



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, March 8, 2023

3:30 PM

Council Chambers - 3rd Floor

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 23-23](#) Amending CDBG Project Budgets: Funding for North End Community Center project.
Alice Messer from the Department of Parks and Recreation gave a staff report.
Received and Filed
- 2 [AO 23-24](#) Amending the 2023 spending budget for the Office of Financial Empowerment to reallocate budgeted amounts from services budget to personnel.
Received and Filed
- 3 [AO 23-28](#) Amending CDBG Project Budgets: Amending CDBG Project Budgets: Funding for Nanny's Jamaican Kitchen, a project selected by CDBG subgrantee ESNDC for their North End Façade Improvement Program (NEFIP).
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 11 would be taken separately.

Councilmember Prince 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 22-1618](#) Approving the application with conditions, per the Legislative Hearing Officer, for P & S Enterprises Inc (License ID# 20220000638), d/b/a Haas Collision & Glass, for an Auto Body Repair/Painting Shop license located at 1400 St Clair Avenue.

Adopted

- 5 [RES 23-283](#) Approving the City's cost of providing Collection of Vacant Building Registration fees billed during August 11 to November 16, 2022, and setting date of Legislative Hearing for April 4, 2023 and City Council public hearing for May 17, 2023 to consider and levy the assessments against individual properties. (File No. VB2307, Assessment No. 238806)

Adopted

- 6 [RES 23-284](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during December 2022, and setting date of Legislative Hearing for April 4, 2023 and City Council public hearing for May 17, 2023 to consider and levy the assessments against individual properties. (File No. J2307B, Assessment No. 238106)

Adopted

- 7 [RES 23-285](#) Approving the City's cost of providing Demolition services from November 2022, and setting date of Legislative Hearing for April 4, 2023 and City Council public hearing for May 17, 2023 to consider and levy the assessments against individual properties. (File No. J2303C, Assessment No. 232002)

Adopted

- 8 [RES 23-286](#) Approving the City's cost of providing Collection of Fire Certificate Of Occupancy fees billed during October 25 to November 27, 2022, and setting date of Legislative Hearing for April 4, 2023 and City Council public hearing for May 17, 2023 to consider and levy the assessments against individual properties. (File No. CRT2306, Assessment No. 238205)

Adopted

- 9 [RES 23-287](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during October 24 to November 21, 2022, and setting date of Legislative Hearing for April 4, 2023 and City Council public hearing for May 17, 2023 to consider and levy the assessments against

individual properties. (File No. J2307E, Assessment No. 238306)

Adopted

- 10 [RES 23-288](#) Approving the City's cost of providing Removal of Diseased and/or Dangerous Tree(s) during January 2023, and setting date of Legislative Hearing for April 4, 2023 and City Council public hearing for May 17, 2023 to consider and levy the assessments against individual properties. (File No. 2306T, Assessment No. 239005)
- Adopted**
- 12 [RES 23-299](#) Preliminary Order setting the date of Public Hearing for April 12, 2023 to consider approval of the 2023 Saint Paul Streets Program (2023 SPS).
- Adopted**
- 13 [RES 23-301](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2022, and setting date of legislative hearing for April 6, 2023 and City Council public hearing for May 24, 2023 to consider and levy the assessments against individual properties. (File No. CG2301A1, Assessment No. 230105)
- Adopted**
- 14 [RES 23-302](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2022, and setting date of legislative hearing for April 6, 2023 and City Council public hearing for May 24, 2023 to consider and levy the assessments against individual properties. (File No. CG2301A2, Assessment No. 230106)
- Adopted**
- 15 [RES 23-305](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during October to December 2022, and setting date of legislative hearing for April 6, 2023 and City Council public hearing for May 24, 2023 to consider and levy the assessments against individual properties. (File No. CG2301A3, Assessment No. 230107)
- Adopted**
- 16 [RES 23-324](#) Amending the financing and spending plans in the Office of Financial Empowerment in the amount of \$400,000 to correct grant carry forward in the 2023 adopted budget.
- Adopted**
- 17 [RES 23-311](#) Authorizing the Police Department to submit an application for funds under the 2023 State of Minnesota Homeland Security Program - Bomb Grant.
- Adopted**
- 18 [RES 23-315](#) Authorizing specific expenditures for employees involved in the winter snow event beginning February 21 going through February 25, 2023 in the 2023 spending budget of the Department of Public Works Winter Street

Maintenance accounting unit.

Adopted

- 19 [RES 23-318](#) Approving Ordinance Permit 20220010208 for Roadway Sidewalk Infrastructure installed by Project Paul, LLC (a wholly-owned subsidiary of Ryan Companies US, Inc.) ("Ryan") on the Ford (Highland Bridge) Site, for sidewalk and boulevard work at the following locations: on the east side of Mount Curve Boulevard from Bohland Avenue to the north right-of-way line of Village Way, District 15, Ward 3.

Adopted

- 20 [RES 23-333](#) Memorializing denial of an appeal by Tom Dimond from to a decision of the Board of Zoning Appeals which denied an administrative appeal alleging Zoning Administrator error in denying a "stop work order" request regarding the island building work in Pigs Eye Lake.

Adopted

- 21 [RES 23-334](#) Authorizing the City to enter into and execute a Cooperative Funding Agreement for Rice Street and Larpenteur Avenue Gateway Alliance Consulting Services with the City of Roseville and the City of Maplewood in accordance with the Rice-Larpenteur Vision Plan.

Adopted

- 22 [RES 23-335](#) Approving the application with no conditions, per the Legislative Hearing Officer, for The Lift Garage (License ID# 20220002172), d/b/a The Lift, for an Auto Repair Garage license located at 1669 University Avenue West.

Adopted

- 23 [RES 23-343](#) Memorializing the City Council's decision to deny an appeal from a decision of the Board of Zoning Appeals to deny a 10-foot lot-width variance for the purpose of splitting property commonly known as 1841 Lincoln Avenue into two lots.

Adopted

- 24 [Min 23-13](#) Approving the minutes of the Saint Paul City Council meetings of March 2, 9, 16, and 23, 2022.

Adopted

- 25 [RES 23-255](#) Establishing the rate of pay for Solid Waste Services Worker in Grade 012 of EG 71, LIUNA City Employees Local #363.

Adopted

FOR DISCUSSION

- 11 [RES 23-289](#) Authorizing the issuance and sale of Water Revenue Bonds, Series 2023A; awarding the sale thereof to the purchaser named herein; and fixing the form

and specifications of the Water Revenue Bonds, Series 2023A and providing the requirement for future parity water revenue bonds.

Neal Younghans, Debt Manager with the Office of Financial Services, gave a staff report.

Councilmember Yang moved approval.

Adopted as amended

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

Nay: 0

26 [RES 23-348](#)

Honoring the life of Xe Xiong and proclaiming Saturday, March 11, 2023, as Xe Xiong Day in the City of Saint Paul.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

27 [RES 23-351](#)

Celebrating the 100th Anniversary of Ecolab.

Councilmember Noecker spoke in support and read from the resolution.

Scott Kirkland, Chief Financial Officer for Ecolab, gave remarks.

Sean Keefer, Head of State Government Affairs at Ecolab, gave remarks.

Councilmember Tolbert spoke in support.

Council President Brendmoen spoke in support.

Councilmember Noecker 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 first reading.

PUBLIC HEARINGS

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

- 28 [Ord 23-14](#) Granting the application of William Janicke to rezone property at 869 Arkwright St from RT1 two-family residential to RT2 townhouse residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Councilmember Tolbert moved to close the public hearing.*
- Laid over to March 15, 2023 for Final Adoption**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 29 [RES PH 23-40](#) Approving the application of University of St. Thomas, Erin Whipkey, Campus Life for a sound level variance in order to present amplified sound on May 12, 2023 at 2115 Summit Avenue, University of Saint Thomas, Lower Quad.
- Councilmember Jalali moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 30 [RES PH 23-42](#) Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on April 15, 2023 and on April 30, 2023 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Ave. N.
- Councilmember Balenger moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali, Councilmember Yang and Councilmember Balenger
- Nay:** 0
- 31 [RES PH 23-50](#) Authorizing the Department of Safety and Inspections to accept a grant in the amount of \$65,000 from the Minnesota Department of Labor, to participate in the 2023 Building Official Training (BOT) grant 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

LEGISLATIVE HEARING DISCUSSION ITEMS

53 [RLH FCO 23-10](#) Appeal of Curtis Persson to a Fire Certificate of Occupancy Correction Notice at 1436 SNELLING AVENUE NORTH.

Deadline for compliance set for March 10, 2023.

Also in attendance:

Peter Persson, resident

Melissa Bardwell, resident

Marcia Moermond, Legislative Hearing Officer: This is a set of Fire Correction Orders issues on January 5, 2023. They were preceded by a form from the EMS staff at the Fire Department to the Fire Inspections staff at the Department of Safety and Inspections (DSI). The Fire Department noted that this was a hoarder house with gross unsanitary conditions, due in large part to there being too many animals present or not being taken care of properly. We also had sleeping in the basement, likely because of crowded other areas of the house. Based on that referral and without eyes on the property, DSI issued this set of orders. This is not a condemnation. This was a set of orders with an appointment letter saying to let them in so they could inspect the house. The orders were appealed by the property owner, who lives up north with his wife. Their son has lived in the house for many years and raised children there, with some assistance from his mom. The house does not have a Fire Certificate of Occupancy, even though it is not owner-occupied. That does happen in these types of relative situations, so that does not give me great concern. The appeal was heard on February 7, 14, and 21, 2023. In that time period, DSI did inspect the property with the House Calls staff from the state's Department of Health. There is a set of orders attached to your file, dated February 17, 2023. They include things relating to having a lot less material in the house and it needs to be cleaner. Things are progressing slowly, in my view, since we had a January 5 start on this. If the Council votes to approve the resolution, put in place a deadline for compliance of Friday, March 10. If the property is then not in compliance, two outcomes are possible. The first is a revocation of the Fire Certificate of Occupancy. The second is a condemnation and order to vacate. The outcome is dependent on an inspector getting to the property and assess its status. Either order can be appealed. The occupants are here today, Peter Persson and Melissa Bardwell. They are looking for a longer deadline. We talked before this meeting and I told them I would be sticking with this recommendation. I did note, though, that this was not the end of the line, procedurally. Moving this along requires an inspector checking back on the property as a result of a deadline being set on these orders.

Council President Brendmoen: Just to clarify, the March 10 deadline is a first deadline. If that isn't met, there could be a condemnation or revocation order.

Moermond: That is correct. Conditions could indicate a condemnation or revocation. Inspectors could also find that progress been made, and that to enforce the remaining items they would order a revocation. That is the only tool in their toolbox. That order can be appealed.

Councilmember Jalali: I agree with the need to keep our deadline. If they are close to

completion at the time of the deadline, do you have concerns about a 48 or 72 hour extension?

Moermond: I have two thoughts about that. First, with the Friday March 10 deadline, it is realistic that the inspectors don't get out to the property until at least Monday. That gives a bit of a grace period. I checked the system and did not find an appointment letter for next week. I assume that when the Council makes its decision, that letter will be sent out. Secondly, progress on getting the problems addressed has to be assessed by an inspector. I'm glad to hear that things are progressing, but we do know from experience that perception isn't the same as what an inspector looks for. The inspector would give us a re-measurement on that original set of orders.

Jalali: Thank you.

Bardwell: We live together at this property. I have been working very hard to get this done and we have made a lot of progress. We did get a cleaner crew to come in yesterday but they had to cancel, so we are working on getting someone else. We would like an extension. We have been doing repairs but we don't have the necessary money. When we first found this out on January 5th, we took matters into our own hands and got two dumpsters for ourselves. We are still getting more stuff out and I can actually see the floor, though it still needs to be cleaned and dusted.

Persson: We're doing our best. It's just me and her. I am disabled and she works full time. I do what I can and then wait for her to help me with other things. It's been going really good and I've been trying to get help when I can.

Bardwell: He has a degenerative disease. We finally got some help this weekend and pushed things out.

Brendmoen: It sounds like the goal here is for you to succeed and for your house to be safe and sanitary. I appreciate hearing that we are all pulling in the same direction. I heard Moermond say that the deadline is Friday but you wouldn't see an inspector until next week. I want to make sure that your ask is clear in terms of an extension.

Persson: We aren't exactly sure what kind of extension. It's hard because my mom and dad live about 200 miles up north so it's hard coordinating with everything.

Bardwell: Especially with money it can be hard. We tried to cut corners and everything, but we do want a healthy house.

Jalali moved to close the public hearing. Motion prevailed.

Jalali: I have a lot of empathy for this situation. In light of what we're hearing, I do feel optimistic about the progress. It is helpful to hear that the inspection wouldn't take place until next week, and any extension I was considering would put us in that place anyway. I will move the recommendation of the hearing officer, and also let you know that our office is available if there are supports we can provide in the final days. We need that deadline so that an inspector can get out and see what's left. It also helps unlock additional supports to figure out what else is needed once we see what else is there.

Adopted

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

- 32** [RLH TA 23-68](#) Ratifying the Appealed Special Tax Assessment for property at 435 ARBOR STREET (File No. CG2204A1, Assessment No. 220113)
Adopted
- 33** [RLH TA 23-4](#) Ratifying the Appealed Special Tax Assessment for property at 938 ARKWRIGHT STREET. (File No. VB2304, Assessment No. 238803)
(Continue public hearing to March 8, 2023)
Adopted as amended (assessment reduced)
- 34** [RLH TA 23-20](#) Deleting the Appealed Special Tax Assessment for property at 287 ATWATER STREET. (File No. CG2204A2, Assessment No. 220114)
Adopted
- 35** [RLH TA 23-39](#) Ratifying the Appealed Special Tax Assessment for property at 327-329 AURORA AVENUE. (File No. CG2204A3, Assessment No. 220115)
Adopted
- 36** [RLH SAO 23-15](#) Making finding on the appealed nuisance abatement ordered for 779 CENTRAL AVENUE WEST in Council File RLH SAO 23-4. (Legislative Hearing on March 7, 2023)
Adopted as amended (nuisance abated)
- 37** [RLH TA 23-19](#) Ratifying the Appealed Special Tax Assessment for property at 1153 CENTRAL AVENUE WEST. (File No. CG2204A3, Assessment No. 220115)
Adopted
- 38** [RLH VBR 23-8](#) Appeal of Leah Frenning to a Vacant Building Registration Notice at 640 CHARLES AVENUE.

Adopted

- 39 [RLH TA 23-18](#) Deleting the Appealed Special Tax Assessment for property at 1302 CLEVELAND AVENUE SOUTH. (File No. CG2204A1, Assessment No. 220113)

Adopted

- 40 [RLH TA 23-70](#) Ratifying the Appealed Special Tax Assessment for property at 308 COMO AVENUE (File No. CG2204A3, Assessment No. 220115)

Adopted

- 41 [RLH TA 23-13](#) Ratifying the Appealed Special Tax Assessment for property at 1771 DAYTON AVENUE. (File No. CG2204A3, Assessment No. 220115)

Adopted

- 42 [RLH TA 23-17](#) Ratifying the Appealed Special Tax Assessment for property at 1231 FARRINGTON STREET (File No. CG2204A1, Assessment No. 220113)

Adopted

- 43 [RLH TA 23-37](#) Deleting the Appealed Special Tax Assessment for property at 130 LEXINGTON PARKWAY NORTH. (File No. CG2204A3, Assessment No. 220115)

Adopted

- 44 [RLH TA 23-75](#) Deleting the Appealed Special Tax Assessment for property at 2171 MOHAWK AVENUE. (File No. CG2204A1, Assessment No. 220113)

Adopted

- 45 [RLH TA 22-445](#) Ratifying the Appealed Special Tax Assessment for property at 802 MOUND STREET (File No. CG2203A3-1, Assessment No. 220116)

Adopted

- 46 [RLH TA 23-16](#) Ratifying the Appealed Special Tax Assessment for property at 884 MOUND STREET. (File No. CG2204A1, Assessment No. 220113)

Adopted

- 47 [RLH TA 23-85](#) Ratifying the Appealed Special Tax Assessment for property at 1307 OSCEOLA AVENUE. (File No. CG2204A1, Assessment No. 220113)

Adopted

- 48 [RLH TA 23-69](#) Ratifying the Appealed Special Tax Assessment for property at 1111 RANDOLPH AVENUE. (File No. CG2204A1, Assessment No. 220113)

Adopted

- 49 [RLH SAO 23-12](#) Making finding on the appealed nuisance abatement ordered for 1384 REANEY AVENUE in Council File RLH SAO 23-2. (Legislative Hearing on March 7, 2023)

Public hearing continued to March 15, 2023

- 50 [RLH FCO 23-15](#) Appeal of Mark Thieroff, Siegel Brill PA, representing Sibley Plaza Limited Partners, LP, to a Fire Certificate of Occupancy Correction Notice at 2463-2515 SEVENTH STREET WEST (Suite 2473).

Adopted

- 51 [RLH TA 23-40](#) Ratifying the Appealed Special Tax Assessment for property at 1255 SHERBURNE AVENUE. (File No. CG2204A3, Assessment No. 220115)

Adopted

- 52 [RLH TA 23-67](#) Deleting the Appealed Special Tax Assessment for property at 235 SHERBURNE AVENUE (File No. CG2204A1, Assessment No. 220113).

Adopted

- 54 [RLH TA 23-14](#) Deleting the Appealed Special Tax Assessment for property at 995 THIRD STREET EAST. (File No. CG2204A3, Assessment No. 220115)

Adopted

- 55 [RLH RR 23-6](#) Making finding on the appealed substantial abatement ordered for 1941 UNIVERSITY AVENUE WEST in Council File RLH RR 21-60. (Amend to grant additional 180 days)

Adopted as amended (granted 180 days)

- 56 [RLH TA 23-15](#) Deleting the Appealed Special Tax Assessment for property at 845 WINSLOW AVENUE. (File No. CG2204A1, Assessment No. 220113)

Adopted

- 57 [RLH TA 23-38](#) Ratifying the Appealed Special Tax Assessment for property at 676 YORK AVENUE. (File No. CG2204A1, Assessment No. 220113)

Adopted

- 58 [RLH AR 23-11](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2022. (File No. CG2204A3, Assessment No. 220115)

Adopted

- 59 [RLH AR 23-12](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2022. (File

No. CG2204A2, Assessment No. 220114)

Adopted

- 60** [RLH AR 23-13](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during July to September 2022. (File No. CG2204A1, Assessment No. 220113)

Adopted

ADJOURNMENT

Meeting ended at 4:10 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:

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. 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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