



City of Saint Paul

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

Meeting Minutes - Action Only

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 24, 2019

3:30 PM

Council Chambers - 3rd Floor

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

There will be no meeting on July 31, the fifth Wednesday of the month.

ROLL CALL

The meeting was called to order at 3:31 p.m.

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 19-41](#) Authorizing the Department of Parks and Recreation to reallocate \$387,373 within its various accounting units in the 2019 adopted budget to most accurately reflect the projected actual spending in each accounting unit and provide the appropriate levels of spending authority.
Received and Filed
- 2 [AO 19-43](#) Authorizing the allocation of funds within the Green Energy Loan Program for energy consultants and audits.
Received and Filed
- 3 [AO 19-44](#) Amending the 2019 spending budget for the Office of Financial Empowerment in the Office of Financial Services.
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**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

- 4 [RES 19-1239](#) Authorizing the Ward 7 office to spend up to \$500 to supply food and beverage for those attending the Indian Mounds Regional Park Community Listening Session.
- Sponsors:** Prince
- Adopted**
- 5 [RES 19-1113](#) Approving the City's cost of providing Property Clean Up services during May 1 to May 10, 2019, and setting date of Legislative Hearing for August 20, 2019 and City Council public hearing for October 2, 2019 to consider and levy the assessments against individual properties. (File No. J1924A, Assessment No. 198561)
- Sponsors:** Brendmoen
- Adopted**
- 6 [RES 19-1114](#) Approving the City's cost of providing Property Clean Up services during May 13 to May 16, 2019, and setting date of Legislative Hearing for August 20, 2019 and City Council public hearing for October 2, 2019 to consider and levy the assessments against individual properties. (File No. J1925A, Assessment No. 198562)
- Sponsors:** Brendmoen
- Adopted**
- 7 [RES 19-1192](#) Establishing the rate of pay for Compensation Analyst in Grade 017, of Employee Group 17, Non-Represented Managers. (To be laid over one week for adoption)
- Sponsors:** Brendmoen
- Laid over to August 7 for adoption**

- 8 [RES 19-1207](#) Approving the Memorandum of Agreement for the 2019 Wage and Fringe Adjustment for the Plumbers, Local 34. (To be laid over one week for adoption)
- Sponsors: Brendmoen
- Laid over to August 7 for adoption
- 9 [RES 19-1214](#) Approving the Maintenance Labor Agreement (May 1, 2019 - April 30, 2022) between the City of Saint Paul and the United Association Pipefitters Local Union No. 455. (To be laid over one week for adoption)
- Sponsors: Brendmoen
- Laid over to August 7 for adoption
- 10 [RES 19-1162](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Sunrise Market LLC (License # 20160000616), d/b/a Iron Ranger, to add a Liquor-Outdoor Service Area (Patio) license to the existing Wine On Sale, Malt On Sale (Strong), and Sidewalk Café licenses at 1085 Grand Avenue.
- Sponsors: Noecker
- Adopted

FOR DISCUSSION

No items

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

- 11 [Ord 19-52](#) Amending Chapter 11 of the Administrative Code to create the Division of Labor Standards Enforcement and Education within the Department of Human Rights and Equal Economic Opportunity.
- Sponsors: Thao, Noecker and Prince
- Laid Over to August 7 for Third Reading/Public Hearing

PUBLIC HEARINGS (3:30 p.m.)

- 12** [RES PH 19-223](#) Authorizing an increase in the Parks and Recreation Grant Fund Budget in the amount of \$8,930 to reflect the funding received from the Saint Paul Foundation for environmental services at Swede Hollow Park and for the overall protection of the environment and ecology in the City of Saint Paul.
- Sponsors:** Prince
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
-
- 13** [RES PH 19-232](#) Approving the application of Minnesota United FC & Allianz Field for a sound level variance to present live and/or DJ Booth amplified music on Sunday, August 4, 2019 at 400 Snelling Avenue North.
- Sponsors:** Thao and Jalali Nelson
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
-
- 14** [RES PH 19-229](#) Approving the application of Friends of Rebecca Noecker for a sound level variance to present amplified DJ music on Sunday, August 4, 2019 for the Great Ward 2 BBQ at 149 Cesar Chavez Street.
- Sponsors:** Noecker
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker

- 15 [RES PH 19-230](#) Approving the application of St. Paul Saints Baseball Club, Inc. for a sound level variance to present amplified music and use of a public-address system outdoors on Saturday, August 3, 2019 at CHS Field, 360 Broadway Street.
- Sponsors: Noecker
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
- 16 [RES PH 19-231](#) Approving the application of Big River Pizza for a sound level variance in to present live amplified music for block parties on August 3, August 16, and September 13, 2019 at 280 5th Street East.
- Sponsors: Noecker
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
- 17 [RES PH 19-233](#) Approving the application of El Burrito Mercado for a sound level variance to present amplified music on Sunday, August 4, 2019 at 175 Cesar Chavez Street for the El Burrito Mercado's 40th Anniversary Party / Noche De Artejano.
- Sponsors: Noecker
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker

- 18 [RES PH 19-235](#) Approving the application of Podium Sports Marketing for sound level variances to present announcements and music for the Minnesota Half Marathon on Saturday, August 3, 2019 on Shepard Road, between Eagle Parkway and Ontario Street, and at Upper Landing Park.

Sponsors: Noecker

Adopted

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

Nay: 0

Absent: 1 - Councilmember Noecker

SUSPENSION ITEMS

- [RES 19-1273](#) Adopting the Findings of Fact, Conclusions of Law and Recommendation Upon Default submitted by the Administrative Law Judge on July 17, 2019 for the Cigarette/Tobacco license held by Midway University & Hamline LLC d/b/a Midway Amoco BP for the premises located at 1347 University Avenue West and impose costs pursuant to Legislative Code §310.05(k).

Sponsors: Jalali Nelson

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 ITEMS FOR DISCUSSION

- 32 [RLH TA 19-290](#) Ratifying the Appealed Special Tax Assessment for property at 559 MCKNIGHT ROAD SOUTH. (File No. CG1901B1, Assessment No. 190052; amend to File No. CG1901B1-1, Assessment No. 190074)

Sponsors: Prince

Adopted as amended (assessment reduced)

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

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

- 19** [RLH TA 19-27](#) Ratifying the Appealed Special Tax Assessment for property at 1818 BLAIR AVENUE. (File No. J1910A, Assessment No. 198509; amended to File No. J1910A3, Assessment No. 198548) (Public hearing continued from March 6)

Sponsors: Jalali Nelson

Adopted as amended (assessment reduced)

- 20** [RLH TA 19-498](#) Ratifying the Appealed Special Tax Assessment for property at 1486 CARROLL AVENUE. (File No. CG1901D2-2, Assessment No. 190081)

Sponsors: Thao

Adopted

- 21** [RLH TA 19-497](#) Ratifying the Appealed Special Tax Assessment for property at 1159 CENTRAL AVENUE WEST. (File No. CG1901D2-2, Assessment No. 190081)

Sponsors: Thao

Adopted

- 22** [RLH TA 19-458](#) Ratifying the Appealed Special Tax Assessment for property at 554 CHARLES AVENUE. (File No. J1909E, Assessment No. 198314; amend to File No. J1909E1, Assesment No. 198322)

Sponsors: Thao

Adopted as amended (technical changes)

- 23 [RLH TA 19-462](#) Ratifying the Appealed Special Tax Assessment for property at 554 CHARLES AVENUE. (File No. J1908E1, Assessment No. 198319)

 Sponsors: Thao

 Adopted
- 24 [RLH TA 18-687](#) Ratifying the Appealed Special Tax Assessment for property at 769 COMO AVENUE. (File No. J1907A, Assessment No. 198506; amended to File No. J1907A4, Assessment No. 198540) (Public hearing continued from February 13)

 Sponsors: Brendmoen

 Adopted as amended (assessment reduced)
- 25 [RLH TA 18-692](#) Ratifying the Appealed Special Tax Assessment for property at 943 CONWAY STREET. (File No. J1907A, Assessment No. 198506; amended to File No. J1907A4, Assessment No. 198540, Amend to Delete) (Public hearing continued from February 13)

 Sponsors: Prince

 Adopted as amended (assessment deleted)
- 26 [RLH TA 19-22](#) Ratifying the Appealed Special Tax Assessment for property at 763 HAWTHORNE AVENUE. (File No. J1910A, Assessment No. 198509; amended to File No. J1910A3, Assessment No. 198548) (Public hearing continued from March 6)

 Sponsors: Busuri

 Adopted as amended (assessment reduced)
- 27 [RLH SAO 18-56](#) Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 18-47.

 Sponsors: Brendmoen

 Adopted as amended
- 28 [RLH TA 19-53](#) Ratifying the Appealed Special Tax Assessment for property at 899 JENKS AVENUE. (File No. J1909A, Assessment No. 198508; amended to File No. J1909A1, Assessment No. 198544) (Public hearing continued from February 13)

 Sponsors: Busuri

 Adopted as amended (assessment reduced and payable in 2 years)

- 29 [RLH TA 19-495](#) Ratifying the Appealed Special Tax Assessment for property at 507 KENNY ROAD. (File No. CG1901C4-1, Assessment No. 190077)

 Sponsors: Brendmoen

 Adopted
- 30 [RLH TA 19-46](#) Ratifying the Appealed Special Tax Assessment for property at 1186 MARGARET STREET. (File No. J1909A, Assessment No. 198508; amended to File No. J1909A1, Assessment No. 198544, Amend to Delete) (Public hearing continued from March 6)

 Sponsors: Prince

 Adopted as amended (assessment deleted)
- 31 [RLH FCO 19-59](#) Appeal of Thomas Gilbertson to a Correction Notice - Complaint Inspection at 254 MARIA AVENUE.

 Sponsors: Prince

 Adopted
- 33 [RLH TA 19-423](#) Ratifying the Appealed Special Tax Assessment for property at 1153 SELBY AVENUE. (File No. CG1901A2-1, Assessment No. 190072)

 Sponsors: Thao

 Adopted
- 34 [RLH TA 19-480](#) Ratifying the Appealed Special Tax Assessment for property at 299 STINSON STREET. (File No. CG1901E2-1, Assessment No. 190082).

 Sponsors: Thao

 Adopted
- 35 [RLH TA 19-44](#) Ratifying the Appealed Special Tax Assessment for property at 1215 VAN BUREN AVENUE. (File No. J1904A1, Assessment No. 198532; amended to File No. J1904A3, Assessment No. 198537) (Public hearing continued from February 13)

 Sponsors: Jalali Nelson

 Adopted as amended (assessment reduced)
- 36 [RLH FCO 19-68](#) Appeal of Gary Grimes to a Correction Notice - Re-Inspection Complaint at 314 WYOMING STEET EAST.

 Sponsors: Noecker

 Adopted

PUBLIC HEARINGS (5:30 p.m.)

- 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.
- Sponsors:** Noecker
- Laid over to August 7 for final adoption.**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
-
- 38** [Ord 19-46](#) Amending section 411.05 of the Legislative Code pertaining to entertainment licenses.
- Sponsors:** Noecker
- Laid over to August 7 for final adoption**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
-
- 39** [Ord 19-47](#) Amending Chapter 409.11, of the Legislative Code regarding temporary service extensions.
- Sponsors:** Noecker
- Laid over to August 7 for final adoption**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker

- 40** [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.
- Sponsors:** Noecker
- Laid over to August 7 for final adoption**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
-
- 41** [Ord 19-51](#) Amending Chapter 65 of the Legislative Code by adding a new section defining a Hotel.
- Sponsors:** Noecker
- Laid over to August 7 for final adoption**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Noecker
-
- 42** [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.
- Sponsors:** Jalali Nelson
- Laid over to August 7 for final adoption**
- Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 2 - Councilmember Thao and Councilmember Noecker
-
- 43** [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.
- Sponsors:** Jalali Nelson
- Laid over to August 7 for final adoption**

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Noecker

- 44** [RES PH 19-202](#) Approving the petition of the Housing and Redevelopment Authority to vacate portions of City right-of-way within the proposed Cleveland Circle plat boundaries.

Sponsors: Noecker

Adopted

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Noecker

- 45** [RES PH 19-213](#) Approving the Preliminary and Final Plat for St Paul Terminal Warehouse Addition.

Sponsors: Noecker

Adopted

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Noecker

- 46** [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)

Sponsors: Thao

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

ADJOURNMENT

The meeting was adjourned at 6:22 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

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released minutes, agendas, and meetings are available by subscription. Visit www.stpaul.gov/council for meeting videos and updated copies of the agendas, minutes, and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed on Thursdays at 5:30 p.m., Saturdays at 12:30 p.m., and Sundays at 1:00 p.m. (Subject to change)

Many people are extremely sensitive to scented products. Please refrain from wearing or using fragrances such as perfumes, lotions, aftershave, scented aerosol products, and other such products.