



City Hall and Court House
15 West Kellogg Boulevard

City of Saint Paul

Council Chambers - 3rd
Floor
651-266-8560

City Council Meeting Minutes - Final

*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 20, 2019

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 19-18** Amending the 2019 spending budget for the Department of Safety and Inspections.
Received and Filed

- 2 **AO 19-19** Amending the 2019 Capital Improvement Budget to allocate funding for capital maintenance projects to the appropriate departments, as recommended by the Capital Improvement Budget Committee.
Received and Filed

- 3 **AO 19-21** Transferring \$10,000 of capital maintenance contingency to Saint Paul Public Library to fully fund the repair of water pipes at Rondo Library.
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

Consent Agenda adopted as amended

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

Nay: 0

- 4 **RES 19-492** Proclaiming March 23, 2019 to be Major Tougeu LeePalao Day.
Adopted
- 5 **RES 19-433** Supporting the Federal Reserve conducting a study on the impact of the recently enacted minimum wage ordinance in Saint Paul.
Adopted
- 6 **RES 19-489** Supporting the second daily train to Chicago.
Adopted
- 7 **Min 19-16** Approving the minutes of the March 6 and 13, 2019 City Council meetings.
Adopted
- 8 **RES 19-409** Authorizing the City of Saint Paul to enter into a lease renewal with Griggs Midway Building Corporation for the Police Department's Employee Assistance Program.
Adopted
- 9 **RES 19-403** Approving a petition from Olu's Home Inc. for specially assessing the costs of a fire protection system at 1850 7th Street East. (Project No. FP2019-02, Assessment No. 197101)
Adopted
- 10 **RES 19-413** Approving the City's cost of providing Property Clean Up services during January 2 to 11, 2019, and setting date of Legislative Hearing for April 16, 2019 and City Council public hearing for June 5, 2019 to consider and levy the assessments against individual properties. (File No. J1915A, Assessment No. 198529)
Adopted

- 11 **RES 19-414** Approving the City's cost of providing Property Clean Up services during January 14 to 29, 2019, and setting date of Legislative Hearing for April 16, 2019 and City Council public hearing for June 5, 2019 to consider and levy the assessments against individual properties. (File No. J1916A, Assessment No. 198534)
Adopted
- 12 **RES 19-474** Authorizing the Fire Department to apply for the 2018 Staffing for Adequate Fire and Emergency Response (SAFER) grant in the amount of \$2,385,180 from the Federal Emergency Management Agency (FEMA) to hire nine (9) additional firefighters.
Adopted
- 13 **RES 19-379** Approving the Labor Agreement between the Independent School District 625 and the Minnesota School Employees Association representing Classified Confidential Employees Association (7/1/2018 - 6/30/2020).
Adopted
- 14 **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).
Laid over to March 27 for adoption
- 16 **RES 19-436** Authorizing the acceptance of a deed transferring ownership of Landmark Plaza from the Riverfront Corporation to the City of Saint Paul.
Adopted
- 17 **RES 19-472** Authorizing the Department of Parks and Recreation to apply for funds from the Outdoor Recreation grant program in an amount of up to \$250,000, and to apply for grants to other agencies and groups as needed for any matching amounts required; and if funds are granted, authorizing the proper City authorities to execute grant agreements in compliance with all applicable laws, which may include an indemnification clause; and authorizing staff to apply for reimbursement from the grant funds approved for the Hidden Falls and Lower Landing Park projects.
Adopted
- 18 **RES 19-430** Authorizing the Police Department to accept a grant in the amount of \$30,250 from the State of Minnesota for the National Forensic Sciences Improvement 2019 grant.
Adopted

- 19 **RES 19-463** Authorizing the retiring of Police Department horses to a charitable equine sanctuary.
Adopted

- 20 **RES 19-369** Authorizing the City to enter into a Cooperative Agreement with the Minnesota Department of Transportation and Ramsey County regarding the operation and maintenance of the traffic signals on the Trunk Highway 94 ramps at Lexington Avenue.
Adopted

- 21 **RES 19-480** Accepting the gift of travel expenses, lodging, and conference costs, not to exceed \$1500, from The Recycling Partnership, for Kris Hageman, Public Works Recycling Program Manager, to attend The Recycling Partnership's Inaugural Leadership Summit: 50 Cities Driving the Circular Economy to be held June 24-26, 2019 in Chicago, Illinois.
Adopted

FOR DISCUSSION

- 15 **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.

*Council President Brendmoen moved Version 2, which is in Legistar.
7 in favor, none opposed
Resolution is adopted*
Amended; laid over to March 27 for adoption

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

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.

First Reading

- 22 **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.

Laid over to March 27 for second reading

23 **Ord 19-20** Creating Chapter 141 of the Legislative Code to regulate shared transportation systems.

Laid over to March 27 for second reading

24 **Ord 19-21** Amending Section 409.06(n) of the Legislative Code, exempting the Downtown Business District from certain liquor license location restrictions, and removing restrictions relative to religious organizations City-wide. (Title amended April 10, 2019.)

Laid over to March 27 for second reading

25 **Ord 19-22** Amending Section 410.03(g) of the Legislative Code, exempting the Downtown Business District from certain non-intoxicating malt liquor license location restrictions, and removing restrictions relative to religious organizations City-wide. (Title amended on April 10, 2019.)

Laid over to March 27 for second reading

SUSPENSION ITEMS

RES 19-497 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 11, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901A1, Assessment No. 190051)

*Councilmember Thao moved suspension of the rules.
Motion prevailed*

Mr. Thao asked if all residents who receive bills will be notified or just complainants.

Council President Brendmoen responded that this sets the dates for when it will happen. People with delinquent bills will be affected by these hearings.

Adopted

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

Nay: 0

RES 19-498 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 11, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901A2, Assessment No. 190055)

*Councilmember Thao moved approval.
7 in favor, none opposed*

Resolution is adopted

Adopted

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

Nay: 0

RES 19-499

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 11, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901A3, Assessment No. 190056)

Councilmember Prince asked is the City Council staff doing these Legislative Hearings. Marcia Moermond responded yes, she will be conducting these hearings, and they will come forward to the City Council for ratification.

Ms. Prince said she is concerned about adequate staff to deal with this. Council President Brendmoen responded they are preparing to support Ms. Moermond and her staff. It has been part of the conversation. This will be more work for Legislative Hearings and the Council.

Adopted

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

Nay: 0

RES 19-500

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 11, 2019 and City Council public hearing for May 22, 2019 to consider and levy the assessments against individual properties. (File No. CG1901A4, Assessment No. 190057)

*7 in favor, none opposed
Resolution is adopted*

Adopted

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

Nay: 0

RES 19-512

Affirming the Declaration of Local Emergency issued March 19, 2019, by the Mayor of Saint Paul.

*Councilmember Busuri moved suspension of the rules.
Motion prevails.*

Council President Brendmoen said this is a formal process for the Mayor to declare a

state of emergency.

Councilmember Tolbert said he wants a brief synopsis of the problem.

Rick Schute, Director of Department of Emergency Management, appeared and said there was a record snow fall in February that has created a flood issue with the Mississippi. He briefed Mayor Carter yesterday. This resolution will allow his authority to extend for 30 days and to take the necessary measures to protect the City.

Brendmoen asked about projections. Staff responded there is a 95% chance of reaching a major flood stage under the Robert Street bridge. (He gave additional statistics.) This may be similar to a 2014 year. They are going through a flood planning action review with all the departments represented. They will coordinate. The affirmation also allows us to alert the County and State as we may need additional assistance.

Tolbert asked when will the peak flooding come in. Schute responded the hydrology graph goes out 7 days. That is all they can see. They only have 3 days underneath the Mayor's authority. This gives time to prepare.

Tolbert asked what kind of preparations are taking place. Shute responded Public Works, Parks, Police Impound Lot. They will be preparing to place the flood barrier at Sibley and Jackson to protect the water at those locations. They are preparing for road closures on Sunday, which they will announce to the public.

Prince asked the impact of the flooding on Red Rock Road. Schute responded he took a tour today. They are trying to maintain access to the sewage treatment plant.

*7 in favor, none opposed
Resolution is adopted*

*Busuri moved suspension of the rules
Motion prevails*

Adopted

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

Nay: 0

RES 19-516

Requesting authorization to enter into a short-term lease agreement with Washington Prime Group for the City's use of a portion of the Maplewood Mall parking lot for the temporary relocation of vehicles stored at the Police Impound Lot due to the potential for flooding and the City's declared emergency.

*Councilmember Nelson moved approval.
7 in favor, none opposed
Resolution is adopted*

Adopted

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

Nay: 0

PUBLIC HEARINGS (3:30 p.m.)

- 26 **RES PH 19-67** Amending the financing and spending plans in the Fire Department in the amount of \$86,920 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.

(no one wished to speak)

Councilmember Noecker moved to close the public hearing and approve.

7 in favor, none opposed

Public hearing is closed and resolution is adopted

Adopted

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

Nay: 0

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 27 **RLH TA 19-85** Ratifying the Appealed Special Tax Assessment for property at 819 AURORA AVENUE. (File No. CRT1905, Assessment No. 198204)

Marcia Moermond, Legislative Hearing Officer, said this is a tax assessment. It is a certificate for a duplex. The bill went unpaid. It was processed as an assessment. In the hearing, Ms. Abie Finger thought she sent in a check. She did not recall that she had sent it to DSI (Department of Safety and Inspections). Giving some consideration that there may have been communication difficulties, she cut it in half. The check did not clear.

Abbie Finger, owner, said this is her first time. She sent in two checks. The sewer check did not get accepted because of the p.o. box. She came down on 8th, she sent a separate check at the same time. They told her there was not something in the system. She has never had this happen before.

Councilmember Noecker said she received notification that the sewer charge did not go through. You came, paid the sewer charge, and asked about the other charge, and was told there was not a problem. Finger responded yes.

Moermond said the original bill was the 17th, when it goes unpaid, a second one goes out. It is called a warning. When that goes unpaid, then they process it as an assessment. The assessment people may not have seen it in September. It did not go to DSI which would have been the first stop.

Councilmember Thao said he is not clear on the fee. The inspection was performed. Moermond answered that the administrative fee was tacked on. Finger would like that deleted entirely.

Thao moved to close the public hearing.

Motion prevailed

Thao moved to accept the recommendation of the Legislative Hearing Officer. The work has been done. It is a fair assessment to bring this down to half.

Councilmember Noecker said she speaks against the motion. The owner did what she could to make the payment. It went to assessment because the check was not received. She would prefer to strike the service charge.

Prince says she supports Noecker's position. The service charge seems less welcome given the facts.

*5 in favor, 2 opposed (Noecker, Prince)
Resolution is adopted as amended*

Adopted

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

Nay: 2 - Councilmember Noecker and Councilmember Prince

43 RLH VO 19-4

Appeal of Katerina Steiger to a Notice of Condemnation as Unfit for Human Habitation & Order to Vacate at 1156 MARYLAND AVENUE EAST.

Marcia Moermond, Legislative Hearing Officer, said this is a condemnation. This house is hoarded. Fire made a referral of this property to Code Enforcement to review the situation. On February 19, DSI (Department of Safety and Inspection) conducted an inspection, condemned the property, and ordered it vacated within 72 hours. They found the conditions to be that concerning. Those orders were appealed and scheduled for Legislative Hearing on February 26. In consideration of Ms. Steiger's recorded earnestness in addressing the situation, Moermond said she would work with her, decrease volume of materials by 25% in the following week as a first step. House Calls was present in the room, so there was a social worker there. Those services were not accepted although multiple attempts were made to make connections. In her one week follow-up, March 5, inspector reported there was less than 5% removed at best, although Steiger believed it was fully 25% removed. Photographs do not support that position. The photographs are in the record. She likely did not have the capacity to move forward on her own to address the hoarded conditions. Moermond said she would work with her if she contracted with an outside service and it should be decreased by 75%. If an outside service was going to help, 75% is achievable. On a one week follow-up, Steiger did not show up for the hearing. House Calls continued their attempts to work with Ms. Steiger along with Code Enforcement and inspectors. The services were not accepted. On March 12, Moermond's recommendation was to have the house vacated by March 15 with a follow-up the following Monday. Part of the problem was that Steiger was not willing to cooperate with sharing income and other types of information to get the services for free. So, she would need to be paying for those services. The social worker felt she had sufficient resources. Ms. Steiger later decided she would work with one of the three House Calls contractors to decrease the volume of materials. She changed her mind 24 hours later and said she would not work with these people and had contacted the Salvation Army. She said they would pick up things. Moermond has not heard of them performing that kind of service in the past. She followed up with them and talked to the person who works with transport for picking up these items. Steiger had arranged for them to pick up 200 bags of clothing from garage, but this does not decrease the volume in the house. The livability of the

house is the issue and not the status of the garage. Steiger would like to move items from the house into the garage and to other locations. This is time consuming to be a month down the road right now with plans and failed plans. Moving forward, the house can be continued to be cleaned out, but it is not safe for her to be living and sleeping in the house while the cleanout is occurring. Moermond recommends the Council order the property vacated by Friday of this week, March 22.

Katarina Steiger said the scenario is not correct. She met with a contractor yesterday, and he gave an estimate. He was going to throw most of it out, but a lot of it is brand new. She got 5 numbers. One was the Salvation Army. They are coming to pick up the garage and front porch. (She gave background on her life.) The garage is ready to go. She has an appointment with Salvation Army on Wednesday. She is cleaning out the basement and moving it to the garage. She is ready to go on Wednesday. She also has a contract with another person. She is hoping for a little bit of mercy. A lot of the pictures are deceptive. Her basement is almost half out, almost finished. She also talked to the Chief of Police. When they were inspecting, they said she could have social services pick it up or she could take it. It turns out it was thousands of dollars involved. It was deception. If they had not done this to me, she would have acted on her own.

Council President Brendmoen asked is there anything else to add. Steiger responded they are bringing a huge truck. They are taking good things. It could be \$100,000 of stuff they could put up for sale. They did a deception. They should have not told her that it was a free pickup. She asked can she leave it [a document] with them.

Brendmoen told her to pass it around.

Brendmoen said Councilmember Busuri moved to close the public hearing. (No vote taken)

Councilmember Noecker asked about the owner's ability to get back into the house. Moermond responded the owner would have access to the property to sort the items and donate them. When the house is cleared out--75% removed--the house could be inhabited again. There is no indication there are gross unsanitary conditions. The inspector noted the house is otherwise in good repair. House Calls can provide no-cost services for dumpsters, housekeeping services, etc., but they require documentation of income in order to do that.

Moermond added that with a hoarded house, if there is a fire, and it burns and gets wet, there is structural compromise that can happen with that much material getting wet. Also, there should be safe escape routes in the event of an emergency and making sure windows and doors are accessible and wide enough hallways to get to those exits.

Busuri said they have given enough time to provide resources at this point. He moves to accept the recommendation of the Legislative Hearing Officer.

7 in favor, 0 opposed
Resolution is adopted

Adopted as Amended

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

Nay: 0

- 58 **RLH AR 19-12** Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during August 10 to September 8, 2018. (File No. CRT1905, Assessment No. 198204)
- Marcia Moermond, Legislative Hearing Officer, recommended that the City Council amend to delete 346 Fuller and schedule it to the April 2 Legislative Hearing.*
- Adopted as amended (delete 346 Fuller Avenue and lay over to the April 2 Legislative Hearing)**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0

LEGISLATIVE HEARING CONSENT AGENDA (3:30 p.m.)

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

Legislative Hearing Consent Agenda adopted as amended

- Yea:** 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0

- 28 **RLH TA 19-50** Ratifying the Appealed Special Tax Assessment for property at 969 BEECH STREET. (File No. CRT1905, Assessment No. 198204)
- Adopted**
- 29 **RLH TA 19-58** Deleting the Appealed Special Tax Assessment for property at 735 BELLOWS STREET. (File No. J1905P, Assessment No. 198404)
- Adopted**
- 30 **RLH VBR** Appeal of Gaynelle W. Buckland to a Vacant Building Registration Requirement at 779 CARROLL AVENUE.
- 19-23** **Adopted**
- 31 **RLH TA 18-668** Ratifying the Appealed Special Tax Assessment for property at 197 CESAR CHAVEZ STREET. (File No. VB1904, Assessment No. 198803; amend to File No. VB1904A, Assessment No. 198810) (Public hearing continued from January 16)
- Adopted as Amended (reduce assessment from \$2,284 to a total of \$1,142)**

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

Nay: 0

32 RLH TA 19-84 Ratifying the Appealed Special Tax Assessment for property at 1805 COTTAGE AVENUE EAST. (File No. VB1906, Assessment No. 198805) (Legislative Hearing on March 19)

Adopted as Amended (reduce assessment from \$2,284 to a total of \$540)

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

Nay: 0

33 RLH TA 19-17 Ratifying the Appealed Special Tax Assessment for property at 1141 DALE STREET NORTH. (File No. J1905E, Assessment No. 198304)

Adopted As Amended (approve the assessment)

34 RLH TA 19-55 Deleting the Appealed Special Tax Assessment for property at 725 DAYTON AVENUE. (File No. J1905E, Assessment No. 198304)

Adopted

35 RLH TA 19-137 Ratifying the Appealed Special Tax Assessment for property at 943 EARL STREET. (File No. VB1906, Assessment No. 198805) (Legislative Hearing on March 19)

Adopted as Amended (reduce assessment from \$2,284 to a total of \$500)

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

Nay: 0

36 RLH TA 19-61 Deleting the Appealed Special Tax Assessment for property at 396 EDMUND AVENUE. (File No. J1905E, Assessment No. 198304)

Adopted

37 RLH FCO 19-15 Appeal of Brad Cheney to a Fire Inspection Correction Notice at 20 EXCHANGE STREET EAST.

Adopted

38 RLH TA 18-619 Ratifying the Appealed Special Tax Assessment for property at 999 FIFTH STREET EAST. (File No. VB1903, Assessment No. 198802; amend to File No. VB1903A, Assessment No. 198807) (Public hearing continued from January 2)

Adopted as Amended (approve assessment and spread payments over a 5 year period)

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

Nay: 0

- 39 RLH VO 19-6** Appeal of Dave Haley/Church of St. Matthew to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 507 HALL AVENUE.

Adopted

- 40 RLH VBR 19-2** Appeal of Stephanie Carr to a Vacant Building Registration Fee Warning Letter at 121 HATCH AVENUE.

Adopted

- 41 RLH TA 19-54** Deleting the Appealed Special Tax Assessment for property at 500 JACKSON STREET. (File No. J1905P, Assessment No. 198404)

Adopted

- 42 RLH TA 19-139** Ratifying the Appealed Special Tax Assessment for property at 310 MARSHALL AVENUE. (File No. J1905E, Assessment No. 198304; amended to File No. J1905E1, Assessment No. 198315)

Referred to April 2 Legislative Hearing

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

Nay: 0

- 44 RLH TA 19-77** Deleting the Appealed Special Tax Assessment for property at 1720 MINNEHAHA AVENUE WEST. (File No. J1905E, Assessment No. 198304)

Adopted

- 45 RLH TA 19-168** Ratifying the Appealed Special Tax Assessment for property at 1577 NEVADA AVENUE EAST. (File No. J1905E, Assessment No. 198304) (Legislative Hearing on March 19)

Adopted as Amended (reduce assessment from \$157 to a total of \$77)

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

Nay: 0

- 46 **RLH TA 19-125** Ratifying the Appealed Special Tax Assessment for property at 1505 OLD HUDSON ROAD. (File No. CRT1905, Assessment No. 198204)
Adopted
- 47 **RLH TA 19-80** Deleting the Appealed Special Tax Assessment for property at 174 PAGE STREET WEST. (File No. VB1906, Assessment No. 198805)
Adopted
- 48 **RLH TA 18-604** Ratifying the Appealed Special Tax Assessment for property at 999 PAYNE AVENUE. (File No. VB1903, Assessment No. 198802; amend to File No. VB1903B, Assessment No. 198808) (Public hearing continued from January 2)
Adopted as Amended (approve and spread payments over a 5 year period)
Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
Nay: 0
- 49 **RLH TA 19-72** Ratifying the Appealed Special Tax Assessment for property at 1286 RICE STREET. (File No. J1905E, Assessment No. 198304)
Adopted
- 50 **RLH TA 19-79** Ratifying the Appealed Special Tax Assessment for property at 1168 ROSE AVENUE EAST. (File No. VB1906, Assessment No. 198805)
Adopted as Amended (delete the assessment)
Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
Nay: 0
- 51 **RLH TA 19-78** Deleting the Appealed Special Tax Assessment for property at 1033 SEVENTH STREET WEST. (File No. J1905P, Assessment No. 198404)
Adopted
- 52 **RLH TA 19-81** Ratifying the Appealed Special Tax Assessment for property at 496 THOMAS AVENUE. (File No. J1905E, Assessment No. 198304)
Adopted
- 53 **RLH TA 19-76** Deleting the Appealed Special Tax Assessment for property at 1825-1827 UNIVERSITY AVENUE WEST. (File No. J1905P, Assessment No. 198404)
Adopted

- 54 **RLH TA 19-86** Ratifying the Appealed Special Tax Assessment for property at 839 VAN BUREN AVENUE. (File No. VB1906, Assessment No. 198805)
Adopted
- 55 **RLH AR 19-9** Ratifying the assessments for Boarding and/or Securing services during October 2018. (File No. J1905B, Assessment No. 198104)
Adopted
- 56 **RLH AR 19-10** Ratifying the assessments for Collection of Vacant Building Registration Fees billed during March 13 to October 15, 2018. (File No. VB1906, Assessment No. 198805)
Adopted
- 57 **RLH AR 19-11** Ratifying the assessments for Demolition services from October to November 2018. (File No. J1905C, Assessment No. 192004)
Adopted
- 59 **RLH AR 19-13** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during August 22 to September 21, 2018. (File No. J1905E, Assessment No. 198304)
Adopted
- 60 **RLH AR 19-14** Ratifying the assessments for Graffiti Removal services during October 24 to November 20, 2018. (File No. J1905P, Assessment No. 198404)
Adopted

PUBLIC HEARINGS (5:30 p.m.)

- 61 **RES PH 19-74** Reciting a proposal for a Housing Finance Program for a multifamily rental housing development, giving preliminary approval to the project and the program pursuant to Minnesota Statutes, Chapter 462C, and authorizing the Housing and Redevelopment Authority to issue conduit multifamily housing revenue obligations for 848 Payne Avenue Project (District 5, Ward 6).

Dan Bayers, PED (Planning and Economic Development) said this is a proposal to approve up to \$13 Million in bonds for 848 Payne Avenue. This project will be coming back through the HRA (Housing and Redevelopment Authority). This is a prerequisite for HRA. It is a 9 unit apartment complex on Payne Avenue. It will also include 5,600 feet of commercial space.

(no one wished to speak)

*Councilmember Busuri moved to close the public hearing and approve. 7 in favor, none opposed
Resolution is adopted*

Adopted

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

Nay: 0

62 RES PH 19-76

Approving adverse action against the Peddler license held by Todd L. Grosklags ("Licensee") (License ID# 20140001156) for the City of Saint Paul.

Theresa Skarda, City Attorney's Office, said this is a compliance check. These were done in response to community concerns. Inspectors issued warnings. Licensees were giving a handout about peddler licenses in the City. This licensee was warned about selling State Fair tickets in an area where he couldn't peddle them. Another inspector observed the same licensee on the median at Snelling. He admitted to the issue.

Todd L. Grosklags appeared and said he didn't confess. The State Fair pushed this whole thing. This happened in August 30. They issued this six months later and concocted this. He admits that this is him in the picture. He does not admit to anything else. (He explained the pictures.) The first one, he is walking across the street. The second one, he is standing on the area. The next one, he is standing. Next one, he is walking across the Parkway. The next one, he is standing in the middle of the road. He is walking to his next destination. He never sold on the property. Not once is there any evidence of him selling to his people. If he was, there would have been a ticket written. (Grosklags held something up.) This says he ordered 1,000 State Fair tickets. Then he got a letter saying he was in violation. State Fair came to him and pressed the hand. There is a law that said you can't sell on property. There are people selling all over the place. This law is not enforced because the Xcel and River Centre don't care. He should be able to sell on State Fair property. He has been there 5 years. He never had a problem until 2017. Then there were counterfeiters out there. He called the police and it got pushed over to the State Fair security. That is what got all the attention onto him. The city attorney can say all they want. Why was he not getting the citation on the spot? If they had proof at the time, it would have been levied right away.

Council President Brendmoen moved to close the public hearing. Motion prevails.

Brendmoen said this was issued by the community and why these are unusual tickets. Skarda responded DSI (Department of Safety and Inspections) does not write tickets. This is an adverse action. This is not a criminal ticket nor criminal court. This ended years of requests for action and training. They have the evidence to go forward. The licensee was given a letter with 4 options. Skarda said this should go before an ALJ (Administrative Law Judge) to hear the facts and make recommendations to this body.

Brendmoen said this is an initiation from the district council. The peddling has gotten out of control. If we vote today, you will get a \$500 fine.

Brendmoen moved to have this go to an ALJ. Male responded he didn't get the ALJ because he could get hit with fees. He is in a no win situation. He will go back.

*Brendmoen moved to refer to ALJ.
7 in favor, none opposed*

Public Hearing is closed and resolution is adopted as amended

Adopted as Amended (referred to an Administrative Law Judge)

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

Nay: 0

63 RES PH 19-60

Approving adverse action against the Auto Body Repair Shop license held by S & S Automotive Service Corp., d/b/a Parkway Auto Body, Inc. at 1906 Stillwater Avenue.

Theresa Skarda appeared on behalf of PED (Planning and Economic Development). This was from an inspection. Photos of the violations are in your packets. (She mentioned the violations) DSI (Department of Safety and Inspections) is saying \$2,000 and suspension.

Attorney for Auto Body appeared. Somebody called, the City reacted, and the inspector showed up. This is an auto body shop. Body shops have cars in need of repair. Before they bring it into repair, someone writes a ticket. Someone can call as many times as possible. He does not know how else to fix it. When cars break down, they are brought in to be fixed. This shop has been in business since 2006. There are 2 instances. In 6 months, they have broken all the rules. They have to be able to bring the cars in. There are not that many issues. There were cars in the process of being repaired. This is just reacting to someone calling. If I don't like a neighbor, I can do this.

Councilmember Prince moved to close the public hearing.

Prince said she has been looking into the issue. She is concerned that there have been 3 matrix penalties in a short period of time. She followed up with them and based on our discussion, she is amending the resolution.

(She read a resolution)

Prince moved her resolution.

Councilmember Noecker wanted Prince to clarify the 4th whereas. Prince said she was concerned about the piling on of matrix penalties.

Councilmember Nelson asked the purpose of reading the resolution. She is wondering why it is being done this way. Prince responded this is an amendment of the resolution we are acting on today.

Noecker said she supports the resolution.

7 in favor, none opposed

Resolution is adopted as amended

Public Hearing Closed; amended and laid over to May 1

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

Nay: 0

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.

Kady Dadlez, PED (Planning and Economic Development), said the request is to rezone property at 770 Grand Avenue. The purpose is to allow for the property to be used for a tea house and ice cream shop with a dwelling unit above. (She showed photos.) Planning Commission recommended approval of the rezoning. Also found the proposed zoning is consistent of comprehensive plan. In addition, there were a number of statements and strategies for the neighborhood plan. Final finding of Planning Commission staff report is the zoning is compatible with the surrounding issues in the area.

Councilmember Thao asked the square footage of the lot. Dadlez responded 6,000 square feet.

Chuck Repke, representing a resident, is here to resist the temptation and consider the long term issues on Grand. They are leasing to a tenant. The proposed change in zoning is not consistent to the way the area was developed. B2 allows the structure to be mixed use, residential, or commercial. The uses were retail. T2 is not as narrow in scope. It also allows for the potential destruction of the property. The purpose is what this house has been. This proposed zoning is not consistent with comprehensive plan. Rezoning violates strategy. This could allow the demolition of Victorian style homes.

Laurie Groshen appeared. T2 zoning is inappropriate for this property. This would allow for more extensive use. There is barely room for more compliant spaces. T2 zoning barely exists along Grand Avenue. Otherwise, going onto Snelling, there are two areas with T2 zoning (she talks about them). This property is located far from a transit corridor. This would set an unfortunate precedent for the character of Grand. People like the low intensity and smaller scale.

Gary Huffman, 1283 Lincoln, said he has been in the area over 40 years. He has not seen so many vacancies as there are now. Grand and Victoria has a vacancy. The neighborhood plan does not plan for any upzoning. There are other options to accommodate the tenant. He urged the Council to look at some options.

Dave Thune said they have protected Grand Avenue and the character. The BC is meant to protect the single family appeal. He urged the Council to be cautious of block by block instead of lot by lot. That will pick apart the success. (He showed photos.)

Adam Wilson appeared. He was a former tenant of the garage from 2012 to 2017. The proposal said the rezoning was to accommodate the tenant, but he was informed in August of 2012 of the intent to rezone. He attended the SHA meeting. The maps were inaccurate. The property is portrait-shaped and not landscape-shaped. The discussion was inconclusive. They didn't know the shape of the property. That is how things were left. The recommendations given by the SHA do not reflect the property in physical form. He was there for a 3-2 vote. It was not a firm vote.

Following appeared in support:

The applicants appeared.

Shab Shakibi appeared. There was a lot of misinformation. They are not large investors. They have been on Grand since 1993. Their goal is to add to the community and provide something new where family and friends can come together and make great memories. She grew up on this property. She likes the character and historic charm of Grand. They switched to T2 zoning at a suggestion from the Zoning and Planning Committee to accommodate the use of a tea house. Shakibi quoted the zoning committee statement where they said to not allow usage on this lot and allowing it on the rest of the block is closer to spot zoning. This is the most appropriate zoning for the site. This allows for residential and commercial use. They are not looking to tear down this building. They are not looking to change it. Rezoning reminds them to be compatible with all the buildings on that block. Rezoning allows for another family to continue the dream of opening up a small family business and it allows for one less vacancy on Grand Avenue.

Vorak said the other space is double the price. (He talked about his background) America is the land of opportunity. He owned a Subway, opened a Jamba Juice. He owns Waffle Bar. His wife and he are planning to occupy the top of the house. They will immerse themselves in the neighborhood that has supported them over the years. All of their products are made from scratch. Many retail shops on Grand are closing. With minimum wage increases and franchise fees, there is little risk of fast food coming here because there is no incentive. There is an uphill battle to make a profit. Just like Saint Paul, Mpls. had similar concerns. They converted streets into bike lanes, which is less parking. Their business is a small dessert shop. There are most pressing issues, especially when businesses are closing.

Trisha, his wife, appeared. Their menu will include treats and people will have a nostalgic experience.

Arash Shakibi appeared. This location has been in their family since 1993. They found a good tenant. They are not the type of people who are in competition. The Huffmans think they will be in competition. This will be better for the area.

Councilmember Noecker said that there could be less intensive zonings. The coffee shop or tea shops, because the applicant are serving ice cream, they are considered a restaurant. T2 is preferable. T2 has design standards. That is not one of the criteria. However, this property is in a historic district. There would be an additional step. What looks like senior family homes are individual businesses. Any zone that allows a restaurant allows a fast food restaurant. They could be replaced by a chain. The neighborhood plan is 13 years old. We are talking about this where businesses are cold. \$4,000 monthly rents for coffee shops on Grand. They need to take a fresh look at zoning on Grand. There is a task force to look at economic development on Grand. She does agree with the Planning Commission. This proposed rezoning is appropriate.

Public hearing is closed and this item is laid over to March 27 for final adoption.

Public Hearing Closed; laid over to March 27 for Fourth Reading/Final Adoption

65 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 this is a public hearing. His intent is to recess the public hearing to April 3 and lay it over to next week for discussion.

Councilmember Brendmoen said this will be with the ordinance.

*Tolbert moved to next week.
Motion prevails
Laid over to April 3 at 5:30 p.m.*

Laid over to March 27 at 3:30 p.m. for discussion; public hearing recessed to April 3 at 5:30 p.m.

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

Nay: 0

ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

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