



City Hall and Court House  
15 West Kellogg Boulevard

# City of Saint Paul

## City Council Meeting Minutes - Final

Council Chambers - 3rd  
Floor  
651-266-8560

**Council President Amy Brendmoen**  
**Councilmember Mitra Jalali**  
**Councilmember Rebecca Noecker**  
**Councilmember Jane L. Prince**  
**Councilmember Dai Thao**  
**Councilmember Chris Tolbert**  
**Councilmember Nelsie Yang**

**Wednesday, June 3, 2020**

**3:30 PM**

**Council Chambers - 3rd Floor**

### ROLL CALL

*The meeting was called to order by Council President Brendmoen at 3:32 p.m.*

#### **Councilmember Thao excused**

**Present** 6 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert,  
Councilmember Rebecca Noecker, Councilmember Jane L. Prince,  
Councilmember Mitra Jalali and Councilmember Nelsie Yang

**Absent** 1 - Councilmember Dai Thao

### COMMUNICATIONS & RECEIVE/FILE

- 1 CO 20-24** Mayor's Emergency Executive Orders 20-9.and 20-10.  
**Received and filed**
- 2 AO 20-25** Authorizing the Department of Parks and Recreation to reallocate \$255,000 within its various accounting units in the 2020 adopted budget to most accurately reflect the projected actual spending in each accounting unit and provide the appropriate levels of spending authority.  
**Received and filed**
- 3 AO 20-28** Amending the CDBG project budget to provide funding for Rice Street Mae La Grocery.  
**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 (Items 4 - 10)

*Item 9 was removed from the Consent Agenda for separate consideration.*

*Councilmember Prince moved approval of the Consent Agenda as amended.*

#### **Consent Agenda adopted as amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- |           |                   |   |
|-----------|-------------------|---|
| <b>4</b>  | <b>RES 20-808</b> | Approving the issuance of Taxable Tax Increment Revenue Refunding Bonds by the Port Authority of the City of Saint Paul for the Treasure Island Center Project.<br><b>Adopted</b>   |
| <b>5</b>  | <b>RES 20-787</b> | Approving the Memorandum of Agreement for the 2020 Wage and Fringe Adjustment for the International Union of Painters and Allied Trades District Council #82.<br><b>Adopted</b>   |
| <b>6</b>  | <b>RES 20-809</b> | Establishing the rate of pay for a new classification of Community Engagement Cadet in Grade 016 of EG 01, AFSCME Clerical.<br><b>Laid over to June 10 for adoption</b>   |
| <b>7</b>  | <b>RES 20-797</b> | Supporting a Job Creation Fund application in connection with Radius Living Rx.<br><b>Adopted</b>   |
| <b>8</b>  | <b>RES 20-776</b> | Adopting the 2019 Stormwater Permit Annual Report.<br><b>Adopted</b>  |
| <b>10</b> | <b>RES 20-819</b> | Approving a waiver of the 45-day notice requirement to issue Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Liquor - Outdoor Service Area licenses with conditions to Agra Culture Highland Park LLC, d/b/a Agra Culture (License ID #20170002222) at 721 Cleveland Avenue.<br><b>Adopted</b> |

## FOR DISCUSSION

- 9      **RES 20-795**      Approving adverse action against the Auto Body Repair Garage and Second Hand Dealer License application held by M F K Enterprises Inc., d/b/a M F K Enterprises (License ID# 0057957) at 830 Robert Street.
- Councilmember Noecker moved to lay the matter over for a public hearing on June 17.*

### **Laid over to June 17 for public hearing**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

*Council members shared thoughts about the events of the past week in response to the murder of George Floyd in Minneapolis the previous week.*

*Council President Brendmoen committed to setting a meeting with Public Safety leadership.*

- 11      **SR 20-49**      Staff report from the Administration.
- City Clerk Shari Moore said no one from the Administration was present.*

**Withdrawn**

## 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.**

### **Third Reading, No Public Hearing**

- 12      **Ord 20-14**      Creating Chapter 193 of the Legislative Code (Title XIX) pertaining to Tenant Protections.
- Council President Brendmoen noted that a public hearing had been tentatively scheduled for next week. She said she had heard from the advocate community and landlords that they were not prepared to move on amendments or action on the item today, and she proposed laying the matter over to June 17 for an opportunity for amendments, and then a public hearing session on the morning of June 24 with a vote on the afternoon of June 24. She noted that a public hearing on the Conversion Therapy Ban Ordinance had been set for June 17. She said it helped with transparency to bring an ordinance for public hearing in its most likely-to-pass and amended shape.*
- Councilmember Jalali said she appreciated the thought going into the proposal but planned to vote against it. She said she had concerns about changing the public hearing date again, and believed they could still proceed and have amendments by next week, and do the hearing as originally planned at 10:00 a.m. on the 10th. Council members could have amendments ready prior for that for people to see if the amendments were in Legistar, and that the public community could weigh in on as*

*previously scheduled. Council members could take all of that into discussion and move on the afternoon of the 10th, and be done by the 10th or 17th.*

*Councilmember Prince spoke in support of moving the schedule back to June 17 and 24. She said she would like to be open to the possibility that the Council might hear things at the public hearing that they would like to consider before voting.*

*Council President Brendmoen noted that substantive changes after a public hearing would require another public hearing and then a layover.*

*Councilmember Noecker said she was torn. She said she recognized this process had already been pushed back, and she shared Councilmember Jalali's sense of urgency and concerns about having to re-communicate to community members. She said, on the other hand, she wanted to be thoughtful and was not ready to propose amendments in time for tomorrow, which would be needed to give people a week to consider the amendments before the public hearing.*

*Councilmember Yang asked Councilmember Jalali about what she had heard from community members and partners about this. She said she wanted to make sure the Council was centering them as well in this decision.*

*Councilmember Jalali said so many community partners have been reaching out; this policy was at stake for 51% of the people in our city who were renting and many stakeholders who were part of the housing landscape. The consensus she heard from community partners was that there was process fatigue. She said she understood wanting to need to give our council members time, but felt the shifting dates added to the fatigue. She said those were some of the reasons she would like the Council to stay the course.*

*Councilmember Yang said she understood the intention of the motion, but after hearing from Councilmember Jalali that advocates had been preparing, and because she had been sharing the June 10 date, she would vote no.*

*Council President Brendmoen said the expectation with her motion was that Council members would have amendments in Legistar by this time next week so community members could review them. She said she heard the concerns about fatigue and*

*communication, but wanted to be consistent and fair. This layover was two weeks, allowed the amendments to get in a week from today, allowed community members community to get to take a good look at them before providing input at the public hearing on the 24th, with a final vote before the end of the month, and implementation beginning in 2021.*

*Councilmember Noecker asked Council members Jalali and Yang to clarify the timeline, including when amendments would need to be in for a productive public hearing, and if they couldn't be in much in advance, would be another opportunity for the public to weigh in once the amendments were public.*

*Councilmember Jalali said the alternative would be to have the public hearing on the date that had been publicly listed, which was June 10 at 10:00, with amendments at 3:30 after they'd heard the public hearing. Council members could bring amendments between now and then; some had already been prepped. If they amendments that were passed were so substantial they warranted a new public hearing, they would cross that bridge and make the determination with the City Attorney.*

*Council President Brendmoen said she wished they weren't having this discussion. She*

*said Council members agreed on the original schedule based on the assumption that amendments were going to be brought in today, so they were changing the schedule by not having the amendments today. Her proposal was to keep with the plan put out there, which was to have amendments heard and then hold a public hearing and then vote. So, either way was a change.*

*Councilmember Prince reiterated her support for allowing more time for amendments to be considered and for Council members to respond to the public hearing.*

*Council President Brendmoen repeated her motion to lay the matter over to June 17.*

**Laid over to June 17 for third reading (public hearing on June 24)**

**Yea:** 4 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker and Councilmember Prince

**Nay:** 2 - Councilmember Jalali and Councilmember Yang

**Absent:** 1 - Councilmember Thao

**Second Reading**

- 13    **Ord 20-20**            Granting the application of Pacific Ramp LLC to rezone property at 1015 Bandana Boulevard West from B3 General Business to T3 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the Zoning Map.

**Laid over to June 10 for third reading/public hearing**

**First Reading**

- 14    **Ord 20-21**            Granting the application of V V Property LLC to rezone property at 1619 Dayton Avenue from T2 Traditional Neighborhood to T3 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

**Laid over to June 10 for second reading**

*Council President Brendmoen proposed moving ahead to items 82 to 88 out of respect to City staff members on the line, and then going back to the Legislative Hearing items.*

**PUBLIC HEARINGS**

- 82    **RES PH 20-137**       Ratifying the assessments for Replacement of Lead Water Service Line on Private Properties during January to March 2020. (File No. 2003LDSRP, Assessment No. 204002)

*Any testimony received was available for Council members to review online. Councilmember Tolbert moved to close the public hearing and approve the resolution.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 83 RES PH 20-139** Ratifying the assessments for Replacement of Sanitary Sewer Line on Private Properties during January to March 2020. (File No. SWRP2003, Assessment No. 203002)
- Any testimony received was available for Council members to review online. Councilmember Yang moved to close the public hearing and approve the resolution.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 84 RES PH 20-113** Authorizing the Police Department to accept the Joint Power Agreement (Investigator, Human Trafficking Task Force) with the State of Minnesota, Bureau of Criminal Apprehension, and amend the 2020 Special Fund Budget.
- Any testimony received was available for Council members to review online. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 85 RES PH 20-114** Authorizing the Police Department to accept the Joint Power Agreement (Analyst, Human Trafficking Task Force) with the State of Minnesota, Bureau of Criminal Apprehension, and amend the 2020 Special Fund Budget.
- Any testimony received was available for Council members to review online. Councilmember Prince moved to close the public hearing and approve the resolution.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

86 ABZA 20-2

Public hearing to consider the appeal of Lucas Wiborg to a decision of the Board of Zoning Appeals to deny three variances for density, off-street parking, and side yard setback at 1769 Grand Ave.

*Matthew Graybar, Department of Safety Inspections - Zoning, gave a staff report on the application and appeal. The Board of Zoning Appeals (BZA) decided to deny the variances based on variance finding 4. The BZA came to a consensus that there was no unique circumstance at the property, and the plight was self-created, and that finding was not met. Mr. Graybar said the appellant stated that the BZA did not conclusively identify a reason as to why the variance was denied, as in a specific finding. He said the variances aligned with the Comprehensive Plan, the zoning code, and the District 14 Plan, to bring the property into better usage rather than the existing duplex. Staff recommended approval based on findings 1 through 6, subject to conditions.*

*Councilmember Prince said it was her impression that the Comprehensive Plan for this zoning district looked for this kind of height and density on the corners as opposed. Mr. Graybar said that was correct, but zoning code, which aligned with the Comprehensive Plan, allowed for building heights of 50 feet. A lot of the BZA discussion was around the height of the building and that it would tower over the other properties. In fact, the height wasn't in question; they didn't need a variance for it. Councilmember Prince said it was her understanding that applicant originally intended to rehab the duplex, but then determined it was in too bad of shape to make restoring it practical. But now we've got 12 units on six floors with 47 bedrooms. Mr. Graybar said the proposal was for a five-story building, with 12 units. It could only have a maximum of four people per unit, but, again, that was not the intent. Councilmember Prince asked if it was 12 four-bedroom units. Mr. Graybar said they were proposing five 3-bedroom and seven 4-bedroom units. Councilmember Prince said so 36 bedrooms on a lot he had originally planned to rehab a duplex. She said she felt the plight of the landowner was pretty spot on.*

*Councilmember Noecker asked Mr. Graybar to go over the practical difficulties in complying with the code and the unique characteristics of the property which prevented building within code. Mr. Graybar said it was narrow lot of 50 feet, which made it difficult to construct a functional multi-family building. A narrower structure could detract from the character of Grand Avenue and affect the functionality of the building interior. A higher density building could be built without the with density variance, if the applicant got the density bonus allowed, but due to narrow lot, they were not afforded that opportunity. The only option for the applicant was to provide the required parking in the rear yard, which could only provide 12 of the 19 required spaces.*

*Councilmember Prince asked why could the applicant not make it eight units. She said it was hard to see that it was a practical difficulty that he bought a duplex with a 50-foot lot but now "had" to build 12 units with 36 bedrooms.*

*Councilmember Jalali said she would like clarification that the motion would be either overturning the appeal or permitting it. Mr. Graybar said the BZA denied the variances based on Finding 4. The applicant appealed the decision to the City Council hoping to*

get the variances approved.

Testimony received was available for Council members to review online.

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

Councilmember Tolbert thanked Mr. Graybar for the staff report. He said the process started with the Macalester Groveland district Council meeting, where the Housing and Land Use Committee voted to support all three variances. The staff recommendation was to grant all three variances. The BZA held a public hearing and voted to deny the variances. He noted that numerous emails had been received. Neighbors on the south side of Summit who shared an alley with the subject property wrote in with concerns about height, and felt RM2 allowed for too tall of buildings. There were concerns about parking overflow into the surrounding streets and that the project was too big for the site. Other neighbors expressed support, noting that the block consisted of mostly commercial, multi-story, multi-family housing, was on a transit corridor and added density on the site, which followed the comprehensive goals of building more housing within the city. He noted that height was not one of the variances being requested. He said having reviewed the BZA record and testimony, he would move to grant the appeal. The analysis contained throughout the BZA staff report was consistent with its recommendation that finding 4 was met. He said the lot size and, by inference, the applicable zoning code requirements were circumstances unique to the property not created by the applicant. He said he found that BZA erred in finding there were no unique circumstances with respect to this lot for the requested variances. He said he would therefore grant the appeal and adopt the reasoning in the staff report's recommendation, including the three conditions. He said the Council had the ability to place additional conditions. Because the proposed building would be closer to lot lines and bigger than previous buildings, and have greater density, the side yard and lot size variances were granted subject to the conditions that there were no exterior balconies on the building and no outside deck amenities on the roof. He said he didn't care for the design or look of the building, but the zoning code didn't define personal aesthetics. He said he supported the principles of the planning values, and thought Grand Avenue made sense for this type of development. He said he personally thought think four stories would look better, but any building on this lot could be built to that height.

Councilmember Jalali and Council President Brendmoen spoke in support.

Councilmember Prince spoke in opposition.

**Motion of Intent - Appeal granted with conditions**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Yang

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Thao

87 APC 20-3

Public hearing to consider the appeal of Elyse Jensen of the Planning Commission decision to approve a conditional use permit for a building height of 85 feet and variance of the parking requirement at 337 7th Street West.

Anton Jerve, Planning and Economic Development, gave a staff report. The district council recommended support for the applications. The zoning committee recommended approval 6 to 1, the Planning Commission recommended approved the



*Conditional Use Permit and variances 11 to 1 with one condition.*

*Testimony received was available for Council members to review online.*

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

*Councilmember Noecker said she didn't believe the appellants had proved the Planning Commission erred. She said there were four claims in the appeal, related to parking, building height, and that the decision was contrary to the District 9 Area and Comprehensive Plans. She said she agreed there was a parking problem along West Seventh, she noted that the parking study did not recommend limiting development or parking variances. She didn't feel it was demonstrated compellingly that the change in parking demand was significant, given that the appellants didn't object to the current parking demand. The businesses would be most impacted by new development in this congested area, but area businesses had expressed support for the development. As to the claim that 85 feet was too high for the area, the truth was there were a lot of heights on the block and in the area. The truth was this was higher, but there was already a lot of variety. She noted that the documentation was clear that the developer didn't intent to use the full 85 feet. In terms of claims that the variances were contrary to the area plans, she said there were area where it was inconsistent with the District 9 Plan but also areas where it was consistent. The same was true of the Comprehensive Plan. She said he was going to move to deny the appeal but wanted to say that the people who were appealing were deeply dedicated to the future of the neighborhood, and the developer has shown an interest in reaching out to the community. She asked that the developer reach out to the appellants to talk about their concerns and see how they could be assuaged as the detailed project planning moved forward.*

*Councilmember Prince suggested a one-week layover to allow time for a negotiated outcome. She said she didn't like to have the Council step in to declare a winner.*

**Motion of Intent - Appeal denied**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali and Councilmember Yang

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Thao

**88 APC 20-4**

Public hearing to consider the appeal of Told Development of the Planning Commission decision to deny a requested variance to the 0.3 Floor Area Ratio minimum at 1212 Prosperity Avenue.

*Mike Richardson, Planning and Economic Development, gave a staff report.*

*Testimony received was available for Council members to review online.*

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

*Councilmember Yang moved a one-week layover to consult with staff and the City Attorney's Office.*

**Public hearing held and closed; laid over to June 10**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

## LEGISLATIVE HEARING ITEMS

*Any testimony received was available for Council members to review online.*

*Councilmember Yang moved to continue the public hearing to July 22.*

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

*Nay: 0*

*Absent: 1 - Councilmember Thao*

**For the following items, Legislative Hearing staff were unable to contact individual property Therefore, the motion for the following items is to continue the public hearing to July 22, 2020 and re-notice the pending assessments.**

- |           |                      |   |
|-----------|----------------------|---|
| <b>21</b> | <b>RLH TA 20-303</b> | Ratifying the Appealed Special Tax Assessment for property at 546 BLAIR AVENUE. (File No. CG2001E4, Assessment No. 200119)<br><b>Public hearing continued to July 22</b>      |
| <b>22</b> | <b>RLH TA 20-301</b> | Ratifying the Appealed Special Tax Assessment for property at 548 BLAIR AVENUE. (File No. CG2001E4, Assessment No. 200119)<br><b>Public hearing continued to July 22</b>      |
| <b>23</b> | <b>RLH TA 20-240</b> | Ratifying the Appealed Special Tax Assessment for property at 1083 BRADLEY STREET. (File No. CG2001D2, Assessment No. 200113)<br><b>Public hearing continued to July 22</b>   |
| <b>25</b> | <b>RLH TA 20-295</b> | Ratifying the Appealed Special Tax Assessment for property at 1510 CONCORDIA AVENUE. (File No. CG2001E2, Assessment No. 200117)<br><b>Public hearing continued to July 22</b> |
| <b>26</b> | <b>RLH TA 20-248</b> | Ratifying the Appealed Special Tax Assessment for property at 616 DESNOYER AVENUE. (File No. CG2001D4, Assessment No. 200115)<br><b>Public hearing continued to July 22</b>   |
| <b>27</b> | <b>RLH TA 20-259</b> | Ratifying the Appealed Special Tax Assessment for property at 1046 DESOTO STREET. (File No. CG2001D2, Assessment No. 200113)<br><b>Public hearing continued to July 22</b>    |

- 33     **RLH TA 20-270**     Ratifying the Appealed Special Tax Assessment for property at 661 GERANIUM AVENUE EAST. (File No. CG2001D2, Assessment No. 200113)  
**Public hearing continued to July 22**
- 40     **RLH TA 20-266**     Ratifying the Appealed Special Tax Assessment for property at 1138 JESSIE STREET. (File No. CG2001D2, Assessment No. 200113)  
**Public hearing continued to July 22**
- 41     **RLH TA 20-302**     Ratifying the Appealed Special Tax Assessment for property at 648 KENT STREET. (File No. CG2001E4, Assessment No. 200119)  
**Public hearing continued to July 22**
- 43     **RLH TA 20-205**     Ratifying the Appealed Special Tax Assessment for property at 406 LAFOND AVENUE. (File No. CG2001E4, Assessment No. 200119)  
**Public hearing continued to July 22**
- 44     **RLH TA 20-194**     Ratifying the Appealed Special Tax Assessment for property at 709 LAFOND AVENUE. (File No. CG2001E3, Assessment No. 200118)  
**Public hearing continued to July 22**
- 46     **RLH TA 20-293**     Ratifying the Appealed Special Tax Assessment for property at 426 MARYLAND AVENUE EAST. (File No. CG2001D1, Assessment No. 200112)  
**Public hearing continued to July 22**
- 57     **RLH TA 20-104**     Ratifying the Appealed Special Tax Assessment for property at 1078 REANEY AVENUE. (File No. CG1904D2, Assessment No. 190157)  
**Public hearing continued to July 22**
- 58     **RLH TA 20-258**     Ratifying the Appealed Special Tax Assessment for property at 767 ROSE AVENUE EAST. (File No. CG2001D2, Assessment No. 200113)  
**Public hearing continued to July 22**
- 62     **RLH TA 20-219**     Ratifying the Appealed Special Tax Assessment for property at 658-660 THOMAS AVENUE. (File No. CG1904E3-1, Assessment No. 200170)  
**Public hearing continued to July 22**
- 65     **RLH TA 20-254**     Ratifying the Appealed Special Tax Assessment for property at 1375 THOMAS AVENUE. (File No. CG2001E2, Assessment No. 200117)  
**Public hearing continued to July 22**

- 69     **RLH TA 20-269**     Ratifying the Appealed Special Tax Assessment for property at 1320 WILSON AVENUE. (File No. CG2001E1, Assessment No. 200116)  
**Public hearing continued to July 22**
- Any testimony received was available for Council members to review online.*
- Councilmember Tolbert moved to continue the public hearing to July 22.*
- Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang*
- Nay: 0*
- Absent: 1 - Councilmember Thao*
- Items 74-81 will be read as one item as they all pertain to “Ratifying the assessment for the City’s cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019.” The files included are RLH AR 20-74, 75, 76, 77, 78, 79, 80 and 81. As there were too many property owners to contact on these assessment rolls, the motion is to continue the public hearing to July 22, 2020 and re-notice the pending assessments.**
- 74     **RLH AR 20-74**     Ratifying the assessment for the City’s cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001D1, Assessment No. 200112) (Public hearing continued from June 3)  
**Public hearing continued to July 22**
- 75     **RLH AR 20-75**     Ratifying the assessment for the City’s cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001D2, Assessment No. 200113) (Public hearing continued from June 3)  
**Public hearing continued to July 22**
- 76     **RLH AR 20-76**     Ratifying the assessment for the City’s cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001D3, Assessment No. 200114) (Public hearing continued from June 3)  
**Public hearing continued to July 22**
- 77     **RLH AR 20-77**     Ratifying the assessment for the City’s cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001D4, Assessment No. 200115) (Public hearing continued from June 3)  
**Public hearing continued to July 22**

78     **RLH AR 20-78**     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001E1, Assessment No. 200116) (Public hearing continued from June 3)

**Public hearing continued to July 22**

79     **RLH AR 20-79**     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001E2, Assessment No. 200117) (Public hearing continued from June 3)

**Public hearing continued to July 22**

80     **RLH AR 20-80**     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001E3, Assessment No. 200118) (Public hearing continued from June 3)

**Public hearing continued to July 22**

81     **RLH AR 20-81**     Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during October to December 2019. (File No. CG2001E4, Assessment No. 200119) (Public hearing continued from June 3)

**Public hearing continued to July 22**

*Any testimony received was available for Council members to review online.*

*Councilmember Prince moved to continue the public hearing to February 17, 2021.*

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

*Nay: 0*

*Absent: 1 - Councilmember Thao*

**The Administration has requested that 2020 nuisance abatement assessments be considered by the City Council in 2021. Therefore, the motion for the following items is to continue the public hearing to February 17, 2021 and re-notice the pending assessments.**

15     **RLH TA 20-305**     Ratifying the Appealed Special Tax Assessment for property at 1245 ALBEMARLE STREET. (File No. J2015A, Assessment No. 208515) (Public hearing continued to February 17, 2021)

**Public hearing continued to February 17, 2021**

- 16     **RLH TA 20-233**     Ratifying the Appealed Special Tax Assessment for property at 861 ALBERT STREET NORTH. (File No. J2016A, Assessment No. 208524) (Public hearing to be continued to February 17, 2021)  
**Public hearing continued to February 17, 2021**
- 38     **RLH TA 20-278**     Ratifying the Appealed Special Tax Assessment for property at 1555 JACKSON STREET (File No. J2016A, Assessment No. 208524) (Public hearing to be continued to February 17, 2021)  
**Public hearing continued to February 17, 2021**
- 61     **RLH TA 20-304**     Ratifying the Appealed Special Tax Assessment for property at 832 THIRD STREET EAST. (File No. J2016A, Assessment No. 208524) (Public hearing continued to February 17, 2021)  
**Public hearing continued to February 17, 2021**
- 68     **RLH TA 20-249**     Ratifying the Appealed Special Tax Assessment for property at 2155 WAUKON AVENUE. (File No. J2016A, Assessment No. 208524) (Public hearing to be continued to February 17, 2021)  
**Public hearing continued to February 17, 2021**
- 70     **RLH TA 20-280**     Ratifying the Appealed Special Tax Assessment for property at 903 YORK AVENUE (File No. J2015A, Assessment No. 208515) (Public hearing continued to February 17, 2021)  
**Public hearing continued to February 17, 2021**
- 72     **RLH AR 20-72**     Ratifying the assessments for Property Clean Up during January 2 to 10, 2020. (File No. J2015A, Assessment No. 208515) (Public hearing continued to February 17, 2021)  
**Public hearing continued to February 17, 2021**
- 73     **RLH AR 20-73**     Ratifying the assessments for Property Clean Up during January 16 to 31, 2020. (File No. J2016A, Assessment No. 208524) (Public hearing continued to February 17, 2021)  
**Public hearing continued to February 17, 2021**

**Approval of the Consent Agenda**

*Any testimony received was available for Council members to review online.*

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

**For the following cases, Legislative Hearing staff contacted these property owners and the recommendations are uncontested. Therefore, the motion is to adopt the items.**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 17     **RLH TA 20-267**     Deleting the Appealed Special Tax Assessment for property at 876 ARKWRIGHT STREET. (File No. CG2001D2, Assessment No. 200113)  
**Adopted**
- 18     **RLH TA 20-247**     Deleting the Appealed Special Tax Assessment for property at 297 BATES AVENUE. (File No. CG2001D3, Assessment No. 200114)  
**Adopted**
- 20     **RLH TA 20-203**     Deleting the Appealed Special Tax Assessment for property at 2175 BEECH STREET. (File No. CG2001E2, Assessment No. 200117)  
**Adopted**
- 24     **RLH TA 20-292**     Deleting the Appealed Special Tax Assessment for property at 1901 CARROLL AVENUE. (File No. CG2001E1, Assessment No. 200116)  
**Adopted**
- 28     **RLH TA 20-200**     Deleting the Appealed Special Tax Assessment for property at 603 EDMUND AVENUE. (File No. CG2001E4, Assessment No. 200119)  
**Adopted**
- 29     **RLH TA 20-290**     Deleting the Appealed Special Tax Assessment for property at 838 EDMUND AVENUE. (File No. CG2001E3, Assessment No. 200118)  
**Adopted**
- 30     **RLH TA 20-291**     Deleting the Appealed Special Tax Assessment for property at 886 EDMUND AVENUE. (File No. CG2001E3, Assessment No. 200118)  
**Adopted**
- 35     **RLH TA 20-265**     Deleting the Appealed Special Tax Assessment for property at 1816 IGLEHART AVENUE. (File No. J2016A, Assessment No. 208524)  
**Adopted**
- 36     **RLH SAO 19-49**     Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 19-44.  
**Adopted**

- 37     **RLH SAO 19-48**     Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 19-44.  
**Adopted**
- 39     **RLH TA 20-186**     Deleting the Appealed Special Tax Assessment for property at 1058 JESSIE STREET. (File No. CG2001D2, Assessment No. 200113)  
**Adopted**
- 45     **RLH TA 20-261**     Deleting the Appealed Special Tax Assessment for property at 1865 MARGARET STREET. (File No. CG2001E2, Assessment No. 200117)  
**Adopted**
- 47     **RLH TA 20-283**     Deleting the Appealed Special Tax Assessment for property at 888 MARYLAND AVENUE EAST. (File No. J2015A, Assessment No. 208515)  
**Adopted**
- 48     **RLH TA 20-245**     Deleting the Appealed Special Tax Assessment for property at 1160 MARYLAND AVENUE EAST. (File No. J2016A, Assessment No. 208524)  
**Adopted**
- 50     **RLH TA 20-246**     Deleting the Appealed Special Tax Assessment for property at 981 MENDOTA STREET. (File No. CG2001D1, Assessment No. 200112)  
**Adopted**
- 51     **RLH TA 20-275**     Ratifying the Appealed Special Tax Assessment for property at 430 MINNEHAHA AVENUE WEST. (File No. CG2001E4, Assessment No. 190162)  
**Adopted**
- 52     **RLH TA 20-241**     Ratifying the Appealed Special Tax Assessment for property at 924 MINNEHAHA AVENUE EAST. (File No. CG2001D4, Assessment No. 200115)  
**Adopted**
- 53     **RLH TA 20-262**     Deleting the Appealed Special Tax Assessment for property at 1399 MINNEHAHA AVENUE WEST. (File No. CG2001D1, Assessment No. 200112)  
**Adopted**
- 55     **RLH TA 20-251**     Deleting the Appealed Special Tax Assessment for property at 331 PASCAL STREET NORTH. (File No. J2016A, Assessment No. 208524)  
**Adopted**



- 56     **RLH SAO 20-6**     Appeal of Edward Elliott to a Summary Abatement Order at 1139 RALEIGH STREET.  
**Adopted**
- 59     **RLH TA 20-297**    Deleting the Appealed Special Tax Assessment for property at 481 SAINT ANTHONY AVENUE. (File No. CG2001E4, Assessment No. 200119)  
**Adopted**
- 60     **RLH TA 20-242**    Ratifying the Appealed Special Tax Assessment for property at 667 SURREY AVENUE. (File No. CG2001D3, Assessment No. 200114)  
**Adopted**
- 63     **RLH TA 20-222**    Deleting the Appealed Special Tax Assessment for property at 658-660 THOMAS AVENUE. (File No. CG2001E3, Assessment No. 200118)  
**Adopted**
- 64     **RLH TA 20-253**    Ratifying the Appealed Special Tax Assessment for property at 1217 THOMAS AVENUE. (File No. CG2001E2, Assessment No. 200117)  
**Adopted**
- 66     **RLH TA 20-289**    Deleting the Appealed Special Tax Assessment for property at 511 VAN BUREN AVENUE. (File No. CG2001E4, Assessment No. 200119)  
**Adopted**
- 67     **RLH TA 20-281**    Deleting the Appealed Special Tax Assessment for property at 1019 WAKEFIELD AVENUE. (File No. J2015A, Assessment No. 208515)  
**Adopted**
- 71     **RLH TA 20-263**    Deleting the Appealed Special Tax Assessment for property at 908 YORK AVENUE. (File No. CG2001D1, Assessment No. 200112)  
**Adopted**

*Any testimony received was available for Council members to review online.*

*Councilmember Prince moved to close the public hearing and approve the item as amended.*

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

*Nay: 0*

*Absent: 1 - Councilmember Thao*

**For the following case, Legislative Hearing staff have contacted the property owner alerting them to the proposed recommended amendments and these recommendations are uncontested. Therefore, the motion is to amend and adopt this item.**

- 19 RLH TA 20-239** Ratifying the Appealed Special Tax Assessment for property at 848 BEECH STREET. (File No. CG2001D4, Assessment No. 200115)  
(amend to delete)

**Adopted as amended (assessment deleted)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

*Any testimony received was available for Council members to review online.*

*Councilmember Yang moved to continue the public hearing to June 10.*

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

*Nay: 0*

*Absent: 1 - Councilmember Thao*

**For the following cases, the recommendation to continue the public hearing. Therefore, the motion is to continue the public hearing to June 10, 2020.**

- 31 RLH TA 19-903** Ratifying the Appealed Special Tax Assessment for property at 1940 FAIRMOUNT AVENUE. (File No. J2004E, Assessment No. 208303)

**Public hearing continued to June 10**

- 32 RLH TA 20-170** Ratifying the Appealed Special Tax Assessment for property at 1940 FAIRMOUNT AVENUE. (File No. J2007E, Assessment No. 208306)

**Public hearing continued to June 10**

*Any testimony received was available for Council members to review online.*

*Councilmember Noecker moved to refer the items to Legislative Hearings on the dates listed.*

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

*Nay: 0*

*Absent: 1 - Councilmember Thao*

**For the following cases, the recommendation to refer these items to Legislative Hearing. Therefore, the motion is to refer to Legislative Hearing on the dates listed.**

- 34 RLH TA 20-264** Ratifying the Appealed Special Tax Assessment for property at 0 HERBERT STREET. (File No. J2015A, Assessment No. 208515) (To be referred back to Legislative Hearing on September 15)

**Referred to Legislative Hearing on July 7**

- 54 RLH TA 20-279** Ratifying the Appealed Special Tax Assessment for property at 644 OLIVE STREET (AKA 640 OLIVE STREET). (File No. J2015A, Assessment No. 208515) (To be referred back to Legislative Hearing on July 21, 2020)

**Referred to Legislative Hearing on July 21**

**For the following cases, the recommendations are contested. Therefore, a staff report will be presented.**

- 42 RLH TA 19-829** Ratifying the Appealed Special Tax Assessment for property at 559 MCKNIGHT ROAD SOUTH. (File No. CG1903B1-1, Assessment No. 190168) (Amend to reduce)

*Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of the assessment for a garbage hauling bill for the second quarter of 2019: Mr. Leonard Anderson made several arguments in his Legislative Hearing (conducted on April 30), the correspondence preceding the hearing and correspondence following the hearing – which I have reviewed with Councilmember Prince. All of these are in the record before you and has been since publication of the agenda last week.*

*To summarize, Mr. Anderson is opposed to the City's organized garbage hauling program. He testified at the City Council public hearing July 24, 2019 explaining this position. He emphasized then and continues to put forward the considerations that his is a veteran, elderly and disabled. He also indicated that he believed the bills and assessments were incorrect. Lastly, he made a data practices request March 13th for listings of unpaid garbage bills. Although he did not connect this directly to his unpaid bills which went to assessment, he did revisit this request several times in his correspondence. City Council staff responded April 3rd to his data practices request electronically - which is the same means in which the request was filed. Mr. Anderson responded he would have preferred paper printouts.*

*My recommendation on this assessment is in keeping with the recommendation put forward to you in July 2019 when Mr. Anderson testified before you. It is as follows - Recommended motion: Amend. Reduce assessment.*

*Any testimony received was available for Council members to review online.*

*Councilmember Prince moved to close the public hearing and approve the item as amended.*

**Adopted as amended (assessment reduced)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

**49 RLH TA 20-55** Ratifying the Appealed Special Tax Assessment for property at 559 MCKNIGHT ROAD SOUTH. (File No. CG1904B1, Assessment No. 190148) (Amend to reduce)

*Legislative Hearing Officer Marcia Moermond provided the following information:  
Recommended motion: Amend. Reduce assessment.*

*Ms. Moermond said the Council voted in July of 2019 to switch out the property owner's container and decrease his bill. This is the third quarter bill issued on July 5, before the Council's action.*

*Any testimony received was available for Council members to review online.*

*Councilmember Prince moved to close the public hearing and approve the item as amended.*

**Adopted as amended (assessment reduced)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

*Council members shared information about events in their wards.*

## **ADJOURNMENT**

*Council President Brendmoen adjourned the meeting.*

**Meeting adjourned at 5:50 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. All City Council public hearings will be held at 3:30 p.m. and there will be no separate 5:30 p.m. public hearings. More information is available at [www.stpaul.gov/departments/city-council](http://www.stpaul.gov/departments/city-council)

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