



# 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, December 5, 2018

3:30 PM

Council Chambers - 3rd Floor

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**Budget Amendment Public Hearings and Legislative Hearing Items at 3:30 p.m.**

**Public Hearings at 5:30 p.m.**

**The Final Hearing on the Proposed Budget and Taxy Levy (Truth in Taxation Hearing)  
will be held at or shortly after 6:30 p.m.**

#### ROLL CALL

*The meeting was called to order by Council President Brendmoen at 3:31 p.m.*

**Present** 4 - Councilmember Amy Brendmoen, Councilmember Dai Thao,  
Councilmember Rebecca Noecker and Councilmember Jane L. Prince  
**Absent** 3 - Councilmember Dan Bostrom, Councilmember Chris Tolbert and  
Councilmember Mitra Jalali Nelson

**Council members Jalali Nelson, Tolbert, and Bostrom arrived after 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 Nelson

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 18-63](#) Amending the CDBG activities budget.  
  
**Received and filed**
- 2 [AO 18-64](#) Establishing a new account code for one Year-Round STAR award  
adopted via City Council Resolution #18-1998 and returning STAR funds  
to the Year-Round STAR Program from three Year-Round STAR projects  
no longer moving forward.  
  
**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 (Items 3 - 19)**

*Item 4 was removed from the Consent Agenda for separate consideration.*

*Councilmember Prince moved approval of the Consent Agenda as amended.*

**Consent Agenda adopted as amended**

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

**Nay:** 0

- 3**     [RES 18-2019](#)     Approving the Settlement Agreement and Release between Glenn Slaughter and the City of St. Paul and his attorney Robert Bennett.  
**Adopted**
- 5**     [RES 18-1998](#)     Approving the use of grant funds through the Neighborhood Star Year-Round Program for Saint Paul Urban Tennis.  
**Adopted**
- 6**     [RES 18-1855](#)     Authorizing a 3-year lease with TK 1 LLC to permit private parking on City property at 630 Pierce Butler Route.  
**Adopted**
- 7**     [RES 18-1971](#)     Approving the City's cost of providing Property Clean Up services during August 30 to September 14, 2018, and setting date of Legislative Hearing for December 18, 2018 and City Council public hearing for February 13, 2019 to consider and levy the assessments against individual properties. (File No. J1907A, Assessment No. 198206) (This resolution amends RES 18-1869 adopted on November 14, 2018)  
**Adopted**
- 8**     [RES 18-1972](#)     Approving the City's cost of providing Property Clean Up services during September 14 to 27, 2018, and setting date of Legislative Hearing for December 18, 2018 and City Council public hearing for February 13, 2019 to consider and levy the assessments against individual properties. (File No. J1908A, Assessment No. 198207) (This resolution amends RES 18-1870 adopted on November 14, 2018)  
**Adopted**

- 9      [RES 18-1980](#)      Approving the City's cost of providing Boarding and/or Securing services during September 2018, and setting date of Legislative Hearing for January 8, 2019 and City Council public hearing for February 20, 2019 to consider and levy the assessments against individual properties. (File No. J1904B, Assessment No. 198103)

**Adopted**

- 10     [RES 18-1982](#)      Approving the City's cost of providing Collection of Vacant Building Registration fees billed during March 12 to September 21, 2018, and setting date of Legislative Hearing for January 8, 2019 and City Council public hearing for February 20, 2019 to consider and levy the assessments against individual properties. (File No. VB1905, Assessment No. 198804)

**Adopted**

- 11     [RES 18-1983](#)      Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during June 26 to August 6, 2018, and setting date of Legislative Hearing for January 8, 2019 and City Council public hearing for February 20, 2019 to consider and levy the assessments against individual properties. (File No. CRT1904, Assessment No. 198203)

**Adopted**

- 12     [RES 18-1984](#)      Approving the City's cost of providing Trash Hauling services during September 5 to 28, 2018, and setting date of Legislative Hearing for January 8, 2019 and City Council public hearing for February 20, 2019 to consider and levy the assessments against individual properties. (File No. J1904G, Assessment No. 198703)

**Adopted**

- 13     [RES 18-1985](#)      Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during July 23 to August 21, 2018, and setting date of Legislative Hearing for January 8, 2019 and City Council public hearing for February 20, 2019 to consider and levy the assessments against individual properties. (File No. J1904E, Assessment No. 198303)

**Adopted**

- 14     [RES 18-1987](#)     Approving the City's cost of providing Graffiti Removal services during September 24 to October 16, 2018, and setting date of Legislative Hearing for January 8, 2019 and City Council public hearing for February 20, 2019 to consider and levy the assessments against individual properties. (File No. J1904P, Assessment No. 198403)  
**Adopted**
- 15     [RES 18-1953](#)     Approving the 2019 - 2020 Memorandum of Understanding between the City of Saint Paul and Fire Fighters Local 21; Professional Employees Association; Saint Paul Police Federation; and Tri-Council, General Drivers Local 120, LIUNA Laborers Local 363; and Operating Engineers Local 49 for the purpose of continuing Council Resolution 04-1068 concerning military pay salary differential for City employees who are called to active service in the Reserves or National Guard.  
**Adopted**
- 16     [RES 18-1931](#)     Authorizing the Como Park Zoo and Conservatory to accept funding for two representatives to attend a symposium on fostering empathy within the zoo and aquarium setting, to be held in Seattle Washington from January 22-25, 2019.  
**Adopted**
- 17     [RES 18-1951](#)     Authorizing the Department of Public Works to accept the Metropolitan Council Environmental Services 2018 MCES I&I Demonstration Project Grant.  
**Adopted**
- 18     [RES 18-2007](#)     Approving adverse action against the Liquor Off Sale and Cigarette/Tobacco licenses held by Phann Liquor, Inc., d/b/a Capital Wine & Spirit at 531 Rice Street.  
**Adopted**
- 19     [RLH OA 18-7](#)     Making recommendation to Ramsey County on the application of Sara Gorton, on behalf of Morton M. Ackerman, for repurchase of tax forfeited property at 1220-1222 SAINT CLAIR AVENUE.  
**Adopted**

**FOR DISCUSSION**

**4**      [RES 18-1672](#)      Encouraging youth engagement through District Councils.

*Councilmember Noecker and Council President Brendmoen made brief comments.*

*Council President Brendmoen moved a minor amendment to the first Resolved, changing the word "shall" to "are encouraged to." Yeas - 7 Nays - 0*

*Councilmember Noecker moved approval of the resolution as amended.*

**Adopted as amended**

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

**Nay:** 0

**ORDINANCES**

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

**Second Reading**

- 20     [Ord 18-64](#)     Amending Chapter 33 of the Legislative Code pertaining to Establishment of Permit Fees, Certificate of Compliance, and Fences - Requirements.  
Laid over to December 19 for third reading/public hearing
- 21     [Ord 18-65](#)     Amending Chapter 310 of the Legislative Code pertaining to Uniform License Procedures as it relates to the License Fee Schedule.  
Laid over to January 2, 2019 for third reading/public hearing
- 22     [Ord 18-66](#)     Amending Chapter 77 pertaining to the Metropolitan Council Environment Services (MCES) Service Availability Charge (SAC) fee increases.  
Laid over to December 19 for third reading/public hearing

**BUDGET AMENDMENT PUBLIC HEARINGS (3:30 p.m.)**

- 23     [RES PH 18-359](#)     Amending the spending plans for the Fire and General Government departments in the General Fund.  
*No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.*  
**Adopted**  
**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali Nelson  
**Nay:** 0
- 24     [RES PH 18-362](#)     Amending the financing and spending plans in the Fire Department in the amount of \$3,000 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.  
*No one was present to testify. Councilmember Prince moved to close the public hearing and approve the resolution.*  
**Adopted**  
**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali Nelson

**Nay:** 0

- 25**     [RES PH 18-366](#)     Amending the financing and spending plans in the Fire Department for the Minnesota Task Force One team reimbursement from the City of Edina in the amount of \$43,006.90.

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

**Adopted**

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

**Nay:** 0

- 26**     [RES PH 18-360](#)     Authorizing the Police and Emergency Management Departments to accept the 2018 Port Security grant from the U.S. Department of Homeland Security through Its Federal Emergency Management Agency.

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

**Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING CONSENT AGENDA (3:30 p.m.)**

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 - 33)**

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

**Legislative Hearing Consent Agenda adopted as amended**

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

**Nay:** 0

- 27**     [RLH VBR 18-84](#)     Appeal of Cheng Zong Xiong to a Fire Inspection Correction Notice (Including Condemnation) and Vacant Building Registration Fee at 1580 ARKWRIGHT STREET.  
**Adopted**
- 28**     [RLH FCO 18-186](#)     Appeal of Lynne Geistfeld to a Correction Notice - Complaint Inspection at 861 HOWELL STREET NORTH.  
**Adopted**
- 29**     [RLH FCO 18-183](#)     Appeal of Nathan Austin to a Correction Notice-Reinspection Complaint at 112 LARPENTEUR AVENUE WEST.  
**Adopted**
- 30**     [RLH VBR 18-82](#)     Appeal of Janelle J. Chambers to a Vacant Building Registration Notice at 1006 MARYLAND AVENUE EAST.  
**Adopted**
- 31**     [RLH RR 18-49](#)     Making finding on the appealed nuisance abatement ordered for 544 MINNEHAHA AVENUE WEST in Council File RLH RR 17-12.  
**Public hearing continued to January 2, 2019**
- 32**     [RLH RR 18-41](#)     Making finding on the appealed nuisance abatement ordered for 2096 REANEY AVENUE in Council File Nos. RLH RR 17-52 and RLH RR 17-28. (Public hearing continued from November 28)  
**Adopted as amended (nuisance condition abated)**



- 33     [RLH VBR 18-83](#)     Appeal of Jenny Louismet to a Vacant Building Registration Notice at 132 WESTERN AVENUE SOUTH.

**Adopted**

**PUBLIC HEARINGS (5:30 p.m.)**

*The Council reconvened for Public Hearings at 5:32.*

*Council President Brendmoen welcomed those present in the chambers, and explained the procedure for giving public testimony. She said the Truth in Taxation public hearing would be held at 6:30 p.m.*

**Present** 5 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince and Councilmember Mitra Jalali Nelson

**Absent** 2 - Councilmember Dan Bostrom and Councilmember Dai Thao

**Council members Thao and Bostrom arrived after 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 Nelson

**34      [Ord 18-60](#)**

Granting the application of TK Dynamic Home LLC to rezone property at 1350 Payne Avenue from B1 Local Business to T1 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

*Bill Dermody, Planning and Economic Development, said there was an interpreter present for the applicant, but the applicant was not present. He said it was a simple re-zoning, the Planning Commission recommended approval, and there had been no opposition.*

*No one was present to testify. Council President Brendmoen said the City Council Attorney had suggested allowing 15 minutes for the applicant to arrive before taking action.*

*Council President Brendmoen checked back in at 6:05; the applicant still wasn't present.*

*Councilmember Bostrom moved to close the public hearing.*

**Public hearing held and closed; laid over to December 12 for final adoption**

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

**Nay:** 0

- 35**     [Ord 18-56](#)            Amending Chapter 91 of the Legislative Code pertaining to sprinkling restrictions.
- No one was present to testify. Councilmember Bostrom moved to close the public hearing.*
- Public hearing held and closed; laid over to December 12 for final adoption**
- Yea:**   7 -   Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali Nelson
- Nay:**   0
- 
- 36**     [Ord 18-57](#)            Amending Chapter 93 of the Legislative Code pertaining to rules governing water service connections.
- No one was present to testify. Councilmember Thao moved to close the public hearing.*
- Public hearing held and closed; laid over to December 12 for final adoption**
- Yea:**   7 -   Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali Nelson
- Nay:**   0
- 
- 37**     [Ord 18-58](#)            Amending Chapter 94 of the Legislative Code pertaining to meters, settings, and cable installations.
- No one was present to testify. Councilmember Jalali Nelson moved to close the public hearing.*
- Public hearing held and closed; laid over to December 12 for final adoption**
- Yea:**   7 -   Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali Nelson
- Nay:**   0
- 
- 38**     [Ord 18-59](#)            Amending Chapter 157.11 of the Legislative Code to clarify regulations for vehicles containing recyclable materials.
- No one was present to testify. Councilmember Prince moved to close the public hearing.*
- Public hearing held and closed; laid over to December 12 for final adoption**
- Yea:**   7 -   Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali Nelson
- Nay:**   0

**39**     [Ord 18-63](#)

Amending Chapter 347 of the Legislative Code to include regulations of the sale of dogs and cats at pet shops and pet shop facilities.

*Councilmember Noecker moved version 2 adding an excluding for animal control authorities, animal shelters, and rescue organizations from the definition of pet store.*

*Yeas - 7 Nays - 0*

*In opposition:*

*Kristin Smith (120 Northon Drive), owner of Four Paws and a Tail in Blaine, said she felt a lot of these ordinances were based on feelings instead of facts, and the Council could become informed by talking to the Board of Animal Health and the inspectors who inspected breeders in the state. She said hers was the last pet store in the Twin Cities, and this affected her business. She said less than 5% of shelter animals came from pet stores. She said they were regulated, and the breeders were regulated, and every puppy had a paper trail, as was required by law. She said those regulations didn't apply to rescues. She said she was in favor of rescue organizations, but they were completely different.*

*Council President Brendmoen noted that Ms. Smith's letter was available to Council members and part of the public record.*

*In support:*

*Ann Olson (892 Osceola Avenue), founder and Executive Director of Animal Folks  
Christine Coughlin (2615 34th Avenue S., Minneapolis), Minnesota state Director of the Humane Society of the United States*

*Kathy Mock (462 Ford Road, St. Louis Park), Government Affairs and Community Engagement Officer with the Animal Humane Society*

*Michelle Schumack (1036 Lawson Avenue)*

*Angel Duratti (105 2nd Street, Hudson, WI), Angels Pet World in Hudson and River Falls, WI*

*Dr. Graham Brayshaw (3057 Lake Shore Drive, Minneapolis), Animal Humane Society veterinarian*

*Dr. Lisa Roberts (292 County Rd BB, Baldwin, WI), former Animal Humane Society employee*

*Amy Leo Barankovich (3219 18th Avenue S., Minneapolis)*

*Kerry Spolum Damato (1123 Laurel Avenue), board member of Animal Folks, Minnesota*

*Dana Andresen (593 Fairview Avenue N.), Executive Director for Feline Rescue*

*Wendy Pilot (2084 Jefferson Avenue)*

*Councilmember Noecker moved to close the public hearing. Yeas - 7 Nays - 0*

*Council members Noecker and Thao made comments in support of the ordinance.*

**Amended; public hearing held and closed; laid over to December 12 for final adoption**

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

**Nay:** 0

- 40**     [RES PH 18-357](#)     Approving the petition of Everest MN Properties LLC to vacate the alley in Block 1, Lorena Park Plat 2.

*In support:*

*Jeff Borchardt, Everest Properties, asked that the vacation be approved; he said they needed the alleyway for parking for the building.*

*Councilmember Bostrom moved to close the public hearing and approve the resolution.*

**Adopted**

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

**Nay:** 0

- 41**     [RES PH 18-361](#)     Approving a Preliminary Design Study for the Canadian Pacific Ford Spur.

*Mike Richardson, Planning and Economic Development (PED), gave a staff report.*

*In support:*

*Jim Schoettler (1906 Eleanor Avenue)*

*Councilmember Tolbert moved to close the public hearing. Yeas - 7 Nays - 0*

*Councilmember Tolbert thanked Mr. Richardson PED for their work. He made comments brief comments and moved approval of the resolution.*

**Adopted**

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

**Nay:** 0

- 42**     [RES PH 18-350](#)     Approving the Energy Park Utility Company Schedule A.

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

**Adopted**

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

**Nay:** 0

- 43**     [RES PH 18-358](#)     Approving the application of Team Ortho Foundation for a sound level variance for the use of a sound system for the Polar Dash Run at Harriet Island on Saturday, January 5, 2019.

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

**Adopted**

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

**Nay:**   0

**44**     [ABZA 18-7](#)

Public hearing to consider the appeal of George Hark, owner of Speedy's Market, to a decision made by the Board of Zoning Appeals denying a variance application regarding the separation requirement between two tobacco products shops at 589 Dale Street.

*Councilmember Thao recused himself.*

*Jerome Benner, Department of Safety and Inspections, gave a staff report. He said Zoning staff had recently updated their policy for measuring distances. He said the new interpretation was from building wall to building wall rather than property line to property line, and they found that to be more consistent with the pawn shop ordinance and fair to the applicant.*

*Council President Brendmoen thanked Mr. Benner for the quick follow-up in the clarification of the policy. Mr. Benner said the old measurement wouldn't have made a difference in this case. He said the applicant felt that there should be flexibility from the ordinance since the two stores served different neighborhoods and the Green Line represented a barrier between the neighborhoods. Council President Brendmoen confirmed with Mr. Benner that that type of barrier was not addressed in the ordinance. Mr. Benner said it was not.*

*Patrick Smith (375 Jackson Street) attorney representing the property owner, referred to a neighborhood petition of support that was submitted to the Council. He said the business had been open since 1993. He said he appreciated the map shown by Mr. Benner indicating the distance corner to corner as the crow flies, but people would have to walk down Dale and University to get to the different stores, and that distance was 573 feet above the issue being argued. He said all of the people who signed the petition were not going to go to the other store, because most of them walked to the store. He re-emphasized the length of time in business, and said they were different from grocery and convenience stores because they had franchise fees, fuel supply contracts, and high environmental maintenance. He said they had experienced over 42% loss of business since November 1 and if this continued they would have to go out of business. He said, in terms of the plight of the owner, 1196 Rice Street and 1724 West University both obtained variances although they were within the half mile. He said as they (licensee) were working with DSI and Mr. Benner, the idea was that they would take all of their tobacco products and build a new store in the northwest quadrant in the back of the store - which would add almost 100 feet to the calculation - that only those 18 and over would be able to get in. He asked that the Council consider the plight of their business and potential loss of their business.*

*Business operator Johnny Mouhanna (589 Dale Street N.) said business was down over the last month, and they probably couldn't make it through the winter. He said they had operated the business since 1993 and had never failed a tobacco inspection or sold to underaged buyer. He said they understood the Council didn't want kids to see tobacco products, and that's why they were proposing taking all the tobacco products from the gas station and putting them behind closed walls where no kids could see any of it.*

*Rocky Smith (11181 3rd Street N., Lake Elmo) a friend had a store in St. Paul and planned to apply for a variance. He said St. Paul convenience store owners were being hit hard since the menthol thing had been implemented, because people from the neighborhoods went to the convenience stores to buy menthol cigarettes and also bought gasoline and a bag of chips and a soda. He said all that business was now*

gone, and his friend, whose business was in Beaver Lake Heights, was losing business to Maplewood.

Council President said she appreciated and recognized the support, but what was in front of the Council was whether the BZA erred in their decision.

*In opposition to appeal:*

Kristen Alkert (1471 Grand Avenue) read a statement in support of the staff recommendation to deny the appeal. She said staff was correct in recommending to deny the variance, because granting the variance threatened the intent of the (menthol) ordinance and the health of the community.

Damone Presley (544 Payne Avenue), youth program director at Aurora St. Anthony NDC, read a statement supporting the staff recommendation to deny the appeal. He stressed the importance of not blanketing neighborhoods with tobacco shops promoting menthol and other flavored tobacco products. He said he worked on the issue to improve the health and future of the youth in the Rondo and Frogtown communities, and for that reason he urged the Council to support the staff recommendation.

Councilmember Noecker moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Noecker said she appreciated the plight that the property owner found himself in, but found no errors in the BZA findings and was inclined to deny the appeal. She said it was important to keep in mind that the Council worked really hard on the flavored tobacco and menthol restrictions and on limiting the number of tobacco licenses, and granting variances to the separation requirements would lead to every convenience store becoming a tobacco products store, and that was not what they wanted for their neighborhoods. She said she understood that this was not easy for the business owners, but she didn't find error in the BZA's decision and didn't feel this variance-granting was the way the Council wanted to go.

Councilmember Tolbert said he seconded those comments.

**Motion of intent - appeal denied**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

**Truth in Taxation Hearing (To be held at or shortly after 6:30 p.m.)**

Council President Brendmoen welcomed those present for the Truth in Taxation Hearing. She said this hearing was a state requirement of all cities with populations greater than 500. She said speakers would be given two minutes each. She acknowledged that that was not a lot of time; she said the budget process had included additional opportunities for public input. She noted that the Council wouldn't vote on the budget until the following week.



**45**     [PH 18-5](#)

Final Hearing on the proposed 2019 Budget and Tax Levy, aka Truth in Taxation hearing.

*Holly Huston, Council Chief Budget Officer, gave a staff report on the final proposed budget and levy.*

*Council President Brendmoen clarified that the tax statements received did not include the school levy passed by voters. She thanked Ms. Huston.*

*Jesse Williams (1841 Glen Terrace) spoke in support of the affordable housing investment.*

*John Slade (3 Linder Court), representative from MICAH, thanked the Council for raising taxes to do the things that were needed, including the funding for affordable housing. He said the \$1 million more on the police force was not needed.*

*Jenna Fletcher (1335 Asbury Street N.), Trust for Public Land, spoke in support of the budget, especially the investment in parks, and rec center programming.*

*Martin Hernandez (239 Robie St. E.), West Side Community Organization, asked that Council reconsider the funding for police and move the money to more housing.*

*Amber Garlan (9 W. 7th Place) asked that the Council not to use tax money to hire more police, but instead use it for mental health professionals to ride along.*

*Laura Jones (1469 Van Buren Avenue), Root and Restore St. Paul, thanked the Council for growing the budget in important places. She said the investment in police was three times that proposed for youth; she presented an alternative vision for what could be done for \$1 million.*

*Aaron Mann (1794 James Avenue), board member of St. Paul Parks Conservancy, said he appreciated the investment in parks.*

*Russ Adams, Alliance for Metropolitan Stability (2525 E. Franklin Avenue, Minneapolis), thanked the Mayor and City Council for supporting affordable housing.*

*Council President Brendmoen said the \$900,000 for expanding police investigative ranks and mental health officers included \$500,000 earmarked for mental health services embedded in the police department.*

*Robert Kipley (1090 Ashland Avenue), leader with ISAIAH, said he supported Mayor's original budget with no increases for sworn officers. He said the City needed to reduce the need for police by having Community-First Public Safety.*

*Mike Robertson (1534 Laurel Avenue), program manager for Habitat for Humanity, said he supported the investment in affordable housing but more was needed.*

*John Keller, Immigrant Law Center (450 N. Syndicate), thanked the Council for the support and investment in immigrant services.*

*Dagan McCann (121 Virginia Street) expressed concerns about the \$5 million in green energy loans.*

*Jenny Shey, co-director of Release (450 N. Syndicate), assisting Southeast Asians*

*with detention and deportation issues, thanked the Council for the investment in immigration fund. She stressed the need for transparency in hiring and in having an attorney who reflected the community served, and said the work of other agencies didn't need to be replicated.*

*Scott Moen (491 Montrose Lane), Jewish Community Action, questioned whether new funding for new police officers was the best investment for St. Paul.*

*Ann Mongoven (2104 Edgumbe Road) expressed concerns about the lack of funding for Community-First Safety and the lack of opportunities for participation in the process prior to finalization.*

*Ann McCabe, CommonBond Communities (2543 University Avenue NE, Minneapolis), expressed support for the proposed investment in an affordable housing trust fund.*

*Gene Gelgeiu, President of African Economic Development Solutions (1821 University Avenue), thanked the Council for investing in cultural business districts.*

*Bethany Ringdal (1327 Edgerton Street), ISAIAH, asked for investment in things like rec centers and the things that really supported safety, which would give police what they needed by creating safety from the ground up.*

*Eric Hauge, Executive Director of Homeline (3455 Bloomington Avenue, Minneapolis), described Homeline's services and the increasing need for services for renters in St. Paul.*

*Council President Brendmoen noted that the final budget had \$25,000 for Homeline.*

*Minister Toya Woodland, ICIL Ministries (9143 Olson Memorial Highway) and Twin City Coalition for Justice for Jamar, said additional funding for police was ridiculous. She said Black Lives didn't matter to police in Minnesota communities, and funding should go into training or into recruiting minorities.*

*Caitlin Magistad (1425 Ashland Avenue), Metropolitan Consortium of Community Developers, expressed support for affordable housing and small business investments.*

*Andrew Kuledge (2700 University Avenue W.) said teachers didn't have the money they needed but the City was giving money to police who were stopping and frisking. He said mental health officers were not the same as mental health professionals.*

*Karin Groening (1040 Arundel Street) said she was interested in having the City fund programs that proactively addressed crime.*

*Monica Marrocco (690 Smith Avenue S.) said she was shocked about the budget, especially after hearing Mayor Carter say no more police. She said now this was being presented at the last minute with no input, and if the Council passed it they would be going against the community.*

*Ethan Osten (1288 Marion Street), co-chair of the St. Paul Bicycle Coalition, thanked the Council for the investments in streets, sidewalks and bikeways. He asked that they think of it as a beginning and not an end.*

*Bahieh H. (268 Duke Street) said policing flowed where policy and investment drove it,*

*and the City was investing in a structure driven by white supremacy. She said justice and healing also flowed where policy and investment drove them, and that was the type of investment needed. She asked the Council to consider who pays, who benefits, who is at or leading at the decision-making table.*

*Andrew Singer (2103 Berkeley Avenue), co-chair of the St. Paul Bike Coalition, echoed what Mr. Osten had said, and said he felt moving away from automotive-oriented transportation and towards bike, pedestrian, and public transit was part of creating affordable housing.*

*Tiffini Flynn Forslund (534 St. Albans Street N.) said she didn't think we needed to add more police.*

*Dr. Barry Cohen (1750 Ashland Avenue) suggested looking for places where the City could have trained civilians doing the work being done by sworn officers, and focusing on the training.*

*Danielle Swift (1053 Earl Street) spoke against adding police officers, and questioned the value of the police department study and changes in practices made after Philando Castile was killed, if the City was just hiring more officers.*

*Arline Datu (93 Lexington Parkway S.), ISAIAH, said she supported the Mayor's budget as he submitted it, and the City should invest in more holistic ways to reduce crime.*

*Jean Comstock (729 E. 6th Street), representative of St. Paul Climate Justice, noted the investment in the police vehicle fleet, and said they had hoped for investment in electrifying the fleet.*

*Gaye Sorenson (247 Kennard Street), ISAIAH, said she liked the budget as far as rec centers, libraries, and housing, and additional the mental health responders, but didn't think a cop with some training was what was needed. She suggested other ways money could be spent on crime prevention, such as drug treatment and diversion courts.*

*Marty Roers (1034 Milton Street N.) thanked the Council for the money in the budget for affordable housing and legal defense for immigrants. He said he was not against police but noted one third of the budget was going to them already. He said he felt budgets were a moral document, and we needed to look at where were we looking upstream at systemic issues.*

*Myrna Nelson (334 Cherokee Avenue), ISAIAH, commended the Council for their work on earned sick and safe time, accessory dwelling units, and the minimum wage. She said she wanted the budget to affirm the values of social and racial economic justice. She expressed concern about adding additional tax dollars to fund the police budget, and said she would rather see the money used in hiring mental professionals who were civilians.*

*Krystal Cook (201 George Street) said investments should be in counseling and therapy for community members and police officers. She said police should not be in schools, and those funds should be invested in social workers instead.*

*Isabela Alesna (2633 Pleasant Avenue, Minneapolis), Asian American Organizing Project, said three issues important to their constituency were healthcare, education, and immigration; and none of those said invest in police.*

*Carlos Garcia Velasco acknowledged the love, courage, and leadership in the room and said they would be looking for more of those qualities from the Council when they voted on the budget the following week.*

*Erica Valliant (911 Euclid Street) said she was against adding more police officers, and felt if police would stop profiling they'd see that they had the money they needed.*

*MK Nguyen (1032 Blair Avenue) said she supported Community-First and opposed the amendment prioritizing nine new police officers being hired.*

*Leo Stephen Borer (2135 Iglehart Avenue) said every speaker had missed the point. He said this City couldn't afford a 10% increase, couldn't afford 11%, couldn't afford 2%. He said the City should impose a hiring freeze and start taxing churches.*

*Susan Montgomery (Ward 5 - no address given) said she didn't think the City needed more police, but needed help with mental health services in crises.*

*Crystal Norcross (847 York Avenue) said she was there to tell the Council not to invest \$1 million in police officers. She thanked the Council for talking about \$10 million towards homelessness. She asked that the Council get rid of the racist illegal picture (referred to wall mural).*

*Councilmember Brendmoen said the Council was working on that.*

*Tao Xiong, volunteer community organizer for the North End, said one of his main agendas was crime prevention, but not like police, but through prevention.*

*Dezmond Juan (180 Larpenteur Avenue W.) said the ideology of the system wasn't created to serve non-white people, and it would be interesting to invest in changing that ideology.*

*Derek Pasley (123 McKnight Road N.), representing Horn of Africa Community of USA and a member of the Muslim community, said he was glad about the community-first program opening up Highwood Hills Community Center for evenings during Ramadan, and appreciated it being put into the budget.*

*Guadalupe Herreira (1618 Charles) said it was important that policing not continue to get funded, and ridiculous that the community wasn't being engaged. She said this meeting was not accessible in terms of parking, the building, and interpretation services.*

*Amin Omar (371 Winthrop Street) spoke about the importance to the community of the services provided at the community center with the \$200,000 investment, and the need for it to continue into the future. He said the money invested in police should be invested in rec centers.*

*Vivian Ihekoronye (295 Arlington Avenue W.), ISALAH organizer, said she didn't want nine police officers added to the force, and there was no community engagement in that part of the negotiation. She said she appreciated the investment in supporting undocumented immigrants.*

*Aiyane Mechado (1614 Hewitt Avenue) said she expected the Council members to honor their constituents. She said the police were not helping or protecting, and she*

*asked that the City not invest in more policing but in more community support for community members and young people.*

*Bill Hosko (151 E. 7th Street) said 3.5 million public dollars for Pedro Park is excessive, and he asked that Pedro Park funding be conditioned on restarting the community process.*

*Mary Anne Quiroz (24 Nelson Street) said the Council needed to reprioritize funding to not have nine additional police officers.*

*Monica Bravo (359 Winslow) said the Council had heard the lived experiences of the people, and there was so much data and yet so little wisdom in applying the data. She implored the Council to find a way to incorporate the collective wisdom of those present into the decision-making process.*

*Joanne Hodgeman (Ward 4 - no address given) said there was no such thing as a mental health officer; she said there was concern for the mental health of officers and there were mental health professionals. She said it was not fiscally responsible to continue to fund the police department with such a high percentage of the general fund budget, and the City needed to re-evaluate where they were putting their resources.*

*Aztlan Garcia-Velasco shared story about not receiving mental health services when he needed them. He said building community started with the youth, and he wished there were an abundance of counselors instead of an abundance of police.*

*Councilmember Jalai Nelson read a statement. She said overall the budget represented significant progress, but there was room to grow as the City pursued Community-First Public Safety. She said she would be calling for the creation of the People's Public Safety Task Force, to look at alternatives to traditional policing along with the Mayor's office and Council. She called on SPPD to complete the staffing study, and continue to improve fleet management. She said she was committed to working to address issues in the canine unit following the release of the canine audit. She said there was still a lot to be proud of, with items in the budget the City had never had. She said she hoped they could spend the next year developing a counter-proposal for what community policing could be.*

*Council President Brendmoen said she fully supported the creation of People's Task Force to tackle these issues, and to be able to budget to a plan. She said a lot of time was spent in 2018 on housing strategies, and there was room right at the beginning of 2019 to take this head-on.*

*Councilmember Noecker commended Councilmember Jalali Nelson and expressed support for her comments. She expressed appreciation for the substantive discussion; she echoed back some of the comments that had resonated with her. She thanked everyone and said she would spend time thinking through the feedback.*

*Councilmember Prince thanked Councilmember Jalali Nelson for the idea of a task force to address ideas heard in the testimony given. She said one of the things she felt best about in the budget was that they were looking at issues of poverty as a City in a way they hadn't haven't for decades. She asked citizens to continue to push the Council on the issue of affordable housing for low wage workers. She said the County dealt with a lot of the issues talked about, including homelessness, social work and human services, and the City needed to partner more effectively with the County on those issues. She urged those present to hold the City, County, and legislative levels*

*accountable and to attend the County's Truth in Taxation hearing the next year. She thanked those from Highwood Hills who attended and thanked the Mayor for putting the community center in the budget. She thanked the Mayor for the creation of the Office of Financial Empowerment, and for doing something really creative with Fire services, separating basic life support from advanced life support. She said she felt there were some great advances in the budget.*

*Councilmember Thao thanked everyone for sharing their stories and experience, and said they were heard. He said it was repeated again and again that policing hasn't always worked for everybody. He said they'd had people reaching out to say they weren't getting enough police, and tonight we heard there are other ways to invest in the community. He said the energy and vision expressed made him hopeful that the policing problems could be solved. He said the budget didn't solve everything but allowed this discussion to take place so the City could move forward. He said the Council and Mayor had worked hard to create a budget that's fair, and to reduce the levy. He said it was a bold budget tackling the root causes creating problems in our community.*

*Council President Brendmoen said it was important to acknowledge that things that weren't perfect, but she was really proud of the bold changes the Mayor proposed and where the Council landed.*

*Councilmember Thao moved to close the public hearing. Yeas - 7 Nays - 0*

**Public hearing held and closed**

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

**Nay:** 0

**ADJOURNMENT**

*The meeting was adjourned at 9:06 p.m.*

**Adjourned**

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