher responded this is specific. If Councilmembers want to engage in your districts, they are happy to facilitate that.*

*Brendmoen said she also noticed if you have intense activity in one area, things will move to another area. To resolve the recurring issues is the solution in a long run.*

*Councilmember Prince said she is confused about the dollars for Police patrol. There were 2 bullet points. She thought there were police patrol being added as part of this. Tincher responded that is the case. They have added additional staffing by Police. Some of that work is foot patrol along W. 7th, being able to allocate offers to check on businesses. Prince responded she is familiar with that work, but she was under the impression that the dollars were for more than the area action plan. That was not clear to her. She agrees that we need to be in those areas. There were lots of problems in the areas. Everyday, it is not getting better. Tincher responded that they are adding patrols and not FTEs. It was intended to add patrols through overtime staffing. Prince responded this was not clear in her briefing. She does not remember there being any discussion about the area action plan. She is just learning that now.*

*Brendmoen asked would it be helpful to look at that slide again. Prince responded yes.*

*(The slide was brought up.)*

*Prince said it should be one sentence instead of 2 bullet points. Bringing this American Rescue Plan funding in 3% at a time or \$5 Million at a time or whatever it is not the way we talked about spending this money. We talked about getting into working groups, making investments that we are never able to make because we don't have money like this to focus on the huge needs of our City. She is deeply distressed.*

*This is our second budget amendment where we are spending ARP money, all worthy causes, and we are going to see another \$10 Million coming in to hire Finance people to help us spend this money. The Administration is not communicating transparently with us about this. If we are going to be fed occasional resolutions with things that we cannot vote against as a means of using this money, we are missing an opportunity. Our sister city has a plan with the council and mayor working together. Regardless of the needs, we have an opportunity here to be really planful and strategic about spending the money. This cannot continue.*

*Brendmoen said the American Rescue Plan is appropriate and necessary for us to spend the money for things. This is her job to weed through these. We are going to be doing some immediate spending which is what the fund is also for. She recognized the piecemeal approach. Prince responded that a month ago we talked about the formation of work groups. They may or may not be operating. The Council has asked to be part of the conversation. These resolutions with emergency needs would be more easier to consider. The frustration is the absence of that.*

*Councilmember Jalali said the majority of this item is sound public safety basis and addressing COVID recovery. The area where she has concern is around the \$990,000 in Police patrol. She had a briefing about this yesterday. It would be good to have more about what the overtime is for and how much has been spent already. If most of this has not been spent and we are planning a \$1 Million in spending for SPPD overtime, she has questions. She was concerned people were swirling homeless and crime together. That vein of discussion is troubling because we should not inflate criminality with people being unhoused.*

*Tincher responded we should not conflate crime or criminality with poverty and homelessness. Downtowns across the country are stressed and concerned about how to recover post COVID. Business leaders said when they were planning for employees coming back, they wanted strong partners in that place. They wanted to be on top of people feeling safe and being safe. They know that part of that experience is feeling that you are in a well maintained and clean space. Those efforts to make sure we are on top of what Parks and Patrol do. They want to make sure Downtown stayed more maintained. They wanted to make sure they coordinating all the resources around support for residences experiencing homelessness. They needed to make sure the Downtown beat had the ability to tap into Downtown resources. That's the nexus of the COVID piece. That is part of the economic recovery Downtown. If there is an audit of these funds, they need to tie it back to overtime in that area and action plan in that space. They are estimating what they need for overtime pieces in 2021.*

*Jalali said she thought they were talking about covering all overtime already spent and remaining. If they are passing \$1 Million in support of this. But it is the end of July, so there will be 2 more months of overtime costs. The person in SPPD is in the office today. What is already being spent versus what is planned to be spent. Tincher responded they will get that breakdown from SPPD.*

*Tincher said if they are not needing to spend the overtime dollars, that is positive because they are addressing the challenges that they have.*

*Jalali said if the COVID nexus is Downtown recovery and we are paying for more hours for people to work, are we funding the ARP purpose or are we getting away from the COVID purpose? Tincher responded that Brendmoen mentioned this earlier. The criminal behavior will move. The nexus still exists because we have patrols in those areas.*

*Jalali said if the amount is known, what is the breakdown of overtime that is already spent and we have to be able to absorb that and pay for it somehow versus work that has not happened yet. She would like to get a clear answer. Tincher responded she will follow up.*

*Councilmember Noecker said the Public Works painter is important. They need to mark the streets so people can safely get across. The Domestic is good. She would ask for their support, it has been extremely acute Downtown. The work they have been doing is both short term response, emergency response, opening up shelter beds in a crisis and learning from that in the long term. They are trying to learn to do this better. A great deal of these dollars are going to her ward. These are necessary expenditures. She does not think we can whittle away funds resolution by resolution. The administration is working on a plan to have a more coherent approach. It is the Council's work to vote this up or down. She is looking forward to working with the Administration to make changes. These are immediate needs, but she does not intend to support many resolutions like this one.*

*Councilmember Yang asked was it possible to vote on this with the amount for the Police enforcement not being included in this.*

*Brendmoen asked does she want to strike the police overtime and pass the rest of it. Yang responded yes. Brendmoen said she would need to find support for that.*

*When asked how much has already been paid out to police officers, John McCarthy, Office of Financial Services, responded he was not able to put that information together this morning. Some has been spent on this service and the majority of the funding has not been spent. Yang responded it would be helpful to get that number. When it comes to some of the issues that have been brought up during today's meeting, she is questioning the approach. It does not seem like the police patrols are needed. She is wondering what has been done to engage with groups like People Incorporated. Putting money toward those types of engagements are a much more effective approach. How are they planning to have police officers clean up an area? They should have time and money into other solutions. Not once did we have a conversation around wanting more police officers patrolling our area. People shared about how their community could be safer. She does not feel that things are adding up at all. She would like to get that number. Work that has already been done, we should get that amount. Anything remaining is up in the air.*

*Tincher said she is going to give a briefing on other ways they are providing services and the importance of having police as a component with that approach. There was a person discharging a weapon while the police were there. The police officer deescalated that information. A Downtown ambassador was assaulted by a person who was in crisis. We had a Parks person who was assaulted. The individual moved to another location and was supported by the coast unit and Fire to get to the hospital. They are continuing to support that person while she is traveling through the criminal justice system. The police are focusing on those situations where it is dangerous, crime and violence are happening. She needs them to be a part of it. She acknowledged Senior Commander Ellison, Commander Mollner, and the work they have done. They have done this in partnership with Listening House. They are working with all the service providers and others.*

*Councilmember Thao said he has lots of areas of concern in Ward 1 with violence and assault. This resolution is more of a surgical approach to the unsheltered and other*

things that have not been addressed Downtown. Every year, they have an issue Downtown. They need to concentrate resources to Downtown and bring vitality back. We are doing a lot of work in the community and neighborhood, and there is a lot of work that needs to be done. The Deputy Mayor hears our concern. We need to be fair and address issues in the neighborhoods. We are going to work hard to make sure they are fair. This resolution makes sense. He will support it.

Brendmoen said surgical is a good word as to what they are talking about. They are talking about beefing up the ambassadors, who deal with situations differently. They are talking about police, domestic violence preventers. They are talking about all the things that are part of the conversation. They are trying to be holistic in the way they are addressing these things. Also, this is immediate needs and not the bigger picture plan.

Councilmember Jalali said she is understanding better the overlying effort. There are situations where we have people in mental health crises. The most extreme of mental health crises may require a trained law enforcement officers. There are a lot of things in the area action plan and the holistic approach sounds reasonable. The part she is struggling with is the work the Police have not completed, and we are assuming they will still be calling in to do overtime. It would be more appropriate to scale back the amount the SPPD would be receiving in this allocation, see where the overtime gets us with the new plan in place, and revisit approving more ARP dollars down the road which matches what they spent. The idea of seeing how far we get with \$1 Million feels further than where we are at. She asked Noecker if that is something she would be open to as a modification. We could approve further expenses as we get there.

Brendmoen asked is this an effort to strike the \$975,000 from today's budget amendment. Jalali responded said she would be looking at a layover to allow time to get information that is important to her decision, maybe make an amendment and bring it all back and do it all at once. She wants to be able to support all the items, but she wants to explain to her constituents what the money is going for. She would like to see if other could support a layover.

Brendmoen said we need to work around a motion. She is not supportive of laying it over today. Some of the expenses are urgent. If there is one piece that Jalali would like to see, she would be more supportive of looking at a compartment as opposed to laying over the whole matter. She is disinclined to lay over the whole matter.

Jalali said she will make a motion to lay over.

Councilmember Noecker said she would like to advance this today. She wants to understand where all the dollars are being spent. Whether or not the dollars of the police overtime have already been spent yet or are to be spent, the distinction would only matter if we are not intending to continue to use police in the matter they are used to date. The way we have been using the police has been appropriate. Whether or not the \$975,000 has been spent or yet to be spent, she supports continuing to use police in that way. It is not prudent to spend overtime that has not been funded, which is what they have been doing to this point. She would rather budget in advance and have that move forward knowing it is paid for.

Councilmember Tolbert said he appreciates the discussion and questions and concerns make sense. In a general picture, this is a good amendment. It is something he supports and ready to support today. We do need a larger conversation on the big investments. Also, this is a relief package. As I mentioned on the HRA



*call today, the rental supports are for getting the money out the door for the people and organizations that need the resources. There is a sense of urgency to pass this. The Administration was hoping to pass this earlier. Big picture, we need to be strategic about how we are going to support this and invest the larger amount of the ARP. For today, this is a good package and will be supporting it.*

*Councilmember Yang said she would like to pass all the items with the exception of the police patrols and enforcement.*

*Brendmoen said let's entertain that so we can move forward. The section for police patrols and enforcement is \$975,000. Would Yang like to strike that item?*

*Yang moved to strike the \$975,000 for police patrols and enforcement with the intension of bringing it back for further review. Jalali added she is supportive of the motion.*

*Prince said her hand was raised before the motion was made. It is broader than the motion. She is prepared to vote today on the \$975,000. She will not be supporting the motion.*

*Yes – Jalali, Yang*

*No – Noecker, Prince, Thao, Tolbert, Brendmoen*

*Motion fails*

*Brendmoen said we are back to the full budget amendment.*

*Prince said she is prepared to vote on the whole thing today. Half of his resolution is money for the City Attorney. The case has been made that the City Attorney needs to be prepared to act on the court schedule as soon as that opens up. The entire court system is gummed up. The City Attorney does misdemeanor and gross misdemeanor. The back log of cases has effected crime in our communities. She understands there is a 5-year backlog. We shouldn't continue to pay for attorney if they are not needed. Tinchler responded attorneys have to show up in court. We are trying to make sure we don't have to pull attorneys from other programming. The City Attorney has a lot more operational detail on that.*

*Prince asked can we adjust those numbers if we have overestimated what those needs will be a year or two down the line. This \$2.7 Million is a 3-year proposal. They need to not have extra prosecutors sitting around if the workload is evening out in some way that they are not anticipating. This is not related to the \$975,000. There was no police academy last year; our sworn strength is 570 sworn officers, and we have not been that low since the late 90's. It is fair to say we are having overtime needs that we did not anticipate. It is important that we are funding the Saint Paul Domestic Abuse Intervention Program. Shelley Cline who runs the program was getting questions about culturally specific work in the area of domestic violence. Shelley is part of a domestic abuse partners program. (Prince mentioned groups and programs.) There are 24/7 services. I am in support of this today.*

*Jalali said it is important to see the breakout of work that has been done versus work to be done. She still holds a concern about the built in assumption that SPPD will do the work remaining on overtime and not just part of their regular issues. Seeing the work yet to be done, she would encourage that the stakeholders try to minimize those expenses as much as possible. They would like different responders to address things that the police should not be dealing with. That has all yet to be built out. She*

*is hoping for some direction and shared vision. Part of what they are trying to do is have a vision that hold us to the new normal. She would like a responder to crime that does not have the police involved in everything. There is a gigantic backlog that this amendment is trying to address. She is expressing her reservations that she has concerns with.*

*Brendmoen said we don't want to spend the money if we don't have to. The Council should continue to have check-ins to see how the dollars are being implemented.*

*Thao called the question.*

*7 in favor, none opposed*

*Resolution is adopted*

**Adopted**

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

**Nay:** 0

**ORDINANCES**

**An ordinance is a city law enacted by the City Council. It is read at three separate council meetings and becomes effective after passage by the Council and 30 days after publication in the Saint Paul Legal Ledger. Public hearings on ordinances are held at the second reading.**

**Final Adoption**

- 16**    [Ord 21-26](#)    Amending Chapter 310.02 of the Legislative Code to allow re-application within a year if a license applicant can provide evidence of rehabilitation as outlined in Minnesota Statute 364.03, subd. 3.
- Councilmember Yang thanked all of the colleagues for cosponsoring this. Chris Xong, Legislative Aide, led this. She thanked City staff. She moved approval.*  
*7 in favor, none opposed*  
*Ordinance is adopted*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0

**First Reading**

- 17**    [Ord 21-31](#)    Granting the application of St Albans LLC to rezone property at 695 Grand from B2 Community Business District to T3 Traditional Neighborhood District, amending Chapter 60 of the Legislative Code pertaining to the zoning map, and denying the rezoning out of the EG East Grand Avenue Overlay District. (Public hearing closed August 11)
- Emma Siegworth, Planning and Economic Development, is with us today to do a staff*

report. (She had a Powerpoint.) Told the location, the zoning nearby, and what the current site looks like. The proposal is requiring a rezoning to T3 with 4 ground floor commercial space, 80 market rate apartments, 80 secure bicycle parking spaces, 99 vehicular parking stalls. She showed proposed building renderings. District 16 recommends approval of the proposed rezoning from B2 Community Business to T3 Traditional Neighborhood, denial of the proposed rezoning out of the East Grand Avenue Overlay District, and that the applicant seek exceptions from the overlay district regulations including height, footprint, and overall size through the variance process. She explained that the proposed T3 zoning is consistent with the way this area has developed, it is consistent with the Land Use Chapter of the Comprehensive Plan, it is consistent with the Housing Chapter of the Comprehensive Plan, it is consistent with 2006 Summit Hill/District 16 Neighborhood Plan. It is not consistent with the 2006 Summit Hill District 16 Neighborhood Plan for Poly G10 Scale and Height Limits. Planning Commission recommendation is approval of the proposed rezoning from B2 Community Business to T3 Traditional Neighborhood for the property at 695 Grand Avenue and denial of the proposed rezoning out of the E5 East Grand Avenue Overlay District for the property 16-2.

Councilmember Noecker thanked her for the presentation and has a comment about the overall process. This is a controversial issue. She moved that we plan to have the public hearing reading next week and hold open the public hearing until August 11 for third reading and final vote that day. It will give people more of a chance to weight in.

Brendmoen said there are a significant amount of public hearings. Just seeing the intention to extend the public hearing to the third and final reading will allow folks more time to weigh in. That motion can be made next week. Letting people know now is helpful.

Noecker said it is complicated because the rezoning decision is a legislative decision on which we are able to have conversations and express conditions. The conditional use permit goes along with the rezoning and those are quasi-judicial decision on which we are not able to have ex parte communications. She has not had any ex parte communications because they are so close.

It will be laid over one week to public hearing

**Laid over to August 4 for second reading public hearing**

## PUBLIC HEARINGS

- 18 [Ord 21-28](#) Amending section 157.03 of the Legislative Code to prohibit parking at electric vehicle charging stations in the public right-of-way, unless the vehicle is an electric vehicle using the charging station.
- Council President Brendmoen said it is before us for a final vote. We held the public hearing virtually and held it open from July 21 to today. She moved to close the public hearing and approve.
- 6 in favor, Tolbert gone
- Public hearing is closed and the ordinance is adopted
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 19**    [RES PH 21-171](#)    Approving the application of the Minnesota United FC for two sound level variance applications in order to present amplified sound on August 7 and 14, 2021 within the street and the beer garden area at Allianz Field - 400 Snelling Avenue North.

*Council President Brendmoen said the public hearing was held virtually.*

*Councilmember Thao moved to close the public hearing and approval.*

*6 in favor, none opposed*

*Public hearing is closed and the resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 20**    [RES PH 21-173](#)    Approving the application of India Association of Minnesota (IAM) for a sound level variance in order to present amplified sound on August 14, 2021 at 75 Rev Dr Martin Luther King Jr Boulevard - MN State Capitol, Upper Mall.

*Council President Brendmoen said the public hearing was virtual.*

*Councilmember Noecker moved to close the public hearing and approve.*

*6 in favor, none opposed*

*Public hearing is closed and resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 21**    [RES PH 21-174](#)    Approving the application of Minnesota Children's Museum for a sound level variance in order to present live amplified sound on August 14, 2021 at 10 West Seventh Street - Minnesota Children's Museum

*Council President Brendmoen said the public hearing was held visually.*

*Councilmember Noecker moved to close the public hearing and approve.*

*6 in favor, none opposed*

*Public hearing is closed and resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 22**     [RES PH 21-175](#)     Approving the application of One Simple Plan for a sound level variance in order to present live amplified sound on August 1,8,15,22,29, 2021 and September 5, 2021 at 221 Fifth Street East, Mears Park.

*Council President Brendmoen said the public hearing was held virtually.*

*Councilmember Noecker moved to close the public hearing and approve.  
6 in favor, none opposed  
Public hearing is closed and the resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 23**     [RES PH 21-176](#)     Approving the application of One Simple Plan for a sound level variance in order to present live amplified sound on August 8, 2021 at 221 5th Street East - Mears Park.

*Council President Brendmoen said the public hearing was held virtually.*

*Councilmember Noecker moved to close the public hearing and approve.  
6 in favor, none opposed  
Public hearing is closed and the resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 24**     [RES PH 21-177](#)     Approving the application of Trilingua Cinema for a sound level variance in order to present live amplified sound on August 7, 2021 in the Parking Lot at the Northwest Corner of York Avenue and Payne Avenue.

*Council President Brendmoen said the public hearing was held virtually.*

*Councilmember Yang moved to close the public hearing and approve.  
6 in favor, none opposed  
Public hearing is closed and the resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 25**     [RES PH 21-178](#)     Approving the application of Skinner's Pub for a sound level variance in order to present live amplified sound on August 3, 10, 17, 24, 31, September 7, 14, and 21, 2021 at 919 Randolph Avenue - Skinner's Pub.

*Council President Brendmoen said the public hearing was held virtually.*

*Councilmember Noecker moved to close the public hearing and approve.  
6 in favor, none opposed  
Public hearing is closed and the resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 26**     [RES PH 21-179](#)     Approving the application of The Dial Group for a sound level variance in order to present live amplified sound on August 8, 2021 at 1600 Phalen Drive - Phalen Regional Park.

*Council President Brendmoen said the public hearing was held virtually.*

*Councilmember Yang moved to close the public hearing and approve.  
6 in favor, none opposed  
Public hearing is closed and the resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 27**     [RES PH 21-180](#)     Approving the application of Minnesota United FC/Allianz Field for a sound

level variance in order to present live amplified sound for the United Way Action Day on August 12, 2021 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

*Council President Brendmoen said the public hearing was held virtually.*

*Councilmember Thao moved to close the public hearing and approve.  
6 in favor, none opposed  
Public hearing is closed and the resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 28**     [RES PH 21-181](#)     Approving the application of Podium Sports Marketing Inc. for a sound level variance in order to present amplified sound on August 7, 2021 at Upper Landing Park.

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

**LEGISLATIVE HEARING ITEMS:**

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

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 31**     [RLH VBR 21-43](#)     Appealing a Vacant Building Registration Notice by Brad Kittleson, CSM Corporation, at 2344 ENERGY PARK DRIVE.

**Adopted**

- 33**     [RLH VBR 21-42](#)     Appealing a Vacant Building Registration Notice by Tony Hoong at 1011 JESSAMINE AVENUE EAST.

**Adopted**

- 34 [RLH VBR 21-41](#) Appealing a Vacant Building Registration Renewal Notice by Mary J. Kattar at 1904 PRINCETON AVENUE.

**Adopted**

- 36 [RLH SAO 21-56](#) Appealing a Summary Abatement Order by Paris Getty at 855 THIRD STREET EAST.

**Adopted**

- 38 [RLH SAO 21-55](#) Appealing two Summary Abatement Orders by Mark Eveland, on behalf of Charles Bastel, at 1372 VICTORIA STREET NORTH.

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

- 30 [RLH SAO 21-57](#) Making finding on the appealed nuisance abatement ordered for 1450 DALE STREET NORTH in Council File RLH SAO 21-40. (Legislative Hearing on July 27, 2021)

**Adopted as amended (nuisance partially abated)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 32 [RLH RR 21-49](#) Making finding on the appealed substantial abatement ordered for 1013 JAMESON STREET in Council File RLH RR 20-52. (Legislative Hearing on July 27, 2021)

**Adopted as amended (grant extension)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 35 [RLH RR 21-45](#) Making finding on the appealed substantial abatement ordered for 657 SHERBURNE AVENUE in Council File RLH RR 20-24. (Legislative Hearing on July 27, 2021)

**Adopted as amended (grant extension)**



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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 37 [RLH SAO 21-59](#) Making finding on the appealed nuisance abatement ordered for 855 THIRD STREET EAST in Council File RLH SAO 21-56. (Legislative Hearing on July 27, 2021)

**Adopted as amended (nuisance abated)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

**For the following item, the Legislative Hearing Officer's recommendation is contested and additional testimony from the appellant is in the record:**

- 29 [RLH SAO 21-46](#) Appealing a Summary Abatement Order by Dennis J. Juvland at 2078 BUSH AVENUE.

*Marcia Moermond, Legislative Hearing Officer, said she talked to Prince on this matter. She found that there is enough gray in this case in determining the unimproved right-of-way location and it merits granting the appeal. She has amended the resolution to grant the appeal. She wants me to work with Public Works as there is a need for clarity in the City's right-of-way that we need to have it be clear for the property owners. She is happy to pull together a group and put together the code.*

*Council President Brendmoen said she is supportive and grateful that she is taking up that charge. Right-of-way questions don't come up often and they are confusing. It is hard to understand why it is their responsibility to remove it. There is some gray area.*

*Councilmember Prince said she has had an unimproved right-of-way issue that dates back to about 3 years before she came onto the Council. She has been on it for 6 years. This is the no man's land of City enforcement. She is grateful for suggesting this strategy of revisiting this. She appreciates this in trying to understand the law. With respect and admiration to Ms. Moermond, she moved to grant the appeal. 6 in favor none opposed*

*Public hearings are closed and the resolutions are adopted as amended*

**Adopted as amended (appeal granted)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

**ADJOURNMENT**

**Meeting adjourned at 5:31 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](http://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](mailto:Contact-Council@ci.stpaul.mn.us), [CouncilHearing@ci.stpaul.mn.us](mailto: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](http://www.stpaul.gov/departments/city-council)

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