



# 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*

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Wednesday, December 13, 2023

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

**Meeting started at 3:32 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

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 23-118](#) Amending the 2023 Saint Paul Regional Water Services budget for the transfer of available funds from accounting unit 69082140 to increase funding for various accounts in Production and Distribution divisions.  
**Received and Filed**
- 2 [AO 23-119](#) Authorizing the Police Department to reallocate its 2023 Special Fund budget to more accurately record expenditures meeting capital criteria.  
**Received and Filed**
- 3 [AO 23-122](#) Approving the 2023 general fund budget for the Fire Department to more accurately record expenditures.  
**Received and Filed**
- 4 [AO 23-123](#) Amending the 2023 spending budget in the Department of Public Works General Fund Street Maintenance accounting units.  
**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 Yang moved approval.*

**Consent Agenda adopted.**

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

**Nay:** 0

- 5**     [RES 23-1829](#)     Initiating a zoning study to consider possible amendments to the Zoning Code regarding adult-use cannabis, now legal under Minnesota Session Law, Chapter 63.
- Adopted**
- 6**     [RES 23-1844](#)     Approving the use of grant funds through the Ward 4 and Mayor's Office Neighborhood STAR Year-Round Program for Saint Anthony Park Community Council in partnership with Public Works.
- Adopted**
- 7**     [RES 23-1855](#)     Accepting a one-time donation valued at \$1,400 from the City and County Credit Union to be used for training and education sessions offered by the Office of Human Resources.
- Adopted**
- 8**     [RES 23-1858](#)     Approving the 2023 Neighborhood Sales Tax Revitalization (STAR) Grant Program awards.
- Adopted**
- 9**     [RES 23-1871](#)     Authorizing the Department of Parks and Recreation to accept donations of food, decorations, and supplies valued at \$1,000 from the Duluth and Case Recreation Center Booster Club, to host a Community Holiday Party at the Duluth and Case Recreation Center.
- Adopted**
- 10**    [RES 23-1873](#)     Approving issuance of a HOME loan in the amount of \$2,600,000; issuance of an SLFRF loan in the amount of \$2,547,408; issuance of a sub-loan in the amount of \$600,000 from a Metropolitan Council LCDA TOD Grant; and execution of a development, subrecipient and loan agreement and a sub-loan agreement, all for the Marshall Avenue Flats Project located at 1606 Marshall Ave (District 13, Ward 4).
- Adopted**
- 11**    [RES 23-1875](#)     Approving the application for change of ownership to the Dance or Rental Halls license now held by MJ Accents LLC d/b/a MJ Accents LLC (License ID #20230001969) for the premises located at 670 Payne Avenue.
- Adopted**

- 12     [RES 23-1877](#)     Supporting a Job Creation Fund application for J & L Wire Cloth, LLC for a project proposed at 236 Water Street West (District 3, Ward 2).  
**Adopted**
- 13     [RES 23-1880](#)     Approving a public hearing on the issuance of conduit multifamily housing revenue bonds by the Housing and Redevelopment Authority (the “HRA”) for a multifamily rental housing development project located at 1606 Marshall Avenue; reciting a proposal for a Housing Finance Program related to such multifamily rental housing development; approving the related project and program pursuant to Minnesota Statutes, Chapter 462C; authorizing the HRA to issue conduit multifamily housing revenue bonds and authorizing the preparation of necessary documents and materials in connection with said project and program, and related documents (District 13, Ward 4).  
**Adopted**
- 14     [RES 23-1881](#)     Approving adverse action against the Tobacco Shop license held by Garso Mini Mart d/b/a Garso Mini Mart (License ID #20180002292) for the premises located at 189 7th Street.  
**Adopted**
- 15     [RES 23-1893](#)     Accepting the gift of the costs of travel, food, and lodging expenses from the Knight Foundation for Chief Resilience Officer Russ Stark to attend an Infrastructure Innovation Summit in Washington DC, on November 28-29, 2023.  
**Adopted**
- 16     [RES 23-1895](#)     Approving and authorizing the use of a Project Labor Agreement on the Mali Center rehabilitation project at 576 Front Ave.  
**Adopted**
- 17     [RES 23-1896](#)     Reciting a proposal for a Housing Finance Program for a multifamily rental housing development, approving the project and the program pursuant to Minnesota Statutes, Chapter 462C, authorizing the Housing and Redevelopment Authority to issue conduit multifamily housing revenue obligations and authorizing the preparation of necessary documents and materials in connection with said project and program for the Marvella Phase II Project, located at 2190 Hillcrest Drive (District 15, Ward 3).  
**Adopted**
- 18     [RES 23-1897](#)     Authorizing Public Works, in conjunction with the Office of Technology and Communication, to submit a grant proposal to the U.S. Department of Transportation’s Strengthening Mobility and Revolutionizing Transportation (“SMART”) program for the purpose of funding a pilot study to evaluate the potential benefits of smart technology traffic signals and, if the said grant proposal is approved, authorizing the Public Works Department to enter into City obligations with the U.S. Department of Transportation.  
**Adopted**

- 19     [RES 23-1905](#)     Approving the Audit Committee’s recommendation to support opportunities for collaboration, cost-sharing, and process improvement between the Saint Paul Public Library and the Saint Paul Parks and Recreation Department in engaging a consultant to assess current operations and make recommendations aimed at improving service delivery and ensuring efficient use of City resources.
- Adopted**
- 20     [RES 23-1909](#)     Authorizing the City to transfer \$2,547,408 of American Rescue Plan funds from the 30% AMI Deeply Affordable Housing account to a specific account for the Marshall Avenue Housing project.
- Adopted**
- 21     [RES 23-1916](#)     Approving the use of grant funds through the Ward 7 Neighborhood Star Year-Round Program for Voss Enterprise Incorporated d/b/a Roy’s Service Station, Maria Flats Condominium Association, Dayton’s Bluff Community Council, Graceville Pass LLC, Adam Food Inc., and East Side Freedom Library.
- Adopted**
- 22     [RES 23-1917](#)     Approving the use of grant funds through the Ward 1 Neighborhood STAR Year-Round program for Victoria Theater Arts Center, MUSC Holdings, LLC, and YWCA St. Paul
- Adopted**
- 23     [RES 23-1918](#)     Amending RES 23-1515, Authorizing the City’s ranked list of 2024 State G.O. bonding requests for submittal to Minnesota Management and Budget (MMB).
- Adopted**
- 24     [RES 23-1929](#)     Approving the use of grant funds through the Ward 5 Neighborhood Star Year-Round Program for Pitt Shack BBQ LLC and the Bradshaw Group, Inc.
- Adopted**
- 25     [RES 23-1751](#)     Establishing the rate of pay for Project Manager IV in EG, 06, Professional Employees Association, Grade 022.
- Adopted**
- 26     [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.
- Adopted**
- 27     [RES 23-1799](#)     Establishing the rate of pay for Veterinarian, Professional Employees Association, grade 20.

**Adopted**

- 28     [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.

**Adopted**

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

**Adopted****FOR DISCUSSION**

- 30     [RES 23-1683](#)     Recognizing Jeanne Weigum Day in the City of Saint Paul.

*Council President Brendmoen spoke in favor and read from the resolution.*

*Jeanne Weigum gave remarks.*

*Councilmember Prince spoke in favor.*

*Councilmember Yang spoke in favor.*

*Councilmember Noecker spoke in favor.*

*Councilmember Tolbert spoke in favor.*

*Brendmoen gave additional remarks and moved approval.*

**Adopted**

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

**Nay:** 0

**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.**

**Final Adoption**

- 31     [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 in favor.*

*Councilmember Tolbert moved approval.*

**Adopted**

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

**Nay:** 0

**32**     [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 approval.*

**Adopted**

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

**Nay:** 0

**33**     [Ord 23-59](#)

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

*Councilmember Jalali moved approval.*

**Adopted**

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

**Nay:** 0

**34**     [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 Noecker moved approval.*

**Adopted**

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

**Nay:** 0

**35**     [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 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

### **PUBLIC HEARINGS**

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

- 36**    [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. (Third Reading. Public hearing continued from December 6, 2023)
- Councilmember Tolbert moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 37**    [Ord 23-63](#)    Amending Chapter 51 of the Administrative Code, titled Disposition of City Property.
- John Mannillo spoke during the public hearing.*
- Councilmember Noecker moved to close the public hearing and spoke to Mannillo's concerns.*
- Bruce Engelbrekt from the Office of Financial Services spoke to Mannillo's concerns.*
- Laid over to December 20, 2023 for Final Adoption**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 38**    [Ord 23-64](#)    Amending Title IV of the Legislative Code to add Chapter 22, titled Local Sales and Use Tax.
- John Purdy spoke during the public hearing.*
- Councilmember Jalali moved to close the public hearing.*
- Laid over to December 20, 2023 for Final Adoption**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- Absent:** 1 - Councilmember Tolbert

- 39**     [RES PH 23-356](#)     Amending the financing and spending plans in the Fire Department in the amount of \$166,593.34 for the contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.
- Councilmember Balenger moved approval.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- Absent:** 1 - Councilmember Tolbert
- 40**     [RES PH 23-357](#)     Approving the petition of Joseph Commers and Robert Stolpestad, on behalf of Midway 280 Business Commons LLC and Exeter Territorial LLC, to vacate an alley between 2505 University Avenue West and 2424 Territorial Road. (Public hearing continued from December 20, 2023.)
- Councilmember Jalali moved approval.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- Absent:** 1 - Councilmember Tolbert
- 41**     [RES PH 23-364](#)     Authorizing the City's sponsorship of a Minnesota Investment Fund application by J&L Wire Cloth LLC for a project proposed at 236 Water Street West (District 3, Ward 2).
- Councilmember Noecker moved approval.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- Absent:** 1 - Councilmember Tolbert
- 42**     [RES PH 23-365](#)     Giving host approval to the issuance by the City of Mounds View of conduit Multifamily Housing Revenue Bonds for a project in St. Paul, approving a Joint Powers Agreement and Bond Compliance and Fee Agreement and authorizing the execution of documents relating thereto, all for the Central Towers Apartments Project, at 20 E Exchange Street (District 17, Ward 2).
- Councilmember Noecker moved approval.*



**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 43**     [RES PH 23-366](#)     Amending the City's operating budget to transfer assessment revenue to cover non-debt financed project costs for Public Works.

*Councilmember Jalali moved approval.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

- 44**     [RES PH 23-367](#)     Amending the financing and spending plans in the Fire Department in the amount of \$13,767.01 for a reimbursement from the State of Minnesota for hazardous materials training at Camp Ripley from October 3-5, 2023.

*Councilmember Prince moved approval.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

**SUSPENSION ITEM**

- [RES 23-1971](#)     Renaming the portion of Concordia Avenue between Griggs Street and Mackubin Street to Rondo Avenue.

*Councilmember Balenger spoke in favor.*

*Yusef Mgeni from the St. Paul NAACP gave remarks.*

*Frank White, descendant of the Rondo neighborhood, gave remarks.*

*Nieeta Pressley, descendant of the Rondo neighborhood, gave remarks.*

*Marvin Anderson, descendant of the Rondo neighborhood, gave remarks.*

*Balenger moved approval.*

*Councilmember Jalali spoke in favor.*

*Councilmember Yang spoke in favor and asked for clarification.*

*Sean Kershaw, Director of Public Works, addressed Yang's question.*

*Yang asked for additional clarification.*

*Kershaw addressed Yang's question.*

*Balenger spoke to Yang's question.*

*Kershaw gave additional details.*

*White gave additional remarks.*

*Council President Brendmoen spoke in favor.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Tolbert

**LEGISLATIVE HEARING DISCUSSION ITEM**

- 46**     [RLH VBR 23-70](#)     Appeal of Greg Lehman to a Vacant Building Registration Notice and Fire Certificate of Occupancy Revocation Notice at 839 FOURTH STREET EAST.

*Public hearing continued for one week.*

*Marcia Moermond, Legislative Hearing Officer: I am asking for a one week layer. The Fire Certificate of Occupancy was mistakenly reinstated today and has been now correctly revoked. I think it is only fair to Mr. Lehman to give him another week to respond to this.*

*Councilmember Prince moved approval.*

**Public hearing continued to December 20, 2023**

**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 Noecker 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

- 45**    [RLH CO 23-12](#)    Appeal of Peyton Hurst to a Correction Notice at 823 ENGLEWOOD AVENUE.

**Adopted**

- 47**    [RLH VBR 23-71](#)    Appeal of George Mathews to a Vacant Building Registration Requirement at 189 MAPLE STREET NORTH.

**Adopted**

**ADJOURNMENT**

**Meeting ended at 4:49 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](mailto:Contact-Council@ci.stpaul.mn.us), [CouncilHearing@ci.stpaul.mn.us](mailto: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](http://www.stpaul.gov/council) or <https://forms.office.com/g/TD3xN7WHy5>.

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