

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 Dan Bostrom
Councilmember Samantha Henningson
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert

Wednesday, August 22, 2018

3:30 PM

Council Chambers - 3rd Floor

There will be no meeting on August 29, the fifth Wednesday of the month.

ROLL CALL

The meeting was called to order by City Council Secretary Tolbert at 3:30 p.m.

Council President Brendmoen and Councilmember Noecker excused

Present 5 - Councilmember Dan Bostrom, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Jane L. Prince and Councilmember Samantha Henningson

Absent 2 - Councilmember Amy Brendmoen and Councilmember Rebecca Noecker

COMMUNICATIONS & RECEIVE/FILE

AO 18-41	Authorizing the Department of Parks and Recreation to reallocate
	\$560,000 within its various accounting units in the 2018 adopted budget
	to most accurately reflect the projected actual spending in each
	accounting unit and provide the appropriate levels of spending authority.
_	

Received and filed

2 AO 18-43 Amending CDBG activities budget: funding for 932 Arcade.

Received and filed

Authorizing the Department of Parks and Recreation to reallocate \$120,000 within its various accounting units in the 2018 adopted budget to most accurately reflect the projected actual spending in each accounting unit and provide the appropriate levels of spending authority.

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 Henningson moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

4	RES 18-1383	Memorializing the City Council's action denying an appeal of a decision by the Board of Zoning Appeals approving variance requests to construct a 6-unit, multi-family development at 617 Laurel Avenue.
		Adopted
_	DEC 40 4200	

5	RES 18-1399	Canvassing the returns and declaring the results of the special City
		General Election held August 14, 2018.

Adopted

6	RES 18-1398	Approving the use of grant funds through the Neighborhood STAR
		Year-Round Program for community kitchen upgrades in Hamline
		Church.

Adopted

7	DEC 10 1106	Pagagnizing Parkway Little Laggue valuntaars lan and Charan Wahar
1	RES 18-1406	Recognizing Parkway Little League volunteers Jon and Sheron Weber.

Adopted

8	Min 18-19	Approving the minutes of the November and December 2017 City
		Council meetings.

Adopted

Approving assessment costs and setting date of City Council public hearing to ratify the assessment for installation of a fire protection system, as requested by Housing and Redevelopment Authority, for 17 West 7th Place. (File No. FP2018-03, Assessment No. 187102)

Adopted

10	RES 18-1366	Approving the City's cost of providing Property Clean Up services during June 1 to 14, 2018, and setting date of Legislative Hearing for September 18, 2018 and City Council public hearing for January 2, 2019 to consider and levy the assessments against individual properties. (File No. J1901A, Assessment No. 198500) Adopted
11	RES 18-1367	Approving the City's cost of providing Property Clean Up services during June 15 to 29, 2018, and setting date of Legislative Hearing for September 18, 2018 and City Council public hearing for January 2, 2019 to consider and levy the assessments against individual properties. (File No. J1902A, Assessment No. 198501) Adopted
12	RES 18-1380	Authorizing the renewal of a Five-Year Lease (PW/3) to Group Health Plan Inc. for a parking lot at 1492 Eustis Street adjacent to their Como Avenue Clinic.
		Adopted
13	RES 18-1393	Approving the Collective Bargaining Agreement (January 1, 2018 - December 31, 2020) between the City of Saint Paul and the Classified Confidential Employees Association.
		Laid over to September 5 for adoption
14	RES 18-1397	Approving the Collective Bargaining Agreement (January 1, 2018 - December 31, 2020) between the City of Saint Paul and the International Association of Fire Fighters AFL-CIO Local 21.
		Laid over to September 5 for adoption
15	RES 18-1359	Authorizing Police Department to accept an AmeriCorps sub-grant in the amount of \$214,950 from ServeMN for the Law Enforcement Career Path Academy.
		Adopted
16	RES 18-1305	Amending the financing and spending plans in the Department of Public Works Capital Budget by transferring \$138,696 in revenues into the Grand Avenue Pedestrian Safety Improvement Project. Adopted

FOR DISCUSSION

17 RES 18-1385

Honoring Peter J. McCall for his twenty-one years of service to the City of Saint Paul and the City Attorney's Office.

Councilmember Tolbert invited Peter McCall to the podium, and read the resolution.

Mr. McCall made brief comments. Council members expressed appreciation for Mr. McCall's work, and wished him well.

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

18 RES 18-1362

Declaring August 22, 2018, Holly Monnett Day in Saint Paul.

Councilmember Henningson invited Holly Monnett to the podium, and read the resolution.

Ms. Monnett made brief comments.

Councilmember Henningson moved approval of the resolution.

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

19 RLH RR 18-30

Ordering the razing and removal of the structures at 877 WOODBRIDGE STREET within fifteen (15) days after the August 15, 2018 City Council public hearing. (Public hearing continued from August 15 and 22)

Legislative Hearing Officer Marcia Moermond said the inspector who had accessed the house the previous Monday found gross unsanitary conditions such that he didn't feel it was safe for him to conduct the inspection or for others to go in. She said at her request a vacant buildings inspector had taken photographs to document the condition of the building. She said the conditions in the building had occurred as a result of squatters, probably within the previous 12 months. She said the owner, therefore, had not obtained a code compliance inspection, and the performance deposit had not been posted. She said, if the Council wanted to allow the owner to develop plans for the building's rehabilitation, she recommended the following conditions: performance deposit posted by close of business August 24, and the house be professionally cleaned and sanitized by September 3, so that code compliance inspectors could access the building the first week of September. She said if those conditions were met, a Legislative Hearing could be conducted on September 11 to review specific work plans to be developed by the owner based on the code compliance report. She said the inspectors also wrote orders for tall grass, and a broken window allowing access, and she expected immediate compliance if the owner was serious. She noted there were unpaid property taxes which would lead to the property's forfeiture the next summer. In response to a question from Councilmember Thao, she said the performance deposit was \$5000.

Councilmember Thao moved to adopt Ms. Moermond's recommendation, to allow the owner to move forward. Ms. Moermond said her office would draft a letter confirming the details.

Referred to Legislative Hearings on September 11

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

20 RLH SAO 18-54

Making finding on the appealed nuisance abatement ordered for 1940 FAIRMOUNT AVENUE in Council File RLH SAO 18-40.

Legislative Hearing Officer Marcia Moermond said she had met with the property owner after the previous week's public hearing and reviewed the orders and the items needing correction. She said the item before the Council was determining whether the nuisance condition had been abated, and the action being taken would give a second extension with specificity by line item.

Councilmember Henningson moved to adopt Ms. Moermond's recommendation, and thanked Ms. Moermond for her work.

Adopted as amended (extensions granted for compliance)

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

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 18-30

Amending Chapter 64 of the Legislative Code pertaining to signs.

Councilmember Henningson moved amendments removing the sections related to sign on professional sports facilities.

Councilmember Henningson moved final adoption of the ordinance as amended.

Adopted as amended

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

22 Ord 18-33

Amending Chapter 74 of the Legislative Code by enacting a new section designating Fire Station No. 10 as a Saint Paul Heritage Preservation Site.

Councilmember Henningson moved final adoption of the ordinance.

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

23 Ord 18-44

Granting the application of the Saint Paul Housing and Redevelopment Authority to rezone property at 119 Lyton Place from RT1 Two-Family to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Councilmember Thao moved final adoption of the ordinance.

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

Second Reading

24 Ord 18-45

Granting the application of City of Saint Paul to rezone property at 2239 Como Avenue from T1 Traditional Neighborhood to RT2 Townhouse Residential, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Laid over to September 5 for third reading/public hearing

SUSPENSION ITEM

Councilmember Henningson moved suspension of the rules.

Rules suspended

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

RES 18-1448

Acknowledging and thanking the Elizabeth Dole Foundation, and supporting caregivers to our military servicemembers and veterans.

Councilmember Henningson moved approval of the resolution.

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

BUDGET AMENDMENT PUBLIC HEARINGS

25 RES PH 18-226

Amending the financing and spending plans in the Department of Public Works Capital Budget in the amount of \$216,875 in additional revenues and \$197,125 transfer of appropriations for the Wilson Mill and Overlay Project.

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

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

26 RES PH 18-239

Authorizing the Police Department to accept a sub-grant in the amount of \$286,600 from ServeMN for the AmeriCorps Law Enforcement Career Path Academy program.

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

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

34 RLH VO 18-37

Appeal of Charnell Hudson to a Correction Notice - Complaint Inspection Condemnation and Order to Vacate at 134 ELIZABETH STREET EAST.

Legislative Hearing Officer Marcia Moermond gave a staff report on the condemnation and order to vacate. She described the circumstances and said the follow-up inspection showed continued presence of numerous code problems; she noted that the property was currently vacant. She recommended denying the appeal and maintaining the condemnation on the property.

Property owner Charnell Hudson said she was continuing to work on the house and had never had any problems in the past. She asked for more time. In response to a question from Councilmember Tolbert she said her request was to have 90 days to continue the repairs and have everything in order.

Councilmember Henningson moved to close the public hearing. Yeas - 5 Nays - 0

In response to a question from Councilmember Tolbert, Ms. Moermond said the next question, which wasn't currently before the Council, was whether a Code Compliance inspection would be required in the vacant building program, or dealing with the current list of corrections would be sufficient. She said the question now was whether or not the property should be condemned and ordered vacated. She said her recommendation was that it be that way; she said there were paths in the future for allowing time for the items to be addressed.

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

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

47 RLH SAO 18-49

Appeal of Richard Heller to a Vehicle Abatement Order at 1223 MARION STREET.

Legislative Hearing Officer Marcia Moermond gave a staff report on the order to move a pop-up camper from an illegal parking surface beside the garage. She recommended that the appeal be granted if the parking space was restored to its previously approved Class V condition, with the deadline of September 14. She reviewed two accommodations requested by the appellant; she said they worked with HREEO to accommodate the request that all documents be readable in Adobe, and it was determined that the second accommodation was not necessary and was denied. She said what was before the Council was restoration of the parking surface by September 14.

In opposition:

Property owner Rick Heller distributed handouts, and said the matter had been corrected. He reviewed some items he felt the Council needed to address.

Councilmember Henningson moved to close the public hearing. Yeas - 5 Nays - 0

In response to a request from Councilmember Henningson, Ms. Moermond clarified the circumstances under which appeal fees were waived.

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

Adopted

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

LEGISLATIVE HEARING CONSENT AGENDA

Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda (Items 27 - 69)

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

Legislative Hearing Consent Agenda adopted as amended

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Noecker

27	RLH TA 18-389	Ratifying the Appealed Special Tax Assessment for property at 869 ALBEMARLE STREET. (File No. CRT1810, Assessment No. 188212) Adopted
28	RLH VBR 18-44	Appeal of Scott Beck to a Vacant Building Registration Notice at 945 BEECH STREET. Adopted
29	RLH CO 18-31	Appeal of Eudora Post - Mary Havel (sister) will represent - to a Correction Notice at 1534 CHARLES AVENUE. Adopted
30	RLH TA 18-414	Ratifying the Appealed Special Tax Assessment for property at 319 COTTAGE AVENUE EAST. (File No. VB1812, Assessment No. 188819)
31	RLH TA 18-390	Adopted Ratifying the Appealed Special Tax Assessment for property at 1141 DALE STREET NORTH. (File No. J1810E, Assessment No. 188318; amend to File No. J1810E1, Assessment No. 188326) (Public hearing continued from August 22)
		Public hearing continued to October 17
32	RLH RR 18-15	Making finding on the appealed nuisance abatement ordered for 521-523 DESNOYER AVENUE in Council File RLH RR 18-11. Adopted
33	RLH TA 18-408	Ratifying the Appealed Special Tax Assessment for property at 291 EDMUND AVENUE. (File No. J1810E, Assessment No. 188318) Adopted
35	RLH TA 18-420	Deleting the Appealed Special Tax Assessment for property at 240 FIFTH STREET EAST. (File No. J1808P, Assessment No. 188408) Adopted
36	RLH TA 18-399	Ratifying the Appealed Special Tax Assessment for property at 463 FOREST STREET. (File No. J1810E, Assessment No. 188318; amend to File No. J1810E1, Assessment No. 188326) (Public hearing continued from August 22) Public hearing continued to October 17

37	RLH TA 18-396	Ratifying the Appealed Special Tax Assessment for property at 794 FRANK STREET. (File No. J1810E, Assessment No. 188318; amend to File No. J1810E1, Assessment No. 188326) (Public hearing continued from August 22) Public hearing continued to October 17
38	RLH TA 18-376	Ratifying the Appealed Special Tax Assessment for property at 2193 FREMONT AVENUE. (File No. J1810A, Assessment No. 188519; amend to File No. J1810A2, Assessment No. 188553) (Public hearing continued from June 27 and August 22)
39	RLH VBR 18-45	Public hearing continued to October 17 Appeal of Hai Truong to a Vacant Building Registration Fee at 711 FULLER AVENUE. Adopted
40	RLH SAO 18-55	Appeal of Steven Mark to a Summary Abatement Order at 33 GEORGE STREET WEST. Adopted
41	RLH TA 18-404	Ratifying the Appealed Special Tax Assessment for property at 50 HATCH AVENUE. (File No. J1810E, Assessment No. 188318; amend to File No. J1810E1, Assessment No. 188326) (Public hearing continued from August 22) Public hearing continued to October 17
42	RLH FCO 18-120	Appeal of Lynne Geistfeld to a Correction Notice-Complaint Inspection at 861 HOWELL STREET NORTH. Adopted
43	RLH TA 18-391	Deleting the Appealed Special Tax Assessment for property at 935 HUDSON ROAD. (File No. J1808P, Assessment No. 188408) Adopted
44	RLH FCO 18-126	Appeal of Trish Stevens to a Correction Notice-Complaint Inspection at 656 IGLEHART AVENUE. Adopted
45	RLH CO 18-30	Appeal of Rory Jones to a Correction Notice at 774 JENKS AVENUE. Public hearing continued to September 5

46	RLH VBR 18-48	Appeal of Peng Sue Yang to a Vacant Building Registration Fee Warning Letter at 64 JESSAMINE AVENUE EAST. Public hearing continued to September 5
48	RLH VO 18-30	Appeal of Camille Perry to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 71 MARYLAND AVENUE EAST. Adopted
49	RLH FCO 18-90	Appeal of Camille Perry to a Fire Certificate of Occupancy Correction Notice at 71 MARYLAND AVENUE EAST. Adopted
50	RLH VO 18-33	Appeal of Shelly Bakken, Premier Management, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 947 MINNEHAHA AVENUE EAST.
		Public hearing continued to September 5
51	RLH SAO 18-46	Appeal of John Lavik to a Notice to Cut Tall Grass and/or Weeds at 1881 PRINCETON AVENUE.
		Adopted
52	RLH TA 18-392	Deleting the Appealed Special Tax Assessment for property at 516 RICE STREET. (File No. J1808P, Assessment No. 188408) Adopted
53	RLH VO 18-38	Appeal of Lindsey Haasl to a Fire Certificate of Occupancy Revocation and Order to Vacate at 644 ROBERT STREET SOUTH. Adopted
54	RLH TA 18-419	Ratifying the Appealed Special Tax Assessment for property at 1766 ROSS AVENUE. (File No. J1810E, Assessment No. 188318) Adopted
55	RLH TA 18-401	Deleting the Appealed Special Tax Assessment for property at 889 SIMS AVENUE. (File No. VB1811, Assessment No. 188818) Adopted
56	RLH FCO 18-116	Appeal of Jennifer Fredricks to a Fire Certificate of Occupancy Inspection Correction Notice at 835 THIRD STREET EAST. Adopted

		Adopted
65	RLH AR 18-51	Ratifying the assessments for Collection of Vacant Building Registration Fees billed November 7, 2017 at 319 COTTAGE AVENUE EAST. (File No. VB1812, Assessment No. 188819)
64	RLH AR 18-50	Ratifying the assessments for Collection of Vacant Building Registration Fees billed during February 16 to March 20, 2018. (File No. VB1811, Assessment No. 188818) Adopted
		to January 2018. (File No. J1807C, Assessment No. 182007) Adopted as amended (855 Lexington Avenue South removed from the assessment roll for separate consideration)
63	RLH AR 18-49	Adopted Ratifying the assessments for Demolition services from December 2017
62	RLH AR 18-48	Ratifying the assessments for Boarding and/or Securing services during the month of March 2018. (File No. J1810B, Assessment No. 188111)
		VAN BUREN AVENUE. Adopted
61	RLH VBR 18-46	Adopted Appeal of Hector Mach to a Vacant Building Registration Notice at 839
60	RLH TA 18-402	Deleting the Appealed Special Tax Assessment for property at 2264 UNIVERSITY AVENUE WEST. (File No. J1808P, Assessment No. 188408)
		Adopted
59	RLH TA 18-403	Deleting the Appealed Special Tax Assessment for property at 1833 UNIVERSITY AVENUE WEST. (File No. J1808P, Assessment No. 188408)
		188818) Adopted
58	RLH TA 18-441	Ratifying the Appealed Special Tax Assessment for property at 585 UNIVERSITY AVENUE WEST. (File No. VB1811, Assessment No.
		188408) Adopted
57	RLH TA 18-416	Deleting the Appealed Special Tax Assessment for property at 291 UNIVERSITY AVENUE WEST. (File No. J1808P, Assessment No. 100400)

66	RLH AR 18-52	Ratifying the assessments for Trash Hauling services during February 28 to March 27, 2018. (File No. J1810G, Assessment No. 188710) Adopted
67	RLH AR 18-53	Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during January 10 to February 19, 2018. (File No. CRT1810, Assessment No. 188212) Adopted
68	RLH AR 18-54	Ratifying the assessments for Graffiti Removal during March 2 to April 5, 2018. (File No. J1808P, Assessment No. 188408) Adopted
69	RLH AR 18-55	Ratifying the assessments for Excessive Use of Inspection/Abatement services billed during January 22 to February 16, 2018. (File No. J1810E, Assessment No. 188318) Adopted

PUBLIC HEARINGS

70 Ord 18-39 Creating Chapter 220 of the Saint Paul Legislative Code regulating coordinated collection of certain residential trash.

Councilmember Henningson moved an amendment changing the effective date to 30 days following passage, approval and publication. Yeas - 5 Nays - 0

In opposition:

David Brudevold (2208 Sargent Avenue) Katherine Schilling (1495 Osceola) Rick Heller (1222 Marion Street)

Councilmember Henningson moved to close the public hearing.

Public hearing held and closed; laid over to September 5

Yea: 4 - Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

Council members recognized Councilmember Henningson's last meeting, and acknowledged and thanked her for her work. Councilmember Henningson made brief comments.

ADJOURNMENT

Councilmember Henningson moved adjournment.

Meeting adjourned at 4:39 p.m.

Yea: 4 - Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Henningson

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

Council Meeting Information

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Cable

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