



# 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 Mitra Jalali Nelson*  
*Councilmember Rebecca Noecker*  
*Councilmember Jane L. Prince*  
*Councilmember Dai Thao*  
*Councilmember Chris Tolbert*

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Wednesday, September 26, 2018

3:30 PM

Council Chambers - 3rd Floor

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**The Library Board will convene during the City Council meeting.**

#### ROLL CALL

*Meeting called to order by Council President Brendmoen at 1531 hours.*

*Roll Call:*

*Present: Jalai Nelson, Noecker; Thao; Brenmoen*

*Absent: Prince, Tolbert; Bostrom*

*Councilmember Tolbert entered just after roll call.*

**The meeting was called to order at 3:31 p.m. Prince and Tolbert arrived just after roll call.**

**Present** 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao,  
Councilmember Chris Tolbert, Councilmember Rebecca Noecker,  
Councilmember Jane L. Prince and Councilmember Mitra Jalali

**Absent** 1 - Councilmember Dan Bostrom

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 18-52](#) Letter from the Department of Safety and Inspections declaring 650 Aurora Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)  
**Received and Filed**
- 2 [AO 18-45](#) Amending CDBG activities budget to include the 2018 award and fund project at 1390 East Third Street.  
**Received and Filed**
- 3 [AO 18-46](#) Amending the 2018 PED Operations budget to re-allocate budget from full time certified account to out of town registration.  
**Received and Filed**

- 4     [AO 18-47](#)     Amending the 2018 spending budget for the Office of Technology and Communications.  
Received and Filed
- 5     [AO 18-49](#)     Amending the 2018 general fund budget for the Fire Department to more accurately record the Health and Wellness Coordinator position.  
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**

*Council President Brendmoen: So with that we will take the balance of the Legislative Consent Agenda. That is items 28 through 35. If you are here for items 28 through 35 and you haven't been heard, this is a public hearing.*

*[No one spoke.]*

*Council President Brendmoen: Seeing none, Ms. Neldon moves the Consent Agenda. All in favor say Aye. [All say Aye.] Any opposed? [No one opposed.] The motion prevails.*

*7 in favor, no one opposed. The Consent Agenda is adopted as amended.*

**Consent Agenda adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 6     [RES 18-1567](#)     Approving the polling location change for Ward 1, Precincts 12 and 13 for the November 6, 2018 general election.  
**Adopted**
- 7     [RES 18-1532](#)     Approving the release of easement rights retained by Xcel Energy in RES PH 18-202.  
**Adopted**
- 8     [RES 18-1546](#)     Approving the May 1, 2018 - April 30, 2021 Collective Bargaining Agreement between the City of Saint Paul and the International Brotherhood of Electrical Workers, Local 110.  
**Adopted**

- 9      [RES 18-1568](#)      Approving the Collective Bargaining Agreement (January 1, 2018 - December 31, 2020) between the City of Saint Paul and the Saint Paul Fire Supervisory Association International Association of Firefighters, Local 3939.
- Adopted**
- 10     [RES 18-1602](#)      Changing the rate of pay for the classification of Building and Facility Supervisor (formerly Building Superintendent) from Grade 010 to Grade 012 of EG 09, SPSO. (Laid over from September 26)
- Laid over to October 10**
- 11     [RES 18-1609](#)      Changing the rate of pay for the classification of SPRWS Safety and Security Officer (formerly Security Officer-Water) from Grade 17A to Grade 017 of EG 12, Operating Engineers. (Laid over from September 26)
- Laid over to October 10**
- 12     [RES 18-1592](#)      Accepting the gift of accommodations, meals, airfare, and mileage from the National League of Cities (NLC) for a delegation from the City of Saint Paul to include: Chief Equity Officer, Toni Newborn; Human Resources Director, Andrea Turner; Department of Safety and Inspections Director, Ricardo Cervantes; and, Councilmember Chris Tolbert to attend the NLC Cities for Racial Healing and Racial Equity Technical Assistance Cross Site Convening in New Orleans, Louisiana on October 10 - 12, 2018.
- Adopted**
- 13     [RES 18-1625](#)      Accepting the gift of airfare, lodging, and expenses associated with travel from the National League of Cities for Kaohly Her, Mayor Carter's Policy Director, to attend the Promoting An Alignment Framework to Build An Early Learning Nation Cross-Site meeting.
- Adopted**
- 14     [RES 18-1569](#)      Authorizing the Police Department use of expenditures to include alcoholic beverages to be used for the Standardized Field Sobriety Test.
- Adopted**
- 15     [RES 18-1601](#)      Accepting the gifts of conference registration fees and travel expenses not to exceed \$4,500 from the National Association of City Transportation Officials (NACTO) and the Knight Foundation for three Public Works Staff to attend the NACTO Designing Cities 2018 Conference, October 1-4, 2018 in Los Angeles, California.
- Adopted**

- 16     [RES 18-1603](#)     Accepting the gift of the cost of hotel accommodations from Simmons University for Mark Scheper to attend the Measuring Library Broadband Networks Project Participatory Design Workshop in Chicago, IL on October 24, 2018.

**Adopted**

- 17     [RES 18-1604](#)     Accepting the gift of travel, meals, and lodging for Office of Technology and Communications staff to attend a workshop by the Institute of Museum and Library Services in Las Vegas, Nevada on October 14, 2018.

**Adopted**

#### **FOR DISCUSSION**

#### **ROLL CALL**

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

18 [SR 18-128](#)

## Update from Ramsey County Sheriff Jack Serier.

*Council President Brendmoen: So we have Sheriff Serier in the house today for our annual check-up. Welcome. Thanks for being here.*

*Sheriff Jack Serier: You're welcome. Good afternoon. Each and every year from the sheriff's office we like to give an update to the community on a few things the Sheriff's office is doing that you may not hear about otherwise. You have a lot on your agenda today so I'm going to talk very quickly and get you on to your next item. So thank you for havng me here today. I appreciate it. Just a couple of quick things that affect our entire community, people here in St Paul as well, is the opoid issues that we're having across Ramsey County. Part of what we are doing as a department in partnership with other police departments and also with Adult and Teen Challenge of Minnesota through their Know the Truth campaign, we've been working on it and holding forums for about the last year on the issue of opoids. Now certainly one of the things that we see in the opoid issue is we have people who are obviously high level dealers and we have people who are manufacturing and putting synthetics into these and making these a highly lethal combination for people. Those certainly need our attention when it comes to enforcement, but what this campaign is really about people who are addicted to the pill form or to the street form of an opoid. And really about educating families or community because it really is a "we" problem and providing opportunities for people to get educated about what they can do for their family member, their loved one, or themselves if they are addicted to opoids. Really it is about a message of hope. We really want people to think about a pathway to recovery, a pathway to health for themselves or others in their family. We know the problem is so pervasive right now in our community. Our next community forum will be held Nov 1 at 6:30PM at Bethel University. It's open to the public and anybody who is interested in this topic. That's our next forum. More will come up across Ramsey County in the future. We've had some in other communities here in Ramsey County in the last year and we will continue to have those, but that's our next one upcoming. Another things that is of concern to a lot of people is safety. Safety in schools, safety in the workplace, and safety in faith communities. To address this, we've started a Safety and Threat Assessment Group and really this is about making a county-wide amenity and we have a full-time staff member dedicated to it that will work as a consultant to schools, corporate environments and churches and synagogues and Islamic centers and any other faith community that would like this expertise to talk with them about how it may impact their lives and their organizations. To talk to them and do education in this area for people in those environments. And also to look at assessing how the environment is even built. We've got expertise there that we are going to be offering. There's no charge for that service because we felt that there is such a broad need for this. We know the City of St Paul and other cities have a good, robust knowledge in this area but any time they need additional help in that area or the communities that need the help outright, we are going to be providing that service across Ramsey County. That is something we are doing as a collaborative effort. A couple of other things I just want to mention really quickly is that when it comes to our community, fiscal issues are always a concern. I want to let you know that anytime I touch a budget, it always remains under budget. this last year, we returned \$1.2 million back to the county board because it's not my money; I'm a steward of your money as taxpayers. I'm very proud of that. My staff did a phenomenal job in making that happen. One of my under-sheriffs is in charge of administration, Booker Hodges. He and his staff are a great team and is part of that. We take the bottom line very seriously. The other thing I just want to mention really quickly is also the community outreach and I appreciate everybody in this room that has helped in this because I established a community*

circle for race and gender equity as an employer of choice. That was about reaching out into our community, trying to be more reflective of the community in everything that we do. That includes employment and people thinking about their own future, whether that be in corrections or in a sworn rank, like an officer or a deputy. Beyond that, our staff has really developed an expertise to become career counselors because people come to us and say "I think I'm interested in this" and we'll start working with them and they'll say "I don't know if I'm interested in this" and we'll start connecting them to other places and resources that may help them. For those who are interested in a career in law enforcement or corrections, we are pleased with the arc of work that we are doing there and I'm happy to report, in the last two years, we've had tremendous success in this area. Currently, I have the most diverse detention center staff in the state of Minnesota thanks to the work of my staff. Almost 54% of the people who work in my detention center are women and people of color. I am very proud of that diversity. That continues to grow in our deputy rank and also it's having a positive effect on our relationships in the community.

Council President Brendmoen: Sheriff, before you move on, and I hope I am recalling this correctly, but in addition to the work you just outlined, in terms of positioning women, women of color, people of color to career advancement and promotions, I've heard very positive feedback about your work there and I wonder if you could talk about that.

Sheriff Jack Serier: Thank you, I appreciate that. One of the things we did this last year was a Women's Academy to try to have people that maybe haven't thought about this as a career path but want to invest a little bit of time. We brought together a Career Academy for Women to think about a career in our field. That was incredibly successful. It was a great opportunity. Beyond that, we have done a lot in our organization to ensure we have equity in our promotions and in our administrative ranks. I have the highest number of women who are in positions of leadership ever in the history of the sheriff's office. I'm very proud of that. Proud of my staff for the work we continue to do in that area to ensure we are mentoring people, training them, and providing the professional development so that they can advance their careers. Thank you for that.

Council President Brendmoen: I appreciate that. I wanted to make sure you highlighted it. It's one thing to bring people in the door and it's another thing to keep them and invest in them and move them up the ranks.

Sheriff Jack Serier: I think it's really important to have not only that bridge of opportunity but you have to have that ladder of opportunity in your organization. If you provide that opportunity, you need to provide those internal opportunities and allow people to grow. You don't want to hold anybody back. You let them grow in specialization or in leadership, if that's what they choose to do. The last thing I'll do is I want to give a shameless plug for the Ramsey County Fright Farm. Just right outside the city limits of St Paul, at Frost and White Bear Avenue, starting Oct 5, every weekend until Halloween and including Halloween night. About 80 volunteers will come together every weekend night and Halloween itself and will provide one of the scariest experiences anybody would ever hope for in the big Ramsey County barn. It is a family-friendly event. It truly is and we have a great time. We also have a low scare event at [frightfarm.org](http://frightfarm.org) for young children that may not want to go to the full Fright Farm can come in the afternoon on a Sunday later in October. It's a great event. We have sometimes 1200-1300 people that line up and go. Mini-donuts are for sale, popcorn. It's just a lot of fun, good old-fashioned fun for folks. We'd love to have people come out. All the proceeds go to the Ramsey County Sheriff's Foundation which is a

501(c)3. The majority of that money goes to programming for kids across Ramsey County, supporting school patrol and things like that. That's my update at this time. I want to thank you for the opportunity to come before you. As always, I am your sheriff so anytime you or anyone in the audience has questions, you can always give me a call. I answer my own phone and I answer my own email.

Council President Brendmoen: Great. Are there questions? The low scare area?

Sheriff Jack Serier: As a matter of fact, that's the one that I go to. They give me the preview tour and it's scary with the lights on. It's a safe event. They do a great job for people when they come through. But we have tons of adults that come to the low scare.

Council President Brendmoen: Other questions? Feedback? I guess I would just say your work and especially your work with Ramsey County Attorney John Choi is so important and so vital to our community and we really appreciate it. Your collaboration with our police force as well. We love the annual report and its check-in because a lot of times, even though we are 56% of Ramsey County in terms of population, there is a disconnect with the work that we do unless we are intentional about checking in with each other so having you here and hearing this report is really important. We thank you for that.

Sheriff Jack Serier: Thank you very much. As a resident of St Paul, I appreciate all your work as well.

Council President Brendmoen: Great. Thank you so much.

[Councilmember Bostrom exits at 1542 hours.]

#### **Received and Filed**

#### **19      [RES 18-1498](#)**

Approving adverse action against the Taxicab Vehicle licenses for #1391, #1392, #1395 and #3634 held by Waleed Ahmed Sonbol, d/b/a Blue & White Service Corporation (License ID# 20090001909, #20090001911, #20090003037 and #20110000728).

Council President Brendmoen: We did get a staff report about this previously and at this point I would just like to move the recommendation that was provided by our City Attorney's office. Is there any further discussion on that?

[There was no further discussion.]

Council President Brendmoen: Seeing none, all in favor say Aye. [All say Aye.] Any opposed? [No one opposed.] The motion prevails.

6 in favor, no one opposed. The resolution passes.

#### **Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 20     [RES PH 18-284](#)     Approving adverse action against the Cigarette/Tobacco and Malt Off Sale licenses held by Asian Market, Inc., d/b/a Asian Market at 1423 Rice Street.

*Council President Brendmoen: We did hold a public hearing on this last week and for the benefit of the folks that weren't here, I requested a one week layover to get a better understanding of the situation. This is a case where the tobacco store had three violations over an 18 month period but all three of them were different. The reason I was asking for the layover is we don't get complaints or concerns about that particular market. It changed ownership fairly recently and they were new business owners and expressed some confusion although a commitment to resolving any staff confusion in the future. I would like to propose a motion to reduce the fine by half and reduce the ten day suspension by half but stay both of those penalties for 12 months if there are no same or similars.*

*[Councilmember Bostrom returned while Council President Brendmoen was speaking.]*

*Council President Brendmoen: Is there any discussion on that item? Mr. Bostrom.*

*Councilmember Bostrom: Yes. Just trying to understand that. Are you talking about enforcing half of the penalty and keeping the rest of it or just imposing half of it and that goes away if they don't.*

*Council President Brendmoen: Right.*

*Councilmember Bostrom: Ultimately there would be no fine for this. Is that right?*

*Council President Brendmoen: Thanks for clarifying. I'm sorry if I was confusing. Two parts: one is cutting the fine from \$1000 to \$500 and cutting the suspension from 10 days to five days; part two is suspending both for 12 months unless there are any same or similars. Any further questions? All right. All in favor say Aye. [All say Aye.] Any opposed? [No one opposed.] The motion prevails.*

*7 in favor, no one opposed. The resolution is adopted as amended.*

**Adopted as amended (reduce the fine from \$1,000 to \$500, reduce from ten days to five days, and suspend these penalties until there are no same or similar violations in one year)**

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

**Nay:** 0



**21**     [RLH SAO 18-52](#)     Appeal of Ken Hamblin to a Summary Abatement Order at 889 EUCLID STREET.

*Council President Brendmoen: Ms. Moermond.*

*Ms. Marcia Moermond: The Legislative Hearing on this item was conducted on Aug 7. This is a pretty significant clean-up. It came to you a month later, on Sept 5, in order to give a full measure of time for the work to be done. The Council granted an additional extension by way of laying the matter over to today, Sept 26. There has been about two months for the clean-up of this yard. The inspector reports indicate there has been little progress at this time.*

*Council President Brendmoen: Are there any questions for Ms. Moermond?*

*Ms. Moermond: The recommendation embedded with the resolution is to deny the appeal.*

*Council President Brendmoen: And just a reminder, for my memory, we had the public hearing? Yes, we had the public hearing. I do recall that information. The public hearing is closed. The information has been presented by Ms. Moermond. Ms. Prince.*

*Councilmember Prince: We have actually provided some considerable extra time on this one and as sympathetic as I am, I am going to move the Legislative Hearing Officer's recommendation to deny the appeal and let the Summary Abatement go forth.*

*Council President Brendmoen: Great. Is there any discussion on that motion?*

*[No discussion.]*

*Council President Brendmoen: All right. All in favor say Aye. [All say Aye.] Any opposed? [No one opposed.] The motion prevails.*

*7 in favor, no one opposed. The resolution is adopted.*

*The City Council is in recess.*

**Adopted**

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

**Nay:** 0

**BUDGET ITEMS**

**The City Council will recess, and convene as the Library Board to consider RES 18-1613: Requesting that the City levy property taxes for the library agency.**

*All councilmembers present, no one absent.*

*Library Board Chair Prince: Before us today we have the levy for property taxes for the library agency. Do i have a motion to. Councilmember Tolbert moves the library levy. Is there any discussion?*

*[No discussion.]*

*Library Board Chair Prince: Hearing none, all in favor. [All say Aye.] Opposed? [None opposed.] the library levy passes. I have a motion from Councilmember Thao to adjourn the Library Board.*

*Council President Brendmoen: We are adjourned. St Paul city Council back in order. [1549 hours] Roll call?*

**The Library Board will adjourn and the City Council will reconvene.**

**22      [RES 18-1476](#)      Approving a 2019 maximum property tax levy for the Housing and Redevelopment Authority (HRA).**

*Council President Brendmoen: Mr. Tolbert.*

*Councilmember Tolbert: Yes, this is just what we discussed about an hour ago. Setting the max levy.*

*Council President Brendmoen: Setting the max levy for the Housing and Redevelopment Authority. As I said, when we are the same boards, wearing different hats. This ties a bit into where we are heading with the City levy but the discussion at the HRA board was that we are setting the levy for the amount that was presented to us by Dr Cory and the mayor's office. The intention of this Council is to bring that levy down because we feel, after a full budget presentation, that there is room for that and it is fiscally responsible. Any further discussion on that item?*

*[No further discussion.]*

*Council President Brendmoen: Mr. Tolbert moves approval. All in favor say Aye. [All say Aye.] Any opposed? [No one opposed.] The motion prevails.*

*7 in favor, no one opposed. The resolution is adopted.*

**Adopted**

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

**Nay:** 0

**23**     [RES 18-1612](#)     Approving a 2019 maximum property tax levy for the City of Saint Paul.

*Council President Brendmoen: Great. And this is again the maximum property tax levy, not the final property tax levy. Is there any discussion on this item? Ms. Prince.*

*Councilmember Prince: As we talked about at the HRA meeting, I feel strongly that we need the flexibility to approve the maximum levy today but I feel strongly that we are part of a really complex eco-system in the city that will include this year the school districts seeking levy referendum from the taxpayers and I, in view of all the pressures on tax payers, I am committed to working with the mayor and my colleagues to reduce, to bring down the tax levy before we pass the budget in December. I really do appreciate that the Mayor's budget is an inspiring one that makes some long-needed equitable investments in parks and Libraries and especially affordable housing. I do think there is room for us to work together to reduce in the long run.*

*Council President Brendmoen: Mr. Bostrom.*

*Councilmember Bostrom: I just think that over 11% is a big bite to take at this particular time. Inflation is running at 3%, maybe a little bit above that. To have an increase of over 11% seems to me, given what our taxpayers are being subjected to, just is higher than we really should go because we just did the HRA and even though it's not a huge amount, the percentage is over 16%. So these are some big numbers when you start talking about percentage-wise. A lot of folks out there are living on fixed incomes and I don't think they can afford that so I cannot support this. I understand the whole point is this is the max and we can always go down. I would like to say I've seen that happen in the past, but I don't think I can.*

*Council President Brendmoen: The goal here is to prove you wrong, Mr. Bostrom, but I respect and appreciate your perspective on that. You certainly have earned that. Ms. Noecker.*

*Councilmember Noecker: I appreciate that point, too. I just want to say, for the record, that I have no intention of voting for an 11% levy increase at the end of the day. I do not, however, have an alternate proposal to offer right now and I really appreciate the fact that we have been doing a lot of deep digging into the proposals that have been offered by Mayor Carter and I think there's a lot that's exciting in it.*

*Councilmember Prince already mentioned affordable housing, parks and library investments. I'm really excited about the much needed infrastructure investments in our streets. I think this is a really hard year for people and I'm glad we are asking those really hard questions and I intend to keep on doing so but today I don't have the alternative proposal to present but I hope to see this levy come down dramatically.*

*Council President Brendmoen: Mr. Thao.*

*Councilmember Thao: This levy increase impacts disproportionately the Thomas-Dale neighborhood. The percentage is as high as 21.5% so I'm going to support capping this at 11 but I am committed to working with my colleagues and the Mayor's office to bring this down. Also provide to TJ, steps for us, especially around our affordable housing strategy for the City to prevent displacement. It is what it is, where we are today. Based on the deep discussion that the Council has had, I feel the rest of my colleagues feel the same way. What the Mayor proposed is great but there is opportunity for us to do more work in reductions to support taxpayers.*

*Council President Brendmoen: Anything further? Mr. Tolbert.*

*Councilmember Tolbert: I think Councilmember Noecker said very eloquently kinda my feelings toward this. I think this levy is higher than we need to be. I think in the next month or two we need to figure out what that alternative proposal is. There is a lot in this budget to like, but we have to be very considerate of taxpayer dollars. Today we will just be setting the max levy but my goal will be to get this levy down from where it's at. I think it's too high of a number for taxpayers this year. But I will support the max levy as a placeholder.*

*Council President Brendmoen: I will not repeat what people have said. I really appreciate the perspective. I also know how hard we are working, right now, on coming up with an alternate proposal that does bring the overall levy number down. I think a combination of making some shifts, making some additions to some things that we are really focused on, maybe finding places where we can cut some stuff. Also, higher than expected sales tax revenues are something that I think we can lean on, as well as what we heard at the initial budget address is that we have an expanded tax base that we deal with. We have a lot of things looking positive in our direction and my objective is to prove Mr. Bostrom wrong, for the first time ever, and come down under what we are setting today as a maximum levy and ultimately vote on in December. I said this to Ms. Noecker today that I love puzzles like this. I love trying to figure out how to move one thing to another to try to find out the solution that is not only palatable to this Council but to our Mayor's office and to our constituency out there. We are working on this. I sometimes wake up at night with "Oh, I hadn't thought about that!" and my commitment is that I am all in to finding that solution that brings us under 10%. I think there's a lot of support here. Ms. Noecker would move approval. All in favor say Aye. [All say Aye.] Any opposed? [One opposed.] The motion prevails.*

*6 in favor, one opposed (Bostrom). The resolution is adopted.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

**Nay:** 1 - Councilmember Bostrom

**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**

**24**     [Ord 18-28](#)

Amending Chapters 65 and 66 of the Legislative Code pertaining to Accessory Dwelling Units.

*Council President Brendmoen: Ms. Prince.*

*Councilmember Prince: I want to say, I saw today as I was coming in, we have some representatives here from Isaiah and also from the Commission on Aging who are anxious for us to take action on this ordinance and I'm sorry that we have to lay it over for an additional two weeks. We have a few minor technical amendments that we need to make. It also came to light that there needs to be some additional coordination between our Zoning Office and our Fire Safety and Inspections Office regarding the C of O and how that relates to the Zoning Ordinance. So I would like to move a two week layover, to October 10. Hopefully at that time, we will be able to have whatever amendments are needed pulled together to submit it at that time. Then it would need to layover another week. So, likely passage on October 18. I do want to make the point that when we do this, it is a City-wide ordinance and we really do need to do it right. I'm glad that these things have come to light before we have taken this action. I appreciate that the Commission on Aging and Isaiah and other community activists are really anxious for us to move this forward. I appreciate everyone's investment in this ordinance.*

*Council President Brendmoen: Great. Any thoughts on that? Having had a moment to talk to Mr. Bessudo, Deputy Director in DSI, and understanding the need to take a few more weeks, he thought even a week, to make sure that we understand the Certificate of Occupancy and some of the details that, in our enthusiasm for moving this forward, that we. His job is to make sure that we take care of the details in the details, especially since DSI is in charge of enforcement on these things. We really appreciate his work and we know he really dug in on Air B&Bs. Dan Jelek tackled that in terms of what do we do in terms of Certificate of Occupancy on that new emerging economy. I think that giving them the time that they need to do this correctly is important. So while it is my intention to move forward with ADUs and I know that there's support on this Council to do that, I also think that we need to do it right and so I would support your request for a two week layover. Ms. Noecker.*

*Councilmember Noecker: I appreciate Councilmember Prince recognizing the advocates that are here today. I share their sense of impatience to get this done. I do appreciate the clarification as to why the layover is needed. Sometimes it's not super clear, to people who are here for our meetings, why layovers happen. Whether it's just an attempt to delay longer. We actually want to get something right and do it right. What I am hearing you say is to make sure our enforcement and our regulation is crafted the right way to make it successful. Nothing works if it is not enforceable. I will support the move for a layover, although I hope it is the last one.*

*Council President Brendmoen: I almost couldn't see you back there, Jamie. Jamie Reddall worked really hard on this initiative. I said at our meeting the presentation was very thorough. We really appreciate it and we know you will be moving on from the City of St Paul and, unfortunately, won't be here when we pass this. Know that we truly and sincerely appreciate your work on this and so many other important initiatives in this City and we will miss you very much. So, Ms. Prince is proposing a two week layover. All in favor say Aye. [All say Aye.] Any opposed? [No one opposed.] The motion prevails.*

*7 in favor, no one opposed. The ordinance is laid over to October 10.*

**Laid over to October 10**

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

**Nay:** 0

**25     [Ord 18-47](#)**

Granting the application of the Housing and Redevelopment Authority to rezone the property at 623 and 629 Whittall Street from RT2 Townhouse to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

*Council President Brendmoen: This is the final adoption. Is there any further discussion or final discussion on this item?*

*[No further discussion.]*

*Council President Brendmoen: Seeing none, Mr. Bostrom moves approval. All in favor say Aye. [All say aye.] Any opposed? [None opposed.] The motion prevails.*

*7 in favor, no one opposed. The ordinance is adopted.*

**Adopted**

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

**Nay:** 0

**26     [Ord 18-48](#)**

Granting the application of KBD Investments to rezone property at 877 White Bear Avenue North from OS Office Service to B2 Community Business, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

*Council President Brendmoen: This is the final adoption. Is there any further discussion or final discussion on this item?*

*[No further discussion.]*

*Council President Brendmoen: Seeing none, Mr. Bostrom moves approval. All in favor say Aye. [All say aye.] Any opposed? [None opposed.] The motion prevails.*

*7 in favor, no one opposed. The ordinance is adopted.*

**Adopted**

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

**Nay:** 0

**BUDGET AMENDMENT PUBLIC HEARINGS**

- 27     [RES PH 18-189](#)     Amending the financing and spending plans in the Department of Public Works Capital Budget in the amount of \$600,000 in additional Minnesota Department of Transportation Trunk Highway funding.

*Council President Brendmoen: This is a public hearing. Is there anyone here to speak to this item?*

*[No one spoke.]*

*Council President Brendmoen: Seeing none, Ms. Nelson moves to close the public hearing and approve. All in favor say Aye. [All say aye.] Any opposed? [None opposed.] The motion prevails.*

*7 in favor, no one opposed. The public hearing is closed and the resolution is adopted.*

**Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING DISCUSSION ITEMS**

**36**      [RLH RR 18-38](#)

Ordering the rehabilitation or razing and removal of the structures at 610 SAINT ALBANS STREET NORTH within fifteen (15) days after the September 26, 2018 City Council public hearing. (Public hearing held September 26; laid over from October 10) (Amend to remove within 15 days)

*Council President Brendmoen: Ms. Moermond.*

*Ms. Moermond: This parcel has two houses on it. It has a house facing St Albans Street which is in front of you today and also one which faces Thomas. The St Albans property is obviously a Category 3 vacant building. After the hearing, and given the amount of time the owner would have to work on this, what she is proposing now is to move forward with the demolition of this house and the rehabilitation of the other house on the property. I would ask for a one week layover on this to be able to develop some deadlines for the demolition of the property as she wants to pursue it herself. She is here to testify herself.*

*Council President Brendmoen: Great. Are there any questions for Ms. Moermond? All right, thank you. This is a public hearing. Is there someone here who would like to speak to this item? Before you get started, I just want to let you know that you have five minutes to present your perspective. There's a Legislative Hearing that I know you attended before this where you have more time to expound on it. We have a record of that information so we were able to read your case before the Council meeting so that's why the time is a little bit shorter. I just want you to know you have five minutes to share your perspective and then if you could share your name and the neighborhood where you live. Then, when you are all done, if you could sign in on the ledger at the side, that would be great. Welcome.*

*Ayan Askar: I live in Falcon Heights. This property, I agree that we should tear it down and it cannot be done in 15 days. I do have to do some testing due to the age of the property. We need to test to make sure that there's a HazMat and Asbestos Order. I did call around. They are all booked up. Once that survey is done, then I order for removal. MPCA people come in and remove it. I have to hire contractors for the demolition as well. Maybe four or five people that need to go through this. There is no way I can get it done in 15 days. The removal is only one day. The demolition is only one day but there's a lot of testing that needs to be done and it's more than 60 days. I do need to have time to get these things done correctly. And I want to do it on my own.*

*Council President Brendmoen: Ms. Moermond, your recommendation was to lay the matter over for a week, so that you could work on a plan?*

*Ms. Moermond: Yes. The recommendation is to lay the matter over for a week to develop a plan. Restating what you are already familiar with, when the Council issues an order for a property to be removed within 15 days, that gives the owner 15 days in which to take action by pulling a demolition permit and demonstrating they have payment in place for the demolition contractor. At that point, the demolition contractor needs to file with the MPCA for a review for hazardous materials and so on, which was brought up. Typically this process takes about 45 days in total. If the owner has taken action in that 15 days, the Dept of Safety and Inspections will grant some additional time. What I would like to do in the resolution is put a fine point on what those dates would look like so it's clear that Ms. Askar has a specific amount of time in which to pull the permit, get the abatement done, and so forth, so that we are all of the same understanding.*



*Council President Brendmoen: So talk through the plan, make sure the deadlines are clear. The vote for 15 days would just start the meter running for initiating that process as opposed to completing it. OK, thank you. Mr. Thao.*

*Councilmember Thao: Ms. Moermond, how long has the property owner had an opportunity to rehab this property?*

*Ms. Moermond: To give you just a little bit of history on this, the City Council did see three condemnations and Order to Vacate on the two houses on this parcel under previous ownership. The previous owner did lose these properties to the State of Minnesota for nonpayment of property taxes. The City Council reviewed an application by the previous owner to repurchase the property and the County Board approved that application after the City Council's recommendation to allow for repurchase. When that happens, the previous owner is given a contract for deed that says you must sell this to someone who has the capacity to make it code compliant within 12 months of signing this contract. That 12 months expired mid-summer in 2018. The County is in the process of cancelling the contract with Ms. Askar's company. In Legislative Hearing yesterday, staff from Forfeited Lands indicated they would complete the cancellation process on the contract about 90 days from now which makes a very collapsed timeframe for Ms. Askar to address two rehabilitations on this same parcel and not a permit has been pulled yet. So there is all kinds of work that needs to happen in order to salvage the investment. My understanding is this is the most straightforward route to remove the one and fix the other. This is the single family home, the other is the duplex. At this point, the County will need to be involved with granting time for the rehab, but that will be down the line. Right now, that's the time crunch that they are looking at, though.*

*Council President Brendmoen: Mr. Thao.*

*Councilmember Thao: Move to close the public hearing.*

*Council President Brendmoen: All in favor say Aye. [All say aye.] Opposed? [None opposed.] The motion prevails. Mr. Thao.*

*Councilmember Thao: I will move to layover to October 3.*

*Council President Brendmoen: Mr. Thao moves the one week layover. Any discussion on that item?*

*[There was no discussion.]*

*Council President Brendmoen: All in favor say Aye. [All say aye.] Opposed? [None opposed.] The motion prevails.*

*Ms. Shari Moore: 7 in favor, none opposed. The resolution is laid over to October 3.*

**Public hearing closed; laid over to October 3**

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

**Nay:** 0

**37**     [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)

*Council President Brendmoen: Ms. Moermond.*

*Ms. Marcia Moermond: I originally conducted a Legislative Hearing on this matter July 17 and it came before you on August 15. On August 22, you continued the matter in order that the owner have an opportunity to develop plans for the property's rehabilitation. I would note that the owner did miss a couple of hearings in this past time period. After the Council sent this back for review in Legislative Hearing, I drafted a letter which contains the conditions that are normally required for someone wanting to do a rehabilitation of a structure plus a couple of items particular to this property. The first item, which has been addressed is a \$5000 performance deposit which has been posted with the Dept of Safety and Inspections, so that's taken care of. The second item which was to have been taken care of by Sept 3, was that the house was to have been cleaned and sanitized professionally so that inspectors could safely gain access to the property. You will recall that there was documented severe urine, mold, smells, trash, rodents and so on, in the property and that this needed to be professionally addressed. This has not happened. The water has been off for quite a while in this property, and Mr. Zhou, the owner, has not gotten the water restored and therefore cleaning service has not been able to do the cleaning. It cascades from there. The inspection has not occurred; therefore, we do not have a work plan. We do not have evidence of the financial resources to execute the rehabilitation. In addition to the nonperformance on these items, on August 21, the day before the Council referred it back to Legislative Hearing, DSI Staff did go to the property and issued two orders. One to have a broken window on the side of the house addressed and the other to take care of the tall grass and weeds. Two weeks after that order was issued, the owner had done nothing to address those two nuisance conditions. All of this taken together tells me that there is not the capacity or the willingness to meaningfully address this property which has been vacant for well over a decade. I would recommend the Council order the building removed within 15 days with no option for its rehabilitation.*

*Council President Brendmoen: Any questions for Ms. Moermond? We are going to move onto the public hearing. This is a public hearing. Is there anyone here to speak to this item? Come on up and sir, the same information from the previous hearing applies to you as well. Stand between the two microphones for best reception.*

*Ling Zhou: I was here for the last hearing. I live at 7364 133rd Street in Apple Valley. I own the house on Woodbridge. I do realize I do not clean up the house during the timeframe and honestly, I just totally didn't realize there was no water inside the house. St Paul Regional Water keeps sending me bill every three months so I always assumed had hot water because I always received my bills. When I finally sent people over there to start cleaning, they told me there was no water. I contacted St Paul Regional Water to set up appointment and finally they came out and they say the water meter is frozen and they asked me to find a licensed contractor to fix the water meter. And that they had to pull a permit. It's such a small job, it's not easy to find a contractor willing to do it right away. It took me a few days to find a contractor who can do it and that they finally pulled the permit and came out yesterday to do the work. They went to St Paul Regional Water, got a spacer. They are going to schedule St Paul Regional Water to come out to hook up a meter. I will have water in the next few days to clean up the house and already spent a few hundred dollars on the roll-off*

*dumpster to clean up the house. in 2012, I spent almost \$50,000 to remodel the house. It will such a huge waste to just raze the house.*

*Council President Brendmoen: Do you have anything further?*

*Ling Zhou: No.*

*Council President Brendmoen: Thank you very much. Mr. Thao moves to close the public hearing. All in favor say Aye. [All say aye.] Opposed? [None opposed.] The motion prevails. Mr. Thao.*

*Councilmember Thao: Thank you. This is a problem property that has been an issue in this neighborhood for over a decade. I feel like I've gone the extra mile to give the property owner an opportunity to resolve this. I think that I have done what I can. I am going to move the recommendation of the Legislative Hearing Officer.*

*Council President Brendmoen: Is there any discussion on that motion?*

*[There was no discussion.]*

*Council President Brendmoen: Seeing none, all in favor say Aye. [All say aye.] Opposed? [None opposed.] The motion prevails.*

*Ms. Shari Moore: 7 in favor, none opposed. The resolution is adopted.*

**Adopted**

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

**Nay:** 0

**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 Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali

**Nay:** 0

**28      [RLH RR 18-42](#)**

**Making finding on the appealed nuisance abatement ordered for 947 BARCLAY STREET in Council File Nos. RLH RR 17-8 and RLH RR 18-10. (Legislative Hearing on September 25)**

**Adopted as amended**

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

**Nay:** 0

**29**     [RLH FCO 18-150](#)

Appeal of Heather Cothorn to a Fire Inspection Correction Notice - Certificate of Occupancy at 213 BATES AVENUE.

**Adopted**

**30**     [RLH RR 18-36](#)

Ordering the rehabilitation or razing and removal of the structures at 483 COMO AVENUE within fifteen (15) days after the September 26, 2018, City Council public hearing. (Amended to grant 180 days)

**Public hearing continued to October 3**

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

**Nay:** 0

**31**     [RLH VO 18-35](#)

Appeal of Jacob Laliberte to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 701 GERANIUM AVENUE EAST.

**Adopted as amended**

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

**Nay:** 0

**32**     [RLH CO 18-35](#)

Appeal of Betty Gruber to a Correction Notice at 671 HAWTHORNE AVENUE EAST.

**Adopted**

**33**     [RLH VBR 18-58](#)

Appeal of Hai Nguyen to a Vacant Building Registration Fee Warning Letter at 511 LEXINGTON PARKWAY NORTH.

**Adopted**

**34**     [RLH RR 18-32](#)

Ordering the rehabilitation or razing and removal of the structures at 522-524 OTIS AVENUE within fifteen (15) days after the September 5, 2018 City Council public hearing. (Amend to grant 180 days)

**Adopted as amended**

- 35     [RLH RR 18-37](#)     Ordering the rehabilitation or razing and removal of the structures at 332 PAGE STREET WEST within fifteen (15) days after the September 26, 2018, City Council public hearing. (Amend to remove within 15 days)

**Adopted as amended (15 days to raze and remove the property)**

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

**Nay:** 0

#### **PUBLIC HEARINGS**

**38**     [Ord 18-49](#)

Amending the zoning map as recommended in the West Marshall Avenue Zoning Study.

*Council President Brendmoen: For those of you who were here last week, we held open the public hearing. So we are going to open the public hearing again. You do not need to testify twice. If you testified last week, your testimony is on public record. This is an effort to accommodate people who could not be here for religious reasons last week. We will open the public hearing on this matter to those who are in opposition first. I should say, all the information from last week's staff report is before us. You have up to 15 minutes to testify, you don't have to use the whole 15 minutes. This is for people who are in opposition to the proposal as it was presented to us last week. Fifteen minutes per side: 15 for opposition; 15 for support. If you could start by giving us your name, address, and area that you live. Sign in when you are done. Thank you. Welcome.*

*Peter Berglund: 2028 Grand Avenue, apartment 11 in St Paul. Just for clarification, we've got a couple of others who are opposed. So it's 15 minutes total? How much time should I allow for myself?*

*Council President Brendmoen: There's up to 15 minutes per side. There's no requirement that you take the whole 15 minutes.*

*Peter Berglund: No no. I want to leave time for others.*

*Council President Brendmoen: So don't take any more than five.*

*Peter Berglund: OK.*

*Council President Brendmoen: And less would be fine as well.*

*Peter Berglund: OK. You've got a life, too. I am speaking against the proposal as outlined. I am new to this proposal. I'm not an expert on it. I want to clarify I am not here to speak out against increasing the density. That's not my concern. I do understand the current density allowed. The current density allowed is 12.5 units per acre and with the current zoning, it could go up to 32. With this proposal it could go up to 42 units per acre. There was something I read in one of these comments that had a 50+ units per acre. Kady Dadlez tells me it can go up to 42 units per acre. Is that correct? Not 50? OK. At least 42 according to Kady. My concern is the traffic that might come as a result of increasing the traffic to 42. It's not the units themselves; it's the traffic. As I understand it, if a new apartment building goes in, you are going to require X number of parking spots, off-street parking, whether behind the building or underground. So that's my core issue. I am a mass transit advocate. I have been riding the bus since 1977. The streets are already highly congested as it is right now. If you go to the intersections at rush hour now, like Cretin and Marshal, or Cleveland and Marshall, there is already significant congestion. When you read the comments that everybody submitted, they all talk about sustainable, balanced. Marshall Ave is a two-lane residential road. I read that numerous times in the comments. Keep in mind they are already highly congested. If you allow this density without restricting the parking, then you are going to shoot yourselves in the foot. By that I mean, mass transit will not work on these residential corridors when the streets are full of cars. The congestion is already severe. You've got Snelling Ave with many more projects coming. You've got the soccer stadium. You've got the Ford site, which is just gargantuan in scope. Up to 4000 housing units. The traffic is going to be unbearable. The buses won't run. You can't dedicate a corridor for the buses. This is not the blue*

line in Minneapolis. The buses are going to have to compete with the cars. It's going to be horrible. That's the fundamental problem with this proposal. If this proposal is modified to restrict parking at the new apartment buildings and then also you would have to implement a permit parking program in the Marshall area so that the current residents can park. But the new residents in the new apartment buildings, they would just have to live with the fact that they maybe are not going to get a place to park their car and if they choose to move in under those conditions, fine. If they need a car, they can choose another area that's a little more car friendly. But you are not going to have a sustainable, balanced area of St Paul if you flood it with cars. The buses and the cars won't mix. Plus another factor, if you tell. Look, I talked to Kady about this Marshall and Moore situation, where it's going to be a five-story building and they are going to require off-street parking. If you make these apartment buildings built with, let's say, underground ramps, that's going to add a huge cost to the structures. Then you are going to shoot yourself in the foot. The property values will decrease with the congestion. The property values for the new construction will decrease because people will find out, shoot I'm living here and I can't get around. I wish I hadn't bought here. It cost a lot. They had to build this big silly underground ramp and now I'm paying for it. The solution is, if you are going to allow increased density, you have got to restrict the cars. As simple as that. Let the people come in. They don't bring their car. They can use mass transit. Everything should click along, hopefully well. And just a quick example, when you think about this Marshall Ave stuff,

Council President Brendmoen: I want to let you know that you have hit the five minute mark.

Peter Berglund: OK. Just a quick example. The new soccer stadium. Where do you think people are going to drive if they are coming from Minneapolis, right across the river. They are going to cross the bridge, they are going to go down Marshall Ave to get to the soccer stadium. I could give you other, similar examples, but Marshall Ave will become a little freeway for people that don't want to take 94. Thank you.

Council President Brendmoen: Thank you, sir. Welcome.

Douglas Allchin: I live at 2005 Carroll Ave, two blocks from Izzy's Ice Cream. I'm here this week to speak against the proposal in terms of possible amendments and possible further layover. These are developments that have happened in the past week since I testified last week. There was a proposed amendment that was posted on the City website this morning and I want to speak in vehement opposition to it.

Council President Brendmoen: I don't think that was part of the record anymore if it was posted. The challenge is we are having a public hearing on what is in front of us right now. If there is a change to what is in front of us, we would have to have another public hearing. So, if you wouldn't mind keeping to what we are looking at right now, which is challenging, I understand. But if there is a change to this proposal, we would have a public hearing on the changes. At this point, there is not a change.

Douglas Allchin: I do have some information that I would like to convey, nonetheless.

Council President Brendmoen: OK.

Douglas Allchin: There was a last minute proposal presented at the final hearing before the Planning Commission that one property owner that is not satisfied that his business that is now a single level business, was, had been upzoned to a T2 three level mixed-use apartment. Apparently was unsatisfied with that and wanted it to be T3

five-story. That request was granted and went further on to the Planning Commission. It was awkward, however, as Kady Dadlez presented in her presentation last week, the community had expressed strong interest in capping things at a three-story limit. In order to justify this particular amendment, at the last minute, the City amendment made reference to the 2040 Comprehensive Plan, which I am sure you know has not been adopted and is not a legal basis for policy. In addition, it tries to telescope future development into the immediate future and present. For these reasons, the Planning Commission considered this change and rejected it, even though it had been part of the City's proposal. This is now part of the plan that was presented to you and yet it has been discussed recently in an article in the Pioneer Press and I understand it has been discussed with Council Members. I want to speak against this possible proposal, indicating again that it has been considered by the Planning Commission. It has been rejected and it should remain so. This is part of the cooperative, collaborative compromise and consensus that has been developed over many many months.

Council President Brendmoen: The concern I have is what you are really doing is speaking in support of the current proposal and using the time of the opposition of the current proposal in doing so. I believe you have had a chance to testify. Correct?

Douglas Allchin: I apologize, then.

Council President Brendmoen: You don't need to apologize. My job here is to facilitate this meeting so that's my concern. I think overall you are in support of the plan that is in front of us.

Douglas Allchin: I am supportive of the plan and I would like to speak in opposition if I may, prematurely, of any possible layover. This Council presented a moratorium which is about to expire in a number of days and I consider it its responsibility to meet the schedule it has set itself and to act in a timely manner and not to further postpone this measure. Thank you.

Council President Brendmoen: Thank you. Come on up. Welcome. You don't need to adjust those [addressed to man fiddling with microphones]. If you stand right between them, they will do the work.

Raza Hasan: Thank you. Thank you for your guidance and all of your services. I appreciate all the work you guys do to make St Paul a great city. I own a house at 1984 Marshall which is the area that has this five-story apartment going up. I

Council President Brendmoen: Could I just get you to give us your name and where you live.

Raza Hasan: Raza and I don't live there.

Council President Brendmoen: So you live...

Raza Hazan: I live in Inver Grove Heights.

Council President Brendmoen: Oh, OK. thank you.

Raza Hazan: Not in Florida. So, generally I am opposed to introducing RM2s to RM1. That's what I understood. I hope I am understanding it correctly. I also second that gentleman's contention. I am also I care about the environment so I want to make



sure that if we have increased housing, even if I am doing it myself, that we restrict the number of cars. The main issue I am here for is that, on Marshall and Moore, on the northeast corner, we have allowed a five-story apartment building. My house is southeast, just kittycorner from that. I understood that why we were doing this zoning study is to protect some of the architectural homes that significant architects have designed it and should not be removed. I am proposing that we don't use what I call a sledgehammer approach. The bulding next to my house is an 11 unit apartment building and I don't know if anybody has the ability to share the map here or [shows map]. It is showing up some place? It's probably going to be hard to see. I didn't bring a big map. I can show you a picture. Next to my house is an 11 unit apartment building. Kittycorner to my house on Marshall and Moore is this future five-story apartment building that was presented as construction has already started. There is no construction; the houses are still there so if somebody is going to change this, it should be changed in a blanket fashion, not just pick corners differently on the same street. My house is next to an 11 unit building, I don't see that, number one, it's not an architectural significant house that needs to be protected so I should be allowed to keep the RM2 zoning that I have on my house. That's all I'm asking, focusing on Marshall and Moore, 1984 Marshall. It should be treated the same way as the building next door, which is the 11 unit building, and the kittycorner building which is the new apartment building or we do none of those and let everybody stay RM1. That's my proposal. Thank you.

Council President Brendmoen: Thank you so much. Is there anyone else here who would like to speak in opposition to the plan that's in front of us?

[No one stood.]

Council President Brendmoen: OK. We will reset the timer and open this up to people who would like to speak in support but did not have that opportunity last week.

[People stand and move to the speaking area.]

Council President Brendmoen: If you did testify last week, you should not testify this week, the goal is not to give people a chance to double-dip. The intent is to give people who were not able to come, a chance. Welcome.

Scott Van Wert: Brand new face. I was traveling. I live at 1985 Marshall and right across from the Marshall and Moore complex that's been discussed. We've had a long process, a lot of interchange. I was traveling last week. I work for a company, code name Innovation. I'm a division scientist. The place where I come from is to be driven by data and understanding and analysis. After listening last night to the full testimony last week, I don't want to repeat myself, but maybe fill in some thoughts along the way. First of all, the process and as a CLUED member, that's the committee for land use and economic development as part of the Union Park District Council, we were very involved from Day 1 in terms of mapping out a maximized effort to reach out, with really the idea of building a consensus, as much as you can build a consensus where there's a wide range of viewpoints. One of the things I would mention then, in that unprecedented, as Dan Taylor told you last week, effort of Union Park District Council, is we tried to do creative things. For example, we had access to a mailing list from St Thomas, which is their communication to students and landlords on housing issues. So the large meeting that we had with breakout sessions over a long evening months back was based on input from students, from landlords, and from renters as well, really. Just wanted to make sure that was understood and we really attempted be creative in our outreach, short of offering food and money, which we all know...

*[Unidentified voice]: Works.*

*Scott Van Wert: [Laughs.] Works indeed. The other thing is the Snelling Ave study. In my job, we always look for models. so what is the model for the west Marshall study. We felt the best model was the just approved Snelling Ave. so we studied this document and learned as much as we could about that process and tried as best we could to imitate that process, which is, best we can see, is based on pulling in input from the community, getting voices and not having one viewpoint, not having one singular viewpoint really dominating. I personally feel like that's what I bring. as a scientist. I am always interested in what's the different viewpoint, what's the basis for that. If we understand, we can work together. Besides that, also point out that what we did in order to not just come at this from a really wide-ranging density/not density/preservation is really to understand is what we are talking about is we're talking about zoning that is very exact. And the zoning has particular parameters and you can go look at buildings and understand what's the difference between T1 and the difference between T2, all the way through the various zoning types. And understand and visualize, including walking tours, how might the neighborhood change and what are the benefits. And considerations among people with different viewpoints of that. What I want to speak to is the high integrity that I believe we had in the process and I believe that was certainly my personal goal in bringing it to this point and then also to the Planning Commission.*

*Council President Brendmoen: I do want to let you know that you have had four minutes and it sounded like you were getting close to a wrap point but I just want to respect those folks that are still waiting.*

*Scott Van Wert: And I know that's your role. Thank you very much. Appreciate it.*

*Council President Brendmoen: Thanks.*

*Joshua Donato: My wife and I are owners at 1898 Marshall Ave and that's where we live. I'm going to make it super sweet because I know there's lots of other people who want to talk so I'll make it quick. I would just like to throw in my support for the 5-18-18 plan that was zoned. I'm showing up to show my support. I'd just like to iterate a little bit where we are coming from. We come from service in the government where we have traveled the world in a lot of different places and we've seen what happens when single kinds of housing exist in an area and what happens when the history of a place is wiped away blanketly. What really excited me about this proposal was it met the City's necessity for growth. I understand the City must grow. It's on a growth path trajectory. A lot of big cities are: St Paul; Minneapolis. They are kind of in a twirl of growth together. It meets that requirement. It also meets the requirement of saving place, a place to call home. Someplace you are driving down, you know the place you are driving because it has a character to it. It's not just any old place, it's Marshall St. And that's what we'd like to preserve. We feel our house is one of those houses. We're proud to be renovating that house and putting a lot of effort and time and money and excitement into making a house what it is, so because of that, we'd like to throw our support. Thank you.*

*Council President Brendmoen: Thank you. Be sure to sign in. Welcome.*

*Ellen Anderson: Good afternoon. My husband and I bought our 1905 house at 1980 Marshall in 2001. We bought this house, not only because it's a beautiful Victorian house, but honestly, it was cheaper than houses just a block off of Marshall. We love*

our home and we have been restoring it over the years. I personally have painted all three stories on the outside and most of the inside. And I also want to say we enjoy a very fun relationship with the college students that live across Moore from us. In fact, this past week, they invited us over for margaritas. In the past, they have carpooled for us. They carried our restored claw-foot tub up to our second floor. So we have a great relationship with these renters and our students. We also have boasted Black Lives Matter sign and All Are Welcome Here until last week when they were stolen out of our yard. We will be replacing those. We are definitely a welcoming family. My husband is a retired pastor from Gloria Dei Lutheran Church and we really make it our effort to respect everyone and make people feel welcome. But we are very concerned about the developers who are looking to zoom in and buy our properties, many of which do not live in our neighborhood. We could talk about the fiasco across the street. I, we, lost water twice and didn't even have the respect of anyone letting us know or apologizing. So the huge apartment building that's going up, it's dirty, it's dusty. I mean we have just put up with so much shaking. Our windows, we're concerned that all the shaking and pounding was going to break our leaded glass windows. We have put up with a lot and we just don't see Mr. Schwartzman available or willing to work with the neighborhood. He lives out in Orono and just has no regard for our community. We would like to support the Zoning Commission's proposal and we really need to look at ways to make it work for the neighborhood without tearing down our beautiful houses. Thank you.

Council President Brendmoen: Thank you. People keep kind of popping up. So there's three of you left. Is there anyone else? OK. We have seven minutes left and I appreciate, that was very thoughtful of you. We have a hard stop. So just seven minutes.

Geroge L. Bounds: I will make it quick. I live at 2072 Iglehart, which is a little west of Cleveland and a block north of Marshall. My wife and I bought a nice old 1914 Craftsman house. We were looking for a pre-WWI house and we had a hard time finding it. We were moving from upstate New York and we really didn't know anything about Minnesota. The real estate agent took us down Iglehart and we said "hey, this is it." There were three houses and we chose one. We've loved it. We've been there for 20 years. I second what the gentleman ahead of me said. The historic feel of neighborhood was what drew us and I've become, over the past 20 years, quite familiar with Marshall Ave and I feel the same is true of so much more of the neighborhoods that surround Marshall between Snelling and Cretin. My feelings have been proven by the fact that as houses sell, the demand, we have young families, it's not just old people, it's people raising children. We raised a couple sets that are in college now and we're starting all over at St Marks. So, it's a lovely neighborhood to live in and I've started thinking, based on the zoning proposals, why that is and the answer is simple: it's all to scale. The houses are not all the same size, they are bungaloes. they are big houses, but the buildings are about the same height. It has a cohesive feeling that appeals to people. It has a historic feeling. The houses are interesting, they are different, they aren't cookie-cutter. A lot of people like that. So I am, I feel, I understand the need for change and the inevitability of it but I think we need to manage it carefully and I think the zoning proposal, the one we are talking about right now, achieves that about as well as it can be done. So I am speaking totally in support of that proposal and you might hear from me again, but I hope not, if there are any proposed amendments. Thank you.

Council President Brendmoen: Thank you so much. Be sure to sign in. Welcome.

Winston Kaehler: I live at 1712 Palace which is in the MacGroveland area, actually, on

*the border of the Highland neighborhood. Nevertheless, I feel a sense of connection to the Marshall Ave and its Merriam Park neighborhood. As a kid, my first organ teacher lived at 1996 Marshall. She drove a big red DeSoto convertible, had a big mop of a dog. It was a mutt, but kinda similar to the Obama dog. I mention this because what I am concerned about in supporting the proposed rezoning study is that St Paul is a city of considerable style and grace. This very room is a good example of that. An my organ teacher and her red DeSoto and her dog are exemplary of that, also, and I think the study, as it exists, represents a compromise and a consensus as it is and it does not require amendment. I do feel a little angry and a little heartsick when I pass the corner of Marshall and Moore, thinking of what used to be there and what's there now, what's going to be there. But that's water under the bridge, it's done. The study that's being proposed does not try to stop the flow of the waters of zoning and development and time and change itself, but it does channel or regulate those currents into productive, rather than destructive, channels. As such, it is urged to be adopted and kept intact. Thank you.*

*Council President Brendmoen: Thank you, sir. All these rules. [Indicating signing in.] Thank you. Welcome.*

*Mark Morrow: I live at 1984 Carroll Ave. There are three important corridors through our neighborhood: Marshall; 94, University. University and 94 provide powerful connections across but they also crate some pretty powerful separations north to south. Separation can be a good thing, with the commercial section wtih Target and Walmart with the residential neighborhoods. Very nice separation by University, so separation can be a good thing, but Marshall goes right through the heart of our neighborhood. Separation is not a good thing and so the proposal that you have is a proposal that looks to keep those east-west connections and keeping that north-south connection, keep the neighborhood together. So what you see is clustering of density, peaks and valleys, rather than a mountain range. The concern about traffic is also built into this proposal as well. What you see is that density is clustered right where those north-south bus routes are and you also see that density clustered where the east, the rapid transit line is going to come. So this proposal has been thinking about trying to add neighbors without cars. This proposal is trying to keep this neighborhood together, not just east-west, but north-south, so I hope that you would look at it carefully. I hope that you would support the original proposal. Thank you.*

*Council President Brendmoen: Thank you. Ms. Nelson.*

*Councilmember Nelson: Great. Thank you. I am glad we had the chance to have public commenting today to accommodate people who couldn't be there last week. What I would like to do tonight is motion to lay this over for a week. I am coming to this new to this process, even though this process has been going on for several months prior to me joining the Council. I have received lots and lots of community input from a range of perspectives on this and I am hoping to make a thoughtful decision and work on this in a timely fashion that is inclusive of all those things and the questions I still have. So tonight, my motion is to lay this over for a week and also to express appreciation to everyone who has been able to share their comment who has worked very hard for a long time to be a part of shaping this proposal today. I am just asking, respectfully, for additional time to make sure we can come to a thoughtufl decision.*

*Council President Brendmoen: The motion is to lay the matter over for a week.*

*Councilmember Nelson: I meant to also say that I am sensitive to the parallel timeline*

*that is happening with the moratorium that is also in motion and asked about that when talking with PED staff and they said a one week layover is, can, in a timely manner, allow work on this in a parallel way and it doesn't create a yawning gap. That's not my intention and I hope to avoid such a situation.*

*Council President Brendmoen: I'm just getting a little advice here. Following this one week layover, if there are any proposed changes, we would notice and hold another public hearing. I think it would make sense at this time to close this public hearing if you would make that motion.*

*[Councilmember Nelson indicates support.]*

*Council President Brendmoen: All in favor say Aye. [All say aye.] Any opposed? [No one opposed.] The motion prevails. Then before us, we have heard a request for a one week layover and I would speak in support of a one week layover. I know that people who have been working on this for a long time are eager to see it passed, but I want to acknowledge that Ms. Nelson has joined the Council in the very beginning stages of our budget process, as well as having to get up to speed on everything else, as well as these issues that while some folks have been working on them for months and months, Ms. Nelson is new and it is best to move forward with the most thoughtful and prepared plan. So if you believe another week would help you feel that way, then I would support that. I understand, I myself feel frazzled these days. I can't imagine how, with all the additional newness to it, how that feels. Is there any other discussion?*

*[There was no further discussion.]*

*Council President Brendmoen: All right, Ms. Nelson requests a one week layover. All in favor say Aye. [All say aye.] Any opposed? [No one opposed.] The motion prevails.*

*Ms. Shari Nelson: 7 in favor, none opposed. The ordinance is laid over until October 3 at 3:30PM.*

*Adjourned at 1653 hours.*

**Public hearing closed; laid over to October 3**

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

**Nay:** 0

**ADJOURNMENT**

**The meeting was adjourned at 4:53 p.m.**

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