



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
651-266-8560

Minutes - Final

City Council

Council President Amy Brendmoen
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, January 6, 2021

3:30 PM

Council Chambers - 3rd Floor

Please see the meeting guidelines due to the COVID-19 pandemic emergency.

ROLL CALL

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

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 21-1](#) Mayor's Emergency Executive Orders 20-42 and 20-43.
Received and Filed
- 2 [AO 20-69](#) Amending HOME project budget for Parkway Apts.
Received and Filed
- 3 [AO 20-70](#) Amending the 2020 Fund 200 grant budget for the Department of Emergency Management to more accurately record expenditures.
Received and Filed
- 4 [AO 20-71](#) Amending the 2020 Fund 200 grant budget for the Fire Department to more accurately record expenditures.
Received and Filed
- 5 [AO 20-72](#) Amending the 2020 Fund 722 budget for the Fire Department to more accurately record expenditures.
Received and Filed
- 6 [AO 20-73](#) Amending the 2020 general fund budget for the Fire Department to more accurately record expenditures
Received and Filed

- 7 [AO 20-74](#) Authorizing the Police Department to reallocate its 2020 Special Fund operating budget to more accurately record expenditures.
- 8 [AO 21-1](#) Amending the 2020 spending budget in the Department of Public Works Street Lighting Maintenance accounting unit.

Received and Filed

Received and Filed

CONSENT AGENDA

Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

Approval of the Consent Agenda

Councilmember Jalali moved to remove Item 9 and approval the Consent Agenda.

7 in favor, none opposed

Consent Agenda is adopted as amended

Adopted Consent Agenda

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

Nay: 0

- 10 [RES 21-4](#) 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.
- 11 [RES 21-5](#) Approving an agreement with MnDOT for maintenance of sidewalks along and adjacent to Trunk Highway 52.
- 12 [RES 21-23](#) Approving a Cooperative Construction Agreement with the Minnesota Department of Transportation (MnDOT) for traffic signal, sidewalk, and roadway surface improvements adjacent to Trunk Highway 94.
- 13 [RES 21-14](#) Approving the Memorandum of Agreement for the 2021 Wage and Fringe Adjustment (January 1, 2021) for the Sprinkler Fitters Local Union No. 417.

Laid Over

- 14 [RES 20-1679](#) Approving the Joint Memorandum of Agreement Extension between the City of Saint Paul and AFSCME District Council 5 (Locals 1842, 2508, 3757), Classified Confidential Employees Association (CCEA), Fire Fighters Local 21, Fire Supervisory Association (FSA) Local 3939, Machinists, Manual & Maintenance Supervisors Association, Operating Engineers Local 70, Police Federation, Professional Employees Association (PEA), Saint Paul Supervisory Association (SPSO), Tri-Council (Local 49, 120 and 363), Trades: Bricklayers, Carpenters, Cement Masons, Electrical Workers, Elevator Constructors, Painters, Pipefitters, Plumbers, Sprinkler-Fitters and Sheet Metal Workers for the purpose of access for employees who are unable to work a portion of, or all their regularly scheduled hours due to the COVID 19 pandemic, up to eighty (80) hours of Emergency Pandemic Leave (EPL).
Adopted
- 15 [RES 21-7](#) Approving the execution of an amendment to the Municipal Lease Agreement with US Bank Equipment Finance.
Adopted
- 16 [RES 21-6](#) Approving the use of grant funds through the Neighborhood STAR Year-Round Program for Five Star Cafe, LLC.

Adopted
- 17 [RES 21-31](#) Authorizing the City to accept the donation of services of a climate advisor to assist the City in its work with the American Cities Climate Challenge.
Adopted
- 18 [RES 21-25](#) Authorizing the Department of Parks and Recreation to expend an amount not to exceed \$15,000 for the purpose of providing refreshments, marketing materials, and other incentives for various activities, programs, and events throughout 2021.

Adopted
- 19 [RES 21-16](#) Authorizing the Fire Department to accept the donation of one treadmill valued at \$2,800 from the Saint Paul Fire Foundation.
Adopted
- 20 [RES 21-26](#) Approving the City's cost of providing Collection of Vacant Building Registration fees billed during May 20 to September 17, 2020, and setting date of Legislative Hearing for February 2, 2021 and City Council public hearing for March 17, 2021 to consider and levy the assessments against individual properties. (File No. VB2105, Assessment No. 218804)

Adopted
- 21 [RES 21-27](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during October 2020, and setting date of Legislative Hearing for

February 2, 2021 and City Council public hearing for March 17, 2021 to consider and levy the assessments against individual properties. (File No. J2105B, Assessment No. 218104)

Adopted

- 22 [RES 21-28](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during August 19 to September 14, 2020, and setting date of Legislative Hearing for February 2, 2021 and City Council public hearing for March 17, 2021 to consider and levy the assessments against individual properties. (File No. CRT2105, Assessment No. 218204)
Adopted
- 23 [RES 21-29](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during August 26 to September 21, 2020, and setting date of Legislative Hearing for February 2, 2021 and City Council public hearing for March 17, 2021 to consider and levy the assessments against individual properties. (File No. J2105E, Assessment No. 218304)
Adopted
- 24 [RES 21-30](#) Approving the City's cost of providing Removal of Dangerous Tree(s) during February 2020 at 1711 St Clair Ave, and setting date of Legislative Hearing for February 2, 2021 and City Council public hearing for March 17, 2021 to consider and levy the assessments against individual properties. (File No. 2101T, Assessment No. 219000)
Adopted

FOR DISCUSSION

- 9 [RES 21-9](#) Designating the City's official newspaper for 2021.

Council President Brendmoen said we are moving Version 2 with a minor technical correction. This is a requirement about designating the official paper where the City posts legal notices and agendas. The City is required to do this. It is expensive and odd that we are doing this in this day and age. The newspaper lobby is strong. It would make sense to go with a local newspaper. That is worth consideration.

Brendmoen moved approval.

7 in favor, none opposed

Resolution is adopted

Adopted As Amended

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

Nay: 0

SUSPENSION ITEMS

Councilmember Noecker moved suspension of the rules.

7 in favor, none opposed

Rules are suspended

RES 21-70

Authorizing a license agreement between Jones Lang LaSalle Americas, Inc. and the Police Department for the City's use of vacant commercial space for police training activities.

Judy Hanson, City Attorney's Office, said this is from Deputy Chief Stacy Murphy. This will be a joint training with Fire and law enforcement in the east metro. The Sears site is an ideal location for a large number of officers and firefighters with COVID protocols. There will be scenario training. They were unable to find any city-owned facility to conduct this training. They are conducting the training to prepare them to work jointly.

Councilmember Jalali asked what other facilities were considered. Hanson said she does not have that information. They did try for some time to find a facility to use. That is one reason it is coming in late.

Jalali said there is community concern about different responses to different protests. There are real differences in the way protesters are treated. What kind of communication can they expect from the police department? Hanson responded she does not have specific information in response to this question. In working with the police department in the civil unrest, they are always looking for ways to allow those who attend to peacefully demonstrate. This training is for about 47 days in the Sears building.

Jalali said in the past different types of exercises happen. They are heavily armed officers, which is frightening to neighborhoods.

Council President Brendmoen said the joint nature of the training is relating to protests when the police ended up protecting firefighters. We are voting on a contract for use going forward. She is very supportive of police training. We can't allow them to work without proper training.

Councilmember Thao said he would like to know the total cost of the agreement. He would like to know the scope of the training. Will neighbors hear this training? What kind of environment?

Councilmember Yang said she has similar concerns.

Councilmember Noecker said she appreciates the conversation. When the Council gets the information about the specifics of the training, she would like to know what to do when there is a protest in the neighborhood. They are going to be continually confronted by these incidents. What is the line between protests and free speech?

Noecker 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 and Councilmember Yang

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.

Final Adoption

- 25 [Ord 20-35](#) Granting the application of Keith Schroeder to rezone the property at 981 Fuller Avenue from R4 Single Family Residential to T2 traditional neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Councilmember Thao moved to deny the application to rezone. He stated the reasons: The applicant is proposing to rezone the subject property from R4 to T2 in order to establish a commercial use on the First Floor of an existing mixed-use structure. This property was zoned R4 in 1975. Nothing suggests that the property's current R4 zoning is somehow incompatible with the present use of the property or the character of development in the immediate surrounding property. He finds that the T2 zoning is inconsistent with the character of the development and the area immediately surrounding the property. The T2 zoning is intended for use in existing or potential pedestrian and transit node.

This property is not within existing or potential transit node. It is 2 blocks south and east of a transit node at University in Lexington. Rezoning this property T2 is not likely to foster and support compact pedestrian oriented commercial and residential development that will support transit usage at University and Lexington.

This property is not a pedestrian node. It is a residentially zoned property on a corner lot located in an R4 single family district.

The T2 zoning is not consistent with the historical pattern of development in the immediate area. That property is zoned R4. RT1 zone property lies within the subject property and the T3 and T2 zone property along University in Lexington. The intervening RT1 zone properties between the T3 and T2 zone property appropriately serve as a transition to this R4 district as called for under the zoning code.

The rezoning to T2 would leapfrog this historical pattern of appropriate zoning transitions from more intense to less intense use and allows for the insertion of greater varieties of commercial use that could be inconsistent with the surrounding R4 and RT1 uses. Rezoning to T1 may be more reasonable. T1 allows commercial uses that would be more consistent with the existing nature of the R4 and RT district that surround the site and does not allow many of the more intense commercial uses permitted under T2.

The proposed zoning isn't consistent with the comprehensive plan. The subject parcel is in an area defined by the comprehensive plan as an urban neighborhood. Urban neighborhoods are predominantly residential in nature and this is reflected by the R4 and RT1 zone around the parcel. This roughly 3000 square foot structure may be compatible in size with the scale nearby residential uses, but the intensity of many of the commercial use permitted under T2 zoning are also equally incompatible with the

surrounding R4 and R21 uses. Nothing suggests that the current R4 zoning for this property is incompatible with the present character and development of the property with immediately surrounding property.

The subject property is also with the Lexington neighborhood node. On balance, rezoning the T1 zoning could also be consistent with the Policy LU-31, which calls for investing in neighborhood nodes to achieve development and enable people to meet their daily needs within walking distance and improve equitable access to amenities, retail, and services. T1 zoning also enables a long vacant commercial space to be rehabilitated for new commercial uses in this neighborhood node. Policy 22 of the District 8 plan call for continued effort to foster minority business startup retentions and expansions from within the community. Rezoning to T1 could help facilitate the development of a new minority home commercial use in this neighborhood node, which would be consistent with this policy as well. Rezoning to T2 would not be compatible with immediately surrounding residential uses. T2 is more appropriate for commercial uses of the property that front on University and Lexington Avenue. The scale of many of the users permitted under T2 is incompatible with scale of the nearby residential Zone property in this residential district.

For those reasons, Mr. Thao is denying the application to rezone 981 Fuller from R4 to T2 by withdrawing this ordinance and bringing forth a resolution memorializing this denial.

This item is withdrawn.

Withdrawn

26 [Ord 20-37](#)

Creating Chapter 194 of the Legislative Code entitled Smoking Policy Disclosure to require the completion of a smoking sale disclosure report for sale of units within a common interest community.

Councilmember Noecker said she is excited about bringing this forward. This is a step forward for public health and transparency. (She mentioned several people.)

Noecker moved approval.

Councilmember Tolbert thanked Noecker for her work.

7 in favor, none opposed

Ordinance is adopted

Adopted

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

Nay: 0

PUBLIC HEARINGS

27 [RES PH 21-3](#)

Amending the spending budget for the Public Works Grant Fund related to the 2021 Ramsey County SCORE Incentive Grant.

Council President Brendmoen said there was a public hearing online, by e-mail, and

over the phone.

Councilmember Tolbert 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

28 [RES PH 21-2](#)

Approving the application of Anderson Race Management for a sound level variance in order to present announcements and music on Saturday, January 30, 2021 for the Winter Carnival 5K - Securian at Lake Phalen.

Council President Brendmoen said there was a public hearing online, by e-mail, and over the phone.

Councilmember Tolbert 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

29 [RES PH 21-4](#)

Authorizing the Police Department to accept and amend the 2021 Special Fund Budget for the Minnesota Department of Public Safety, Pathway to Policing Grant.

Council President Brendmoen said there was a public hearing online, by e-mail, and over the phone.

Councilmember Thao 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

LEGISLATIVE HEARING ITEMS

*Councilmember Prince moved to adopt.
7 in favor, none opposed
Public hearings closed and resolutions are adopted*
Adopted Consent Agenda

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

Nay: 0

- 30** [RLH TA 20-548](#) Deleting the Appealed Special Tax Assessment for property at 915 ARCADE STREET. (File No. J2102A, Assessment No. 218501)
- 32** [RLH VBR 20-73](#) Appeal of Rebecca Amidon to a Vacant Building Registration Notice at 1285 BEECHWOOD PLACE.
Adopted
- 34** [RLH SAO 20-56](#) Appeal of Gregory E. Johnson to a Summary Abatement Order at 1023 BURR STREET.
Adopted
- 35** [RLH FCO
20-167](#) Appeal of Brett Hesley to a Correction Notice Re-Inspection Complaint at 1550 BUSH AVENUE.

Adopted
- 37** [RLH RR 20-48](#) Ordering the razing and removal of the structures at 750 CHATSWORTH STREET SOUTH within fifteen (15) days after the January 6, 2021, City Council Public Hearing.

Adopted
- 38** [RLH SAO 20-51](#) Making finding on the appealed nuisance abatement ordered for 910 CLEAR AVENUE in Council File RLH SAO 20-48.
Adopted
- 40** [RLH SAO 20-49](#) Appeal of Catherine Maurer to a Summary Abatement Order at 1122 EARL STREET.
Adopted
- 41** [RLH TA 20-559](#) Deleting the Appealed Special Tax Assessment for property at 970 EDGERTON STREET. (File No. J2102A, Assessment No. 218501)
Adopted
- 42** [RLH RR 20-49](#) Ordering the razing and removal of the structures at 1976 FAIRMOUNT AVENUE within sixty (60) days after the January 6, 2021, City Council Public Hearing.

Adopted
- 43** [RLH OA 20-10](#) Appeal of Jacob Sprecher to a Fence Permit Denial at 274 FILLMORE

AVENUE EAST.
Adopted

- 47 [RLH TA 20-555](#) Ratifying the Appealed Special Tax Assessment for property at 1235 MARGARET STREET. (File No. J2102A, Assessment No. 218501)

 Adopted
- 51 [RLH VBR 20-76](#) Appeal of Aretta-Rie Johnson, D.I.V.I.N.E. Institute, to a Vacant Building Registration Renewal Notice at 842 RICE STREET.
 Adopted
- 55 [RLH TA 20-146](#) Ratifying the Appealed Special Tax Assessment for property at 607 SHERWOOD AVENUE. (File No. J2011A, Assessment No. 208510)
 Adopted
- 57 [RLH TA 20-561](#) Ratifying the Appealed Special Tax Assessment for property at 1734 SIMS AVENUE. (File No. J2102A, Assessment No. 218501)
 Adopted
- 58 [RLH TA 20-549](#) Deleting the Appealed Special Tax Assessment for property at 759 UNIVERSITY AVENUE WEST. (File No. J2102A, Assessment No. 218501)
 Adopted
- 59 [RLH TA 20-547](#) Ratifying the Appealed Special Tax Assessment for property at 1060 VIRGINIA STREET. (File No. J2102A, Assessment No. 218501)
 Adopted

Adopted Consent Agenda

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

Nay: 0

- 61 [RLH AR 20-44](#) Ratifying the assessments for Property Clean Up services during November 1 to 14, 2019. (File No. J2011A, Assessment No. 208510, public hearing continued from April 1, 2020)

*Councilmember Jalali moved to adopt the following items.
7 in favor, none opposed
Public hearings are closed and the resolutions are adopted*
Adopted

- 63 [RLH AR 20-131](#) Ratifying the assessments for Property Clean services during June 2 to 11, 2020. (File No. J2101A, Assessment No. 218500)

Adopted

- 64 [RLH AR 20-132](#) Ratifying the assessments for Property Clean up services during June 12 to 30, 2020. (File No. J2102A, Assessment No. 218501)

Adopted

- 62 [RLH AR 20-45](#) Ratifying the assessments for Property Clean Up services during November 14 to 26, 2019. (File No. J2012A, Assessment No. 208511, public hearing continued from April 1, 2020)

Councilmember Tolbert moved to amend and adopt.

7 in favor, none opposed

Public hearing is closed and resolution is adopted as amended

Adopted As Amended

Councilmember Yang moved to amend and adopt these items.

7 in favor, none opposed

Public hearings are closed, and resolutions are adopted as amended

Adopted Consent Agenda

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

Nay: 0

- 36 [RLH TA 20-567](#) Ratifying the Appealed Special Tax Assessment for property at 986 CARROLL AVENUE. (File No. J2102A, Assessment No. 218501)

Adopted As Amended

- 39 [RLH TA 21-15](#) Ratifying the Appealed Special Tax Assessment for property at 773 COOK AVENUE EAST. (File No. J2101A, Assessment No. 218500, Legislative Hearing on January 5, 2021)

Adopted As Amended

- 44 [RLH TA 20-531](#) Ratifying the Appealed Special Tax Assessment for property at 1941 FREMONT AVENUE. (File No. J2012E, Assessment No. 208318, public hearing continued from September 16, 2020)

Adopted As Amended

- 45 [RLH TA 20-532](#) Ratifying the Appealed Special Tax Assessment for property at 1941 FREMONT AVENUE. (File No. J2011E, Assessment No. 208316, public hearing continued from August 19, 2020)

Adopted As Amended

- 46 [RLH RR 20-23](#) Ordering the rehabilitation or razing and removal of the structures at 1915 IVY AVENUE EAST within fifteen (15) days after the July 8, 2020 City Council public hearing. (Amend to grant 180 days)

Adopted As Amended

- 48 [RLH TA 20-566](#) Ratifying the Appealed Special Tax Assessment for property at 564 MENDOTA STREET. (File No. J2101A, Assessment No. 218500)

Adopted As Amended

- 49 [RLH TA 20-370](#) Ratifying the Appealed Special Tax Assessment for property at 763 MINNEHAHA AVENUE EAST. (File No. J2011E, Assessment No. 208316)

Adopted As Amended

- 52 [RLH TA 20-143](#) Ratifying the Appealed Special Tax Assessment for property at 1090 ROSS AVENUE. (File No. J2011A1, Assessment No. 208536, public hearing continued from October 7, 2020)

Adopted As Amended

- 53 [RLH TA 20-526](#) Ratifying the Appealed Special Tax Assessment for property at 1252 SEVENTH STREET EAST. (File No. J2011A, Assessment No. 208510)

Adopted As Amended

- 54 [RLH TA 20-551](#) Ratifying the Appealed Special Tax Assessment for property at 1398 SHERBURNE AVENUE. (File No. J2102A, Assessment No. 218501)

Adopted As Amended

- 56 [RLH TA 20-560](#) Ratifying the Appealed Special Tax Assessment for property at 917 SIMS AVENUE. (File No. J2101A, Assessment No. 218500)

Adopted As Amended

- 60 [RLH TA 20-367](#) Ratifying the Appealed Special Tax Assessment for property at 491 WHEELLOCK PARKWAY EAST. (File No. J2011E, Assessment No. 208316) (Amend to delete)

Adopted As Amended

- 31 [RLH VBR 20-77](#) Appeal of Natosha Carney to a Vacant Building Registration Notice at 1544 BEECH STREET.

Marcia Moermond, Legislative Hearing Officer, said this is a vacant building registration appeal. This was in front of the Council multiple times. The condemnation was a result of no heat. There was an emergency tenant remedy action. The property owner did have someone unlicensed install a furnace without a permit. The property was vacated. Now they are left with a house that the owner would like to move back into. Once the property is condemned, it would require a code compliance inspection. The major violation is lack of heat. Moermond's recommendation is they require it be in the vacant building program, Category 2, fee waived for 90 days. The owner

submitted testimony in the record. She would like to move back in.

Councilmember Prince said if they were to get a permit to repair the furnace to move in immediately, there may be other issues that have not been identified that would make the house potentially dangerous to move back into. Moermond responded that is the presumption of the legislative code. The lack of heat is a problem. That was the crisis issue for the tenants who were there.

Prince said the requirement would still exist that they would have 90 days before the fee is assessed and they would still be required to get the code compliance inspection. Moermond suggested they get the code compliance inspection and the Council waive the fee for 90 days. It was unsafe for tenants to be living there with unsafe heating condition and unsafe for the owner. The potential middle ground is we could require they get a permit to repair the furnace. She would like to recommend that we allow that middle ground given the housing crisis that is being suffered by the owner, allow her to seek a permit to get the permit repaired, and she could inhabit the house.

Moermond suggested we put a time certain, waive the fee for 90 days, and give her 90 days to get the permit finalized for the furnace. If it does not happen in 90 days, it probably will not happen. She can draft and have it in front of the Council next week. Prince moved that for approval.

Prince moved a one-week layover.

7 in favor, none opposed

Resolution is laid over to January 13.

Laid Over

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

Nay: 0

33 [RLH TA 20-552](#)

Ratifying the Appealed Special Tax Assessment for property at 564 BLAIR AVENUE. (File No. J2101A, Assessment No. 218500)

Marcia Moermond, Legislative Hearing Officer, said this is a cleanup. There was a significant amount of garbage in the alley. The orders were issued on May 27. The crew showed up on June 4. One would assume a garbage cycle would have been picked up during that 8 days. The owner said he didn't have time to deal with it. The owner said it was different garbage that showed up here. (Moermond shared her screen.) Was it more trash and a little different? She reduced the assessment if no same or similar. There have been 3 additional violations for similar matters. Her recommendation is to ratify the assessment.

Councilmember Thao asked is this rental? Moermond responded it is an investment property.

Thao moved to close the public hearing and to move forward with recommendation from the Legislative Hearing Officer.

7 in favor, none opposed

Public hearing is closed and 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

50 [RLH VBR 20-80](#)

Amending Council File RLH VBR 20-66 to grant Andrew McNattin, Emsa Properties, an additional extension for property at 1323 PAYNE AVENUE.

Marcia Moermond, Legislative Hearing Officer, said the certificate of occupancy was revoked after numerous attempts to inspect. The inspector finally got in and found that the office space was being used probably for sleeping purposes by the tenant. Not all the time. The thinking on the part of the inspector was this may have been the location for a long-haul trucker to stay sometimes. It is an office space and not equipped to be slept in with proper egress windows. The certificate of occupancy was revoked. The landlord decided to evict this commercial tenant. All the sleeping items have been removed. The landlord was not able to make his first deadline to get the property vacated; therefore, he didn't want to go into the vacant building program. He wanted an extension to get rid of the tenant and re-establish the use. Moermond recommended an extension through the 10th. He wanted to go several weeks beyond that. The question is if he is in the vacant building program or not regardless of where he is in the eviction process. The question is whether the vacant building fee is waived. The Council did a 90-day waiver on that. If the owner re-establishes the use with a certificate within that time period, there would not be a vacant building fee forthcoming. Her original recommendation was to December 15. Her additional recommendation is to extend again to January 11 and he would ask for additional time beyond that.

Councilmember Yang said he would still have the 90 days to bring the building up to code. Moermond said he just needs to get his fire certificate of occupancy reinstated. The building is not condemned. It was being used for a purpose it was not intended. It is an acceptable office, but it just not acceptable to sleep in. He needs to get an inspector in to review it. The 90 days would be the grace period to accomplish that.

Yang moved to close the public hearing and move the recommendation of the Legislative Hearing Officer.

7 in favor, none opposed

Resolution is adopted

Adopted

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

Nay: 0

ADJOURNMENT

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

Council Meeting Information

The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Council members use mobile devices to review the files during the meeting. Using a mobile device greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released minutes, agendas, and meetings are available by subscription. Visit www.stpaul.gov/council for meeting videos and updated copies of the agendas, minutes, and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed at various times. Check your local listings.