



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

Wednesday, October 24, 2018

3:30 PM

Council Chambers - 3rd Floor

City Council and HRA Public Hearings on Pedro Park items will begin at 4:30 p.m.

There will be no meeting on October 31, the fifth Wednesday of the month.

ROLL CALL

The meeting was called to order by Council President Brendmoen at 3:31 p.m.

Council President Brendmoen welcomed community members present and reviewed the agenda and procedure.

Present 5 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Chris Tolbert, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

Absent 2 - Councilmember Dai Thao and Councilmember Mitra Jalali

Council members Thao and Jalali Nelson arrived after 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 Mitra Jalali

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 1 - 6)

Councilmember Jalali Nelson 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 Jalali

Nay: 0

- 1 [RES 18-1761](#) Approving the grant agreement between the City and the Capital Region Watershed District for a stormwater grant in the amount of \$416,000.
Adopted

- 2 [RES 18-1789](#) Approving the appointment of Matt Privratsky as the Legislative Aide in Ward 4.
Adopted

- 3 [RES 18-1772](#) Approving the Mayor's appointments of Jeff Martin, Jason Sole, and Adrian Benjamin as City of Saint Paul Department Interim Director and Mayor's Office staff.
Adopted

- 4 [RES 18-1763](#) Authorizing the Department of Parks and Recreation to apply for \$6,500 in funding through the Capitol Region Watershed District Special Grant program to engage youth from underserved communities in the sPARK water quality education program and, if successful, to enter into an agreement providing indemnification for CRWD.
Adopted

- 5 [RES 18-1784](#) Approving adverse action against the Wine On Sale and Malt On Sale (Strong) licenses held by Taste of Thailand Restaurant, Inc. d/b/a Taste of Thailand Restaurant at 1671 Selby Avenue.
Adopted

- 6 [RES 18-1782](#) Approving adverse action against the Tree Trimmer & 1 Vehicle and Tree Trimmer - Each Additional Vehicle licenses held by Golden Oak Tree Service, Inc.
Adopted

FOR DISCUSSION

- 7 [ABZA 18-6](#) Public hearing to consider the appeal of the Association for Nonsmokers-MN to a decision made by the Board of Zoning Appeals approving a variance to allow a tobacco products shop at 1724 University Avenue West, which is closer than a half mile (2,640 feet) from an existing tobacco products shop.

Councilmember Jalali Nelson said the item had been laid over to allow time to review the conditions for evaluating the appeal. She said she had been able to look at the six conditions and felt they had been met. One of the core issues underlying this situation, was that the City needed to address the way they measured distances under the ordinance. She moved to deny the appeal, and said action needed to be taken to clarify the existing ordinance.

Councilmember Noecker spoke against the motion. She said she didn't feel that Condition 3, practical difficulties in complying with the provision that were not economic, were sufficiently demonstrated.

Councilmember Prince said she would vote against the motion for the reasons stated by Councilmember Noecker.

Council President Brendmoen spoke in support of the motion.

Motion of Intent - Appeal denied

Yea: 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Jalali

Nay: 2 - Councilmember Noecker and Councilmember Prince

- 8 [RLH RR 18-38](#) Ordering the rehabilitation or razing and removal of the structures at 610 SAINT ALBANS STREET NORTH within fifteen (15) days after the September 26, 2018 City Council public hearing. (Public hearing held September 26; laid over from October 10) (Amend to remove within 15 days)

Legislative Hearing Officer Marcia Moermond reviewed the hearing history for the property and conditions set. She said the conditions were not met related to financing for the rehabilitation, and she recommended that the Council order the building at 610 St. Albans be removed, noting that the other house on the parcel would continue to stand.

Councilmember Thao said he had been generous with the property owner in giving time to come up with a viable plan, but felt it was unfair to the surrounding neighborhood to continue the process with these two adjacent blighted properties. He moved to adopt Ms. Moermond's recommendation.

Adopted as amended (remove within 15 days with no option for repair)

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

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

- 9 [Ord 18-51](#) Granting the application of Dorothy Gherity to rezone the property at 418 Sherburne Avenue from R4 Single Family Residential to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Councilmember Thao moved final adoption of the ordinance.

Adopted

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

Nay: 0

- 10 [Ord 18-49](#) Amending the zoning map as recommended in the West Marshall Avenue Zoning Study.

Councilmember Jalali Nelson spoke in support of the ordinance and moved final adoption as amended.

Councilmember Prince spoke in opposition.

Councilmember Thao and Council President Brendmoen spoke in support.

Adopted as amended (amended October 3 and 17)

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker and Councilmember Jalali

Nay: 1 - Councilmember Prince

- 11 [Ord 18-50](#) Amending Section 409.08 of the Legislative Code to prohibit licensees of exclusive liquor stores which sell tobacco, tobacco-related devices, electronic delivery device, or nicotine or lobelia delivery products from allowing persons under eighteen (18) years of age from entering the store.

Councilmember Noecker made brief comments and moved final adoption of the ordinance.

Adopted

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

Nay: 0

12 [Ord 18-52](#)

Establishing a Community Advisory Committee for the position of Director of Human Rights and Equal Economic Opportunity pursuant to the provisions Section 11.01 of the Administrative Code.

Council President Brendmoen moved final adoption of the ordinance as amended.

Adopted as amended (amended October 17)

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

Nay: 0

Second Reading

13 [Ord 18-53](#)

Amending Chapter 370 of the Legislative Code to update language to gender neutral format and change the journey person/trade worker ratio regarding warm air permits.

Laid over to November 7 for third reading/public hearing

14 [Ord 18-54](#)

Creating Chapter 224 of the Legislative Code to implement a City minimum wage.

Councilmember Tolbert moved two amendments. The first amendment had some clean-up language to correct typos. Yeas - 7 Nays - 0 The second amendment had clarifying language in the disability worker provision. Yeas - 7 Nays - 0

Councilmember Thao distributed a "friendly" amendment to the phase-in for small and micro businesses. Council President Brendmoen noted that this was revised from that attached in Legistar.

Councilmember Thao described and spoke in support of the amendment.

Councilmember Noecker spoke in support.

Council President Brendmoen said she appreciated the thought about what the incremental numbers were based in, and she supported the amendment.

Councilmember Tolbert said he agreed with the spirit but was reluctant to support it now. They had just received it and the current version that had been before Council was based on Citizen's League recommendation. He said they all wanted to strike the balance between paying a livable wage and protecting businesses.

Councilmember Prince spoke in support of the amendment.

Councilmember Thao responded to questions from Councilmember Jalali Nelson about the amendment.

Councilmember Jalali Nelson asked a procedural question about the amendment. Council President Brendmoen said they could vote on the amendment, or say this was the intention and get some input before moving onto the public hearing.

A vote was taken on the amendment, following discussion among the Council members about the procedure for bringing amendments. Yeas - 5 Nays - 2 (Tolbert and Jalali Nelson)

Amended; laid over to November 7 for third reading/public hearing

First Reading**15** [Ord 18-56](#)

Amending Chapter 91 of the Legislative Code pertaining to sprinkling restrictions.

Laid over to November 7 for second reading

16 [Ord 18-57](#)

Amending Chapter 93 of the Legislative Code pertaining to rules governing water service connections.

Laid over to November 7 for second reading

- 17 [Ord 18-58](#) Amending Chapter 94 of the Legislative Code pertaining to meters, settings, and cable installations.
Laid over to November 7 for second reading
- 18 [Ord 18-59](#) Amending Chapter 157.11 of the Legislative Code to clarify regulations for vehicles containing recyclable materials.
Laid over to November 7 for second reading

BUDGET AMENDMENT PUBLIC HEARINGS

- 19 [RES PH 18-314](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$20,000 to utilize Parkland Dedication funds for the Rice Park Revitalization project.

No one was present to testify. Councilmember Noecker 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 Jalali
Nay: 0
- 20 [RES PH 18-245](#) Establishing a financing and spending plan in the Department of Parks and Recreation in the amount of \$323,191 to utilize Parkland Dedication funds designated for creation of park space at 700 Emerald Street.

No one was present to testify. Councilmember Jalali Nelson 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 Jalali
Nay: 0
- 21 [RES PH 18-316](#) Amending the 2018 budgets in the Public Works Streets General Fund and the OFS Fleet Services Fund and approving a City-County Cooperative Agreement.

No one was present to testify. Councilmember Bostrom 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 Jalali

Nay: 0

*Council President Brendmoen said the Council would move forward to items 36 and 37.
She reviewed the procedure for public testimony.*

PUBLIC HEARINGS (4:30 p.m.)

- 37 [RES PH 18-327](#) Authorizing the vacation and disposal of the former Public Safety Annex to the Housing and Redevelopment Authority for subsequent redevelopment, and authorizing the Department of Parks and Recreation to enter into agreements for the implementation of Pedro Park.

Parks and Recreation Director Michael Hahm introduced Planning and Economic Development staff Andrew Hestness and Parks staff Alice Messer who provided a staff report. Mr. Hestness reviewed the process thus far, and described the proposed development. Ms. Messer described the park design process and the proposed design. Mr. Hestness said Item 37 was to vacate the annex building and authorize transfer to the HRA, as well as items that were reviewed by the Parks Commission at their recent meeting identifying elements within the agreement between the City and the developer. He said Item 36 established a budget for the permanent improvements, allocating the proceeds from the sale and approximately \$199,000 of downtown park dedication funds, with the anticipation of 2.3 million in CIB funding in 2019. He said if those two actions succeeded, the final action would be for the HRA to consider the development agreement and authorization of the sale.

Council President Brendmoen thanked Mr. Hestness and Ms. Messer and their teams for their work and for sticking with the difficult process. She acknowledged members of the design committee present. She said Items 37 and 36 would be combined into one public hearing.

Testimony:

Dave Thune (West End resident) said the need for parkland in that area had existed for a long time. He said the Pedro building was donated with the thought of it being the start of a full-block park, and the City Council resolution naming the park stated the boundaries which included the annex building. He said the plan has always been for a park of the size and scale to serve the 2-3,000 people in the immediate area and nearly \$10,000 downtown. He said from his perspective, when you made an agreement you followed through, and he hoped the Council would see fit to back away from just taking cash, but create parks and open space for this important part of downtown.

Councilmember Brendmoen thanked Mr. Thune for his work and leadership.

Chai Lee (1815 Margaret Street) said he was on the CIB Board but speaking for himself. He said the building had been in need of renovations for a long time, and delays would result in a more costly project. He said this was a great opportunity to put the property on the tax rolls and have the City maintain it at minimal cost. He said he supported the project.

Chris Beckstrom (218 E. 7th Street) said this was the pivotal issue for downtown. He said he was co-chair of the committee working with PED and Parks and Rec on the issues, and ignoring the public process was an egregious affront to anyone who participated. He said voting to release this to the HRA was going to color Council members' legacies as leaders, and he was asking them not to release the site.

Amy Huerta (2285 Stewart Avenue), current chair of the CIB committee, spoke about why they moved it forward to proceed with the sale with Ackerberg. She said it was a difficult decision, but they were satisfied with the information they obtained related to donor intent and the implications of other documents. She said they looked through the key CIB lenses of equity, strategic investments, and financial and fiduciary responsibility as they moved forward on their decision. She said they knew the need for

additional green space, but there was additional space within a five-minute walk, and potential opportunities for expansion of that space. She said they saw the opportunity to invest those dollars in things the City needed from an equity standpoint, from a strategic investment standpoint and from a fiscal responsibility standpoint.

Tom Dimond (2119 Skyway Drive) referred to information he had submitted. He said \$18 million in public money was spent to provide for this space for parkland, \$15 million of which was CIB money. He said combining the two public purposes of creating parkland and renovating the police facility allowed the City to get people to support it. He said it was a poor investment, and public space was more important than a private developer being able to make a profit.

John Mannillo (1335 Beechwood Place), commercial broker and developer, said they still had a 20% office space vacancy rate in downtown, and there was nothing they couldn't be done in that vacant space that could be done in the new building. He said keeping existing buildings and building owners healthy was important for the tax base.

Gary Stoos (78 E. 10th Street) said there was a question of the basic honesty and consistency from the City, and without that, citizens were left with no basis on which to make major life decisions. He said he had purchased two properties on the assumption that they would be seeing park property at some point.

Shirley Erstad (1660 Laurel Avenue), Executive Director Friends of the Parks and Trails of St. Paul and Ramsey County, said the Friends of the Parks would like to see the City stay true to its Comprehensive Plan. She spoke about the positive impacts of parkland, and said added green space downtown would encourage the ongoing residential growth, which contributed more to the tax base than commercial property. She noted the green space included in the proposed Ford Site development, and questioned whether the proposed Pedro Park quarter-block space in an area with 4000 residents represented equity. She noted the downtown office space vacancy rate and said the area needed a substantial park more than office space. She referred to a BOMA report which stated apartments were fueling downtown residential growth; she said renters deserved adequate park space too.

Doug Throckmorton (111 Kellogg Boulevard) said he'd had the opportunity to speak with former Mayor Latimer and asked him why the City didn't have a vision for what would best serve all of the people, and Mr. Latimer answered that when the City didn't own the land it was difficult to plan for things that benefited all the people. Mr. Throckmorton said the City did own this land, and this was perhaps the last piece of land available to bring a park to all of the people, and millions of dollars couldn't buy back.

Parker Evans (100 E. 10th Street), Ackerberg Group Development Associate, said they recognized that the fate of this block is a bigger decision than just what happened with the building and bigger than the Ackerberg's role with the building. He said the Council and HRA would make their best decision using the best knowledge they had of the City and constituents, and the Ackerberg was proud to be a part of one of the solutions. He said they'd had success and experience developing speculative office buildings in the urban core and believed wholeheartedly in the potential of the St. Paul Safety Annex Building to provide creative transformational office space that was distinct and unique.

Karl Korlse (66 E. 9th Street) said the best reason for tearing down the building and expanding the park was that people were moving downtown and the park as designed

wasn't big enough to do anything. He said there were plenty of office spaces available.

Patricia Flaherty (78 E. 10th Street) said she and her husband were part of exploding population downtown. She said she was heartbroken by the process, and there should have been citizen input for such a large change to the Comprehensive Plan. She said neighbors should have had the opportunity to share thoughts such as the neighborhood's willingness to fund-raise for the park, and the benefits of green space to nearby residents and the community, including increased property values.

Patricia Mahre (78 E. 10th Street) spoke about buildings in St. Paul that were empty and not on the tax rolls. She said the neighborhood was surrounded by people stacked in apartment buildings with no park. She said Naomi Center and Union Gospel were their neighbors and there were lots of teens downtown with nothing to do. She said there were things that could be creatively done that could bring in a tax base and still give them a park.

Dana Conroy (78 E. 10th Street), said she and her husband had been downtown residents for a year, and were among many people who believed there was going to be an extended park. She said the down-sides of living downtown were the lack of green space and lack of opportunities for people to connect, and a little piece of a park is not going to meet the needs.

Matthew V. (500 Robert Street N.) said he could not understand why the decision would be made to sell parkland, to abandon the Fitzgerald park precinct plan, and to violate the donation agreement with the Pedro family. He said this wasn't a historic property, office space wasn't needed, and Ackerberg didn't have a tenant. He said funding had been cited as a challenge, but 3M had just released funds in a settlement for the express purpose of improving green space in the east metro. He said voting for this would be a violation of the Council's responsibility to represent the citizens.

Jeanne Hall (406 Wacouta) downtown said they moved downtown to be near a park. She said the downtown neighborhood was the fastest-growing residential neighborhood in the City, and if the Council had thought about that fact, they would have come to the neighbors for input. She said it would be much easier to get the money to develop the park after the building was torn down and the opportunity could be seen. She said lots of children and teenagers lived downtown and there was no place to play, or go outside, or gather. She said not one meeting was held to invite the neighbors, and it would cost nothing to stop and go back and ask the neighbors. She said if they made a park, more people would live downtown and that was what would drive the success of downtown.

Kati Berg (78 E. 10th Street) said she had spent the past year dedicating her time, and researching the original plan, which was fantastic and wonderful and she believed in it when she bought her condo. She said she was part of a generational shift, and as a person with a family living in a place without a yard, being expected to walk five blocks to get to any grass was unreasonable. She said thousands of people didn't have a square inch of green space, and no matter how fancy 1/6 of a block was not going to sustain the affordable housing, the housing growth, the millennial shift.

Marilyn Pedro (551 Lake View Drive, Woodbury) said her two brothers are deceased and she was the only survivor of the family, and it was tragic for her family to see what was happening. She spoke about her family and how they came to make the donation, a big donation, and wanted to give everything back to the City that had made them successful. She spoke about the family and business history. She said their father

taught them to only make promises they intended to keep, and she was asking that they keep the promise. She said they gave a donation to the City as a legacy with the conditions that it be called Pedro Park and that the annex had to come down so the park would be bigger, and they were told yes, those would be honored. She said the Council voted in 2015 to tear down the annex. She said selling the annex would kill everything for the park and the people who had been waiting. She asked the Council to please keep the promise.

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

Councilmember Noecker thanked everyone for the testimony and engagement. She thanked staff for their work, her colleagues for their consideration of the issue. She said she was looking forward to working with Ackerberg to create jobs in St. Paul, but hopefully somewhere else. She said she was going to vote against the motion before them, primarily because she didn't believe they needed to sacrifice community trust in the name of jobs, and didn't believe they needed to sell out or settle. She said she was a proponent of infill development and thought there was a need for creative class office space downtown, but felt they were being asked to make a false choice between jobs and parkland. She said the truth was that there were bright prospects for world class office space downtown; she cited examples. She said this was not the only space for creative class office space, but was the only space to expand Pedro Park in a cost-effective way. She reviewed information she had obtained from Planning and Economic Development about the increased cost of expanding this parkland in any other direction. She said the money already budgeted for the project could be used to create a Great Lawn that would be improved by neighbors who had expressed willingness to invest and contribute. She said it was true that selling to Ackerberg would yield a higher immediate return, but selling to a developer was always going to yield a more immediate return than developing parkland. She said that wasn't the question when the plan was written and wasn't the question now. She said looking at things just from a revenue-generation standpoint ignored all of the hidden costs of community investment, trust, and land that would never be gotten back. She said she was one of the people who questioned tearing down a historic building to expand a park, but that was before she understood the breadth and depth of commitment to Pedro Park going back dozens of years, not only from the community but in votes on the Council and other City bodies. She said Ackerberg had been counting on their project for 12 months; the community had been counting on the project for more than 12 years. She said this was a choice between a deal with a developer or fidelity to the Comprehensive Plan and to community that had a higher proportion of low income residents, seniors, people with disabilities, and renters than the city as a whole, and the only neighborhood not within a half mile of a rec center. She said if they passed this motion they would be doing something she had never seen the Council do before - to move forward with a plan that was opposed by a majority of the neighbors, by the area district council, by the area's current and former Council members, and by the Comprehensive Plan. She asked her colleagues to vote no.

Councilmember Prince referred to a newspaper article which credited the increase in downtown residents with saving downtown, and cited studies which showed that parks increased property values and property taxes. She said the Ackerberg proposal was attractive, but felt it would result in more office vacancies. She said making downtown livable for residents required creating recreational and open space as reflected in the Comprehensive Plan. She said breaking the promise would invite residents to abandon the commitment the residents had made to the redevelopment and vitality of downtown.

Councilmember Tolbert said the two actions being taken, if they passed, were to work

with the Ackerberg Group to redevelop the building into an office space, and to invest over \$1.5 million into a park in downtown, outside of the CIB process. He said the investment by the City shouldn't be forgotten, and a much larger investment would have been required to develop the full block park. He spoke about the uniqueness of the building, and said it would create jobs. He said the vacancy rate downtown was something that needed to be watched, but much of it was due to landlords' unwillingness to invest. He said Ackerberg would invest in quality creative office space that would potentially attract and retain businesses and jobs in downtown St. Paul and allow growth. He said developing an office space and investing in a park was a win-win, and he would be supporting it.

Councilmember Noecker said it was important to clarify that Ackerberg wasn't investing 1.5 million in a park but was paying \$1.4 million for the land, which was about the appraised value, and the City was going to use that money to cover about a third of the cost of the park. Councilmember Tolbert said he was talking about the investment the City was making in parks, something that others around the table would be happy to have in their areas. Councilmember Noecker said for the same investment, there could be something twice as big that the neighborhood would want.

Council President Brendmoen spoke about all of the City investments in downtown during her time on the Council. She said she thought the investment was great and believed a vibrant downtown was what made the city amazing, but she also represented Ward 5 and had to make sure they were being equitable and thoughtful about how they were distributing these resources. She said what was before the Council wasn't an opportunity to put in a giant lawn, which she didn't think there was support for, but there was support to take a potential investment from a developer and use it to leverage resources that took money out of CIB for projects in the rest of the wards. She said the proposed park was a quarter of a block and the proposals looked lovely and as far as she was concerned was a phase 1. She said she was going to support it.

Councilmember Thao thanked downtown residents, community members, and staff, and said no matter the outcome, he wanted to recognize that Councilmember Noecker really went to the mat for the residents. He said it was a hard decision for him. He said he also wanted to recognize the Pedro family for their leadership and many decades of commitment and sacrifice for the City of St. Paul, for which the City was grateful. He said he was in support, and was sorry if he disappointed the family, but felt this was an opportunity for the City to bring balance and mixed use in the area. He said this was going to be a beautiful park, worthy of the family and the people. He said increasing the tax base in the surrounding community might also have the unintended consequence of raising rent for people on fixed incomes, and his thought was that having a mixed use of park and office space and mitigation of displacement was the right decision.

Councilmember Bostrom said in 2002 he led the discussion that ultimately moved the police department from the headquarters over to the Griffin building, and evacuated this building. He said whatever the Council did, he didn't want to minimize the importance of the gift from the Pedro family and to thank them. He said some people may prefer open space but it was a substantial building and potentially had a long, productive life ahead. He said he would be supporting the motion.

Council President Brendmoen moved a vote in support.

Yeas - 5 Nays - 2 (Prince, Noecker)

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Jalali

Nay: 2 - Councilmember Noecker and Councilmember Prince

- 36** [RES PH 18-281](#) Amending the financing and spending budgets in the Department of Parks and Recreation in the amount of \$1,516,810.79 for the Pedro Park project.

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

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Jalali

Nay: 2 - Councilmember Noecker and Councilmember Prince

The City Council recessed, and the HRA reconvened to consider RES PH 18-328: Approving and authorizing the sale and conveyance of 100 East 10th Street, Saint Paul, MN to The Ackerberg Group; and authorization to enter into a development agreement, District 17, Ward 2.)

The HRA adjourned and the City Council reconvened.

Council President Brendmoen left the meeting.

Council Vice President Noecker reconvened the meeting of the City Council.

Present 6 - Councilmember Dan Bostrom, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince and Councilmember Mitra Jalali

Absent 1 - Councilmember Amy Brendmoen

SUSPENSION ITEMS

Councilmember Prince moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

Nay: 0

Absent: 1 - Councilmember Brendmoen

[RLH TA 18-597](#)

Amending the previously ratified assessment to reduce the assessment for Vacant Building Registration Fees billed during January 10 to April 19, 2018 at 2212 FIFTH STREET EAST. (File No. VB1813, Assessment No. 188821)

Councilmember Prince moved approval of the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

Nay: 0

Absent: 1 - Councilmember Brendmoen

Councilmember Tolbert moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

Nay: 0

Absent: 1 - Councilmember Brendmoen

[RES 18-1798](#)

Authorizing the Department of Parks and Recreation to apply for \$8,000 in funding through the Capitol Region Watershed District Special Grant program to engage youth from underserved communities in outdoor education and recreation activities and, if successful, enter into an agreement providing indemnification for Capitol Regional Watershed District.

Councilmember Noecker moved approval of the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

Nay: 0

Absent: 1 - Councilmember Brendmoen

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

28 [RLH VBR 18-73](#) Appeal of Tom DeLisle, Jr., Delisle Co. Realtors, to a Vacant Building Registration Notice at 1199 HANCOCK STREET.

Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of a vacant building registration. The property was condemned because of a water shut-off. Vacant buildings staff inspected a couple of weeks later and found major code violations. Ms. Moermond displayed photographs. Due to the conditions leading to the condemnation and numerous exterior code violations, the property met the definition of a Category 2 vacant building, and subject to having a code compliance certificate before re-occupancy. Ms. Moermond recommended waiving the vacant building fee for 90 days for the building to be fixed and re-occupied, but that it continue to be a Category 2 vacant building and subject to the inspection requirement.

In opposition:

Jeff DeLisle said they weren't notified there was a water bill problem. He said they held the contract on it and the lady quit making payments, and they weren't notified of the water bill situation. When they were monitoring the building they saw the vacant building tags. They were asking if they could get some relief and have it issued a Category 1 or off the vacant building list.

Councilmember Prince moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Prince said she appreciated that Mr. DeLisle got the water bill turned on but was concerned about the condition of the property and thought the 90-day waiver of the vacant building fee provided an opportunity to get some work done and try to get it off the vacant building list. She moved to adopt Ms. Moermond's recommendation.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

Nay: 0

Absent: 1 - Councilmember Brendmoen

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 (Items 22 - 34)

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

Legislative Hearing Consent Agenda adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

Nay: 0

Absent: 1 - Councilmember Brendmoen

- 22 [RLH VBR 18-74](#) Appeal of Angelina Reese to a Vacant Building Registration Notice at 1365 ARKWRIGHT STREET, UNIT 5.
Adopted
- 23 [RLH FCO 18-177](#) Amending Council File RLH FCO 18-85, adopted July 11, 2018, to grant Gabriel Mba an additional extension to a Correction Notice-Re-inspection Complaint for property at 1020 BANDANA BOULEVARD WEST.
Adopted
- 24 [RLH VBR 18-72](#) Appeal of Sean Sisler to a Vacant Building Registration Renewal Notice at 1907 CHELTON AVENUE.
Adopted
- 25 [RLH RR 18-39](#) Ordering the rehabilitation or razing and removal of the structures at 1049 EDGERTON STREET within fifteen (15) days after the October 10, 2018 City Council public hearing. (Public hearing continued from October 10) (Amend to remove or raze the building within 15 days)
Adopted as amended (remove within 15 days with no option for repair)
- 26 [RLH TA 18-500](#) Ratifying the Appealed Special Tax Assessment for property at 365 FULLER AVE. (File No. J1811E, Assessment No. 188323) (Amend to delete)
Adopted as amended (assessment deleted)
- 27 [RLH FCO 18-169](#) Appeal of Sarah & Ben Snook to a Fire Inspection Correction Notice at 413 GRAND AVENUE.
Adopted
- 29 [RLH RR 18-43](#) Ordering the rehabilitation or razing and removal of the structures at 993 JAMES AVENUE within fifteen (15) days after the October 24, 2018, City Council Public Hearing. (Amend to remove only)
Adopted as amended (remove within 15 days with no option for repair)
- 30 [RLH VBR 18-70](#) Appeal of Mark Drexler to a Vacant Building Registration Renewal Notice at 1816 MINNEHAHA AVENUE EAST.
Public hearing continued to November 7
- 31 [RLH RR 18-41](#) Making finding on the appealed nuisance abatement ordered for 2096 REANEY AVENUE in Council File Nos. RLH RR 17-52 and RLH RR 17-28. (Public hearing continued from November 28)
Public hearing continued to November 7

- 32 [RLH RR 18-44](#) Ordering the rehabilitation or razing and removal of the structures at 931-933 SHERBURNE AVENUE within fifteen (15) days after the October 24, 2018 City Council public hearing. (Public hearing continued from December 12, 2018) (Amend to remove within 15 days)

Referred to Legislative Hearings on November 13

- 33 [RLH VBR 18-76](#) Appeal of David Malanga to a Vacant Building Registration Renewal Notice at 678 SNELLING AVENUE NORTH.

Adopted

- 34 [RLH FCO 18-102](#) Appeal of Kristyn Secaur, on behalf of Court International LLC, to a Fire Inspection Correction Notice at 2550 UNIVERSITY AVENUE WEST.

Adopted

PUBLIC HEARING

- 35 [RES PH 18-322](#) Authorizing license and parkland diversion for Qwest Corporation d/b/a Century Link QC within the park area adjacent to 1400 Jackson Street.

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

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

Nay: 0

Absent: 1 - Councilmember Brendmoen

ADJOURNMENT

Council Vice President Noecker adjourned the meeting.

Meeting adjourned at 6:30 p.m.

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