



# 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*

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Wednesday, August 28, 2019

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

**Council President Brendmoen excused**

**Present** 5 - Councilmember Dai Thao, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali Nelson and Councilmember Kassim Busuri

**Absent** 2 - Councilmember Amy Brendmoen and Councilmember Chris Tolbert

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 19-47](#) Amending CDBG activities budget.  
  
Received and filed
- 2 [AO 19-48](#) Amending the 2019 Fund 200 grant budget for the Fire Department to more accurately record expenditures.  
  
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 - 20)

**Consent Agenda adopted as amended**

**Yea:** 5 - Councilmember Thao, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

**Nay:** 0

**Absent:** 2 - Councilmember Brendmoen and Councilmember Tolbert

- 3     [RES 19-1397](#)     Memorializing the City Council's denial of an appeal from a Board of Zoning Appeals decision which granted lot size and parking capacity variances in order to construct a 4-unit apartment building at 2150 Grand Avenue.
- Sponsors:     Jalali Nelson
- Adopted**
- 4     [RES 19-1454](#)     Granting a stay in enforcement of RES 19-963 imposing a matrix penalty of a 10-day suspension and reducing the fine to \$1,000 for JC & MTM, Inc., d/b/a Johnny Baby's at 981 University Avenue West. (To be withdrawn)
- Sponsors:     Thao
- Withdrawn**
- 5     [RES 19-1421](#)     Approving the use of grant funds through the Neighborhood STAR Year-Round Program for two projects in Ward 2.
- Sponsors:     Noecker
- Adopted**
- 6     [RES 19-1432](#)     Approving the use of grant funds through the Neighborhood STAR Year-Round Program for the Highland District Council
- Sponsors:     Tolbert
- Adopted**
- 7     [RES 19-1459](#)     Approving the use of grant funds through the Neighborhood STAR Year-Round Program for the greening of Rice and Larpenteur.
- Sponsors:     Brendmoen
- Adopted**
- 8     [RES 19-1431](#)     Declaring August 25, 2019 to be Frank Louis Cruz Day.
- Sponsors:     Noecker
- Adopted**

- 9     [RES 19-1405](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Fairview Avenue from Shields to University paving and lighting project constructed as part of the 2019 St. Paul Street Paving Program (SPS). (File No. 19231, Assessment No. 195202)
- Sponsors:     Jalali Nelson
- Adopted**
- 10    [RES 19-1400](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Wheelock Parkway from Western to Rice paving and lighting project constructed as part of the 2019 St. Paul Street Paving Program (SPS). (File No. 19206, Assessment No. 195201)
- Sponsors:     Brendmoen
- Adopted**
- 11    [RES 19-1409](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for installation of a fire protection system as requested by Gloria Freeman for 1850 7th Street East. (File No. FP2019-02, Assessment No. 197101)
- Sponsors:     Prince
- Adopted**
- 12    [RES 19-1374](#)     Authorizing payment in the amount of fifteen thousand seven hundred ninety-four dollars and one cent (\$15,794.01) in full and final settlement of the property damage claim of the Amco Insurance Company as subrogee of Pao Lee/Sue Lor.
- Sponsors:     Brendmoen
- Adopted**
- 13    [RES 19-1376](#)     Authorizing payment in the amount of eighty-six thousand nine hundred four dollars and no cents (\$86,904.00) in full and final settlement of their property damage claim of the Cincinnati Insurance Company as subrogee of the Arcade & Maryland Development, LLC.
- Sponsors:     Brendmoen
- Adopted**



- 20     [RES 19-1383](#)     Approving the application with conditions, per the Deputy Legislative Hearing Officer, to modify the existing license conditions to permit amplified sound on the outdoor patio, for Big Operations LLC (License ID # 20170000021), d/b/a Gabe's By The Park at 991 Lexington Parkway North.

**Sponsors:**         Jalali Nelson

**Adopted**

**FOR DISCUSSION**

**Councilmember Tolbert joined the meeting**

**Present** 6 - Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali Nelson and Councilmember Kassim Busuri

**Absent** 1 - Councilmember Amy Brendmoen

- 21     [RES 19-1461](#)     Honoring Benita Gram Warns on Winning National Championships.

**Sponsors:**         Prince and Jalali Nelson

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

- 22     [RES PH 19-206](#)     Ratifying 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) (Public hearing held August 21)

**Sponsors:**         Jalali Nelson

**Laid over to September 25**

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

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

- 23**     [RES PH 19-207](#)     Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Western Avenue from Larch to Front. (File No. MO1813, Assessment No. 185510) (Public hearing held August 21)

**Sponsors:**        Thao

**Laid over to September 25**

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

**Nay:** 0

**Absent:** 1 -    Councilmember Brendmoen

- 24**     [RES PH 19-208](#)     Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Prior Avenue from University to Minnehaha. (File No. MO1814, Assessment No. 185511) (Public hearing held August 21)

**Sponsors:**        Jalali Nelson

**Laid over to September 25**

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

**Nay:** 0

**Absent:** 1 -    Councilmember Brendmoen

- 25**     [RES PH 19-209](#)     Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Third Street from Ruth to McKnight. (File No. MO1815, Assessment No. 185512) (Public hearing held August 21)

**Sponsors:**        Prince

**Laid over to September 25**

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

**Nay:** 0

**Absent:** 1 -    Councilmember Brendmoen

**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**

- 26    [Ord 19-53](#)    Amending Chapter 25 of the Legislative Code pertaining to the supplemental tax on hotels and motels by increasing the imposed tax rate from three to four percent.
- Sponsors:        Brendmoen
- Adopted**
- Yea:** 6 - Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen

**Second Reading**

- 27    [Ord 19-54](#)    Amending Chapters 60, 61, 64, and 66 of the Legislative Code pertaining to establish Ford zoning districts, site plan review for Ford zoning districts, sign regulations for Ford zoning districts, references to the Ford Site Zoning and Public Realm Master Plan, and minor and major amendments to the Ford Site Zoning and Public Realm Master Plan.
- Sponsors:        Tolbert
- Laid over to September 4 for third reading/public hearing**
- 28    [Ord 19-55](#)    Granting the application of the Housing and Redevelopment Authority to rezone property at 659 Otsego Street from RT1 Two-Family Residential to R4 One-Family Residential, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Sponsors:        Brendmoen
- Laid over to September 4 for third reading/public hearing**

- 29    [Ord 19-56](#)            Amending Chapter 409 of the Legislative Code to raise the age of persons allowed to enter liquor stores from age eighteen (18) to twenty-one (21).  
**Sponsors:**        Thao, Brendmoen and Noecker  
**Laid over to September 4 for third reading/public hearing**
- 30    [Ord 19-57](#)            Amending Chapter 324 of the Legislative Code to raise the age of persons allowed to purchase tobacco and tobacco related devices and products from eighteen (18) to twenty-one (21).  
**Sponsors:**        Thao, Brendmoen and Noecker  
**Laid over to September 4 for third reading/public hearing**

**PUBLIC HEARINGS**

- 31    [RES 19-1309](#)        Approving adverse action against the Cigarette/Tobacco license held by Mel Lindholm, d/b/a Charlie's (License ID #20180002499) at 444 Cedar Street. (Public hearing continued from August 21)  
**Sponsors:**        Noecker  
**Adopted as amended**  
**Yea:** 6 - Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri  
**Nay:** 0  
**Absent:** 1 - Councilmember Brendmoen
- 32    [RES PH 19-289](#)      Amending the financing and spending plan of the Saint Paul Public Library in the amount of \$84,280 to utilize available CIB Contingency funds for the replacement of boilers at the Hayden Heights and St. Anthony libraries.  
**Sponsors:**        Brendmoen  
**Adopted**  
**Yea:** 5 - Councilmember Thao, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri  
**Nay:** 0  
**Absent:** 2 - Councilmember Brendmoen and Councilmember Tolbert



- 33**     [RES PH 19-278](#)     Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$136,000 to reflect additional 2019 funding expected from Como Friends.
- Sponsors:**         Jalali Nelson
- Adopted**
- Yea:** 6 - Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen
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- 34**     [RES PH 19-127](#)     Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$217,065.20 to reflect Parks Acquisition Opportunity Fund (PAOF) funding for the Phalen Regional Park Master Plan Implementation project.
- Sponsors:**         Busuri
- Adopted**
- Yea:** 6 - Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen
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- 35**     [RES PH 19-273](#)     Approving the application of Minnesota Recovery Connection for a sound level variance for the Walk for Recovery Event on Saturday, September 14, 2019 at the Upper and Lower Malls of the State Capitol.
- Sponsors:**         Noecker
- Adopted**
- Yea:** 6 - Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen

- 36     [RES PH 19-274](#)     Approving the application of Five Watt Coffee for a sound level variance for live music on Sunday, September 8, 2019 at 928 7th Street West for the Radio Five Watt Music Fest.

**Sponsors:**         Noecker

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

- 37     [RES PH 19-280](#)     Approving the application of Visit Saint Paul for a sound level variance for live music and DJs on 7th Street West between Walnut Street and Kellogg Boulevard during the Flugtag Street Party on September 7, 2019.

**Sponsors:**         Noecker

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

**SUSPENSION ITEM**

**Rules suspended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

**FOR RECONSIDERATION**

- [RES 19-1360](#)     Approving adverse action against the Cigarette/Tobacco license held by Moundsview Retail Inc., d/b/a Mounds Park Market (License ID #20170000776) at 241 Earl Street.

**Sponsors:**         Prince

**Reconsidered; withdrawn**

**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 38 - 44)**

**Legislative Hearing Consent Agenda adopted as amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

- 38**     [RLH TA 19-282](#)     Ratifying the Appealed Special Tax Assessment for property at 816 ALBERT STREET NORTH. (File No. CG1901C2, Assessment No. 190061) (Public hearing continued from May 22)

**Sponsors:**     Jalali Nelson

**Adopted as amended (assessment ratified)**
  
- 39**     [RLH VBR 19-49](#)     Appeal of Mark Lentsch to a Vacant Building Registration Notice at 1011 ARGYLE STREET.

**Sponsors:**     Brendmoen

**Public hearing continued to September 4**
  
- 40**     [RLH RR 19-24](#)     Making finding on the appealed nuisance abatement ordered for 650 AURORA AVENUE in Council File RLH RR 19-2.

**Sponsors:**     Thao

**Public hearing continued to September 4**
  
- 41**     [RLH VBR 19-48](#)     Appeal of Shirzad Raimi, Venture Capital, to a Vacant Building Registration Renewal Notice at 1918 IVY AVENUE EAST.

**Sponsors:**     Busuri

**Public hearing continued to September 4**
  
- 42**     [RLH VO 19-30](#)     Appeal of Jennifer Olson to a Correction Notice - Re-Inspection Complaint Order to Vacate at 1091 MARYLAND AVENUE EAST.

**Sponsors:**     Busuri

**Adopted**

- 43 [RLH SAO 19-41](#) Appeal of Pao Thao to a Vehicle Abatement Order at 783 MINNEHAHA AVENUE WEST.

Sponsors: Thao

**Adopted**

- 44 [RLH AR 19-73](#) Ratifying the assessments for Graffiti Removal services billed during March 28 to April 24, 2019. (File No. J1908P, Assessment No. 198407)

Sponsors: Brendmoen

**Adopted**

## ADJOURNMENT

Meeting adjourned

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