



City of Saint Paul

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

Meeting Minutes - Action Only

City Council

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

Wednesday, September 6, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:32 PM

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

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 23-83](#) Establishing eight (8) new projects through the Neighborhood STAR Year-Round Program as adopted via City Council Resolutions # RES 23-990, RES 23-997, RES 23-1004, and RES 23-1005.
Received and Filed
- 2 [AO 23-84](#) Amending the CDBG project budgets to allocate the 2023 CDBG spending plan of \$7,600,000.00.
Received and Filed
- 3 [AO 23-85](#) Amending the CDBG project budgets: Funding for 950 Arcade (Family Foods) and 781 Seventh Street East (Storehouse Grocers), projects selected by CDBG subgrantee ESNDK for their Business Investment Fund (BIF) program.
Received and Filed
- 4 [AO 23-86](#) Amending HOME Project Budgets: Funding for Stryker Senior Housing project and Phalen Village Senior Housing project.
Received and Filed
- 5 [AO 23-87](#) Amending HOME Project Budgets: Moving 2023 grant year undesignated funds to 2023 grant year project budgets.
Received and Filed

- 6 [AO 23-88](#) Amending spending authority within the 2023 spending budgets of the Department of Public Works Right of Way Fund ROW Permits & Inspection Accounting Unit and Public Works Administration Fund Dale Street Campus Maintenance Accounting Unit.

Received and Filed

- 7 [AO 23-91](#) Amending HOME Project Budgets: Funding for Treehouse (W 7th Senior Apartments) project.

Received and Filed

CONSENT AGENDA

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

Approval of the Consent Agenda

Consent Agenda adopted as amended

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

Nay: 0

- 8 [RES 23-810](#) Approving assessment costs and setting date of City Council Public Hearing to ratify the assessment for benefits, costs, and expenses for the Grand/Snelling parking lot operation and maintenance for 2024. (File No. 18746-23, Assessment No. 237202)

Adopted

- 9 [RES 23-1148](#) Authorizing the City to enter into a cooperative agreement with Ramsey County for the Lexington Parkway Project between Albion Street and Adrian Street.

Adopted

- 10 [RES 23-1149](#) Authorizing the City to enter into a cooperative agreement with Ramsey County for the Lexington Parkway Project between Shepard Road and Adrian Street.

Adopted

- 11 [RES 23-1244](#) Approving the City's cost of providing Collection of Vacant Building Registration fees billed during July 7, 2022 to April 19, 2023, and setting date of Legislative Hearing for October 3, 2023 and City Council public hearing for January 10, 2024 to consider and levy the assessments against individual properties. (File No. VB2401, Assessment No. 248800)

Adopted

- 12 [RES 23-1245](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during May 2023, and setting date of Legislative Hearing for October 3, 2023 and City Council public hearing for January 10, 2024 to consider and levy the assessments against individual properties. (File No. J2401B, Assessment No. 248100)
- Adopted**
- 13 [RES 23-1246](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during March 22 to April 21, 2023, and setting date of Legislative Hearing for October 3, 2023 and City Council public hearing for January 10, 2024 to consider and levy the assessments against individual properties. (File No. J2401E, Assessment No. 248300)
- Adopted**
- 14 [RES 23-1247](#) Approving the City's cost of providing Graffiti Removal services during May 8 to June 8, 2023, and setting date of Legislative Hearing for October 3, 2023 and City Council public hearing for January 10, 2024 to consider and levy the assessments against individual properties. (File No. J2401P, Assessment No. 248400)
- Adopted**
- 15 [RES 23-1261](#) Approving adverse action against the Liquor On Sale-291 or more seats; Liquor On Sale-Sunday; Liquor Outdoor Service Area (Sidewalk); Liquor On Sale-2AM Closing; Gambling Location and Entertainment (A) licenses held by New Bohemia St. Paul, LLC d/b/a New Bohemia & Bier Haus/Truck Yard (License ID 20160003866) for the premises located at 222 Seventh Street West.
- Adopted**
- 16 [RES 23-1266](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Minnesota Street from Kellogg to 6th Street paving and lighting project constructed as part of the 2023 St. Paul Street Paving Program (SPS). (File No. 19261, Assessment No. 235200)
- Adopted**
- 17 [RES 23-1273](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for Annapolis Street from Smith to Humboldt (Phase I, Part A) paving and lighting project constructed as part of the 2023 Street Paving Program (SPS). (File No. 19249, Assessment No. 235201)
- Adopted**
- 18 [RES 23-1275](#) Approving the use or non-use of a Project Labor Agreement on Department of Parks and Recreation construction projects for the second half of 2023.
- Adopted**
- 19 [RES 23-1276](#) Approving Minnesota Laws 2023, Chapter 64, Article 8, Sections 4 and 5 regarding the Downtown and Seventh Place (for the Minnesota Event District)

Tax Increment Financing District.

Adopted

- 20 [RES 23-1300](#) Authorizing the Department of Public Works to participate as a subrecipient in an application for grant funding from the Department of Energy (DOE) Bipartisan Infrastructure Law (BIL) Joint Office of Energy and Transportation Ride and Drive Electric program for funding to examine the cost and benefits of EV carshare, as well as the most effective business and economic models for EV carshare viability in communities outside the Twin Cities Metro.
- Adopted**
- 21 [RES 23-1305](#) Authorizing the City to enter into a cooperative agreement with Ramsey County for the County's 2023 Pavement Preservation Project.
- Adopted**
- 22 [RES 23-1306](#) Authorizing the City to enter into Subordinate Funding Agreement (SFA) #8 to the Master Funding Agreement with the Metropolitan Council for the Gold Line Bus Rapid Transit Project.
- Adopted**
- 23 [RES 23-1307](#) Approving the Memorandum of Agreement between the City and AFSCME Clerical, Local 2508, for the purpose of establishing tuition assistance, a uniform allowance, and eligibility for consideration for scholarship grants provided grants are funded for Saint Paul Police Department Community Engagement Cadets.
- Laid over to September 13, 2023**
- 24 [RES 23-1312](#) Approving the application with conditions, per the Legislative Hearing Officer, for Rudy's Auto Repair LLC (License ID #20230001164), d/b/a Rudy's Auto Repair, for an Auto Repair Garage license located at 475 Como Avenue.
- Adopted**
- 25 [RES 23-1319](#) Authorizing the City to enter into a Cooperative Agreement with the Minnesota Department of Transportation (the "State") for construction of the Fish Hatchery Trail on Truck Highway No. 61 Right-of-Way.
- Adopted**
- 26 [RES 23-1320](#) Authorizing the City to enter into Contract No.1050910 (which includes indemnification obligations) with the Minnesota Department of Transportation (MnDOT) for federal funding for the Rondo Neighborhood Streets Improvement Study.
- Adopted**
- 27 [RES 23-1322](#) Authorizing the Sewer Utility to enter into a Project Funding Agreement with the Capitol Region Watershed District (CRWD) for the creation of Phalen Creek Storm Sewer Hydraulic, Hydrologic, and Water Quality Detailed Modeling and Reporting.

Adopted

- 28 [RES 23-1326](#) Approving the Mayor's reappointment of David Ybarra to a three-year term on the District Energy Board of Directors.

Adopted

- 29 [RES 23-1333](#) Naming Hillcrest Drive as a private street in the Highland Bridge development.

Adopted

- 30 [RES 23-1335](#) Authorizing the City to enter into a cooperative agreement with Ramsey County for the replacement of the traffic signal at the intersection of St. Paul Avenue and Edgumbe Road.

Adopted

- 32 [RES 23-1347](#) Authorizing the Department of Parks and Recreation to apply for grant funding from the Minnesota Department of Natural Resources (DNR) ReLeaf Community Forestry Grants Program to invest in forestry planning and management of the tree canopy throughout Saint Paul.

Adopted

- 33 [RES 23-1348](#) Accepting the gift of travel expenses from National League of Cities for Mary Henke-Haney to attend the Cities Connecting Children to Nature event, Nature Smart Library Site Exchange, in San Antonio, TX on October 3-5, 2023.

Adopted

- 34 [RES 23-1358](#) Approving Minnesota Laws 2023, Chapter 64, Article 12, Section 15 regarding the CIB Special Law.

Adopted

- 35 [RES 23-1360](#) Authorizing the City to transfer \$1,950,000 of American Rescue Plan funds from the 30% AMI Deeply Affordable Housing account to a specific account for the Treehouse project.

Adopted

- 36 [RES 23-1378](#) Honoring Michael Cherwayia Thao for his leadership in the community.

Adopted

- 37 [RES 23-1253](#) Establishing the rate of pay for Public Works Supervisor, Solid Waste in EG 10, Grade 036.

Adopted**FOR DISCUSSION**

- 31 [RES 23-1339](#) Authorizing the City to amend the HUD Section 3 Compliance (Collaborative)

Program Joint Powers Agreement.

Laid over to September 20, 2023

- 38** [RES 23-1334](#) Approving adverse action against the Second Hand Dealer-Motor Vehicle Parts and Auto Repair Garage licenses held by Castillo Auto Repair d/b/a Castillo Auto Repair (License ID# 20200001910), for the premises located at 744 Third Street East. (Licensee will speak to Council on their own behalf) (Laid over from September 6, 2023)

Laid over to September 13, 2023

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

Nay: 0

- 39** [RES PH 23-185](#) Adopting the 2024 Operating Plan for the Downtown Improvement District and imposing a service charge pursuant to Minnesota Statutes Chapter 428A. (Public hearing closed. Laid over from August 16, 2023)

Adopted as amended

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

Nay: 0

- 40** [RES PH 23-214](#) Approving the petition of the Deanna Seppanen, on behalf of Macalester College, to vacate the remaining public alley rights opened, dedicated and platted in the block bounded by Grand Avenue, Macalester Street, Summit Avenue and Cambridge Street. (Public hearing closed and laid over from August 23, 2023)

Adopted

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

Nay: 0

ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at three separate council meetings and becomes effective after passage by the Council and 30 days after publication in the Saint Paul Pioneer Press. Public hearings on ordinances are generally held at the second reading.

Final Adoption

- 41** [Ord 23-32](#) Amending Chapter 310 of the Legislative Code to correct license fee tables and implement annual license fee increases.

Adopted

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

Nay: 0

42 [Ord 23-38](#)

Amending Sections 411.01 and 411.04 of the Legislative Code to remove a reference to previously removed consent requirements and remove the requirement for a prospective licensee to provide off-street parking.

Adopted

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

Nay: 0

First Reading**43** [Ord 23-42](#)

Granting the application of York Avenue Land Development LLC to rezone property at 1500 and 1510 York Ave from a combination of R4 one-family residential & RM2 multiple-family residential to all RM2, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Laid over to September 13, 2023 for Second Reading

PUBLIC HEARINGS

Live testimony is limited to two minutes for each person. See below for optional ways to testify.

44 [Ord 23-40](#)

Amending Title XXIII Public Health Safety and Welfare of the Legislative Code to add Chapter 222, titled Smoking of Tobacco, Hemp and Cannabis Products in City Owned Public Places Prohibited.

Public hearing continued to September 13, 2023

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

Nay: 0

45 [RES PH 23-245](#)

Denying the application of Bigos Management/Kellogg Square for an exception to the general hours of skyway operation. (Public hearing continued from September 6, 2023)

Public hearing continued to September 13, 2023

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

Nay: 0

- 46** [RES PH 23-243](#) Amending the financing and spending plans in the Public Works Sewer Stormwater Discharge Management Accounting Unit in the amount of \$32,415 for stormwater pond sediment sampling.

Adopted

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

Nay: 0

- 47** [RES PH 23-248](#) Amending the financing and spending plans in the Fire Department in the amount of \$350,000 for a contribution received from the Minnesota Board of Firefighter Training and Education (MBFTE) to pay for training and equipment for the Minnesota Aviation Rescue Team (MART) and helicopter training with the Minnesota State Patrol.

Adopted

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

Nay: 0

- 48** [RES PH 23-240](#) Approving the application of Compassionate Action for Animals for a sound level variance in order to present live amplified sound on September 17, 2023 at 300 Dr Justus Ohage Boulevard - Harriet Island Regional Park.

Adopted

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

Nay: 0

- 49** [RES PH 23-242](#) Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on Tuesday, September 12, Saturdays, September 16, 23, 30 and October 7, 2023, within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

Adopted

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

Nay: 0

- 50** [RES PH 23-250](#) Approving the application of University of St. Thomas, for a sound level variance in order to present live amplified sound on September 23, October 7,

28, and November 18, 2023 at 2115 Summit Avenue - O'Shaughnessy Stadium.

Adopted

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

Nay: 0

- 51 [RES PH 23-251](#) Approving the application of Lumen Christi Catholic Community for a sound level variance in order to present amplified sound on September 9, 2023 at 1668 Montreal Avenue - Urban Academy Charter School baseball fields.

Adopted

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

Nay: 0

- 52 [RES PH 23-252](#) Approving the application of The Leukemia & Lymphoma Society Inc. for a sound level variance in order to present live amplified sound on September 21, 2023 at 200 Dr Justus Ohage Blvd. - Harriet Island Regional Park.

Adopted

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

Nay: 0

- 53 [RES PH 23-253](#) Approving the application of University of St. Thomas, Cretin Derham Hall game series for a sound level variance in order to present live amplified sound on Fridays September 8, September 22, October 6, and Wednesday, October 18, 2023 at 2115 Summit Avenue - O'Shaughnessy Stadium.

Adopted

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

Nay: 0

- 54 [RES PH 23-255](#) Approving the application of Veit & Company - Logan Carlson for a sound level variance in order to present amplified sound beginning as soon as possible and ending November 30, 2023 at Minnesota Street from Kellogg Boulevard East to Sixth Street.

Adopted as amended

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

Nay: 0

- 55** [RES PH 23-258](#) Approving the application of Selby Avenue Jazz Fest/R. Mychael Wright for a sound level variance in order to present live amplified sound on September 9, 2023 at 934 Selby Avenue.

Adopted

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

Nay: 0

- 56** [RES PH 23-259](#) Approving the application of American Foundation for Suicide Prevention for a sound level variance in order to present amplified sound on September 17, 2023 at 1199 Midway Parkway - Como Midway Picnic Pavilion.

Adopted

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

Nay: 0

- 57** [RES PH 23-263](#) Amending the City's 2023 Operating Budget to reflect the use of fund equity of up to \$600,000 to finance the CHA Building Automation System Project.

Adopted

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

Nay: 0

- 58** [RES PH 23-267](#) Amending the HOME 2023 general ledger budget by \$438,017.14 to reflect the receipt of additional prior year HOME Program Income and amending the budget by \$632,639.14.

Adopted

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

Nay: 0

- 59** [RES PH 23-268](#) Authorizing the City on behalf of the Police Department, to accept, and amend the Special Fund for, \$149,635.10 in funds from the Minnesota Department of Public Safety for the 2024 NHTSA: DWI/Traffic Safety Officer grant program. (Public hearing closed and laid over from September 6, 2023)

Public hearing closed and laid over to September 13, 2023

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

Nay: 0

- 60** [RES PH 23-269](#) Authorizing the City on behalf of the Police Department to accept, and amend the Special Fund for, \$309,000 in funds from awarded from the Minnesota Department of Commerce, Auto Theft Prevention Grants Program (Dedicated Investigator). (Public hearing closed and laid over from September 6, 2023)

Public hearing closed and laid over to September 13, 2023

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

Nay: 0

LEGISLATIVE HEARING DISCUSSION ITEM

- 61** [RLH RR 23-39](#) Ordering the rehabilitation or razing and removal of the structures at 621 BIDWELL STREET within one-hundred eighty (180) days after the September 6, 2023, City Council Public Hearing. (Public hearing closed and laid over from September 6, 2023)

Public hearing closed and laid over to September 13, 2023

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

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

- 62** [RLH RR 23-48](#) Making finding on the appealed substantial abatement ordered for 1508 COMO AVENUE in Council File RLH RR 22-22.

Adopted

- 63** [RLH VBR 23-41](#) Appeal of Chris Boylan to a Vacant Building Registration Renewal Notice at 1508 COMO AVENUE.

Adopted

- 64 [RLH TA 23-24](#) Ratifying the Appealed Special Tax Assessment for property at 917 FULLER AVENUE. (File No. J2309A, Assessment No. 238508) (Public hearing continued to September 6, 2023)
Adopted as amended (assessment deleted)
- 65 [RLH TA 23-8](#) Ratifying the Appealed Special Tax Assessment for property at 916 HATCH AVENUE. (File No. J2304E, Assessment No. 238303) (Public hearing continued to September 6, 2023)
Adopted as amended (assessment deleted)
- 66 [RLH TA 22-439](#) Ratifying the Appealed Special Tax Assessment for property at 1664 NEBRASKA AVENUE EAST. (File No. J2307A, Assessment No. 238506) (Public hearing continued to September 6, 2023)
Adopted as amended (assessment reduced)
- 67 [RLH RR 23-40](#) Ordering the rehabilitation or razing and removal of the structures at 401 ROSE AVENUE EAST within 180 days after the September 6, 2023, City Council Public Hearing.

Public hearing continued to September 13, 2023
- 68 [RLH VBR 23-49](#) Appeal of Julin Moua to a Vacant Building Registration Requirement at 1139 ROSS AVENUE.
Adopted
- 69 [RLH VBR 23-45](#) Appeal of William Nichols to a Vacant Building Registration Fee Warning Letter at 1752 SCHEFFER AVENUE.
Adopted
- 70 [RLH VBR 23-51](#) Appeal of Peter Ratsamy to a Vacant Building Registration Notice at 575 UNIVERSITY AVENUE WEST.
Adopted

ADJOURNMENT**Meeting ended at 6:24 PM**

City Council meetings are open for in person attendance, but the public may also 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:

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. Live testimony will be taken in person in the Council Chambers, and by telephone by registering to speak by noon on the day before the meeting. The registration link is located on the City Council website at www.stpaul.gov/council or <https://forms.office.com/g/TD3xN7WHy5>.

Council Meeting Information

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Web

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