City of Saint Paul

Minutes - Final

City Council

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

Council President Amy Brendmoen
Councilmember Kassim Busuri
Councilmember Mitra Jalali Nelson
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert

Wednesday, April 24, 2019 **3:30 PM** **Council Chambers - 3rd Floor**

ROLL CALL

The meeting was called to order by Council President Brendmoen at 3:34 p.m.

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

COMMUNICATIONS & RECEIVE/FILE

1 AO 19-25 Establishing a new account code for two (2) Year-Round STAR awards adopted via City Council Resolutions #19-501 and #19-570; One (1) Year-Round STAR award via Resolution 19-517 is being added to an established project account code; and two (2) Year-Round STAR awards via Resolutions 18-430 and 17-1797 are being moved into existing account codes for the same projects.

Received and filed

2 AO 19-26 Amending CDBG activities budgets.

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 - 34)

Items 30 and 31 were removed from the Consent Agenda for separate consideration.

Councilmember Noecker moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

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

Nay: 0

3 RES 19-710 Approving the use of grant funds through the Neighborhood Star Year-Round Program for Payne-Phalen Community Council (District 5).

Adopted

4 RES 19-678 Authorizing the Emergency Management Department to pay for the actual costs of expenses which include registration/tuition, travel, per diem and lodging for Seth Ozer (non-city employee) to attend the 2019 National Homeland Security Conference from June 16 to June 21, 2019 in Phoenix, AZ.

Adopted

5 RES 19-644 Authorizing the Emergency Management Department to pay for all costs for Emergency Management training and/or costs associated with the operation of the Emergency Operations Center (EOC) during emergencies and declared disasters in 2019.

Adopted

6 RES 19-667 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 9, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901C3, Assessment No. 190062)

Adopted

7 RES 19-668 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 9, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901C4, Assessment No. 190063)

Adopted

8 RES 19-669 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 9, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901D1, Assessment No. 190054)

Adopted

9 RES 19-671 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 16, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901D3, Assessment No. 190065)

Adopted

10 RES 19-672 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 16, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901D4, Assessment No. 190066)

Adopted

11 RES 19-673 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 16, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901E1, Assessment No. 190067)

Adopted

12 RES 19-674 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 16, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901E2, Assessment No. 190068)

Adopted

13 RES 19-675 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 23, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901E3, Assessment No. 190069)

Adopted

14 RES 19-676 Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2018, and setting date of Legislative Hearing for May 23, 2019 and City Council public hearing for June 12, 2019 to consider and levy the assessments against individual properties. (File No. CG1901E4, Assessment No. 190070)

Adopted

15 RES 19-597 Approving the Memorandum of Agreement for the 2019 Wage and Fringe Adjustment between the City of Saint Paul and the International Brotherhood of Electrical Workers Local 110.

Adopted

16 RES 19-640 Establishing the rate of pay for the new classification of Emergency Medical Technician in Grade 028 of EG 03, Firefighters Local #21.

Adopted

17 RES 19-684 Requesting that the Minnesota Legislature pass a comprehensive road and transit funding package.

Adopted

18 RES 19-665 Approving the Mayor's appointment of Dayna Frank to the Visit Saint Paul Board of Directors.

Adopted

19 RES 19-666 Amending the term of the Mayor's appointment of Sheri Riemers to the Workforce Innovation Board.

Adopted

20 RES 19-685 Authorizing the City of Saint Paul to accept a gift of no more than $3,500 from the McKnight Foundation via HOURCAR, to cover the costs of airfare, lodging, and food for Russ Stark (Mayor's Office), Councilmember Mitra Jalali Nelson, and Chris Belair (Public Works) to attend a series of meetings in Los Angeles, CA April 24-26, 2019.

Adopted

21 RES 19-620 Supporting Metro Transit's B Line Arterial Bus Rapid Transit and requesting an extension of the corridor to Downtown Saint Paul, generally along Selby Avenue.

Adopted

22 RES 19-627 Authorizing the Department of Planning and Economic Development to apply to Metropolitan Council for Tax Base Revitalization Grants for 2014th Street East, 441-453 Snelling Avenue North, and 605-617 Stryker Avenue.

Adopted

23 RES 19-629 Authorizing the Department of Planning and Economic Development to apply to Metropolitan Council for a Livable Communities Transit-Oriented Development Grant for 422 University Avenue West (Little Mekong Market).

Adopted

24 RES 19-630 Authorizing the Department of Planning and Economic Development to apply for the Metropolitan Council's Livable Communities Demonstration Account (LCDA) Pre-Development Grants for 966 Mississippi River Boulevard South (Ford Site) and 1730 University Avenue West.

Adopted

25 RES 19-626 Authorizing the Department of Planning and Economic Development to submit a Contamination Cleanup and Investigation Grant application to the Minnesota Department of Employment and Economic Development for the International Institute of Minnesota project at 1694 Como Avenue.

Adopted

26 RES 19-648 Authorizing the Police Department to accept a gift from the Saint Paul Police K-9 Foundation.

Adopted

27 RES 19-613 Authorizing Police Department personnel to travel with the annual trip to Washington, DC in partnership with the Circle of Peace Movement to promote healing in our community.

Adopted

28 RES 19-677 Authorizing the Department of Public Works to apply to the Minnesota Department of Transportation (MnDOT) for funding of the I-35E Harrison Avenue Noise-Wall Community Landscape Partnership Plan Phase Three (3).

Adopted

29 RES 19-595 Authorizing the City to enter into Agreement No.1033859 with the Minnesota Department of Transportation for federal participation in a force account for the Downtown Traffic Signal Enhancements Project.

Adopted

32 RES 19-701 Approving the agreement with Spin to provide e-scooter sharing services for 2019.

Adopted

33 RES 19-660 Approving adverse action against the Taxicab Service Company license held by Jamal Omer Adem, d/b/a Airport Express Super Taxi (License ID320170003117) at 1540 Conway Street.

Adopted

34 RES 19-621 Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add a Liquor On Sale - 2 AM Closing license to the existing Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, Entertainment (B), and Gambling Location licenses, for Mounds Park Sports Bar LLC, d/b/a Mounds Park Sports Bar (License ID # 20130005374) at 1067 Hudson Road. (Laid over from April 24)

Adopted

FOR DISCUSSION

30 RES 19-699 Approving the agreement with Lime to provide e-scooter sharing services for 2019.

Reuben Collins, Public Works, responded to questions from Councilmember Noecker about how the new contract addressed problems encountered during the previous year's pilot program.

Councilmember Noecker moved approval of the resolution.

Adopted

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

Nay: 0

31 RES 19-700 Approving the agreement with Bird to provide e-scooter sharing services for 2019. (Laid over from April 24 and May 1) (To be withdrawn)

Council President Brendmoen said this would be laid over to May 1. They were still completing the details.

Councilmember Tolbert moved to lay the matter over to May 1.

Laid over to May 1

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

Nay: 0

SUSPENSION ITEM

Councilmember Busuri moved suspension of the rules.

Rules suspended

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

Nay: 0

RES 19-733 Approving updated rules and regulations for the Department of Parks and Recreation.

Paul Sawyer, Parks and Recreation, said there was a small amendment to put the rules and scooter contracts in sync with one another. He answered questions from Council members.

Councilmember Jalali Nelson moved approval of the resolution.

Adopted

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

Nay: 0

Councilmember Prince moved to reconsider item 34. Yeas - 7 Nays - 0

Item 34 reconsidered

RES 19-621 Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add a Liquor On Sale - 2 AM Closing license to the existing Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, Entertainment (B), and Gambling Location licenses, for Mounds Park Sports Bar LLC, d/b/a Mounds Park Sports Bar (License ID # 20130005374) at 1067 Hudson Road. (Laid over from April 24)

Councilmember Prince moved to lay the matter over for to May 1. She had some questions for the City Attorney's office.

Reconsidered; laid over to May 1

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

Nay: 0

FOR DISCUSSION

35 RES 19-647 Recognizing April as Autism Awareness Month in the City of Saint Paul.

Councilmember Busuri made brief comments. He read the resolution, and moved approval.

Adopted

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

Nay: 0

ORDINANCES

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

Final Adoption

36 Ord 19-15 Amending Chapter 4.04 of the Charter of the City of Saint Paul to allow for cancellation of council meetings pursuant to a process outlined by ordinance.

Councilmember Noecker moved final adoption of the ordinance.

Adopted

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

Nay: 0

37 Ord 19-16 Amending Saint Paul City Charter Chapter 8.02 and 8.03 to clarify signature and petition requirements.

Councilmember Thao asked for a one-week layover. He said he received a letter from Summit University Planning Council (SUPC) raising concerns. He said he would like to meet with them and work on language.

Council President Brendmoen said because this was a Charter amendment, the language could not be changed. Councilmember Thao reviewed the concerns expressed by the SUPC.

There was further discussion among the Council members and Deputy City Attorney.

Laid over to May 1

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

Nay: 0

38 Ord 19-18 Amending Chapter 6.03.1 of the Saint Paul City Charter pertaining to the imposition of civil penalties for violations of city ordinances.

Councilmember Prince moved a two-week layover to have some questions answered.

Laid over to May 8

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

Nay: 0

39 Ord 19-17 Amending Saint Paul City Charter Section 11.03 regarding the City of Saint Paul's Property Tax Authority.

Councilmember Tolbert moved final adoption of the ordinance.

Adopted

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

Nay: 0

40 Ord 19-23 Amending Chapter 91 of the Legislative Code pertaining to adding an appeals process for persons who wish to appeal water bills, fees, and other charges imposed under the Water Code, Chapters 85 - 103 of the Legislative Code.

Councilmember Busuri moved final adoption of the ordinance.

Adopted

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

Nay: 0

41 Ord 19-24 Amending Chapter 18 of the Legislative Code pertaining to give authority to the Legislative Hearing Officer to hear appeals regarding water bills, fees, and other charges imposed under the Water Code.

Councilmember Prince moved final adoption of the ordinance.

Adopted

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

Nay: 0

42 Ord 19-26 Amending section 106.01 of the Legislative Code to permit sidewalk signs on the public sidewalk and boulevard.

Councilmember Noecker moved final adoption of the ordinance.

Adopted

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

Nay: 0

43 Ord 19-27 Amending Chapter 64 of the Legislative Code pertaining to zoning to allow businesses and institutions to place sandwich board signs on public sidewalks and boulevards in certain zoning districts.

Councilmember Noecker moved final adoption of the ordinance.

Adopted

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

Nay: 0

Second Reading

44 Ord 19-28 Granting the application of PAK Investment Holdings, Inc. to rezone property at 0 Bradford Street (between 2314 Wycliff and 2285 Hampden Avenue) from I1 Light Industrial to I2 General Industrial at 2314 Wycliff Street, and from I2 to I1 at 2285 Hampden Avenue (related to adjustment of common boundary); and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Laid over to May 1 for third reading/public hearing

45 Ord 19-29 Amending Chapter 81 of the Legislative Code pertaining to the City's stormwater sewer system by adding new language providing for the creation of green infrastructure stormwater management districts and authorizing the collection of charges for payment of the capital and annual maintenance and operational costs of green infrastructure stormwater management systems.

Laid over to May 1 for third reading/public hearing

PUBLIC HEARINGS

46 RES PH 19-87 Amending the 2019 City Capital Improvement Budget in the amount of $60,000 to accept financing from the Sanneh Foundation to fund pre-design work in anticipation of a $4,500,000 grant from the State of Minnesota for the renovation of field space at Conway Recreation Center site, managed by the Sanneh Foundation; and approving and authorizing execution of State Grant Agreement and a Lease with the Sanneh Foundation and other related documents (collectively, the "Lease / Use Documents" District 1, Ward 7).

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

Adopted

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

Nay: 0

47 RES PH 19-111 Amending the 2019 PED Operations budget for a Reimbursement Agreement with Ryan Companies for the Ford Site Alternative Urban Areawide Review (AUAR).

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

Adopted

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

Nay: 0

48 RES PH 19-93 Amending the financing and spending plans in the Police Department grant fund in the amount of $266,294 for the Pathway to Policing, National Forensic Sciences Improvement, and Grotto Foundation grants.

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

Adopted

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

Nay: 0

49 RES PH 19-70 Amending the financing and spending plans in the Department of Public Works Capital Budget by transferring $650,000 in revenues to the 2019 Fairview Street Reconstruction Project.

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

Adopted

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

Nay: 0

50 RES PH 19-109 Amending the 2019 budget for Fleet Services in the Office of Financial Services by $437,058 and the Public Works Department by $55,128 to purchase street sweeping equipment.

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

Adopted

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

Nay: 0

51 RES PH 19-97 Approving the application of Cystic Fibrosis Foundation for a sound level variance to present outdoor music and announcements for the St. Paul Great Strides on Sunday, May 19, 2019 at the Minnesota State Capitol.

Brianna Sampson, Cystic Fibrosis Foundation, was present for questions.

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

Adopted

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

Nay: 0

52 RES PH 19-104 Approving the application of Minnesota Monthly for a sound level variance to present live amplified music for Grillfest on Saturday, May 4 and Sunday May 5, 2019 at 360 North Broadway Street.

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

Adopted

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

Nay: 0

53 RES PH 19-103 Approving the application of Hampden Park Co-Op for a sound level variance to provide amplified sound for Mayfest on Saturday, May 11, 2019, at 928 Raymond Avenue.

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

Adopted

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

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 (Items 54 - 62)

No one was present to testify. Councilmember Busuri 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 Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Busuri

Nay: 0

54 RLH CO 19-6 Appeal of Robert Leibman to a Correction Notice at 23 ACKER STREET WEST.

Adopted

55 RLH CO 19-7 Appeal of Robert Leibman to a Correction Notice at 27 ACKER STREET WEST.

Adopted

56 RLH SAO 19-27 Appeal of Dolores Jacobson to a Summary Abatement Order at 1621 ARCADE STREET.

Adopted as amended (deadline extended)

57 RLH VO 19-11 Appeal of John Henly, Rev Nik Contractors, on behalf of John Maranda, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1391 BARCLAY STREET.

Adopted

58 RLH SAO 19-14 Making finding on the appealed nuisance abatement ordered for 1030 CASE AVENUE in Council File RLH SAO 19-10.

Adopted as amended (nuisance abated)

59 RLH TA 19-9 Ratifying the Appealed Special Tax Assessment for property at 915 CENTRAL AVENUE WEST. (File No. VB1905, Assessment No. 198804; amend to File No. VB1905A, Assessment No. 199813)

Adopted as amended (assessment ratified)

60 RLH TA 19-183 Ratifying the Appealed Special Tax Assessment for property at 346 FULLER AVENUE. (File No. CRT1905A, Assessment No. 198210)

Adopted

61 RLH RR 19-3 Ordering the rehabilitation or razing and removal of the structures at 899 GERMAIN STREET within fifteen (15) days after the February 13, 2019 City Council public hearing. (Amend to remove within 15 days) (Public hearing continued from June 5)

Referred to Legislative Hearings on May 14

62 RLH RR 19-15 Ordering the rehabilitation or razing and removal of the structures at 412 HOLLY AVENUE within fifteen (15) days after the April 24, 2019 City Council public hearing. (Amend to grant 180 days)

Referred to Legislative Hearings on May 14

Council members shared information about news in their wards.

ADJOURNMENT

Council President Brendmoen adjourned the meeting.

Meeting adjourned at 4:12 p.m.

Council Meeting Information
The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Council members use iPads to review the files during the meeting. Using the iPad greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web
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