



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 Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, September 23, 2020

3:30 PM

Council Chambers - 3rd Floor

Please see below for new meeting guidelines due to the COVID-19 pandemic emergency.

ROLL CALL

Present 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince and Councilmember Mitra Jalali

Absent 1 - Councilmember Nelsie Yang

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 20-63](#) Letter from the Department of Safety and Inspections declaring 1976 Fairmount Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed
- 2 [AO 20-39](#) Amending the CDBG project budget.
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 11 and 12 were removed for separate consideration.

Councilmember Jalali moved approval of the Consent Agenda as amended.

6 in favor, none opposed

Consent Agenda is adopted as amended

Adopted Consent Agenda

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

Nay: 0

Absent: 1 - Councilmember Yang

- 3** [RES 20-1228](#) Amending the Samuel H. Morgan Regional Trail Master Plan aka 1999 East Mississippi River Bank Trail Corridor Master Plan.
- 4** [RES 20-1272](#) Approving the appointments of Councilmembers Rebecca Noecker, Dai Thao, Jane Prince, and Nelsie Yang as members of the Audit Committee.
Adopted
- 5** [RES 20-1274](#) Approving the Labor Agreement between the Independent School District 625 and the Minnesota Teamsters Local 320 representing the Nutrition Services Personnel (July 1, 2019 - June 30, 2021).
Laid Over
- 6** [RES 20-1105](#) Approving the Memorandum of Agreement for the establishment of the 2021 - 2022 health insurance contribution rates and VEBA contribution rates. (Laid over for adoption)
Adopted
- 7** [RES 20-1276](#) Authorizing the use of a Project Labor Agreement for a project to repair and restore the cornice along the east, south, and west sides of the George Latimer Central Library building.

Adopted
- 8** [RES 20-1277](#) Approving the loan modification to Neighborhood STAR funding for Rathskeller Renaissance, LLC.
Adopted
- 9** [RES 20-1280](#) Authorizing the Police Department to accept the Saint Paul Police Federation's donation of a concession style trailer.

Adopted
- 10** [RES 20-1285](#) Approving transferring funds from one Commercial Vitality Zone (Como-Front-Dale) to another Commercial Vitality Zone (Rice Street at Larpenteur Avenue) as part of the annual sales tax revenue Pay-Go Economic Development Fund in the amount of \$229,125 and approving transferring excess sales tax of \$108,325 to the Commercial Vitality Zone (Rice Street at Larpenteur Avenue).
Adopted
- 13** [RES 20-1298](#) Approving a 2021 maximum property tax levy for the Housing and Redevelopment Authority (HRA).

Adopted

- 14 [RES 20-1304](#) Approving the use of grant funds through the Neighborhood Star Year-Round program for Upfront Styling Salon.
 Adopted

FOR DISCUSSION

- 11 [RES 20-1293](#) Honoring Butch Howard for his service on the Ramsey County Workforce Innovation Board.
- Councilmember Tolbert said there is a Version 2 in Legistar.*
- Council President Brendmoen said we will vote on Version 2.*
- Tolbert spoke about Bruce Howard. He comes from the private sector and put his expertise in moving the region forward. The Workforce Investment Board is in the best shape its seen in years. They have modernized the work that they do.*
- Mr. Howard spoke and thanked the City for his opportunity to serve.*
- Brendmoen said it is nice to acknowledge work of our community members. So often in our work we are looking for the next problem.*
- Tolbert said the Workforce Board e-mailed around the resolution and everyone was seconding what a great contribution he was.*
- Tolbert moved approval.*
6 in favor, none opposed
Resolution is adopted as amended
Adopted As Amended
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Jalali
- Nay:** 0
- Absent:** 1 - Councilmember Yang

- 12 [RES 20-1294](#) Authorizing the City of Saint Paul to transfer \$19,915,912 of the Coronavirus Relief Fund aid to specific accounts for COVID expenses.
- John McCarthy said he is going to share a presentation. At last week's meeting, the Council voted to spend some. This is moving the remaining amount. (He shared his desktop presentation.) Saint Paul received about \$23.5 Million. There are strict eligibility rules. It has to be spent by November 15. It cannot be used as a revenue replacement. We put together a strong review process. This card has been led by Laura. They have brought in an expert consultant. The resolution will allocate the remaining \$20 Million across 4 categories: 1) Director COVID response, 2) Economic recovery, 3) Unsheltered Homeless, 4) Enhanced Service Delivery. That November 15 timeline is very tight.*
- Councilmember Prince said she has 2 questions. What is the timing challenge to have it all spent by the middle of November? McCarthy responded that the State has imposed the November 15 deadline. We know we have more than the amount in needs.*

Prince said her second question—3 members are on the Visit St. Paul board—did others submit COVID costs? McCarthy said they are working with Visit St. Paul and RiverCentre.

Councilmember Noecker said that nonprofits are suffering, too. McCarthy said they are working with partners in PED. There is nothing in the eligibility rules that would prohibit us in providing financial support for those organizations, too. They have to be COVID related financial impact.

Prince moved approval.
6 in favor, none opposed
Resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

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

- 15 [Ord 20-30](#) Amending Chapter 66 of the Legislative Code pertaining to residential standards in planning districts 14 and 15.

Councilmember Tolbert moved approval.
6 in favor, none opposed
Resolution is adopted.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

- 16 [Ord 20-31](#) Creating Chapter 142 of the Legislative Code (Title XII) pertaining to a Special Service District in Downtown.

Councilmember Noecker said the City received letters of opposition and written objections. We should talk about those on this item, rather than the next one. They filed on behalf of 6 buildings. They cite wide ranging policies and financial grounds, some of which are: 1) Not proper notice openly shared, 2) Property would not receive services to the same degree, 3) Effected property would not benefit, 4) Certain portions are used for or will be converted to residential uses. 5) Certain portions are outside the

district's boundaries. Despite these grounds, she moved that the Council determine that each land owner opposing and objecting remain in the district and subject to the district service charge as long as they are in the district's boundaries for the following findings: 1) Due notice of the public hearing was given in accordance with State law. 2) Public hearings were held on September 16, 2020, and all landowners were given an opportunity to be heard. 3) Comments were taken via written letter, e-mail, and voice mail, 4) Special services to be provided were specifically defined to express concerns of Downtown landowners, 5) This service is not otherwise provided by other services to the same degree, 6) All properties will receive the special services and benefits, 7) Each will benefit from the special services, 8) These properties are used for commercial purposes and not exempt to the levy of a service charge, 9) Property located outside the boundaries will not be part of the district or be subject to the charge. This is a motion of intent. They will remain subject to the district service charge and it will be memorialized by written resolution.

Council President Brendmoen supports it and says it is overdue. She appreciates the clarification.

Noecker moved approval.

6 in favor, none opposed

Ordinance is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

FOR DISCUSSION

- 17 [RES PH 20-198](#) Imposing a service charge in the Saint Paul Downtown Special Service District pursuant to Minnesota Statutes Chapter 428A.

Shari Moore said the public hearing closed last week.

Councilmember Noecker said she would like her comments from the last item included in this one.

Noecker moved approval.

6 in favor, none opposed

Resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

PUBLIC HEARINGS

- 18 [RES PH 20-199](#) Approving the application of Mary Schrader for a sound level variance in order to present amplified music on Friday October 30 and Saturday, October 31, 2020 for the Schrader/Stillwell Wedding at 196 Page Street West.

Council President Brendmoen said comments were taken online and on the phone.

Councilmember Noecker moved approval.

6 in favor, none opposed

Public hearing is closed and resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

- 19 [RES PH 20-175](#) Amending the financing and spending plans in the Department of Public Works Capital Budget by transferring \$444,582 in revenues to the 2020 Randolph Bridge Project.

Council President Brendmoen said comments were taken online and on the phone.

Councilmember Noecker moved to close the public hearing and approve.

6 in favor, none opposed

Public hearing is closed and resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

- 20 [RES PH 20-181](#) Amending the financing and spending plans in the Department of Public Works Capital Budget to add Saint Paul Sewer Utility, Saint Paul Regional Water Services, Ramsey County and assessment funding into various 2020 Public Works projects.

Council President Brendmoen said comments were taken online and on the phone.

Councilmember Tolbert moved to close the public hearing and approve.

6 in favor, none opposed

Public hearing is closed and resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

- 21 [RES PH 20-180](#) Authorizing an increase in the Parks and Recreation Grant Fund Budget in the amount of \$116,100 to reflect the multi-year Conservation Partners Legacy Grant received from the State of Minnesota for the Phalen Oak Woodland Enhancement.

Council President Brendmoen said comments were taken online and on the phone.

Councilmember Jalali moved to close the public hearing and approve.

6 in favor, none opposed

Public hearing is closed and resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

- 22 [RES PH 20-200](#) Denying the June 17, 2020 application submitted by Tom Dillon of Madison Equities for an exception to the general hours of operation for Pedestrian Skyway Bridge #43 which serves the Degree of Honor Building.

Council President Brendmoen asked does anyone want to be heard.

Marcia Moermond said no one is here to provide live testimony today.

Brendmoen said comments were taken online and on the phone. There is no one to testify.

Councilmember Noecker moved to close the public hearing and approve.

Noecker thanked Tom Ferrara for being here. She will be supporting this proposal. It was first closed in August 2018. It continues to get extensions. The work is still not done and the skyway is still not open. She will be taking action to open that skyway. Brendmoen said she will support the motion.

Brendmoen said comments were taken online and on the phone.

Noecker moved to close the public hearing and approve.

6 in favor, none opposed

Public hearing is closed and the resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

- 23 [RES PH 20-203](#) Authorizing the Police Department to accept and amend the 2020 Special Fund Budget for the sub-grant from the Corporation for National and

Community Services (CNCS) through the State Service Commission, ServeMinnesota Law Enforcement Career Path Academy (LECPA).

Council President Brendmoen said comments were taken online and on the phone.

Councilmember Prince moved to close the public hearing and approve.

6 in favor, none opposed

Public hearing is closed and the resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

- 24** [RES PH 20-201](#) Approving a business subsidy, in the form of a forgivable loan from the Commercial Vitality Zone Program, to M.E.K. Properties Limited Partnership (MEK Properties) for the construction of a new parking lot at 1641-1675 Rice Street & 160-166 Larpenteur Avenue (District 6, Ward 5).

Council President Brendmoen said comments were taken online and on the phone.

This is work on the southwest corner which includes missing sidewalks, egress, space in the upper right hand corner, and continuing the mission of commercial vitality zones.

This is something we have tried to get completed.

Brendmoen moved to close the public hearing and approve.

6 in favor, none opposed

Public hearing is closed and the resolution is adopted

Adopted

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

Nay: 0

Absent: 1 - Councilmember Yang

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 25, 26, 28, 32, 33, 35, 36, 37

Councilmember Prince moved to close the public hearing and adopt these items.

6 in favor, no one opposed

Public hearings are closed and the resolutions are adopted

Adopted Consent Agenda

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

Nay: 0

Absent: 1 - Councilmember Yang

- 25** [RLH VO 20-41](#) Amending Council Files RLH VO 20-31, adopted August 12, 2020, to grant Owner, Robert Radeke, an additional extension for property at 1157 and 1159 DAYTON AVENUE.
Adopted
- 26** [RLH VO 20-37](#) Appeal of Scott Beck to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1192 EARL STREET.
Adopted
- 28** [RLH RR 20-30](#) Ordering the razing and removal of the structures at 967 FREMONT AVENUE within five (5) days after the September 23, 2020, City Council Public Hearing.

Adopted
- 32** [RLH VBR 20-61](#) Appeal of John Mathern to a Vacant Building Registration Fee Warning Letter at 1905 IGLEHART AVENUE.
Adopted
- 33** [RLH VO 20-38](#) Appeal of Davina Harper to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 403 MINNEHAHA AVENUE EAST.

Adopted
- 35** [RLH VBR 20-58](#) Appeal of Dr. Hassan Mohamud to a Vacant Building Registration Fee at 489 SHERBURNE AVENUE.

Adopted
- 36** [RLH SAO 20-20](#) Appeal of Michael Jimenez to a Summary Abatement Order at 1351 THIRD STREET EAST.

Adopted
- 37** [RLH VBR 20-60](#) Appeal of Mark E. Czuchry, Czuchry Law Firm, representing Xuan Mai Ta to a Vacant Building Registration Notice at 820 WHITE BEAR AVENUE NORTH.

Adopted
- 30** [RLH RR 20-16](#) Making finding on the appealed substantial abatement ordered for 530 GERANIUM AVENUE EAST in Council File RLH RR 20-5.

*Councilmember Thao moved to amend and adopt this item.
6 in favor, none opposed
Public hearing is closed and the resolution is adopted as amended*

Adopted As Amended

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

Nay: 0

Absent: 1 - Councilmember Yang

- 31** [RLH TA 20-525](#) Ratifying the Appealed Special Tax Assessment for property at 171 GRANITE STREET. (File No. VB2012, Assessment No. 208814) (Public Hearing continued to October 14, 2020)

Council President Brendmoen moved to continue the public hearing to October 14.

6 in favor, none opposed

Public hearing is continued to October 14

Continue Public Hearing

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

Nay: 0

Absent: 1 - Councilmember Yang

- 29** [RLH RR 20-31](#) Ordering the rehabilitation or razing and removal of the structures at 1033 GALTIER STREET within fifteen (15) days after the September 23, 2020, City Council Public Hearing. (To refer back to October 13, 2020 Legislative Hearing and Public Hearing continued to November 4, 2020)

Councilmember Prince moved the Legislative Hearing Officer's recommendations.

6 in favor, none opposed

Public hearing is continued to the October 13 Legislative Hearing

Referred

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

Nay: 0

Absent: 1 - Councilmember Yang

- 34** [RLH VBR 20-50](#) Appeal of Robert Clapp, on behalf of 700 Minnehaha LLC, to a Vacant Building Registration Fee at 700 MINNEHAHA AVENUE EAST. (To be referred back to Legislative Hearing on October 6, 2020)

Councilmember Prince moved the Legislative Hearing Officer's recommendations.

6 in favor, none opposed

Public hearing is continued to the October 6 Legislative Hearing

Referred

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

Nay: 0

Absent: 1 - Councilmember Yang

- 27** [RLH RR 20-29](#) Ordering the razing and removal of the structures at 920 FREMONT AVENUE within fifteen (15) days after the September 23, 2020, City Council Public Hearing. (Amended to 30 days)

Marcia Moermond, Legislative Hearing Officer, gave a staff report. 920 Fremont has been in the vacant building program for more than a year. (She shared her desktop.) The main problem is the result of the roof. Water has been infiltrating for years. It has created an unsafe condition. There is not a plan to rehabilitate the property. One of the co-owners is on the line. She continues to have a concern about the property and the safety. Access should be limited and things removed efficiently. Her recommendation is the Council to order the building removed. That would mean the owner has 15 days to demolish the building. If not, the City will take over the removal. Typically that would mean the building would be demolished. That would be 15 days that the owner would have custody.

Susan Drake, appellant, said that she has had all kinds of problems. They have been in a hotel room for the last year. They have used the house for storage. They have not been able to get through to anybody. They have not been treated fairly.

Council President Brendmoen said we are looking at the raze and removal of the property within 15 days. If we move forward, you would have 2 weeks to get items out of the property. Drake responded there is no way they can get items out in 2 weeks.

Councilmember Prince moved to close the public hearing.

6 in favor, none opposed

Public hearing is closed

Prince said she had expected that she would need additional time. Prince talked to Ms. Moermond about the possibility to extend to 30 days. If Ms. Drake is still on the line, would 30 days be helpful? Drake responded that would be fine.

Brendmoen said they heard the item last year. They have had time to get the items out of the property. As long as it is open ended, it is hard to move on.

Prince said she will move to amend the Legislative Hearing Officer's recommendation to provide 30 days to Ms. Drake to give her time to get her personal possession out of the building.

6 in favor, none opposed

Resolution is adopted as amended

Adopted As Amended

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

Nay: 0

Absent: 1 - Councilmember Yang

ADJOURNMENT

In-person meetings, or meetings conducted under Minn. Stat. § 13D.02 of the City Council, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the City Council will participate in City Council meetings by telephone or other electronic means.

Public attendance at the City Council's regular meeting location is not feasible due to the COVID-19 health pandemic. Members of the public may view City Council meetings online at stpaul.legistar.com/Calendar.aspx or on local cable Channel 18.

The public may comment on public hearing items in writing or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the meeting will be attached to the public record and available for review by the City Council. Comments may be submitted as follows:

Written public comment on public hearing items can be submitted to Contact-Council@ci.stpaul.mn.us, CouncilHearing@ci.stpaul.mn.us, or by voicemail at 651-266-6805.

While the Council will make best efforts to decide all issues before them, the Council may delay decisions on certain matters where the members believe meeting in-person is necessary. All City Council public hearings will be held at 3:30 p.m. and there will be no separate 5:30 p.m. public hearings. More information is available at www.stpaul.gov/departments/city-council

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 mobile devices to review the files during the meeting. Using a mobile device greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web

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