



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 Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, March 3, 2021

3:30 PM

Council Chambers - 3rd Floor

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

ROLL CALL

The meeting was called to order at 3:33 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 21-23](#) Mayor's Emergency Executive Orders 21-9 and 21-10.
Received and Filed
- 2 [CO 21-24](#) Letter from the Department of Safety and Inspections declaring 975 Hudson Road a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed
- 3 [CO 21-25](#) Letters from the Department of Safety and Inspections declaring 575 Park Street and 595 Park Street nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
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

Councilmember Thao pulled Item 10 for separate consideration. He moved approval of

*the Consent Agenda as amended.
7 in favor, none opposed
Consent Agenda adopted as amended*

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

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

Nay: 0

- 4** [Min 21-8](#) Approving the minutes of the November 4 and 18, 2020 Saint Paul City Council meetings.
Adopted
- 5** [RES 21-281](#) Authorizing the Department of Planning and Economic Development to execute grant agreements with the Metropolitan Council, and the Department of Employment and Economic Development which includes an indemnification clause.

Adopted
- 6** [RES 21-290](#) Authorizing the Department of Parks and Recreation to apply for up to \$150,000 in capital funds and up to \$75,000 in equipment funds for Hidden Falls-Crosby Regional Park from the Federal Recreational Trail grant program; and to apply for grants to other agencies and groups as needed for any matching amounts required.

Adopted
- 7** [RES 21-311](#) Authorizing the Fire Department to accept the donation of lunch for the department personnel on March 7, 2021 valued at \$500 from Tom and Roxanne McDonough.

Adopted
- 8** [RES 21-312](#) Approving the Labor Agreement (January 1, 2021 - December 31, 2022) between the City of Saint Paul and District Lodge No. 77, International Association of Machinists and Aerospace Workers AFL-CIO. (Laid over from March 3)

Laid over to March 10
- 9** [RES 21-317](#) Approving the addition of an Auto Body Repair/Painting Shop License with conditions to the existing Auto Repair Garage license for Rice Auto Repair Inc., d/b/a Rice Auto Repairs (License ID #20070004299), for the premises located at 601 Rice Street in Saint Paul.

Adopted

- 11 [RES 21-326](#) Affirming the Extension of Declaration of Local Emergency issued March 1, 2021 by Mayor Melvin Carter III.

Adopted

FOR DISCUSSION

- 10 [RES 21-325](#) Approving the Mayor's appointments of Deborah Mitchell, Libby Kantner, Stephen Moore, and Seanne Thomas to the Planning Commission.

Councilmember Thao said there were a lot of questions about the appointment process that was not transparent. These are mayoral appointments and he does not take it lightly. The boards and commissions make many decisions about our City that do not come before the Council. The Planning Commission decisions do not make their way to the Council if there are no appeals. He laid this over. One person withdrew his name because of lack of transparency. This is disheartening because these are the hidden rules for participating in the City. We cannot continue to do this and expect change to occur. He is disappointed that the Administration does not let the Council know. He urges the Administration to be compliant with co-creating an equitable system. He will vote for the slate of candidates. That will be a start.

Councilmember Jalali said she appreciates the change to speak to this item, too. She has been troubled and the hidden layers that continue to exist. There are different layers that can be impediments. This hurts relationships with our community partners. She appreciates the comments made.

Council President Brendmoen said she will speak in support of Thao's motion. She appreciates the person who is in Ward 5 and owns a building there. She will also say there are so many ways to get engaged in our City. When people apply to be a commissioner they have an opportunity to apply for other boards as well. She encourages people to apply to boards and commissions. There is a fairly straight forward application process. These are great opportunities to learn and to be an adviser to the Mayor and Council.

Councilmember Prince said she supports Thao's motion. When Noecker and she joined the Council in 2016, this was something they started to work on right away. It became apparent that people did not know about these opportunities. It falls to all of us to reach to let people know that these opportunities exist. This Council will be seating a reparation advisory committee this summer. People can also get information and apply for that opportunity. This has been an important moment for the Council. We want to work with each other, our community, and our Mayor's Office.

*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

- 12 [SR 21-26](#) Presentation from Ramsey County Attorney's Office regarding current prosecution standards and challenges.
Withdrawn
- 13 [SR 21-21](#) Update on Covid-19 vaccinations.
Laura Andersen gave a presentation.
Received and Filed
- 14 [RES 21-257](#) Approving the Mayor's appointment of Roxanne Draughn and Walter Battle to a four-year term on the Neighborhood STAR Board. (Laid over from February 24)

*Councilmember Thao moved Version 2.
7 in favor, none opposed
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

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

- 15 [Ord 21-10](#) Creating Chapter 223 of the Legislative Code relating to Guaranteed Income Program (Title XXIII).

Councilmember Tolbert said he had some clarifying language from his amendment last week. The City Attorney looked at it. It is the additional resources if someone loses public assistance. Tolbert moved the technical cleanup language.

Shari Moore, City Clerk, said she spoke to the City Attorney's Office, and this needs to lay over for one week.

*7 in favor, none opposed
Amendment is approved and laid over to March 10 for final adoption*
Amended and laid over to March 10 for final adoption

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

Nay: 0

PUBLIC HEARINGS

- 16** [RES PH 21-26](#) Ratifying the assessments for Replacement of Lead Water Service Line on Private Properties during July to September 2020. (File No. 2100LDSRP, Assessment No. 214000)
- Council President Brendmoen said the public hearing was held online and over the phone.*
- Councilmember Thao moved to close the public hearing and approve.
7 in favor, none opposed
Public hearing is closed and the resolution is adopted*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 17** [RES PH 21-27](#) Ratifying the assessments for Repair of Sanitary Sewer Line on Private Properties during July to September 2020. (File No. SWRP2100, Assessment No. 213000)
- Council President Brendmoen said the public hearing was held online and over the phone.*
- Councilmember Thao moved to close the public hearing and approve.
7 in favor, none opposed
Public hearing is closed and the resolution is adopted*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 18** [RES PH 21-30](#) Transferring \$50,000 from the 2021 budget in the Energy Initiatives accounting unit, previously received from the McKnight grant (via RES PH 20-29) for electric vehicle hubs as part of the Twin Cities Electric Vehicle Mobility Network Project, to the Public Works grant fund.
- Council President Brendmoen said the public hearing was held online and over the phone.*
- Councilmember Thao moved to close the public hearing and approve.
7 in favor, none opposed
Public hearing is closed and the resolution is adopted*
- Adopted**

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

Nay: 0

- 19 [RES PH 21-34](#) Approving installation of bike lanes on Hamline Avenue from Highland Parkway to Randolph Avenue.

Council President Brendmoen said the public hearing was held online and over the phone.

Councilmember Thao moved to close the public hearing and approve.

7 in favor, none opposed

Public hearing is closed and the resolution is adopted

Public hearing continued to March 10

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

Nay: 0

- 20 [RES PH 21-46](#) Authorizing application and acceptance of two grants from the State of Minnesota for asset preservation of the Minnesota Humanities Center's main facility; amending the 2021 City budget in the amount of \$1,750,000 upon acceptance of said grants; and approving and authorizing execution of a State Grant Agreement and other necessary documents in connection therewith (District 5, Ward 6).

Council President Brendmoen said the public hearing was held online and over the phone.

Councilmember Yang moved to close the public hearing and approve. The attorney is here to answer questions.

Brendmoen said this building is tucked away. It is a cool place. The Council has taken public hearings online and over the phone.

7 in favor, none opposed

Public hearing is closed and resolution is adopted

Adopted

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

Nay: 0

- 21 [Ord 21-4](#) Amending the zoning code as recommended in the Definition of Family Zoning Study.

Public hearing closed; laid over to March 10 for final adoption

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

Nay: 0

- 22** [Ord 21-6](#) Amending Chapter 366A of the Legislative Code entitled "Parades, Races and Public Assemblies" to prohibit possession of certain items at such events.
(To be withdrawn)

Withdrawn

- 23** [Ord 21-8](#) Granting the application of 2069 Marshall Ave LLC to rezone property at 2069 Marshall Avenue from T2 Traditional Neighborhood to T3 Traditional Neighborhood and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Council President Brendmen said this is third reading. Comments online are submitted.

Councilmember Jalali said that Kady Dadlez was here to do a run through.

Kady Dadlez, Planning and Economic Development, said she is sharing her screen. The request is to rezone property from T2 to T3. The location is Marshall Avenue and Cleveland Avenue. The property is 2069 Marshall Avenue. It is in T2 Zoning District. To the east is T3. Further to the east is B3 commercial and T2. Kitty corner is mixed use in T3 and T2. To the south is T1 with an apartment building. There are some lower density residential uses to the west. To the north is single family. To the northeast are some apartment buildings. The applicant's intent is to combine it with the property to the east that is already zoned T3 and to develop it with a mixed-use building. It would have commercial space at the street level and an apartment above. A site plan was submitted with the rezoning application. No formal application for a site plan review has been submitted. They anticipate 4 or 5 stories. The number of units has not been finalized. The type of parking has not been finalized. (She gave some background.) There are 4 findings that must be met for the planning commission to recommend approval of a rezoning: 1) consistent with the way the area has developed. This finding has been met. 2) The proposed zoning is consistent with the comprehensive plan. This finding is met. 3) compatible with the surround area, 4) proposed zoning will not resort to spot zoning. Based on these findings, the PC recommends approval.

Councilmember Prince asked did the district council submit a support letter? She heard they asked the developer if they could see 3 or 4 story version of this plan or if they would consider that. Dadlez responded 1) she was in communication with folks from the district council. It was indicated to her that they had not taken formal opinion on the request. They needed more information to render an opinion. She would remind councilmembers that the application here is a rezoning ordinance and a question of whether to rezone from T1 to T3 and not a request for a specific proposal. No formal application for site plan has been made at this time. Eventually a site plan would have to come forward. One thing to note in looking at the site plan they submitted--which has not gone through a formal review--is one of the requirements in T3 zoning district if for a building to be set back at least 25 feet from the rear property line. Looking at

the site plan, the building is close to the property line. It is shown as 5 stories at this time. Without an application for a variance, what is being proposed at this time would not be allowed.

Prince said a 4-story building will not require a rezoning. There is not a final design. It wouldn't need to be rezoned if the develop considered 3 or 4 story. Dadlez said a maximum height for a mixed use building is 35 feet, so more likely a 3 story under the current T3 zoning.

Prince asked with a conditional use permit, can they get to 4 stories? Dadlez responded potentially.

Prince said they couldn't get to 5 stories unless they went to a T3. The community council had hoped he would consider a compromise to a lower height. When public hearings are done like this, the community really misses the opportunity to be heard. They did receive a large number of e-mails and letters opposing this. Is there a count of the responses? Dadlez responded there were 30 letters received during the Planning Commission process. Looking in Legistar, there are about 15.

Prince said she felt frustrated on behalf of the neighbors because a 5-story building would create shading problem for neighbors. They had hoped they would be able to have more of a conversation through the district council.

Brendmoen said we took comments online and over the phone.

Councilmember Jalali moved to close the public hearing.

7 in favor, none opposed

Public hearing is closed and ordinance is laid over to March 10 for final adoption

Public hearing closed; laid over to March 10 for final adoption

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

Nay: 0

LEGISLATIVE HEARING ITEMS

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

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

Nay: 0

25 [RLH TA 21-29](#)

Ratifying the Appealed Special Tax Assessment for property at 730 BELLOWS STREET. (File No. CG2004A1, Assessment No. 200163)

Adopted

- 26 [RLH TA 21-45](#) Ratifying the Appealed Special Tax Assessment for property at 646 BLAIR AVENUE. (File No. J2109A, Assessment No. 218508)
Adopted
- 27 [RLH TA 21-121](#) Ratifying the Appealed Special Tax Assessment for property at 899 BURR STREET. (File No. J2019A, Assessment No. 208534)
Adopted
- 29 [RLH TA 21-123](#) Deleting the Appealed Special Tax Assessment for property at 899 BURR STREET. (File No. VB2103B, Assessment No. 218813)
Adopted
- 30 [RLH TA 21-100](#) Ratifying the Appealed Special Tax Assessment for property at 308 COMO AVENUE. (File No. J2104A, Assessment No. 218503)
Adopted
- 31 [RLH TA 21-5](#) Ratifying the Appealed Special Tax Assessment for property at 696 CONCORD STREET. (File No. CG2004A1, Assessment No. 200163)
Adopted
- 32 [RLH TA 21-58](#) Deleting the Appealed Special Tax Assessment for property at 1841 CONWAY STREET. (File No. J2109A, Assessment No. 218508)
Adopted
- 33 [RLH TA 21-28](#) Ratifying the Appealed Special Tax Assessment for property at 1 EDGCUMBE PLACE. (File No. CG2004A2, Assessment No. 200164)
Adopted
- 34 [RLH TA 21-20](#) Deleting the Appealed Special Tax Assessment for property at 2012 EDGCUMBE ROAD. (File No. CG2004A2, Assessment No. 200164)
Adopted
- 35 [RLH TA 21-34](#) Ratifying the Appealed Special Tax Assessment for property at 1205 EDGERTON STREET. (File No. CG2004A2, Assessment No. 200164)
Adopted
- 37 [RLH TA 20-356](#) Ratifying the Appealed Special Tax Assessment for property at 183 GENESEE STREET. (File No. J2020A, Assessment No. 208535)
Adopted
- 38 [RLH TA 20-352](#) Ratifying the Appealed Special Tax Assessment for property at 393 GERANIUM AVENUE EAST. (File No. J2020A, Assessment No. 208535)
Adopted
- 39 [RLH TA 21-30](#) Deleting the Appealed Special Tax Assessment for property at 1656 GURNEY

STREET. (File No. CG2004A2, Assessment No. 200164)

Adopted

- 41 [RLH TA 21-68](#) Ratifying the Appealed Special Tax Assessment for property at 690 HALL AVENUE. (File No. CG2004A1, Assessment No. 200163)

Adopted

- 42 [RLH TA 21-19](#) Ratifying the Appealed Special Tax Assessment for property at 734 HALL AVENUE. (File No. CG2004A1, Assessment No. 200163)

Adopted

- 44 [RLH TA 21-35](#) Deleting the Appealed Special Tax Assessment for property at 1243 HIGHLAND PARKWAY. (File No. CG2004A2, Assessment No. 200164)

Adopted

- 45 [RLH TA 21-103](#) Deleting the Appealed Special Tax Assessment for property at 1027 IGLEHART AVENUE. (File No. J2014A1, Assessment No. 208544)

Adopted

- 46 [RLH TA 21-98](#) Ratifying the Appealed Special Tax Assessment for property at 869 JENKS AVENUE. (File No. J2014A1, Assessment No. 208544)

Adopted

- 47 [RLH RR 21-13](#) Referring to City Council of a potential stay of enforcement of demolition for John Ray, for property at 655 JESSAMINE AVENUE EAST.

Adopted

- 48 [RLH TA 20-347](#) Ratifying the Appealed Special Tax Assessment for property at 1288 JESSIE STREET. (File No. J2020A, Assessment No. 208535)

Adopted

- 49 [RLH TA 21-26](#) Ratifying the Appealed Special Tax Assessment for property at 745 LAFOND AVENUE. (File No. J2109A, Assessment No. 218508)

Adopted

- 51 [RLH TA 20-337](#) Deleting the Appealed Special Tax Assessment for property at 1028 LAWSON AVENUE EAST. (File No. J2019A, Assessment No. 208534)

Adopted

- 53 [RLH TA 21-33](#) Ratifying the Appealed Special Tax Assessment for property at 803 MONTANA AVENUE EAST. (File No. CG2004A2, Assessment No. 200164)

Adopted

- 54 [RLH TA 21-6](#) Deleting the Appealed Special Tax Assessment for property at 507

MONTROSE LANE. (File No. CG2004A1, Assessment No. 200163)

Adopted

- 55 [RLH TA 21-74](#) Ratifying the Appealed Special Tax Assessment for property at 1214 PACIFIC STREET. (File No. J2110A, Assessment No. 218509)

Adopted

- 56 [RLH TA 21-126](#) Amending Council File No. RLH AR 20-133 to delete the assessment for Collection of Vacant Building Registration fees billed during December 24, 2019 to May 18, 2020 at 1362 PALACE AVENUE. (File No. VB2101, Assessment No. 218800)

Adopted

- 57 [RLH TA 21-62](#) Ratifying the Appealed Special Tax Assessment for property at 1393 PROSPERITY AVENUE. (File No. J2103A1, Assessment No. 218516)

Adopted

- 58 [RLH TA 21-63](#) Ratifying the Appealed Special Tax Assessment for property at 1393 PROSPERITY AVENUE. (File No. J2104A3, Assessment No. 218520)

Adopted

- 59 [RLH TA 21-64](#) Ratifying the Appealed Special Tax Assessment for property at 1393 PROSPERITY AVENUE. (File No. J2109A, Assessment No. 208534)

Adopted

- 60 [RLH TA 20-353](#) Ratifying the Appealed Special Tax Assessment for property at 975 REANEY AVENUE. (File No. J2020A, Assessment No. 208535)

Adopted

- 61 [RLH TA 20-338](#) Deleting the Appealed Special Tax Assessment for property at 1033 REANEY AVENUE. (File No. J2020A, Assessment No. 208535)

Adopted

- 63 [RLH TA 21-4](#) Ratifying the Appealed Special Tax Assessment for property at 51 SARATOGA STREET NORTH - 1523 PORTLAND AVENUE. (File No. CG2004A1, Assessment No. 200163)

Adopted

- 64 [RLH TA 21-105](#) Amending the previously ratified assessment to reduce the assessment for Excessive Use of Inspection or Abatement services billed during June 22 to July 22, 2020 at 1670 SEVENTH STREET EAST. (File No. J2103E, Assessment No. 218302)

Adopted

- 65 [RLH TA 21-108](#) Ratifying the Appealed Special Tax Assessment for property at 1670 SEVENTH STREET EAST. (File No. J2105A, Assessment No. 218504)

Adopted

- 66 [RLH TA 21-110](#) Ratifying the Appealed Special Tax Assessment for property at 1670 SEVENTH STREET. (File No. J2110A, Assessment No. 218509)

Adopted

- 68 [RLH TA 21-72](#) Ratifying the Appealed Special Tax Assessment for property at 1365 VAN BUREN AVENUE. (File No. J2109A, Assessment No. 218508)

Adopted

- 70 [RLH TA 20-357](#) Deleting the Appealed Special Tax Assessment for property at 894 WESTMINSTER STREET. (File No. J2019A, Assessment No. 208534)

Adopted

- 72 [RLH AR 20-98](#) Ratifying the assessments for Property Clean Up March 16 to 30, 2020. (File No. J2020A, Assessment No. 208535)

Adopted

- 73 [RLH AR 21-10](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2020. (File No. CG2004A2, Assessment No. 200164)

Adopted

- 74 [RLH AR 21-11](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2020. (File No. CG2004A1, Assessment No. 200163)

Adopted

- 75 [RLH AR 21-13](#) Ratifying the assessments for Property Clean Up services during September 30 to October 14, 2020. (File No. J2109A, Assessment No. 218508)

Adopted

- 76 [RLH AR 21-14](#) Ratifying the assessments for Property Clean Up services during October 14 to 29, 2020. (File No. J2110A, Assessment No. 218509)

Adopted

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

- 40** [RLH TA 20-339](#) Ratifying the Appealed Special Tax Assessment for property at 647 HAGUE AVENUE. (File No. J2019A, Assessment No. 208534)

Adopted as amended (reduce assessment from \$322 to \$200)

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

Nay: 0

- 71** [RLH AR 20-97](#) Ratifying the assessments for Property Clean Up March 2 to 11, 2020. (File No. J2019A, Assessment No. 208534)

Adopted as amended (Remove 62 Hatch Avenue for separate consideration at another time)

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

Nay: 0

For the following items, the Legislative Hearing Officer's recommendation is to continue the public hearing to the dates listed:

- 28** [RLH TA 21-122](#) Ratifying the Appealed Special Tax Assessment for property at 899 BURR STREET. (File No. J2110A, Assessment No. 218509) (Public hearing continued to September 8, 2021)

Public hearing continued to September 8

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

Nay: 0

- 36** [RLH TA 21-59](#) Ratifying the Appealed Special Tax Assessment for property at 104 FAIRVIEW AVENUE SOUTH. (File No. J2110A, Assessment No. 218509) (Public hearing continued to July 21, 2021)

Public hearing continued to July 21

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

Nay: 0

- 69** [RLH TA 21-22](#) Ratifying the Appealed Special Tax Assessment for property at 649 WESTERN AVENUE NORTH. (File No. J2109A, Assessment No. 218508) (Public hearing continued to August 4, 2021)

Continue public hearing to August 4

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

Nay: 0

For the following items, the Legislative Hearing Officer's recommendation is to refer the item to the Legislative Hearing dates listed:

- 24** [RLH TA 21-31](#) Ratifying the Appealed Special Tax Assessment for property at 143 BAKER STREET WEST. (File No. CG2004A1, Assessment No. 200163) (To be referred back to April 15, 2021 Legislative Hearing)

Refer to April 15 Legislative Hearing

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

Nay: 0

- 50** [RLH TA 21-80](#) Ratifying the Appealed Special Tax Assessment for property at 661 LAWSON AVENUE EAST. (File No. J2110A, Assessment No. 218509) (Legislative Hearing on March 2, 2021)

Refer to April 6 Legislative Hearing

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

Nay: 0

- 62** [RLH TA 21-69](#) Ratifying the Appealed Special Tax Assessment for property at 197 ROBIE STREET WEST. (File No. CG2004A1, Assessment No. 200163) (To be referred back to April 15, 2021 Legislative Hearing)

Refer to April 15 Legislative Hearing

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

Nay: 0

- 67** [RLH TA 21-134](#) Ratifying the Appealed Special Tax Assessment for property at 818

SHERBURNE AVENUE. (File No. J2110A, Assessment No. 218509)
(Legislative Hearing on March 2, 2021)

Refer to March 16 Legislative Hearing

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

Nay: 0

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

43 [RLH RR 20-51](#)

Ordering the rehabilitation or razing and removal of the structures at 1629 HARTFORD AVENUE within fifteen (15) days after the January 13, 2021, City Council Public Hearing. (Amend to grant 100 days)

Marcia Moermond, Legislative Hearing Officer, shared her screen. This is proposed for removal or repair. It has been a long-term project. It is characterized by 2 things: 1) It had the incompleteness was due to a financial failure by the developer. He went through BZA (Board of Zoning Appeals) to get variances on height and setback. He must have hit a wall because the building permit check bounced and everything came to a stop. Currently, they are talking to the financial institution who foreclosed on that developer. They have taken over the project. They have a long term and incomplete project with zoning issues which have been resolved in the past couple of days: In the process of developing the plans for the reconstruction of the property...there has been a recent determination that the height of the structure is no longer a problem in current zoning code. The height is allowable and does not require a variance. The property was surveyed, and the width was determined and found that the information submitted to DSI (Department of Safety and Inspections) in 2018 showed an incorrect lot width. The survey shows that no setback variance is required. The owner can proceed with plans that don't require any variances and can lead to the conclusion of the project. Neighbors are frustrated with the slowness. This is long term and complete construction. There is testimony from neighbors in the record. She recommends a grant in time for rehab of the property. The councilmember has indicated a narrower period of time. The work plan submitted shows they anticipate the work will be a 13-week endeavor. Michael Sauer, Lima Financial, is on the line.

Councilmember Tolbert asked if there is anything prohibiting them from continuing construction tomorrow. Moermond responded she doesn't know if there is a complete set of plans at DSI for review right now. There was a study and communication about 2 different options: 1) if the roof height could be lowered, 2) if the height can remain. They have their act together. She does not think it will be a long review period at DSI.

Councilmember Tolbert said the two things to prevent work was the height issue and survey issue, and those are no longer obstacles. Moermond responded those are no longer obstacles.

Michael Sauer said he is legal counsel for Lima 1 Financial, current owner of the property. This has been a long-term project. His client has only been involved for a short period of time. This property was foreclosed. The redemption period following

the foreclosure expired June 2020. The order was issuance of a new certificate of title was issued October 12, 2020. This was during the pandemic. Since October 2020 until now, his client has taken steps to complete construction and work through zoning issues. His client is planning to invest \$225,000 into the property. This is a remodel to maximize the return to salvage what is lost. They expect it to improve the community and possibly improve property values. The zoning issues were recently resolved. That was the biggest hurdle to commence construction. They have a local contractor who will be doing the work and that is the timeline. That timeline was provided admittedly in a hurry to meet the deadlines. Due to COVID and demand in construction industry and subcontractors getting their work done on time, they request the entire 180 day period to complete the project. They did the survey and paid \$1600. The client is committed to getting it done. The 90-day window is tight and unrealistic if anything goes wrong. He would request the 180-day period be granted to his client.

Councilmember Tolbert says he walks by this project frequently. What has the bank done to make sure it is secured? Sauer said he doesn't know. It is under construction. He was informed there was not an issue with break-ins or criminal activity. They are monitoring the property. There was an issue with snow removal. He informed them of that issue and the 24 hour code to remove that snow. That is not an issue any longer.

Tolbert asked do they have a snow shoveling contract. Sauer responded the company has a preservation company that does that.

Tolbert asked does he have contractors working there right now. Sauer responded the permit has not been approved. The roof height was just recently approved. They need to begin the permit process.

Tolbert asked who would be making that permit. Sauer answered he doesn't know. He knows it is in the works. There was a slight change in the old plans. Now that the City has approved the height, the old plans are going back into effect.

Tolbert said once the permit is approved, his contractor will implement the 13 week plan. Sauer was told it would be a 13 week project. They should have worked in a buffer for delays. Construction has all kinds of delays. There are things that come up. He does not anticipate it would be done in 13 weeks because of those things.

Tolbert asked a realistic amount. Half a year is not. The way houses are selling, he would expect they want to get to market this summer. Male responded he agreed. The contractor Independent Living Solutions provided a completion date of 120 days. That is a more rough estimate. With the additional 30 days in delays, at least 150 days would be needed.

Tolbert says who is the client. Sauer responded Lima 1 Capital; principal office is in South Carolina.

Tolbert asked who should they call if there are problems. Sauer responded 651-209-3307, his direct line.

Councilmember Thao asked to clarify when his client acquired the property. Sauer responded he got a foreclosure subject to a 6 month redemption that expired June 26, 2020. An action was commenced to transfer the certificate of title into the name. It was issued October 12, 2020. The former owners no longer had an ability to contest the ownership. Two dates at the end of June, the foreclosure was complete. October

12, 2020 the order was officially transferred.

Councilmember Thao asked does his client have other properties in Saint Paul or Minneapolis. Male responded he doesn't think so but would have to check.

Tolbert moved to close the public hearing.

7 in favor, none opposed

Public hearing is closed

Tolbert said 180 days is too long. Is there a way to set it for 100 days, that gives them an extra week and a half? There are construction delays. What would they need to complete within 100 days: 100% complete, substantially complete? Can they get an extension?

Moermond said there are 2 deadlines she works with. One is invisible. The first deadline is the \$5,000 performance deposit the owner has to post to get in front of the council. That lasts for 6 months. It was in place right away. If they are at the 50% mark and they put that in place November 24, after the 6 months from then, that performance deposit continues. That is a separate timeline than the Council. They can make a grant of time all the way up to 180 days. If the Council wants to grant more time, they can amend the resolution for a shorter length of time. If they are more than halfway there, we would ask for updated plans. The council would review that file. They have \$5,000 hanging out there right now. A smaller proportion of this project, but still an incentive.

Tolbert suggest that we make a motion to grant this to 100 days instead of 180 days.

Moermond said the resolution would be amended to indicate the grant of time is 100 days. She will schedule a follow-up hearing.

Tolbert moved 100 days per the Legislative Hearing Officer's recommendation.

7 on favor, none opposed

Resolution is adopted as amended to grant 100 days

Adopted as amended (grant 100 days to rehabilitate)

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

Nay: 0

52 [RLH TA 20-358](#)

 Ratifying the Appealed Special Tax Assessment for property at 2106 MARSHALL AVENUE. (File No. J2020A, Assessment No. 208535)

Marcia Moermond, Legislative Hearing Officer, said this is an assessment for cleanup. The cleanup was extensive (she showed pictures).

Moermond said the orders were issued to the owner of record. The work was done March 30. The owner indicated he did not get notification. The fee owner is the party he purchased the property from. Notification was sent to the owners and taxpayers of record. He said it is too expensive to change the title. The City did do the cleanup. The before and after video showed the items were removed. The comments submitted by the owner were he thinks the assessment is illegal and violation of pandemic orders. There were 4 to 6 men doing the cleaning and closer than 6 feet apart. He was not able to do it on his own and the ground was frozen. His tenants not speaking

English and working multiple jobs keeps them from taking care of the problem. This was a nuisance condition. Her recommendation is ratification.

Councilmember Jalali asked what ratification means. Moermond responded when they adopt the resolutions, that action of the council is ratification of the assessment.

Jalali asked is there a payment plan. Moermond responded he did not request that. That is something the Council can do. The interest rate is modest. He can pay it upfront and not take advantage of the time.

Jalali stated he mentioned rental concerns and cans, it seems like a situation where he would benefit from things. Was there city communication. Moermond said we often share information like that with landlords. That is one of the rules we play. The landlord was more abrupt in his conversational style. We could forward materials to him. He just uses U.S. mail. We can mail materials about rental assistance. There is a request about financial hardship. Provide recourse and spread the cost.

Moermond said for this type of assessment, the City had the ability to make it payable over 5 years. When it is so close to \$1,000, 5 years makes sense. If he can do it earlier or sell the property, it can be addressed at that time.

Jalali moved the Legislative Hearing Officer's recommendation.

7 in favor, none opposed

Public hearing is closed, adopted as amended, to be paid over 5 years.

Adopted as amended (payments spread over a 5 year period.)

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

Nay: 0

ADJOURNMENT

The meeting was adjourned at 6:11 p.m.

In-person meetings, or meetings conducted under Minn. Stat. § 13D.02 of the City Council, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the City Council will participate in City Council meetings by telephone or other electronic means.

Public attendance at the City Council's regular meeting location is not feasible due to the COVID-19 health pandemic. Members of the public may view City Council meetings online at stpaul.legistar.com/Calendar.aspx or on local cable Channel 18.

The public may comment on public hearing items in writing or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the meeting will be attached to the public record and available for review by the City Council. Comments may be submitted as follows:

Written public comment on public hearing items can be submitted to Contact-Council@ci.stpaul.mn.us, CouncilHearing@ci.stpaul.mn.us, or by voicemail at 651-266-6805.

While the Council will make best efforts to decide all issues before them, the Council may delay decisions on certain matters where the members believe meeting in-person is necessary. More information is available at www.stpaul.gov/departments/city-council

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