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, September 11, 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 HwaJeong Kim, Councilmember Saura Jost and Councilmember Cheniqua Johnson

Absent 1 - Councilmember Anika Bowie

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

FOR DISCUSSION

1 RES 24-1340 Accepting an early care and education program plan recommendation.

Nicole Jones, early care consultant, gave a staff report and answered councilmember questions.

Councilmember Noecker moved to lay over to November 6, 2024.

Laid over to November 6, 2024

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.

Final Adoption

2 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 approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Kim

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

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

Council President Jalali moved Version 2. Approved 6-0.

David Olson, resident, spoke during the public hearing.

Damone Presley, resident, spoke during the public hearing.

Jeanne Weigum, resident, spoke during the public hearing.

Curtis Neff, resident, spoke during the public hearing.

Chris Smith, resident, spoke during the public hearing.

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

Yang spoke to resident concerns and asked for clarification.

Tony Johnson from the Department of Planning and Economic Development provided clarification.

Councilmember Bowie spoke to resident concerns.

Councilmember Johnson spoke to resident concerns and asked additional questions.

T. Johnson spoke to Councilmember Johnson's questions.

Yang asked additional questions.

T. Johnson spoke to Yang's questions.

Council President Jalali spoke in support.

Amended, public hearing closed, and laid over to September 18, 2024 for Final Adoption

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

Nay: 0

Absent: 1 - Councilmember Bowie

4 RES PH 24-230 Approving the application of Stone Saloon, dba Waldmann Brewery, for a sound level variance in order to present live amplified sound on September 20-22, and September 27-29, 2024 at 445 Smith Avenue North on south side of building in outdoor patio space.

Councilmember Noecker moved approval of Version 2.

Adopted as amended

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

Nay: 0

Absent: 1 - Councilmember Bowie

5 RES PH 24-231 Approving the application of Anderson Race Management for a sound level variance in order to present live amplified sound on September 21, 2024 at the Minnesota State Capitol Grounds - 75 Rev Dr Martin Luther King Jr Boulevard.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bowie

LEGISLATIVE HEARING DISCUSSION ITEMS

6 RLH TA 24-221 Ratifying the Appealed Special Tax Assessment for property at 1762 ENGLEWOOD AVENUE. (File No. VB2409A, Assessment No. 248825) (public hearing closed and laid over from August 7, 2024)

Assessment ratified and made payable over 5 years.

Marcia Moermond, Legislative Hearing Officer: On August 7, Council laid this matter over to today in order that the owner may final permits and have the Vacant Building Fee be prorated and reduced. It already would have been very late in the process, covering 9 of 12 months. We have 5 open permits. We don't have finals. There is an additional document in the record from the owner asking for more time. My recommendation is approval of the assessment and that it be made payable over five

years.

Council President Jalali: I move that recommendation.

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

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

Nay: 0

Absent: 1 - Councilmember Bowie

7 RLH VBR 24-40 Appeal of LaVonne Pine to a Vacant Building Registration Notice at 1478 BLAIR AVENUE. (public hearing closed and laid over from August 28, 2024)

Appeal denied. Appellant granted to September 16, 2024 to vacate property.

Marcia Moermond, Legislative Hearing Officer: Council heard this appeal on August 28, 2024. The appellant, LaVonne Pine, has been living at the property. Pine is not the owner of the property, does not have a lease to be living at the property, and does not have the permission of the children of the deceased owner. The property has a reverse mortgage with no foreclosure underway, so the bank doesn't own it. The family hasn't been able to probate it to get it into their names. On August 28, Council instructed her that she should produce documentation that says she has, saying she is allowed to live there. Council would consider that information in making its decision. We have received no documentation. However, to make sure that the Council had a more thorough record given this is a vacant building, I wanted to just give a couple comments to you. First is that we looked up the obituary of Mary Randall and found that she had five children. I have now spoken with four of those children and. All of them agree that they do not want Pine in that house, that they are afraid she is stealing things and selling them, and that she's damaging property. Pine has told them that if she gets kicked out, she's going to break back in again. They have real concerns and there have been problems. There is a police report from the end of July which documents the police having a similar conversation with Pine, and it corroborates the testimony that I got from the family members. I'm therefore recommending that Council deny the appeal and it remain in the Vacant Building Program, as it cannot be occupied by someone who doesn't have the legal right to be there. I also recommend that the property be vacated, effective September 16, 2024. I give it a short leash because of family member concerns about property damage, family property, and heirlooms.

Council President Jalali: I'm inclined to support that recommendation, given the updated information.

Councilmember Kim: Thank you, Moermond, for digging into this.

Jalali: I echo that gratitude. I move approval of Moermond's recommendation.

Adopted as amended (appeal denied, granted to September 16, 2024 to vacate)

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

Nay: 0

Absent: 1 - Councilmember Bowie

14 RLH CO 24-5 Appeal of Lesley Anizor to a Correction Notice at 692 WILSON AVENUE. (Public hearing closed and laid over from September 11, 2024)

Laid over to October 9, 2024 for finding possible solutions.

Also in attendance:
Johnathan McClellan, son of property owner/appellant
Lesley Anizor, property owner/appellant

Marcia Moermond, Legislative Hearing Officer: This has to do with an intermodal cargo container on the property. You can see photos on the screen that show the situation. The container has been there for a while. It is used for storage. The owner put it in there because she did not have money to build a garage at the time, but wanted to have that kind of a structure to put things in. The property maintenance code is explicit, since 2005, that intermodal cargo containers are not allowed on private residential properties. I believe the code was also clear prior to the amendment adding intermodal cargo specifically, that containers of this type would not have been allowed. There was clarity provided by naming it specifically, though. If the Council were to allow this to exist, there's two other codes that are in play that you would need to consider. First is the building code. A cargo container is not a building. This cargo container does not necessarily have any way to open it if you're stuck on the inside. Does it have proper ventilation? Does it have a way to stay solid on the ground and not move? These are all things that a building code would require that we can't be assured of on this. Could it be converted to a building? Possibly, but that's something that a building permit would need to do. The building official would need to review that and come up with a list of requirements around it. Second is the zoning code. That's going to speak to the type and location of a structure. Right now the location is immediately beside the house. I don't know if requirements around distance between structures or distance between the parcel line and the cargo container are being met, but it is something that zoning would need to look at and make a determination on. My recommendation is to deny the appeal and grant an extension to December 2, 2024 to get both building and zoning approval for the intermodal container for it to remain, or that it be removed by February 3, 2025. Earlier today I spoke with Jonathan McClellan, who is representing the owner, who's also here today. We talked about a further extension and what would be required to allow the cargo container to continue to be there in a safe condition. I said I don't have the answers on that, and would want to seek input from people who do. I am amenable to having those conversations, so I encouraged McClellan to stay and provide testimony about the situation to you. Based on those conversations I had with him prior to this, I now ask you to lay the matter over for 3 or 4 weeks to find a solution.

Public hearing closed and laid over to October 9, 2024

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 Johnson moved approval.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Bowie

8 RLH SAO 24-55 Appeal of Stephen Greenwood to a Summary Abatement Order at 1111 ARGYLE STREET.

Adopted

9 RLH VO 24-23 Appeal of James Cran to a Correction Notice-Complaint Inspection (which includes vacate order) at 293 BURLINGTON ROAD.

Adopted

10 RLH SAO 24-56 Appeal of Harold Oppenheim to a Summary Abatement Order at 1009 FAIRMOUNT AVENUE.

Adopted

11 RLH RR 24-26 Third Making finding on the appealed substantial abatement ordered for 733 FAIRVIEW AVENUE NORTH in Council File RLH RR 24-8.

Adopted as amended

12 RLH RR 24-33 Making finding on the appealed substantial abatement ordered for 1726 FOURTH STREET EAST in Council File RLH RR 23-51. (September 10, 2024 Legislative Hearing)

Adopted as amended (granted to January 1, 2025 for completion of nuisance abatement, continued existing $5,000 performance deposit)

13 RLH RR 23-10 Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (Amend to grant 180 days)

Public hearing continued to September 18, 2024

15 RLH VBR 24-54 Appeal of Chad Chahov to a Vacant Building Registration Notice and Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 1546 WILSON AVENUE.

Adopted as amended (compliance required by Thursday, September 19, 2024 or property to be vacated by no later than October 1, 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.

Council Meeting Information
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