



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, November 18, 2020

3:30 PM

Council Chambers - 3rd Floor

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

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 20-77](#) Mayor's Executive Order 20-32.

Received and Filed
- 2 [CO 20-76](#) Letter from the Department of Safety and Inspections declaring 655 Jessamine Avenue East a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Received and Filed
- 3 [AO 20-38](#) Amending the 2020 spending budget in the Department of Public Works General Fund Traffic Signals accounting unit.

Received and Filed
- 4 [AO 20-52](#) Amending the 2020 spending budget in the Department of Public Works Administration Fund Dale Street Campus Maintenance Accounting Unit.

Received and Filed
- 5 [AO 20-53](#) Amending CDBG project budget: additional funding for 716 Desoto and 686 Burr.

Received and Filed

- 6 [AO 20-54](#) HOME funding for 352 Wacouta Street (American House) and 545 Snelling Avenue North (Kimball Court).

Received and Filed

- 7 [AO 20-56](#) Authorizing the Library to reallocate \$126,500.00 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

CONSENT AGENDA

Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

Approval of the Consent Agenda

Council President Brendmoen said Item 14 is being pulled from Consent.

Councilmember Thao moved the Consent Agenda as amended.

*6 in favor, no one opposed
(Tolbert arrived after the Consent Agenda)*

Adopted

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

Nay: 0

- 8 [RES 20-1559](#) Memorializing the Council’s decision to grant an appeal by Ryan Companies from a decision of the Board of Zoning Appeal which had denied a request for variances to construct a six-story mixed commercial and residential use building at 2170 Ford Parkway and approving the requested variances.

Adopted

- 9 [RES 20-1506](#) Establishing the rate of pay for the Deputy Director of Human Resources (Laid over from November 18).

Laid over to December 2

- 10 [RES 20-1508](#) Authorizing the City of Saint Paul to enter into an up to 18-month lease with Listening House of St. Paul at the former Fire Station No. 51.

Adopted

- 11 [RES 20-1511](#) Authorizing the Office of Technology and Communications to update an agreement with Apple for continuing the creation and maintenance of mobile applications.
Adopted
- 12 [RES 20-1521](#) Authorizing the Department of Parks and Recreation to accept a grant of \$79,122.36 to reduce the cost of play equipment for Hamline Park.
Adopted
- 13 [RES 20-1532](#) Authorizing the Fire Department to accept the donation of stuffed animals valued at \$800 from Animal Adventure.
Adopted
- 15 [RES 20-1565](#) Approving the use of grant funds through the Neighborhood STAR Year-Round Program for a commercial storefront at 1328 Grand Avenue.
Adopted
- 16 [RES 20-1567](#) Approving the Use of Grant Funds through the Neighborhood STAR Year-Round Program for a Wooden Garden Fence at 168 Front Avenue.
Adopted
- 17 [RES 20-1542](#) Approving and authorizing the execution of a joint powers agreement, containing an indemnification clause, with Dakota County CDA and other metro jurisdictions regarding efforts to implement fair housing initiatives in the Seven-County Metropolitan Area.
Adopted
- 18 [RES 20-1566](#) Approving the Collective Bargaining Agreement (January 1, 2021 - December 31, 2022) between the City of Saint Paul and the International Union of Elevator Constructors, Local 9. (To be laid over one week for adoption)
Adopted
- 19 [RES 20-1578](#) Approving the Memorandum of Agreement (May 1, 2020 - April 30, 2021) between the City of Saint Paul and the International Association of Sheet Metal, Air, Rail and Transportation Workers, Local 10. (To be laid over one week for adoption)
Adopted
- 20 [RES 20-1590](#) Approving the Collective Bargaining Agreement between the Independent School District 625 and the Professional Employees Association (January 1, 2020 - December 31, 2021) (To be laid over one week for adoption)

Adopted

- 21 [RES 20-1595](#) Resolution authorizing the proper City officials to apply for and accept a Research and Technical Assistance Award as part of the 2020 Gateways for Growth Challenge valued at \$20,000.00 and to accept a gift membership in Welcoming America for the year 2021 valued at \$1,500.00.

Adopted

- 22 [RES 20-1550](#) Approving the City's cost of providing Property Clean Up services during September 1 to 14, 2020, and setting date of Legislative Hearing for December 15, 2020 and City Council public hearing for February 17, 2021 to consider and levy the assessments against individual properties. (File No. J2107A, Assessment No. 218506)

Adopted

- 23 [RES 20-1551](#) Approving the City's cost of providing Property Clean Up services during September 15 to 29, 2020, and setting date of Legislative Hearing for December 15, 2020 and City Council public hearing for February 17, 2021 to consider and levy the assessments against individual properties. (File No. J2108A, Assessment No. 218507)

Adopted**FOR DISCUSSION**

- 14 [RES 20-1524](#) Adopting the City of Saint Paul 2040 Comprehensive Plan.

Council President Brendmoen said this item has been before us several times.

Luis Pereira, Planning and Economic Development, said today is the final adoption for comprehensive plan 2040 Saint Paul for All. It has been a bit of a journey since 2015. Staff has been working on this with the community. State law requires cities in the metro area to update plans every 10 years. This has to be consistent with the Metropolitan Council's regional plan. There are multiple chapters in the plan. They began the process in 2015. They had over 70 events with over 2300 residents and 1200 public hearing comments were submitted. This was brought to the City Council for consideration and to the Met Council for review in 2019. They responded to requests for technical edits by Met Council. They brought the draft plan through 2 committees and approving us to put it into effect on November 4. They are excited about that. Therefore, it is in front of Council today. (He recognized the team by mentioning the people who worked on this plan and numerous interns that contributed.)

Councilmembers Jalali, Prince, and Thao commented.

*Thao moved approval.
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

- 29** [RES 20-1598](#) Recognizing Pattie Kelley's career with the City of Saint Paul and congratulating her on her retirement.

Councilmember Tolbert read the resolution and congratulated Pattie Kelley on her retirement.

Councilmember Thao spoke.

Council President Brendmoen said the other councilmembers spoke this morning.

*Tolbert moved approval.
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

- 26** [RES 20-1600](#) Recognizing November 20th as World Children's Day across the globe and committing the City of Saint Paul to striving for the health, safety and best interests of our children

Councilmember Noecker said so much of what we do on the Council is for our children. So much of the life and vibrancy depends on how the City works for the youngest residents and families. The potential of our City depends on how our City works for our children.

Crista Anders, Co-Director Saint Paul Children's Collaborative, talked about the number of children in the City. There are almost 23,000 children in the age category. About a third of the households have a person under 18. She showed a presentation, gave statistics, and spoke about her organization.)

Councilmember Prince spoke about focusing our energy on the success, health, and future of our children, it would help to solve the City's problems going forward.

Councilmember Yang said she is committed to that work.

Councilmember Thao said this is something the Council is planning for. We are investing in young people, we are investing in kids. There is no better place to invest than with our family.

*Noecker thanked Anders for her presentation and moved the resolution.
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

24 [SR 20-139](#) Staff report from the administration regarding Community First Public Safety.

Daniel Yang spoke, senior policy adviser for Mayor Carter.

Chief Tobolt showed some slides.

Council President Brendmoen said COVID has changed the landscape in many ways and how these investments have been able to move forward or not. Giving some tangible information of what the programs have been focused on this year has been helpful. It is hard to have these conversations virtually.

Mark Kimball with the Healing Streets Program said Healing Streets is for prevention and healing. They wanted to go into the schools with the connection that Danny had. We are communicating the best we can with people.

Brendmoen said it was an honor to work with him. His presence added a lot of value to a day in a park.

Kimball said they have connected with some sergeants. Their cell phones are on 24 hours a day.

Brendmoen said this is a program being created from the ground up.

Councilmember Yang said she loves the component around healing.

Councilmember Thao spoke.

Joe Franklin said that community ambassadors have been around for 7 years. With the additional funds, we were able to expand our teams. We went from 35 to 50 ambassadors. We had a lot of setbacks and challenges due to COVID. The day of the riots after the George Floyd killing caused some problems, too. They will have a team specializing in the skyway.

Councilmember Thao spoke. He has seen a difference in the North End. The team was approachable. We invest in libraries, after school programs. What else are we not doing in helping them make good decisions? Franklin responded it is a tough question. Lots of disputes are around social media.

Councilmember Jalali spoke. Reflecting on students she taught in high school and middle school. We have to address that opportunity gap. We invested in expanding this program.

Councilmember Yang said we will be partnering with them on the citizens league.

Kate Simino, Executive Director of the Citizen's League, enjoyed opportunity to take a deeper dive into the nuances of the work.

Councilmember Prince spoke.

Yang said we are talking about these things today because of policing and other things. That is why we are talking about doing public safety another way. We can't keep doing things the traditional way and uphold the status quo. This is what got her involved in racial justice work in the first place.

Received and Filed

25 [RES 20-1601](#)

Advancing the City's Continued Efforts to Implement a Community-First Approach to Public Safety.

Council President Brendmoen said we have talked about this. We have our update on Community first.

Councilmember Jalali said we heard a report on work that has happened and work is in motion. The uprisings that many people have joined. She joined the Council in 2018 and went straight into the budget cycle. They stepped into a conversation about police discussion. What's to acknowledge. Partnership with the Mayor. It is about stepping forward together into the community. There should be an office of violence prevention.

Council President Brendmoen said she appreciates the thoughtfulness. It is reflecting back what we heard from people. It is important to make a plan. In the resolution, we acknowledge the work of our own Police Department which challenges itself and is willing to look at better ways of policing. It will be received better across the board if it challenges the work we are doing. Looking at dispatch and trying to determine lightening the load from the police department, I want to second that: the Office of Violence Prevention.

Councilmember Noecker wanted to acknowledge Jalali's work. It is hard to balance urgency and thoughtfulness. She strongly supports it and would like to offer an amendment: a further resolved we will hear community first public safety strategies.

Brendmoen said that is a friendly amendment.

Jalali said she welcomes that amendment. Something simple like "be it further resolved that further updates be" or whatever is simple. The spirit of that is right.

Brendmoen said it has been moved. "Ongoing quarterly report to the Council."

Councilmember Tolbert said thank you for putting this work together. Anything we can do to better address actions. The Citizens League group has a deadline. Next year's budget may be harder. I want to defer to my colleagues who put together this resolution if they would be open to that. It would take a layover for proper language. Maybe it would be a separate resolution.

Noecker said she supports the additional study. Don't know if it's possible to put that work into the Citizen's League contract. I know they have a limited amount of time. I would be supportive of a separate resolution.

Councilmember Yang said this is a good conversation. This is something we need to talk about more. There is support for this. I just want to bring that into the space here.

Councilmember Prince said she would also suggest that we handle this at least at a

different time than right now. Part of what you are talking about is a financial audit.

Brendmoen asked given the quick turnaround, is he open to a separate resolution?

Tolbert says he is open to that. He was under the assumption they would take up this information. It is important that we continue to have the funding conversations every year. It would be helpful to do an audit of the external police and the new programs. It would articulate what the value is to public safety. I will work on it separately. We have time before that comes before the Council.

Brendmoen said some of the things we are talking about are the things that the Peoples Cabinet and others would be managing.

Noecker said the commission is a 40-member body. They're going to have 10 meetings. Tolbert's resolution can be framed in such a way that the commission to identify the areas they will not be able to get to.

Councilmember Prince said this comment is on the resolution. She appreciates Jalali and Brendmoen bringing this to her last Tuesday. She spent the weekend on e-mail with the Mayor. She reached out to the district councils. She reached out to people working in the area working with kids, violence, trying to decide if this is the right approach. It is clear the study is moving ahead as planned whether or not she votes for it. One thing she wants to say to them is what the resolution is not: it cannot be a huge spike in gun violence in Saint Paul. Reverence Spence said a 6-month study will not save the young people's whose lives are on the streets at night. Recently after witnessing a high speed chase, she called our East Team Commander and he said he worries about sending his team out. The \$1.6 Million has been so hampered in its effectiveness due to COVID and civil unrest. To the things presented tonight, none of these initiatives have touched her ward. A large portion was done very closely and in partnership with the SPPD (Saint Paul Police Department). It is one of the more innovative departments nationally and internationally. She feels with some of this money we could have hired the students. The 13 young adults—all people of color—and these officers would have come online and trained on community first public safety. Instead, we need to save \$3.7 Million through attrition. Leaving of 40 officers. All that said, she will be voting for this. It will be better ways for 911 calls. I believe the number of 48,000 of lower priority calls are off and should be checked. I am voting on this today to make sure East Siders are on this commission. In any event, it is critical the City deal with the sharp rise in crime and destroying the lives of its youth and families.

Jalali moved the resolution as amended by Noecker with the ongoing reports.

7 in favor, none opposed

Resolution 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

Council President Brendmoen said hit the highlights you would like to cover. Breeze through the stuff that is less controversial. Use your judgment.

Newborn breezed through it. They make up 1.6% of the budget. They put a hold on the deputy director position. Centralizing liaisons into Human Resources. It is not going to happen overnight. Creating a city-wide training framework.

Councilmember Prince said there was an earlier slide for the deputy director pay. Newborn responded she is not sure she will hire at that top level.

Prince said she mentioned that she will continue to have the Chief Equity Officer role. Newborn responded she will continue to serve as both. To integrate the work into Human Resources and citywide. The salary will offset the deputy director.

Prince asked the salary of the chief equity officer. Newborn responded that is around \$151,000.

Prince said that somehow you will take a portion of each salary and the remainder will go to hiring additional staff and a deputy director. Newborn responded the remainder will be making the investments into training and development.

Prince said we are losing so many positions. We are voting on the creation of that position after you present your budget. Newborn responded she understands her concern. She can't emphasize enough the role. Eons ago this position was in Human Resources. The learning and development piece have not been in this position. This is our opportunity. Like anything, it takes adequate financial investment.

Councilmember Noecker said this is all news to her. The last she heard was that the Mayor was going to hire another chief equity officer position. We have such a tight budget. It's hard to make these decisions when the story keeps changing.

Newborn says she has received support to expand both roles. Human Resources is the nucleus of our organization. It is one of the best departments to start with.

Prince said she is confused about the second to last slide. What is going on with all of these salaries? Newborn responded there are salary savings here.

Prince said explain the next box. Newborn responded. It is a \$20,000 shortfall.

Brendmoen said we are out of questions at the moment. We can go through Holly and get things clarified.

Received and Filed

28 [RES 20-1437](#)

Approving adverse action against the Massage Practitioner application submitted by Kao Vang (License ID #20190001182) for the premises located at 2140 Ford Parkway. (Laid over from October 21.)

Councilmember Tolbert said he moves approval.

Councilmember Yang asked if there was more from DSI (Department of Safety and Inspections). It was laid over.

Brendmoen asked if Ms. Skarda is on the call.

Yang said she is not sure how today will go then. She did a lot of work in criminal justice reform. It was good for us to look at our policies. Restorative justice measures. When she looked at what was in front of us. It was a recommendation to deny the license. Because they had a felony record, it violated the morals. The felony happened outside the City. It is different than what the person is applying for. Why didn't this person come to testify? When I started to ask these questions, they questioned if there were language barriers. There are so many laws need to be dug into. I'm going to have our staff look into this. The City should give second chances. Does this even make sense to write out codes this way? She will leave it there. She will not be supporting the recommendation from DSI.

Rachel Tierney said she was not aware of Ms. Yang's concern. She spoke with Skarda about this case. The conviction involved some misuse of credit card or financial information. There is a State statute, the conviction has to be related to the licensed activity. This practitioner would have access to customer's credit cards and other financial information. I represented DSI in charge of licensing. When people have access to financial information, it has been the position of the department that the conviction is part of the activity. The licensee has the opportunity to explain the us. My understanding this license applicant has not responded to that notice. I understand your passions Ms. Yang, but I want to make sure the legal basis is in front of you.

Brendmoen said she is not sure where to start. Yang, do you have follow-up?

Yang said this is something she was already informed about. She had Dia from her office talk to DSI. She wanted our staff to reach out to this person. None of the councilmembers had that information.

Councilmember Prince said she had this information on October 28th. The concerning piece is that Skarda indicated the licensee could have come forth with a claim of rehabilitation or responded to the letter somehow. When we are sending people a denial, is that information included? Do they know they are encouraged to come forward? I feel like we so frequently deal with people. Are letters are not always necessarily in plain English.

Councilmember Thao said he understands the legal aspect. What we are looking at here is this person has a felony, it is difficult for you to get a good paying job. One of the best ways is to start your own business. We are not giving them our chance. I am not approving this.

Councilmember Jalali said she really appreciates your explaining the framework. I am still trying to understand the nexus here. Do we have other information on the picture of their life? While I expect the DSI processes, I feel like the policy itself needs reform. I'm leaning against supporting the motion. I think it's important to use the information we have. It's always important to bring our values and also the legal framework at hand.

Brendmoen said Thao is sharing his screen.

Tolbert said it finds that the colleagues are doing something different. What are our options right now? This law should be re-looked at; however, by making this person the potential poster child of this law without his consent is disappointing. That's not

fair to him as a person. I'm open to doing something different. Maybe Ms. Tierney came give us the options.

Brendmoen said the one question that comes to mind if we have State guidelines, if we approve it and something happens, are we liable. Tierney responded and said you can always withdraw it and ask DSI to reach out to license applicant. DSI has not heard from him. That outreach can be done. Otherwise, approve the resolution, deny the license, and he can reapply.

Bistodeau says Rachel's suggestion of withdrawing the item and then having a conversation seems warranted. Deputy Director Niziolek is happy to have that conversation.

Brendmoen said we have a full agenda in front of us and a HRA meeting. I don't want to hear people's perspective about information we don't know about. It is under sponsorship of Ward 3. Are you willing to withdraw this item?

Tolbert made a motion to withdraw. If he withdraws, is quasi-judicial gone? Rachel responded sort of. It is likely to come before the Council again so you need to be careful about contacts.

He moved to withdraw.

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.

Final Adoption

- 30** [Ord 20-32](#) Amending section 220.05 of the Legislative Code, to set rates for base level garbage service to be effective January 1, 2021 and changing the rate calculation from a rate that includes taxes to a rate that excludes taxes.

Councilmember Noecker 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

- 31** [Ord 20-33](#) Creating the classification titled Deputy Director of Human Resources in the unclassified service pursuant to Section 12.03.2(H) of the City Charter.

Councilmember Jalali moved approval.

Councilmember Prince said she is going to vote against it. She appreciates that there are 2 significant salaries--HR Director and Chief Equity Officer--that will be assigned to the HR Department, but we can't really afford this at this point.

Ordinance is adopted

Yeas – 5

Nays – 2 (Prince, Thao)

Adopted

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

Nay: 2 - Councilmember Thao and Councilmember Prince

Second Reading

32 [Ord 20-29](#)

Amending Chapter 409 of the Legislative Code pertaining to the distance restriction between liquor license locations, to reduce the location radius for off-sale wine only license locations.

Councilmember Prince offered Version 2 from 300 feet to a quarter mile. Council President Brendmoen said there is a difference of about 1,000 feet.

7 in favor, none opposed

Amendment is approved and the ordinance is laid over to December 2 for third reading/public hearing

Amendment is approved; laid over to December 2 for third reading/public hearing

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

Nay: 0

First Reading

33 [Ord 20-35](#)

Granting the application of Keith Schroeder to rezone the property at 981 Fuller Avenue from R4 Single Family Residential to T2 traditional neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Laid over to December 2 for second reading

34 [Ord 20-36](#)

Approving an emergency ordinance pursuant to City Charter 6.06 temporarily suspending T2 Zoning for City-owned property at 296 Seventh Street West, the site of former fire station 51 and now known as "Freedom House," to allow temporary reuse as a facility to provide services to the City's unsheltered population due to the COVID-19 pandemic.

Councilmember Noecker 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

PUBLIC HEARINGS

36 [AHPC 20-2](#)

Public hearing to consider the appeal of William Garman (“Gar”) Hargens and Mary (“Missy”) Staples Thompson to the Heritage Preservation Commission decision of 540 Portland Avenue in the Historic Hill Heritage Preservation District. (Public hearing closed on November 18)

Councilmember Thao requested a staff report

Allison Eggers, planner, said the proposal the HPC (Historic Preservation Commission) approved would be built behind 542 Portland. They propose a 3-unit townhouse at the rear yard of the property. The rear yard is its own separate parcel that is landlocked. They are proposing to built on this. On the other side of the lot faces Summit, although it does not have Summit access. It is visible from Summit. It is currently used as off-street parking. It has a wood fence on one side and a chain link fence surround. She showed a rendering of the proposal. The architect omitted the existing house to get a better idea of the design. The 3 garage doors would face Portland Avenue. The trees would remain. Staff met with the applicant about the potential project in 2019. February 10, 2020, applicant came forward to HPC for a pre-application review. HPC recommended the project have a covered porch that would face summit to better relate to the rhythm of Summit Avenue. The HPC application was submitted and scheduled for Sept. 21 HPC meeting. Neighbors stated they wanted to know more about the project. Applicant was notified that the neighbors requested a meeting and postpone the HPC meeting and they could talk to the architect about the proposal. The applicant met with the neighbors and made some adjustments to the proposal: design of garage doors, coverings over entryways, location of the dormers facing summit. The revisions were sent to the HPC. Revised application was reviewed at the October 5 PH of HPC. It was approved 5 to 0. Fourteen letters are in support. One person spoke in opposition and there was one letter of opposition.

Councilmember Thao asked when the property owner met with the neighbors and made those changes, was the appellant part of that neighborhood meeting. Eggers responded yes. Thao asked given that timeline, did the appellant have enough time to state their concern and also come before the HPC? Eggers responded yes, the appellant was part of the neighborhood discussions. Neighbors were notified of the new date of the HPC meeting. That meeting took place at the same time at the BZA (Board of zoning Appeals) meeting. They took testimony in writing as well as in person. The appellant did copy HP staff on an e-mail to the BZA stating some of their concerns about the project and their opposition. They did not submit anything to the HPC that was directed to the HPC.

Thao said the HPC guidelines are strict. Was anything borderline in the proposal here that the HPC had to go out of its way to make this work. Eggers said the project was

unique. The long timeline was trying to make sure it followed the guidelines. The applicant was commended by the HPC on their willingness to adjust their proposal to meet the guidelines. They found little push back from the applicant to deliver a proposal that would be successful. The addition of the porches would break up the largeness of the project. Also consider the view from Portland. It would still read as a secondary structure on Portland. That's how they felt it would still comply in terms of its size. HPC commended them on providing density and still adhering to the HPC guidelines.

Councilmember Prince asked about the reasons for error. Eggers responded the reasons for error could be how the guidelines are interpreted if it is inconsistent with other proposals, if the materials don't relate. All of the materials for the project are materials that have been approved for other projects. The massing wall is large and still reads as a secondary structure on the Portland Avenue project. This project is unique because of the landlocked site. There was a large consideration given to the uniqueness of the site. As far as the HPC erred, it would be based on the guidelines.

Prince asked the HPC vote. Eggers responded 5 to 0.

Thao moved to close the public hearing. Testimony has been submitted online.
7 in favor, none opposed
Public hearing is closed

Thao moved a 2-week layover. There is no a meeting next week.

Brendmoen said we would have to do the same for Item 35 because one is contingent on another. Rachel Tierney responded that she checked with Peter Warner about timing concerns. The 60-day rule is going to run out sometime in December. The layover is fine.

7 in favor, none opposed
Laid over to December 2.

Public hearing closed; laid over to December 2

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

Nay: 0

35 [ABZA 20-7](#)

Public hearing to consider the appeal of William Garman Hargens and Mary Staples Thompson to a decision of the Board of Zoning Appeals (BZA) approving six variances (for primary entrance location, number of off-street parking spaces provided, lot coverage, lot size, lot width, and rear yard setback) for a second triplex to be constructed on a lot that has an existing triplex at 542 Portland Avenue. (Public hearing closed on November 18)

Matthew Graybar, DSI (Department of Safety and Inspections) staff member for the Board of Zoning Appeals (BZA), shared his screen. 542 Portland is the subject property. This lot is legally nonconforming as the lot width is only 46.08 feet wide. As a triplex, it would need 60 feet wide. They would need a variance of the lot width requirement. As for the density, several other properties also have higher levels of density. This is in the RT2 zoning district which permits 2 principal dwellings, which is

acceptable for the proposed triplex. This is located in the preservation district, so it means it has to meet the design guidelines from HPC and the porch that the HPC requested that this property provide at the rear, making it a functional front. That porch pushed over both buildings over the lot coverage requirement. It is the porch that pushes it over and makes them have to comply with the lot coverage variance. That same porch also encroaches into the required rear yard setback. HPC wants them to make the rear look like the front. So, when you travel onto Summit Avenue, it would not stick out and it would blend in better with the surrounding properties. Half of the variances that he needs is based off the need to meet the HPC design requirements. The trees are not located on 542 Portland. It is on 533 Summit Avenue. Those trees will be remaining. There are 3 townhouse units within this building and each unit has its own garage. Within each garage, there is its own car lift. They are required to require 10 parking spaces. This does not include this creative solution to the parking solution allowing 2 cars to park in one parking space. They can only count 7 spaces. They are side by side units. The first-floor plan is the garage that go upstairs and leads into the dining room, bathroom, and kitchen. The applicant submitted 17 letters of support; staff received 8 letters of opposition. DSI recommends approval of the condition subject to final approval by HPC and garage lifts are installed. HPC recommends approval. District Council 8 also recommends approval.

Councilmember Thao asked how the neighborhood was notified for the BZA hearing. Graybar responded DSI sent out the notification. They met the 10-day notification to the surrounding properties within 300 feet of the property lines. They also send out an ENS (early notification system).

Thao moved to close the public hearing.
7 in favor, none opposed
Public hearing is closed

Thao moved a 2-week layover. This is an interested development here, and he would like to look through everything again.
7 in favor, none opposed
Laid over to December 2

Public hearing closed; laid over to December 2

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

Nay: 0

- 37** [RES PH 20-242](#) Setting the Solid Waste Service Fee for 2021. (To be laid over to December 9.)

Council President Brendmoen said comments were taken online and by phone.

*Councilmember Thao moved to close the public hearing.
7 in favor, none opposed
Public hearing is closed and resolution is laid over to December 9*

Public hearing closed; laid over to December 9

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

Nay: 0

- 38** [RES PH 20-230](#) Amending the 2020 financing and spending budgets in the Department of Public Works Street Lighting Maintenance accounting unit by adding \$68,030 of additional revenues.

Council President Brendmoen said this is a public hearing. We have taken comments online and over the phone.

Councilmember Yang moved to close the public hearing and approve.

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

- 39** [RES PH 20-249](#) Setting the City Recycling Service Fee for 2021 and authorizing Public Works to request \$740,709 in SCORE base grant and \$48,200 in SCORE incentive grant funds from Ramsey County to support the residential recycling program and additional waste diversion initiatives. (Public hearing held on November 4)

Council President Brendmoen said this is a public hearing. We have taken comments online an over the phone.

Councilmember Jalali moved to close the public hearing.

7 in favor, none opposed

Public hearing is closed and resolution is laid over to December 9.

Public hearing closed; laid over to December 9

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

Nay: 0

- 40** [RES PH 20-220](#) Ratifying the assessment for the 2020 Street Maintenance Service Program for sweeping and lighting. (File No. 2020SMSP, Assessment No. 200025)

Council President Brendmoen said we have held a public hearing online. There are numerous comments. These are all the comments.

Councilmember Noecker moved to close the public hearing and approve.

7 in favor, none opposed

Public hearing is closed and resolution is adopted.

At the end of the meeting, Councilmember Prince moved to recall this item. It passed with a vote of 7 in favor, none opposed.

Prince wanted to pull off 606 Point Douglas Road for separate consideration. Shari Moore, City Clerk, said that will come back to the Council in the form of another resolution. This passed with a vote of 7 in favor, none opposed and the item was adopted as amended

Recalled and adopted as amended (606 Pt. Douglas Road removed 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

- 41** [RES PH 20-251](#) Amending the 2020 Financing and Spending Budget for the Public Works Sewer Utility Fund, Riverview Lift Station.

Council President Brendmoen said this is a public hearing. We have taken comments online and over the phone.

*Councilmember Prince 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

- 42** [RES PH 20-238](#) Amending the 2020 special fund budget and adding an activity for the 2021 Toward Zero Deaths Enforcement Program grant from the Minnesota Department of Public Safety in the amount of \$711,685.

Council President Brendmoen said this is a public hearing. We have taken comments online an over the phone.

*Councilmember Yang 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

- 43** [RES PH 20-239](#) Amending the 2020 special fund budget and adding an activity for the 2021 National Highway Traffic Safety Administration (NHTSA) 2021 DWI Officer

grant from the Minnesota Department of Public Safety.

Council President Brendmoen said this is a public hearing. We have taken comments 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

- 44** [RES PH 20-241](#) Amending the financing and spending plans in the Fire Department in the amount of \$20,645.32 for the Minnesota Task Force One team reimbursement from the City of Edina.

Council President Brendmoen said this is a public hearing. We have taken comments online and over the phone.

*Brendmoen 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

- 45** [RES PH 20-243](#) Amending the financing and spending plans in the Fire Department in the amount of \$42,120 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.

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

*Councilmember Tolbert 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

- 46** [RES PH 20-244](#) Amending the City's 2020 Operating Budget to reflect the use of fund equity of up to \$350,000 to finance the CHA Fire Pump Controller/Transfer Switch

Project.

Council President Brendmoen said this is a public hearing held online and over the phone.

*Councilmember Prince 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

- 47** [RES PH 20-245](#) Amending the financing and spending plans in the Department of Emergency Management budget in the amount of \$30,000 for the 2020 Emergency Management Performance Grant (EMPG) to provide assistance for salaries.

Council President Brendmoen said this is a public hearing held online and over the phone.

*Councilmember Noecker 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

- 48** [RES PH 20-246](#) Amending the financing and spending plans in the Department of Emergency Management budget in the amount of \$15,000 to accept the 2020 Emergency Management Performance COVID-19 Supplemental Grant (EMPG-S) to provide storage for PPE supplies and EOC storage.

Council President Brendmoen said this is a public hearing that we've 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

- 49** [RES PH 20-254](#) Approving a budget amendment allocating \$8,114 from the Energy Conservation Loan Fund for the City's 25% share of the cost of a geothermal feasibility study of the Como Zoo/Conservatory Campus
- Council President Brendmoen said this is a public hearing. We've held online and over the phone.*
- Councilmember Jalali 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
-
- 50** [RES PH 20-255](#) Accepting a \$100 gift from Adele Hoglin, to be placed in the City's General Fund.
- Council President Brendmoen said this is a public hearing we've held online and over the phone.*
- Councilmember Yang 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
-
- 51** [RES PH 20-257](#) Authorizing the Department of Human Rights and Equal Economic Opportunity (HREEO) to accept the Fair Housing Assistance Program (FHAP) Partnership award of \$12,500 from the U.S. Dept of Housing and Urban Development (HUD); Amending the 2020 City budget in the amount of \$12,500 upon acceptance of said award; and approving and authorizing execution of any necessary documents and agreements.
- Council President Brendmoen said we've held the public hearing online and over the phone.*
- Councilmember Jalali 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

LEGISLATIVE HEARING ITEMS

The Legislative Hearing Officer recommended 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

- 53** [RLH TA 20-603](#) Ratifying the Appealed Special Tax Assessment for property at 984 BURGESS STREET. (File No. CG2003B1, Assessment No. 200143)
Adopted
- 54** [RLH TA 20-655](#) Ratifying the Appealed Special Tax Assessment for property at 1193 BUSH AVENUE. (File No. CG2003B2, Assessment No. 200144)
Adopted
- 55** [RLH TA 20-638](#) Ratifying the Appealed Special Tax Assessment for property at 693 BUTTERNUT AVENUE. (File No. CG2003A2, Assessment No. 200140)
Adopted
- 56** [RLH TA 20-605](#) Deleting the Appealed Special Tax Assessment for property at 1034 CASE AVE. (File No. CG2003B2, Assessment No. 200144)
Adopted
- 58** [RLH TA 20-565](#) Deleting the Appealed Special Tax Assessment for property at 1083 COLETTE PLACE. (File No. CG2003A3, Assessment No. 200141)
Adopted
- 59** [RLH TA 20-556](#) Ratifying the Appealed Special Tax Assessment for property at 963 COMO BOULEVARD EAST. (File No. CG2003B1, Assessment No. 200143)
Adopted
- 60** [RLH TA 20-600](#) Deleting the Appealed Special Tax Assessment for property at 94 COOK AVENUE WEST. (File No. CG2003B2, Assessment No. 200144)
Adopted
- 61** [RLH TA 20-654](#) Ratifying the Appealed Special Tax Assessment for property at 580 DAYTON AVENUE. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 63 [RLH TA 20-636](#) Ratifying the Appealed Special Tax Assessment for property at 1230 DAYTON AVENUE. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 64 [RLH TA 20-635](#) Ratifying the Appealed Special Tax Assessment for property at 1231 DAYTON AVENUE. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 65 [RLH TA 20-578](#) Deleting the Appealed Special Tax Assessment for property at 2116 DAYTON AVENUE. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 66 [RLH TA 20-613](#) Deleting the Appealed Special Tax Assessment for property at 836 DEER PARK. (File No. CG2003A3, Assessment No. 200141)

Adopted

- 67 [RLH TA 20-568](#) Ratifying the Appealed Special Tax Assessment for property at 1039 EARL STREET (ASSESSMENT ROLL HAS AS 1057 ROSE AVENUE EAST). (File No. CG2002D1-1, Assessment No. 200132)

Adopted

- 68 [RLH SAO 20-43](#) Appeal of David Duong to a Summary Abatement Order at 496 EDMUND AVENUE.

Adopted

- 70 [RLH VO 20-50](#) Appeal of Chikio Richmond, Healing Homes, to a Fire Inspection Correction Notice (which includes condemnation) at 862 FIFTH STREET EAST.

Adopted

- 71 [RLH TA 20-601](#) Deleting the Appealed Special Tax Assessment for property at 979 FLANDRAU ST. (File No. CG2003B1, Assessment No. 200143)

Adopted

- 74 [RLH TA 20-599](#) Ratifying the Appealed Special Tax Assessment for property at 1562 GOODRICH AVENUE. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 75 [RLH TA 20-633](#) Deleting the Appealed Special Tax Assessment for property at 436 GRIFFITH STREET. (File No. CG2003B3, Assessment No. 200145)

Adopted

- 76 [RLH TA 20-624](#) Deleting the Appealed Special Tax Assessment for property at 807 HAMLIN AVENUE NORTH. (File No. CG2003B1, Assessment No. 200143)

Adopted

- 77 [RLH TA 20-598](#) Deleting the Appealed Special Tax Assessment for property at 1006 HAWTHORNE AVENUE EAST. (File No. CG2003A3, Assessment No. 200141)

Adopted

- 79 [RLH TA 20-612](#) Deleting the Appealed Special Tax Assessment for property at 298 JENKS AVENUE. (File No. CG2003B2, Assessment No. 200144)

Adopted

- 80 [RLH TA 20-645](#) Deleting the Appealed Special Tax Assessment for property at 1041 JENKS AVENUE. (File No. CG2003B2, Assessment No. 200144)

Adopted

- 81 [RLH SAO 20-35](#) Making finding on the appealed nuisance abatement ordered for 913 JOHNSON PARKWAY in Council File RLH SAO 20-18.

Adopted

- 82 [RLH TA 20-632](#) Deleting the Appealed Special Tax Assessment for property at 669 KENT STREET. (File No. CG2003B4, Assessment No. 200146)

Adopted

- 83 [RLH TA 20-644](#) Deleting the Appealed Special Tax Assessment for property at 1988 LINCOLN AVENUE. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 84 [RLH TA 20-640](#) Ratifying the Appealed Special Tax Assessment for property at 755 MINNEHAHA AVENUE WEST. (File No. CG2003C1, Assessment No. 200147)

Adopted

- 85 [RLH TA 20-558](#) Deleting the Appealed Special Tax Assessment for property at 564 OHIO STREET. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 86 [RLH TA 20-639](#) Ratifying the Appealed Special Tax Assessment for property at 667 OHIO STREET. (File No. CG2003C1, Assessment No. 200147)

Adopted

- 87 [RLH SAO 20-42](#) Appeal of Gary & Charlene Goldschmidt to a Vehicle Abatement Order at 270

PAGE STREET WEST.

Adopted

- 89 [RLH TA 20-610](#) Ratifying the Appealed Special Tax Assessment for property at 1357 SEARLE STREET. (File No. CG2003A3, Assessment No. 200141)

Adopted

- 90 [RLH TA 20-658](#) Amending Council File Nos. RLH AR 19-104 and RLH TA 19-695 to delete the assessment for Collection of Vacant Building Registration Fees billed during July 6, 2018 to April 24, 2019 at 133 SEVENTH STREET EAST. (File No. VB2001, Assessment No. 208800)

Adopted

- 92 [RLH TA 20-656](#) Ratifying the Appealed Special Tax Assessment for property at 2183 SUMMIT AVENUE. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 93 [RLH TA 20-604](#) Ratifying the Appealed Special Tax Assessment for property at 751 TUSCARORA AVENUE. (File No. CG2003A2, Assessment No. 200140)

Adopted

- 94 [RLH FCO
20-146](#) Appeal of Alan Bell, Salon Elise, to a Correction Notice-Reinspection Complaint at 1619 UNIVERSITY AVENUE WEST.

Adopted

- 95 [RLH SAO 20-29](#) Making finding on the appealed nuisance abatement ordered for 1610 UPPER AFTON ROAD in Council File RLH CO 20-10.

Adopted

- 96 [RLH TA 20-614](#) Deleting the Appealed Special Tax Assessment for property at 1059-1063 WOODBRIDGE STREET. (File No. CG2003A4, Assessment No. 200142)

Adopted

- 97 [RLH TA 20-664](#) Denying for a deletion or refund of Council File No. AR 20-125 approving the Ratifying of the assessments for Collection of Vacant Building Registration fees billed during September 24, 2019 to April 17, 2020 at 363 WOODLAWN AVENUE. (File No. VB2013, Assessment No. 208815)

Adopted

The following items were ratifying the assessment for the City's cost of providing collection of delinquent garbage bills for services during April through June 2020. The Legislative Hearing Officer recommended adoption:

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

Nay: 0

- 98** [RLH AR 20-139](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for service during April to June 2020. (File No. CG2003A1, Assessment No. 200139)

Adopted

- 99** [RLH AR 20-140](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for service during April to June 2020. (File No. CG2003A2, Assessment No. 200140)

Adopted

- 100** [RLH AR 20-141](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for service during April to June 2020. (File No. CG2003A3, Assessment No. 200141)

Adopted

- 101** [RLH AR 20-142](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2020. (File No. CG2003A4, Assessment No. 200142)

Adopted

- 102** [RLH AR 20-143](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2020. (File No. CG2003B1, Assessment No. 200143)

Adopted

- 103** [RLH AR 20-144](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2020. (File No. CG2003B2, Assessment No. 200144)

Adopted

- 104** [RLH AR 20-148](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2020. (File No. CG2003B3, Assessment No. 200145)

Adopted

- 105** [RLH AR 20-149](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2020. (File No. CG2003B4, Assessment No. 200146)

Adopted

- 106 [RLH AR 20-150](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2020. (File No. CG2003C1, Assessment No. 200147)

Adopted

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

- 52 [RLH VO 20-52](#) Granting an additional stay of enforcement of Council File RLH VO 20-47, a decision on an appeal of a Fire Correction Notice-Complaint Inspection, including condemnation, at 1544 BEECH STREET.

Adopted as amended (extend stay of enforcement on order to vacate to December 1, 2020)

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

Nay: 0

- 72 [RLH RR 20-42](#) Ordering the rehabilitation or razing and removal of the structures at 535 FOREST STREET within fifteen (15) days after the November 18, 2020, City Council Public Hearing. (Amend to remove within 15 days)

Adopted as amended (remove within 15 days)

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

Nay: 0

For the following item, the Legislative Hearing Officer recommended continuing the public hearing to December 9, 2020:

- 69 [RLH SAO 20-24](#) Appeal of Eric Olsen, Park Crossing, Inc., to a Summary Abatement Order at 2233 ENERGY PARK DRIVE.

Public hearing continued to December 9

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 recommended continuing the public hearing to December 2, 2020:

- 91 [RLH RR 20-24](#) Ordering the rehabilitation or razing and removal of the structures at 657 SHERBURNE AVENUE within fifteen (15) days after the July 8, 2020 City Council public hearing.

Public hearing continued to December 2, 2020

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

Nay: 0

- 88 [RLH RR 19-30](#) Ordering the rehabilitation or razing and removal of the structures at 1904 PRINCETON AVENUE within fifteen (15) days after the December 18, 2019 City Council public hearing. (Amend to remove within 15 days)

Public hearing continued to December 2

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 recommended referring the item to the Legislative Hearing of December 8, 2020:

- 73 [RLH RR 20-31](#) Ordering the rehabilitation or razing and removal of the structures at 1033 GALTIER STREET within fifteen (15) days after the September 23, 2020, City Council Public Hearing. (To be referred back to December 8, 2020 Legislative Hearing)

Referred to December 8 Legislative Hearing

- 78 [RLH RR 20-23](#) Ordering the rehabilitation or razing and removal of the structures at 1915 IVY AVENUE EAST within fifteen (15) days after the July 8, 2020 City Council public hearing. (Amend to remove within 15 days)

Referred to December 8 Legislative Hearing

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

- 57 [RLH SAO 20-39](#) Making finding on the appealed nuisance abatement ordered for 655 CHARLES AVENUE in Council File RLH SAO 20-23.

Marcia Moermond, Legislative Hearing Officer, said the owners submitted additional testimony. The summary abatement order was issued on September. Council granted to November 6. It was not done on November 10. She recommends authorizing DSI (Department of Safety and Inspection) to clean up the property.

*Councilmember Thao moved the Legislative Hearing Officer's recommendation.
7 in favor, none opposed
The 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

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

- 62 [RLH FCO 20-151](#) Appeal of Benjamin Roberts to a Re-Inspection Fire Certificate of Occupancy With Deficiencies-Final Notice at 905 DAYTON AVENUE.

Marcia Moermond, Legislative Hearing Officer, said that a phone call was received this morning from the appellant who said that he would follow-up with an e-mail, but he did not. He explained to staff that he wanted more time. The issue is two fold: fix the chimney and roof. The chimney is critical. We don't know if the fuel burning equipment is working properly. The contractor did not pull the permit and get the work inspected. She is recommending that they grant the appeal on the roof repair until December 1 to get it resolved given the danger with improper venting.

*Councilmember Thao moved this recommendation.
7 in favor, none opposed
Adopted as amended*

Adopted as amended (grant additional extension to December 1, 2020)

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 8:46 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. 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

Council Meeting Information

The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Council members use mobile devices to review the files during the meeting. Using a mobile device greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released minutes, agendas, and meetings are available by subscription. Visit www.stpaul.gov/council for meeting videos and updated copies of the agendas, minutes, and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed at various times. Check your local listings.