

City of Saint Paul

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

Meeting Minutes

City Council

Council President Mitra Jalali
Vice President HwaJeong Kim
Councilmember Anika Bowie
Councilmember Cheniqua Johnson
Councilmember Saura Jost
Councilmember Rebecca Noecker
Councilmember Nelsie Yang

Wednesday, October 23, 2024

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:30 PM

Present 6 - Councilmember Rebecca Noecker, Councilmember Mitra Jalali,

Councilmember Nelsie Yang, Councilmember Anika Bowie, Councilmember

Saura Jost and Councilmember Cheniqua Johnson

Absent 1 - Councilmember HwaJeong Kim

ROLL CALL

Present 7 - Councilmember Rebecca Noecker, Councilmember Mitra Jalali,

Councilmember Nelsie Yang, Councilmember HwaJeong Kim, Councilmember Anika Bowie, Councilmember Saura Jost and

Councilmember Cheniqua Johnson

COMMUNICATIONS & RECEIVE/FILE

1 AO 24-74 Correcting the 2020 - 2021 Community Proposal Funding Account

Categories.

Received and Filed

CONSENT AGENDA

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

Approval of the Consent Agenda

Council President Jalali stated that Item 20 would be taken separately.

Councilmember Noecker moved approval.

Consent Agenda adopted as amended

		Yea: 7 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost and Councilmember Johnson
		Nay: 0
2	RES 24-1431	Authorizing the City to amend a lease agreement with Ramsey County for the Ramsey County Sheriff's Office use of space in the City Hall Annex. Adopted
3	RES 24-1470	Approving the City's cost of providing Rubbish and Garbage Clean Up services during June 28 to July 26, 2024, and setting date of Legislative Hearing for November 19, 2024 and City Council public hearing for February 12, 2025 to consider and levy the assessments against individual properties. (File No. J2505R, Assessment No. 258508) Adopted
4	RES 24-1471	Approving the City's cost of providing Rubbish and Garbage Clean Up services during July 24 to August 12, 2024, and setting date of Legislative Hearing for November 19, 2024 and City Council public hearing for February 12, 2025 to consider and levy the assessments against individual properties. (File No. J2506R, Assessment No. 258509) Adopted
5	RES 24-1472	Approving the City's cost of providing Tall Grass and Weed Removal services during July 29 to 30, 2024, and setting date of Legislative Hearing for November 19, 2024 and City Council public hearing for February 12, 2025 to consider and levy the assessments against individual properties. (File No. J2505T Assessment No. 258510) Adopted
6	RES 24-1501	Authorizing a call for redemption of General Obligation Tax Increment Refunding Bonds (Koch/Mobil Project), Series 2010A and terminating the related Tax Increment Pledge Agreement. Adopted
7	RES 24-1519	Approving the use of grant funds through the Ward 3 Neighborhood STAR Year-Round Program for Monument Trail, LLC. Adopted
8	RES 24-1529	Approving the application for change of ownership to the Recycling Processing Center license now held by E-Z Recycling Center LLC d/b/a E-Z Recycling Center LLC (License ID #20240000918) for the premises located at 875 Prior Avenue North. Adopted
9	RES 24-1535	Approving the Phalen Creek Daylighting Development Agreement.

		Adopted
10	RES 24-1544	Approving the application for change of ownership to the Gas Station, Tobacco Shop and Malt Off Sale license now held by Ikesgas Inc d/b/a Speedy Market (License ID #20240001530) for the premises located at 589 Dale Street North.
		Adopted
11	RES 24-1546	Authorizing the Department of Parks and Recreation to accept a donation in the amount of \$850 from the Northwest Como Booster Club to be used for supplies for the Northwest Como Halloween Bonfire. Adopted
12	RES 24-1547	Authorizing the Department of Parks and Recreation to accept a donation in the amount of \$2,150 from the Northwest Como Booster Club. Adopted
13	RES 24-1555	Approving the use of grant funds through the Ward 6 Neighborhood Star Year-Round program for Elite Care Chiropractic P.A. and HerizonOne. Adopted
14	RES 24-1557	Approving the application for change of ownership to the Tobacco Shop license now held by YA Bricks Snacks & Tobacco LLC d/b/a YA Bricks Snacks & Tobacco (License ID #20240001734) for the premises located at 879 Fremont Ave. Adopted
15	RES 24-1560	Authorizing use of a Project Labor Agreement (PLA) for the rehabilitation of the Mary Hall building located at 438 Dorothy Day Place (District 17, Ward 2). Adopted
16	RES 24-1569	Accepting the gift from Allianz Field for rental space expenses for a community event. Adopted
17	RES 24-1400	Approving the May 1, 2024 - April 30, 2027 Maintenance Labor Agreement between the City and the United Association of Plumbers, Local 34 and Sprinkler Fitters, Local Union No. 417. Adopted
18	RES 24-1504	Approving the Memorandum of Agreement between the City and AFSCME Council 5, Technical - Local 1842 for the purpose of regrading the classifications of DSI Fire Safety Inspector II and DSI Fire Safety Inspector III. Adopted

19 RES 24-1511

Approving the Memorandum of Agreement between the City and Operating Engineers Local 49 in order to provide preferred license premium pay for Heavy Equipment Operators in the Saint Paul Regional Water Services.

Adopted

FOR DISCUSSION

20 RES 24-1521 Declaring Youth Civic Engagement Day in the City of Saint Paul.

Councilmember Bowie gave an introduction.

Two students gave remarks.

Bowie moved approval.

Councilmember Noecker spoke in support.

Councilmember Yang spoke in support.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang,
Councilmember Kim, Councilmember Bowie, Councilmember Jost and
Councilmember Johnson

Nay: 0

21 RES 24-1572

Pursuant to Minn. Stat. 410.12, subd. 7, seeking a recommendation from the Charter Commission to amend Chapter 6.03 of the City Charter by ordinance pertaining to the application of Administrative Citations for violation of City ordinances.

Jon Grebner, Deputy Chief of Staff in the Mayor's Office, gave a staff report.

Councilmember Jost spoke in support.

Councilmember Kim spoke in support.

Council President Jalali spoke in support and moved approval.

Adopted

Yea: 7 -

Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost and Councilmember Johnson

Nay: 0

22 RES 24-1420

Accepting the Department Efficiency and Collaboration Study between Parks and Recreation and the Public Library Report conducted by Wilder Research.

Councilmember Noecker gave an introduction.

Heather Brit from the Wilder Foundation gave a staff report and answered councilmember questions.

Noecker moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang,

Councilmember Kim, Councilmember Bowie, Councilmember Jost and

Councilmember Johnson

Nay: 0

ORDINANCES

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

First Reading

23 Ord 24-32

Amending the gas and electric franchises granted by the City to Northern States Power Company, a Minnesota corporation ("Company").

Russ Stark, Chief Resilience Officer in the Mayor's Office, gave a staff report and answered councilmember questions.

Laid over to November 6, 2024 for Second Reading

PUBLIC HEARINGS

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

24 Ord 24-27

Amending Title XXIII of the Legislative Code to add Chapter 224A titled Wage Theft.

Saben De Smit from the North Central States Regional Council of Carpenters spoke during the public hearing.

Mowlid Mohamed from ISAIAH spoke during the public hearing.

Rick Varco from SEIU Healthcare spoke during the public hearing.

Tristan Scoglund spoke during the public hearing.

Sheigh Freeberg from UniteHere spoke during the public hearing.

Leah Van Dassor from the St. Paul Federation of Educators spoke during the public hearing.

Zach Thoemke from the Painters Union spoke during the public hearing.

Kera Peterson from the St. Paul Regional Labor Federation spoke during the public hearing.

David Kroger from the Painters Union spoke during the public hearing.

Nate Gurol spoke during the public hearing.

Nick Petrucelle from the Ironworkers spoke during the public hearing.

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

Councilmember Noecker spoke in support.

Councilmember Johnson spoke in support.

Councilmember Yang spoke in support.

Councilmember Bowie spoke in support.

Council President Jalali spoke in support.

Laid over to November 6, 2024 for Final Adoption

25 RES PH 24-243

Establishing a financing and spending plan in the Department of Parks and Recreation in the amount of \$482,510.25 to reflect funds received from Ramsey County for the Hidden Falls Drive Reconstruction project (and entering into a cooperative agreement).

Councilmember Jost moved approval.

Adopted

Yea: 7 -

Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost and Councilmember Johnson

Nay: 0

26 RES PH 24-255

Authorizing the Department of Parks and Recreation to accept tree planting grant funds, enter into a grant agreement, and amend the financing and spending plan in the amount of \$90,749.

Councilmember Kim moved approval.

Adopted

Yea: 7 -

 Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost and Councilmember Johnson

Nay: 0

27 RES PH 24-260

Approving the application of Anderson Race Management for a sound level variance in order to present amplified sound on November 2, 2024 at Harriet Island - 200 Dr Justus Ohage Blvd.

Councilmember Johnson moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost and

Councilmember Johnson

Nay: 0

28 RES PH 24-261

Amending the 2024 Regional Water Services budget resulting in an increase of spending and financing of \$60,000 for postage fees.

Councilmember Yang moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang,
Councilmember Kim, Councilmember Bowie, Councilmember Jost and
Councilmember Johnson

Nay: 0

29 RES PH 24-262

Authorizing the Office of Neighborhood Safety to enter into a Joint Powers Agreement with Ramsey County to accept a federal grant subaward to fund outreach to Familiar Faces clients and partial staffing costs of a stabilization center for short-term housing of Familiar Faces clients, and to amend the budget of the Office of Neighborhood Safety accordingly.

Councilmember Bowie moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost and

Councilmember Johnson

Nay: 0

LEGISLATIVE HEARING DISCUSSION ITEMS

37 RLH VBR 24-63

Appeal of Francis Crowley to a Vacant Building Registration Fee Warning Letter at 912 FRY STREET.

Appeal denied.

Francis Crowley, owner, appeared by phone

Marcia Moermond, Legislative Hearing Officer: This is a single-family rental home that had a fire on March 1, causing it to be referred to the Vacant Building Program. The Department of Safety and Inspections (DSI) provided two additional vacant building fee waivers to extend the waiver period through September 17, and then sent a Vacant Building Registration letter after 6.5 months. We are now 7.5 months in. This is an appeal for the fee, not an assessment. The owner wants consideration for payment options. Council can only do that during the assessment process. Council can look at reduction or payment over time during the assessment process if that is appealed. The owner indicated there was a slowdown in the work due to theft.

Francis Crowley: After the fire, I tried doing the work myself. I had two knowledgeable

guys who were going to start right away but then in June or July we had delays. Some boards needed to be taken off. Their truck with their tools was also stolen twice. They are working now and will probably finish this week. Damage is all exterior except for the smoke...

Council President Jalali: What is your ask?

Crowley: To remove or reduce the fine.

Councilmember Jost moved to close the public hearing. Approved 5-0.

Jalali: I didn't hear anything in his testimony that would justify not imposing the cost. My inclination is to not grant that request.

Councilmember Kim: Could you restate your recommendation?

Moermond: Deny the appeal. It is fire damaged and uninhabitable. Right now it's just the matter of: Does it belong in the Vacant Building Program? It does. Should there be a fee? Yes. Reduction can come during the assessment process.

Kim: I am taking the lead on this in Councilmember Bowie's absence. She is supportive of Moermond's recommendation and I move approval.

Adopted

Yea: 5 - Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Jost and Councilmember Johnson

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Bowie

39 RLH SAO 24-71

Making finding on the appealed of Ray Krueger to a nuisance abatement ordered for 327 MAPLE STREET in Council File RLH CO 24-7.

Laid over for two weeks to allow City staff to check on progress.

Ray Krueger, owner, appeared by phone

Marcia Moermond, Legislative Hearing Officer: Council heard the appeal on this a few weeks ago. There were 3 orders: A summary abatement order (SAO) related to the yard, a vehicle abatement order (VAO) related to undrivable vehicles on unapproved surfaces, and a correction order (CO) related to needed fixes on the house. Council granted to October 11, 2024 on the SAO, the VAO, and the repair of the back steps listed in the CO. Council granted to Oct 1, 2025 on the remainder of the CO. A lot is not done. Photos shown on screen from when the order was written show conditions at that time and then again on October 15. The son left a Legislative Hearing to put plates on a car. Still, the back of the car shows it sitting on dirt, an unapproved surface. It's also not clear if it was running on its own, as an extension cord was seen connected to the car when inspectors were out there. The back porch is not fixed. There is piled scrapwood. There are also lots of items in front that shouldn't be there. The owner thinks he should be allowed to keep all materials outside while doing repairs. The problem is that the scrapwood seen cannot be used for that purposes, in my opinion. My recommendation is council find that SAO and VAO are not complied with, and authorize the Department of Safety and Inspections (DSI) to abate the nuisance.

Ray Krueger: The vehicle in question might have questionable body work but it does start on its own. Seeing it getting charged is not evidence it doesn't work. One thing she was going to get back to me about is that this parking drive has been here since before I was born. Also, the car is entirely on the pavers. The driveway has never led to a garage, and I was supposed to be gotten back to on if that is allowed in a grandfathering-in circumstance.

Council President Jalali: What is your ask?

Krueger: The car is fine, the lumber is put away, a railing is up on the back steps and treads are in place. What I want to address is how this originated. I've been asking that since the beginning. English common law, Roman comman law, and the 6th amendment...

Jalali: We aren't going to go there. You are out of time.

Johnson moved to close the public hearing. Approved 6-0.

Johnson: I reviewed the Legislative Hearing minutes and appreciate that background information. How has the car been checked for operability? Krueger said it is now operable.

Moermond: I don't know if staff confirmed that. They were out on October 15 and it was still on an unapproved surface without plates.

Johnson: Krueger said the lumber is put away. There's more than just lumber, right? What else needed to be put away.

Moermond: An October 15 photo shows wet lumber and trim pieces. Some wood pieces have been nailed many times. This does not appear to be repair lumber but rather scrap taken from the side of the house. Wood also needs to be stored properly.

Johnson: I move a two week layover for staff to go check. I know there are safety concerns with this owner and I encourage them to treat City staff respectfully.

Public hearing closed and laid over to November 6, 2024

Yea: 6 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Jost and Councilmember Johnson

Nay: 0

Absent: 1 - Councilmember Bowie

41 RLH RR 23-31

Ordering the rehabilitation or razing and removal of the structures at 455 ROBERT STREET SOUTH within fifteen (15) days after the August 2, 2023, City Council Public Hearing. (October 22, 2024 Legislative Hearing)

Removal ordered within 15 days.

Tom Radio, attorney o/b/o owner, appeared in person

Marcia Moermond, Legislative Hearing Officer: When last you heard this in early September, you indicated that in order for there to be continued conversation past today, there needed to be a nuisance abatement plan implemented. That plan included a fence, alarm system, cameras, and lighting. These items also meant the side needed to be electrified. None of these things are done. The owner has bids and there has not been resolution between seller and buyer about who is financially responsible for these items. Without resolution, I recommend removal in 15 days.

Radio: I am asking for a 2 week layover to work out an agreement on the \$36,000 abatement plan. If we can't agree, we will seek other buyers. If the building is razed, it becomes less marketable and an impediment to redevelopment. Removal is a step backward.

Council President Jalali: Two weeks to do what?

Radio: To finalize a purchase agreement and enter into a contract on these enhancements, so work can move ahead.

Councilmember Noecker moved to close the public hearing. Approved 6-0.

Noecker: I was willing to grant some time a month ago and none of the conditions are met. I move Moermond's recommendation.

Adopted as amended (remove only)

Yea: 6 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Jost and Councilmember Johnson

Nay: 0

Absent: 1 - Councilmember Bowie

44 RLH VBR 24-64

Appeal of Sharon Lee Anderson to a Vacant Building Registration Requirement at 697 SURREY AVENUE.

Appeal denied.

Sharon Anderson, owner and appellant, appeared by phone Lauren Lightner Ross, social worker for appellant, appeared by phone

Marcia Moermond, Legislative Hearing Officer: This was referred to the Vacant Building Program after a condemnation and order to vacate. The condemnation order was not appealed. The condemnation was established and the Vacant Building Registration comes from information obtained there. I found that photos corroborated the statements in the condemnation report. It indicates gross unsanitary conditions, hoarded conditions creating a fire hazard, lack of maintenance, overwhelming smell of cat urine, very small walking paths, questionable plumbing and water hookups, and the area around the structure being in bad condition. You can see photos on the screen in front of you, including an aerial view showing the roof, which was called out for being in bad repair. The photos were taken by a police officer who was doing several welfare checks and shared the photos with the Department of Safety of Inspections (DSI). DSI staff did not enter. The appellant says they shouldn't be in the Vacant Building Program because there are possessions inside and the property is owned outright. The issue is this property still falls within the definition of a vacant building, according to City code. Conditions call for it being a Category 2 Vacant Building, and it will need an inspection report and rehabilitation to be lived in again.

Council President Jalali: Your recommendation is to not grant the appeal?

Moermond: My recommendation is to deny the appeal.

Lauren Lightner Ross: Sharon is asking that I as her social worker state what she's asking for. She feels that it should go to district court because the warrant was signed by a district court judge that removed her from her home.

Sharon Anderson: I am the owner and also a candidate for the State House of Representatives in District 67b. Councilmember Johnson needs to investigate the warrant that was signed by the district court judge, which states that there is probable cause that a crime was committed.

Jalali: You need to stick to the topic of the public hearing which is the matter of the Vacant Building Registration.

Anderson: The warrant was null and nullified the condemnation, which was never properly served. I'm in the hospital. You better get your ducks in a row. The warrant must go to the judge. No matter how you rule, we are appealing that to the judge. Moermond has been served in a PDF format. The warrant, our objections, and she is recklessly disregarding her subject matter jurisdiction. The constitutionality of a warrant that would negate any condemnation or Vacant Building Registration. Therefore, I'm the owner, I've been in the hospital for 30 days. I think Councilmember Noecker better visit me at the Highland Chateau to get this resolved. The 5th amendment, the taking clause. The 8th amendment, cruel and unusual punishment...

Jalali: We understand your request.

Councilmember Johnson moved to close the public hearing. Approved 5-0.

Johnson: I don't find any reason to not move forward with Moermond's recommendation. I move approval.

Adopted

Yea: 5 - Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Jost and Councilmember Johnson

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Bowie

LEGISLATIVE HEARING CONSENT AGENDA

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

Approval of the Consent Agenda

Councilmember Yang moved approval.

A motion was made by Councilmember Yang to Approve the Consent Agenda The motion carried by the following vote:

Yea: 5 - Councilmember Jalali, Councilmember Yang, Councilmember Kim, Councilmember Jost and Councilmember Johnson

		Nay: 0
	Α	bsent: 2 - Councilmember Noecker and Councilmember Bowie
30	RLH RSA 24-7	Appeal of Daniel Oberhauser, tenant, to a Rent Stabilization Determination at 296 BATES AVENUE, UNIT 8.
		Adopted
31	RLH RSA 24-8	Appeal of Jorge Sosa, tenant, to a Rent Stabilization Determination at 296 BATES AVENUE, UNIT 9.
		Adopted
32	RLH VBR 24-61	Appeal of Lee Yang, Yangs Invest LLC, to a Vacant Building Registration Fee Warning Letter at 933 BEECH STREET.
		Adopted
33	RLH SAO 24-74	Making finding on the appealed of Kelly Sater to a nuisance abatement ordered for 1240 BLAIR AVENUE in Council File RLH SAO 24-65.
		Adopted
34	RLH SAO 24-75	Making finding on the appealed of Greg Gustafson to a nuisance abatement ordered for 1244 BLAIR AVENUE in Council File RLH SAO 24-64.
		Adopted
35	RLH VBR 24-62	Appeal of Dinh Thong to a Vacant Building Registration Notice at 899 BURR STREET.
		Adopted
36	RLH SAO 24-72	Making finding on the appealed of Karen Nowak to a nuisance abatement ordered for 121 CURTICE STREET EAST in Council File RLH SAO 24-62. Adopted
38	RLH SAO 24-76	Making finding on the appealed nuisance abatement ordered for 1746 LINCOLN AVENUE in Council File RLH SAO 24-50. Adopted
40	RLH CO 24-10	Appeal of Jerry Brashier to a Correction Notice at 511 MINNEHAHA AVENUE EAST.
		Amended and public hearing continued to November 13, 2024
42	RLH RR 24-37	Second Making finding on the appealed substantial abatement ordered for 401 ROSE AVENUE EAST in Council File RLH RR 24-11.
		Adopted as amended (granted 180 days)

43	RLH RR 24-40	Third Making finding on the appealed substantial abatement ordered for 346 SHERBURNE AVENUE in Council File RLH RR 24-4. Adopted as amended
45	RLH CO 24-8	Appeal of Thomas Nelson & Ranettia Alexander-Nelson to a Correction Notice at 493 VAN BUREN AVENUE. (Public hearing continued to November 13, 2024) Public hearing continued to November 13, 2024

ADJOURNMENT

Meeting ended at 5:35 PM

City Council meetings are open for in person attendance, but the public may also comment on public hearing items in writing or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the meeting will be attached to the public record and available for review by the City Council. Comments may be submitted as follows:

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Written public comment on public hearing items can be submitted to Contact-Council@ci.stpaul.mn.us, CouncilHearing@ci.stpaul.mn.us, or by voicemail at 651-266-6805. Live testimony will be taken in person in the Council Chambers, and by telephone by registering to speak by noon on the day before the meeting. The registration link is located on the City Council website at www.stpaul.gov/council or https://forms.office.com/g/TD3xN7WHy5.

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City of Saint Paul