



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, February 17, 2021

3:30 PM

Council Chambers - 3rd Floor

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

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 21-21](#) Mayor's Emergency Executive Order 21-7.
Received and Filed
- 2 [AO 21-9](#) Authorizing the Department of Parks and Recreation to reallocate \$328,328 of 2021 General Fund Budget within accounting units to most accurately reflect the location of projected actual spending. The Community First Public Safety increase for 2021 was originally included in an existing accounting unit budget, but Parks and Recreation now wishes to move this funding in to the newly created Community First Public Safety accounting unit budget, to provide the most effective financial tracking specific to this program.
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 Items 3 to 19

Councilmember Thao pulled Items 16 and 18 for separate consideration.

Thao moved balance of the Consent Agenda.

7 in favor, none opposed (Jalali is hard to hear, but Shari took it as approval)

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

- 3** [Min 21-6](#) Approving the minutes of the September 2, 9, 16, and 23, 2020 City Council meetings.
- Adopted**
- 4** [RES 21-132](#) Approving the City's cost of providing Replacement of Lead Water Service Line on Private Properties during October to December 2020, and setting date of City Council public hearing for March 17, 2021 to consider and levy the assessments against individual properties. (File No. 2101LDSRP, Assessment No. 214001)
- Adopted**
- 5** [RES 21-134](#) Approving the City's cost of providing Repair of Sanitary Sewer Line on Private Properties during October to December 2020, and setting date of City Council public hearing for March 17, 2021 to consider and levy the assessments against individual properties. (File No. SWRP2101, Assessment No. 213001)
- Adopted**
- 6** [RES 21-186](#) Authorizing staff to apply for a grant from MnDOT's Local Road Improvement Program for the Lexington Parkway (Phase 2) project.
- Adopted**
- 7** [RES 21-193](#) Authorizing use of a Project Labor Agreement (PLA) for the Sewer Maintenance Generator Installation and Pump Station Repair projects.
- Adopted**
- 8** [RES 21-194](#) Approving non-use of a Project Labor Agreement (PLA) for the following projects: Sewer Cleaning and Televising Projects (Eagle-Shepard, Point Douglas-Lower Afton), Storm Tunnel Outfall Repairs Project, 2021 Citywide Sewer Lining, and 2021 Citywide Sewer Repairs.
- Adopted**
- 9** [RES 21-208](#) Approving adverse action against the Massage Practitioner application submitted by Kao Vang (License ID #20190001182) for the premises located at 2140 Ford Parkway.
- Adopted**

- 10 [RES 21-211](#) Authorizing the City to submit a Point Source Implementation grant application to the Minnesota Public Facilities Authority (PFA), and authorizing City officials to execute a grant agreement on behalf of the City for the Bush-Desoto Stormwater Pond Retrofit and related facilities.
Adopted
- 11 [RES 21-236](#) Authorizing the Police Department assessors' expenses for assistance in the evaluation of candidates for the sergeant position.
Adopted
- 12 [RES 21-249](#) Entering into license agreements between the City of Saint Paul and the BNSF Railway Company for fiber optic lines on BNSF property.
Adopted
- 13 [RES 21-253](#) Approving the Mayor's appointment of Matt Slaven to a six-year term to the Saint Paul Port Authority.
Adopted
- 14 [RES 21-255](#) Approving the Mayor's reappointments of Dawn Selle and Suzanne Yeager to a two-year term on the Advisory Committee on Aging.
Adopted
- 15 [RES 21-256](#) Approving the Mayor's appointments of Ron Weisman, Lance Fang, and Tom Eckstein to a two-year term on the Advisory Committee on Aging.
Adopted
- 17 [RES 21-258](#) Approving the Mayor's appointment of Thomas McCarthy to a three-year term on the Board of Zoning Appeals.
Adopted
- 19 [RES 21-260](#) Approving the Mayor's appointment of James Garrett Jr. to a four-year term on the Capitol Area Architectural and Planning Board (CAAPB).
Adopted

FOR DISCUSSION

- 16 [RES 21-257](#) Approving the Mayor's appointment of Roxanne Draughn and Walter Battle to a four-year term on the Neighborhood STAR Board. (Laid over from February 24)

Councilmember Thao said he is asking for a one-week layover to further clarify the appointments. It is connected to Item 18.

7 in favor, none opposed

Laid over to February 24

Laid Over

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

Nay: 0

18 [RES 21-259](#)

Approving the Mayor's appointments of ~~Libby Kantner~~ and Richard Holst to the Planning Commission.

Councilmember Thao said this is related to Item 16 to clarify.

Council President Brendmoen said she is not going to support this. She has supported one person's application, who has tried to get on for 6 years. Libby Kantner is incredibly qualified. The next meeting is this Friday. Brendmoen is not supporting any delays.

Thao said the reason he wants to further look at this is that he got a letter from Frogtown Neighborhood Association. Frogtown is 80% BIPOC and 20% white. Looking at the content of the most recent decision, it is important that a person of color be appointed. They did that and the person was not appointed. Brendmoen responded she appreciates that. One item that is missing from Item 18 is the person that Ward 5 supported. One person asked to have her name withdrawn because of a situation a few weeks ago on the Planning Commission. On one hand, we may be creating options for people to apply. We lost a strong candidate on this pool. I have not given up on her. Reasons like this is why she is sitting this one out. It is hard for her to push out for another week.

Councilmember Tolbert said he does not know why this will be held up. He knows Libby very well. She was a council aide for Wards 3 and 4, she lives in the neighborhood, worked for the City administration. He can't imagine a better person to be on the Planning Commission. She would be a great addition.

Councilmember Jalali said we need to fill this appointment. She will support the motion. The City does have a diverse Planning Commission. She will support the delay out of respect to address community reaction.

Councilmember Prince said she will support the motion to lay over. There are circumstances here that she is not aware of. When one of our colleagues asks for a layover, it is appropriate for us to support that. The last place we want to be having these discussions is in public. We are sending a message to the administration that there should be good communications with councilmembers. The very nature of appointments to board and commissions is a political one. I regret we are naming names at the Council meeting.

Brendmoen asked is there a way to separate these two and lay over Ms. Kantner. Thao responded he is okay with moving forward on Holst. He does not want to go into great detail and figuring out how Battle was appointed to a committee that he didn't apply for.

Brendmoen said you would be okay laying over Ms. Kantner.

Councilmember Yang said she supports the layover and the friendly amendment. She thanked the councilmember for uplifting the concerns from the ward.

Brendmoen said the motion is to layover Kantner and move forward with Holst.

Shari Moore, City Clerk, said we don't have a way of doing that. We would need a new file to come forward.

Brendmoen said to move Holst and withdraw Kantner for future consideration.

7 in favor, none opposed

Resolution is adopted as amended to remove Kantner to come back at a later time.

Adopted As Amended

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

Nay: 0

20 [RES 21-271](#)

Recognizing Hawkins, Inc. as one of America's most responsible companies by Newsweek Magazine.

Councilmember Prince said she is delighted to bring forward the news about Hawkins, Inc. which is an outstanding employer and taxpayer, founded in 1938. Responsible company for environmental and social concerns. She introduced someone from the Port Authority and Hawkins' Vice President. (She read parts of the resolution.)

(Representatives from the Port Authority and Hawkins spoke to the Council.)

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

21 [Ord 21-3](#)

Granting the application of NBH Holdings LLC to rezone the property at 1350 Arcade Street and 835 Clear Avenue from R4 one-family residential to T2 traditional neighborhood and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Councilmember Yang moved approval.

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

Second Reading

22 [Ord 21-10](#)

Creating Chapter 223 of the Legislative Code relating to Guaranteed Income Program (Title XXIII).

Councilmember Yang moved approval.

7 in favor, none opposed

Ordinance is adopted

Laid Over to Third Reading/Public Hearing

First Reading

23 [Ord 21-4](#)

Amending the zoning code as recommended in the Definition of Family Zoning Study.

This ordinance is laid over to February 24 for second reading

Council President Brendmoen said that starting April 1 we will switch to our 3 reading of ordinances.

Michael Wade, City Planner, said they are talking about the term family as it exists in the zoning code. This study was requested by the Council in 2018. It came back to the Planning Commission in October 2020 and released for public comment for 73 days. On January 8 of this year, the Planning Commission recommended the study and related text amendments as revised and voted on by them. Today is the first reading by the City Council. He is going to quickly breeze over the high points. It is an occupancy regulation and not how people relate to each other. (He read through the current definition.) Why are we studying this code? It limits families to 4 or more occupants. It has been called out as discriminatory. It limits houses that do not confirm to the nuclear family. It limits the housing supply. Why keep the regulation? It helps avoid an increase in safety code violations, mitigate land use effects of higher density generally, better integrate some high occupancy residential land uses into predominantly lower-density neighborhoods. They are proposing to replace "family" with "household," 6 adult occupants regardless of relatedness, allows up to 6 students in student dwellings. March 3 will be the public hearing. For more information, a person can go to www.stpaul.gov/family-study.

Councilmember Noecker said there are still limitations on the number of people occupying a space. What is the value of having the definition of household instead of the space? Early on, a number of district councils had some concerns. It may make affordable housing harder. Wade responded people per square foot versus per dwelling unit, we have the housing code and the fire code, both of which have persons per square foot. The fire code is the most restrictive. Fire code makes sure there is room for people to exit, and the building code makes sure it does not fall down with the

number of people in there. They are both limited to the building. The zoning code purpose is how many people in the neighborhood, block, together. That includes realities like noise, traffic, and parking which are not factored into the building and fire code. Items like these make up our daily lives. The zoning code looks at a community living together rather than one property at a time. They chose not to pursue a person per square foot. Two cities have looked into that and have not pursued it. For your second question, what kind of engagement has happened, negative effect on affordable housing. This really is meant to add flexibility. So, we heard a couple of messages. Having an occupancy regulation at all could limit cultural groups. That is the reason we are expanding from 4 to 6 unrelated people. People will care for elders and others they may not be related to. People have not brought more specific incidents of household types. At the same time, we also want to make sure we are looking at households that exist in Saint Paul rather than hypothetical conditions. Regarding affordable housing, there was a concern that if a household is allowed to grow larger, a family with 2 wage earners wouldn't be able to compete with a large household of wage earners. Another concern is that some small housing that may be substandard in favor of building larger homes that can accommodate a high maximum. We have seen a little of this around the country. There hasn't been any data recorded and there has been one study that speaks to this. So, they chose to move forward with the proposed text amendment. They will see what happens. With this kind of study, they don't have copious amount of studies. As they bring a proposed text amendment, they intend to only improve the zoning code. When they start to see effects of this, they can act accordingly.

Laid Over to Second Reading

24 [Ord 21-6](#)

Amending Chapter 366A of the Legislative Code entitled "Parades, Races and Public Assemblies" to prohibit possession of certain items at such events.
(To be withdrawn)

This ordinance is laid over to February 24 for second reading.

Council President Brendmoen said Police is working with the City Attorney's office on answers to some questions. This is to create a safe environment for some gatherings.

Laid Over to Second Reading

25 [Ord 21-8](#)

Granting the application of 2069 Marshall Ave LLC to rezone property at 2069 Marshall Avenue from T2 Traditional Neighborhood to T3 Traditional Neighborhood and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Laid Over to Second Reading

PUBLIC HEARINGS

26 [RES PH 21-5](#)

Ratifying the assessment for installation of a fire protection system at the Minnesota Transportation Museum at 193 Pennsylvania Ave. E., covering Bay B and Bay C of the building. (Project No. FP2019-05, Assessment No. 197104).

Council President Brendmoen said there has been a public input session online and over the phone transcribed.

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

27 [RES PH 21-25](#)

Authorizing the Department of Parks and Recreation to accept funds in the amount of \$85,000 from the Capitol Region Watershed District (CRWD), amending the financing and spending plan to reflect the funding received and the reimbursement of Foursome for the upfront cost of BMP improvements at Como Golf Course.

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

Brendmoen 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 and Councilmember Yang

Nay: 0

28 [RES PH 21-28](#)

Approving the Final (combined) Plat for Highland Bridge 2nd Addition Rowhome Combined Plat.

Council President Brendmoen said there are folks here to answer questions.

Councilmember Tolbert said we don't need a staff report.

Brendmoen said we held a public hearing online over the phone, and by e-mail.

Councilmember Tolbert 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 and Councilmember Yang

Nay: 0

- 29 [Ord 21-7](#) Amending and replacing ordinance CF10-779 and authorizing the issuance of general obligation library refunding bonds of the Public Library Agency in order to achieve debt service savings.

Council President Brendmoen said the public hearing has been held online, over the phone, and by e-mail.

Councilmember Prince moved to close the public hearing and approve.

7 in favor, none opposed

Public hearing is closed and ordinance is laid over to February 24 for final adoption.

Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption

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

Nay: 0

LEGISLATIVE HEARING ITEMS

Adopted Consent Agenda

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

Nay: 0

- 32 [RLH TA 20-705](#) Ratifying the Appealed Special Tax Assessment for property at 37 ATWATER STREET. (File No. J2108A, Assessment No. 218507)

Adopted

- 33 [RLH TA 21-79](#) Deleting the Appealed Special Tax Assessment for property at 1696 BOHLAND AVENUE. (File No. J2016A, Assessment No. 208524)

Adopted

- 35 [RLH TA 20-702](#) Deleting the Appealed Special Tax Assessment for property at 839 CHARLES AVENUE. (File No. J2107A, Assessment No. 218506)

Adopted

- 36 [RLH TA 20-346](#) Ratifying the Appealed Special Tax Assessment for property at 128 COOK AVENUE EAST. (File No. J2016A, Assessment No. 208524)

Adopted

- 37 [RLH TA 20-699](#) Deleting the Appealed Special Tax Assessment for property at 1082 EUCLID STREET. (File No. J2107A, Assessment No. 218506)

Adopted

- 38 [RLH VO 21-5](#) Appeal of Chee Xiong to a Correction Notice-Complaint Inspection (which includes condemnation) at 1151 GERANIUM AVENUE EAST.
Adopted
- 39 [RLH SAO 21-9](#) Appeal of Chee Xiong to a Summary Abatement Order and Vehicle Abatement Order at 1151 GERANIUM AVENUE EAST.
Adopted
- 40 [RLH TA 21-70](#) Ratifying the Appealed Special Tax Assessment for property at 1568 HAGUE AVENUE. (File No. CRT2101A, Assessment No. 218207)
Adopted
- 44 [RLH SAO 21-4](#) Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 19-49.
Adopted
- 46 [RLH SAO 21-7](#) Appeal of James VinZant to a Summary Abatement Order at 1597 JACKSON STREET.
Adopted
- 47 [RLH TA 20-677](#) Ratifying the Appealed Special Tax Assessment for property at 724 JESSAMINE AVENUE EAST. (File No. J2108A, Assessment No. 218507)
Adopted
- 48 [RLH TA 20-700](#) Deleting the Appealed Special Tax Assessment for property at 779 LAFOND AVENUE. (File No. J2108A, Assessment No. 218507)

Adopted
- 52 [RLH TA 20-704](#) Ratifying the Appealed Special Tax Assessment for property at 951 MARION STREET. (File No. J2108A, Assessment No. 218507)
Adopted
- 54 [RLH TA 21-60](#) Deleting the Appealed Special Tax Assessment for property at 433 ROBERT STREET SOUTH. (File No. J2101P1, Assessment No. 218405)
Adopted
- 57 [RLH TA 20-706](#) Deleting the Appealed Special Tax Assessment for property at 716 SIMS AVENUE. (File No. J2107A, Assessment No. 218506)
Adopted
- 58 [RLH TA 20-304](#) Ratifying the Appealed Special Tax Assessment for property at 832 THIRD STREET EAST. (File No. J2016A, Assessment No. 208524) (Public hearing continued to February 17, 2021)

Adopted
- 60 [RLH TA 21-88](#) Deleting the Appealed Special Tax Assessment for property at 2469 UNIVERSITY AVENUE WEST. (File No. J2102P1, Assessment No. 218406)
Adopted

- 62 [RLH FCO 20-168](#) Appeal of Irine Katras to a Fire Inspection Correction Notice at 1676 WHITE BEAR AVENUE NORTH.
Adopted
- 65 [RLH AR 20-72](#) Ratifying the assessments for Property Clean Up during January 2 to 10, 2020. (File No. J2015A, Assessment No. 208515) (Public hearing continued to February 17, 2021)
Adopted
- 67 [RLH AR 20-164](#) Ratifying the assessments for Property Clean Up services during September 1 to 14, 2020. (File No. J2107A, Assessment No. 218506)
Adopted
- 68 [RLH AR 20-165](#) Ratifying the assessments for Property Clean Up services during September 15 to 29, 2020. (File No. J2108A, Assessment No. 218507)
Adopted
- 30 [RLH TA 20-305](#) Ratifying the Appealed Special Tax Assessment for property at 1245 ALBEMARLE STREET. (File No. J2015A, Assessment No. 208515) (Public hearing continued to February 17, 2021)
Adopted As Amended

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

 Nay: 0
- 31 [RLH TA 20-233](#) Ratifying the Appealed Special Tax Assessment for property at 861 ALBERT STREET NORTH. (File No. J2016A, Assessment No. 208524) (Public hearing to be continued to February 17, 2021)
Adopted As Amended

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

 Nay: 0
- 45 [RLH TA 20-278](#) Ratifying the Appealed Special Tax Assessment for property at 1555 JACKSON STREET (File No. J2016A, Assessment No. 208524) (Public hearing to be continued to February 17, 2021)
Adopted As Amended

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

Nay: 0

- 51 [RLH TA 21-101](#) Ratifying the Appealed Special Tax Assessment for property at 876 MARGARET STREET. (File No. J2016A, Assessment No. 208524) (Legislative Hearing on February 16, 2021)

Adopted As Amended

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

Nay: 0

- 53 [RLH TA 20-279](#) Ratifying the Appealed Special Tax Assessment for property at 644 OLIVE STREET (AKA 640 OLIVE STREET). (File No. J2015A, Assessment No. 208515)

Adopted As Amended

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

Nay: 0

- 55 [RLH RR 20-53](#) Ordering the rehabilitation or razing and removal of the structures at 1313 SEMINARY AVENUE within fifteen (15) days after the January 13, 2021, City Council Public Hearing. (Amend to grant 180 days)

Adopted As Amended

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

Nay: 0

- 56 [RLH TA 21-109](#) Ratifying the Appealed Special Tax Assessment for property at 1670 SEVENTH STREET EAST. (File No. J2108A, Assessment No. 218507) (Legislative Hearing on February 16, 2021)

Adopted As Amended

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

Nay: 0

- 61 [RLH TA 20-249](#) Ratifying the Appealed Special Tax Assessment for property at 2155 WAUKON AVENUE. (File No. J2016A, Assessment No. 208524) (Public hearing to be continued to February 17, 2021)

Adopted As Amended

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

Nay: 0

64 [RLH TA 20-280](#)

Ratifying the Appealed Special Tax Assessment for property at 903 YORK AVENUE (File No. J2015A, Assessment No. 208515) (Public hearing continued to February 17, 2021)

Adopted As Amended

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

Nay: 0

66 [RLH AR 20-73](#)

Ratifying the assessments for Property Clean Up during January 16 to 31, 2020. (File No. J2016A, Assessment No. 208524) (Public hearing continued to February 17, 2021)

Adopted As Amended

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

Nay: 0

41 [RLH RR 20-51](#)

Ordering the rehabilitation or razing and removal of the structures at 1629 HARTFORD AVENUE within fifteen (15) days after the January 13, 2021, City Council Public Hearing. (Amend to grant 100 days)

Continue Public Hearing

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

Nay: 0

49 [RLH TA 20-701](#)

Ratifying the Appealed Special Tax Assessment for property at 120 MAGNOLIA AVENUE WEST. (File No. J2107A, Assessment No. 218506) (Public hearing continued to July 7, 2021)

Continue Public Hearing

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

Nay: 0

50 [RLH TA 21-99](#)

Ratifying the Appealed Special Tax Assessment for property at 876 MARGARET STREET. (File No. J2015A, Assessment No. 208515) (Legislative Hearing on February 16, 2021)

Continue Public Hearing

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

Nay: 0

59 [RLH TA 20-596](#)

Ratifying the Appealed Special Tax Assessment for property at 1935 UNIVERSITY AVENUE WEST. (File No. VB2101, Assessment No. 208800) (Public Hearing to be continued to February 17, 2021)

Continue Public Hearing

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

Nay: 0

34 [RLH TA 20-710](#)

Ratifying the Appealed Special Tax Assessment for property at 701 CHARLES AVENUE. (File No. J2108A, Assessment No. 218507) (Public hearing continued to July 7, 2021)

Marcia Moermond, Legislative Hearing Officer, said 701 Charles Avenue is a cleanup at a property. The cleanup was ordered and issued on 9-9-2020 to the owner. There was a significant amount of material between the garages, the area had stacks of tires there. A second letter was sent to the same address and addressed to occupant, 2 separate envelopes. When the inspector went to reinspect there was significant materials in the backyard (she showed pictures). The City did a cleanup. The cost \$1004. The son of the owner indicated he managed the mail for the property and never got the letter. He articulates that the mail for 701 Charles is often routed to 706 and vice versa. The mail carrier sometimes mixes those up. Perhaps one letter, but it is less likely for 2 letters. For the off chance that may be the case, she has a recommendation to continue until July and if there are no same or similar, to reduce. They would like it deleted. Says the city removed valuable materials. Her recommendation is to continue.

Councilmember Thao said one letter was sent to the owner, which is the same address, and it was addressed to the occupant also. Moermond responded yes. This is an owner-occupied property. The computer generates the owner of record and occupant. So, 2 pieces of mail. It was sent out September 20.

Councilmember Thao said they have a 5-year period. Moermond responded the Council could make payment over 5 years. Her recommendation is to lay it over. If there are no same or similar reduce it by half.

Thao moved the recommendation of the Legislative Hearing Officer.

7 in favor, none opposed

Public hearing is continued to July 7.

Continue Public Hearing

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

Nay: 0

42 [RLH TA 20-264](#)

Ratifying the Appealed Special Tax Assessment for property at 0 HERBERT STREET. (File No. J2015A, Assessment No. 208515)

Marcia Moermond, Legislative Hearing Officer, said the first one is orders issued. This had a compliance date by December 31. The work was done on January 3. The shorter term turnaround makes sense in the context of the next appeal (she showed a picture). It is the remnants of a homeless site. The cleanup crew said there were bottles and needles in this site. That is the condition and why the orders were issued. The appellant does not believe she should be responsible for a cleanup. This is an investment property between Herbert Street and the railroad. She's had 2 cleanups. She had the opportunity to meet with staff on her options for cleanup. She expressed that the government would not take responsibility for those people. She expressed her interest in patrolling her parcel armed. That is a concern and separate from the cleanup in front of you. There is a significant amount of materials on a private parcel. The City issued orders. The City worked to provide tools to help the owner. The tools were on how it can be safely cleaned or contractors to do this work. The City sent a crew out to take care of it. The owner expressed that she did not think this was an expensive assessment. I would recommend it be divided over 5 years. Moermond recommends approval.

Council President Brendmoen said there is no property built on this. Where is it online? (Moermond brought up an aerial map.)

Councilmember Yang asked how long she owned the property. There is nothing developed on it. Moermond responded she does not know when the property was transacted. She went to this site with Steve Magner along with another site. At the time, he was explained this was a former industrial location. The buildings had been demolished. There was the smallest amount of cement and brick.

Yang said she understands that it touches on a larger issue. It is the owner's responsibility to clean up the property. Anyone unwilling or unable to follow through with the cleanup, they can follow up with a professional. The recommendation is reasonable. She will take up the recommendation. I have tension with the things mentioned in the person's letter. To bash on a very vulnerable population, Saint Paul is a community that cares deeply about people and we should strive and work toward that every single day.

Brendmoen says she supports the motion. This is an investment property. If you are not happy with it, sell it.

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

43 [RLH TA 20-288](#)

Ratifying the Appealed Special Tax Assessment for property at 0 HERBERT STREET, PARCEL ID: 27-29-22-13-0021. (File No. J2013A, Assessment No. 208515)

Marcia Moermond, Legislative Hearing Officer, said this case preceded the other one. Department staff worked with the owner. The City crew was dispatched. There was a 6-week time period. It is important to show what the crew looked at on site (showed photos). Her recommendation is again to divide over 5 years.

7 in favor, none opposed

Public hearing is closed and the 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

63 [RLH VO 21-3](#)

Appeal of Thomas Mueller, Southern Minnesota Regional Legal Services, on behalf of Michelle Baker, to a Correction Notice-Re-Inspection Complaint (which includes condemnation) at 1276 WILSON AVENUE #128.

Marcia Moermond, Legislative Hearing Officer, said this appeal was from SMRLS (Southern Minnesota Regional Legal Services). This unit was condemned as being unfit for gross unsanitary conditions in the unit. The appeal was filed on the deadline. Enforcement was stayed pending a hearing. On February 2, SMRLS attorney brought forward information that the apartment had been cleaned, the tenant's social workers was involved. One thing that came up was that the water had been shutoff. There was dispute between the appellant and property management. Building management shut off the water to all the fixtures except the toilet. For one to 2 weeks, the only sources of water was the toilet. SMRLS, the building management, and the inspector was there. Lack of water would provide reason for a property to be condemned. You need water to be running. Water was restored. There continued to be orders under the apartment for the issues to be addressed. The department withdrew its orders condemning the unit and ordering it to be vacated. There is no condemnation anymore. The building owner expresses in his letter that the condemnation was not kept in place. The tenant had been a long-term problem and that there is eviction action going on for behaviors in the unit and how it effects other units. While I am sympathetic, the fire correction orders can only focus on the physical conditions on the unit. The physical conditions do not merit condemnation.

Councilmember Prince asked about the photos attached to the file on February 4. She asked when the photos were taken. Moermond responded the day when the inspector was there. (She explained some of the other problems at the property.) The worst of the items are the open wall. The open wall does not present a dangerous condition. In and of itself, a person should not move out based on a hole.

Councilmember Prince said it is a distressing information.

Moermond said there is a testimony attached to the record.

Prince said it is a troubling situation. She moved the recommendation of the Legislative Hearing Officer.

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

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. 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.