

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

A motion was made by Councilmember Noecker to Approve the Consent Agenda The motion carried by the following vote:

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

Nay: 0

5 <u>RES 20-1334</u> Approving the City's cost of providing Property Clean Up services during August 3 to 14, 2020, and setting date of Legislative Hearing for November 17, 2020 and City Council public hearing for February 3, 2021 to consider and levy the assessments against individual properties. (File No. J2105A, Assessment No. 218505)

Adopted

6 RES 20-1335 Approving the City's cost of providing Property Clean Up services during August 17 to 31, 2020, and setting date of Legislative Hearing for November 17, 2020 and City Council public hearing for February 3, 2021 to consider and levy the assessments against individual properties. (File No. J2106A, Assessment No. 218505)

Adopted

7 <u>RES 20-1400</u> Authorizing the Department of Parks and Recreation to apply for funds of up to \$20,000 from the Capital Region Watershed District's Partner Grants program for the BIPOC Parks Ambassadors program.

Adopted

9 <u>RES 20-1438</u> Authorizing the City of Saint Paul to apply to the Minnesota Department of Employment and Economic Development for Contamination Cleanup Grant funding for the 337 West 7th Street Project.

Adopted

10 <u>RES 20-1441</u> Approving the agreement between the Department of Safety and Inspections (DSI) and the Association for Non-Smokers-Minnesota (ANSR), and accepting a grant of \$7,000 to enable DSI to limit youth access to tobacco products.

Adopted

FOR DISCUSSION

8 <u>RES 20-1437</u> Approving adverse action against the Massage Practitioner application submitted by Kao Vang (License ID #20190001182) for the premises located at 2140 Ford Parkway. (Laid over from October 21.)

Laid over to October 28

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

Nay: 0

11 <u>RES 20-1458</u> Awarding 2020 COPP Funds to North End Neighborhood Organization for the Love First Initiative.

Withdrawn

12 RES 20-1477 Declaring October 2020 Domestic Violence Awareness Month.

(Council President Brendmoen read the resolution into the record.)

Rebecca Cline said 2020 has been difficult. For victims of domestic violence, the degree and number of victims has been horrendous. The types of violence have become worse. They wouldn't be able to do their work if it wasn't for their partners (mentioned several programs). We are all in this together. She was on a radio show today. People called in about some of the things they were experiencing. That would never happen in this community. The women she works with are so thankful. When everything is closed down, all of you are still here to help me.

Council President Brendmoen said there are lots of folks on the call.

Councilmember Thao thanked Cline for her work. He has referred a family to her organization. They didn't speak English. She was able to find a person to speak their language. They learned about their own rights. Law enforcement helped them. She doesn't just help one family; she helps hundreds of families in Saint Paul.

Councilmember Prince thanked Cline and her whole team. Every year in October, they are reminded of this. They do difficult and challenging work. It has become an international model. Here's to another strong year and hopefully where we see a reduction in numbers.

Councilmember Yang expressed her gratitude to Ms. Cline. One person who is experiencing this, it is a ripple effect. This is an issue that effects so many other issues.

Councilmember Tolbert thanked people for organizing this. This is talking about people who have lost their lives. We have a similar resolution every year about this

time. We are celebrating the groundbreaking work and we are mourning the people who did not get help in time. City Attorney's Office, County Attorney, and police are involved. So grateful for the work they do.

Councilmember Noecker said they read this every year. There is a saying that anyone who saves one person saves the entire world. She is grateful for the work they do.

Prince moved the resolution 7 in favor, none opposed Adopted

Adopted

13 <u>SR 20-114</u> Proposed 2021 Budget Presentation from Human Rights and Equal Economic Opportunity

Director Valerie Jensen from HREEO is here.

Jensen showed her screen. She talked about HREEO's mission: "serving Saint Paul residents and businesses by advancing justice and equity through education, advocacy, and enforcement." They came up with their values: trust and accountability, community inclusion, openness, and continuous improvement. HREEO is 1.6% of the City's budget. She talked about the current vacancies, budget changes, budget savings. There were detailed non-personnel savings, which are things they had to cut to meet budget dollars. She gave an updated labor standards investigations.

Councilmember Prince thanked her for all the work to put together the Labor Standards Advisory Group. There were lessons learned in Minneapolis. There may be an opportunity to get ahead of the curve in figuring out what not to do. Labor Standards Position 2, is she planning to fill that position in 2021. Jensen responded they have 4 positions in Labor Standards. They had 2 positions already and 2 positions added. Because of COVID, they left those positions open. In 2021, they will fill one with one being left open. The way it works now, they will be filling one in the first quarter of 2021.

Prince says that she wonders if they can maintain the demands and rigors of the work with the staffing they have available. Jensen responded that they want to be able to meet the needs of the residents of the City. They want to make sure the person has the right skills. Alicia is the other labor standards person. Her ability to hit the ground running is substantial. Of course, they are constantly reviewing the staffing and staffing needs. Right now by bringing someone in, they are set for the first 9 months of 2021.

Councilmember Noecker said she is curious about the standards used to decide when they need to staff up. Jensen went into detail about the time it takes for a case to go through. Some of these are a long time, but it is case dependent. The other thing is they stay in direct contact throughout the investigation process. The complainants are well aware of what they are trying to do on their behalf. They want to do what is best for the complainant.

Jensen talked about the 2021 budget in the General Fund.

Noecker asked about the Mayor's equity initiatives. Jensen said she does not control that budget. Toni Newborn will be speaking on that at another time.

Councilmember Thao asked about the minority business development. Jensen said there are a variety of things that fall in that. It was housed in PED (Planning and Economic Development). It's different than CIRT. It is money they contract with different community partners for minority, small, and women owned businesses. It might be working with small contractors to do training on how to get contracts with the City.

Thao said that is the CIRT program, right? Jensen responded, no, CIRT is a separate fund.

Thao asked how it would be communicated. PED has not mentioned this. Jensen said the money for that was given to HREEO 2 to 3 years ago. It used to be in a special fund. Now it is part of the general fund. When she was a small business owner, she had to go through the CIRT process and work through the CIRT team. The Minority Business Fund is different. It is set aside. It is a grant program to do the work that HREEO cannot do on its own, for example the formerly incarcerated program.

Thao asked how do people utilize it. Jensen said they contacted businesses, asked for solicitation, people submitted proposals. Those programs are still going on.

Jensen said this is her 2021 budget change.

Jensen said they have 3 contracts: contract with the department; contract for housing and urban development for investigations; and the RiverPrint fund.

Council President Brendmoen said they will follow up through Holly with questions.

Received and Filed

14 <u>RES 20-1478</u> Approving the Audit Committee's recommendation to audit the customer and constituent services the City provides to the residents and businesses of Saint Paul.

Councilmember Noecker said she welcomes people to speak about this. They have been meeting for 4 to 6 months. They conducted their first order of business. They did a community survey and got over 100 responses. They parsed through all of that. They came through a recommendation to study how the City does customer and constituent service. It should be easy to access support from City Hall. There is boundless activity to do it well. She is excited to support the City's recommendation today.

Councilmember Prince said the work of the committee has been satisfying. When they added 3 community advisers last week, they took the list of topics, and got down to about 9 topics from over 100 that were submitted. Innovation Chief Matt Larson thought they were good topics. The second thing he said is that a person shouldn't need to know who to call when you are looking for an answer. At community meetings, people are unfamiliar with the call number in DSI. We continue to look at ways to streamline this issue, including City Council. We have a chance to make it even better.

Councilmember Yang said she has been reflecting on community engagement. This reaffirms what she always talks about. She is so proud of the work that has happened already.

Councilmember Thao said he is excited about this and the work of Noecker, Prince, and Yang to get us to this point. We want to run an accountable government and make sure the outcomes are equitable.

Councilmember Jalali said she appreciates this direction and will be interested in the direction this will take. Some of it is not even having to snake your way into the secret route. There are so many hard working places. This overall direction is a good starting point.

Council President Brendmoen said she is happy with the selection. She is excited for the back end piece as well.

Noecker moved approval. 7 in favor, none opposed Resolution is adopted

Adopted

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

15 Ord 20-32 Amending section 220.05 of the Legislative Code, to set rates for base level garbage service to be effective January 1, 2021 and changing the rate calculation from a rate that includes taxes to a rate that excludes taxes.

Council President Brendmoen said Chris Swanson is here from Public Works.

Swanson presented his screen. This sets the rate for 2021 per the contract with the consortium. He asks that the Council approve the ordinance. There is no change in fuel. There is an increase in tipping fee. Some of the increase comes from COVID. The consortium is in agreement with these numbers. These are all pre-set and clear items. Total increase in tonnage. These are the components of the 2020 rate. Ultimately, these are the rates the residents will see on their quarterly invoice. Residents will see an increase in their bill for the medium and large carts. This is the same process used to set the 2020 rates. The rates do not reflect state and county taxes. Finally, there are 4 carts sizes, 2 or 3 bulky items per year, walk ups if there is a need, temporary service hold. In closing, he thanked them again for the opportunity to present.

Brendmoen asked about curbside compost pickup. Swanson explained what Ramsey County does. It will be available in 2023 or 2024. They are making upgrades to a facility. They are working closely with the County. As his office gets more information, he will update Council.

Brendmoen said there is still time to use bulky items.

Councilmember Noecker said she appreciates the information and the clear cut

formula. It's the right way to do it. It is not political. It is scientific. The increase is modest. When starting the program, people talked about the incentive for having a smaller cart. The rates are still lower than 2018 and 2019.

Swanson stated that is his main point: the rates are lower than 2018 and 2019.

Brendmoen said she guesses that the rates have come down. Three more readings. Public hearings will be in 3 weeks. A staff report at our first reading is interesting.

This ordinance will be laid over to October 28 for second reading.

Laid over to October 28 for second reading

16Ord 20-33Creating the classification titled Deputy Director of Human Resources in the
unclassified service pursuant to Section 12.03.2(H) of the City Charter.

Laid over to October 28 for second reading

PUBLIC HEARINGS

17 <u>ABZA 20-6</u> Public hearing to consider the appeal of Michael Buelow to a decision of the Board of Zoning Appeals (BZA) denying two variance requests for lot coverage and rear yard setback at 1493 Highland Pkwy. (Public hearing closed on October 21.)

Matthew Graybar, DSI (Department of Safety and Inspections) gave a staff report. This was heard on September 24. The variance request was denied by a vote of 4 to 3. This is 1493 Highland. It is setback with the rest of the houses. There was a house there previously, which was demolished. They got approval to construct what the applicant is proposing. These are the houses in the same block. There will be an addition. It will let the person with accessibility needs to access the entire house. The house was built in 1900, and it was not structurally built to support the addition. Located in Planning District 15. They can build up to 40% of the lot. The applicant is proposing to maximize the use. It is 40.2%. (Showed drawings of what the house will look like from different angles.) Staff recommends approval of the variances.

Councilmember Prince says it looks like there are some concerns that there had been 27 people who signed the petition who were not in support of the variances. Graybar responded yes there are owners who are not on the block. The entire block is not against it.

Prince says the BZA (Board of Zoning Appeals) denied the variances on 3 and 6. Graybar responded yes, there is no longer a difficulty in constructing. (He explained the problems.)

Council President Brendmoen says she used to live on that block.

Councilmember Tolbert said this is a unique case. There has been a lot of neighborhood participation. Some facts are relevant and some are not. Because it is an important decision and a lot of competing facts, it will be helpful to close the public hearing. His motion is to close the public hearing and lay over to next week.

7 in favor, none opposed

Public hearing is closed; laid over to October 28

Public hearing is closed; laid over to October 28

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

Nay: 0

18 <u>RES PH 20-222</u> Approving Monster Series LLC request for sound level variances in order to present amplified sound on Saturday, October 31, 2020 at Harriet Island and Upper Landing Park.

Councilmember Noecker moved to close the Public hearing and approve. 7 in favor, none opposed Public hearing is closed and the resolution is adopted

Adopted

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

Nay: 0

19 <u>RES PH 20-218</u> Approving the petition of Anthony T. Koens to vacate a portion of Oneida Street abutting Blocks 27 and 30 in Stinson, Brown & Ramsey's Addition.

Council President Brendmoen asked if she is looking for a staff report. Councilmember Noecker responded no.

Brendmoen said comments have been taken online and over the phone.

7 in favor, none opposed Public hearing is closed and item is adopted

Adopted

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

Nay: 0

20 <u>RES PH 20-226</u> Authorizing the Police Department to accept the amendment to the grant agreement with the U.S. Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas Program, and amend the 2020 grant budget. (Public hearing closed; laid over from October 21)

Council President Brendmoen said comments were taken online and over the phone.

Councilmember Thao moved to close the public hearing and approve.

Councilmember Yang said an amendment is usually attached. She wanted more information of what the dollars will be used for.

Brendmoen said she is not sure anyone is on the call to answer the question.

Yang moved to close the public hearing and one week layover. 7 in favor, none opposed Public hearing is closed; laid over to October 28

Public hearing is closed; laid over to October 28

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

Nay: 0

21 <u>RES PH 20-209</u> Amending the Capital Improvement Budget in the amount of \$334,163 to reflect actual dollar amounts in the State Fiscal Year 2021 Parks and Trails Funding due to effects of the COVID-19 pandemic.

Council President Brendmoen said comments were taken online and over the phone.

Councilmember Noecker moved to close the public hearing and approve. 7 in favor, none opposed Public hearing is closed; resolution is adopted

Adopted

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

Nay: 0

22 <u>RES PH 20-210</u> Amending the 2019 Capital Improvement Budget in the amount of \$100,000 to accept additional financing from the Sanneh Foundation to fund City staff time for project supervision and construction improvements of the field space at the Conway Recreation Center.

Council President Brendmoen said comments were taken online and over the phone.

Councilmember Prince moved to close the public hearing and approve. 7 in favor, none opposed Public hearing is closed; the resolution is adopted

Adopted

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

Nay: 0

23 <u>RES PH 20-229</u> Authorizing an increase in the City Grant General Government Fund Budget in the amount of \$395,146 to reflect grant funding received from the Minnesota Department of Education, for the purpose of distributing meals to Saint Paul

children and adults who are experiencing food insecurity as a result of COVID-19.

Council President Brendmoen said comments were taken online and over the phone.

Councilmember Prince moved to close the public hearing and approve. 7 in favor, none opposed Public hearing is closed; the resolution is adopted

Adopted

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

Nay: 0

The City Council will recess and convene as the Library Board to consider RES PH 20-216 amending the spending and financing plans for the Library Agency.

The Library Board meeting was rescheduled to October 28

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 Prince moved to close the public hearings and adopt. 7 in favor, none opposed Public hearings are closed and the resolutions are adopted

For the following items, no objections to the Legislative Hearing Officer's recommendations were received and, therefore, she recommends adoption.

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

Nay: 0

24 <u>RLH VBR 20-64</u> Appeal of Dong Yang to a Vacant Building Registration Fee Warning Letter at 9 ACKER STREET WEST.

Adopted

25 <u>RLH SAO 20-26</u> Making finding on the appealed nuisance abatement ordered for 2262 BLAKE AVENUE in Council File RLH SAO 20-7.

Adopted

26 <u>RLH SAO 20-23</u> Appeal of Henry Skrypek to a Summary Abatement Order at 655 CHARLES AVENUE.

Adopted

27	<u>RLH VBR 20-65</u>	Appeal of Nghia Huynh to a Vacant Building Registration Fee Warning Letter at 1205 COOK AVENUE EAST.
		Adopted
28	RLH SAO 20-28	Making finding on the appealed nuisance abatement ordered for 199 DUKE STREET in Council File RLH SAO 20-10.
		Adopted
29	RLH SAO 20-33	Appeal of Harmony Neal to a Summary Abatement Order at 150 FAIRVIEW AVENUE NORTH.
		Adopted
30	<u>RLH SAO 20-30</u>	Making finding on the appealed nuisance abatement ordered for 1088 FIFTH STREET EAST in Council File RLH SAO 20-11.
		Adopted
31	RLH TA 20-584	Making finding on the appealed nuisance abatement ordered for 873
		HAWTHORNE AVENUE EAST in Council File RLH SAO 20-9.
		Adopted
33	<u>RLH SAO 20-32</u>	Making finding on the appealed nuisance abatement ordered for 31 KIPLING STREET in Council File RLH SAO 20-16.
		Adopted
34	<u>RLH VBR 20-66</u>	Appeal of Paul Teske to a Vacant Building Registration Renewal Notice at 363 LAWSON AVENUE EAST.
		Adopted
35	RLH SAO 20-31	Making finding on the appealed nuisance abatement ordered for 1374
		MCLEAN AVENUE in Council File RLH SAO 20-13.
		Adopted
36	<u>RLH VBR 20-50</u>	Appeal of Robert Clapp, on behalf of 700 Minnehaha LLC, to a Vacant Building Registration Fee at 700 MINNEHAHA AVENUE EAST. (To be referred back to Legislative Hearing on October 6, 2020)
		Adopted
38	<u>RLH SAO 20-25</u>	Making finding on the appealed nuisance abatement ordered for 1139 RALEIGH STREET in Council File RLH SAO 20-6.

Adopted

40	RLH SAO 20-34	Making finding on the appealed nuisance abatement ordered for 1953
		STILLWATER AVENUE in Council File RLH SAO 20-17.

Adopted

41 <u>RLH SAO 20-37</u> Making finding on the appealed nuisance abatement ordered for 1351 THIRD STREET EAST in Council File RLH SAO 20-20.

Adopted

For the following item, no objection to the Legislative Hearing Officer's amended recommendation was received and, therefore, she recommends amendment and adoption of the item.

32 <u>RLH RR 20-33</u> Ordering the rehabilitation or razing and removal of the structures at 1023 JESSIE STREET within fifteen (15) days after the October 21, 2020, City Council Public Hearing.

Councilmember Yang moved to close the public hearing, amend, and adopt. 7 in favor, none opposed Public hearing is closed; resolution is adopted as amended

Adopted as amended

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

Nay: 0

For the following item, the Legislative Hearing Officer's recommendation is to continue the public hearing to October 28, 2020.

37 <u>RLH RR 20-34</u> Ordering the rehabilitation or razing and removal of the structures at 1355 PAYNE AVENUE within fifteen (15) days after the October 21, 2020, City Council Public Hearing.

Councilmember Yang moved to continue public hearing to October 28. 7 in favor, none opposed Public hearing is continued to October 28

Public hearing continued to October 28, 2020.

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

Nay: 0

39	<u>RLH CO 20-13</u>	Appeal of Mitchell Karstens to a Correction Notice at 408 SNELLING AVENUE
		SOUTH. (To be withdrawn)

Shari Moore, City Clerk, said this item is to be withdrawn.

Withdrawn

SUSPENSION ITEM

Councilmember Prince moved suspension of the rules. 7 in favor, none opposed Rules are suspended

Rules suspended

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

Nay: 0

<u>RLH VO 20-49</u> Granting a stay of enforcement of Council File RLH VO 20-47, a decision on an appeal of a Fire Correction Notice-Complaint Inspection, including condemnation, at 1544 BEECH STREET.

RLH VO 20-49

Councilmember Thao moved approval. 7 in favor, none opposed Public hearing is closed; the resolution is adopted

Adopted

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

Nay: 0

ADJOURNMENT

The meeting was adjourned at 5:18 p.m.

In-person meetings, or meetings conducted under Minn. Stat. § 13D.02 of the City Council, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the City Council will participate in City Council meetings by telephone or other electronic means.

Public attendance at the City Council's regular meeting location is not feasible due to the COVID-19 health pandemic. Members of the public may view City Council meetings online at stpaul.legistar.com/Calendar.aspx or on local cable Channel 18.

The public may comment on public hearing items in writing or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the meeting will be attached to the public record and available for review by the City Council. Comments may be submitted as follows:

Written public comment on public hearing items can be submitted to Contact-Council@ci.stpaul.mn.us, CouncilHearing@ci.stpaul.mn.us, or by voicemail at 651-266-6805.

While the Council will make best efforts to decide all issues before them, the Council may delay decisions on certain matters where the members believe meeting in-person is necessary. All City Council public hearings will be held at 3:30 p.m. and there will be no separate 5:30 p.m. public hearings. More information is available at www.stpaul.gov/departments/city-council

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