



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

Wednesday, September 2, 2020

3:30 PM

Council Chambers - 3rd Floor

Please see below for new meeting guidelines due to the COVID-19 health pandemic emergency.

ROLL CALL

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

Councilmember Tolbert led Council members in the Pledge of Allegiance. Afterward, he said it would be appropriate to take a moment of silence for the firefighters that have lost their life this year.

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

Council members observed a moment of silence to honor three fire fighters who had recently passed away.

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 20-52](#) Letter from the Department of Safety and Inspections declaring 854 Edmund Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed

- 2 [CO 20-53](#) Mayor's Emergency Executive Orders 20-21 and 20-22.
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

Item 3 was removed from the Consent Agenda for separate consideration.

Councilmember Thao moved approval of the Consent Agenda.

Adopted Consent Agenda

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

Nay: 0

- 4** [RES 20-1093](#) Approving the City's cost of providing Replacement of Lead Water Service Line on Private Properties during April to June 2020, and setting date of City Council public hearing for October 7, 2020 to consider and levy the assessments against individual properties. (File No. 2005LDSRP, Assessment No. 204004)
- Adopted**
- 5** [RES 20-1094](#) Approving the City's cost of providing Replacement of Sanitary Sewer Line on Private Properties during April to June 2020, and setting date of City Council public hearing for October 7, 2020 to consider and levy the assessments against individual properties. (File No. SWRP2004, Assessment No. 203003)
- Adopted**
- 6** [RES 20-1095](#) Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property during March 2020 at 1008 Portland Avenue, and setting date of City Council public hearing for October 7, 2020 to consider and levy the assessments. (File No. 2003LDSRP1, Assessment No. 204005)
- Adopted**
- 7** [RES 20-1096](#) Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during December 24, 2019 to May 18, 2020, and setting date of Legislative Hearing for October 6, 2020 and City Council public hearing for January 13, 2021 to consider and levy the assessments against individual properties. (File No. VB2101, Assessment No. 218800)
- Adopted**
- 8** [RES 20-1097](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during June 2020, and setting date of Legislative Hearing for October 6, 2020 and City Council public hearing for January 13, 2021 to consider and

levy the assessments against individual properties. (File No. J2101B, Assessment No. 218100)

Adopted

- 9 [RES 20-1098](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during April 21 to May 15, 2020, and setting date of Legislative Hearing for October 6, 2020 and City Council public hearing for January 13, 2021 to consider and levy the assessments against individual properties. (File No. CRT2101, Assessment No. 218200)

Adopted

- 10 [RES 20-1099](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during April 22 to May 21, 2020, and setting date of Legislative Hearing for October 6, 2020 and City Council public hearing for January 13, 2021 to consider and levy the assessments against individual properties. (File No. J2101E, Assessment No. 218400)

Adopted

- 11 [RES 20-1100](#) Approving the City's cost of providing Graffiti Removal services during May 21 to July 2, 2020, and setting date of Legislative Hearing for October 6, 2020 and City Council Public Hearing for January 13, 2021 to consider and levy the assessments against individual properties. (File No. J2101P, Assessment No. 218400)

Adopted

- 12 [RES 20-1125](#) Approving the City's cost of providing Demolition services during January to July 2020, and setting date of Legislative Hearing for September 15, 2020 and City Council public hearing for January 13, 2021 to consider and levy the assessments against individual properties. (File No. J2101C, Assessment No. 212000)

Adopted

- 13 [RES 20-1192](#) Authorizing the Fire Department to enter into an agreement with Park Nicollet Methodist Hospital for EMTs to provide COVID-19 testing for residents as part of the Mayor's Community Fire Public Safety Initiative.

Adopted

- 14 [RES 20-1200](#) Authorizing the Saint Paul VISTA Program to accept a grant from the Corporation for National and Community Services.

Adopted

- 15 [RES 20-1202](#) Approving the expenditure of program dollars on housing expenses for Zoe Burnside and Jaime Aguilar, returning VISTA members of Saint Paul's VISTA Program, in an amount not to exceed \$7,200.

Adopted

- 16 [RES 20-1203](#) Authorizing the appropriate City officials to enter into Memorandums of Understanding with participating VISTA Sites.
Adopted
- 17 [RES 20-1148](#) Authorizing the Department of Parks and Recreation to enter into a one-year management agreement (with a potential two-year extension) with Be Graceful Bakery and Catering, LLC to operate food and beverage concessions at four Parks and Recreation aquatic facilities.
Adopted
- 18 [RES 20-1141](#) Approving the FY2020 Neighborhood Sales Tax Revitalization Loan and Grant Awards.
Adopted
- 19 [RES 20-1173](#) Authorizing the Police Department to accept a gift in the amount of \$770.51 from the Saint Paul Police K-9 Foundation.
Adopted
- 20 [RES 20-1186](#) Approving the Amendment to the A Community Outreach Program Agreement for Police Services for the Public Housing Agency.
Adopted

FOR DISCUSSION

- 3 [RES 20-1205](#) Supporting the United States Postal Service.
- Councilmember Prince introduced Aaron Young, president of the Twin Cities American Postal Workers, Local 7019.*
- Mr. Young spoke.*
- Councilmembers spoke.*
- Councilmember Prince moved approval of the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- 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

- 21** [Ord 20-11](#) Amending the Appendix to Chapter 409 of the Legislative Code pursuant to Section 17.07.1 of the Charter, and Section 409.20 of the Legislative Code to create an additional Commercial Development District at 974 7th Street West.
- Councilmember Noecker moved final adoption of the ordinance.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 22** [Ord 20-25](#) Amending the Appendix to Chapter 409 of the Legislative Code Pursuant to Section 17.07.1 of the Charter, and Section 409.20 of the Legislative Code to expand the Commercial Development District at 1 Leech Street to include 200 Grand Avenue.
- Councilmember Noecker moved final adoption of the ordinance.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0
- 23** [Ord 20-26](#) Granting the application of Houa Vang and Yia Thao to rezone property at 1428 East 7th Street from split RM1/RM2 to all RM2 Medium-Density Multiple-Family Residential, and amending Chapter 60 of the Legislative Code pertaining to the Zoning Map.
- Councilmember Prince made brief comments and moved final adoption of the ordinance.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang
- Nay:** 0

- 24 [Ord 20-27](#) Granting the application of Chet Funk et al. to rezone property at 1074 to 1096 James Avenue from R4 One-Family Residential to RM2 Medium-Density Multiple-Family Residential, and amending Chapter 60 of the Legislative Code pertaining to the Zoning Map.

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

Adopted

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

Nay: 0

Second Reading

- 25 [Ord 20-31](#) Creating Chapter 142 of the Legislative Code (Title XII) pertaining to a Special Service District in Downtown. (Public hearing to be continued to September 16.)
Laid Over to Third Reading/Public Hearing

First Reading

- 26 [Ord 20-30](#) Amending Chapter 66 of the Legislative Code pertaining to residential standards in planning districts 14 and 15.

Laid Over to Second Reading

PUBLIC HEARINGS

- 27 [Ord 20-28](#) Amending Legislative Code Chapters 60, 63, and 66 pertaining to the RM zoning districts.

Bill Dermody, Planning and Economic Development, gave a staff report and answered questions from council members.

Councilmembers commented.

Testimony received was available for Council members to review online.

Councilmember Jalali moved to close the public hearing.

Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption

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

Nay: 0

SUSPENSION ITEM

Councilmember Tolbert moved suspension of the rules.

Rules Suspended

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

Nay: 0

[RLH AR 20-114](#)

Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2020. (File No. CG2002E1, Assessment No. 200136)

Marcia Moermond, Legislative Hearing Officer, said the assessment roll was missed in publication of the agenda, but was noticed for today. She asked that the Council consider it, and continue the public hearing to September 9.

Any testimony received was available for Council members to review online.

Councilmember Prince moved to continue the public hearing to September 9.

Continue Public Hearing

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

Nay: 0

Councilmember Noecker moved suspension of the rules.

Rules Suspended

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

Nay: 0

[RES 20-1244](#)

Approving a waiver of the 45-day notice requirement to issue Liquor On Sale-101-180 seats, Liquor On Sale- Sunday, Liquor- Outdoor Service Area (patio), and Entertainment (A) licenses with conditions to Elotes Woodfired Grill LLC, d/b/a Elotes Woodfired Cantina (License ID #20200001932) at 928 7th Street West.

Councilmember Noecker moved approval of the resolution.

Adopted

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

Nay: 0

LEGISLATIVE HEARING ITEMS

Approval of the Consent Agenda

Any testimony received was available for Councilmembers to review online.

Councilmember Thao moved to close the public hearing and adopt the items.

Adopted Consent Agenda

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

Nay: 0

- 28** [RLH TA 20-473](#) Deleting the Appealed Special Tax Assessment for property at 96 ATWATER STREET. (File No. CG2002D3, Assessment No. 200128)
Adopted
- 29** [RLH TA 20-514](#) Deleting the Appealed Special Tax Assessment for property at 456 BLAIR AVENUE. (File No. CG2002E3, Assessment No. 200138)
Adopted
- 30** [RLH TA 20-513](#) Ratifying the Appealed Special Tax Assessment for property at 706 BLAIR AVENUE. (File No. CG2002E3, Assessment No. 200138)
Adopted
- 31** [RLH TA 20-506](#) Ratifying the Appealed Special Tax Assessment for property at 1482 BLAIR AVENUE. (File No. CG2002E1, Assessment No. 200136)
Adopted
- 33** [RLH TA 20-491](#) Ratifying the Appealed Special Tax Assessment for property at 236 CHARLES AVENUE. (File No. CG2002E3, Assessment No. 200138)
Adopted
- 34** [RLH TA 20-516](#) Ratifying the Appealed Special Tax Assessment for property at 995 CROMWELL AVENUE. (File No. CG2002D3, Assessment No. 200128)
Adopted
- 35** [RLH SAO 20-10](#) Appeal of Michelle Pettit de Dimayuga to a Summary Abatement Order at 199 DUKE STREET.
Adopted
- 36** [RLH TA 20-472](#) Deleting the Appealed Special Tax Assessment for property at 913 EARL STREET. (File No. CG2002D1, Assessment No. 200132)

Adopted

- 37 [RLH TA 20-476](#) Deleting the Appealed Special Tax Assessment for property at 1188 EDGERTON STREET. (File No. CG2002D1, Assessment No. 200132)
Adopted
- 38 [RLH TA 20-479](#) Deleting the Appealed Special Tax Assessment for property at 2329 ELLIS AVENUE. (File No. CG2002D3, Assessment No. 200128)
Adopted
- 39 [RLH TA 20-492](#) Deleting the Appealed Special Tax Assessment for property at 687 FIFTH STREET EAST. (File No. CG2002D3, Assessment No. 200128)
Adopted
- 40 [RLH TA 20-499](#) Deleting the Appealed Special Tax Assessment for property at 687 FIFTH STREET EAST. (File No. CG2001D3-1, Assessment No. 200155)
Adopted
- 41 [RLH TA 20-471](#) Ratifying the Appealed Special Tax Assessment for property at 1225 FOURTH STREET EAST. (File No. CG2002D3, Assessment No. 200128)

Adopted
- 42 [RLH TA 20-518](#) Deleting the Appealed Special Tax Assessment for property at 115 GERANIUM AVENUE EAST. (File No. CG2002D3, Assessment No. 200128)
Adopted
- 43 [RLH TA 20-470](#) Ratifying the Appealed Special Tax Assessment for property at 661 GERANIUM AVENUE EAST. (File No. CG2002D1, Assessment No. 200132)
Adopted
- 44 [RLH TA 20-465](#) Deleting the Appealed Special Tax Assessment for property at 967 GERANIUM AVENUE EAST. (File No. CG2002D1, Assessment No. 200132)
Adopted
- 45 [RLH SAO 20-15](#) Appeal of Joe Sansotta to a Summary Abatement Order at 400 HATCH AVENUE.
Adopted
- 46 [RLH TA 20-464](#) Ratifying the Appealed Special Tax Assessment for property at 1122 JACKSON STREET. (File No. CG2002D3, Assessment No. 200128)
Adopted
- 47 [RLH TA 20-478](#) Deleting the Appealed Special Tax Assessment for property at 115 JESSAMINE AVENUE WEST. (File No. CG2002D3, Assessment No. 200128)

Adopted
- 48 [RLH TA 20-351](#) Deleting the Appealed Special Tax Assessment for property at 1058 JESSIE STREET. (File No. CG2002D1, Assessment No. 200132)

Adopted

- 49 [RLH TA 20-349](#) Ratifying the Appealed Special Tax Assessment for property at 870 LAFOND AVENUE. (File No. CG2002E3, Assessment No. 200138)
Adopted
- 50 [RLH TA 20-481](#) Ratifying the Appealed Special Tax Assessment for property at 903 LAWSON AVENUE EAST. (File No. CG2002D1, Assessment No. 200132)
Adopted
- 51 [RLH TA 20-474](#) Deleting the Appealed Special Tax Assessment for property at 1028 LAWSON AVENUE EAST. (File No. CG2002D1, Assessment No. 200132)
Adopted
- 52 [RLH TA 20-490](#) Ratifying the Appealed Special Tax Assessment for property at 152 MARIA AVENUE. (File No. CG2002E1, Assessment No. 200136)
Adopted
- 53 [RLH FCO 20-98](#) Appeal of Cheryl Golden-Black to a Fire Certificate of Occupancy Approval with Corrections at 905 MARYLAND AVENUE EAST.
Adopted
- 54 [RLH TA 20-350](#) Ratifying the Appealed Special Tax Assessment for property at 1088 PACIFIC STREET. (File No. CG2002E1, Assessment No. 200136)
Adopted
- 56 [RLH TA 20-466](#) Deleting the Appealed Special Tax Assessment for property at 1033 REANEY AVENUE. (File No. CG2002D1, Assessment No. 200132)
Adopted
- 57 [RLH RR 20-35](#) Referring 1179 SEVENTH STREET EAST to Legislative Hearing for review of a potential stay of demolition.
Adopted
- 58 [RLH FCO 20-104](#) Appeal of Kodjo Alagbo, Sunrise Grocery, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 440 UNIVERSITY AVENUE WEST.
Adopted
- 59 [RLH TA 20-528](#) Ratifying the Appealed Special Tax Assessment for property at 665 VIRGINIA STREET. (File No. CG2002E3, Assessment No. 200138)
Adopted

Any testimony received was available for Councilmembers to review online.

Councilmember Yang moved to close the public hearing and adopt the item as

amended.

- 55** [RLH TA 20-519](#) Ratifying the Appealed Special Tax Assessment for property at 1106/1108/1110 PAYNE AVENUE. (File No. VB2011, Assessment No. 208813) (Public hearing continued from August 19)

Adopted As Amended

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

Nay: 0

Council President Brendmoen asked for a brief staff report.

Legislative Hearing Officer Marcia Moermond said this was an appeal of a denial of a request for a fence variance. The appellant had requested a three-foot variance to allow for a 10-foot fence on a residential property. Ms. Moermond said her recommendation was that the Council grant a 1-foot variance because of the terrain, which would allow for an 8-foot fence. She noted that was the maximum allowed in commercial districts.

Testimony received was available for Councilmembers to review online.

Council President Brendmoen moved to close the public hearing and adopt the resolution.

- 32** [RLH OA 20-7](#) Appeal of Heather Appert to a denial of a Request for Fence Variance at 1055 BRADLEY STREET.

Adopted

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

Nay: 0

Approval of the Consent Agenda

Legislative Hearing Officer Marcia Moermond said e-mail testimony had just been received related to an address on the assessment roll in Item 60. She asked that Item 60 be amended to refer 1057 Rose Avenue East back to Legislative Hearing on October 15.

Any testimony received was available for Councilmembers for review online.

Councilmember Jalali moved to close the public hearing and adopt Ms. Moermond's recommendations.

Adopted Consent Agenda

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

Nay: 0

- 60 [RLH AR 20-112](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2020. (File No. CG2002D1, Assessment No. 200132)

Adopted As Amended

- 61 [RLH AR 20-113](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2020. (File No. CG2002D3, Assessment No. 200134)

Adopted

- 62 [RLH AR 20-115](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during January to March 2020. (File No. CG2002E3, Assessment No. 200138)

Adopted

Councilmembers shared information about events in their wards.

ADJOURNMENT

Council President Brendmoen adjourned the meeting.

Adjourned

In-person meetings, or meetings conducted under Minn. Stat. § 13D.02 of the City Council, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the City Council will participate in City Council meetings by telephone or other electronic means.

Public attendance at the City Council's regular meeting location is not feasible due to the COVID-19 health pandemic. Members of the public may view City Council meetings online at stpaul.legistar.com/Calendar.aspx or on local cable Channel 18.

The public may 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:

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.

While the Council will make best efforts to decide all issues before them, the Council may delay decisions on certain matters where the members believe meeting in-person is necessary. All City Council public hearings will be held at 3:30 p.m. and there will be no separate 5:30 p.m. public hearings. More information is available at www.stpaul.gov/departments/city-council

Council Meeting Information

The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Council members use mobile devices to review the files during the meeting. Using a mobile device greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released minutes, agendas, and meetings are available by subscription. Visit www.stpaul.gov/council for meeting videos and updated copies of the agendas, minutes, and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed at various times. Check your local listings.