



City Hall and Court House
15 West Kellogg Boulevard

City of Saint Paul

City Council Meeting Minutes - Final

Council Chambers - 3rd
Floor
651-266-8560

*Council President Amy Brendmoen
Councilmember Kassim Busuri
Councilmember Mitra Jalali Nelson
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert*

Wednesday, March 27, 2019

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

Councilmember Thao excused

Present 6 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert,
Councilmember Rebecca Noecker, Councilmember Jane L. Prince,
Councilmember Mitra Jalali Nelson and Councilmember Kassim Busuri
Absent 1 - Councilmember Dai Thao

COMMUNICATIONS & RECEIVE/FILE

- 1 **CO 19-16** Letter from the Department of Safety and Inspections declaring 957 Prosperity Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and filed

- 2 **AO 19-20** Establishing a new account code for two Year-Round STAR awards adopted via City Council Resolutions RES 19-305 and RES 19-374.
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 Noecker moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Thao

- 3 RES 19-517** Approving the use of grant funds through the Neighborhood STAR Year-Round Program for Afro Deli & Grill, LLC.
Adopted
- 4 RES 19-459** Preliminary Order setting the date of City Council public hearing for May 1, 2019 to consider approval for completing the sidewalk network on local streets bounded by Farrington Street, Cottage Avenue West, Sylvan Street, and Larpenteur Avenue. (Project No. S1901)
Adopted
- 5 RES 19-501** Approving the use of grant funds through the Neighborhood STAR Year-Round program for structural repairs at the Indigenous Roots Cultural Center.
Adopted
- 6 RES 19-503** Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for April 18, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901B1, Assessment No. 190052)
Adopted
- 7 RES 19-504** Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for April 18, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901B2, Assessment No. 190058)
Adopted

- 8 **RES 19-505** Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for April 18, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901B3, Assessment No. 190059)
Adopted
- 9 **RES 19-506** Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for April 18, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901B4, Assessment No. 190060)
Adopted
- 10 **RES 19-509** Accepting the gift of the costs of travel expenses from University of Minnesota for Innovation Manager Matt Larson to attend and serve on a panel at the 2019 Smart Cities Connect Conference to be held in Denver, Colorado April 1 - 3, 2019.
Adopted
- 11 **RES 19-389** Authorizing payment in the amount of thirteen thousand six hundred twenty-three dollars and fifty cents (\$13,623.50) in full and final settlement of the claim of the Metropolitan Council as Subrogee of the Metropolitan Council.
Adopted
- 12 **RES 19-391** Authorizing payment in the amount of seventeen thousand five hundred dollars and zero cents (\$17,500.00) in full and final settlement of the claim of The Hanover Insurance Company as Subrogee of Handy Help, LLC.
Adopted
- 13 **RES 19-466** Approving the Labor Agreement between the Independent School District 625 and the International Brotherhood of Electrical Workers, Local 10 (5/1/2018- 4/30/2021).
Adopted
- 14 **RES 19-486** Changing the rate of pay for Aquatics Facility Supervisor, Assistant Aquatics Facility Supervisor, Life Guard, and Water Safety Instructor in EG 02 and EG 99.
Adopted
- 15 **RES 19-522** Approving the Mayor's reappointment of Ken Peterson to the District Energy Board of Directors.
Adopted

- 16 **RES 19-523** Approving the Mayor's appointment of Sheri Riemers to a two-year term on the Workforce Innovation Board.
Adopted
- 17 **RES 19-455** Authorizing the Department of Parks and Recreation to apply for and accept Equity Grant funds from Minnesota DEED for the Right Track youth employment program in an amount of up to \$850,000 each year for SFY20 and SFY21, and to indemnify and hold harmless the State of Minnesota in the performance of the contract related to the grant funds.
Adopted
- 18 **RES 19-469** Authorizing the Department of Parks and Recreation to submit a \$1,094.77 proposal to the Minnesota Pollution Control Agency (MPCA) to cost-share three battery powered chainsaws to reduce air pollution emissions, provide a safer working environment for employees, improve community health, and to enter into an agreement with the MPCA providing indemnification for the State.
Adopted
- 19 **RES 19-493** Amending the 1970 Hidden Falls/Crosby Farm Regional Park Master Plan.
Adopted
- 20 **RES 19-462** Authorizing the Police Department to accept the donation of ammunition for training purposes only.
Adopted
- 21 **RES 19-473** Authorizing the Police Department to accept a grant from the Saint Paul Police Foundation for the Non-Lethal Pepperball program.
Adopted
- 22 **RES 19-484** Authorizing the Police Department to accept grant funds through a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, for the Minnesota Internet Crimes Against Children (ICAC) Task Force.
Adopted
- 23 **RES 19-495** Authorizing the Department of Public Works to enter into an agreement with the State of Minnesota to adjust the City's sanitary sewers during the State's construction on Trunk Highway 94.
Adopted
- 24 **RES 19-508** Authorizing not using a Project Labor Agreement for the 2019 Citywide Sidewalk and Pedestrian Ramp Improvements.
Adopted

- 25 RES 19-511 Authorizing not using a Project Labor Agreement for the Summit Avenue Bridge No. 62504 Project.

Adopted

FOR DISCUSSION

- 26 SR 19-8 Debt and Bond Rating Presentation

Michael Solomon and Sarah Brown, Office of Financial Services, gave a presentation on the City's bond sale process, credit ratings, debt portfolio, market update, and plans for 2019. Mr. Solomon and Ms. Brown answered Council members' questions.

Received and filed

- 27 RES PH 19-73 Amending the Ford Site Zoning and Public Realm Master Plan for use with the Ford zoning districts for the Ford site redevelopment area.

Councilmember Tolbert said he was bringing in a few amendments, and was bringing them in at second reading so people would have time to read and digest them prior to the public hearing. He said the September 2017 Master Plan was passed as a framework, and the Council knew modifications would occur when a master developer was chosen, and those changes would come back before the Council. He said Ford now had a purchase agreement with Ryan Companies, and Ryan Companies had proposed modifications to the framework. He said he felt, overall, the modifications proposed by Ryan Companies were reasonable and were consistent with the vision and ambitious goals set. He said the proposed plan kept the primary goal of affordable housing, as well as added open and park space, and sustainability goals. He said the amendments he was introducing were for the resolution, which ran in line with the ordinance. He said the current version was what the Planning Commission passed, and his amendments were overall consistent with the vast majority of the Planning Commission recommendations. He said his amendments included several City staff-initiated changes that Ryan agreed to; modifications requested by Ryan Companies which were changed by City staff and included in the Planning Commission recommendations and were acceptable to Ryan Companies; Ryan Company changes that were more in line with industry standards. He highlighted three major changes: He said Ford had initially been adamant that there would be no single-family homes on the site, but after Ryan and Ford discussed it, Ryan had asked to amend the plan to allow single family homes along Mississippi River Boulevard. He said the current zoning allowed two- to six-unit dwellings, and the proposed amendment would allow single family homes along with that. He said with this amendment, the proposed number of units would be 3745 which was within the Master Plan number of 2400 to 4000 units. He said his second amendment was the zoning on block 11 to allow for F1 on the western portion and F2 on the eastern portion; he said the split was recommended by staff after Ryan requested F1 zoning on block 11. He said this third amendment would allow for a parking ratio of 1/200 gross floor area, as requested by Ryan, instead of the 1/400 in the current version. He said the 1/200 ratio was based on industry standards, and the change wouldn't change the limited use of surface parking lots. He said the entire vision still had the very aggressive bike and pedestrian network being added to the new neighborhood. He said overall these changes from Ryan and the Planning Commission and staff were all reasonable, and fit within the framework and spirit of the ambitious vision that would still be delivered by Ryan based on the Master Plan.

Council President Brendmoen said she appreciated Councilmember Tolbert bringing the amendments in at second reading so the friction points were known at time of the public hearing. She clarified that the resolution and ordinance were being moved forward as a package with the amendments.

Councilmember Noecker said she supported the majority of the changes but opposed one, so she would vote against them since they were all being offered together. She said she opposed backing away from the vision of multi-family housing along Mississippi River Boulevard, and felt allowing many people to live along Mississippi River Boulevard was bold and fresh and would provide needed additional housing. She said she understood Ryan's concerns that building that type of housing was not feasible, but hadn't seen evidence to back that up. She said she felt that just because something was harder didn't mean it was impossible, and if they were doing something visionary, there were going to be parts that were hard and required outside-the-box thinking.

Councilmember Jalali Nelson said a number of the amendments made sense, but she would be voting no based on opposition to two of them. She said she would echo what Councilmember Noecker had said about the addition of the prospect of single-family homes, and she respected the Planning Commission's original vision for that. She said they worked really hard on a master plan that reflected the neighborhood vision, and she thought the market could support housing variety on Mississippi River Boulevard. She said she also had concerns about doubling the parking maximum, and supported the staff compromise of having conditional use permits if someone wanted to extend beyond what was there. She noted that every bike lane project required individual approval, and those were things that served everyone in the city and we needed more of, so there was no reason that structured parking shouldn't require a similar process. She said she was supportive overall of the vision of the site and the ambition reflected in it, but was voting no based on those two points she felt were substantive.

Council President Brendmoen said she appreciated the comments of her colleagues, and the sticking points were clear, and she would be interested in hearing about the debate and input the following week.

Amended; laid over for public hearing on April 3 at 5:30 p.m.

Yea: 4 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince and Councilmember Busuri

Nay: 2 - Councilmember Noecker and Councilmember Jalali Nelson

Absent: 1 - Councilmember Thao

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

- 28 Ord 19-12** Granting the application of REZA Inc. to rezone property at 770 Grand Avenue from BC Community Business (Converted) to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Councilmember Noecker spoke in support of the rezoning and moved final adoption of the ordinance.*
- Councilmember Jalali Nelson spoke in support.*
- Councilmember Prince spoke in opposition. She said she felt rezoning was the wrong*

tool, and allowing the use could have been done via an ordinance change. She said she didn't feel a rezoning of an individual parcel should be done without completion of the long-overdue rezoning study of Grand Avenue, and she was concerned this would lead to a flurry of additional properties seeking the TN zoning before a study could be completed.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 1 - Councilmember Prince

Absent: 1 - Councilmember Thao

Second Reading

- 29 Ord 19-19** Amending sections of the Legislative Code pertaining to the Ford Districts (Leg. Code §§ 66.912 - F1 Residential District, 66.917 - F6 Gateway District, 66.921 - District Use Table, 66.931 District Dimensional Standards Table, 66.942 - District Vehicle Parking Standards, 66.943 - District Bicycle Parking Standards), and amending the City's Zoning Map (Leg. Code § 60.303) to adjust zoning district boundaries to follow realigned streets.
- Councilmember Tolbert moved the amendments in Version 2. (See minutes from Item 27)*
- Amended; laid over to April 3 for third reading/public hearing**
- Yea:** 4 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince and Councilmember Busuri
- Nay:** 2 - Councilmember Noecker and Councilmember Jalali Nelson
- Absent:** 1 - Councilmember Thao
- 30 Ord 19-20** Creating Chapter 141 of the Legislative Code to regulate shared transportation systems.
- Laid over to April 3 for third reading/public hearing**
- 31 Ord 19-21** Amending Section 409.06(n) of the Legislative Code, exempting the Downtown Commercial Development District from certain liquor license location restrictions, and removing restrictions relative to religious organizations City-wide.
- CPB... CN...*
- Laid over to April 3 for third reading/public hearing**
- 32 Ord 19-22** Amending Section 410.03(g) of the Legislative Code, exempting the Downtown Commercial Development District from certain non-intoxicating malt liquor license location restrictions, and removing restrictions relative to religious organizations City-wide.
- Laid over to April 3 for third reading/public hearing**

First Reading

- 33 **Ord 19-23** Amending Chapter 91 of the Legislative Code pertaining to adding an appeals process for persons who wish to appeal water bills, fees, and other charges imposed under the Water Code, Chapters 85 - 103 of the Legislative Code.
Laid over to April 3 for second reading
- 34 **Ord 19-24** Amending Chapter 18 of the Legislative Code pertaining to give authority to the Legislative Hearing Officer to hear appeals regarding water bills, fees, and other charges imposed under the Water Code.
Laid over to April 3 for second reading

SUSPENSION ITEMS

Council President Brendmoen moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Thao

- RES 19-521** Authorizing the Department of Planning and Economic Development to submit a Redevelopment Grant application to the Minnesota Department of Employment and Economic Development for North West University Dale project.

Council President Brendmoen moved approval of the resolution on behalf of Councilmember Thao.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Thao

PUBLIC HEARINGS

- 35 **RES PH 19-80** Accepting a donation from the MN Chapter of the National Public Employees Labor Relations Association (NPELRA) in the amount of \$2,500 to cover expenses for Jason Schmidt, Labor Relations Manager, to attend the NPELRA training conference, April 7 - 10, 2019 in Scottsdale, Arizona.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Thao

LEGISLATIVE HEARING ITEMS

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.

- 36 RLH RR 19-11** Ordering the rehabilitation or razing and removal of the structures at 489 SHERBURNE AVENUE within fifteen (15) days after the March 27, 2019 City Council public hearing. (To be referred to Legislative Hearing on April 9)

Legislative Hearing Officer Marcia Moermond asked that the matter be referred back for a Legislative Hearing on April 9.

No one was present to testify. Councilmember Busuri moved to refer the matter to Legislative Hearings on April 9.

Referred to Legislative Hearings on April 9

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Thao

Council members shared news from the wards.

ADJOURNMENT

The meeting was adjourned at 4:28 p.m.

Adjourned

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 iPads to review the files during the meeting. Using the iPad 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 on Thursdays at 5:30 p.m., Saturdays at 12:30 p.m., and Sundays at 1:00 p.m. (Subject to change)

Many people are extremely sensitive to scented products. Please refrain from wearing or using fragrances such as perfumes, lotions, aftershave, scented aerosol products, and other such products.