



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

Wednesday, July 10, 2019

3:30 PM

Council Chambers - 3rd Floor

Public Hearings at 3:30 and 5:30 p.m.

ROLL CALL

The meeting was called to order by Council President Brendmoen at 3:30 p.m.

Councilmember Noecker excused

Present 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao,
Councilmember Chris Tolbert, Councilmember Jane L. Prince,
Councilmember Mitra Jalali Nelson and Councilmember Kassim Busuri

Absent 1 - Councilmember Rebecca Noecker

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 19-38](#) Establishing four (4) new account codes for Neighborhood STAR Year-Round Program awards adopted via City Council Resolutions # RES 19-843, RES 19-943, and RES 19-964.

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 2 - 33)

Councilmember Jalali Nelson moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert,
Councilmember Prince, Councilmember Jalali Nelson and Councilmember
Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 2 [RES 19-1131](#) Approving the polling location change for Ward 3, Precinct 14 for the November 5, 2019 general election.
Adopted
- 3 [RES 19-982](#) Authorizing the City of Saint Paul to execute a Lease Agreement with Union Park District Council for the creation of a dog park on city-owned land at Ayd Mill Road and Hamline Avenue.
Adopted
- 4 [RES 19-1072](#) Authorizing the City of Saint Paul to accept a gift from Minnesota Hockey Ventures Group, LP.
Adopted
- 5 [RES 19-1097](#) Accepting the gift of airfare, transportation, and food expenses from the Cities for Financial Empowerment Fund for Muneer Karcher-Ramos, Director of the Office of Financial Empowerment, to attend the National Convening on Local Consumer Protection in Chicago, Illinois on July 9, 2019.
Adopted
- 6 [RES 19-1105](#) Accepting the gift of airfare, transportation, and food expenses from the National League of Cities for Michael Solomon, City Treasurer, and Muneer Karcher-Ramos, Director of the Office of Financial Empowerment, to attend the Cities Addressing Fines and Fees Cohort Convening in San Francisco, California from July 16-19, 2019.
Adopted
- 7 [RES 19-1062](#) Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during September 27, 2018 to March 21, 2019, and setting date of Legislative Hearing for August 6, 2019 and City Council public hearing for September 18, 2019 to consider and levy the assessments against individual properties. (File No. VB1911, Assessment No. 198822)
Adopted
- 8 [RES 19-1063](#) Approving the City's cost of providing Boarding and/or Securing services during April 2019, and setting date of Legislative Hearing for August 6, 2019 and City Council public hearing for September 18, 2019 to consider and levy the assessments against individual properties. (File No. J1911B, Assessment No. 198112)
Adopted

- 9 [RES 19-1064](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during February 12 to March 15, 2019, and setting date of Legislative Hearing for August 6, 2019 and City Council public hearing for September 18, 2019 to consider and levy the assessments against individual properties. (File No. CRT1911, Assessment No. 198212)
Adopted
- 10 [RES 19-1066](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during February 20 to March 21, 2019, and setting date of Legislative Hearing for August 6, 2019 and City Council public hearing for September 18, 2019 to consider and levy the assessments against individual properties. (File No. J1911E, Assessment No. 198318)
Adopted
- 11 [RES 19-1067](#) Approving the City's cost of providing Removal of Diseased Dutch Elm Tree(s) from August 2017 to April 2019, and setting date of Legislative Hearing for August 6, 2019 and City Council public hearing for September 18, 2019 to consider and levy the assessments against individual properties. (File No. 1903T, Assessment No. 199002)
Adopted
- 12 [RES 19-1069](#) Approving the City's cost of providing Removal of Dangerous Tree(s) during August 2018 at 425 Rice Street, and setting date of Legislative Hearing for August 6, 2019 and City Council public hearing for September 18, 2019 to consider and levy the assessments. (File No. 1904T, Assessment No. 199003)
Adopted
- 13 [RES 19-1088](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Western Avenue from Larch to Front. (File No. MO1813, Assessment No. 185510)
Adopted
- 14 [RES 19-1087](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Franklin Avenue from TH 280 to Pelham. (File No. MO1812, Assessment No. 185509)
Adopted

- 15 [RES 19-1089](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Prior Avenue from University to Minnehaha. (File No. MO1814, Assessment No. 185511)
Adopted
- 16 [RES 19-1090](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Third Street from Ruth to McKnight. (File No. MO1815, Assessment No. 185512)
Adopted
- 17 [RES 19-1084](#) Approving the Memorandum of Agreement for the 2019 Wage and Fringe Adjustment for the International Association of Sheet Metal, Air, Rail and Transportation Workers, Local 10.
Laid over to July 17 for adoption
- 18 [RES 19-1096](#) Approving the Maintenance Labor Agreement (May 1, 2019 - April 30, 2022) between the City of Saint Paul and the Bricklayers and Allied Craftworkers Local Union 1 Minnesota/North Dakota.
Laid over to July 17 for adoption
- 19 [RES 19-1061](#) Accepting the gift of the cost of room reservation expenses from the University of Saint Thomas for the City of Saint Paul Equity Change Team meeting to be held on Thursday June 20, 2019.
Adopted
- 20 [RES 19-1074](#) Authorizing the Fire Department to accept the donation of 1,500 ear plugs valued at \$2,650 from UnitedHealthcare.
Adopted
- 21 [RES 19-1075](#) Authorizing the Fire Department to accept the donation of special operations equipment valued at \$8,000 from the White Bear Lake Fire Department.
Adopted
- 22 [RES 19-1020](#) Authorizing the City of Saint Paul to approve the 2019 final Operating Plan/Operating Budget for the CHS Field Ballpark.
Adopted

- 23 [RES 19-1076](#) Authorizing the Department of Planning and Economic Development to accept the donation of travel and hotel costs from the John S. and James L. Knight Foundation for a Project Manager to attend the Kauffman Foundation's ESHIP Summit May 21-23rd in Kansas City.
- Adopted**
- 24 [RES 19-1039](#) Accepting the gift of fitness equipment from the Minnesota Vikings organization.
- Adopted**
- 25 [RES 19-1035](#) Approving an agreement between the City and the Capitol Region Watershed District (CRWD) regarding the operation and maintenance of select publicly-owned stormwater treatment systems at Allianz Field.
- Adopted**
- 26 [RES 19-1086](#) Suspending adverse action against the Liquor on Sale - 101-180 Seats or Less, Liquor On Sale - Sunday, and Entertainment (A) licenses held by Twin City Beer Barons, d/b/a World of Beer (License ID #20140003000) at 356 Sibley Street.
- Adopted**
- 27 [RES 19-1115](#) Approving a waiver of the 45-day notice requirement to issue Malt On Sale (Strong) and Wine On Sale licenses with conditions to The Waters Senior Living Management LLC, d/b/a The Waters Of Highland Park (License ID #20190001068) at 678 Snelling Avenue.
- Adopted**
- 28 [RES 19-1052](#) Approving a waiver of the 45-day notice requirement to issue Wine On Sale and Malt On Sale (Strong) licenses with conditions to Bibimbap Inc., d/b/a Bap and Chicken (License ID #20190001319) at 1328 Grand Avenue.
- Adopted**
- 29 [RES 19-1125](#) Approving a waiver of the 45-day notice requirement to issue Malt On Sale (Strong) and Wine On Sale licenses with conditions to JSL Company, d/b/a Hearthside Pizza (License ID #20190001571) at 1641 Rice Street.
- Adopted**

- 30 [RES 19-1134](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Favors Enterprises LLC (License ID # 20190000443), d/b/a Willard's Liquors, for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, and Gambling Location licenses at 738 Thomas Avenue.

Adopted

- 31 [RES 19-1101](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Chris & Rob's St. Paul LLC (License # 20080000717), d/b/a Chris & Rob's Chicago's Taste Authority, to add Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) licenses to the existing Wine On Sale and Malt On Sale (Strong) licenses at 603 West Seventh Street.

Adopted

- 32 [RES 19-765](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Dué Focccaceria (License # 20190000396), d/b/a Dué, for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, and Liquor Outdoor Service Area (Patio) licenses at 475 Fairview Avenue South.

Adopted

- 33 [RES 19-1129](#) Authorizing the Office of Technology and Communications to enter into an agreement with Apple for the creation and maintenance of mobile applications.

Adopted

FOR DISCUSSION

- 134 [RES PH 19-172](#) Approving the petition of VC South Mall LLC to vacate a portion of the alley abutting Lots 12, 13, and 14, Block 17, Summit Park Addition to Saint Paul, Ramsey County, Minnesota. (Public hearing held June 19)

Council President Brendmoen said the item would be laid over for one week at the request of Councilmember Noecker.

Councilmember Thao moved to lay the matter over to July 17.

Laid over to July 17

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

ORDINANCES

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

Second Reading

- 35 [Ord 19-46](#) Amending section 411.05 of the Legislative Code pertaining to entertainment licenses.
Laid over to July 24 for third reading/public hearing
- 36 [Ord 19-47](#) Amending Chapter 409.11, of the Legislative Code regarding temporary service extensions.
Laid over to July 24 for third reading/public hearing

First Reading

- 37 [Ord 19-38](#) Granting the application of Alfred and Carol Sundberg Trustee to rezone property at 84 Water Street West from IT Transitional Industrial to T3 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
Laid over to July 17 for second reading
- 38 [Ord 19-48](#) Amending the Appendix to Chapter 409 of the Legislative Code pursuant to Section 17.07.1 of the Charter and Section 409.20 of the Legislative Code by creating an additional commercial development district at La Costa Sports Mexican Bar & Grill located at 194 Cesar Chavez Street.
Laid over to July 17 for second reading
- 39 [Ord 19-49](#) Amending Chapter 409 of the Legislative Code to create and define boundaries for an Entertainment District named Creative Enterprise Zone Entertainment District in the Raymond-University area.
Laid over to July 17 for second reading
- 40 [Ord 19-50](#) Amending Chapter 246 of the Legislative Code to allow the possession or consumption of nonintoxicating malt liquor, strong beer or wine purchased and consumed during a block party, festival or community event, within the Creative Enterprise Zone Entertainment District.
Laid over to July 17 for second reading

- 41 [Ord 19-51](#) Amending Chapter 65 of the Legislative Code by adding a new section defining a Hotel.

Laid over to July 17 for second reading

PUBLIC HEARINGS (3:30 p.m.)

- 42 [RES PH 19-199](#) Authorizing the Office of Financial Services to accept a \$15,000 grant from the National League of Cities focused on municipal Pre-Natal through Age 3 strategies for the Office of Financial Empowerment.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 43 [RES PH 19-211](#) Amending the City's 2019 Operating Budget to reflect an advance in the amount of up to \$500,000 from the internal borrowing fund and the use of fund equity of up to \$500,000 to finance the CHA Exterior Wall Restoration Project.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 44 [RES PH 19-201](#) 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 \$64,905.18.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 45** [RES PH 19-217](#) Amending the financing and spending plans in the Fire Department for the Sound Off with the Home Fire Safety Patrol program in the amount of \$1,000.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 46** [RES PH 19-176](#) Establishing a financing and spending plan in the Department of Parks and Recreation in the amount of \$669,890 to reflect 2019-20 Metropolitan Council Capital Improvement Program funding for the Como Regional Park Transportation Improvements Phase II project, and giving permission for the proper city officials to enter into an agreement with the Metropolitan Council, which includes an indemnification clause.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 47** [RES PH 19-185](#) Authorizing the Police Department to accept amendments to the High Intensity Drug Trafficking Areas Program and amend the 2019 grant fund budget for these amendments.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 48** [RES PH 19-196](#) Approving the application of Gray Duck Media, Growler Magazine for a sound level variance to present outdoor music and announcements for the Unlabeled Event Series on Thursday, July 18, 2019 at Upper Landing Park.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 49** [RES PH 19-197](#) Approving the application of Steve Heckler, Lowertown Blues Festival, for a sound level variance to present amplified music on Wednesday, July 24 through Saturday July 27, 2019 during the Lowertown Blues Festival at Mears Park.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 50** [RES PH 19-198](#) Approving the application of Bridgewater Bank for a sound level variance to present live music on Thursday, July 18, 2019 at 370 Wabasha St. North for the Bridgewater Bank St. Paul Grand Opening Bash event.

Bridget Enninga-Robeck, representing Bridgewater Bank, described the sound source. Council President Brendmoen confirmed with her that her preference was what was in the application.

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

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Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 51** [RES PH 19-212](#) Approving the application of ADA of the Midwest for a sound level variance to present amplified and live music on Wednesday, July 17, 2019 during the Dairy Food Truck Festival at Rice Park.

Dulcea Arden, Event Coordinator, described the sound source and level. Council President Brendmoen confirmed with her that her preference was what was in the application.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 52** [RES PH 19-194](#) Approving the application of Minnesota United FC & Allianz Field for two sound level variances to present amplified music on Saturday, July 13, and Saturday, July 27, 2019 at 400 Snelling Avenue North.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 53** [RES PH 19-215](#) Approving the application of Minnesota United FC & Allianz Field for two sound level variances to present amplified music on Wednesday, July 17, and Wednesday, August 14, 2019 at 400 Snelling Avenue North.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 54** [RES PH 19-195](#) Approving the application of Herbivorous Butcher - Reverie for a sound level variance to present amplified music on Sunday, July 14, 2019 during the All Vegan: Food Festival and Drink Dabbler at 550 Vandalia St. #160.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 55** [RES PH 19-214](#) Approving the application of Hampden Park Co-Op for a sound level variance to provide amplified sound for Movies in the Park on Saturday, July 13 and August 10, 2019, at Hampden Park.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

Two visiting Boy Scouts introduced themselves and asked questions of the Council members.

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

79 [RLH TA 19-407](#) Ratifying the Appealed Special Tax Assessment for property at 1027 KENT STREET. (File No. J1917A, Assessment No. 198535)

Legislative Hearing Officer Marcia Moermond gave a staff report on the tax assessment for a clean-up. She reviewed the dates and displayed the summary abatement order and photograph. She said the property representative stated in the hearing that the address on file was no longer correct, however it had not been updated with Ramsey County taxation. She said the mail was delivered to the occupant and to the property representative at the address on file, and there was no returned mail. She showed before and after videos of the clean-up. She said the cost of the work was \$344 with a \$162 service charge for a total of \$506. She said there had been three other violations in the previous 12 months; given the long period granted for compliance and the repeated violations she would not recommend a reduction.

In opposition:

The property representative said they used to be on Bush Lake Road - and now it had been updated - but a lot of notifications sent related to their multiple properties were not handed to them by the tenants. He said they understood it was their fault, but if they would have been warned they would have done something. He said they had people who took care of the properties all the time, and it would have been way cheaper for them to send someone. He asked for a reduction in the assessment.

Council President Brendmoen confirmed that the reason the notice was sent to the old address was that the property representative hadn't updated it with Ramsey County. He said that was correct

Council President Brendmoen moved to close the public hearing. Yeas - 5 Nays - 0

Council President Brendmoen said she appreciated the testimony and understood what the property representative was asking for. She said the issue was that the work was done and cost money, and if the property representative didn't pay for it, the rest of the tax base paid for it. She moved Ms. Moermond's recommendation to approve the assessment without reduction.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

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 56 - 92)

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

Legislative Hearing Consent Agenda adopted as amended

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Noecker

- 56** [RLH TA 19-406](#) Ratifying the Appealed Special Tax Assessment for property at 517 ASBURY STREET. (File No. J1917A, Assessment No. 198535)
Adopted
- 57** [RLH VBR 19-37](#) Appeal of Yeng Chang to a Vacant Building Registration and Code Compliance Requirement at 1639 BEECH STREET.
Adopted
- 58** [RLH SAO 19-37](#) Making finding on the appealed nuisance abatement ordered for 1400 BRADLEY STREET in Council File RLH SAO 19-34.
Adopted
- 59** [RLH TA 19-485](#) Amending Council File RLH AR 17-91 to delete the assessment for Collection of Vacant Building Registration Fees billed during March 27 to June 21, 2017 at 292 BURGESS STREET. (File No. VB1802, Assessment No. 188801)
Adopted
- 60** [RLH TA 19-460](#) Ratifying the Appealed Special Tax Assessment for property at 554 CHARLES AVENUE. (File No. J1919A, Assessment No. 198543)
Adopted as amended (assessment deleted)
- 61** [RLH TA 19-461](#) Ratifying the Appealed Special Tax Assessment for property at 554 CHARLES AVENUE. (File No. J1917A, Assessment No. 198535)
Adopted as amended (assessment reduced)
- 62** [RLH TA 18-563](#) Ratifying the Appealed Special Tax Assessment for property at 934 CLARK STREET. (File No. J1901E, Assessment No. 198300; amend to File No. J1901E2, Assessment No. 198309) (Public hearing continued from January 9)
Adopted as amended (assessment deleted)

- 63 [RLH TA 18-701](#) Ratifying the Appealed Special Tax Assessment for property at 654 COOK AVENUE EAST. (File No. J1907A, Assessment No. 198506; amended File No. J1907A2, Assessment No. 198538) (Public hearing continued from February 13)
Adopted as amended (assessment reduced)
- 64 [RLH TA 19-343](#) Ratifying the Appealed Special Tax Assessment for property at 960 DUCHESS STREET. (File No. J1919A, Assessment No. 198543)
Adopted
- 65 [RLH TA 18-678](#) Ratifying the Appealed Special Tax Assessment for property at 1640 EDGERTON STREET. (File No. J1903A, Assessment No. 198502; amend to File No. J1903A1, Assessment No. 198530) (Public hearing continued from January 16)
Adopted as amended (assessment reduced)
- 66 [RLH TA 19-378](#) Ratifying the Appealed Special Tax Assessment for property at 287 EDMUND AVENUE. (File No. J1917A, Assessment No. 198535)
Adopted
- 67 [RLH FCO 19-70](#) Appeal of Gail P. Koslowski to a Fire Inspection Correction Notice at 1692 EDMUND AVENUE and 1694 EDMUND AVENUE.
Adopted
- 68 [RLH TA 19-398](#) Ratifying the Appealed Special Tax Assessment for property at 1692 EDMUND AVENUE. (File No. J1917A, Assessment No. 198535)
Adopted
- 69 [RLH TA 19-331](#) Ratifying the Appealed Special Tax Assessment for property at 1110 FOREST STREET. (File No. J1917A, Assessment No. 198535)
Adopted
- 70 [RLH TA 19-404](#) Ratifying the Appealed Special Tax Assessment for property at 1180 FOREST STREET. (File No. J1917A, Assessment No. 198535; amended to File No. J1917A2, Assessment No. 198566) (Public hearing continued from July 10)
Public hearing continued to October 16

- 71 [RLH TA 18-674](#) Ratifying the Appealed Special Tax Assessment for property at 878 FULLER AVENUE. (File No. J1903E, Assessment No. 198302; amend to File No. J1903E1, Assessment No. 198310) (Public hearing continued from January 16)
Adopted as amended (assessment deleted)
- 72 [RLH VO 19-23](#) Appeal of Jin Zun Zou to a Revocation of Fire Certificate of Occupancy and Order to Vacate and Vacant Building Registration Notice at 2209 GLENRIDGE AVENUE.
Adopted
- 73 [RLH TA 19-411](#) Deleting the Appealed Special Tax Assessment for property at 615 HALL AVENUE. (File No. J1919A, Assessment No. 198543)
Adopted
- 74 [RLH TA 18-650](#) Ratifying the Appealed Special Tax Assessment for property at 779 HOWELL STREET NORTH. (File No. J1905A, Assessment No. 198504; amend to File No. J1905A2, Assessment No. 198521) (Public hearing continued from January 9)
Adopted as amended (assessment reduced)
- 75 [RLH TA 19-338](#) Ratifying the Appealed Special Tax Assessment for property at 1636 IDAHO AVENUE EAST. (File No. J1917A, Assessment No. 198535)
Adopted
- 76 [RLH TA 19-403](#) Ratifying the Appealed Special Tax Assessment for property at 332 JESSAMINE AVENUE EAST. (File No. J1919A, Assessment No. 198543)
Adopted
- 77 [RLH TA 18-683](#) Ratifying the Appealed Special Tax Assessment for property at 1046 JESSIE STREET. (File No. J1908A, Assessment No. 198505; amended to File No. J1908A1, Assessment No. 198541)(Public hearing continued from February 13)
Adopted as amended (assessment reduced)
- 78 [RLH TA 19-402](#) Deleting the Appealed Special Tax Assessment for property at 891 JOHNSON PARKWAY. (File No. J1919A, Assessment No. 198543)
Adopted

- 80 [RLH TA 19-337](#) Ratifying the Appealed Special Tax Assessment for property at 147 MARIA AVENUE. (File No. J1917A, Assessment No. 198535; amended to File No. J1917A2, Assessment No. 198566) (Public hearing continued from July 10)

 Public hearing continued to October 16
- 81 [RLH TA 19-151](#) Ratifying the Appealed Special Tax Assessment for property at 464 MARSHALL AVENUE. (File No. J1906E, Assessment No. 198305; amended to File No. J1906E1, Assessment No. 198317)

 Adopted as amended (assessment deleted)
- 82 [RLH TA 19-484](#) Amending Council File No. RLH AR 18-103 to delete the assessment for Vacant Building Registration Fees billed during February 28 to August 22, 2018 at 1779 MONTREAL AVENUE. (File No. VB1904, Assessment No. 198803)

 Adopted
- 83 [RLH TA 19-376](#) Ratifying the Appealed Special Tax Assessment for property at 652 OAKDALE AVENUE. (File No. J1917A, Assessment No. 198535; amended to File No. J1917A, Assessment No. 198566) (Public hearing continued from July 10)

 Public hearing continued to October 16
- 84 [RLH RR 19-10](#) Making finding on the appealed nuisance abatement ordered for 667 OHIO STREET in Council File RLH RR 18-51.

 Adopted
- 85 [RLH TA 19-171](#) Ratifying the Appealed Special Tax Assessment for property at 723 SHERBURNE AVENUE. (File No. J1914A, Assessment No. 198513; amended to File No. J1914A2, Assessment No. 198560) (Public hearing continued from May 1)

 Adopted as amended (assessment reduced)
- 86 [RLH VBR 19-36](#) Appeal of Robert Gotch to a Vacant Building Registration Fee and a Condemnation and Order to Vacate at 935-937 SHERBURNE AVNEUE.

 Adopted

- 87 [RLH TA 18-637](#) Ratifying the Appealed Special Tax Assessment for property at 753 SIMS AVENUE. (File No. J1906A, Assessment No. 198505; amend to File No. J1906A3, Assessment No. 198527) (Public hearing continued from January 9)
Adopted as amended (assessment deleted)
- 88 [RLH TA 19-377](#) Ratifying the Appealed Special Tax Assessment for property at 1401 UNIVERSITY AVENUE WEST. (File No. J1919A, Assessment No. 198543)
Adopted
- 89 [RLH TA 19-478](#) Ratifying the Appealed Special Tax Assessment for property at 369 VIEW STREET. (File No. J1917A, Assessment No. 198535; amended to File No. J1917A1, Assessment No. 198565) (Public hearing continued from July 10)
Public hearing continued to October 9
- 90 [RLH TA 19-412](#) Ratifying the Appealed Special Tax Assessment for property at 930 WOODBRIDGE STREET. (File No. J1917A, Assessment No. 198535; amended to File No. J19172, Assessment No. 198566) (Public hearing continued from July 10)
Public hearing continued to October 16
- 91 [RLH AR 19-38](#) Ratifying the assessment for the City's cost of providing Collection for Property Clean Up services during February 1 to 14, 2019. (File No. J1917A, Assessment No. 198535)
Adopted
- 92 [RLH AR 19-43](#) Ratifying the assessment for the City's cost of providing Collection for Property Clean Up services during February 15 to 28, 2019. (File No. J1919A, Assessment No. 198543)
Adopted

Council members shared news about events in their wards.

The Council recessed at 3:56 p.m.

PUBLIC HEARINGS (5:30 p.m.)

The Council reconvened for Public Hearings at 5:32 p.m.

Council members Noecker and Busuri excused

- Present** 5 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Jane L. Prince and Councilmember Mitra Jalali Nelson
- Absent** 2 - Councilmember Rebecca Noecker and Councilmember Kassim Busuri

93 [Ord 19-36](#)

Amending Chapter 15 of the Administrative Code to create a process to cancel City Council meetings.

No one was present to testify. Councilmember Jalai Nelson moved to close the public hearing.

Public hearing held and closed; laid over to July 17 for adoption

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Jalali Nelson

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Busuri

94 [Ord 19-37](#)

Amending Chapter 76 of the Legislative Code pertaining to sewers and drains by adding new language authorizing the creation of special sanitary sewer availability districts and authorizing the imposition and collection of connection charges within such districts where facilities were constructed, enlarged or improved to manage increased sanitary sewer volume within the district. (Public hearing continued from June 26)

Council President Brendmoen explained that the public hearing had been continued from the previous week due to a notice requirement, and the ordinance could be voted on by the Council following this public hearing.

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

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Jalali Nelson

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Busuri

95 [Ord 19-39](#)

Granting authority to the Port Authority of the City of Saint Paul to issue and sell general obligation bonds to which the Port Authority pledges the full faith, credit, and resources of the City of Saint Paul pursuant to the provisions and by authority of said Minnesota Statutes, Chapters 469 and 475, as amended.

Monte Hilleman, St. Paul Port Authority, gave a brief report on the proposed project and financing.

Council President Brendmoen noted uniform support for the project among the Council members; she asked Mr. Hillman to clarify the City's and Port Authority's obligations for the general obligation bonds. Mr. Hillman said the bonds required approval by the City Council and was a general obligation that went against the taxpayers of the city. He said the impact for a median-value household would be about \$5 annually for the 25-year term.

In response to a question from Councilmember Tolbert, Mr Hillman reviewed the next steps in the process following the sale of the bonds. Councilmember Tolbert asked whether the City would be committing any additional funds except staff time. Mr. Hillman said their commitment to the City was that this was the only general obligation bond ask by the Port Authority; TIF would not be used at the site for infrastructure, etc. He said there may be other requests for a specific project at the site, but for the land development activity, this was the Port Authority's only request of the City for financial assistance.

Councilmember Thao asked whether the project would have any effect on the ongoing work at the Ford Site. Mr. Hillman said he didn't believe so; he said the Ford project was several years ahead of the Hillcrest site, and he didn't see a conflict.

Council President Brendmoen recalled past budget conversations regarding funds that would shift from Ford to Hillcrest as Ford was winding down.

Councilmember Prince emphasized the importance of the project for the East Side.

Councilmember Jalali Nelson said she was looking forward to beginning the community engagement; she stressed the importance of the right mix of industrial and jobs, and desperately-needed housing.

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

Public hearing held and closed; laid over to July 17 for adoption

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Jalali Nelson

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Busuri

- 96 [RES 19-963](#) Approving adverse action against the Liquor On Sale - 101-180 seats, Liquor On Sale - 2AM Closing, Liquor On Sale - Sunday, and Gambling Location licenses held by JC & MTM, Inc., d/b/a Johnny Baby's (License ID #20040000766) at 981 University Avenue West. (Public hearing continued from July 10)

Councilmember Thao moved to continue the public hearing for two weeks at the request of the licensee.

No one was present to testify.

Public hearing continued to July 24

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince and Councilmember Jalali Nelson

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Busuri

97 [ABZA 19-2](#)

Public hearing to consider the appeal of David Gibson to a decision made by the Board of Zoning Appeals approving variances for a 4-unit apartment development at 2150 Grand Avenue.

Jerome Benner, Department of Safety and Inspections (DSI), gave a staff report on the application and appeal.

In response to a question from Council President Brendmoen, Mr. Benner clarified that when the application first came in, staff viewed it as two-bedroom units, but after discussion at the Board of Zoning Appeals (BZA) hearing, they felt it was more apt to be used as four-bedroom units.

Councilmember Tolbert noted that the area had been rezoned in 2012 or 2013 for higher density.

Councilmember Prince said it looked like it was intended to be student housing and could potentially house 16 students; she asked whether there was any green space. Mr. Benner said there was limited green space on the site, but there was green space nearby along the river, at St. Thomas, and elsewhere in the neighborhood. Ms. Prince said her concern was for 16 people on the 40-foot lot, there was no opportunity for people to enjoy any outdoor activity on the lot. She said she noticed in the minutes that the developer was claiming it wasn't necessarily student housing, so it could potentially be family housing. Council President Brendmoen asked Mr. Benner whether the properties on either side had significant green space. Mr. Benner displayed a photograph of the site and neighboring properties and said Grand Avenue didn't have a lot of green space, and the development was consistent with surrounding development patterns. He said green space was abundant in the neighborhood.

Councilmember Prince said it looked like the whole rear yard was entirely impervious service; she asked if there was space for garbage and recycling bins. Mr. Benner referred to the site plan which indicated a trash enclosure next to the bike stalls.

At the request of Council President Brendmoen, Deputy City Attorney Rachel Tierney clarified what was before the Council. She said there were two variances being considered - one for lot size and one for setback. She said variances must meet all of the conditions examined in the BZA resolution; the question before the Council was whether the BZA erred in any of their findings.

Appellant:

David Gibson (2153 Lincoln Avenue) said he was not opposed to increased density but believed there could be a balanced approach that considered both the need and the impact. He asked that the Council consider the over-arching point of a zoning code to serve as a "guardrail" to acceptable use of property, and asked what the point of the zoning code was if granting multiple variances became the norm. He said the zoning code was highlighting the obvious - that this was too much for this small lot. He said the variance request was driven purely by economics, and the difficulty being experienced by MCR was that it wanted to increase its revenue by 450%. He said the current home was usable as a student rental and had been easily rented that way for a decade, or could easily provide needed single-family housing. He said if financial interests weren't the sole reason for requesting variances, MCR would be proposing a duplex or triplex. He said the project's expensive student units would be doing nothing to solve the City's affordable housing problem, and the rooms were too small to be used by anyone other than students. He asked the Council to consider the impact of

the proposed project on the shared alley space, which was already difficult to navigate due to encroachment by cars and trash bins. He said both sides of the property were blocked by structures, and the only place for snow to go was across the alley onto his property. He asked the Council to consider the reality of the project and deny both variances.

Kirk Wythers (2096 Lincoln Avenue) said the variance was not in harmony with the purpose or intent of the zoning code. He said the code explicitly stated that it was designed to prevent over-crowding of land and undue congestion of population and lessen congestion of public streets. He said all four renters of the house had always had cars, and it was not unreasonable to assume that 16 students would result in 16 cars. He said the building would increase street congestion, and quadruple the number of people living in a single lot, contrary to the purpose of the code. He said while the goal of increasing density along transit corridors was a good goal, it assumed people used transit. He said their experience was that St. Thomas students were not willing to give up their cars, and there were already more parking permits issued on Grand than there was parking available. He said students, more than others, didn't move in snow emergencies, which resulted in streets not being plowed properly and difficult for emergency vehicles to navigate. He said there were also environmental implications related to the loss of permeable surface, trees, and green space; he suggested placing conditions to require permeable pavers, a green roof, and restrict parking passes on transit corridors.

Alyssa Rebensdorf (2096 Lincoln Avenue) said the neighbors weren't opposed to increased density, urban infill, or transit-oriented development. She said their concerns were with three of the BZA's findings: The variance was not in harmony with the general purpose and intent of zoning code including protection of water resources; the applicant had not established practical difficulties other than economic considerations; the plight of the land owner was due to circumstances unique to the property not created by the landowner. She said the neighbors would like to know what the developers' practical difficulties and plight were. The zoning code itself was not a plight. She said one of the purposes of the zoning code was to facilitate adequate provision of public requirements, and the back lot would not accommodate snow removal and garbage containers. She said the variance also was in conflict with the zoning code's intents of lessening congestion on the street, providing housing choice and affordability. She expressed concern about the precedent being set, because the zoning code was reformed in 2013 to address the possibility of additional zoning after Mr. Merry built his first private dorm. She asked that the City not do step rezoning by variance.

Applicant:

Max Schwartzman (2155 Selby Avenue) said it seemed people were confused about why variances existed. He said within an RM2 zoning district you needed 1500 square feet of lot space per unit, so the 6200 square foot lot allowed four units without variances. He said the problem they encountered was that the lot was an outlier to the rest of the street and was much narrower, and the project was worthy of a variance because the lot was an outlier. He said they were not increasing their bottom line by 450%

Jon Schwartzman (700 Raymond Avenue) said he thought the property was a good fit based on the surrounding properties, which were two large apartment buildings. He said they didn't create the zoning but tried to follow the ordinance and work with staff to comply. He said with the RM2 zoning they needed 9000 square feet but only had 6200 so they applied for a variance on the lot size. He said it was a small outlier lot. He said

the district council approved both variances. He said the second variance was needed because they decided to work with the request of the variance committee to provide enough parking for four-bedroom units rather than two-bedroom units.

Cathy Plessner, Macalester Groveland Community Council, said after the apartment at Grand and Finn was built, the neighbors changed the zoning to prevent a building of over 40 feet from being built again. She said the property developer engaged with neighbors before building his next buildings, and made accommodations to address neighbors' concerns, and built four more buildings on Grand without variances. She said one of the core values of the St. Paul Comprehensive Plan was growth and prosperity through density. She said the fourplex was exactly what the City was looking for on the block, with a footprint about the same as the odd-duck house between the two adjacent buildings. She said in the student overlay district, a fourplex was preferable to a duplex because it allowed for rental to both students and non-students. She spoke about neighborhood discrimination against students, and asked that the Council help Macalester Groveland live the Comprehensive Plan by approving the variance.

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

Councilmember Jalali Nelson said she was not going to grant the appeal, and felt that the BZA ruled justly and the conditions were met. She spoke about the need for a project like this, and said she felt this was a good example of a situation where there was a need to look at the way different City rules interacted and come up with a common-sense way forward. She said she felt it was consistent with the character of the neighborhood and was the right direction forward.

Councilmember Thao referred to a diagram of the site and asked Mr. Schwartzman about space for garbage and recycling and what his strategy was for snow removal. Mr. Schwartzman said they had a snow removal service that had always been able to remove snow when they needed it; it would be pushed to the east or west in the meantime.

Councilmember Prince said she would vote against the motion. She said it was not consistent with the zoning code; it was simply too big. She said on practical difficulties, economic considerations were driving the size of the project. She said she questioned that only a single-family home could be built without variances as was stated in the staff report. She said the size of the variances were great, and with smaller variances a lot could be done with that lot. She noted that it was a close vote of the BZA.

Motion of Intent - Appeal denied

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Jalali Nelson

Nay: 1 - Councilmember Prince

Absent: 2 - Councilmember Noecker and Councilmember Busuri

ADJOURNMENT

Council President Brendmoen adjourned the meeting.

Meeting adjourned at 6:39 p.m.

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