



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 Russel Balenger
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, December 6, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:37 PM

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 23-61](#) Letter from the Department of Safety and Inspections declaring 802 Mound Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed
- 2 [AO 23-113](#) Amending the 2023 spending budget in the Department of Public Works Sewers Utility Fund Sewer Inspections Program accounting unit.
Received and Filed
- 3 [AO 23-116](#) Amending CDBG Project Budgets: funding for 977 Payne Ave (East Side Arts Council) and 959 Arcade (Far East Bar Restaurant)
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

Council President Brendmoen stated that Item 42 would be taken separately.

Councilmember Noecker moved approval.

Consent Agenda adopted as amended

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

Nay: 0

- 4 [RES 23-1656](#) Approving the City's cost of providing Collection of Vacant Building Registration fees billed during April 7 to July 21, 2023, and setting date of Legislative Hearing for January 9, 2024 and City Council public hearing for February 28, 2024 to consider and levy the assessments against individual properties. (File No. VB2404, Assessment No. 248803)
- Adopted**
- 5 [RES 23-1657](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during August 2023, and setting date of Legislative Hearing for January 9, 2024 and City Council public hearing for February 28, 2024 to consider and levy the assessments against individual properties. (File No. J2404B, Assessment No. 248103)
- Adopted**
- 6 [RES 23-1658](#) Approving the City's cost of providing Demolition services from June to July 2023, and setting date of Legislative Hearing for January 9, 2024 and City Council public hearing for February 28, 2024 to consider and levy the assessments against individual properties. (File No. J2401C, Assessment No. 242000)
- Adopted**
- 7 [RES 23-1659](#) Approving the City's cost of providing Demolition services from August to September 2023 (C.D.B.G. Funds), and setting date of Legislative Hearing for January 9, 2024 and City Council public hearing for February 28, 2024 to consider and levy the assessments against individual properties. (File No. J2402C, Assessment No. 242001)
- Adopted**
- 8 [RES 23-1660](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during July 26 to August 25, 2023, and setting date of Legislative Hearing for January 9, 2024 and City Council public hearing for February 28, 2024 to consider and levy the assessments against individual properties. (File No. CRT2403, Assessment No. 248202)
- Adopted**
- 9 [RES 23-1661](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during June 22 to July 21, 2023, and setting date of Legislative Hearing for January 9, 2024 and City Council public hearing for February 28, 2024 to consider and levy the assessments against individual properties. (File No. J2404E, Assessment No. 248303)
- Adopted**
- 10 [RES 23-1662](#) Approving the City's cost of providing Removal of Diseased and/or Dangerous Tree(s) services during September 2023, and setting date of Legislative Hearing for January 9, 2024 and City Council public hearing for February 28,

2024 to consider and levy the assessments against individual properties. (File No. 2402T, Assessment No. 249001)

Adopted

- 11 [RES 23-1719](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during April to June 2023, and setting date of legislative hearing for January 11, 2024 and City Council public hearing for March 13, 2024 to consider and levy the assessments against individual properties. (File No. CG2303A2, Assessment No. 230113)
- Adopted**
- 12 [RES 23-1747](#) Authorizing the City to apply for a grant with the Metropolitan Council Environmental Services for the 2024 Private Property Inflow & Infiltration Grant Program.
- Adopted**
- 13 [RES 23-1748](#) Approving the revised City specifications for house drain contractors.
- Adopted**
- 14 [RES 23-1751](#) Establishing the rate of pay for Project Manager IV in EG, 06, Professional Employees Association, Grade 022.
- Laid over to December 13, 2023**
- 15 [RES 23-1763](#) Authorizing the Department of Public Works to submit project applications for federal funding into the 2024 Metropolitan Council Regional Solicitation Program and to authorize the commitment of a twenty percent local funding match plus engineering for any project that is awarded federal funding.
- Adopted**
- 16 [RES 23-1769](#) Authorizing the City to enter into an Easement Agreement that includes permanent and temporary easement rights from Ramsey County Regional Rail Authority ("RCRRA") for the Public Works Kellogg Street Bridge Project.
- Adopted**
- 17 [RES 23-1771](#) Authorizing the Department of Public Works to submit an application for state funding to the 2023 Local Road Improvement Program.
- Adopted**
- 18 [RES 23-1775](#) Approving a Professional Services Agreement with Paymentus Corporation to provide modern payment service options for Saint Paul Regional Water Services customers.
- Adopted**
- 19 [RES 23-1776](#) Authorizing the Fire Department to pay for all costs incurred to host a graduation ceremony for new firefighters on December 21, 2023 at the Paul and Sheila Wellstone Center.

Adopted

- 20 [RES 23-1788](#) Approving the appointment of Jeremy Lostetter as community advisor to the Audit Committee and as a non-voting member for a term of three years.

Adopted

- 21 [RES 23-1790](#) Approving the Auto Repair Garage and Auto Body Repair/Painting Shop licenses for Brothers Auto Repair LLC d/b/a Brothers Auto Repair Bersain Morales Escobar (License ID #20230001820) for the premises located at 881 Newcomb Street.

Adopted

- 22 [RES 23-1791](#) Approving the Memorandum of Agreement for the 2024 Wage and Fringe Adjustment between the City and the International Union of Elevator Constructors, Local 9.

Laid over to December 13, 2023

- 23 [RES 23-1795](#) Approving the Wine On Sale, Malt On Sale (strong), and Liquor Outdoor licenses for Slice Watch Bar Lowertown LLC d/b/a Slice Brothers (License ID #20230001691) for the premises located at 400 Wabasha Street North Suite 200.

Adopted

- 24 [RES 23-1799](#) Establishing the rate of pay for Veterinarian, Professional Employees Association, grade 20.

Laid over to December 13, 2023

- 25 [RES 23-1802](#) Approving adverse action and revocation against the Auto Repair Garage license held by Dukes Cars and Towing, LLC d/b/a Dukes Car and Towing (License ID #20190000933) for the premises located at 977 Front Avenue.

Adopted

- 26 [RES 23-1804](#) Approving the Collective Bargaining Agreement (January 1, 2023 - December 31, 2025) and Memorandum of Agreement between the City of Saint Paul and the International Association of Fire Fighters, AFL-CIO Local 21.

Laid over to December 13, 2023

- 27 [RES 23-1805](#) Authorizing the City to accept a donation in the amount of \$926.00 from the Blaine Police Department Explorer Post on behalf of the Saint Paul Police Department (SPPD) for Explorer Activities.

Adopted

- 28 [RES 23-1809](#) Authorizing an agreement between the City and Minnesota State Colleges & Universities (MnSCU) and the Police Department for the use of the Public Safety Bldg. Classroom A & Driver Training Facility.

Adopted

- 29 [RES 23-1810](#) Approving the application for change of ownership to the Tobacco Shop license now held by J&L Market LLC d/b/a J&L Market (License ID #20230002012) for the premises located at 993 Payne Avenue.

Adopted

- 30 [RES 23-1811](#) Approving the application for change of ownership to the Tobacco Shop license now held by MNA Grocery LLC d/b/a MNA Grocery (License ID #20230002089) for the premises located at 361 Earl Street.

Adopted

- 31 [RES 23-1812](#) Approving adverse action against the Tree Trimmer, Tree Trimmer Vehicle, and Tree Trimmer Additional Vehicle license applications submitted by Minnesota Tree Experts LLC d/b/a Minnesota Tree Experts (License ID# 20230000536) for the premises located at 7527 Oliver Avenue North Brooklyn Park, MN 55444.

Adopted

- 32 [RES 23-1823](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during July to September 2023, and setting date of legislative hearing for January 11, 2024 and City Council public hearing for March 13, 2024 to consider and levy the assessments against individual properties. (File No. CG2304A1, Assessment No. 230114)

Adopted

- 33 [RES 23-1824](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during July to September 2023, and setting date of legislative hearing for January 11, 2024 and City Council public hearing for March 13, 2024 to consider and levy the assessments against individual properties. (File No. CG2304A2, Assessment No. 230115)

Adopted

- 34 [RES 23-1832](#) Approving the Retainer Agreement between the City and Brian T. Grogan and his firm Moss & Barnett as special counsel representing the City for its upcoming Comcast cable-franchise negotiations.

Adopted

- 35 [RES 23-1836](#) Establishing the rate of pay for the new classification of Library Safety Manager in SPSO, Grade 017.

Laid over to December 13, 2023

- 36 [RES 23-1847](#) Approving the use of grant funds through the Ward 4 neighborhood STAR year-round program for The Center for Irish Music and The Midway Club.

Adopted

- 37 [RES 23-1850](#) Approving the use of grant funds through the Ward 6 Neighborhood STAR Year-Round Program for the City of Saint Paul in partnership with Saint Paul Parks Conservancy.
Adopted
- 38 [RES 23-1852](#) Approving the use of grant funds through the Ward 2 Neighborhood STAR Year-Round Program for John Traxler and the Saint Paul Downtown Alliance.
Adopted
- 39 [RES 23-1860](#) Approving the use of grant funds through the Ward 3 Neighborhood Star Year-Round Program for Highland Popcorn, LLC, Friends of Groveland PTO, and St. Paul Parks Conservancy.
Adopted
- 40 [Min 23-44](#) Approving the minutes of the Saint Paul City Council meetings of October 4, 11, 18, and 25, 2023.
Adopted
- 41 [RES 23-1806](#) Honoring the Life of WangSang Her and Proclaiming Saturday, November 18, 2023 as WangSang Her Day in the City of Saint Paul.
Adopted
- 43 [RES 23-1859](#) Honoring Jacklyn Milton for her outstanding contributions as a literacy champion and literary leader on her 70th birthday.
Adopted

FOR DISCUSSION

- 42 [RES 23-1828](#) Honoring Pig's Eye Park Friends.

Councilmember Prince spoke to and read from the resolution.

Tom Dimond from Pigs Eye Park Friends gave remarks.

Kiki Sonnen from Pigs Eye Park Friends gave remarks.

Prince moved approval.
Adopted

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

Nay: 0
- 44 [SR 23-235](#) Presentation of the City Council Welcome Video, created by YouthLens360.

Councilmember Noecker spoke to the video.

Norman Westberry from YouthLens360 gave remarks before playing the video.

Noecker gave additional remarks.

Council President Brendmoen spoke to the video.

Councilmember Yang spoke to the video.

Received and Filed

BUDGET ITEMS

- 45** [RES 23-1760](#) Authorizing Public Works to request \$897,283 in SCORE grant funds from Ramsey County.
- Councilmember Yang moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 46** [RES PH 23-346](#) Setting the Solid Waste Service Fee for 2024.
- Councilmember Jalali moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 47** [RES 23-1817](#) Setting the 2024 Special Service Fees for Certain Solid Waste Services.
- Councilmember Noecker moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 48** [RES PH 23-347](#) Setting the Recycling Service Fee for 2024.
- Councilmember Tolbert moved approval.*
- Adopted**

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

Nay: 0

- 49** [RES PH 23-326](#) Setting the 2024 Sanitary Sewer and Storm Sewer rates.

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

- 50** [RES PH 23-313](#) Establishing the Water Charges for 2024.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

- 51** [RES 23-1835](#) Approving the Regional Water Services 2024 Budget.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

- 52** [RES 23-1820](#) Approving the final 2024 Housing and Redevelopment Authority (HRA) budget and certifying the final HRA property tax levy payable in 2024.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

The City Council recessed and convened as the Library Board to consider RES 23-1853: Library Board Resolution Adopting 2024 Budget and Requesting Property Tax Financing

Meeting recessed at 3:58 PM

The Library Board adjourned and the City Council reconvened.

ROLL CALL

Meeting resumed at 4:01 PM

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

53 [RES 23-1854](#) Approving and adopting the Saint Paul Public Library Agency Budget.

Jay Willms spoke to the amendment process.

Councilmember Noecker moved Version 2.

Adopted as amended

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

Nay: 0

54 [RES 23-1838](#) Approving the Saint Paul RiverCentre Convention and Visitors Authority 2024 Budget.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

55 [RES 23-1857](#) Approving the 2024 City Tax Levy.

Jay Willms, City Council Chief Budget Officer, gave a staff report.

Councilmember Prince moved the A-6 amendment, approved 7-0

Council President Brendmoen moved approval, as amended.

Adopted as amended

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

Nay: 0

56 [RES 23-1833](#) Adopting the 2024 Budget.

Jay Willms, City Council Chief Budget Officer, gave a staff report.

Council President Brendmoen moved the A-7 Amendment, approved 7-0.

Councilmember Yang moved the A-2 Amendment and spoke in favor.

Councilmember Jalali spoke against the A-2 Amendment.

Councilmember Prince spoke in favor of the A-2 Amendment.

Councilmember Nocker spoke in favor of the A-2 Amendment.

Brendmoen spoke against the A-2 Amendment.

Councilmember Tolbert spoke against the A-2 Amendment.

Yang gave additional remarks.

Prince gave additional remarks.

Brendmoen gave additional remarks.

A-2 Amendment failed 3-4 (those opposed being Councilmembers Brendmoen, Jalali, Tolbert, and Balenger).

Yang moved the A-3 Amendment and spoke in favor.

Prince spoke in favor of the A-3 Amendment.

Brendmoen spoke against the A-3 Amendment.

Prince gave additional remarks.

Jalali spoke against the A-3 Amendment.

Noecker spoke in favor of the A-3 Amendment.

Tolbert spoke against the A-3 Amendment.

Brendmoen gave additional remarks.

Yang gave additional remarks.

A-3 Amendment failed 3-4 (those opposed being Councilmembers Brendmoen, Jalali, Tolbert, and Balenger).

Prince moved the A-5 Amendment and spoke in favor.

Jalali spoke in favor of the A-5 Amendment.

Yang spoke in favor of the A-5 Amendment.

Prince spoke in favor of the A-5 Amendment.

Brendmoen spoke in favor of the A-5 Amendment and expressed concerns.

A-5 Amendment approved 7-0.

Tolbert spoke in favor of the resolution.

Jalali spoke in favor of the resolution.

Noecker spoke in favor of the resolution.

Yang spoke in favor of the resolution.

Prince spoke against the resolution.

Brendmoen spoke in favor of the resolution.

Adopted as amended

Yea: 6 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Jalali, Councilmember Yang and Councilmember Balenger

Nay: 1 - Councilmember Prince

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 Pioneer Press. Public hearings on ordinances are generally held at the second reading.

First Reading

- 57** [Ord 23-63](#) Amending Chapter 51 of the Administrative Code, titled Disposition of City Property.

Bruce Engelbrekt from the Office of Financial Services gave a staff report.

Councilmember Prince asked for clarification.

Engelbrekt answered Prince's question.

Councilmember Noecker spoke in support.

Laid over to December 13, 2023 for Second Reading

- 58** [Ord 23-64](#) Amending Title IV of the Legislative Code to add Chapter 22, titled Local Sales and Use Tax.

John McCarthy, Director of Financial Services, gave a staff report.

Councilmember Prince asked for clarification.

McCarthy answered Prince's question.

Laid over to December 13, 2023 for Second Reading

- 59** [Ord 23-65](#) Enacting Chapter A-17 of the Saint Paul Administrative Code to address street names.

Councilmember Balenger stated that this would be a resolution instead of an ordinance.

Withdrawn

PUBLIC HEARINGS

Live testimony is limited to two minutes for each person. See below for optional ways to testify.

- 60** [Ord 23-52](#) Amending Chapter 324 of the Legislative Code to remove tobacco vending machine licenses, reduce the number of Tobacco Shop Licenses from 150 to 100, reduce the number of Tobacco Product Shop Licenses from 25 to 15, and move the penalty section into the matrix penalties under section 310.

Council President Brendmoen spoke to the ordinance.

Jeanne Weigum spoke during the public hearing.

Damone Presley Sr. spoke during the public hearing.

Gemeda M spoke during the public hearing.

Alexia Bylander spoke during the public hearing.

One person spoke via call-in during the public hearing.

Brendmoen moved to close the public hearing.

Laid over to December 13, 2023 for Final Adoption

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

Nay: 0

- 61** [Ord 23-57](#) Amending specific sections of the Legislative Code pertaining to zoning regulations to allow micro-unit dwellings as an accessory use to religious institutions.

Councilmember Yang moved to close the public hearing.

Laid over to December 13, 2023 for Final Adoption

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

Nay: 0

62 [Ord 23-59](#)

Amending Chapter 183 of the Legislative Code pertaining to human rights protections for persons with disabilities.

Councilmember Balenger moved to close the public hearing.

Laid over to December 13, 2023 for Final Adoption

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

Nay: 0

63 [Ord 23-60](#)

Amending Chapter 293 of the Legislative Code to create an administrative process for Amplified Sound Permits and modify the process for Sound Level Variances.

Councilmember Jalali moved to close the public hearing.

Laid over to December 13, 2023 for Final Adoption

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

Nay: 0

64 [Ord 23-61](#)

Amending Chapter 140 of the Legislative Code regarding the maintenance of the Skyway Pedestrian System including responsibilities, abatements and assessments.

Councilmember Noecker moved Version 2, approved 7-0.

Amanda Duerr from the St. Paul Chamber of Commerce spoke during the public hearing.

Jess Grams from the Capitol River Council spoke during the public hearing.

Noecker moved to close the public hearing.

Amended and laid over to December 13, 2023 for Final Adoption

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

Nay: 0

65 [Ord 23-62](#)

Amending Chapter 105.04 of the Saint Paul Legislative Code to allow raised planter beds to be placed in the boulevard of the public right-of-way.

Councilmember Tolbert moved Version 2, approved 7-0.

Tolbert moved to continue the public hearing.

Amended and public hearing continued to December 13, 2023 for Final Adoption

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

Nay: 0

- 66** [RES PH 23-274](#) Amending the financing and spending plans in the Department of Public Works Capital Budget to close out 2019 projects.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 67** [RES PH 23-323](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$60,000 to reflect funds received from the Ward 7 Neighborhood STAR Year-Round Program for the Pig's Eye Park project.

Councilmember Prince moved approval.

Adopted

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

Nay: 0

- 68** [RES PH 23-308](#) Amending the financing and spending plans in the Department of Public Works Capital Budget for the Capital City Bikeway (CCB) Kellogg Phase 1 and the West Side Signals Project.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 69** [RES PH 23-332](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$50,000 to reflect funds received from the Wards 1, 2, 6, and 7 Neighborhood STAR Year-Round Program for the Hmong Plaza Paj Ntaub Engraving project in Phalen Regional Park.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

- 70** [RES PH 23-338](#) Amending the financing and spending plans in the Department of Public Works Capital Budget for the Gold Line Bus Rapid Transit (BRT) Project.

Councilmember Prince moved approval.

Adopted

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

Nay: 0

- 71** [RES PH 23-339](#) Amending the financing and spending plans in the Department of Public Works Capital Budget for the 2016, 2017 and 2018 Saint Paul Streets Program.

Councilmember Jalali moved approval.

Adopted

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

Nay: 0

- 72** [RES PH 23-341](#) Amending the financing and spending plans in the Department of Public Works Capital Budget for the Lafayette Trail Connection Project.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 73** [RES PH 23-349](#) Authorizing the Department of Parks and Recreation to accept Regional Parks Bonding funds, enter into grant agreements, and amend the financing and spending plan in the amount of \$4,877,239.

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

- 74** [RES PH 23-350](#) Authorizing the Department of Parks and Recreation to accept Parks and Trails Legacy Funds, enter into grant agreements, and amend the financing and spending plan in the amount of \$3,048,555.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

- 75** [RES PH 23-352](#) Amending the financing and spending plans in the Fire Department in amount of \$84,867.26 for the contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

- 76** [RES PH 23-353](#) Authorizing the Police Department to accept (and amend the 2023 Special Fund Budget for) a grant from the Office of Community Oriented Policing Services of the United States Department of Justice.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 77** [RES PH 23-354](#) Approving a Five-Year Street Reconstruction Plan for the Fiscal Years 2024 through 2028 and granting preliminary approval to the issuance of certain General Obligation Street Reconstruction Bonds by the City.

Sean Kershaw, Director of Public Works, gave a staff report.

Councilmember Prince asked for clarification.

Kershaw answered Prince's question.

John Purdy spoke during the public hearing.

Councilmember Noecker spoke to Purdy's concerns and asked for clarification.

Kershaw answered Noecker's question.

Prince asked for clarification.

Kershaw answered Prince's question.

Noecker moved approval.

Adopted

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

Nay: 0

- 78** [RES PH 23-355](#) Accepting grant funds, authorizing execution of a grant agreement (with indemnity obligations and other documents related thereto), and amending the operating budget with respect to the City's sponsorship of a Metropolitan Council Livable Communities Act Pre-Development Grant Program for the benefit of 796 Stewart Avenue (Little Mod), (District 9, Ward 2).

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

- 79** [RES PH 23-358](#) Authorizing a loan and 2023 budget amendment for the Port Authority's "The Heights" project (District 2, Ward 6).

Holly Huston from the St. Paul Port Authority gave a staff report.

Councilmember Yang spoke in favor and moved approval.

Adopted

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

Nay: 0

- 80** [RES PH 23-359](#) Amending the financing and spending plans in the Fire Department in the amount of \$27,361.72 for the Minnesota Task Force One (MNTF1) reimbursement from the City of Edina.

Council President Brendmoen moved approval.

Adopted

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

Nay: 0

LEGISLATIVE HEARING DISCUSSION ITEM

- 87** [RLH RR 23-56](#) Ordering the rehabilitation or razing and removal of the structures at 1058 JESSIE STREET within fifteen (15) days after the December 8, 2023, City Council Public Hearing.

Referred to December 12, 2023 Legislative Hearing.

Marcia Moermond, Legislative Hearing Officer: Earlier today I asked the Council to continue this public hearing to December 13, as we had not yet received a performance deposit. We have not received that. I'm asking that this be referred to the December 12 Legislative Hearing.

Council President Brendmoen moved approval.

Referred to December 12, 2023 Legislative Hearing

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

Nay: 0

- 90** [RLH SAO 23-45](#) Appeal of Iris J. Logan to a Summary Abatement Order at 1322 SHERBURNE AVENUE.

Granted to June 6, 2024 for compliance with orders, including a re-grading and leveling of the boulevard area with careful regard to maintain the root system of the boulevard, and a commitment to conversation about policy-change going forward.

Marcia Moermond, Legislative Hearing Officer: First, I will show a photo of the front of the property with rocks on the boulevard with a grade between 18-24 inches in height. The City wrote orders on the boulevard to remove the stone that was there. The complaint came in on October 30, orders went out on November 6, and the Legislative Hearing was later held on November 14. I met with the owner then and made a recommendation consistent with their ask. I met further with the owner and other representatives today to talk more about how the situation has changed. This second photo shows what it looks like today. There are a few organized piles of stone, and what you can see was discovered was a mounded area around the tree about 12-18 inches above the sidewalk and curb level, causing water to flow to the sides. That does change what needs to happen. During my conversation with the owner, we had a great conversation about what that will be. We all agree that 6 months are needed to fix this and re-grade the boulevard to sidewalk and curb level. There are 4 inches of frost in the soil right now, and what's already installed in the soil is not movable. This updated language is in Legistar before you. I recommend that you grant to June 6, 2024 for compliance. This is with the understanding that the situation has expanded to include needed re-grading, and with the understanding that this great group of people is

committed to a continued conversation about boulevard planting so that this can continue to be a productive conversation moving forward.

Council President Brendmoen: Huge progress. Thank you for working with the appellant and the community to get this resolved.

Moermond: Good people with their hearts in the right place and their hands backing that up.

Councilmember Jalali: I received a lot of outreach about this, and I want to clarify the process on this for those who are watching. Items like this are of a quasi-judicial nature, and so I can't directly interact with the situation once it is appealed, because that would violate ex-parte rules of communication. My staff can interact with it though, and have been doing so to help the homeowner and the neighbors who consider it part of their neighborhood character. The feelings here have been felt by my staff and I. It also exposes how our ordinance just has very clear broad language about items in the boulevard. This includes things like Little Free Libraries, which we have dealt with in the past, or things that could interfere with taxpayer-funded public services like street sweeping or snow plowing. This Council has expressed interest in a middle-ground to allow things like public art and amenities like libraries and planters. I just want to highlight the human side of this. A well-intentioned community member was faced with a challenge, and the community asked for time and a dialogue about policy change. I will move the recommendation of the Legislative Hearing Officer to give that time. I know many volunteers have been supporting this physically taxing work. I am also open to continued dialogue on this. I apologize for distress that has been caused, and to appreciate the work of Moermond, my own staff, and the Hamline Midway Coalition. Similar groups have reached out to help, and I believe we will get to a better place on this. With those acknowledgements and appreciation for my constituents, I move approval of Moermond's recommendation.

Brendmoen: Through the course of this issue, I learned about how our tree canopy can be impacted by things sitting on the root network. I hadn't thought about that before. We usually just think about plows and right-of-way access to pipes. Things weighing down tree roots though can also cause problems. I support the motion.

Adopted as amended (granted to June 6, 2024 for compliance)

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

Nay: 0

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

Councilmember Balenger moved approval.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

- 81** [RLH VBR 23-67](#) Appeal of James Ngene to a Vacant Building Registration Requirement at 1880 AMES AVENUE.
Adopted
- 82** [RLH VBR 23-69](#) Appeal of Tamiko V. Trott-Binns and Michael A. Binns to a Vacant Building Registration Requirement at 1020 and 1022 AURORA AVENUE.
Adopted
- 83** [RLH FCO 23-87](#) Appeal of Ia Thao to a Fire Inspection Correction Notice at 986 GALTIER STREET.
Adopted
- 84** [RLH SAO 23-44](#) Appeal of Leeyoun Sayaxang to a Summary Abatement Order at 960 GERANIUM AVENUE EAST.
Adopted
- 85** [RLH FCO 23-78](#) Appeal of Lisa McCormick, Attorney, representing Grand Holding Co., LLC, to a Correction Notice-Reinspection Complaint at 236 GRAND AVENUE.
Adopted
- 86** [RLH RR 23-60](#) Second Making finding on the appealed substantial abatement ordered for 1803 IVY AVENUE EAST in Council File RLH RR 23-20.
Adopted
- 88** [RLH VBR 23-64](#) Appeal of James Nguyen to a Vacant Building Registration Requirement at 607 LAWSON AVENUE EAST.
Adopted
- 89** [RLH VBR 23-65](#) Appeal of Edwardo Rikprashad, Intact Properties, to a Vacant Building Registration Fee Warning Letter at 1082 LOEB STREET.
Adopted as amended (nuisance abated and matter resolved)
- 91** [RLH VBR 23-66](#) Appeal of Jason Stockwell to a Vacant Building Registration Renewal Notice at 1006 THIRD STREET EAST.
Adopted
- 92** [RLH RR 23-52](#) Second Making finding on the appealed substantial abatement ordered for 1006 THIRD STREET EAST in Council File RLH RR 23-14. (Public hearing continued to November 15, 2023)

Adopted

- 93** [RLH RR 23-59](#) Second Making finding on the appealed substantial abatement ordered for 1457 THIRD STREET EAST in Council File RLH RR 23-19. (Legislative Hearing on December 5, 2023)

Amended and public hearing continued to December 20, 2023

- 94** [RLH FCO 23-90](#) Appeal of Yusuf Kabeto to a Correction Notice-Reinspection Complaint at 548 VAN BUREN AVENUE.

Adopted

ADJOURNMENT

Meeting ended at 6:11 PM

City Council meetings are open for in person attendance, but the public may also 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:

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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. Live testimony will be taken in person in the Council Chambers, and by telephone by registering to speak by noon on the day before the meeting. The registration link is located on the City Council website at www.stpaul.gov/council or <https://forms.office.com/g/TD3xN7WHy5>.

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