City of Saint Paul

Meeting Minutes

City Council

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

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

Wednesday, September 4, 2024 **3:30 PM** **Council Chambers - 3rd Floor**

ROLL CALL

Meeting started at 3:30 PM

Present 4 - Councilmember Rebecca Noecker, Councilmember Mitra Jalali, Councilmember Nelsie Yang and Councilmember Saura Jost

Absent 3 - Councilmember HwaJeong Kim, Councilmember Anika Bowie and Councilmember Cheniqua Johnson

COMMUNICATIONS & RECEIVE/FILE

1 AO 24-60 Amending ESG project budgets: Reallocating funding for the 2022-23 Emergency Solutions Grant activities administered by Ramsey County per the Joint Powers Agreement approved via RES 19-2110.

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

Councilmember Yang moved approval.

Consent Agenda adopted

Yea: 4 - Councilmember Noecker, Councilmember Jalali, Councilmember Yang and Councilmember Jost

Nay: 0

Absent: 3 - Councilmember Kim, Councilmember Bowie and Councilmember Johnson

2 RES 24-1155 Approving assessment costs and setting date of City Council public hearing to ratify the assessments for Annapolis Street from Humboldt Avenue to Robert Street (Phase I, Part B) paving and lighting project constructed as part of the

2023 St. Paul Street Paving Program (SPS). (File No. 19249B, Assessment No. 245201)

Adopted

3 RES 24-1159 Approving assessment costs and setting date of City Council public hearing to ratify the assessments for Annapolis Street from Robert Street to Kansas Avenue (Phase II) paving and lighting project constructed as part of the 2024 St. Paul Street Paving Program (SPS). (File No. 19250, Assessment No. 245202)

Adopted

4 RES 24-1181 Approving the City's cost of providing Collection of Vacant Building Registration fees billed during June 20, 2023 to April 22, 2024, and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. VB2502, Assessment No. 258801)

Adopted

5 RES 24-1182 Approving the City's cost of providing Securing and/or Emergency Boarding services during May 2024, and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. J2502B, Assessment No. 258101)

Adopted

6 RES 24-1183 Approving the City's cost of providing Demolition services from January to June 2024, and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. J2501C, Assessment No. 259000)

Adopted

7 RES 24-1184 Approving the City's cost of providing Demolition services from February to March 2024 (C.D.B.G. Funds), and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. J2502C, Assessment No. 259001)

Adopted

8 RES 24-1185 Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during April 26 to May 23, 2024 and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. CRT2502, Assessment No. 258201)

Adopted

9 RES 24-1186 Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during March 22 to April 19, 2024 and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. J2502E, Assessment No. 258301)

Adopted

10 RES 24-1187 Approving the City's cost of providing Graffiti Removal services during April 3 to June 11, 2024 and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. J2502P, Assessment No. 258501)

Adopted

11 RES 24-1188 Approving the City's cost of providing Towing of Abandoned Vehicle(s) services during January to May 2024 and setting date of Legislative Hearing for October 1, 2024 and City Council public hearing for January 22, 2025 to consider and levy the assessments against individual properties. (File No. J2501V, Assessment No. 258000)

Adopted

12 RES 24-1261 Authorizing the Horticulture Section at the Marjorie McNeely Conservatory to apply for a grant of up to $400 from the Mid-America Orchid Congress and, if awarded, accept it for the purchase of orchid plants in the year 2024.

Adopted

13 RES 24-1280 Authorizing the use of the Neighborhood STAR Program funds for Public Works' sidewalk program and bike & pedestrian improvements.

Adopted

14 RES 24-1283 Accepting the gift of travel expenses from Association of Prosecuting Attorneys for City Attorney, Lyndsey Olson and Dave Hunt, Senior Attorney, to attend the Gun Violence Prosecutor-Led Alternatives, Community of Practicing Meeting in Bronx, New York on June 6,2024.

Adopted

15 RES 24-1294 Approving the Mayor's appointment of Antonio Elias and John Perlich to the Business Review Council.

Adopted

16 RES 24-1296 Approving the Settlement Agreement and Release between Ahmed Ali and the City of St. Paul, et al.

Adopted

17 RES 24-1258 Approving the Memorandum of Agreement between the City and the International Union of Operating Engineers, Local 70, for the purpose of providing premium pay to Saint Paul Regional Water Services employees holding specific licenses in the classifications of Senior Water Operator, Maintenance Worker III and Chemical Feed System Specialist II.

Adopted

18 RES 24-1259 Approving the Collective Bargaining Agreement (May 1, 2024 - April 30, 2027) between the City of Saint Paul and the International Brotherhood of Electrical Workers, Local 110.

Adopted

19 RES 24-1279 Establishing the rate of pay for Emergency Management Supervisor in EG 09, SPSO.

Adopted

20 RES 24-1306 Declaring September 9th, 2024, as James "Willky" Williams Day in the City of Saint Paul.

Adopted

ROLL CALL

Present 5 - Councilmember Rebecca Noecker, Councilmember Mitra Jalali, Councilmember Nelsie Yang, Councilmember HwaJeong Kim and Councilmember Saura Jost

Absent 2 - Councilmember Anika Bowie and Councilmember Cheniqua Johnson

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.

PUBLIC HEARINGS

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

21 Ord 24-21 Amending Legislative Code Chapters 60, 63, 65, and 66 pertaining to adult use cannabis.

Robert Straugh, resident, spoke during the public hearing.

Tom Ososki from the Saint Anthony Park District Council spoke during the public hearing.

Tim Marino, resident, spoke during the public hearing.

Councilmember Jost moved to continue the public hearing for one week.

Public hearing continued to September 11, 2024 for Final Adoption

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

22 Ord 24-22 Amending Section 409.01 of the Legislative Code to allow the Union Depot and Science Museum of Minnesota to have unlimited catered events within their spaces for class T-Temporary on-sale liquor license-Caterer and class N-On-sale caterer's license.

Councilmember Noecker moved to close the public hearing.

Laid over to September 11, 2024 for Final Adoption

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

23 RES PH 24-226 Approving the application of R. Mychael Wright for a sound level variance in order to present live amplified sound for a on September 14, 2024 on Selby Avenue from Chatsworth St N to Victoria St N.

Shirley Alexander, resident, spoke during the public hearing.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

24 RES PH 24-227 Approving the application of American Foundation for Suicide Prevention for a sound level variance in order to present amplified sound on September 15, 2024 at 1199 Midway Parkway - Como Midway Picnic Pavilion.

Councilmember Kim moved approval.

Adopted

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

25 RES PH 24-228 Approving the application of the Minnesota United FC for a sound level

variance application in order to present amplified sound on September 18, 2024 from 5:30 p.m. to 7:30 p.m. with pre-event sound checks at 5:00 p.m., within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Ave. N.

Councilmember Jost moved approval.

Adopted

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

26 RES PH 24-229 Approving the host issuance by the City of Mendota of one or more series of conduit revenue bonds, approving a Bond Compliance and Fee Agreement, and authorizing the execution of documents relating thereto, all for the Hourcar Project located at 880 Duluth Street (District 4, Ward 6).

Paul Schroeder from HourCar spoke during the public hearing.

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

Yang spoke in support.

Councilmember Kim moved approval.

Adopted

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

LEGISLATIVE HEARING DISCUSSION ITEM

34 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)

Execution of nuisance abatement plan required by October 22, 2024. To be given 90 days from October 23,2024 Council meeting for completion of a rehabilitation plan if abatement plan requirement is met.

Also in attendance: Tom Radio, attorney o/b/o Allstate

Marcia Moermond, Legislative Hearing Officer: It has been 13 months since you last saw this item and I am looking for direction on how you would like to proceed. I will start by showing some photos on the screen in front of you. Google street photos in July of 2022 show an operating Burger King, and photos from August show deteriorating conditions. April 2023 photos show continued deterioration. Fencing

extremely close to the side of the building has been cut away. The most recent thing is that in June 2024 a Form 4 was sent from the Fire Department. I show all this to document how things have deteriorated over time. There have been continued difficulties, though things have somewhat improved. Still much of the interior has suffered from mechanical and electrical theft. The purchase agreement has also gone through many iterations. The seller is here today. The purchaser thought the hearing was at 4pm, though their interpreter is present. The buyer's broker is here as well.

Council President Jalali: Who owns it now and when did they become responsible?

Moermond: Allstate is the owner, located out of Texas. They hired local real estate staff and lawyers. They have been owners for a while. The Burger King franchisee did not own the building.

Tom Radio: The buyer and seller remain committed to this property. The best hope is for the building to remain and the sale to be completed. The buyer wants to invest here and has had a successful business in Minneapolis. We urge Council to not order demolition and have us work with Moermond on a short leash. There have been 6 amendments made to the purchase agreement, which shows the commitment of the buyer and the seller to this property.

Jalali: Do you or anyone else in attendance have additional comments?

Radio: Brokers for the buyer and seller are here if you have questions, but they don't need to speak.

Jalali: So, your ask is to not order demolition and give more time to work with the Hearing Officer?

Radio: Correct.

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

Noecker: I'm not sure an out of state corporation cares about the needs of this community. This has been a blight on the neighborhood since 2022, and situations like this only attract further vacancies. I hear about it more than any other property in my ward. After 2 years we don't have meaningful progress. I am prepared to proceed with the order to raze or remove the structure. I could be talked down if a nuisance abatement plan is agreed to and progress being made. I hear progress being talked about but don't see it. I am open to recommendations.

Moermond: Council came to similar juncture with West 7th Street Burger King. It was demolished eventually, as the purchaser did not want the building. There were lots of nuisances in the meantime, however. Council implemented a nuisance abatement plan to mitigate the issue of things happening there and buy time. It could also include conditions under which the Council could grant time for rehabilitation, such as a closing on the building, a new code compliance inspection report, a scope of work plan, and evidence of financing. These conditions are not met yet. I'm not sure how quickly that can all be brought together. Estimates for rehabilitation range from $150,000 to $250,000, since wiring has been removed. I talked with the City building official and the cost of just lighting the space to prevent nuisances was estimated to be under $10,000 and be about a 6-week effort. Fencing would be about a 30-day endeavor. If you want to give time for an abatement plan to be created, what you could do is refer to Legislative Hearing in a month. We could then review it and give a report

back to you the following week on the plan's status. Removal of the building would be a couple months away anyway, given the long process of removal.

Noecker: You're asking to send it to Legislative Hearing for creation of the nuisance abatement plan?

Moermond: I'm asking for you to define the nuisance abatement plan here in Council today. We could then check on if the plan was executed a month or 45 days from now in Legislative Hearing.

Noecker: What about progress towards rehabilitation?

Moermond: Council could say that if the abatement plan is executed, you will give them a certain number of days to come with a rehabilitation package with financing, work plans, and other needed items.

Noecker: I'm comfortable with that, having it come back to us in 5 weeks.

Jalali: I support that direction. I would have liked to have the buyer here though.

Noecker: I would have preferred that as well.

Moermond: Vacant Buildings also present nuisances and losses to those beyond just the owner. There is a public danger and nuisance, as well as danger to vandals themselves. Based on our conversation, I am asking you to refer this to Legislative Hearing on October 22, with a Council public hearing on October 23. The nuisance abatement plan would include installation of black vinyl-coated fencing along the southern border of the parcel, at least 20 feet set back from the northern side of the structure, and along the parcel boundaries to the east and west extending to at least the 20-foot setback established along the fencing on the north side. This would extend the fencing north from the structure but not around the entire parcel. The abatement plan would also include installation of an alarm system and lighting system, either motion-activated or time-activated. If that plan is executed, I ask that they be given 60 days from October 23 for a completed rehabilation plan.

Noecker: So moved.

Jalali: I support that.

Amended and referred to October 22, 2024 Legislative Hearing, to return for City Council public hearing on October 23, 2024

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

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.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

Absent: 2 - Councilmember Bowie and Councilmember Johnson

27 RLH VBR 24-51 Appeal of Ali Ahmed to a Vacant Building Registration Notice at 219 BELVIDERE STREET EAST.

Adopted

28 RLH SAO 24-57 Making finding on the appealed nuisance abatement ordered for 1818 BLAIR AVENUE in Council File RLH SAO 24-48.

Adopted as amended (nuisance abated)

29 RLH TA 24-130 Ratifying the Appealed Special Tax Assessment for property at 746 COOK AVENUE EAST. (File No. J2406E, Assessment No. 248305) (Public hearing continued to September 4, 2024)

Adopted as amended (assessment ratified)

30 RLH VBR 24-47 Appeal of James Swartwood to a Vacant Building Registration Notice at 729 FOURTH STREET EAST.

Adopted

31 RLH VBR 24-49 Appeal of Abah Mohamed to a Vacant Building Registration Notice and Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 576 LEXINGTON PARKWAY NORTH.

Adopted

32 RLH TA 24-341 Amending Council File RLH AR 24-50 to delete the assessment for Rubbish & Garbage Clean Up services during February 1 to 12, 2024 at 99 ORANGE AVENUE WEST. (File No. J2420R, Assessment No. 248524)

Adopted

33 RLH TA 24-287 Ratifying the Appealed Special Tax Assessment for property at 975 REANEY AVENUE. (File No. VB2410A, Assessment No. 248826)

Adopted as amended (assessment ratified and payable over 5 years)

35 RLH VBR 24-48 Appeal of Manoj Bhakta, Bhakta Properties LLC, to a Vacant Building Registration Renewal Notice at 81 ROSE AVENUE EAST.

Adopted

36 RLH SAO 24-53 Appeal of Angela Glenhue to a Summary Abatement Order at 1941 STANFORD AVENUE.

Adopted

37 RLH RR 24-29 Ordering the rehabilitation or razing and removal of the structures at 291 STINSON STREET within fifteen (15) days after the September 4, 2024, City Council Public Hearing. (Refer to September 10, 2024 Legislative Hearing)

Referred to September 10, 2024 Legislative Hearing

38 RLH TA 24-342 Amending Council File RLH AR 24-36 to reduce the assessment for Collection of Vacant Building Registration fees billed during March 29 to November 14, 2023 at 822 VAN BUREN AVENUE. (File No. VB2408, Assessment No. 248807)

Adopted

ADJOURNMENT

Meeting ended at 4:12 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:

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. 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.

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.