



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 Russ Stark
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert*

Wednesday, November 15, 2017

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

- Present** 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince
- Absent** 1 - Councilmember Chris Tolbert

Councilmember Tolbert arrived after roll call.

- Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

COMMUNICATIONS & RECEIVE/FILE

- 1 **CO 17-61** Letter from the Department of Safety and Inspections declaring 735 Margaret Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and filed

- 2 **AO 17-86** Amending CDBG activities budgets.
Received and filed

- 3 **AO 17-87** Neighborhood STAR Year-Round Program Funding.
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 (Items 4 - 20)

Councilmember Tolbert moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 4 RES 17-1758** Correcting a scrivener's error in Exhibit 1 to Ordinance 17-37 which creates the Hope Engine House Commercial Development District, and adding a map to Exhibit 1 for further clarification.
Adopted
- 5 RES 17-1759** Approving the polling locations for the 2018 elections and modifying the boundaries of Ward 1, Precincts 15 and 17; and the boundaries of Ward 3, Precincts 10 and 11 effective January 1, 2018.
Adopted
- 6 RES 17-1832** Canvassing the returns and declaring the results of the City General Election held November 7, 2017.
Adopted
- 7 RES 17-1797** Approving the use of grant funds through the Ward 6 Neighborhood Star Year-Round Program to assist the East Side Freedom Library with the purchase and installation of a new heating, ventilation and air conditioning system.
Adopted
- 8 RES 17-1800** Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during July 11 to August 11, 2017, and setting date of Legislative Hearing for December 19, 2017 and City Council public hearing for February 7, 2018 to consider and levy the assessments against individual properties. (File No. CRT1804, Assessment No. 188203)
Adopted

- 9 **RES 17-1801** Approving the City's cost of providing Property Clean Up service during August 2017 at 1638 Maryland Ave East, and setting date of Legislative Hearing for December 19, 2017 and City Council public hearing for February 7, 2018 to consider and levy the assessments. (File No. J1803A1, Assessment No. 188504)
Adopted
- 10 **RES 17-1802** Approving the City's cost of providing Excessive of Use of Inspection/Abatement services billed during July 23 to August 18, 2017, and setting date of Legislative Hearing for December 19, 2017 and City Council public hearing for February 7, 2018 to consider and levy the assessments against individual properties. (File No. J1804E, Assessment No. 188303)
Adopted
- 11 **RES 17-1803** Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during March 2 to August 23, 2017, and setting date of Legislative Hearing for December 19, 2017 and City Council public hearing for February 7, 2018 to consider and levy the assessments against individual properties. (File No. VB1804, Assessment No. 188803)
Adopted
- 12 **RES 17-1804** Approving the City's cost of providing Demolition services from August 2017 at 1027 Case Avenue, and setting date of Legislative Hearing for December 19, 2017 and City Council public hearing for February 7, 2018 to consider and levy the assessments against individual properties. (File No. J1803C, Assessment No. 182002)
Adopted
- 13 **RES 17-1731** Reducing the assessment at 2096 Como Avenue as part of the Como Avenue from Raymond to Commonwealth street reconstruction project.
Adopted
- 14 **RES 17-1748** Approving the partial release of utility easements within vacated Langford Park (Street) adjacent to 2180 Knapp Street for the Saint Paul Public School District.
Adopted
- 15 **RES 17-1812** Establishing the rate of pay for the new classification of Loan Servicing and Real Estate Supervisor in EG 09, SPSO, Grade 020.
Laid over to December 6 for adoption

- 16 **RES 17-1766** Authorizing acceptance of a Minnesota State Historical Society scholarship grant for one Heritage Preservation Commissioner to attend the Preserve Minnesota Annual Statewide Historic Preservation Conference.
Adopted

- 17 **RES 17-1765** Approving the 2017 Round 2 Cultural Sales Tax Revitalization (STAR) Loan and Grant Program awards.
Adopted

- 18 **RES 17-1770** Approving additional FY2017 Neighborhood Sales Tax Revitalization (STAR) loan and grant program awards.
Adopted

- 19 **RES 17-1750** Authorizing the Police Department to enter into a cooperative agreement with the U.S. Department of Justice for the HIDTA task force.
Adopted

- 20 **RES 17-1784** Authorizing Police Department to accept a grant in the amount of \$90,000 from the Minnesota Department of Public Safety for the 2017 State Homeland Security Program.
Adopted

FOR DISCUSSION

No items

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.

Second Reading

- 21 **Ord 17-17** Amending Chapter 65 of the Legislative Code pertaining to Alternative Financial Establishments.
Laid over to December 6 for third reading/public hearing

First Reading

- 22 **Ord 17-57** Amending Chapter 402 of the Saint Paul Legislative Code pertaining to local gambling tax.
Laid over to December 6 for second reading

- 23 **Ord 17-58** Allowing special permits for extended hours for service of alcoholic beverages in licensed establishments.

It was noted that the public hearing for this item would be held on December 13 at 3:30 p.m.

Laid over to December 6 for second reading

BUDGET AMENDMENT PUBLIC HEARINGS (Held during the 3:30 portion of the meeting)

- 24 RES PH 17-320** Amending the financing and spending plans in the General Government budget in the amount of \$101,596 for the development of a benefits administration module.
- No one was present to testify. Councilmember Thao moved to close the public hearing and approve the resolution.*

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 25 RES PH 17-317** Authorizing the Police Department to accept a grant in the amount of \$7,000 from the Target Corporation for the Technology Unit and Bike Cops for Kids program.
- No one was present to testify. Councilmember Bostrom moved to close the public hearing and approve the resolution.*

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Council members shared good news.

The Council recessed at 3:36 p.m.

PUBLIC HEARINGS (Public hearings begin at 5:30 p.m.)

The Council reconvened for Public Hearings at 5:31 p.m.

Council President Stark welcomed those present and explained the procedure for public testimony.

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

- 26 Ord 17-55** Granting the application of Twin City Concrete Products Co. to rezone property at 1477-1485 Minnehaha Avenue East from VP Vehicular Parking to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- No one was present to testify. Councilmember Prince moved to close the public hearing.*
- Public hearing held and closed; laid over to December 6 for final adoption**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 27 Ord 17-56** Granting the application of Michael Mohrlant to rezone the property at 550 Smith Avenue South from RM2 multiple family to B2 community business, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- No one was present to testify. Councilmember Noecker moved to close the public hearing.*
- Public hearing held and closed; laid over to December 6 for final adoption**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 28 RES PH 17-313** Ratifying the assessment for the 2017 Street Maintenance Service Program. (File No. 2017SMSP, Assessment No. 170025)
- No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- The item was recalled following Item 34 to allow someone to testify.*
- Council President Stark moved to recall Item 28. Yeas - 7 Nays - 0*
- In opposition:*
Duane Bauer II (1607 Suburban Avenue)
- Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 29 RES PH 17-325** Setting the Solid Waste Service Fee portion of the Recycling and Solid Waste Service Fee for 2018.

No one was present to testify. Council President Stark moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

30 RES PH 17-314 Approving the Energy Park Utility Company Schedule A.

No one was present to testify. Council President Stark moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

31 RES PH 17-323 Amending the City's Capital budget and approving a First Amendment to the Funding Agreement with the Housing and Redevelopment Authority of the City of Saint Paul for the Snelling Midway Redevelopment Site; approving the terms of a Memorandum of Agreement with MUSC Holdings, LLC; accepting a grant from the Capitol Region Watershed District; and granting preliminary approval for City financing.

Planning and Economic Development (PED) Director Jonathan Sage Martinson gave a staff report on the steps taken so far related to the Master Plan and the infrastructure budget, and actions being taken today.

Mr. Sage Martinson and Finance Director Todd Hurley answered Council members' questions.

Mike Hahm, Director of Parks and Recreation, gave a staff report on the POPS agreement, and answered Council member's questions.

Councilmember Tolbert spoke in support.

Council President Stark made general comments about POPS and stormwater.

Councilmember Brendmoen spoke in support of POPS and stacked stormwater.

Mr. Sage Martinson continued the staff report on the Plat (items 33 and 34).

In opposition:

Shirley Erstad (1660 Laurel) expressed concerns about aspects of the POPS agreement.

Mike Koch, representing 1600 Spruce Tree, said he was not in opposition to the development but had concerns about the stop light at Spruce Tree Drive and Snelling Avenue.

Councilmember Thao moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Thao and Council President Stark spoke in support.

Councilmember Noecker expressed concerns about the parkland agreement and making sure the City was getting the best deal. She said she was not sure why the City was contributing construction cost, and moved an amendment to remove that.

Councilmember Prince said she shared Councilmember Noecker's concerns, and had concerns about Article 6 of the agreement.

Councilmember Thao spoke against the amendment.

Councilmember Bostrom spoke in support of the amendment.

Council President Stark, Councilmember Tolbert, and Councilmember Brendmoen spoke in support of the original resolution.

Following further discussion, a vote was taken on the Councilmember Noecker's amendment. Yeas - 3 Nays - 4 (Stark, Thao, Brendmoen, Tolbert)

Councilmember Prince moved a layover to get answers to questions about Article 6.

Council President Stark said there was a hard deadline on the plat.

Mr. Sage Martinson clarified how the pieces fit together, and the deadlines.

Councilmember Prince withdrew her motion.

Following further discussion, Councilmember Thao moved approval.

Councilmember Tolbert spoke in support.

Councilmember Prince spoke in opposition.

Councilmember Thao spoke in support.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Stark

Nay: 3 - Councilmember Bostrom, Councilmember Noecker and Councilmember Prince

The Council will recess and convene as the HRA to consider RES 17-1815: Approving a budget amendment and a First Amendment to Funding Agreement with the City of Saint Paul regarding the Snelling Midway Redevelopment Site, District 13, Ward 1.

The Council recessed at 7:20 p.m. and reconvened at 7:21 p.m.

32 RES 17-1554

Authorizing the appropriate City officials to enter into a Parkland Agreement for Snelling/Midway with MUSC Holdings, LLC. (Laid over from October 4)

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

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Stark

Nay: 3 - Councilmember Bostrom, Councilmember Noecker and Councilmember Prince

- 33 RES 17-1573** Approving a Land Surveyor's Certificate of Correction of Plat of the Midway Shopping Center Plat.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 34 RES 17-1580** Approving the Final Plat for the Snelling-Midway Redevelopment Site. (Public hearing on the preliminary plat held August 3, 2016)

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 38 RLH SAO 17-92** Appeal of Patrick A. Carlone to a Summary Abatement Order and Vehicle Abatement Order at 185 COMO AVENUE.

Legislative Hearing Officer Marcia Moermond gave a staff report on the summary abatement and vehicle abatement orders; she displayed photographs. She said Patrick Carlone was appealing on behalf of the owner of record John Carlone. She said Patrick Carlone indicated in hearing that the vehicles were supportive of construction he would be undertaking, he had building permits pulled and as working with the

Capitol

Area Architectural and Planning Board. Ms. Moermond said the Council considered the same issue a year ago and ordered the vehicles removed; they were removed and had been brought back. She said there was only one permit pulled at the property recently, and it preceded the hearing a year ago. It was never finalled, and was for a temporary electrical hook-up. She said the senior electrical inspector checked into the status of the permit, and noted an illegal electrical hook-up from the pole to the trailer. noted permits, electrical connection. She said the Capito; Area Architectural and Planning Board staff indicated they had spoken with Mr. Carlone over the years about potential construction but had done no zoning approval and had seen no building permits, and did not approve of the RV and trailer being present on the property. She said a letter received from Mr. Carlone that day indicated he was living on the parcel, and there was

no legal structure on the parcel. She said because the exact same issue was before the Council last year, she was recommending denial with no extension.

In opposition:

Appellant Patrick Carlone appeared and read a statement in opposition.

Councilmember Thao moved to close the public hearing. Yeas - 6 Nays - 0 (Tolbert not present for vote)

Councilmember Thao moved to adopt Ms. Moermond's recommendation.

Adopted (appeal denied)

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Tolbert

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 (Items 35 - 49)

No one was present to testify. Councilmember Thao moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

35 RLH SAO 17-51 Making finding on the appealed nuisance abatement ordered for 1469 ALBANY AVENUE in Council File RLH SAO 17-27.

Adopted

36 RLH VBR 17-69 Appeal of Fonda Jones to a Vacant Building Registration Notice at 575 ASHLAND AVENUE.

Adopted

37 RLH RR 17-43 Making finding on the appealed nuisance abatement ordered for 1571 CHRISTIE PLACE in Council File RLH RR 17-35.

Public hearing continued to December 6

- 39 **RLH VBR** Appeal of Omobolaji Shadrack to a Vacant Building Registration Fee
17-71 Warning Letter at 2203-2205 GLENRIDGE AVENUE.
Adopted
- 40 **RLH CO 17-35** Appeal of Mary Beth Leone-Getten to a Correction Notice at 1290
 GOODRICH AVENUE.
Adopted
- 41 **RLH VBR** Appeal of Samuel Tudor and Jason Tudor to a Vacant Building
17-75 Registration Fee at 1812 LAFOND AVENUE.
Adopted
- 42 **RLH FCO** Appeal of Matt Jackson to a Fire Inspection Correction Notice at
17-172 529-531 LAUREL AVENUE.
Adopted
- 43 **RLH VBR** Appeal of Zach Nixon to a Vacant Building Registration Notice at 892
17-68 MARSHALL AVENUE.
Adopted
- 44 **RLH VBR** Appeal of Mark Drexler to a Vacant Building Registration Notice at 1816
17-67 MINNEHAHA AVENUE EAST.
Adopted
- 45 **RLH VBR** Appeal of Douglas Grimm, Real Estate Broker, to a Vacant Building
17-72 Registration Fee Warning Letter at 1779 MONTREAL AVENUE.
Adopted
- 46 **RLH SAO 17-93** Making finding on the appealed nuisance abatement ordered for 718
 PELHAM BOULEVARD in Council File RLH SAO 17-82.
Adopted
- 47 **RLH SAO 17-90** Making finding on the appealed nuisance abatement ordered for 1011
 SELBY AVENUE in Council File SAO 17-85.
Adopted as amended (nuisance abated)
- 48 **RLH SAO 17-83** Making finding on the appealed nuisance abatement ordered for 593
 VAN BUREN AVENUE in Council File SAO 17-76. (Legislative Hearing
 on November 14)
Adopted as amended (nuisance abated)

- 49 **RLH VO 17-48** Appeal of Laurel Hedlund (former appellant was Lance Holder) to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1108 WESTERN AVENUE NORTH. (Public hearing continued from December 20)
Public hearing continued to December 6

ADJOURNMENT

Council President Stark adjourned the meeting.

Meeting adjourned at 7:42 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

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