City of Saint Paul

Meeting Minutes

City Council

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

Council President Rebecca Noecker
Vice President HwaJeong Kim
Councilmember Anika Bowie
Councilmember Molly Coleman
Councilmember Cheniqua Johnson
Councilmember Saura Jost
Councilmember Nelsie Yang

Wednesday, August 27, 2025 | **3:30 PM** | **Council Chambers - 3rd Floor**

ROLL CALL

Meeting started at 3:34 PM

Present 7 - Councilmember Rebecca Noecker, Councilmember Nelsie Yang, Councilmember HwaJeong Kim, Councilmember Anika Bowie, Councilmember Saura Jost, Councilmember Cheniqua Johnson and Councilmember Molly Coleman

COMMUNICATIONS & RECEIVE/FILE

1 AO 25-45 — Authorizing the Police Department to reallocate budget to more accurately record expenditures for the department grant fund; Violent Crime Enforcement Team (VCET).

Received and Filed

2 AO 25-46 — Amending the 2025 spending budget in the Department of Public Works Administration Fund 730 Director's Office Accounting Unit 73031100 to finance consultation services for the city-owned storage facility located at Pierce Butler Route.

Received and Filed

3 AO 25-47 — Amending the 2025 spending and financing budgets in the Department of Public Works Traffic Warehouse Accounting Unit to fund the purchase of replacement a forklift.

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

Councilmember Coleman moved approval.

Consent Agenda adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

4 RES 25-1262 Approving the City's cost of providing Rubbish and Garbage Clean Up during June 11 to July 11, 2025, and setting date of Legislative Hearing for September 23, 2025 and City Council public hearing for January 7, 2026 to consider and levy the assessments against individual properties. (File No. J2601R, Assessment No. 268601)

Adopted

5 RES 25-1263 Approving the City's cost of providing Tall Grass and Weed Removal services during June 12 to 24, 2025, and setting date of Legislative Hearing for September 23, 2025 and City Council public hearing for January 7, 2026 to consider and levy the assessments against individual properties. (File No. J2601TW, Assessment No. 268701)

Adopted

6 RES 25-1288 Establishing the rate of pay for the City Council Communications Lead, Non-Represented City Managers, Grade 010.

Laid over to September 3, 2025

7 RES 25-1289 Establishing the rate of pay for the Legislative Hearing Officer series, in EG 17, Non-Represented City Managers, Grades 010, 20C, and 25C, respectively.

Laid over to September 3, 2025

8 RES 25-1308 Authorizing the City to accept and record declarations related to certain grant agreements on the Hamline Midway and Hayden Heights libraries.

Adopted

9 RES 25-1313 Approving Minnesota Session Laws 2025, 1st Special Session, Chapter 13 (H.F. No. 9), Article 5, Section 5 regarding the Ford Site Redevelopment Tax Increment Financing District.

Adopted

10 RES 25-1318 Directing the Department of Safety and Inspections to proceed with adverse action and the imposition of a $1000 matrix penalty against D & L Tobacco LLC d/b/a D & L Tobacco (License ID #20210002137) for the premises located at 626 Larpenteur Avenue West STE A.

Adopted

11 RES 25-1333 Approving the Mayor's appointment of Councilmember Molly Coleman to the Board of Water Commissioners for a term beginning on August 27, 2025.

Adopted

12 RES 25-1334 Approving the Mayor's appointment of Molly Coleman to serve on the Visit Saint Paul Board of Directors for a term ending December 31, 2027.

Adopted

13 RES 25-1335 Approving the appointment of Councilmember Molly Coleman as a member of the Audit Committee.

Adopted

Final Adoption

14 Ord 25-4 Amending Title IV of the Administrative Code to add Chapter 92, titled Tree Preservation for City Sponsored Projects. (Laid over from February 26, 2025)

Council President Noecker gave remarks.

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

Andy Rodriguez, Director of Parks and Recreation, continued the staff report.

Bridget Ales from the Tree Preservation Ordinance Public Interest Group gave remarks.

Noecker moved to lay over to December 10, 2025.

Laid over to December 10, 2025 for Final Adoption

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

15 Ord 25-45 Changing one block of Margaret Street between Arcade Street and East 7th Street from a one-way street westbound to a two-way street in accordance with Chapter 147 of the Legislative Code.

Councilmember Johnson moved approval.

Councilmember Yang spoke in support.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

First Reading

16 Ord 25-48 Amending Chapter 130 of the Legislative Code, Procedure for Vacating

Streets and Other Public Grounds.

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

Laid over to September 3, 2025 for Second Reading

PUBLIC HEARINGS

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

17 RES PH 25-168 Approving the request of Energy Park Utility Company to amend rates.

Councilmember Coleman moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

18 RES PH 25-177 Approving the application of Nativity of Our Lord Catholic Parish/School for a Nativity County Fair event on Friday, 09/12/2025, Saturday, 09/13/2025 and Sunday, 09/14/2025 for a sound level variance in order to present live amplified sound at the Nativity of Our Lord Catholic Parish/School, 1900 Wellesley Avenue.

Michael Reif from the Nativity County Fair spoke during the public hearing.

Councilmember Jost moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

19 RES PH 25-179 Approving the application of Lumen Christi Catholic Community for a sound level variance in order to present amplified sound at the Lumen Christi Catholic Community - Block Party Event on Saturday, September 6, 2025 at 1668 Montreal Avenue.

Councilmember Jost moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

LEGISLATIVE HEARING DISCUSSION ITEM

26 RLH TA 25-344 Amending Council File RLH AR 24-25 to reduce the assessment Collection of Vacant Building Registration fees billed during April 5 to October 20, 2023 at 1350 HAGUE AVENUE. (File No. VB2407, Assessment No. 248806) (Public hearing closed and laid over from August 27, 2025)

Laid over for two weeks.

Ashley and Bradley Taylor, property owners, appeared in person

Marcia Moermond, Legislative Hearing Officer: This public hearing was continued from 3 weeks ago, so that Councilmember Bowie could be present for the item. She asked that I summarize the timing of events that led to this fee. That summary is before you and part of the public record. There are copies here for the public as well. The record also includes a letter from the Union Park District Council, which provides a timeline consistent with the record before you. There is commentary that is different from what I would recommend, though.

This went into the vacant building program in the late 2010s. An accessory structure on the property was demolished while the warehouse structure remained and was registered as vacant. In 2022 work was done without permits and that was written up. There was then no activity on the property until it was sold in May 2023 on a contract for deed to the current owners, the appellants. The contract's balloon payment is next July for $250,000. Because it's a contract for deed, I don't know if there were different disclosures required for things like vacant building fees. The appellants stated that as soon as they purchased the property, they were receiving letters about the vacant building program. No letters were found that would have been sent in May, June, July, or August of 2023. The first letter would have been sent in September and went to the current owners. It was the annual vacant building registration letter and included the $5,000 fee. It clearly articulated that if it were to be appealed, what the process was for doing that. The bill was not paid and a warning letter was sent the following month, giving an additional 2 weeks to pay the vacant building fee. It contained the same explicit information about appealing. Because it continued to go unpaid, the fee was then sent for processing as a tax assessment at the beginning of December.

I think this is where communication got tricky between the owners and staff from the Department of Safety and Inspections (DSI). The owners said that in the fall, they were working with DSI to get permits pulled and talk about getting the property out of the vacant building program. They were told that changing it from being a warehouse to being a doughnut shop was a significant change in use and required a building permit review. All needed items were submitted in February and the property left the vacant building program in March 2024, halfway through the fee period, which began in September. The appellants stated that they asked DSI if they still owed the vacant building fee and were told no. It sounds like they were referencing the fee they were already assessed for, but what DSI heard is that they were asking about a new fee for the next year.

In your record are two emails from Clint Zane and Robert Humphrey from DSI stating that they did not indicate that the assessed vacant building fee would in any way be forgiven. There were four opportunities for appeal, none of which were taken advantage of: the registration letter, the warning letter, the assessment letter, and then the invoice after the assessment is ratified can be appealed in district court. The $5,000 fee then *got added to the 2025 property tax statement. That was when DSI, Bowie's office, and later the Legislative Hearing team received communication from the owners that they thought the assessment was to be deleted. The letter from Union Park District Council talks about responsibility for disclosure of what's required to get out of the vacant building program and even that this is in the vacant building program. All of the registration and assessment letters describe what to do if you have questions, and what is needed for a category 2 registered vacant building, like needing a certificate of code compliance. The appeal mechanism is also a resource for clarity.*

As for the responsibility for disclosure when buying a property, I don't know what the situation was in the contract for deed but that is a private matter. The seller reported to buyer that the vacant building fee for the last year was paid. Some things remain unanswered, though I don't think they necessarily impact the decision on the fee. First is that we don't know the permit history, since City systems are down. I also don't have documentation of conversations with inspectors, as those notes are also kept in City systems. The appellants also said there were text messages between DSI staff and the owners. Those haven't been forthcoming. I'm left with two thoughts on this. One is that there was likely a misunderstanding in the question to DSI staff about the fee, though written notices gave many opportunities for resolution. The second is that this is an issue for fairness to other situations. I could not find an error on the City's part, and found no reason to remove the fee. I am recommending that this be reduced by half to account for only being in the vacant building program for 6 months of the fee period, as this is what we do when a vacant building fee is appealed and they are able to leave the program within that time frame.

Councilmember Bowie: Is there a requirement of getting out of the vacant building program that requires you to fully pay your bill? Could you have an outstanding balance and be out of the vacant building program?

Moermond: The two are not connected.

Bowie: Okay.

Moermond: The City's goal is same as the owners' to get the work done as quickly as possible, because the fee can go to assessment where there's an assurance that the bill will be paid.

Bowie: Are owners requesting permits made aware of vacant building fees? Are those different processes? The owners seemed successful at getting permits and getting the work done, but they weren't alerted to or understanding of this existing bill.

Moermond: The permitting staff are not the same as vacant building staff. Clint Zane heads the team of building inspectors who work with vacant buildings, so that would have been who they were working with. That's who the email is from indicating the conversation about the fee.

Bowie: So, they were talking with building officials and not the vacant building team?

Moermond: That's what's in the record.

Bowie: Is the contract for deed a part of the record? I don't see anything that would show a comprehensive review of what assessments were assigned to the property before purchase.

Moermond: The only information I have is that the appellants stated that seller said they paid the vacant building fee for the previous year. I don't have disclosures from the closing.

Bowie: So the appellants thought it was already paid. Do we have records of that?

Moermond: I do not.

Ashley Taylor: We received many letters in 2023 and 2024 and called every time. $5,000 is a lot for a small business, so we would not ignore that. I called DSI multiple times and asked what we needed to do. We talked to Clint Zane, Nathan Bruhn, and Matt Dornfeld about these letters. We read the title, read through the letter of what it was, so I am confused about the miscommunication about what the letter was. We felt like we were clear on the phone about what the letter said and what steps we should take. Had we known we could appeal, we would have. We didn't have the proper direction of how to handle the situation. Every time we called, they told us it was a mistake and that we should ignore the letter, so that's what we did. It was still a little concerning that we kept receiving the letter but we were told to ignore it. It seemed like they were confused every time we called and thought that there was a house still on the property. We explained every time we called that there is not a house on the property, which was demolished years before we bought it. It sounds like the inspectors hadn't even come out to the property and weren't aware of what was happening. I understand how that can create confusion.

Bradley Taylor: When we got the first letter, I texted Nathan Bruhn for clarification. He referred me to Clint Zane, who I asked what the letter was. As Ashley said, there was some confusion. I think this was because one of the two buildings on the property was demolished, and that caused the system to be screwed up. He told me not to worry about it. I then thought all was well and that I was to expect a call from him as the work progressed.

Bowie moved to close the public hearing. Approved 7-0.

Bowie: Where does the reduction you're recommending leave the assessment? Is it $2,500?

Moermond: The original assessment was for $5,075. My recommendation is a reduction to $2,537.

Bowie: I strongly believe there is a cost to be paid when there is confusion around records and understanding. Staff's been working hard to clarify these processes and be more transparent. I would like to lay this over for two weeks, in light of what the owners said about emails, texts, and phone calls. Moermond mentioned we were able to track emails, but I want to make sure the owners have time to share and texts or phone calls. So, I'm going to move a two-week layover and close the public hearing.

Council President Noecker: We already closed the public hearing, so there wouldn't be an opportunity for additional testimony or submissions unless you reopen it.

Bowie: Can information still be shared if the public hearing is closed?

Moermond: Can I ask to confirm, did the public hearing close?

Shari Moore, City Clerk: Yes.

Moermond: In these cases, information could still be shared in writing. There would just not be anymore verbal testimony during a council meeting.

Bowie: I think their goal is to share text messages, since they were not presented on record.

Moermond: They were not presented.

Dan Stahley, Assistant City Attorney: It sounds like you want to keep the public hearing open.

Noecker: I think Moermond is saying it can stay closed but we can still accept written documentation. The motion is to lay the item over for two weeks. I will support that, however this seems like a miscommunication and confusion from the property owner, not an error on the City's part. If the property was vacant for 6 months, then that needs to be paid for.

Councilmember Johnson: This has been laid over before, and I'm wondering how long we have to decide on this.

Moermond: This assessment has already been certified and placed on the 2025 property tax bill. Council's decision would come in the form of a refund. Time isn't as much the nature of this.

Johnson: Is the certified amount $5,075 or $2,537?

Moermond: $5,075.

Johnson: I don't know if any of this feedback changes my opinion. We have a vacant building as assessment process. I don't know whether the facts of this case warrant a refund. I won't support a layover because I don't want to keep pushing this back.

Bowie: Are you not supporting a reduction by half? You want them to have the full assessment?

Johnson: If your motion today is a for a layover, I'm voting no. We need to move this matter forward.

Public hearing closed and laid over to September 10, 2025

Yea: 6 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost and Councilmember Coleman

Nay: 1 - Councilmember Johnson

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 Coleman moved approval.

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

20 RLH TA 25-294 Ratifying the Appealed Special Tax Assessment for property at 427 AURORA AVENUE. (File No. J2522R4, Assessment No. 258582) (Public hearing continued to August 6, 2025)

Public hearing continued to September 17, 2025

21 RLH CO 25-7 Appeal of Edward Albrecht to a Correction Order at 1462 BROMPTON STREET.

Adopted

22 RLH TA 25-119 Ratifying the Appealed Special Tax Assessment for property at 263 CURTICE STREET WEST. (File No. J2507T1, Assessment No. 258537) (Continued public hearing to August 27, 2025)

Public hearing continued to September 17, 2025

23 RLH VO 25-16 Appeal of James Marshall, tenant, to a Fire Correction Notice, which includes Condemnation and Order to Vacate at 740 DAYTON AVENUE, UNIT B-4.

Adopted

24 RLH TA 25-275 Ratifying the Appealed Special Tax Assessment for property at 1762 ENGLEWOOD AVENUE. (File No. VB2510A, Assessment No. 258833) (Public hearing continued to August 27, 2025)

Public hearing continued to September 17, 2025

25 RLH FCO 25-24 Appeal of Yia Jef Yang to a Fire Certificate of Occupancy Correction Notice at 337 FULLER AVENUE.

Adopted

27 RLH SAO 25-50 Appeal of Kathryn Weigelt to a Summary Abatement Order at 1593 MARGARET STREET.

Adopted

28 RLH VBR 25-31 Appeal of Geoff Lindback to a Vacant Building Registration Renewal Notice at 1980 STANFORD AVENUE.

Adopted

29 RLH SAO 25-51 Appeal of Jay Cherner to an Emergency Summary Abatement Order at 1603 and 1605 UNIVERSITY AVENUE WEST.

Adopted

30 RLH RSA 25-5 Appeal of Soua Lee, tenant, to a Rent Stabilization Determination at 1430 YORK AVENUE, APT. 309.

Adopted

ADJOURNMENT

Meeting ended at 4:34 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 by phone is not available at this time.

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