



City of Saint Paul

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

Minutes - Final

City Council

Council President Amy Brendmoen
Councilmember Dan Bostrom
Councilmember Samantha Henningson
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert

Wednesday, March 21, 2018

3:30 PM

Council Chambers - 3rd Floor

Budget Amendment Public Hearings and Legislative Hearing Items at 3:30 p.m. Public Hearings at 5:30 p.m.

ROLL CALL

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince and Councilmember Samantha Henningson

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 18-16](#) Letter from the Department of Safety and Inspections declaring 830 University Avenue West a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed
- 2 [AO 18-18](#) Establishing Year Round STAR account codes, returning Year Round STAR Program funds, restoring funding for one Neighborhood STAR project, and returning unexpended dollars to the Neighborhood STAR Program.
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 9 and 11 were removed from the Consent Agenda for separate consideration.

Councilmember Bostrom moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 3 [RES 18-474](#) Declaring Saturday, March 24, 2018 from 8:30 p.m. to 9:30 p.m. to be "Earth Hour" in the City of Saint Paul.

Adopted

- 4 [RES 18-380](#) Approving the City's cost of providing Property Clean Up services during January 2 to 31, 2018, and setting date of Legislative Hearing for April 17, 2018 and City Council public hearing for June 6, 2018 to consider and levy the assessments against individual properties. (File No. J1809A, Assessment No. 188518)

Adopted

- 5 [RES 18-381](#) Approving the City's cost of providing Graffiti Removal services during January 3 to 27, 2018, and setting date of Legislative Hearing for April 17, 2018 and City Council public hearing for June 6, 2018 to consider and levy the assessments against individual properties. (File No. J1806P, Assessment No. 188406)

Adopted

- 6 [RES 18-382](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during November 22 to December 22, 2017, and setting date of Legislative Hearing for April 17, 2018 and City Council public hearing for June 6, 2018 to consider and levy the assessments against individual properties. (File No. J1808E, Assessment No. 188312)

Adopted

- 7 [RES 18-360](#) Approving the Collective Bargaining Agreement (January 1, 2018 - December 31, 2020) between the City of Saint Paul and AFSCME Local 3757 - Legal.

Laid over to March 28 for adoption

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 8 [RES 18-472](#) Approving the Collective Bargaining Agreement (January 1, 2018 - December 31, 2020) and Memorandums of Agreement (2018 - 2020) between the City of Saint Paul and the Saint Paul Supervisors' Organization.
- Laid over to March 28 for adoption**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 10 [RES 18-427](#) Authorizing the Department of Parks and Recreation to pay the costs associated with the national Commission for the Accreditation of Parks and Recreation Agencies program.
- Adopted**
- 12 [RES 18-465](#) Authorizing the City to enter into a Cooperative Construction Agreement #1029200 with the Minnesota Department of Transportation ("MnDOT" or "State") to provide for payment by the City to the State for the design and construction of improvements to, along, and adjacent to Trunk Highway No. 149 from George Street to Annapolis Street (T.H. 13), and Annapolis Street (T.H. 13) from Smith Avenue (T.H. 149) to Cherokee Heights Boulevard according to State-prepared plans specifications and special provisions; and to authorize the proper city officials to execute the agreement.
- Adopted**
- 13 [RES 18-481](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Wine On Sale, Malt On Sale (Strong), and Entertainment A licenses for Agelgil Ethiopian Restaurant (License # 20170004834), 2585 Seventh Street West.
- Adopted**
- 14 [RES 18-424](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Liquor On Sale - 100-180 Seats and Liquor On Sale - Sunday licenses for HBCL LLC. (License ID #20170004483), d/b/a Hodges Bend at 2700 University Avenue, Suite 100.
- Adopted**

- 15 [RES 18-425](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Auto Body Repair and Auto Repair licenses (change of ownership) for Ivy Auto and Repair LLC (License # 20170004654), d/b/a Ivy Auto Body and Repair, 45 Ivy Avenue West.

Adopted

- 16 [RES 18-484](#) Providing impound boarding services for neighboring municipalities.

Adopted

FOR DISCUSSION

9 [RES 18-421](#)

Approving the name Midway Peace Park for City-owned parkland along Bigelow Avenue between Griggs Street North and Dunlap Street North.

Council President Brendmoen: Mr. Thao.

Councilmember Thao: Thank you. This is an exciting opportunity. This project was rewarding and a privilege to work on. Turning this parcel into green space so the entire City can enjoy it. I tried to push for the name "City Council Park" but that didn't go very far. [Laughter from Councilmembers.] I'm just kidding, that didn't happen. We went through a really rigorous process and I want to thank all the leaders and community members in no particular order: The Lex-Ham Community Council; the Union Park District Council; the Skyway Community members; Common Bond; Gordon Parks High School; High School for the Recording Arts; Hamline Midway District Council; and the Trust for Public Land who acted as partner in acquiring this space. I want to also thank City staff, Director Homm and his Park staff for working tirelessly to acquire this land and transform it from a parking lot to a place where all members of the community can come and enjoy it. I'd like to turn this now over to Amy.

Amy Gunderman: I work for the Lexington-Hamline Community Council.

Council President Brendmoen: Amy, I'm going to pause you because I see someone is trying to take your picture. And you're on TV. Only five cameras.

Mgolla Sherma: I am a service coordinator for Common Bond and Skyline Tower.

Cima Kyras: I am a program manager at the Trust for Public Land.

Amy Gunderman: As Councilmember Thao mentioned, this is an extensive partnership with many members of the community. The project originated through the residents at Skyline Tower and the students at Gordon Parks High School. Both separately identified the space as potential green space, park space. My predecessor, Margaret Jones, brought those voices together and got traction on the project. We are really grateful to Trust for Public Land for all their work on it, too. The community listening project was very robust, hundreds of hours of conversations with individuals gathering input about what the park could look like, what it could be, priorities. Two themes were identified regarding naming: one geographical and one inspirational. We had over 500 community members vote on the names, this is something to celebrate. We had ballot boxes in locations. I feel we can all celebrate this process and Midway Peace Park can represent the voices of Skyline and Gordon Parks HS for years to come.

Mgolla Sherma: First of all, thank you for giving us this opportunity. Most people who live in Skyline are people from East Africa, Somalis and Euromos and other immigrants and refugees as well. It was important to them to select an inspirational name that would reflect their history. We had events where people were given opportunity to select a name. I remember elders telling me that the name "peace" is important to us because we have gone through difficult times and finally we are here in Skyline and we want to live and die in a peaceful place. Of the 512 votes, more than half were from Skyline Tower. Elders knocked on doors to say "you need to come and vote and this is our park; we will be using it the most."

Cima Kyras: That is hard to follow. Bringing together residents and the City and trying to express the need was a really big priority for us. We see this as a big

success. We are excited for the next step which is designing and then breaking ground.

Council President Brendmoen: Can you remind me, one word was geographical?

Mgolla Sherma: Yes. Peace is the aspirational.

Council President Brendmoen: Thank you. Ms. Henningson?

Councilmember Henningson: I am really excited. This was on my running route for three years. I always had an issue with the trash. Thank you so much. This is great.

Council President Brendmoen: Any other discussion on this item? No? Seeing none, Mr. Thao moves approval. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

7 in favor, 0 opposed
The resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

11 [RES 18-451](#)

Approving an extension of the permit for Speaking of Home for the installation of Public Art in the Public Right-of-Way.

Council President Brendmoen: Ms Noecker.

Councilmember Noecker: I am sure all of us around the table have noticed the increased vibrancy and vitality that have come to the Skyway since the "Speaking of Home" exhibit has come to the central business district. I am thrilled that we are going to extend the permit today and that it took less time to extend the permit that it did to grant the original permit. I would like to acknowledge the visionary and designer behind the project. Nancy, would you say a couple of words about the project?

Nancy Kline: Thank you for the opportunity. Great to see you here. I hope that everyone has had an opportunity to see the project in the downtown. I hope you've had the opportunity to engage with the outside and the inside. I am pleased that this project has been seen internationally, nationally, and locally. It's a step in the revitalization of downtown St Paul, adding cultural vitality. I am pleased to see that there's another skyway project now, too. I encourage everyone to see the skyway, maybe a new second tier experience for St Paul and maybe even your big brother over there, too. Who? [laughs] Minneapolis. Thank you for the opportunity. Thank you for the extension on behalf of the "Speaking of Home" team and all our different partners and stakeholders and the citizens of MN.

Councilmember Noecker: I'm glad you mentioned this as a catalyst. We've seen some permitting for arts and events happening in the skyway so I think you've been a leader in that. Thank you. I move approval.

Council President Brendmoen: Ms. Noecker moves approval. All in favor say Aye. [All say Aye] Any opposed? Motion prevails.

7 in favor, 0 opposed.

The resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

17 [SR 18-31](#)

Presentation on Stop For Me Campaign study and proposed enforcement enhancements.

Council President Brendmoen: Welcome! This is a presentation and an update. As we were discussing before the meeting, a very welcome presentation at that. Welcome to the Council chambers.

Faye Simer, Pedestrian Safety Advocate, Public Works: I've asked Dr. Morris to brief you on the study. It's a study that has been shown in other communities using the techniques that Dr. Morris's team proposes to increase the number of drivers who stop for pedestrians crossing the street. I was excited to learn in their work in Gainesville that the numbers went up during the study and actually stayed up for two years after the study. As you hear the presentation, I ask for two things: one that we get all the help to spread the word to the residents of St Paul to increase awareness and two ways that we can continue this work after the study concludes

Dr Nicole Morris, Research Lead, Director of HumanFIRST Laboratory at U of MN Dept of Mechanical Engineering: Essentially, I study driver behavior so I am a psychologist embedded in engineering. I am working this project under consultation with Dr Ron Van Houten, an internationally recognized expert in pedestrian safety from Western Michigan University. These numbers are not unique to St Paul. We are seeing, that, over the years, pedestrians are accounting for a larger number of traffic fatalities. It could be changes in driver behavior or it could be changes in traffic patterns. Ultimately, more families are suffering because more people are being struck every year. So how do we measure this? We selected sites based on multiple criteria, primarily past pedestrian strikes at unsignalized marked crosswalks. Some are two lane, some four lane. Some have pedestrian refuge, some do not. We work in teams of two with a strict protocol to keep safe and protect data integrity. One is a staged pedestrian, one is a coder measuring interactions between pedestrian and drivers. One of our big findings is how many cars yield to us on a single crossing and how many multiple threat conflicts occur. An example would be a four lane where one car yields and the car in the adjacent lane flies on past. A trained pedestrian, which many are not, will stop and check that next lane of traffic. Many pedestrians assume if one car stops, it's safe. They may step into that next lane and be killed. Baseline results demonstrated that at 1581 crossings, we see 67 cars on average at each session. On average 3 in 10 cars stop. When cars do stop, we see they typically stop back a greater distance, which is critical for safety. This provides greater sight distance for the pedestrian and the driver. If a car comes right up to the crosswalk and stops, the car in the next lane can only be traveling at 2 miles/hour in order to have enough time to stop. Stopping back about 50 feet allows for more time and accommodates more speed. Unfortunately, they are generally not stopping at all. One troubling thing is the amount of multiple threat passes. Dr. Van Houten was surprised because these don't match what he has seen in other cities. We encountered this in one in every 10 crossings. This is scary even from a trained researcher standpoint. There are some people who get the message. We will be doing high visibility enforcement in four waves. Wave 1 will be a warning phase. Subsequent waves will involve ticketing.

Commander Ellison: Dr. Morris did a great job of articulating the problem of multiple threat crashes. We took a look at this from an enforcement viewpoint and decided that officers will check the "Endangering Life of Property" box on citations when appropriate. It removes the option for the driver to pay the ticket and be done with it; it actually forces them to go into court and makes it more of a consequence.

Dr. Morris: It is dangerous for a driver not to yield to a pedestrian but the multiple

threat is far more dangerous. The other thing is we can only do so much through engineering and enforcement. We have psychology problems and want engineering solutions. Psychology solutions are more appropriate for psychology problems. We have a driving culture problem in St Paul and it requires a cultural solution. Once the number of drivers stopping starts improving, we are going to have large signs put up showing improvement. This is "cultural norming." People see that 50% of drivers are yielding for pedestrians and if I am not one of them I feel like I am in the "out" group and I want to be in the "in" group. As the number climbs, it will become a cultural norm. Here is my contact information for a more detailed presentation [shows slide]. Are there questions?

Council President Brendmoen: I can see that we have questions. Do you have any sense why St Paul is worse? Is it because our workforce drives in from outside St Paul? Is it residents?

Dr. Morris: The streets are wider, even in two lane roadways. I couldn't believe it when I moved to St Paul, that people fly around on the right, but I guess that is what we do. If you are used to it on a two-lane roadway, why wouldn't you do it on a four-lane roadway.

Council President Brendmoen: Did you notice any difference where they were flashers? Or zebra striped crosswalks?

Dr. Morris: We specifically didn't include any location with those elements. We did some checking and found that the driver response was quite good. Everybody stopped for us. Not perfectly, but that wasn't an area where we should focus our study efforts. Those elements work but it is not practical to put them everywhere. What we are looking at is low cost gateway treatments. There are some locations where the crossing should be pulled. But at some point, you may be telling your community it's not safe to walk, just to drive. There are places that my research team doesn't want to go back to. There are places that need a lot of treatment.

Council President Brendmoen: One of the challenges in St Paul is that we are a network of county and city roads. A lot of our county roads are these four lane roads. We are talking about narrowing the street rather than adding sidewalk bells and whistles. They are overbuilt for the amount of traffic that they are carrying.

Councilmember Noecker: I am wondering about traffic fatalities primarily occurring at signalized intersections and you are not studying those. Can you explain how applicable your findings will be to the places where we actually seeing fatalities?

Dr. Morris: You can consider my data as a surrogate measure on the whole system. We are not able to measure yielding rates at a signalized intersection because there is no yielding. Either the pedestrian has the right of way or the vehicle does. Pedestrians get struck when the vehicle doesn't yield. When you have high yielding at unsignalized crosswalks, you can expect it would generalize to the rest of the system.

Councilmember Bostrom: Concerning the enforcement program--are we going to start tagging people for violating the crosswalk with the pedestrian present.

Commander Ellison: As part of the study, there will be police officers who will act as the decoy. The first phase will be warnings only, the subsequent three phases will be citations issued.

Councilmember Bostrom: What does a pedestrian have to be doing for a driver to be cited?

Commander Ellison: We will be using the MN state statute which says the pedestrian has to be in the crosswalk, crossing the street. The rule we have used in the past is one foot in crosswalk. Dr. Morris will be doing training with the officers.

Councilmember Bostrom: The other thing is you have people standing at an intersection and you don't know if they are going to step off the curb or they are waiting for a bus. That is the crux of it. The driver doesn't know what the person is going to do. Is there a pedestrian education part of this?

Dr. Morris: There is a pedestrian education part of this, focused on training pedestrians to check each lane of travel before, that they check each lane of traffic. It's good to inform people of the law. That when the pedestrian steps into the roadway and the vehicle has enough time to stop, which in St Paul is 140 feet from the crosswalk, then they legally have to stop. People don't want to force the yield, they want to wait for a gap. Sometimes a pedestrian gets a yield on one lane and then the next and then they don't get a yield from traffic going in the other direction. It's called a trap and it's terrifying. If people want to hang back and take the gap, they should be able to do that, but they should know that drivers have to stop once they step into the roadway.

Councilmember Bostrom: The fatality numbers you showed, could you explain?

Dr. Morris: The numbers are the numbers of pedestrians killed.

Councilmember Bostrom: As a percentage of accidents

Dr. Morris: Yes. We have 87 children between 0 and 10 and about 100 over 11 have been struck in St Paul over the last five years. Children are being struck at a high rate.

Concil President Brendmoen: Anything further? Thank you so much for your work on this.

Councilmember Henningson: Will all the locations receive warnings?

Dr. Morris: Not all locations will be enforced. The ones in red are enforced and the ones in green are disseminateable. Around these locations we will be doing a lot of community outreach. We have a media blitz, press releases, and I am really looking to you to help spread the word.

Councilmember Henningson: I had a style suggestion in terms of using active language. Using "people" instead of "pedestrians" or "drivers." Commander Ellison, is that your current title, provided me some data recently that were 155 victims of gunshot in 2017. This is also a big issue and needs attention.

Council President Brendmoen: I do think it would be helpful to share your findings with Ramsey County. So many of the roads that you will be doing this work on are county roads. With their "All Abilities" road plan and with their eye to the future in understanding how things are changing in how we want our roads to function, it would be helpful if they had your information. Thank you.

Dr. Morris: Thank you.

Received and Filed

- 18 [RLH RR 17-48](#) Making finding on the appealed nuisance abatement ordered for 544 MINNEHAHA AVENUE WEST in Council File RLH RR 17-12. (Public hearing held February 28)

Council President Brendmoen: Ms Moermond.

Ms. Moermond: At the last public hearing, there were some deficiencies in the materials provided, specifically better information from the contractors that they were willing to commit to the specified times in the work plan. Also, we were looking for better information on financing actually being available. With respect to the financing, there was a loan closing this morning at 9AM and I spent some time in the with PED staff and LEN Title going through the escrow and they found the old sworn construction statements associated with the original financing in 2015. In reviewing that, we believe there are funds adequate to complete the rehab of the property. We went through the bids and all contractors have committed to complete work by August 1, in writing. I would recommend the Council grant time for the work to happen. My concern is that these documents came in last night and today. While we have their word they will do the work, how do we verify the work is done. If there are reports available midway, would the Council be move forward with what small tools it had available or is the huge tool preferred, the demolition. It seems that isn't a good choice. There isn't a middle choice. It is simply the removal or getting the rehab completed. I think it would be useful for a meeting between the funder, the CDC, the contractor, perhaps the ward office, DSI, and myself to spell out expectations so everybody knows what needs to be accomplished in the next 180 days before the performance deposits are lost and the house will be subject to demolition. I strongly recommend that the Council require that to happen within the next two weeks, perhaps under the auspices of Mr. Thao's office. The conditions have been minimally met. The performance deposits were posted Mar 14 so I would recommend six months for the work to be completed, Sept 14.

Council President Brendmoen: Mr. Thao.

Councilmember Thao: I am happy the developer came to the table and provided the documentation to move the project forward. For other projects with similar challenges, do we mandate meetings with us to ensure they are on track?

Ms. Moermond: In the past, the Council has asked for progress reports on a bimonthly basis or a quarterly basis for projects where there's a tenuous feeling about whether requirements will be met. There is a precedent there. A structured meeting hasn't happened in the past. With progress reports, there isn't a repercussion from the outcome. With a face to face meeting and talking, there might be a better chance of getting off on the right foot from the beginning.

Councilmember Thao: You are recommending two weeks from now to meet again.

Ms. Moermond: Within the next two weeks. I would recommend the Council grant the recommendation for the work to be completed by Sept 14 and the meeting of those parties to occur within the next two weeks.

Councilmember Thao: No further questions. I move the recommendation of the Hearing Officer.

Council President Brendmoen: I support the motion. I share the concern about the requirements being minimally met. At a certain point, the neighbors deserve the right

to a nice neighborhood with completed projects and shoveled sidewalks. I do think it is in everybody's best interest to have this project completed. It sounds like we are on the right path and you've just signed up for some work. I will support you as well. Any discussion? Seeing none, all in favor say Aye. [All say Aye.] Opposed? No? The motion prevails.

*7 in favor, 0 opposed.
The resolution is adopted as amended.*

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

ORDINANCES

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

Second Reading

- 19** [Ord 18-15](#) Interim ordinance pursuant to Minn. Stat. § 462.355, Subd. 4, preserving the status quo in the boundaries of the potential Merriam Park Heritage Preservation District pending the completion of a report, recommendation and nomination to place the potential Merriam Park Heritage Preservation District on a register of historic places and possible amendments to the City's official controls for protecting historic properties.

Laid over to April 4 for the third reading at a public hearing.

Laid over to April 4 for third reading/public hearing

First Reading

- 20** [Ord 18-14](#) Amending Chapter 379 of the Legislative Code updating short-term rental host and short-term platform responsibilities.

This item is laid over until March 28 for second reading.

Laid over to March 28 for second reading

BUDGET AMENDMENT PUBLIC HEARINGS (3:30 p.m.)

- 21 [RES PH 18-71](#) Authorizing Fleet to use fund balance, built and unspent in 2017, to increase the 2018 Financing and Spending budgets in the Fleet budget by \$249,500 to purchase equipment.

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

[No one wished to be heard]

Council President Brendmoen: Seeing none, Ms. Henningson moves to close the public hearing and approve. All in favor say Aye. [All say Aye.] Any opposed? Motion prevails.

7 in favor, 0 opposed.

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 22 [RES PH 18-75](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$30,640 for additional funds from the Capitol Region Watershed District for repairs to the Trout Brook storm tunnel in conjunction with the Trout Brook Lift Station project.

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

[No one wanted to be heard.]

Council President Brendmoen: Seeing none, Mr. Thao moves to close the public hearing and approve. All in favor say Aye. [All say Aye.] Opposed? Motion prevails.

7 in favor, none opposed.

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

SUSPENSION ITEMS

LEGISLATIVE HEARING CONSENT AGENDA (3:30 p.m.)

Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda

Council President Brendmoen: Item 38 will be pulled from the consent agenda for further consideration. Are there any other items to be pulled? Seeing none, Mr. Tolbert moves for a public hearing on the consent agenda items. This is a public hearing on these items. Is there anyone here to be heard on them? We know they are not. Councilmember Tolbert moves to close the public hearing and approve the balance. All in favor say Aye. [All say Aye.] Opposed? The motion prevails.

7 in favor 0 opposed.

The public hearing is closed and the legislative consent agenda is adopted as amended.

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 23** [RLH SAO 18-11](#) Making finding on the appealed nuisance abatement ordered for 237 BATES AVENUE in Council File RLH SAO 17-102. (Legislative Hearing on March 20)

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 24** [RLH TA 18-63](#) Ratifying the Appealed Special Tax Assessment for property at 123 CAYUGA STREET. (File No. J1804E, Assessment No. 188303; amended to File No. J1804E1, Assessment No. 188313) (Public hearing continued from March 21)

Public hearing continued to October 3, 2018

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 25 [RLH TA 18-64](#) Ratifying the Appealed Special Tax Assessment for property at 123 CAYUGA STREET. (File No. J1803V, Assessment No. 188002) (Legislative Hearing on March 20)
- Adopted as amended (spread payments over a 5 year period)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 26 [RLH TA 18-65](#) Ratifying the Appealed Special Tax Assessment for property at 123 CAYUGA STREET. (File No. J1805A, Assessment No. 188505; amended to File No. J1805A1, Assessment No. 188520) (Amend to delete assessment)
- Adopted as amended (delete the assessment)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 27 [RLH TA 18-72](#) Ratifying the Appealed Special Tax Assessment for property at 128 COOK AVENUE EAST. (File No. CRT1805, Assessment No. 188204)
- Adopted**
- 28 [RLH TA 18-82](#) Ratifying the Appealed Special Tax Assessment for property at 572 DESNOYER AVENUE. (File No. CRT1805, Assessment No. 188204; amended to File No. CRT1805A, Assessment No. 188210) (Public hearing continued from March 21)
- Referred to the May 1 Legislative Hearing**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 29 [RLH TA 18-74](#) Ratifying the Appealed Special Tax Assessment for property at 168 FORBES AVENUE. (File No. J1805B, Assessment No. 188104) (Amend to delete the assessment)
- Adopted as amended (delete the assessment)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0

- 30** [RLH RR 17-19](#) Ordering the rehabilitation or razing and removal of the structures at 412 GOODRICH AVENUE within fifteen (15) days after the July 19, 2017 City Council public hearing. (Public hearing continued from March 21) (To be referred to Legislative Hearing on October 23)
- Referred to May 22 Legislative Hearing**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 31** [RLH TA 18-97](#) Deleting the Appealed Special Tax Assessment for property at 1232 HUBBARD AVENUE. (File No. VB1806, Assessment No. 188805)
- Adopted**
- 32** [RLH TA 18-49](#) Deleting the Appealed Special Tax Assessment for property at 92 KING STREET EAST. (File No. VB1806, Assessment No. 188805)
- Adopted**
- 33** [RLH TA 18-84](#) Ratifying the Appealed Special Tax Assessment for property at 1080 LAWSON AVENUE EAST. (File No. VB1806, Assessment No. 188805; amended to File No. VB1806A, Assessment No. 188813) (Public hearing continued from May 16)
- Public hearing continued to April 18**
- 34** [RLH TA 18-116](#) Ratifying the Appealed Special Tax Assessment for property at 358 MARIA AVENUE. (File No. VB1806, Assessment No. 188805)
- Adopted**
- 35** [RLH TA 18-66](#) Ratifying the Appealed Special Tax Assessment for property at 1052 MINNEHAHA AVENUE EAST. (File No. J1803V, Assessment No. 188002; amended to File No. J1803V1, Assessment No. 188009) (Public hearing continued from March 21)
- Public Hearing continued to October 3**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 36** [RLH TA 18-73](#) Deleting the Appealed Special Tax Assessment for property at 686 SIXTH STREET EAST. (File No. VB1806, Assessment No. 188805)
- Adopted**

- 37 [RLH TA 18-75](#) Ratifying the Appealed Special Tax Assessment for property at 164 STEVENS STREET WEST. (File No. VB1806, Assessment No. 188805)
Adopted
- 39 [RLH AR 18-10](#) Ratifying the assessments for Boarding and/or Securing services during October 2017. (File No. J1805B, Assessment No. 188104)
Adopted
- 40 [RLH AR 18-9](#) Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during August 14 to September 9, 2017. (File No. CRT1805, Assessment No. 188204)
Adopted as amended (remove 1321 Fifth Street East for separate consideration)
Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
Nay: 0
- 41 [RLH AR 18-11](#) Ratifying the assessments for Trash Hauling services during November 1 to 30, 2017. (File No. J1806G, Assessment No. 188705)
Adopted
- 42 [RLH AR 18-12](#) Ratifying the assessments for Collection of Vacant Building Registration Fees billed during January 11 to October 20, 2017. (File No. VB1806, Assessment No. 188805)
Adopted
- 43 [RLH AR 18-13](#) Ratifying the assessments for Towing Abandoned Vehicle services during May to September 2017. (File No. J1803V, Assessment No. 188002)
Adopted

LEGISLATIVE HEARING DISCUSSION ITEM

38 [RLH VO 18-8](#)

Appeal of Eugene Schwalbe to a Notice of Condemnation as Unfit for Human Habitation & Order to Vacate at 65 WINIFRED STREET WEST.

Council President Brendmoen: Ms. Moermond.

Ms. Moermond: This is a case of an accessory restructure on the property being used as a residence. This property is at the intersection of Winnifred and Strycker which is an old commercial node on a streetcar route. There used to be a bakery on one corner, a gas station. This property had a house and the butcher shop is the accessory structure. What had been a butcher shop and never quite a garage had been converted into residential use. The inside of the property, when visited by the inspectors, was delapidated and there is concern that the bathroom and kitchen and gas installations were done without permit. The occupant of the structure is the brother of the owner so this is a family property with family occupying both buildings. The reason Mr. Schwalbe is living in the garage instead of the house is for privacy but also he is allergic to the cats in the house. The building conditions in the accessory structure are of significant importance. It has been condemned. [Shows photos.] There are holes in walls, extension cord wiring, wires running along the floor in living area, wires in stairwell, ceiling is deteriorated but it has a newly installed smoke detector. Here is another case of an open, exposed light switch and open wiring. Normally, to turn an accessory structure into a residence, you would hire an architect or an engineer and they would draw plans that would tell you what the residential requirements are. This started to be used as a residence and things were added on along the way. There is significant financial hardship. One thing we discussed in the hearing was Mr. Schwalbe moving into the attic but there is still the allergy concerns. Living in this structure presents a greater danger and there are things that can be done to alleviate the allergy, cleaning, antihistamines and so on. My recommendation is to allow residency until Apr 1. He wanted longer than that so I extended it to beyond the Council's hearing so if he wanted to change it, he wouldn't have to vacate before coming here today. They feel like they've gotten mixed messages from different inspectors over time. A couple of years they thought they heard it would be OK if there were two exits. I don't know how that was understood. When I look at it today, there's no way that's an accurate statement. This is not a safe structure. It should be vacated for residential purposes. If it is to be converted, it should be done properly and mindfully.

Council President Brendmoen: Ms. Moermond, it does sound as though you have had an opportunity to work with the occupant and homeowner at the legislative hearing. Are there other questions of Ms. Moermond before we go to public hearing?

Councilmember Noecker: Just wanted to make sure. The issue is not living in a property that was a commercial property, it's just the way it was set up for residential use and maintained is not safe.

Ms. Moermond: The zoning is B2. You can definitely have a residence there for zoning purposes. But buildings have to be built towards the purpose for which they are being used. This one is not, nor was it converted under the benefit of permits, safely.

Councilmember Noecker: It seems like the list, under principle violations and other violations, seemed pretty minor and didn't encompass the wiring and plumbing issues you mentioned to truly convert it to residential use.

Ms. Moermond: I think they were trying to capture that under Item 1 in the orders-discontinuing illegal use of commercial space as a living area. That is a broad reaching phrase. What the outcome would be is if you are going to use it for living

purposes, you need to use the permit process.

Councilmember Noecker: I want to make sure that it is clear to the applicant what needs to be done. That these items get it up to code without someone living there.

Ms. Moermond: I think they have been trying along the way, like with the smoke and carbon monoxide detectors. Fixing a banister. These little things are not the same as addressing the major systems that are problematic.

Council President Brendmoen: Other questions of Ms. Moermond? This is a public hearing so if there is anyone hear who would like to be heard on this item, please come to the table. Eugene, you have five minutes to share your concerns about the recommendation.

Mr. Eugene Schwalbe: I am asking for an extension from April 1 to May 1. I am unemployed and no health insurance. I'm on public transportation. It's difficult to get a job. Four jobs in the last three days I couldn't get to. Qualified for, can't show up. I'm asking for an extension because it's kind of a hardship thing. Cats send me into an asthma attack. The attic would be similar to winter camping. He's three weeks out of a five day coma so he kinda needs my help to take care of a lot of problems with the other building as well as this one as well to get physically fit and mentally fit to take care of them on his own. Those are the reasons I am asking for an extension. I have taken care of the problems I can. The cords aren't out in the way anymore. The smoke detector. They said there's some problem with the front door. They said there was a fire hazard with boxes. Those are there because I am trying to get out of there.

Council President Brendmoen: I think extension cord wiring, even if the cords are out of the way, is not allowed.

Mr. Schwalbe: Yes. I realize that. Most everything out there has been like that for 30 years. I've been out there for two and a half or three and I'm just asking for a little more time.

Councilmember Noecker: I want to make clear that you understand what needs to be done. I think it's a little confusing the way this is phrased. The issue is the space can't be lived in at all until a lot more work is done to get it up to code, besides what it listed here. Painting, guard rail being attached and the door being secured. Those are required in order to lift the condemnation order but to live in the space long term, the electrical and all those other

Mr. Schwalbe: I don't want to live in it long term. I want to live in it until May 1 to accomplish. It's hard to get an apartment without a steady income.

Council President Brendmoen: You are saying you don't plan to live in it long term but you would like an extension until May 1 and then you plan to vacate it? You aren't going to try to get it up to residential standards?

Mr. Schwalbe: No. I want til May 1 and I doubt it will ever be lived in again. He will be using it as a workshop, workspace.

Councilmember Noecker: Even if it weren't going to be used to live in, this work would need to be done to keep the structure up to code, even the exterior. You understand that.

Mr. Schwalbe: What was that?

Councilmember Noecker: The other violations that are listed here, securing the service door and scraping and painting the exterior walls

Mr. Schwalbe: The exterior paint is not like a dangerous thing. It does need to be done. And the trim back up. That's not a big deal. A lot of the extension cords could be done away with. To bring everything to code and actually get everything inspected and everything else, that's a big thing to do. I can't do that in a snap of the fingers but I have taken care of every dangerous thing on this list that I could have.

Council President Brendmoen: Thank you very much.

Mr. Schwalbe: Do I stay right here?

Council President Brendmoen: Actually, you can go back to the table. We will talk about this for a few moments and make a decision. Ms. Noecker moves to close the public hearing. All in favor say Aye. [All say Aye.] Opposed? The motion prevails. Ms. Noecker?

Councilmember Noecker: I appreciate you coming down and appreciate the Legislative Hearing Officer's report and I am thinking about this in the context we have been having about affordable housing and I know exactly what you are saying, that this is not a great time to find another place to live. I live right in the neighborhood, right around the corner and pass your home a lot. If all issues are taken care of on the outside, to make it more an amenity to the neighborhood, it makes sense to give you until May 1 to find a place to live. I would move an extension to May 1.

Council President Brendmoen: Ms. Noecker moves an extension to May 1. Is there any discussion on that item? Seeing none, all in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

7 in favor, 0 opposed

The public hearing is closed and the resolution is adopted as amended.

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

PUBLIC HEARINGS (5:30 p.m.)

44 [Ord 18-12](#)

Amending Chapter 31 of the Legislative Code pertaining to ranked voting.

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

Jean Massey: I am the Executive Director of Fair Vote Minnesota. We organize and help support the education around ranked choice voting. I want to take moment to comment on the ordinance changes you will be considering tonight. They seem rather straightforward in supporting further progress in how St Paul would tabulate the votes under ranked choice voting and I want to publicly thank and commend your elections manager, Joe Manskey, for moving forward in making progress in how your ballots will be tabulated. My understanding is the machinery will soon be in place to allow you to automatically tabulate the ballots. And he is proposing some changes to facilitate that process. Certification requirements aside, progress is being made. I am hopeful you will have a faster, more efficient process moving forward for your ranked choice voting. A public thank you to your elections manager, Joe Manskey. And to the Council Members who have made this progress possible, as well. Thank you.

Council President Brendmoen: Is there anyone else here who would like to be heard on this item? [No one else wished to be heard.] Councilmember Prince moves to close the hearing. All in favor say aye. [All say aye.]

Councilmember Prince: And if I could just thank Mr. Manskey for this work. It gets us closer to where we are trying to go. Thanks so much.

7 in favor, 0 opposed.

The public hearing is closed and laid over to March 28 for final adoption.

Laid over to March 28 for final adoption

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

45 [Ord 18-13](#)

Granting the application of KTJ 298 LLC to rezone property at 1891 Norfolk Avenue and 1413 Sue Street from R3 One-Family Residential to RM2 Multiple-Family Residential, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Council President Brendmoen: This is a public hearing. Is there anyone here who wishes to be heard on this item? [There was no one who wished to be heard.] Seeing none, Mr. Tolbert moves to close the public hearing. All in favor say Aye. [All say Aye.] Any opposed? Motion prevails.

7 in favor, 0 opposed

The public hearing is closed and the item is laid over until March 28 for final adoption.

Laid over to March 28 for final adoption

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 46 [RES PH 18-79](#) Approving the application of Visit Saint Paul for a sound level variance to present live music in the parking lot of Cleveland Circle for the NCAA Frozen Four Fan Fest on Thursday, April 5 and Saturday, April 7, 2018.

Councilmember Thao left the meeting.

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item? [There were none who wanted to be heard.] Seeing none, Ms. Noecker moves to close the public hearing. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

6 in favor, 0 opposed

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 1 - Councilmember Thao

- 47 [RES PH 18-81](#) Reciting a proposal for a Housing Finance Program for a multifamily rental housing development, giving preliminary approval to the project and the program pursuant to Minnesota Statutes, Chapter 462C, authorizing the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota to issue conduit multifamily housing revenue obligations and authorizing the preparation of necessary documents and materials in connection with said project and program, 901 E Como Boulevard (Como By the Lake Project District --10, Ward 5).

Councilmember Thao is not present.

Council President Brendmoen: Before we have the public hearing, I do want to thank Amy for getting the information to us ahead of this vote. Como by the Lake was in the news as it was an apartment building that had almost 60 Section 8 housing units in it but the term was up and it went to sale. We were afraid we would lose those affordable apartments that are really close to Como Lake and a place where people could walk and age in place. We are moving forward with funding for the purchaser who is preserving these affordable units. Preservation of affordable housing is so important. The work to combine all these funds has taken a lot of effort. Thanks to staff for that. With that, this is a public hearing. Is there anyone here who would like to be heard on this item? [There was no one who wanted to be heard.] Seeing none, I would like to close the public hearing and approve. All in favor say Aye. [All say Aye.] Opposed? The motion prevails.

6 in favor, 0 opposed.

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 1 - Councilmember Thao

48 [RES PH 18-25](#)

Ratifying the assessment for replacement of sanitary sewer services within the right-of-way as part of the Jackson Street, Phase I, Part B, street paving and lighting project. (File No. 19173C, Assessment No. 176004)

Councilmember Thao is not present.

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on item 48? [No one wanted to be heard.] Seeing none, Ms. Noecker moves to close the public hearing and approve. All in favor say Aye. [all say aye.] Any opposed? The motion prevails.

6 in favor, 0 opposed.

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 1 - Councilmember Thao

49 [RES PH 18-21](#)

Ratifying the assessment for replacement of sanitary sewer services within the right-of-way as part of the Raymond Avenue, Phase III street paving and lighting project. (File No. 19190C, Assessment No. 186001)

Councilmember Thao is not present.

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

[No one wished to be heard.]

Council President Brendmoen: Seeing none, Mx Henningson moves to close the public hearing and approve. All in favor say Aye. [All say aye.] Any opposed? The motion prevails.

6 in favor, 0 opposed.

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 1 - Councilmember Thao

50 [RES PH 18-23](#)

Ratifying the assessment for replacement of sanitary sewer services within the right-of-way as part of the Como Avenue from Raymond to Commonwealth street paving and lighting project. (File No. 19202C, Assessment No. 186004)

Councilmember Thao is not here.

Council President Brendmoen: This is a public hearing. Is there anyone here who wishes to be heard on this item?

[No one wished to be heard.]

Council President Brendmoen: Seeing none, Ms. Henningson moves to close the public hearing and approve. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

6 in favor, 0 opposed.

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 1 - Councilmember Thao

51 [RES PH 18-24](#)

Ratifying the assessment for replacement of sanitary sewer services within the right-of-way as part of the Wheelock Parkway, Phase II, street paving and lighting project. (File No. 19204C, Assessment No. 186002)

Councilmember Thao is not present at the start of the meeting.

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

[There was no one who wished to be heard.]

Council President Brendmoen: Seeing none, I move to close the public hearing.

Councilmember Thao returns to the meeting.

Council President Brendmoen: All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

7 in favor, 0 opposed.

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

52 [RES PH 18-22](#)

Ratifying the assessment for replacement of sanitary sewer services within the right-of-way as part of the Battle Creek Road from Upper Afton to Park Ridge Court street paving and lighting project. (File No. 19201C, Assessment No. 186003)

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

[There were none.]

Council President Brendmoen: Seeing none, Ms. Prince moves to close the public hearing and approve. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

7 in favor, 0 opposed

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

53 [RES PH 18-33](#)

Ratifying the assessment for replacement of sanitary sewer services within the right-of-way as part of the White Bear Avenue project. (File No. 19197C, Assessment No. 176002)

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

[There were none.]

Council President Brendmoen: Seeing none, Ms. Prince moves to close the public hearing and approve. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

7 in favor, 0 opposed

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 54** [RES PH 18-38](#) Ratifying the assessments for Repair of Sanitary Sewer Line on Private Property during April to June 2017 at 2155 Minnehaha Avenue East. (File No. SWRP1804, Assessment No. 183003)

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

[There were none.]

Council President Brendmoen: Seeing none, Mr. Thao moves to close the public hearing and approve. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.

7 in favor, 0 opposed

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

- 55 [RES PH 18-37](#) Ratifying the assessments for Repair of Sanitary Sewer Line on Private Property during October to December 2017. (File No. SWRP1802, Assessment No. 183001)

Council President Brendmoen: This is a public hearing. Is there anyone here who would like to be heard on this item?

Phil Eddleston: I'm awful glad of the chance to have my home put on the assessment because otherwise we would be knee deep in sewer waste. I talked to a man named Tim the night before the work was done. He said if I acted quickly he would charge me \$5000. I paid my \$95 down payment and we went ahead with the project. He left no receipt. My wife signed off on the paper that morning and they left us with no receipt. I have no recourse other than to talk to you about it. That's all I have.

Council President Brendmoen: OK. On nights, we do ratifying of assessments. We do have staff members here from our real estate and assessments departments, so Lynn Moser is here and she can work with you to find a copy of the receipt.

Mr. Eddleston: I have a copy of the receipt as of today and it's obvious my wife signed off on it. I think I acted in good faith. They left us with no receipt and I have nothing but your mercy.

Council President Brendmoen: I am not clear what your request is.

Mr. Eddleston: I talked to the company. They said they would send me a \$600 check. I said \$595 would be fine because he overbilled me and so he would put a check in the mail and the check never arrived. I have no other recourse but to talk to you. I have nothing in writing. I have only my statement to make and I think I've made it.

Lynn Moser: I did speak to Phil outside before the meeting started. Unfortunately we do have a copy of the invoice and we have a signed statement, a repair connection form, that was signed by his wife authorizing the \$5500. I think we assessed correctly. If the company gave him a different amount, I think his argument, unfortunately is with them because all of our backup, everything matches the assessment. I don't think on our end there is anything we can do.

Council President Brendmoen: Did you have an opportunity to talk with him about spreading the assessment out over time on his bill?

Ms. Moser: Yes. That would be over 20 years.

Mr. Eddleston: Yes. With all gratitude I have to express. When I see an injustice like this to anybody, it's gotta be addressed.

Council President Brendmoen: Phil, actually, if you are going to continue [indicates he move to the microphone]

Mr. Eddleston: This is my day in court and all I have to do is say something about it. That's as much as I can ask.

Council President Brendmoen: It sounds like your wife signed off on the work and the work was done. Hopefully it's a good investment. If the request was made to do a sanitary sewer replacement, there was a problem with the sanitary sewer.

Mr. Eddleston: Yes.

Council President Brendmoen: *It sounds like there may be something between you and the private company that did the work. I didn't catch your address.*

Mr. Eddleston: 927 4th Street East

Council President Brendmoen: *I am certain that Ms. Prince from Ward 7 would be willing to help.*

Councilmember Prince: *I will follow up with you.*

Mr. Eddleston: Thank you.

Council President Brendmoen: *Is there anyone here who would like to be heard on this item? [There were none.] Seeing none, Ms. Prince would like to move to close the public hearing and approve. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.*

7 in favor, 0 opposed

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

56 [RES PH 18-39](#)

Ratifying the assessments for Replacement of Lead Water Service Line on Private Property during October to December 2017. (File No. 1802LDSRP, Assessment No. 184001)

Council President Brendmoen: *This is a public hearing. Is there anyone here who would like to be heard on this item?*

[There were none.]

Council President Brendmoen: *Seeing none, Ms. Noecker moves to close the public hearing and approve. All in favor say Aye. [All say Aye.] Any opposed? The motion prevails.*

7 in favor, 0 opposed

The public hearing is closed and the resolution is adopted.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

Nay: 0

ADJOURNMENT

The meeting was adjourned at 5:47 p.m.

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 iPads to review the files during the meeting. Using the iPad greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

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Many people are extremely sensitive to scented products. Please refrain from wearing or using fragrances such as perfumes, lotions, aftershave, scented aerosol products, and other such products.

Council President Brendmoen: Which brings us to the "News from the Ward" section of our Council Meeting. Is there any news from the wards? Dan, I was going to talk about the event last night, but I figured that you might want to.

Councilmember Bostrom: Oh. Say that again.

Council President Brendmoen: The send off party?

Councilmember Bostrom: Oh, what a deal! [laughs] The Chinese Cultural Garden Society is sending off five large Snoopy characters over to China, the sister city of St Paul. Last night they had a big deal with the mayor, the director of Parks and Recreation, Council President Brendmoen and myself were there. Just recognizing all the focus that went into this. They raised over \$900,000 to be part of this cultural exchange. It was delightful. The creations were beautiful. They have one made up as a little Hmong lady with typical Hmong dress and hat and all the accoutrements. They are getting ready to send those things off. The City of St Paul will get a beautiful pavillion built at Phalen Park. Lot of folks there. Lot of excitement. It's one of those things, some people were probably sitting around one night and the next thing you know, you've got something of this magnitude. So when you are sitting around having a brewski or something, some of those things actually develop into something great.

Council President Brendmoen: It was definitely the only going away party I've ever been to where we were sending off statues. It was very cute. That's a cool idea. Other news from the wards? Ms. Noecker?

Councilmember Noecker: The wait is over. You will be able to find out what the design of this year's Cinco de Mayo button is on Monday Mar 26 at 6PM at Boca Chica. Ms. Brendmoen, I know you've been asking about it. See you there.

Councilmember Henningson: This isn't technically from Ward 4 but tomorrow is the open house for the pedestrian plan 5-7PM at Arlington Hills Rec Center. You can go,

share your ideas, shape the priorities of the plan.

Councilmember Thao: Next Monday, the 26th, at Central High from 7-9PM, we have a local, nationally-known poet who will be speaking on race and literature. You are all invited.

Councilmember Prince: I would like to congratulate Tony Sanda and the Sanda Foundation who received a \$250,000 grant from the Vikings, the NFL, and the Local Initiative Support Corporation. The money will contribute to the campaign to raise \$10 million to modernize four outdoor athletic fields, to increase multi-sport usage at a seasonal dome, and facilitate year-round activities for youth and seniors at Conway Rec Center. This is super exciting and one of the things I really appreciate is when Tony talks about providing the quality facilities for St Paul kids that they have in the western suburbs.

Council President Brendmoen: I like to call \$250,000 a quarter of a million dollars. It sounds even better.

Councilmember Prince: There you have it. That does sound impressive.

Council President Brendmoen: It's more of a marketing thing. Any other news? I would like to share that my sister Molly and my niece are here today, visiting us today as part of a staycation. I said I would invite my niece to the microphone to tell us what they did today in St Paul. I said to her, don't do what the rest of the people do, get up and monkey with the microphones. So, will you introduce yourself, tell us where you live, and let us know what you did in St Paul today?

Maya: I live in Lake Elmo. We went to the Science Museum and then to Cosetta's.

Council President Brendmoen: Science Museum and Cosetta's. You told me you saw a movie. What movie did you see?

Maya: "Dream Big" at the Army theatre.

Council President Brendmoen: And it's about engineering. Sounds pretty cool. And then today we went to the wildlife area and looked at St Paul. It was pretty cool. It's really nice to have you here today. You got to see a whole meeting and you are on five TV cameras and we can see you kind of like a movie star. Maybe you can stick around afterwards and we can take a picture with the City Council. If there's no other news from the wards, we are in recess until 5:30PM.