



# 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*

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Wednesday, April 11, 2018

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

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

**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

#### CONSENT AGENDA

**Note:** 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 1 - 14)

*Councilmember Tolbert moved approval of the Consent Agenda.*

#### Consent Agenda adopted

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

**Nay:** 0

- 1     [RES 18-504](#)     Preliminary Order setting the date of City Council public hearing for May 16, 2018 to consider approval for completing the city sidewalk on the west side of North Wheeler Street between West University Avenue and Thomas Avenue (Project No. S1802, Assessment No. 185302).

**Adopted**

- 2     [RES 18-506](#)     Preliminary Order setting the date of City Council public hearing for May 16, 2018 to consider approval for completing the city sidewalk on the south side of Energy Lane at 1300 Energy Lane (Project No. S1803, Assessment No. 185303).
- Adopted**
- 3     [RES 18-508](#)     Preliminary Order setting the date of City Council public hearing for May 16, 2018 to consider approval for completing the city sidewalk on the west side of Energy Lane at 1400 Energy Park Drive (Project No. S1804, Assessment No. 185304).
- Adopted**
- 4     [RES 18-519](#)     Authorizing the City to enter into a Cooperative Agreement with Ramsey County (PUBW2017-14R) for Right of Way Acquisition for Dale Street (County State Aid Highway 53) between University and Iglehart.
- Adopted**
- 5     [RES 18-566](#)     Requesting Administrative Policy changes to the Street Maintenance Service Program.
- Adopted**
- 6     [RES 18-579](#)     Authorizing the Department of Parks and Recreation, Como Park Zoo and Conservatory, to accept funding from Polar Bears International to be used for hotel and registration costs for Senior Zookeeper to facilitate at PBI Climate Alliance 2018 Training; 29 September - 6 October 2018 in Churchill, Manitoba, Canada.
- Adopted**
- 7     [RES 18-580](#)     Reducing the assessment for the sanitary sewer service at 1119 Raymond Avenue done within the right-of-way as part of the Raymond Avenue street paving and lighting project.
- Adopted**
- 8     [RES 18-581](#)     Approving a petition from Gladys O Igbo for specially assessing the costs of a fire protection system at 385 University Avenue West.
- Adopted**
- 9     [RES 18-593](#)     Approving the Settlement Agreement and Release between the City of St. Paul and Harris Building, LLP, NJF Properties, LLC and RRB Associates and its attorney, John G. Hoeschler.
- Adopted**

- 10     [RES 18-604](#)     Approving adverse action against the Second Hand Dealer-Motor Vehicle license held by 555 University, LLC d/b/a Kath Auto Sales located at 545 University Avenue West.
- Adopted**
- 11     [RES 18-531](#)     Approving the application with conditions, and waiving the three-hundred (300) foot separation distance requirement from two (2) protected uses, per the Deputy Legislative Hearing Officer, for a Liquor On Sale 100 Seats or Less, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), Liquor Outdoor Service Area (Sidewalk) licenses for 1672 Grand LLC (License # 20180000129), d/b/a Grand Catch at 1672 Grand Avenue.
- Adopted**
- 12     [RES 18-621](#)     Accepting the gift of hotel costs from the Government Alliance for Race and Equity (GARE) for Director Jessi Kingston to speak at the Advancing Racial Equity Speaker Series in Los Angeles, California, March 12 - 13, 2018.
- Adopted**
- 13     [RES 18-610](#)     Authorizing Spring Café Woodbury, LLC to use the Department of Parks and Recreation's Liquor licenses for the Como Lakeside Pavilion.
- Adopted**
- 14     [RES 18-628](#)     Authorizing Write-Off of Accounts Receivable Invoices.
- Adopted**

**FOR DISCUSSION**

- 15     [RES 18-609](#)     Honoring the recipients of the 2018 Saint Paul Business Awards.
- Council President Brendmoen made introductory comments, introduced members of the selection committee present, and acknowledged members of the planning committee.*
- Mayor Carter made brief comments.*
- A video was shown, describing the awards and recognizing the winners.*
- Council members invited representatives of winning businesses to the podium to be recognized. The business representatives made brief comments.*
- Councilmember Noecker moved approval of the resolution.*
- Adopted**

**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.**

#### **Final Adoption**

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

*Councilmember Tolbert moved approval.*

#### **Adopted**

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

**Nay:** 0

- 17 [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.

*Councilmember Henningson said she had heard from many residents within and outside of Merriam Park on both sides of the issue - constituents concerned about historic preservation and constituents concerned about the tight housing market. She said she had proposed the moratorium with an open mind, and really wanted to hear what people had to say. She said the moratorium was intended to be proactive and prevent situations where uncertainty about the historic significance of old properties affects proposed development. She said the two properties on Iglehart got caught up in the mix, and in the end her inclination was to value people over buildings. She noted that there were neighbors interested in saving those two properties and working with the (property owners) on financing if they were willing to do so. She said 26 of the 41 property owners in the moratorium area signed a petition supporting the moratorium, and she took that to mean there was a groundswell of support for the historic preservation in the neighborhood, and that those 26 households, and probably most of the rest, would not be tearing their houses down in the coming months. She said the historic survey process would go forward without the moratorium, and the conversation would continue. She said she would continue to work with PED and the HPC towards developing a long term plan to survey the city using existing, outside, and future resources. She said she felt the City needed to do soul-searching on how to balance the Comprehensive Plan goals of increasing the housing stock and preserving critical structures. She withdrew the ordinance and moved to suspend the bridge resolution RES 18-455, and asked that the City Attorney's office draft a resolution officially withdrawing that bridge resolution.*

*Deputy City Attorney Rachel Tierney said she had suggested that the bridge resolution be suspended. She said it appeared on its face that it automatically terminated when the ordinance was withdrawn, but she wanted to make sure it was legally clear.*

**Withdrawn**

**BUDGET AMENDMENT PUBLIC HEARINGS (held during the 3:30 portion of the meeting)**

- 18 [RES PH 18-99](#) Authorizing the Department of Parks and Recreation to enter into a grant agreement with the State of Minnesota through the Metropolitan Council for bonding appropriations for Como Park Zoo and Conservatory's Seal and Seal Lion Project.

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

**Adopted**

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

Nay: 0

#### LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 19 [RLH RR 18-14](#) Denying request for a stay of enforcement of Council File RLH RR 17-46 ordering the razing or removal of the structures at 1060 AVON STREET within 15 days after the February 13, 2018 City Council Public Hearing.

*Legislative Hearing Officer Marcia Moermond gave a staff report. She said the Council had previously voted to order removal of the structure, and had subsequently been asked by the owner to reconsider the action. Ms. Moermond said it was considered in Legislative Hearings and a determination made that conditions had not been met for granting a stay. She recommended that the Council deny the request.*

*Property owner Don Klemmer said he had encountered a lot of problems along the way with the situation, as some of the Council members were aware. He said he didn't want to borrow any money towards the property and his plans were to sell it. He didn't have any money from improvements. He said he'd approached people who were interested in the property. He said one deal fell through, a neighbor was interested, as was someone with We Buy Houses. He said the house would go tax forfeit in June. He said he had tried to provide access, and didn't believe the inspector's photographs showed the conditions accurately. He said there had been some damage to the foundation, and he didn't know who was responsible for it. He said he was asking for time to put the deals together so he could get something out of the house he'd paid \$120,000 for.*

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

*Councilmember Brendmoen said the Council had voted on the remove or repair order in mid-February. She said she cared about Mr. Klemmer and had done everything possible to preserve the property. She said she would support the Ms. Moermond's recommendation, as much as it pained her, because they were out of time.*

#### **Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING CONSENT AGENDA**

**Note: 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 (Items 19 - 33)**

*No one was present to testify. Councilmember Thao 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 Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson

**Nay:** 0

- 20**     [RLH FCO 18-15](#)     Appeal of Rob Langford to a Fire Inspection Correction Notice at 682 CANTON STREET.  
**Adopted**
- 21**     [RLH CO 18-8](#)     Appeal of Michael Capistrant to a Correction Notice at 1620 DAVID STREET.  
**Adopted**
- 22**     [RLH RR 18-13](#)     Making finding on the appealed nuisance abatement ordered for 1426 DESOTO STREET in Council File RLH RR 17-29. (Public hearing continued from May 23)  
**Public hearing continued to April 25**
- 23**     [RLH VBR 18-12](#)     Appeal of Jason Anderson to a Vacant Building Registration Requirement at 723 EDGERTON STREET.  
**Adopted**
- 24**     [RLH SAO 17-65](#)     Making finding on the appealed nuisance abatement ordered for 25 ELIZABETH STREET EAST in Council File RLH SAO 17-56. (Public hearing continued from April 11)  
**Public hearing continued to May 23**
- 25**     [RLH FCO 18-27](#)     Appeal of Pastor Jonathan Proctor to a Fire Inspection Correction Notice at 956 FOREST STREET.  
**Adopted**

- 26     [RLH FCO 18-25](#)     Appeal of Michaelene Colestock to a Correction Notice - Complaint Inspection at 884 HYACINTH AVENUE EAST.  
**Adopted**
- 27     [RLH RR 18-3](#)        Ordering the rehabilitation or razing and removal of the structures at 735 MARGARET STREET within fifteen (15) days after the February 14, 2018, City Council public hearing. (Public hearing continued from February 14) (Amend to remove or repair within 180 days)  
**Referred to Legislative Hearings on May 22**
- 28     [RLH VBR 18-11](#)     Appeal of Marjorie Pitz to a Vacant Building Registration Notice at 664 PLUM STREET.  
**Adopted**
- 29     [RLH CO 18-9](#)        Appeal of Jairo P. Amaya to a Correction Notice at 1263 SAINT ALBANS STREET NORTH.  
**Adopted**
- 30     [RLH TA 18-29](#)     Ratifying the Appealed Special Tax Assessment for property at 1849 SEVENTH STREET EAST. (File No. J1805A, Assessment No. 188505; amended to File No. J1805A3, Assessment No. 188522, and to delete the assessment)  
**Adopted as amended (assessment deleted)**
- 31     [RLH VO 18-10](#)     Appeal of Chad Van Veldhuizen to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1570 STILLWATER AVENUE.  
**Adopted**
- 32     [RLH SAO 18-20](#)     Appeal of Opal Sherwood to a Graffiti Abatement Order at 1265 THIRD STREET EAST.  
**Adopted**
- 33     [RLH RR 17-47](#)     Ordering the rehabilitation or razing and removal of the structures at 380 YORK AVENUE within fifteen (15) days after the January 3, 2018, City Council public hearing. (Public hearing continued from April 11) (Amend to remove within 15 days)  
**Public hearing continued to May 16 (Legislative Hearing May 15)**

**ADJOURNMENT**

*Council President Brendmoen adjourned the meeting.*

**Meeting adjourned at 4:22 p.m.**



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