



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 Russel Balenger
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, May 3, 2023

3:30 PM

Council Chambers - 3rd Floor

Public Hearing on the Police Department's draft policy to allow for the use of Unmanned Aircraft Systems at 10:00 AM in Council Chambers
Regular Council Meeting at 3:30 PM in Council Chambers

ROLL CALL

Meeting started at 10:03 AM

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

PUBLIC HEARING (The public hearing on this item will take place at 10:00 a.m. in Council Chambers.)

- 1 [PH 23-2](#) Review of the Police Department draft policy to allow for the use of Unmanned Aircraft Systems (UAS) "Drones."

Council President Brendmoen gave introductory remarks.

Jack Serier, Assistant Police Chief, gave a staff report.

Ryan Murphy, Police Commander, gave a staff report and answered councilmember questions.

John Purdy spoke during the public hearing.

Rich Neumeister spoke during the public hearing.

Received and Filed

RECESS (The Council will recess, and reconvene at 3:30 p.m. in Council Chambers.)

Meeting recessed at 11:23 AM

ROLL CALL

Meeting resumed at 3:32 PM

Present 6 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Russel Balenger

Absent 1 - Councilmember Nelsie Yang

COMMUNICATIONS & RECEIVE/FILE

- 2 [CO 23-23](#) Letter from the Department of Safety and Inspections declaring 1356 Reaney Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Received and Filed

- 3 [AO 23-47](#) Amending the 2023 Saint Paul Regional Water Services adopted spending budget for the transfer of funds for the purpose of fully funding the Enterprise Asset Management System.

Received and Filed

- 4 [AO 23-49](#) Establishing five (4) new projects through the Neighborhood STAR Year-Round Program as adopted via City Council Resolutions #23-496, 23-498, 23-506, 23-546 and amending the budget for Hamline Ave Sidewalk.

Received and Filed

ROLL CALL

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

CONSENT AGENDA

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

Approval of the Consent Agenda

Councilmember Balenger moved approval.

Consent Agenda adopted

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

Nay: 0

- 5 [RES 23-620](#) Approving the Memorandum of Agreement for the 2023 Wage and Fringe Adjustment between the City and the North Central States Regional Council of

Carpenters.

Laid over to May 10, 2023

- 6 [RES 23-622](#) Authorizing the Department of Parks and Recreation to donate staff time and plant material from Como Park Zoo and Conservatory to Minneapolis Institute of Art's Art in Bloom event.
- Adopted**
- 7 [RES 23-637](#) Approving the Memorandum of Agreement for the 2023 Wage and Fringe Adjustment between the City and the United Association of Plumbers, Local 34.
- Laid over to May 10, 2023**
- 8 [RES 23-646](#) Authorizing the City on behalf of the Police Department to accept a donation from the Saint Paul Police Foundation.
- Adopted**
- 9 [RES 23-655](#) Authorizing the Police Department to submit an application for funds under a Request for Proposals issued by the U.S. Conference of Mayors and Target Corporation.
- Adopted**
- 10 [RES 23-656](#) Approving the appointments of the City Council to serve as members of the City Operations Committee and appointing the Vice President of the City Council as the Chairperson.
- Adopted**
- 11 [RES 23-658](#) Changing the rate of pay for the classification of Animal Services Manager (formerly Animal Control Supervisor), from Grade 038 to Grade 046, EG 10, Manual and Maintenance Supervisors Association.
- Laid over to May 10, 2023**
- 12 [RES 23-659](#) Approving a Parking Ramp (Private) license to The Aberdeen Condominium Association of St. Paul, Inc. d/b/a The Aberdeen Condominium Association (License ID #20230000399) for the premises located at 370 Marshall Avenue.
- Adopted**
- 13 [RES 23-660](#) Approving adverse action against the Auto Repair Garage license held by Benzel Automotive, LLC d/b/a Benzel Motors (License ID #20180000688) for the premises located at 985 Randolph Avenue.
- Adopted**
- 14 [RES 23-618](#) Approving the Memorandum of Agreement for the 2023 Wage and Fringe Adjustment between the City and the Operative Plasterers and Cement Masons International Association, Local No. 633.

Adopted

- 15 [RES 23-619](#) Approving the Memorandum of Agreement for the 2023 Wage and Fringe Adjustment between the City and the International Association of Sheet Metal, Air, Rail and Transportation Workers, Local 10.

Adopted**FOR DISCUSSION**

- 16 [RES 23-566](#) Approving adverse action against the Cigarette/Tobacco License held by KMH Retail LLC d/b/a Mini Pac (License ID# 20210000750), at 1184 Maryland Avenue East. (Licensee's Attorney will speak to City Council on licensee's behalf) (laid over from April 26, 2023)

Therese Skarda, Assistant City Attorney, gave a staff report.

Raymond Smith spoke on behalf of the applicant.

Councilmember Yang spoke in favor and moved approval.

Adopted

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

Nay: 0

- 17 [RES 23-591](#) Approving adverse action against the Tobacco Shop License held by Mohammed Ibrahim & Ali Abdullane d/b/a Annapolis Super USA #002 (License ID# 20160003307), at 1333 Thomas Avenue. (Licensee will speak to Council on his own behalf) (Laid over from April 26, 2023)

Therese Skarda, Assistant City Attorney, gave a staff report.

Councilmember Prince spoke to the consequences of revocation.

Councilmember Jalali asked about the first violation.

Skarda addressed Jalali's question.

Ali Abdullane spoke as the licensee.

Jalali spoke in favor and moved approval.

Adopted

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

Nay: 0

SUSPENSION ITEM

[RES 23-687](#)

Accepting grant funds, authorizing execution of a grant agreement related to the City's sponsorship of a Minnesota Investment Fund grant for the benefit of the ForwardEdge ASIC project located at 2340 or 2344 Energy Park Drive. (District 12, Ward 4)

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

[RES 23-708](#)

Extending the declaration of a local emergency, as a result of the spring floods, for an additional period not to exceed 30 days from May 3, 2023.

Councilmember Prince moved approval.

Adopted

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

Nay: 0

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 Pioneer Press. Public hearings on ordinances are generally held at the second reading.

Final Adoption**18** [Ord 23-22](#)

Amending Chapter 225 of the Legislative Code relating to weapons. (laid over from May 3, 2023)

Councilmember Noecker moved to lay over for two weeks.

Laid over to May 17, 2023 for Final Adoption

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

Nay: 0

First Reading**19** [Ord 23-23](#)

Granting authority to the Port Authority to issue and sell general obligation bonds to which the Port Authority pledges the full faith, credit, and resources

of the City pursuant to the provisions and by authority of said Minnesota Statutes, Chapters 469 and 475, as amended.

Holly Huston, Director of Lending Services for the Port Authority, gave a staff report.

Councilmember Noecker spoke in support.

Laid over to May 10, 2023 for Second Reading

- 20** [Ord 23-24](#) Amending Chapter 33.04 of the Legislative Code pertaining to Permit Fees as they relate to Gas Burner, Plumbing fees and Radon system fees.

Council President Brendmoen moved approval.

Laid over to May 10, 2023 for Second Reading

PUBLIC HEARINGS

Live testimony is limited to two minutes for each person. See below for optional ways to testify.

- 21** [Ord 23-21](#) Granting the application of Lucky 888 LLC to rezone property at 1416-1418 Grand Avenue from OS office-service to T2 traditional neighborhood and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Anton Jerve, City Planner, gave a staff report.

Rob Yang spoke during the public hearing.

Councilmember Tolbert moved to close the public hearing. Approved 7-0

Tolbert spoke in support.

Councilmember Yang spoke in support.

Laid over to May 10, 2023 for Final Adoption

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

Nay: 0

- 22** [RES PH 23-59](#) Ratifying the assessment for sanitary sewer and connections at 2200 Ogden Court and 2233 Snowshoe Lane. (File No. 18928A4, Assessment No. 236043)

Councilmember Prince moved approval.

Adopted

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

Nay: 0

- 23** [RES PH 23-60](#) Ratifying the assessment for a sanitary sewer and connection at 1509 Burg Avenue. (File No. 18932A3, Assessment No. 236051)
Councilmember Prince moved approval.
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 24** [RES PH 23-61](#) Ratifying the assessment for a sanitary sewer and connection at 2197 Ogden Court and 2244 Ogden Court. (File No. 18937A1, Assessment No. 236044)
Councilmember Prince moved approval.
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 25** [RES PH 23-62](#) Ratifying the assessment for a sanitary sewer and connection at 310 Burlington Road. (File No. 19019C1, Assessment No. 096054)
Councilmember Prince moved approval.
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 26** [RES PH 23-96](#) Approving the application of Anderson Race Management for the Chick-fil-A 5K/10K sound level variance in order to present amplified sound on June 3, 2023 at 200 Dr Justus Ohage Blvd - Harriet Island Regional Park.
Councilmember Noecker moved approval.
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 27** [RES PH 23-100](#) Approving the application of Hot Summer Jazz Festival for a sound level variance in order to present live amplified sound on June 23 and 24, 2023 at 221 5th St. E. - Mears Park.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 28** [RES PH 23-101](#) Approving the application of Ordway Center for a sound level variance in order to present amplified sound on May 30 - June 3, 2023 at Rice Park - 345 Washington St. (Washington St. & 4th St.) and June 3, 2023 at Landmark Plaza.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 29** [RES PH 23-102](#) Authorizing the City on behalf of the Police Department to accept and amend the 2023 Special Fund Budget for a donation from the Saint Paul Police Foundation.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

LEGISLATIVE HEARING DISCUSSION ITEM

- 30** [RLH RR 23-18](#) Fourth Making finding on the appealed substantial abatement ordered for 318 EDMUND AVENUE in Council File RLH RR 21-11. (Public hearing closed and laid over from April 26, 2023)

Marcia Moermond, Legislative Hearing Officer: Version 4 is front of you. It would forfeit \$5,000 of the \$10,000 performance deposit and require an additional \$5,000 deposit. It would also require an outside 3rd party contractor to manage completion of the project and require that this party provide a plan for the work to be completed, with deadlines, all of which must be approved by the City Council. It requires that the owner, Oudam Tea, sign the 3rd party contract and refers the matter to Legislative Hearing on May 23, 2023.

Council President Brendmoen: I appreciate the time it took to put this together.

Councilmember Balenger: I move Version 4.

Update: LH changed to May 22, 2023.

Amended and referred to May 22, 2023 Legislative Hearing

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

Nay: 0

LEGISLATIVE HEARING CONSENT AGENDA

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

Councilmember Jalali moved approval.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

- 31** [RLH SAO 23-14](#) Making finding on the appealed nuisance abatement ordered for 1068 CHATSWORTH STREET NORTH in Council File RLH SAO 23-9.
Public hearing continued to May 10, 2023
- 32** [RLH TA 23-108](#) Ratifying the Appealed Special Tax Assessment for property at 1281 ELEANOR AVENUE. (File No. J2315A, Assessment No. 238514)
Adopted
- 33** [RLH VO 23-18](#) Appeal of Lauren L. Ross, HouseCalls, on behalf of Deanna Dorsey, tenant, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies (which includes condemnation) at 2236 GLENRIDGE AVENUE.
Adopted
- 34** [RLH RR 23-10](#) Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (To refer back to July 11, 2023 Legislative Hearing)
Referred to July 11, 2023 Legislative Hearing
- 35** [RLH TA 23-112](#) Ratifying the Appealed Special Tax Assessment for property at 2211 PRINCETON AVENUE. (File No. J2315A, Assessment No. 238514)

Adopted

- 36 [RLH TA 23-99](#) Deleting the Appealed Special Tax Assessment for property at 1534 SELBY AVENUE. (File No. J2316A, Assessment No. 238515)

Adopted

- 37 [RLH TA 23-107](#) Deleting the Appealed Special Tax Assessment for property at 287 STURGIS STREET. (File No. J2315A, Assessment No. 238514)

Adopted

- 38 [RLH AR 23-28](#) Ratifying the assessments for Property Clean Up services during December 1 to 13, 2022. (File No. J2315A, Assessment No. 238514)

Adopted

- 39 [RLH AR 23-29](#) Ratifying the assessments for Property Clean Up services during December 14 to 30, 2022. (File No. J2316A, Assessment No. 238515)

Adopted**ADJOURNMENT**

Meeting ended at 4:22 PM

City Council meetings are open for in person attendance, but the public may also 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:

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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. Live testimony will be taken in person in the Council Chambers, and by telephone by registering to speak by noon on the day before the meeting. The registration link is located on the City Council website at www.stpaul.gov/council or <https://forms.office.com/g/TD3xN7WHy5>.

Council Meeting Information

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Web

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Cable

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