



# City of Saint Paul

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

## Meeting Minutes

### City Council

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

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Wednesday, November 17, 2021

3:30 PM

Council Chambers - 3rd Floor

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

#### ROLL CALL

Meeting called to order at 3:33 p.m.

**Present** 7 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Nelsie Yang

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 21-87](#) Mayor's Emergency Executive Orders 21-40 and 21-41.  
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 stated that Items 3, 6, and 12 would be taken separately.*

*Councilmember Thao moved approval.*

#### Adopted as amended

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

**Nay:** 0

- 2 [RES 21-1532](#) Approving the Audit Committee's recommendation to examine how businesses interested in developing residential housing development projects

navigate the various City departments' processes and requirements.

**Adopted**

- 4     [RES 21-1618](#)     Approving the City's cost of providing Property Clean Up services during September 1 to 13, 2021, and setting date of Legislative Hearing for December 21, 2021 and City Council public hearing for February 23, 2022 to consider and levy the assessments against individual properties. (File No. J2209A, Assessment No. 228508)

**Adopted**

- 5     [RES 21-1619](#)     Approving the City's cost of providing Property Clean Up services during September 14 to 30, 2021, and setting date of Legislative Hearing for December 21, 2021 and City Council public hearing for February 23, 2022 to consider and levy the assessments against individual properties. (File No. J2210A, Assessment No. 228509)

**Adopted**

- 7     [RES 21-1634](#)     Authorizing the City to enter into an agreement with the Minnesota Department of Transportation for the adjustment of City facilities on Trunk Highway 94 projects.

**Adopted**

- 8     [RES 21-1639](#)     Approving the polling locations for the 2022 elections pursuant to Minnesota Statute, Section 204B.16.

**Adopted**

- 9     [RES 21-1640](#)     Approving the extension agreements for transfer of Saint Paul Police employees, Tina C. McNamara, David A. Titus, and Michel D. Whisler, to the Ramsey County Sheriff's Office (January 1, 2022 - December 31, 2022).

**Adopted**

- 10    [RES 21-1643](#)     Approving the use of grant funds through the Neighborhood STAR Year-Round Program for the Victoria Theater Arts Center.

**Adopted**

- 11    [RES 21-1648](#)     Authorizing carry forward of unused Private Activity Bond Volume Cap.

**Adopted**

**FOR DISCUSSION**

- 3**     [RES 21-1575](#)     Approving the application with conditions, per the Deputy Legislative Hearing Officer, for DWD Group LLC (License ID # 20210000875), d/b/a Billy's on Grand, for a Liquor on Sale - 291 or more seats, Liquor on Sale - Sunday, Liquor on Sale - 2 AM Closing, Liquor Outdoor Service Area (Patio), Entertainment (B), and Gambling Location licenses, located at 857 Grand Avenue. (Laid over from November 17, 2021.)
- Councilmember Noecker stated that additional information came in and that this item should be laid over to December 1.*
- Laid over to December 1**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 6**     [RES 21-1631](#)     Approving the appointment of Doua Yang as the Legislative Aide in Ward 4.
- Councilmember Jalali introduced and welcomed Doua Yang.*
- Council President Brendmoen expressed excitement.*
- Jalali moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 12**    [RES 21-1655](#)     Recognizing November 20th as World Children's Day and pledging the City of Saint Paul's commitment to the future of its youngest residents
- Councilmember Noecker read from the resolution and moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 13**    [SR 21-184](#)       Update on the 2020 Census.
- Clare Verbeten introduced Toni Newborn.*
- Toni Newborn gave a staff report.*
- Verbeten continued the staff report.*

*Council President Brendmoen discussed how the ward maps might change due to redistricting, noting no major shifts in population.*

*Councilmember Tolbert thanked staff for the presentation.*

*Councilmember Jalali thanked staff and asked about the redistricting timeline.*

*Verbeten talked about the timeline in terms of various partners and next steps.*

*Brendmoen stated that the Charter Commission is in charge of drawing new district boundaries, but the Council passed a resolution with redistricting principles.*

*Councilmember Noecker thanked staff and expressed excitement for increased diversity, especially for people under 18 years old. Also asked how the diversity compares to other cities.*

*Verbeten stated that information on other cities was not currently available, and a follow-up conversation for that information would be helpful.*

*Councilmember Prince thanked staff and also spoke to diversity and youth. Asked when analysis on income would become available.*

*Verbeten said the Census Quickfacts website would have that information as it become available.*

*Councilmember Yang thanked staff. Also expressed excitement for the way the city is changing, and for Minnesota maintaining 8 congressional districts. Thanked census staff and volunteers for getting people counted and asked about different strategies across the state and across the country.*

*Verbeten addressed Yang's questions and also spoke to the different strategies used to get people counted.*

*Newborn addressed Prince's question, stating that the City's Planning and Economic Development Department would be putting that information together.*

*Brendmoen thanked staff and Jalali for their work on the census.*

**Received and Filed**

## **ORDINANCES**

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

### **Final Adoption**

- 14**     [Ord 21-42](#)     Amending Section 220.05 of the Legislative Code to set rates for base level garbage service to be effective January 1, 2022.

*Councilmember Jalali moved approval.*

**Adopted**

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

**Nay:** 0

**15**     [Ord 21-45](#)

Amending Chapter 64 of the Administrative Code to update deferral language, delete sewer separation references, and update assessment procedures.

*Councilmember Noecker stated that this proposal initially came from a constituent and spoke to the power of constituent involvement. Moved approval.*

*Council President Brendmoen expressed appreciation for Noecker and her constituent's advocacy.*

**Adopted**

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

**Nay:** 0

**16**     [Ord 21-46](#)

Amending Chapter 60 of the Administrative Code to clarify hardship deferral language.

*Councilmember Noecker moved approval.*

**Adopted**

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

**Nay:** 0

**17**     [Ord 21-47](#)

Amending Chapter 177, Removal of Dangerous Trees, of the Legislative Code by deleting it in its entirety and combining its provisions into Chapter 175 of the Legislative Code.

*Councilmember Noecker moved approval.*

**Adopted**

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

**Nay:** 0

**18**     [Ord 21-48](#)

Amending Chapter 175A of the Legislative Code, Emerald Ash Borer Pest Insect, by deleting it in its entirety and combining its provisions into Chapter 175 of the Legislative Code.

*Councilmember Noecker moved approval.*

**Adopted**

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

**Nay:** 0

**19**     [Ord 21-49](#)

Amending Chapter 62 of the Administrative Code to clarify hardship deferral language and other language clarification.

*Councilmember Noecker moved approval.*

**Adopted**

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

**Nay:** 0

**20**     [Ord 21-50](#)

Amending Chapter 175 of the Legislative Code in order to combine three chapters regarding the abatement of dangerous or diseased trees into one chapter, and to clarify hardship deferral language.

*Councilmember Noecker moved approval.*

**Adopted**

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

**Nay:** 0

**PUBLIC HEARINGS**

**21**     [RES PH 21-300](#)

Considering the recommendation and order on Motion for Summary disposition submitted by the Administrative Law Judge concerning the cigarette/tobacco license held by Zakariya Abukhudeer, d/b/a The One Stop Market, LLC at 1541 Maryland Avenue East.

*Stephen Earnest gave a staff report.*

*Councilmember Noecker asked about the penalties.*

*Earnest answered Noecker's question.*

*Mark Thompson argued that the allegations were not supported by evidence. Encouraged Council to follow the recommendation.*

*Councilmember Yang moved to close the public hearing. Asked staff for clarification on the recommendation.*

*Earnest provided clarification.*

Yang spoke to the severity of the allegations. Said that accepting the recommendation might be too lenient. Asked for a chance for staff to have the option to bring this back before an administrative law judge.

Council President Brendmoen asked for clarification on the motion.

Earnest said that besides accepting the report, another option would be to give the City the opportunity to try additional allegations before an administrative law judge.

Brendmoen asked for clarification on the motion more specifically.

Rachel Tierney provided clarification.

Councilmember Thao asked if the business was still in operation.

Earnest answered in the affirmative.

Thao asked if they had other locations.

Earnest answered in the negative.

City Clerk Shari Moore stated that the Council may not technically be able to return it to the City Attorney's office.

Councilmember Prince asked about reasoning regarding penalties.

Earnest stated that the administrative law judge did not think penalties would go beyond a \$1000 matrix penalty.

Prince expressed concern about the lack of a more severe penalty.

Tierney stated that the action that could be taken by the Council aside from approval would be to not adopt the resolution. Clarified that the ask from Earnest is to provide the City Attorney's office the time to prove the allegations before an administrative law judge.

Prince clarified that the resolution is a staff recommendation.

Noecker asked if increasing penalties is possible even if revocation isn't likely.

Earnest said that could be possible.

Brendmoen said the option the Council might be leaning towards would be to withdraw and have the item come back as a separate resolution

Tierney said that would be the best way to handle this item.

Yang moved to withdraw.

**Public hearing is closed, resolution withdrawn**

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

**Nay:** 0

- 22**     [RES PH 21-288](#)     Ratifying the assessment for the 2021 Street Maintenance Service Program for sweeping and lighting. (File No. 2021SMSP, Assessment No. 210025)

*Council President Brendmoen stated that there was a new version.*

*Councilmember Noecker moved approval of the updated version.*

**Adopted as amended**

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

**Nay:** 0

- 23**     [RES PH 21-319](#)     Authorizing the City to accept \$11,588,419.60 in Round Two Federal Emergency Rental Assistance Funds; amending the 2021 budget to incorporate and appropriate the funds; and authorizing the execution of necessary agreements.

*Council President Brendmoen spoke to the importance of this resolution and moved approval.*

**Adopted**

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

**Nay:** 0

**Approval of the Consent Agenda**

*Councilmember Tolbert moved approval.*

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

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

**Nay:** 0

- 25**     [RLH TA 21-426](#)     Deleting the Appealed Special Tax Assessment for property at 2211 BENSON AVENUE. (File No. CG2103A2, Assessment No. 210111)

**Adopted**

- 26**     [RLH SAO 21-71](#)     Making finding on the appealed nuisance abatement ordered for 1143 CHURCHILL STREET in Council File RLH SAO 21-70.



**Adopted**

- 27     [RLH TA 21-405](#)     Deleting the Appealed Special Tax Assessment for property at 914 COOK AVENUE EAST. (File No. CG2103A3, Assessment No. 210112)

**Adopted**

- 28     [RLH TA 21-408](#)     Ratifying the Appealed Special Tax Assessment for property at 822 EDMUND AVENUE. (File No. CG2103A4, Assessment No. 210113)

**Adopted**

- 29     [RLH TA 21-431](#)     Ratifying the Appealed Special Tax Assessment for property at 1501 ELEANOR AVENUE. (File No. CG2103A1, Assessment No. 210110)

**Adopted**

- 30     [RLH TA 21-398](#)     Ratifying the Appealed Special Tax Assessment for property at 1282 HAGUE AVENUE. (File No. CG2102A1-1, Assessment No. 210114)

**Adopted**

- 31     [RLH TA 21-400](#)     Ratifying the Appealed Special Tax Assessment for property at 1282 HAGUE AVENUE. (File No. CG2103A1, Assessment No. 210110)

**Adopted**

- 33     [RLH TA 21-421](#)     Ratifying the Appealed Special Tax Assessment for property at 667 LAUREL AVENUE. (File No. CG2103A1, Assessment No. 210110)

**Adopted**

- 34     [RLH TA 21-451](#)     Amending the previously ratified assessment to reduce the assessment for Collection of Delinquent Garbage Bills for services during October to December 2020 at 667 LAUREL AVENUE. (File No. CG2101A1, Assessment No. 210100)

**Adopted**

- 35     [RLH TA 21-453](#)     Amending the previously ratified assessment to reduce the assessment for Collection of Delinquent Garbage Bills for services during January to March 2021 at 667 LAUREL AVENUE. (File No. CG2102A1, Assessment No. 210106)

**Adopted**

- 36     [RLH TA 21-432](#)     Ratifying the Appealed Special Tax Assessment for property at 1769 MARSHALL AVENUE. (File No. CG2103A4, Assessment No. 210113)

**Adopted**

- 37     [RLH TA 21-444](#)     Ratifying the Appealed Special Tax Assessment for property at 1789 MARYLAND AVENUE EAST. (File No. CG2103A2, Assessment No. 210111)

**Adopted**

- 38 [RLH TA 21-419](#) Deleting the Appealed Special Tax Assessment for property at 1115 NORTON STREET. (File No. CG2103A2, Assessment No. 210111)

**Adopted**

- 39 [RLH TA 21-446](#) Ratifying the Appealed Special Tax Assessment for property at 1774 REANEY AVENUE. (File No. CG2103A3, Assessment No. 210112)

**Adopted**

- 40 [RLH TA 21-424](#) Deleting the Appealed Special Tax Assessment for property at 1707 ROSE AVENUE EAST. (File No. CG2103A3, Assessment No. 210112)

**Adopted**

- 41 [RLH TA 21-425](#) Ratifying the Appealed Special Tax Assessment for property at 843 SELBY AVENUE. (File No. CG2103A1, Assessment No. 210110)

**Adopted**

- 42 [RLH TA 21-428](#) Deleting the Appealed Special Tax Assessment for property at 1706 SIMS AVENUE. (File No. CG2103A3, Assessment No. 210112)

**Adopted**

- 43 [RLH TA 21-445](#) Ratifying the Appealed Special Tax Assessment for property at 120-122 STEVENS STREET WEST. (File No. CG2103A1, Assessment No. 210110)

**Adopted**

- 44 [RLH TA 21-429](#) Deleting the Appealed Special Tax Assessment for property at 1343 STILLWATER AVENUE. (File No. CG2103A3, Assessment No. 210112)

**Adopted**

- 45 [RLH TA 21-396](#) Deleting the Appealed Special Tax Assessment for property at 2279 SUMMIT AVENUE. (File No. CG2103A1, Assessment No. 210110)

**Adopted**

- 46 [RLH AR 21-91](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2021. (File No. CG2103A1, Assessment No. 210110)

**Adopted**

- 47 [RLH AR 21-92](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2021. (File No. CG2103A2, Assessment No. 210111)

**Adopted**

- 48 [RLH AR 21-99](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2021. (File No. CG2103A3, Assessment No.210112)

**Adopted**

- 49 [RLH AR 21-100](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2021. (File No. CG2103A4, Assessment No.210113)

**Adopted**

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

- 32 [RLH TA 21-158](#) Ratifying the Appealed Special Tax Assessment for property at 936 JEFFERSON AVENUE. (File No. J2106E1, Assessment No. 218314) (Amend to delete)

*Councilmember Noecker moved approval.*

**Adopted as amended (delete assessment)**

**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 is contested and additional testimony from the appellant is in the record. A brief staff report was provided:**

- 24 [RLH TA 21-449](#) Ratifying the Appealed Special Tax Assessment for property at 1454 ARONA STREET. (File No. CG2103A2, Assessment No. 210111)

*Legislative Hearing Officer Marcia Moermond gave a staff report.*

*Councilmember Jalali stated that this issue was somewhat common and expressed interest in addressing the constituent's concern as the next garbage contract negotiation gets underway. Moved approval.*

**Adopted (property owner states that they do not produce trash and should not be paying for service)**

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

**Nay:** 0

## ADJOURNMENT

Meeting adjourned at 5:05 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 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.

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

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

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

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