



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 Kassim Busuri
Councilmember Mitra Jalali Nelson
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert

Wednesday, September 11, 2019

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

- Present** 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao,
Councilmember Chris Tolbert, Councilmember Rebecca Noecker,
Councilmember Mitra Jalali Nelson and Councilmember Kassim Busuri
- Absent** 1 - Councilmember Jane L. Prince

Councilmember Prince arrived after roll call.

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

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 Thao moved approval of the Consent Agenda.

Consent Agenda adopted

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

Nay: 0

- 1 [RES 19-1530](#) Accepting a 2020 Byrne Justice Assistance Criminal and Juvenile Justice Intervention grant from the Minnesota Department of Public Safety, Office of Justice Programs, in the amount of \$100,000 for the City's ETHOS program.

 Adopted

- 2 [RES 19-1462](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for benefits, costs, and expenses for the Seventh Place Mall operation and maintenance costs for 2018. (File No. 18428-19, Assessment No. 197200)

 Adopted

- 3 [RES 19-1467](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for improvements on Jackson Street from 11th to University. (File No. 19203, Assessment No. 175205)

 Adopted

- 4 [RES 19-1464](#) Preliminary Order setting the date of City Council public hearing for October 16, 2019 to consider approval of the Seventh Place Mall operation and maintenance costs for 2019. (File No. 18428-20, Assessment No. 207200)

 Adopted

- 5 [RES 19-1466](#) Approving the Maintenance Labor Agreement (May 1, 2019 - April 30, 2022) between the City of Saint Paul and the Operative Plasterers and Cement Masons International Association, Local 633.

 Adopted

- 6 [RES 19-1540](#) Approving the Memorandum of Agreement for the 2019 Wage and Fringe Adjustment between the City of Saint Paul and the International Brotherhood of Electrical Workers, Local 110 (PERA members).

 Laid over to September 18 for adoption

- 7 [RES 19-1541](#) Approving the Memorandum of Agreement for the 2019 Wage and Fringe Adjustment for the Sprinkler Fitters Local Union No. 417.

 Laid over to September 18 for adoption

- 8 [RES 19-1556](#) Approving the expenditure of program dollars on housing expenses for Emily Vang and Jaime Aguilar, 2nd year returning VISTA members of Saint Paul's VISTA Program, in an amount not to exceed \$7,200.

 Adopted

- 9 [RES 19-1561](#) Accepting the gift of conference registration fees and travel expenses from The Atlantic, The Aspen Institute, and Bloomberg Philanthropies for Chief Innovation Officer Matt Larson to attend the CityLab summit in Washington DC, on October 26-29, 2019.
- Adopted**
- 10 [RES 19-1282](#) Authorizing the Department of Parks and Recreation to accept a donation of \$2,500 from the Minnesota United FC (MNUFC) to purchase materials for a volunteer participation event for MNUFC players, employees, and friends, on Saturday, September 21, 2019.
- Adopted**
- 11 [RES 19-1370](#) Authorizing the Department of Parks and Recreation to donate surplus bicycles and bicycle-related gear to Saint Paul Public Schools - District 625 and Great River School, an educational nonprofit organization, for use in their programming.
- Adopted**
- 12 [RES 19-1562](#) Authorizing the Planning and Economic Development Department to accept the donation of travel and hotel costs from the John S. and James L. Knight Foundation for the Director of Business Development to attend the 2019 Knight Augmenting Cities Conference.
- Adopted**
- 13 [RES 19-1342](#) Authorizing the Police Department to enter into a Professional Services Agreement with Ramsey County which includes a mutual indemnification provision.
- Adopted**
- 14 [RES 19-1365](#) Authorizing the Police Department to enter into the Interlocal Agreement with Ramsey County for the 2019 Byrne Justice Assistance Grant (JAG) program.
- Adopted**
- 15 [RES 19-1521](#) Setting fine amounts for violations of Section 329.02 (B)(3) of the Legislative Code pertaining to use of alarm system without a permit.
- Adopted**
- 16 [RES 19-1438](#) Approving an agreement between the City and the Minnesota Pollution Control Agency (MPCA) regarding the placement and operation of air monitoring equipment at the Robie Sanitary Lift Station.
- Adopted**

FOR DISCUSSION

- 17** [RES 19-1548](#) Honoring the historic Hamm Building on its 100th birthday.
- Councilmember Noecker invited Hamm Building President Tim Dwyer and property manager Kristel Hanson to the podium. She read the resolution. Ms. Hanson made brief comments.*
- Councilmember Noecker moved approval of the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
-
- 18** [RES 19-1566](#) Honoring Malka Lotterstein Goodman for her contributions to the City of Saint Paul.
- Councilmember Tolbert invited Malka Lotterstein Goodman to the podium. He read the resolution.*
- Dr. Goodman made brief comments.*
- Councilmember Tolbert moved approval of the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
-
- 19** [RES PH 19-256](#) Amending the Ford Site Zoning and Public Realm Master Plan with design standards for use with the Ford zoning districts. (Public hearing held September 4)
- Councilmember Tolbert moved approval of the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- 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.

Final Adoption

- 20** [Ord 19-54](#) Amending Chapters 60, 61, 64, and 66 of the Legislative Code pertaining to establish Ford zoning districts, site plan review for Ford zoning districts, sign regulations for Ford zoning districts, references to the Ford Site Zoning and Public Realm Master Plan, and minor and major amendments to the Ford Site Zoning and Public Realm Master Plan.
- Councilmember Tolbert moved final adoption of the ordinance.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- 21** [Ord 19-55](#) Granting the application of the Housing and Redevelopment Authority to rezone property at 659 Otsego Street from RT1 Two-Family Residential to R4 One-Family Residential, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Council President Brendmoen moved final adoption of the ordinance.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- 22** [Ord 19-56](#) Amending Chapter 409 of the Legislative Code to raise the age of persons allowed to enter liquor stores from age eighteen (18) to twenty-one (21).
- Councilmember Thao moved final adoption of the ordinance.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0

PUBLIC HEARINGS

- 23** [RES PH 19-313](#) Approving the application of Selby Avenue Jazz Festival for a sound level variance for amplified sound for the Selby Avenue Jazz Festival on September 14, 2019 at 934 Selby Avenue.

No one was present to testify. Councilmember Thao moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Tolbert

- 24** [RES PH 19-310](#) Approving the application of Compassionate Action for Animals for a sound level variance for amplified sound on September 15, 2019 at 120 Harriet Island Road for the Twin Cities Veg Fest 2019.

Laura Matanah, Compassionate Action for Animals, made brief comments about the organization and event.

No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Tolbert

- 25** [RES PH 19-318](#) Approving the revised application of Twin Cities in Motion for nine sound level variances for amplified sound at the State Capitol Complex and eight other locations from Mississippi River Boulevard and Marshall, east along Summit Avenue to Selby Avenue and State Capitol, on October 5 and 6, 2019 during the Medtronic Twin Cities Marathon.

No one was present to testify. Councilmember Jalali Nelson moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Tolbert

- 26** [RES PH 19-314](#) Approving the application of Iglesia Cristiana Cedros del Libano for a sound level variance for amplified and live music on September 14, 2019 at 1003 Arcade Street and 1000 Walsh Street for the 15th Anniversary.

No one was present to testify. Councilmember Busuri moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Tolbert

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 36** [RLH TA 19-654](#) Ratifying the Appealed Special Tax Assessment for property at 957 COOK AVENUE EAST. (File No. CG1902B3, Assessment No. 190107)

Legislative Hearing Officer Marcia Moermond gave a staff report on the tax assessment for garbage hauling during the first quarter of 2019; the amount was \$117.80. She said the property owner was before the Council previously to appeal the assessment for the fourth quarter of 2018. She said he had opted not to have a Legislative Hearing for this assessment but wanted to address the Council. She said her recommendation for the earlier appeal had been to reduce the assessment. He had a duplex and did not rent the other unit, so it made sense to treat this as a single family home. She said the assessment being appealed now was for one large can.

Greg Maslow (957 Cook Avenue) said he didn't tip the first can until April 1 of this year, and didn't feel it was right he should have to pay for those other months when he never used it and didn't want it. He asked what would happen if this was all put to the side by the Supreme Court, and where he could get a copy of the referendum language.

Council President Brendmoen said Mr. Maslow's Council member would follow up with the referendum language. She said the Supreme Court question was outside of the context of this hearing.

Councilmember Busuri moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Busuri moved to adopt Ms. Moermond's recommendation.

Adopted

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

Nay: 0

- 77 [RLH VO 19-35](#) Appeal of Narayan Agrawal to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 275 MCKNIGHT ROAD SOUTH. (Legislative Hearing on September 10)

Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of a condemnation and order to vacate a strip mall. She showed photographs. A number of businesses and a mosque were affected by the condemnation, which was due to failure of the private sewer service. The sewer failed in late July or early August. Water was turned off for an assessment of the sewer to be done, but was not turned back on because there was no functional sewer. It was late August before DSI became aware of the situation, and the inspectors issued an immediate condemnation and order to vacate on August 30. The owner appealed, and two Legislative Hearings were held on September 3 and 10, during which Ms. Moermond heard from City staff, the owner, and tenants. Several businesses closed immediately at the beginning of August due to lack of water, including the restaurants and dry cleaner. Other businesses had been limping along, and some were in dire straits. Ms. Moermond showed a photo of the superette with hole in the floor down to sewer. She said DSI reported it was not a properly supported hole, and not a safe condition to have exposed sewer in an area with grocery and a butcher counter. In the appeal the owner was seeking to allow some of the businesses to operate during repairs. They had been operating throughout August with port-a-potty behind the strip mall and the use of the restroom across the street at Holiday. Ms. Moermond said her conclusion after the Legislative Hearings was to recommend denial of the appeal in hopes that the owner would come forward very quickly with plans to fix the sewer and get the water back on. She would consider allowing for re-opening on a temporary basis for businesses that submitted a sanitation plan. The liquor store submitted a plan and she found it appropriate for that use for temporary period of time. She received a letter from the building owner who wanted to make it open for a number of businesses; the sanitation plan was the use of the existing port-a-potty, along with moving a second one from a slope to a flat surface. Ms. Moermond said she didn't feel that was done in consultation with the business owners or sufficient to address the needs. After a review done the previous day there were several key findings: No permit had been pulled, although there had been at least one contractor out. Ms. Moermond said those conditions told her that allowing the businesses to operate temporarily was no longer appropriate after six weeks without water and sewer service. She recommended that the mosque and all businesses remain closed until permits were finalized re-establishing sewer and water service.

Council President Brendmoen said six weeks was a long time to have no water and sanitary sewer. She asked what the hold-up was and how long it would take if a permit was issued today. Ms. Moermond said the owner said the hold-up was trouble getting a contractor. Public works had provided a list of contractors they used and explained a program where the City could assist with financing if repairs needed between the building and street. Richard Ekobena from Public Works had indicated it could be completed in as short a period as one day, although the nature of the problem was unknown and it could take longer.

Ms. Moermond said an issue that came up repeatedly in the Legislative Hearing was what could the City do and what was its role. She said the City determine the conditions were unsafe and condemned, the City issued permits and reviewed the work, the City had the ability to assist with financing in some circumstances, and Planning and Economic Development (PED) could assist individual businesses. PED staff had been alerted and were trying to reach out.

Council President Brendmoen said they would hear from the building owner first then reset the clock and hear from business owners and mosque leadership.

Narayan Agrawal (New Brighton) said he had been very seriously handling the problem since the first day. A contractor came on the first day and tried to clean the line but couldn't, and he walked out. A second contractor, ASAP Underground, which was on the City-provided list, pulled a permit, dug a hole, and walked out because it was too big and not in their scope. Since then he had called every contractor on the list, and they were either too busy or not interested because it was too big. He had tried every contractor possible and called contractors every day. He said he was not sleeping properly, and had not left any stone unturned. He said if the City was willing to solve this problem he was willing to pay the City. He said he found a contractor not licensed in St. Paul, and he was going under a master plumber and was going to pull the permit the next day and hopefully start Monday. Meanwhile his request was that, businesses were losing customers and it was going to take some time. He said the businesses didn't need running water all the time and if some businesses could be open that would be helpful.

Councilmember Prince asked Ms. Moermond to confirm that a permit was pulled by one of the contractors as Mr. Agrawal had stated. Ms. Moermond said there were two open plumbing permits from the beginning of August; neither one was finalized.

Councilmember Prince asked Mr. Agrawal how he could think that businesses he was collecting rent from shouldn't have access to running water and restroom facilities. Mr. Agrawal said he was not charging rent for August or September. Councilmember Prince said after she became aware of the situation on August 29, Mr. Ekobena (Public Works staff) gave Mr. Agrawal the name of a contractor. Mr. Agrawal said he contacted ATT Underground on August 11 and was given a price, and told the contractor to go ahead. The contractor showed up on Monday walked out after an hour. He said the second contractor suggested by Mr. Ekobena gave him a price of \$120,000 just to bring the line from the boulevard to outside the building, but had not provided a price for the remainder of the job.

Councilmember Noecker asked Mr. Agrawal if the situation with the current contractor was the farthest along he'd been; did he feel the work was going to get done. Mr. Agrawal said this contractor had not walked out, and had tried cleaning from the inside and was not successful so they had decided to try from outside. Councilmember Noecker said the problem of trying to find a contractor was hopefully solved. Mr. Agrawal said hopefully

Councilmember Thao asked how long Mr. Agrawal had owned the building and how many properties he owned. Mr. Agrawal said he'd owned it for 10-15 years, and it was his only property. Councilmember Thao said his constituents were tenants and said they were being asked to pay rent. He said 15 years was a long time, and Mr. Agrawal was experienced; the tenants needed their businesses to put food on the table. Mr. Agrawal said since the problem happened he had trying to find contractors every day. Contractors were very busy and this was a small job. If ATT Underground had not walked away the job would have been done a long time ago.

Councilmember Prince said Mr. Agrawal had a condemnation on the lower level of the building in September 2018 due to water problems, there had been water problems in the mosque, and he hadn't been maintaining the building and it was affecting the tenants' livelihoods. She said the building was a social center and it was beyond belief that Mr. Agrawal had allowed it to deteriorate as it had. She said they had looked at

making that area a cultural destination and directing public funds to the project. She said if it was true that he had continued charging rent, she was going to be deeply disappointed. Mr. Agrawal said that the last year he put a new parking on both front and back, he had repaired the roof, and he was maintaining it every time there is a problem. This problem just happened all of a sudden and if he had found a contractor right away it would not have escalated to this level.

Council President Brendmoen said the clock would be reset for five minutes to hear from members of the community.

Omar Jamal (268 Dayton Avenue) said this was a classic example of why immigrant businesses were flocking to Minneapolis. He said there was a different contractor every day. A lot of people had lost a lot of money and customers; businesses and lives had been destroyed. He said he hoped the Council would send a clear message to people who act in a way that would lead to this situation.

Patrick Boyle, attorney for the businesses, asked the business owners to stand up. He said the owner hadn't done anything, and didn't go to yesterday's hearing. He said the Council's constituents were the ones whose businesses were closed and had made zero dollars since August 2. He said the owner needed to be held accountable. He said he understood decision made about opening and about condemnation, but steps needed to be taken immediately to get the businesses re-opened and the people taken care of.

Makhan Shuker (Maplewood), representing the liquor store, said they didn't have a public restroom and had a porta-potty outside, and were asking to be able to re-open. He said there was a lot of competition and he couldn't afford to be closed and needed customers coming in. He said taxes were due on the 20th.

Kalpesh Patel (Maple Grove), Woodbury Cleaners, said they were the most impacted couldn't do anything and had been closed since the first day. He said at Mr. Agrawal's suggestion they were paying almost \$300/hour to have someone else do the washing while using their own employee to do the processing. He said they were losing people and business, and were not able to do same day or next day services or to have another. He said he wanted some help from the City to see how they could survive. want to find some help from the City to find out how we can survive

Hamdi Omar (her sister spoke on her behalf), representing the deli, said the restaurant had been closed for six weeks. They contributed and provided services to the community, and were fed up with hearing "we will take action." Without this business they didn't have anything. Families were depending on them for keeping their kids off the street.

Councilmember Prince moved to close the public hearing. Yeas - 7 Nays - 0

In response to the two factual issues brought up by Councilmember Prince, Ms. Moermond said a permit was pulled August 7 by ASAP underground for an \$8000 job to replace 15' of line. There was no activity on the permit. She said there was a condemnation on the record from September 2018.

Councilmember Tolbert asked for clarification of the decision to be made by Council. Ms. Moermond said there was an appeal to allow the businesses to continue to operate and extend the vacate date for certain businesses. She said her recommendation was to deny the appeal, so the building would need to continue to be vacated as ordered by

DSI on August 30.

Councilmember Tolbert said the property owner's lack of actions were was disgraceful, and asked whether there were tools in the toolbox to fine him. Ms. Moermond said there were not as many tools as if this were residential. She said she had already listed the actions the City could take, and the balance was a private dispute, based on her conversation with the City Attorney's office and her experience.

Councilmember Tolbert said this was a situation where he wished they had an administrative citation tool to crack down on this property owner; he had put the City in a terrible situation.

Councilmember Busuri said this was America, and, as a business owner, he couldn't imagine having to be closed for two days, and couldn't imagine what was happening to these business owners' families after six weeks. He said he was very disappointed in what the building owner had done to these families, and he knew Councilmember Prince was working on resources to assist them.

Councilmember Prince said business owners had every right to contact the City on the first day they didn't have water or sewer; she had learned about it on August 29 from business owners at Safe Summer Nights. She said City Council members were there to support business owners and serve them when they were being ill-treated by landlords. She said, through PED, they were working on business assistance staff help find sites to relocate or other means to get through this tough period. She said the City would be watching closely; she expressed disappointment in the property owner and stressed the importance of getting the businesses back in business for the sake of the owners and customers. She said she heard the liquor and tobacco store asking for an exception, but didn't feel the Council could do that. She moved to deny the appeal.

Councilmember Thao spoke in support of the motion.

Adopted as amended (appeal denied; building to be vacated by September 11 at 3:30 p.m.)

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

Nay: 0

- 92 RLH RR 19-11** Ordering the rehabilitation or razing and removal of the structures at 489 SHERBURNE AVENUE within fifteen (15) days after the March 27, 2019 City Council public hearing. (To be referred back to Legislative Hearing on November 26, 2019)

Legislative Hearing Officer Marcia Moermond provided a review of the case, which had been in Legislative Hearings in February and in front of Council in March. She said the house had significant problems including the roof, a broken water line under the house, and electrical issues; the conditions merited the Category 3 status. She said it was condemned two years before due to hoarding and unsanitary conditions and the owner became homeless, and it had been difficult managing communication. DSI had waived the Code Compliance inspection fee at her request, and county Public Health had cleaned out the house, but the owner had dropped out of communication. There were two rehabilitation proposals - one from Safe City and another from a neighbor. She said Laura Orr from Southern Minnesota Regional Legal Services (SMRLS) was present to ask for more time; she had been able to reach the owner that day. Ms. Moermond recommended referring the matter back to Legislative Hearing on October 10 and continue the Council public hearing to October 25. She said she had had it in Legislative Hearings ten times and there had to be an end point.

Testimony:

Laura Orr, SMRLS, requested four weeks additional time. She said both interested parties were from the neighborhood, and the community had an interest in getting the house rehabilitated.

Councilmember Thao asked Ms. Orr whether she was at the table representing the owner during the negotiations with these other organizations. Ms. Orr said she was in email communication with the Safe City Project, and had been attempting to make contact with the neighbor. Councilmember Thao asked whether the property represented a public health risk to the owner and neighborhood. Ms. Orr said it was a Category 3 and did not have a Certificate of Occupancy, so the owner was not to be living there. Councilmember Thao asked Ms. Orr what she recommended. Ms. Orr said she recommended that the Council adopt Ms. Moermond's recommendation.

Councilmember Noecker asked when Ms. Orr thought the end point should be. Ms. Orr said her role was as an advocate for the property owner, and in that role she was advocating that he be allowed the time necessary to be able to sell the home. She said she considered four weeks reasonable.

Councilmember Thao moved Ms. Moermond's recommendation to refer the matter back to Legislative Hearings.

Referred to Legislative Hearings on October 8

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

Nay: 0

113 [RLH AR 19-74](#)

Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902A1, Assessment No. 190101)

Eric Lein (361 Summit Avenue) provided a copy of a letter he'd emailed to Council members. He said he had four properties included in the next two agenda items. He said the trash issue in St. Paul was a big problem, and he had not paid the trash bills for his four properties because they did not have enough trash to fill the carts. He said he was a protester; the trash service contractor for two of his buildings had not gotten billing issues straightened out yet. He said he believed service after November 14, 2016 was being billed and enforced in error, and customers being forced to receive service they didn't want should receive refunds and possibly compensation. He said any ordinance upon which a petition is filed should be suspended as soon as the petition was found sufficient and placed on the ballot at the next election. He said the Supreme Court had ruled that the City's legal arguments for not placing the issue on the ballot had been incorrect, so the issue was going to be on the ballot. He asked that the assessments for at least his two bigger items be laid over or cancelled.

Council President Brendmoen moved to close the public hearing. Yeas - 7 Nays - 0

Council President Brendmoen said she appreciated the respectful testimony. She said she didn't think trash was a big problem, and believed the program was working very well. She said she agreed the contract could use some massaging, and Council members were committed to continuing to work on things including shared service, possibly looking at an opt out, ways for duplexes and fourplexes to combine service. She said those changes were within the program and not throwing the whole program out. She said she was not interested in withdrawing the assessments.

Councilmember Prince said she appreciated the testimony, and believed many of her colleagues shared the concern about the inability of two- to four-unit buildings to share service. She said Mr. Lein's memo raised what she felt were good arguments and she had met with the City's legal counsel about them. She said based on the advice of counsel she was going to vote to uphold the assessment, but she appreciated the work Mr. Lein was doing and the fact that the City was not always right.

Council President Brendmoen moved to ratify the assessments.

Adopted

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

Nay: 0

123 [RLH AR 19-86](#)

Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902C3, Assessment No. 190111)

(See minutes for item 113)

Council President Brendmoen moved to close the public hearing and ratify the assessments.

Adopted

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

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

No one was present to testify. Councilmember Prince moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

- 27** [RLH TA 19-542](#) Ratifying the Appealed Special Tax Assessment for property at 1364 ARCADE STREET. (File No. CG1902B1, Assessment No. 190105)
Adopted
- 28** [RLH TA 19-595](#) Deleting the Appealed Special Tax Assessment for property at 852 ASHLAND AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 29** [RLH VO 19-31](#) Appeal of Laura Jelinek, Southern Minnesota Regional Legal Services, representing Debra Marincell to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 862 ATLANTIC STREET.
Adopted
- 30** [RLH TA 19-504](#) Ratifying the Appealed Special Tax Assessment for property at 1382 BAYARD AVENUE. (File No. CG1902A3, Assessment No. 190103)
Adopted
- 31** [RLH TA 19-505](#) Ratifying the Appealed Special Tax Assessment for property at 2140 BAYARD AVENUE. (File No. CG1902A3, Assessment No. 190103)
Adopted

- 32 [RLH CO 19-11](#) Appeal of Cornelius L. Smith to a Correction Notice at 226 BELVIDERE STREET EAST.
Adopted
- 33 [RLH TA 19-568](#) Deleting the Appealed Special Tax Assessment for property at 541 CENTRAL AVENUE WEST. (File No. CG1902C2, Assessment No. 190110)
Adopted
- 34 [RLH TA 19-567](#) Ratifying the Appealed Special Tax Assessment for property at 1488 CONCORDIA AVENUE. (File No. CG1902C1, Assessment No. 190109)
Adopted
- 35 [RLH TA 19-635](#) Deleting the Appealed Special Tax Assessment for property at 258 CONGRESS STREET EAST. (File No. CG1902A3, Assessment No. 190103)
Adopted
- 37 [RLH TA 19-551](#) Deleting the Appealed Special Tax Assessment for property at 541 DALE STREET NORTH. (File No. CG1902C2, Assessment No. 190110)
Adopted
- 38 [RLH SAO 19-43](#) Appeal of Daniel and Serena Ward to a Summary Abatement Order at 1234 DALE STREET NORTH.
Adopted
- 39 [RLH TA 19-541](#) Deleting the Appealed Special Tax Assessment for property at 565 DAYTON AVENUE. (File No. CG1902A1, Assessment No. 190101)
Adopted
- 40 [RLH TA 19-613](#) Deleting the Appealed Special Tax Assessment for property at 864 DAYTON AVENUE. (File No. CG1902C3, Assessment No. 190113)
Adopted
- 41 [RLH TA 19-502](#) Deleting the Appealed Special Tax Assessment for property at 1242 EDGERTON STREET. (File No. CG1902A4, Assessment No. 190104)
Adopted

- 42 [RLH TA 19-507](#) Deleting the Appealed Special Tax Assessment for property at 43 ELIZABETH STREET WEST. (File No. CG1902A2, Assessment No. 190102)
Adopted
- 43 [RLH TA 19-533](#) Ratifying the Appealed Special Tax Assessment for property at 1013 FARRINGTON STREET. (File No. CG1902B2, Assessment No. 190106)
Adopted
- 44 [RLH TA 19-633](#) Ratifying the Appealed Special Tax Assessment for property at 949 FOREST STREET. (File No. CG1902B1, Assessment No. 190105) (amend to File No. CG1902B1-1, Assessment No. 190141)
Referred to Legislative Hearings on October 3
- 45 [RLH TA 19-596](#) Ratifying the Appealed Special Tax Assessment for property at 1947 FOXRIDGE ROAD. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 46 [RLH TA 19-594](#) Ratifying the Appealed Special Tax Assessment for property at 623 FULLER AVE. (File No. CG1902C2, Assessment No. 190110)
Adopted
- 47 [RLH TA 19-581](#) Ratifying the Appealed Special Tax Assessment for property at 646 FULLER AVENUE. (File No. CG1902C2, Assessment No. 190110)
Adopted
- 48 [RLH TA 19-522](#) Ratifying the Appealed Special Tax Assessment for property at 81 GEORGE STREE EAST. (File No. CG1902A3, Assessment No. 190103)
Adopted
- 49 [RLH RR 19-25](#) Granting a stay of enforcement to provide an extension of Council File No. RLH RR 19-18, an Order to Raze and Remove the Structures at 530 GERANIUM AVENUE EAST. (Amend to grant the stay of enforcement)
Amended; public hearing continued to September 18
- 50 [RLH TA 19-580](#) Ratifying the Appealed Special Tax Assessment for property at 434 GOODRICH AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted

- 51 [RLH TA 19-569](#) Deleting the Appealed Special Tax Assessment for property at 2025 GOODRICH AVENUE. (File No. CG1902C4, Assessment No. 190112)
Adopted
- 52 [RLH TA 19-501](#) Ratifying the Appealed Special Tax Assessment for property at 761 HAGUE AVENUE. (File No. CG1902A1, Assessment No. 190101)
Adopted
- 53 [RLH TA 19-548](#) Ratifying the Appealed Special Tax Assessment for property at 1081 HANCOCK STREET. (File No. CG1902B4, Assessment No. 190108)
Adopted
- 54 [RLH TA 19-513](#) Ratifying the Appealed Special Tax Assessment for property at 651 HAWTHORNE AVENUE EAST. (File No. CG1902A4, Assessment No. 190104)
Adopted
- 55 [RLH TA 19-592](#) Deleting the Appealed Special Tax Assessment for property at 695 HAZEL STREET NORTH. (File No. CG1902C1, Assessment No. 190109)
Adopted
- 56 [RLH TA 19-524](#) Ratifying the Appealed Special Tax Assessment for property at 2124 HIGHWOOD AVENUE. (File No. CG1902A4, Assessment No. 190104)
Adopted
- 57 [RLH TA 19-500](#) Ratifying the Appealed Special Tax Assessment for property at 640 HOLLY AVENUE. (File No. CG1902A1, Assessment No. 190101)
Adopted
- 58 [RLH TA 19-515](#) Deleting the Appealed Special Tax Assessment for property at 774 HOLLY AVENUE. (File No. CG1902A1, Assessment No. 190101)
Adopted
- 59 [RLH TA 19-584](#) Ratifying the Appealed Special Tax Assessment for property at 841 HOLLY AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted

- 60 [RLH TA 19-694](#) Amending Council File No. RLH AR 19-46 to delete the assessment for Collection of Delinquent Garbage Bills for services during October to December 2018 at 1565 IDAHO AVENUE EAST. (File No. CG1901B3, Assessment No. 190059)
Adopted
- 61 [RLH RR 19-16](#) Making finding on the appealed nuisance abatement ordered for 2059 IDAHO AVENUE EAST in Council File RLH RR 18-50.
Adopted
- 62 [RLH TA 19-590](#) Deleting the Appealed Special Tax Assessment for property at 967 IGLEHART AVENUE. (File No. CG1902C2, Assessment No. 190110)
Adopted
- 63 [RLH TA 19-632](#) Ratifying the Appealed Special Tax Assessment for property at 2015 IVY AVENUE EAST. (File No. CG1902B1, Assessment No. 190105) (To be referred back to Legislative Hearing on October 3, 2019)
Referred to Legislative Hearings on October 3
- 64 [RLH TA 19-535](#) Ratifying the Appealed Special Tax Assessment for property at 610 JESSAMINE AVENUE EAST. (File No. CG1902B4, Assessment No. 190108)
Adopted
- 65 [RLH TA 19-575](#) Deleting the Appealed Special Tax Assessment for property at 823 LAUREL AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 66 [RLH TA 19-573](#) Deleting the Appealed Special Tax Assessment for property at 829 LAUREL AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 67 [RLH TA 19-579](#) Ratifying the Appealed Special Tax Assessment for property at 667 LINCOLN AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 68 [RLH TA 19-565](#) Ratifying the Appealed Special Tax Assessment for property at 999 LINCOLN AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted

- 69 [RLH TA 19-576](#) Ratifying the Appealed Special Tax Assessment for property at 1845 LINCOLN AVENUE. (File No. CG1902C4, Assessment No. 190112)
Adopted
- 70 [RLH TA 19-598](#) Ratifying the Appealed Special Tax Assessment for property at 1950 LINCOLN AVENUE. (File No. CG1902C4, Assessment No. 190112)
Adopted
- 71 [RLH TA 19-682](#) Ratifying the Appealed Special Tax Assessment for property at 442 LIVINGSTON AVENUE. (File No. CG1902A3, Assessment No. 190103)
Adopted
- 72 [RLH TA 19-545](#) Ratifying the Appealed Special Tax Assessment for property at 1080 MACKUBIN STREET. (File No. CG1902B2, Assessment No. 190106)
Adopted
- 73 [RLH TA 19-583](#) Deleting the Appealed Special Tax Assessment for property at 1588 MARGARET STREET. (File No. CG1902C1, Assessment No. 190109)
Adopted
- 74 [RLH TA 19-586](#) Deleting the Appealed Special Tax Assessment for property at 1865 MARGARET STREET. (File No. CG1902C1, Assessment No. 190109)
Adopted
- 75 [RLH TA 19-514](#) Ratifying the Appealed Special Tax Assessment for property at 1680 MARSHALL AVENUE. (File No. CG1902A1, Assessment No. 190101)
Adopted
- 76 [RLH TA 19-677](#) Deleting the Appealed Special Tax Assessment for property at 1411 MCKINLEY STREET. (File No. CG1902B1, Assessment No. 190105)
Adopted
- 78 [RLH TA 19-519](#) Ratifying the Appealed Special Tax Assessment for property at 333 MICHIGAN STREET. (File No. CG1902A1, Assessment No. 190101)
Adopted
- 79 [RLH TA 19-574](#) Ratifying the Appealed Special Tax Assessment for property at 680 MINNEHAHA AVENUE WEST. (File No. CG1902C2, Assessment No. 190110)
Adopted

- 80 [RLH TA 19-536](#) Ratifying the Appealed Special Tax Assessment for property at 1723 MINNEHAHA AVENUE WEST. (File No. CG1902B4, Assessment No. 190108)
Adopted
- 81 [RLH TA 19-517](#) Deleting the Appealed Special Tax Assessment for property at 418 MISSISSIPPI RIVER BOULEVARD SOUTH. (File No. CG1902A3, Assessment No. 190103)
Adopted
- 82 [RLH TA 19-518](#) Ratifying the Appealed Special Tax Assessment for property at 1976 MONTREAL AVENUE. (File No. CG1902A4, Assessment No. 190104)
Adopted
- 83 [RLH TA 19-523](#) Ratifying the Appealed Special Tax Assessment for property at 46 MOUNDS BOULEVARD. (File No. CG1902A1, Assessment No. 190101)
Adopted
- 84 [RLH TA 19-552](#) Deleting the Appealed Special Tax Assessment for property at 62 MOUNDS BOULEVARD. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 85 [RLH TA 19-634](#) Deleting the Appealed Special Tax Assessment for property at 1871 NEBRASKA AVENUE EAST. (File No. CG1902B1, Assessment No. 190105)
Adopted
- 86 [RLH TA 19-672](#) Deleting the Appealed Special Tax Assessment for property at 873 OHIO STREET. (File No. CG1902A2, Assessment No. 190102)
Adopted
- 87 [RLH TA 19-612](#) Deleting the Appealed Special Tax Assessment for property at 599 PORTLAND AVE. (File No. CG1902C3, Assessment No. 190113)
Adopted
- 88 [RLH TA 19-589](#) Deleting the Appealed Special Tax Assessment for property at 2032 PRINCETON AVENUE. (File No. CG1902C4, Assessment No. 190112)
Adopted

- 89 [RLH FCO 19-76](#) Appeal of James Stanke to a Correction Notice-Complaint Inspection at 192 ROBIE STREET WEST.
Adopted
- 90 [RLH RR 19-23](#) Ordering the rehabilitation or razing and removal of the structures at 1179 SEVENTH STREET EAST within fifteen (15) days after the September 11, 2019 City Council public hearing. (Public hearing continued from September 11) (To be referred back to Legislative Hearing on November 26)
Referred to Legislative Hearings on September 24
- 91 [RLH TA 19-546](#) Deleting the Appealed Special Tax Assessment for property at 1364 SEVENTH STREET EAST. (File No. CG1902B3, Assessment No. 190107)
Adopted
- 93 [RLH TA 19-577](#) Ratifying the Appealed Special Tax Assessment for property at 558 SHERBURNE AVENUE. (File No. CG1902C2, Assessment No. 190110)
Adopted
- 94 [RLH TA 19-621](#) Ratifying the Appealed Special Tax Assessment for property at 649 SIMON AVENUE. (File No. CG1902B2, Assessment No. 190106)
Adopted
- 95 [RLH TA 19-534](#) Deleting the Appealed Special Tax Assessment for property at 1816 SIMS AVENUE. (File No. CG1902B2, Assessment No. 190106)
Adopted
- 96 [RLH TA 19-570](#) Ratifying the Appealed Special Tax Assessment for property at 704 SMITH AVENUE SOUTH. (File No. CG1902C4, Assessment No. 190112)
Adopted
- 97 [RLH TA 19-673](#) Deleting the Appealed Special Tax Assessment for property at 858 SMITH AVENUE SOUTH. (File No. CG1902C4, Assessment No. 190112)
Adopted
- 98 [RLH TA 19-647](#) Deleting the Appealed Special Tax Assessment for property at 1430 STANFORD AVENUE. (File No. CG1902A3, Assessment No. 190103)
Adopted

- 99 [RLH TA 19-662](#) Amending Council File No. RLH AR 19-44 to delete the assessment for Collection of Delinquent Garbage Bills for services during October to December 2018 at 1430 STANFORD AVENUE. (File No. CG1901B1, Assessment No. 190052)
Adopted
- 100 [RLH TA 19-544](#) Ratifying the Appealed Special Tax Assessment for property at 1983 STILLWATER AVENUE. (File No. CG1902B2, Assessment No. 190106)
Adopted
- 101 [RLH TA 19-593](#) Deleting the Appealed Special Tax Assessment for property at 554 STRYKER AVENUE. (File No. CG1902C4, Assessment No. 190112)
Adopted
- 102 [RLH TA 19-582](#) Deleting the Appealed Special Tax Assessment for property at 573 SUMMIT AVENUE. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 103 [RLH TA 19-636](#) Deleting the Appealed Special Tax Assessment for property at 402 SUPERIOR STREET. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 104 [RLH TA 19-597](#) Deleting the Appealed Special Tax Assessment for property at 1535 UPPER AFTON ROAD. (File No. CG1902C3, Assessment No. 190111)
Adopted
- 105 [RLH TA 19-563](#) Deleting the Appealed Special Tax Assessment for property at 1109 VIRGINIA STREET. (File No. CG1902B2, Assessment No. 190106)
Adopted
- 106 [RLH TA 19-521](#) Deleting the Appealed Special Tax Assessment for property at 2137 WELLESLEY AVENUE. (File No. CG1902A3, Assessment No. 190103)
Adopted
- 107 [RLH TA 19-571](#) Ratifying the Appealed Special Tax Assessment for property at 226 WHEELER STREET SOUTH. (File No. CG1902C4, Assessment No. 190112)
Adopted

- 108 [RLH TA 19-255](#) Ratifying the Appealed Special Tax Assessment for property at 468 WHEELER STREET NORTH. (File No. CG1901D1, Assessment No. 190054)
Adopted
- 109 [RLH TA 19-543](#) Ratifying the Appealed Special Tax Assessment for property at 468 WHEELER STREET NORTH. (File No. CG1902C1, Assessment No. 190109)
Adopted
- 110 [RLH TA 19-539](#) Ratifying the Appealed Special Tax Assessment for property at 1173 WOODBRIDGE STREET. (File No. CG1902B1, Assessment No. 190105)
Adopted
- 111 [RLH TA 19-642](#) Deleting the Appealed Special Tax Assessment for property at 531 YORK AVENUE. (File No. CG1902B4, Assessment No. 190108)
Adopted
- 112 [RLH VBR 19-53](#) Appeal of Carolyn Brown to a Vacant Building Registration Notice at 811 YORK AVENUE.
Adopted
- 114 [RLH AR 19-75](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902A2, Assessment No. 190102)
Adopted
- 115 [RLH AR 19-76](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902A3, Assessment No. 190103)
Adopted
- 116 [RLH AR 19-77](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902A4, Assessment No. 190104)
Adopted
- 117 [RLH AR 19-78](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902B1, Assessment No. 190105)
Adopted

- 118 [RLH AR 19-79](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902B2, Assessment No. 190106)
Adopted
- 119 [RLH AR 19-80](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902B3, Assessment No. 190107)
Adopted
- 120 [RLH AR 19-81](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902B4, Assessment No. 190108)
Adopted as amended (889 Euclid Street removed from the assessment roll for separate consideration)
- 121 [RLH AR 19-84](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902C1, Assessment No. 190109)
Adopted
- 122 [RLH AR 19-85](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902C2, Assessment No. 190110)
Adopted
- 124 [RLH AR 19-87](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2019. (File No. CG1902C4, Assessment No. 190112)
Adopted

ADJOURNMENT

Council President Brendmoen adjourned the meeting.

Meeting adjourned at 5:00 p.m.

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