



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, November 6, 2019

3:30 PM

Council Chambers - 3rd Floor

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

ROLL CALL

Councilmember Thao excused

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

Absent 1 - Councilmember Dai Thao

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 19-55](#) Letters from the Department of Safety and Inspections declaring 1286 Sherburne Avenue and 31 Winter Street nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Sponsors: Jalali Nelson and Thao

Received and filed

- 2 [AO 19-51](#) Authorizing the Department of Parks and Recreation to reallocate \$330,000 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

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 Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Thao

- 3 [RES 19-1792](#) Authorizing the City Attorney's Office to accept a grant of \$279,534 from The Office of Justice Programs of the US Department of Justice and the Minnesota Department of Public Safety, and authorizing the execution of a grant agreement.

Sponsors: Brendmoen

Adopted

- 4 [RES 19-1940](#) Authorizing the proper City officials to accept a gift stipend from the VERA Institute for Assistant City Attorney Edmundo D. Lijo to attend the SAFE Network Annual Convening in Philadelphia, PA, November 12 - 14, 2019.

Sponsors: Brendmoen

Adopted

- 5 [Min 19-45](#) Approving the minutes of the October 16 and 23, 2019 City Council meetings.

Sponsors: Brendmoen

Adopted

- 6 [RES 19-1845](#) Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during May 7 to July 22, 2019, and setting date of Legislative Hearing for December 3, 2019 and City Council public hearing for February 5, 2020 to consider and levy the assessments against individual properties. (File No. VB2004, Assessment No. 208803)

Sponsors: Brendmoen

Adopted

- 7 [RES 19-1846](#) Approving the City's cost of providing Boarding and/or Securing services during August 2019, and setting date of Legislative Hearing for December 3, 2019 and City Council public hearing for February 5, 2020 to consider and levy the assessments against individual properties. (File No. J2004B, Assessment No. 208103)
- Sponsors: Brendmoen
- Adopted**
- 8 [RES 19-1847](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during June 18 to July 13, 2019, and setting date of Legislative Hearing for December 3, 2019 and City Council public hearing for February 5, 2020 to consider and levy the assessments against individual properties. (File No. CRT2004, Assessment No. 208203)
- Sponsors: Brendmoen
- Adopted**
- 9 [RES 19-1848](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during June 24 to July 22, 2019, and setting date of Legislative Hearing for December 3, 2019 and City Council public hearing for February 5, 2020 to consider and levy the assessments against individual properties. (File No. J2004E, Assessment No. 208303)
- Sponsors: Brendmoen
- Adopted**
- 10 [RES 19-1849](#) Approving the City's cost of providing Graffiti Removal services during May 2 to August 13, 2019, and setting date of Legislative Hearing for December 3, 2019 and City Council public hearing for February 5, 2020 to consider and levy the assessments against individual properties. (File No. J2003P, Assessment No. 208402)
- Sponsors: Brendmoen
- Adopted**
- 11 [RES 19-1872](#) Approving the City's cost of providing Towing of Abandoned Vehicle services during January to June 2019, and setting date of Legislative Hearing for December 3, 2019 and City Council public hearing for February 5, 2020 to consider and levy the assessments against individual properties. (File No. J2001V, Assessment No. 208000)
- Sponsors: Brendmoen
- Adopted**

- 12 [RES 19-1907](#) Accepting the gift of travel expenses from National Fallen Firefighters Foundation, for Steven Sampson, Deputy Chief SPFD, to attend the National Fallen Firefighters Foundation October meeting in Fort Myers, FL, October 27 - 29, 2019.
- Sponsors:** Brendmoen
- Adopted**
- 13 [RES 19-1921](#) Authorizing the Fire Department to accept the 2018 Staffing for Adequate Fire and Emergency Response (SAFER) grant in the amount of \$1,470,861 from the Federal Emergency Management Agency to hire nine additional firefighters.
- Sponsors:** Brendmoen
- Adopted**
- 14 [RES 19-1922](#) Authorizing the Fire Department to accept the 2018 Assistance to Firefighters Grant (AFG) in the amount of \$341,113.63 from the Federal Emergency Management Agency for training for firefighters.
- Sponsors:** Brendmoen
- Adopted**
- 15 [RES 19-1924](#) Authorizing the Fire Department to accept the donation of 240 9-volt batteries from Energizer valued at \$324.
- Sponsors:** Brendmoen
- Adopted**
- 16 [RES 19-1914](#) Authorizing payment in the amount of \$9,296.42 in full and final settlement of the claim of American Family Insurance Company as subrogee of Susan Roach.
- Sponsors:** Brendmoen
- Adopted**
- 17 [RES 19-1915](#) Authorizing payment in the amount of \$9,875.75 in full and final settlement of the claim of Progressive Insurance Company as subrogee of Jenna Traut.
- Sponsors:** Brendmoen
- Adopted**

- 18 [RES 19-1919](#) Authorizing payment in the amount of \$12,311.53 in full and final settlement of the claim of Yost & Bail as authorized agents of State Farm Insurance Company as subrogee of Susan Flaagan.
- Sponsors: Brendmoen
- Adopted**
- 19 [RES 19-1926](#) Approving the Memorandum of Agreement for the December 2019 Wage and Fringe Adjustment between the City of Saint Paul and the United Association Pipefitters Local Union #455.
- Sponsors: Brendmoen
- Laid over to November 13 for adoption**
- 20 [RES 19-1905](#) Authorizing Como Park Zoo and Conservatory to accept funding for two employees to attend the second annual Empathy Symposium hosted by the Advancing Conservation through Empathy for Wildlife Network and Woodland Park Zoo in Seattle, Washington, February 18 - February 20, 2020.
- Sponsors: Brendmoen and Jalali Nelson
- Adopted**
- 21 [RES 19-1913](#) Supporting an application by Metropolitan Council / Metro Transit and Ramsey County for an FTA grant to conduct Advanced Station Area Planning for the Rush Line BRT Project.
- Sponsors: Brendmoen
- Adopted**
- 22 [RES 19-1876](#) Accepting the gift of the cost of travel expenses from the American Council on Germany for Safety Advocate Fay Simer to participate in the Sustainable Urban Development Study Tour.
- Sponsors: Brendmoen
- Adopted**
- 23 [RES 19-1723](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Elite Wedding Event LLC (License ID # 20190001160), d/b/a Elite Wedding Event, for a Rental Hall license at 217 Mackubin Street.
- Sponsors: Thao
- Adopted**

- 24 [RES 19-1928](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Bing Concepts LLC (License ID #20190002510), d/b/a Hope Breakfast Bar, for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, and Liquor Outdoor Service Area (Patio) licenses at 1 Leech Street.

Sponsors: Noecker

Adopted

- 25 [RES 19-1891](#) Authorizing the City to enter into an agreement with Apple for use of their business manager and volume purchase programs.

Sponsors: Brendmoen

Adopted

FOR DISCUSSION

- 26 [RES 19-1870](#) Committing to advocating for the renewable, equitable, and locally-produced energy commitments expressed in the Climate Action and Resilience Plan, and to opposing proposed new fossil fuel energy infrastructure. (Laid over from October 23)

Sponsors: Prince, Brendmoen and Jalali Nelson

Laid over to December 18

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

Nay: 0

Absent: 1 - Councilmember Thao

- 27 [RES 19-1943](#) Commemorating the observance of Veterans Day on November 11, 2019 and recognizing city employees who are veterans.

Sponsors: Prince

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

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

- 28 [Ord 19-69](#) Amending Section 105.04 of the Legislative Code to aid construction of boulevard rain gardens.

 Sponsors: Brendmoen

 Laid over to November 20 for third reading/public hearing

First Reading

- 29 [Ord 19-64](#) Granting the application of David Wetherill to rezone property at 600-602 Lawson Avenue West from RM2 Multiple Family Residential to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

 Sponsors: Brendmoen

 Laid over to November 13 for second reading

PUBLIC HEARINGS (3:30 p.m.)

- 30 [RES PH 19-341](#) Amending the financing and spending plans in the Office of Financial Services in the amount of \$30,000 for a contribution received from the Fund for Cities of Service, Inc.

 Sponsors: Brendmoen

 Adopted

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

 Nay: 0

 Absent: 1 - Councilmember Thao

- 31 [RES PH 19-365](#) Amending the financing and spending plans in the Fire Department in the amount of \$107,286.45 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.

Sponsors: Brendmoen

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

- 32 [RES PH 19-369](#) Amending the financing and spending plans in the Fire Department in the amount of \$125 for a contribution received from the Saint Paul Area Chamber of Commerce for health and wellness equipment for the firefighters.

Sponsors: Brendmoen

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

- 33 [RES PH 19-366](#) Authorizing an increase in the Parks and Recreation Grant Fund Budget in the amount of \$1,795,500 to reflect various grant funding awarded in 2019 from the State of Minnesota DEED, Minnesota State Arts Board, Como Friends, Metropolitan Council, and State of Minnesota DNR.

Sponsors: Brendmoen

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

- 34** [RES PH 19-342](#) Amending the financing and spending plans in the Department of Public Works Capital Budget by adding Ramsey County funding into the 2018 Signalized Intersection Safety Improvements Program for the replacement of the traffic signal at Lexington and St. Clair.

Sponsors: Noecker

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

- 35** [RES PH 19-367](#) Recommending an amendment to Saint Paul Regional Water's 2019 Adopted Budget to record the increased financing and spending from the Minnesota Historical Society Grant for \$250,000 for repair to the historic Highland Park Water Tower, and to transfer \$285,000 in capital funds to operating funds for a portion of the grant match.

Sponsors: Brendmoen

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

- 36** [RES PH 19-371](#) Recommending an amendment to the 2019 adopted budget to record the increase in spending and financing for the demolition of the Highland Reservoir, pipe assessment, modifications and repairs to buildings and structures, and technology improvements.

Sponsors: Brendmoen

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

- 37 [RES PH 19-358](#) Approving the application of Podium Sports Marketing for a sound level variance for amplified music or announcements during the Turkey Trot Saint Paul on November 28, 2019 on Shepard Road at Washington Street and at Sherman Street.

Sponsors: Noecker

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 46 [RLH CO 19-15](#) Appeal of Fred Sande Sr. to a Correction Notice, including Condemnation, at 1561 SCHEFFER AVENUE.

Sponsors: Tolbert

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thao

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 Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali Nelson and Councilmember Busuri

Nay: 0

Absent: 1 - Councilmember Thao

- 38 [RLH VBR 19-64](#) Appeal of Jay Mitchell, on behalf of Quality Residences, to a Vacant Building Registration Notice at 569-571 CHARLES AVENUE.

 Sponsors: Thao

 Adopted
- 39 [RLH TA 19-823](#) Amending Council File RLH AR 19-41 to delete the assessment for Collection of Delinquent Garbage Bills for services during October to December 2018 at 61 DELOS STREET WEST. (File No. CG1901A3, Assessment No. 190056)

 Sponsors: Noecker

 Adopted
- 40 [RLH TA 19-824](#) Amending Council File RLH AR 19-75 to delete the assessment for Collection of Delinquent Garbage Bills for services during January to March 2019 at 61 DELOS STREET WEST. (File No. CG1902A2, Assessment No. 190102)

 Sponsors: Noecker

 Adopted
- 41 [RLH TA 19-833](#) Amending Council File RLH AR 19-84 to delete the assessment for Collection of Delinquent Garbage Bills for services during January to March 2019 at 1656 FIFTH STREET EAST. (File No. CG1902C1, Assessment No. 190109)

 Sponsors: Prince

 Adopted
- 42 [RLH RR 19-5](#) Ordering the rehabilitation or razing and removal of the structures at 718 ORANGE AVENUE EAST within fifteen (15) days after the March 13, 2019 City Council public hearing. (Amend to 180 days) (Public hearing continued from October 23)

 Sponsors: Busuri

 Adopted as amended (180 days to remove or repair)
- 43 [RLH RR 19-26](#) Ordering the rehabilitation or razing and removal of the structures at 578 LAFOND AVENUE within fifteen (15) days after the October 23, 2019 City Council public hearing. (Public hearing continued from November 6)

 Sponsors: Thao

 Referred to Legislative Hearings on November 12

- 44 [RLH VBR 19-67](#) Appeal of Miranda Donnelly, of Renters Warehouse on behalf of MNSF T2 SPE, LLC, to a Vacant Building Registration Notice at 1798 NEBRASKA AVENUE EAST.

Sponsors: Busuri

Adopted

- 45 [RLH SAO 19-52](#) Appeal of Cedric Benjamin to a Vehicle Abatement Order at 958 REANEY AVENUE.

Sponsors: Prince

Adopted

- 47 [RLH VO 19-46](#) Appeal of James Sazevich to a Correction Notice at 454 SMITH AVENUE NORTH.

Sponsors: Noecker

Adopted

- 48 [RLH FCO 19-103](#) Appeal of Jim and Jane Ertl to a Fire Inspection Correction Notice at 1370 SNELLING AVENUE NORTH.

Sponsors: Jalali Nelson

Adopted

PUBLIC HEARINGS (5:30 p.m.)

Councilmembers Thao and Busuri excused

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

Absent 2 - Councilmember Dai Thao and Councilmember Kassim Busuri

- 49 [RES PH 19-337](#) Approving adverse action against the Auto Body Repair Shop and Auto Repair Garage License held by SKD Auto Tek LLC, d/b/a SKD Auto Tek (License ID # 20170002848) at 80 Cottage Avenue West. (Public hearing continued from October 16)

Sponsors: Brendmoen

Adopted as amended

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

- 50** [ABZA 19-6](#) Public hearing to consider Daniel Carlson's appeal of a decision by the Board of Zoning Appeals approving variances of the lot coverage and height requirements allowing construction of a two-story detached garage in the rear yard of an existing single-family dwelling at 1780 Goodrich Avenue.

Sponsors: Tolbert

Public hearing held and closed; laid over to November 13 at 3:30 p.m.

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

- 51** [RES PH 19-354](#) Establishing the Water Charges for 2020. (To be laid over to December 11)

Sponsors: Brendmoen

Public hearing held and closed; laid over to December 11

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

- 52** [RES PH 19-359](#) Setting the 2020 Sanitary Sewer and Storm Sewer rates. (To be laid over to December 11)

Sponsors: Brendmoen

Public hearing held and closed; laid over to December 11

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

- 53** [RES PH 19-377](#) Setting the recycling service fee for 2020, and authorizing Public Works to request \$840,830 in SCORE grant funds from Ramsey County to support the curbside recycling program under contract with Eureka Recycling. (To be laid over to December 11)

Sponsors: Brendmoen

Public hearing held and closed; laid over to December 11

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

- 54** [RES PH 19-378](#) Setting the Solid Waste Service Fee portion of the Recycling and Solid Waste Service Fee for 2020. (To be laid over to December 11)

Sponsors: Brendmoen

Public hearing held and closed; laid over to December 11

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

- 55** [Ord 19-67](#) Amending section 220.05 of the Legislative Code to set rates for base level garbage service to be effective January 1, 2020.

Sponsors: Brendmoen

Amended; public hearing continued to November 13 at 3:30 p.m.

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

- 56** [Ord 19-63](#) Granting the application of Joseph and Nancy Schumacher to rezone property at 330 Prior Avenue North from OS Office Service to RT1 Residential, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Sponsors: Jalali Nelson

Public hearing held and closed; laid over to November 13 for final adoption

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

57 [Ord 19-68](#)

Amending Chapter 88 of the Legislative Code pertaining to water code meters by removing Section 88.10(g) in its entirety.

Sponsors: Brendmoen

Public hearing held and closed; laid over to November 13 for final adoption

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

Nay: 0

Absent: 2 - Councilmember Thao and Councilmember Busuri

58 [RES PH 19-352](#)

Ratifying the assessment for the 2019 Street Maintenance Service Program for sweeping and lighting. (File No. 2019SMSP, Assessment No. 190025)

Sponsors: Brendmoen

Adopted as amended

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

Nay: 1 - Councilmember Prince

Absent: 2 - Councilmember Thao and Councilmember Busuri

ADJOURNMENT

Meeting adjourned at 7:21 p.m.

Council Meeting Information

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Web

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