



City of Saint Paul

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

Minutes - Final - 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, November 3, 2021

3:30 PM

Council Chambers - 3rd Floor

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

ROLL CALL

Meeting called to order at 3:33 p.m.

Present 7 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Nelsie Yang

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 21-54](#) Amending the 2021 spending budget in the Department of Public Works General Fund Traffic Signals accounting unit.

Attachments: [Financial Analysis](#)

Received and Filed

- 2 [AO 21-57](#) Amending CDBG projects budget: funding for 605-617 (Stryker Senior Housing).

Attachments: [AO 21-57 Financial Analysis CDBG Stryker](#)

Received and Filed

CONSENT AGENDA

Adopted as amended

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 3 [RES 21-1546](#) Authorizing the Department of Parks and Recreation to accept \$2,910,000 in funding through the Legacy Amendment Arts & Cultural Heritage for programmatic development at Como Park Zoo and Conservatory and to enter into a grant agreement with the State of Minnesota that includes indemnification language.

Sponsors: Jalali and Brendmoen

Attachments: [Legacy Agreement](#)

Adopted

- 4 [RES 21-1565](#) Amending Civil Service Rule 14 providing promotional rights to Emergency Medical Technicians into the fire fighting group and Community Engagement Cadets into the police group (To be laid over one week for adoption).

Sponsors: Brendmoen

Laid over to November 10 for final adoption

- 5 [RES 21-1568](#) Authorizing the Sewer Utility to enter into a Project Funding Agreement with the Capitol Region Watershed District (CRWD), for the creation of Trout Brook Storm Sewer Hydraulic, Hydrologic, and Water Quality Detailed Modeling and Reporting.

Sponsors: Brendmoen

Attachments: [2021 10 14 TBI-Cooperative Study Agreement FINAL.docx](#)

Adopted

- 6 [RES 21-1569](#) Authorizing the City to enter into the attached Lease Agreement with Tajana's 11th House, LLC for mooring space on the Harriet Island Public Dock for the Covington Inn Bed and Breakfast.

Sponsors: Noecker

Attachments: [Res 21-16 - Approval of the lease agreement between the City of Saint Paul and Tajana's 11th House, LLC - approved Covington Inn Lease 2021.11.16 to 2026.12.31](#)

Adopted

- 7 [RES 21-1573](#) Approving the Labor Agreement between the Independent School District 625 and AFSCME District Council 5, Local Union 844, representing Clerical and Technical employees (July 1, 2020 - June 30, 2022). (To be laid over one week for adoption)

Sponsors: Brendmoen

Attachments: [ISD 625 AFSCME Clerical Technical Contract 2020 - 2022](#)
 [ISD 625 AFSCME Clerical Technical Summary 2020 - 2022](#)

Laid over to November 10 for final adoption

- 8 [RES 21-1574](#) Approving the use of grant funds through the Neighborhood STAR Year-Round Program to African Economic Development Solutions (AEDS).

Sponsors: Jalali

Adopted

- 9 [RES 21-1588](#) Authorizing an agreement between the City and property owner at Saint Paul River Centre for the Police Department's use of commercial space for police operations.

Sponsors: Brendmoen

Attachments: [St. Paul Police Department 4th Quarter Mobile Field Force Training 2-21-V-34 and 2-21-X-19 11.16.2111.18.21 12.7.21 12.10.21 12.14.21 12.16.21 12.21](#)

Adopted

- 10 [RES 21-1590](#) Approving the use of grant funds through the Neighborhood STAR Year-Round Program for the Friends of Wacouta Park Tot Lot Project.

Sponsors: Noecker

Adopted

- 12 [RES 21-1502](#) Approving the Collective Bargaining Agreement (January 1, 2021 - December 31, 2022) between the City and AFSCME District Council 5, Legal - Local 3757.

Sponsors: Brendmoen

Attachments: [AFSCME Legal Local 3757 Contract 2021 -2022](#)
 [AFSCME Legal Local 3757 Summary 2021 - 2022](#)

Adopted

- 13 [RES 21-1528](#) Approving the Collective Bargaining Agreements between the Independent School District 625 and Tri-Council: Local 49, Local 120 and Local 363 (July 1, 2020 - September 10, 2021) and Laborers Local 563 (September 11, 2021 - April 30, 2024).

Sponsors: Brendmoen

Attachments: [ISD 625 TriCouncil 2020 - 2021Contract](#)
[ISD 625 TriCouncil Summary 20-21](#)
[ISD 625 Laborers 563 Contract 21-24](#)
[ISD 625 Laborers 563 Summary 21 - 24](#)

Adopted

FOR DISCUSSION

- 11 [RES 21-1600](#) Honoring Saint Paul Veterans on Veterans Day, November 11, 2021.

Sponsors: Prince, Yang and Tolbert

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

SUSPENSION ITEM

Rules suspended

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- [SR 21-186](#) Update on the rent stabilization ordinance.

Sponsors: Brendmoen

Received and Filed

ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at three 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 second reading.

Final Adoption

- 14 [Ord 21-29](#) Amending Chapter 324 of the Legislative Code in order to create separate licenses for Tobacco Products Shops and Tobacco Shops, to restrict pricing discounts or coupons, and to create a distance requirement between establishments licensed to sell tobacco.

Sponsors: Brendmoen, Jalali, Prince, Thao, Tolbert, Yang and Noecker

Attachments: [324.10 \(b\) Presumptive Penalties](#)
[Location-Tobacco-Ecig-Point-Of-Sale-2019](#)
[Regulating-the-Location-Density-and-Type-of-Tobacco-Retailers](#)
[Sources of Data](#)
[Ord 21-29 - Linda Basta Vasquez](#)
[Ord 21-29 - Coalition of Neighborhood Retailers](#)
[Ord 21-29 - Robert P Coughlin](#)
[Ord 21-29 - Chris Oshea](#)
[Ord 21-29 - Minnesota Licensed Beverage Association](#)
[Ward 2 Public Comments ORD 21-29](#)
[Ord 21-29 - American Lung Association](#)
[Ord 21-29 - Blue Cross and Blue Shield](#)
[Ord 21-29 - Bob Coughlin](#)
[Ord 21-29 - Association for Nonsmokers](#)
[Ord 21-29 - 32 Letters](#)
[Ord 21-29 - George Gerges](#)
[Ord 21-29 - HealthPartners](#)
[Ord 21-29 - Saint Paul-Ramsey County Public Health](#)
[Ord 21-29 - Sierra Leone Aid Initiative](#)
[Ord 21-29 - Clearway Minnesota](#)
[Ord 21-29 - Tobacco Free Alliance](#)
[Ord 21-29 - Minnesota Cancer Alliance](#)
[Ord 21-29 - Association for Nonsmokers-Update](#)
[ALMAS Video](#)
[Ord 21-29 - Kent Anzaldi](#)
[Ord 21-29 - Ramsey County Board of Commissioners Resolution](#)
[Ord 21-29 - Minnesota Public Health Association](#)
[Ord 21-29 - Allina Health](#)
[Ord 21-29 - Saint Paul Youth Commission](#)
[Ord 21-29 - Hmong Public Health Association](#)
[Ord 21-29 - TouHu Vang](#)
[Ord 21-29 - David Klevan](#)
[Ord 21-29 - 50 postcards](#)
[Ord 21-29 - Sarah Moore](#)
[Abdalla Letter](#)

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

15 [Ord 21-33](#)

Amending Chapters 65 and 66 of the Legislative Code pertaining to homeless services facilities. (Public hearing closed October 6, 2021.)

Sponsors: Brendmoen

- Attachments:** [Table 66321](#)
[Table 66421](#)
[Table 66521](#)
[Table 66921](#)
[PC Resolution Homeless Services 8-20-21](#)
[CNPC memo to PC and attachments](#)
[PC addl info 1- SPPD data](#)
[PC addl info 2- map](#)
[pcactionminutes082021](#)
[District 9 letter](#)
[Ord 21-33 - WINTHROP & WEINSTINE, P.A.](#)
[Ord 21-33 - Georgia Dietz](#)
[Noecker Amendments Updated](#)
[Prince Amendment 2](#)
[Ord 21-33 - Listening House](#)
[Catholic Charities ORD 21-33](#)

Amended and laid over to November 10 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

16 [Ord 21-38](#)

Amending Section 94.13 of the Legislative Code to ensure consistency with the 2015 MN Plumbing and Building Codes.

Sponsors: Brendmoen

Attachments: [Heat Exchanger Memo](#)

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

First Reading

- 17 [Ord 21-42](#) Amending Section 220.05 of the Legislative Code to set rates for base level garbage service to be effective January 1, 2022.
Sponsors: Brendmoen
Attachments: [Register at this link to speak at public hearing.](#)
Laid over to November 10 for Second hearing Public hearing
- 18 [Ord 21-45](#) Amending Chapter 64 of the Administrative Code to update deferral language, delete sewer separation references, and update assessment procedures.
Sponsors: Noecker
Laid over to November 10 for Second hearing Public hearing
- 19 [Ord 21-46](#) Amending Chapter 60 of the Administrative Code to clarify hardship deferral language.
Sponsors: Noecker
Laid over to November 10 for Second hearing Public hearing
- 20 [Ord 21-47](#) Amending Chapter 177, Removal of Dangerous Trees, of the Legislative Code by deleting it in its entirety and combining its provisions into Chapter 175 of the Legislative Code.
Sponsors: Noecker
Laid over to November 10 for Second hearing Public hearing
- 21 [Ord 21-48](#) Amending Chapter 175A of the Legislative Code, Emerald Ash Borer Pest Insect, by deleting it in its entirety and combining its provisions into Chapter 175 of the Legislative Code.
Sponsors: Noecker
Laid over to November 10 for Second hearing Public hearing
- 22 [Ord 21-49](#) Amending Chapter 62 of the Administrative Code to clarify hardship deferral language and other language clarification.
Sponsors: Noecker
Laid over to November 10 for Second hearing Public hearing

- 23 [Ord 21-50](#) Amending Chapter 175 of the Legislative Code in order to combine three chapters regarding the abatement of dangerous or diseased trees into one chapter, and to clarify hardship deferral language.

Sponsors: Noecker

Laid over to November 10 for Second hearing Public hearing

PUBLIC HEARINGS

- 24 [Ord 21-41](#) Amending the commercial development district known as the Schmidt Brewery Commercial Development District to remove liquor license restrictions.

Sponsors: Noecker

Attachments: [Exhibit 1-2015](#)
[Signature Copy of ORD 15-54 dated 11-14-2015](#)

Public hearing closed and laid over to November 10 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 25 [Ord 21-44](#) Granting a five-year extension of the Energy Park Utility Company Franchise, held by the Port Authority, from August 1, 2036 to August 1, 2041.

Sponsors: Brendmoen

Public hearing closed and laid over to November 10 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 26 [RES PH 21-282](#) Establishing the Water Charges for 2022. (To be laid over to December 8 for adoption.)

Sponsors: Yang

Attachments: [BWC Resolution 21-1350](#)

Public hearing closed and laid over to December 8 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 27 [RES PH 21-297](#) Setting the 2022 Sanitary Sewer and Storm Sewer rates. (To be laid over to December 8 for final adoption.)

Sponsors: Brendmoen

Attachments: [RES PH 21-297 Letter - Purdy Public Comments before Saint Paul City Council](#)

Public hearing closed and laid over to December 8 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 28 [RES PH 21-298](#) Authorizing a Business Subsidy for the OMG Studios.

Sponsors: Jalali

Attachments: [Public Hearing Notice - OMG Studios STAR Project](#)

Laid over to November 10

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 29 [RES PH 21-304](#) Approving the application of 594 Mkt LLC/TJL Development for a sound level variance for the installation of a soil retention system in preparation for a new Apartment Building Construction Project at 594 Selby Avenue, work to be done from November 11-15, 2021.

Sponsors: Thao

Attachments: [Application](#)
 [ENS](#)
 [map](#)
 [Owners list](#)
 [Notice to Owners](#)
 [Letter to Applicant](#)

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 30 [RES PH 21-309](#) Authorizing Public Works to request \$893,166 in SCORE grant and Incentive funds from Ramsey County to support the curbside recycling program and setting the 2022 City Recycling Service Fees. (To be laid over to December 8 for final adoption.)

Sponsors: Brendmoen

Public hearing closed and laid over to December 8

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

Approval of the Consent Agenda

The Legislative Hearing Officer recommends adoption of the following resolutions, as no objections to these recommendations were received:

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 32 [RLH FCO 21-150](#) Appeal of Craig Thiele to a Fire Inspection Correction Notice at 1040 MARGARET STREET.

Sponsors: Prince

Attachments: [1040 Margaret St.appeal.9-13-2021](#)
[1040 Margaret St.photos.9-7-2021](#)
[1040 Margaret St.Fire C of O Ltr.9-14-21.pdf](#)
[1040 Margaret St.Thiele email of Work Plan.10-15-21.pdf](#)
[1040 Margaret St.Thiele Ltr.10-22-21](#)

Adopted

- 34 [RLH VBR 21-68](#) Appeal of Kaye Sisombath and Di Vang to a Vacant Building Registration Fee at 243 WINIFRED STREET EAST.

Sponsors: Noecker

Attachments: [243 Winifred St E.appeal.9-30-21](#)
[243 Winifred St E.condemnation 6-3-21](#)
[243 Winifred St E.Sisombath Vang Ltr.10-22-21](#)

Adopted

For the following item, no objection to the Legislative Hearing Officer's amended recommendation was received, and therefore, she recommends amendment and adoption:

- 31 [RLH RR 21-59](#) Ordering the rehabilitation or razing and removal of the structures at 830 IGLEHART AVENUE within fifteen (15) days after the September 22, 2021, City Council Public Hearing. (Amend to grant 180 days)

Sponsors: Thao

Attachments: [830 Iglehart Ave.OTA 6-29-21](#)
[830 Iglehart Ave.PH 7-30-21](#)
[830 Iglehart Ave.Exp Code Compliance 8-28-12](#)
[830 Iglehart Ave.SHPO Form 6-16-21](#)
[830 Iglehart Ave.Photos 3-21-11](#)
[830 Iglehart Ave.Photos 5-26-21](#)
[830 Iglehart Ave.Order to Vacate.2-17-11](#)
[830 Iglehart Ave.LS 8-24-21.pdf](#)
[830 Iglehart Ave.Summary.docx](#)
[830 Iglehart Ave.Schramel R-R Ltr.8-27-21](#)
[830 Iglehart Ave.Code Compliance 9-2-21.pdf](#)
[830 Iglehart Ave.Schramel R-R Ltr.10-15-21](#)
[830 Iglehart Ave.Schedule + bids.10-25-21](#)
[830 Iglehart Ave.Financials + affidavit.10-25-21](#)
[830 Iglehart Ave.Ramsey Co property tax payment.10-25-21](#)
[830 Iglehart Ave.Schramel R-R Ltr.10-29-21](#)

Adopted as amended

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

For the following item, the Legislative Hearing Officer's recommendation is contested and additional testimony from the appellant is in the record:

33 [RLH RR 21-41](#) Making finding on the appealed substantial abatement ordered for 864 MARION STREET in Council File RLH RR 21-2.

Sponsors: Thao

- Attachments:** [864 Marion.Schilling R-R Ltr.3-12-21.doc](#)
 [864 Marion Second Thirty Day Forfeit Notice Signed.pdf](#)
 [864 Marion St.2nd Making Finding Notice of Hearing Ltr.8-23-21.doc](#)
 [864 Marion St.Vang-Bowen email.9-9-21.pdf](#)
 [864 Marion.Schilling R-R Ltr.9-17-21](#)
 [864 Marion.Schilling R-R Ltr.9-30-21](#)
 [864 Marion.updated plans and schedule.10-8-21](#)
 [864 Marion.Schilling R-R Ltr.10-15-21](#)
 [864 Marion.updated timeline.10-27-21](#)
 [864 Marion.Updated Schedule.11-3-21](#)

Public hearing closed and laid over to November 10

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

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 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. 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

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 at various times. Check your local listings.

Meeting adjourned at 5:53 p.m.