



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, April 12, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:33 PM

Present 5 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert,
Councilmember Jane L. Prince, Councilmember Mitra Jalali and
Councilmember Russel Balenger

Absent 2 - Councilmember Rebecca Noecker and Councilmember Nelsie Yang

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 23-38](#) Establishing one (1) new project through the Neighborhood STAR Year-Round Program as adopted via City Council Resolution #23-419. In addition, funding designated for the Saint Paul Intervention Project via Res # 23-27 is being added to one Neighborhood STAR project as adopted via City Council Resolution # 17-1005 and Res# 17-1770.

Received and Filed

- 2 [AO 23-41](#) Amending the 2023 spending budget in the Department of Public Works Sewers Utility Fund Sewer Inspections Program accounting unit.

Received and Filed

- 3 [AO 23-42](#) Amending the 2022 Capital Improvement Budget to allocate funding for capital maintenance projects and contingency, as recommended by the Capital Improvement Budget Committee.

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 Items 4, 5, 6, and 27 would be taken separately.

Councilmember Jalali moved approval.

Consent Agenda adopted as amended

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 7** [RES 23-423](#) Authorizing the Department of Planning and Economic Development to apply for the Metropolitan Council's Livable Communities Demonstration Account Predevelopment grant funds for projects at 694 and 680 Minnehaha Avenue East (Hamm's Brewery) and 0 Marshall Avenue and 1036 Marshall Avenue (Rondo Community Land Trust), which will include indemnification provisions in favor of the Metropolitan Council.
- Adopted**
- 8** [RES 23-443](#) Acknowledging a public purpose of community participation in the co-design of City services and technical solutions and granting permission to the Office of Technology and Communication to spend city funds on behalf of the City to incentivize and compensate residents, business owners, and other community stakeholders who participate in design research and usability testing.
- Adopted**
- 9** [RES 23-476](#) Authorizing the City to transfer \$429,454 of American Rescue Plan funds from the ONS Community Council Grants project to a new project for Oxford Community Center Staffing.
- Adopted**
- 10** [RES 23-480](#) Approving a Liquor On Sale - 181-290 seats, a Liquor On Sale - Sunday, and a Liquor - Outdoor Service Area (Sidewalk) license to Centro Highland Park, LLC d/b/a Centro (License ID #20230000282) for the premises located at 750 Cleveland Avenue South.
- Adopted**
- 11** [RES 23-481](#) Approving the Liquor On Sale-100 seats or less, Liquor On Sale-Sunday, Liquor-Outdoor Service Area (Patio) and Entertainment A licenses for Autumn, LLC d/b/a Herbst Eatery and Farm Stand (License ID #20230000337) for the premises located at 779 Raymond Avenue.
- Adopted**

- 12 [RES 23-494](#) Approving a Health/Sport Club license to Los Campeones Gym, LLC d/b/a Los Campeones Gym (License ID #20230000270) for the premises located at 1550 Rice Street.
- Adopted**
- 13 [RES 23-497](#) Authorizing the City, on behalf of the Parks and Recreation Department, to accept a donation in the amount of \$40,000 from the Midway Men's Club to support Recreation Services programming.
- Adopted**
- 14 [RES 23-499](#) Approving the Memorandum of Agreement between the City and the Saint Paul Police Federation for the purpose of establishing an on-call schedule.
- Laid over to April 19, 2023**
- 15 [RES 23-500](#) Authorizing the City on behalf of the Saint Paul Parks and Recreation Department, to apply for grant funds of \$100,000 from Minnesota Twins and, if awarded, accept, and enter into a grant agreement.
- Adopted**
- 16 [RES 23-507](#) Approving the Liquor On Sale-291 seats or more, Liquor On Sale-Sunday, Liquor On Sale-2AM Closing, Liquor-Outdoor Service Area (Patio) and Entertainment B licenses for The Lowlands, LLC d/b/a The Lowlands, LLC (License ID #20230000271) for the premises located at 160 Wabasha Street South.
- Adopted**
- 17 [RES 23-508](#) Agreeing to the amended Minnesota Opioids State-Subdivision Memorandum of Agreement and authorizing City staff to execute all necessary documents to ensure the City's participation in the Teva Pharmaceuticals, Allergan PLC, Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc. Settlements, including the participation Agreement and accompanying Release and the Amended State-Subdivision Agreement.
- Adopted**
- 18 [RES 23-509](#) Authorizing the Department of Parks and Recreation to apply for and accept a grant from the Consumer Product Safety Commission, Pool Safety Grant Program (PSGP) in the amount of \$250,000 to support the Saint Paul Aquatics Water Safety and Drowning Prevention Program.
- Adopted**
- 19 [RES 23-514](#) Authorizing the Fire Department to accept the donation of 25 treadmills and 25 water rowing machines valued at \$25,000 from the Saint Paul Fire Foundation.

Adopted

- 20 [RES 23-515](#) Authorizing the City to enter into a Mutual Aid Agreement, on behalf of the Police Department, with the City of South Saint Paul.

Adopted

- 21 [RES 23-517](#) Authorizing the City to enter into a Mutual Aid Agreement, on behalf of the Police Department, with the City of Oakdale.

Adopted

- 22 [RES 23-520](#) Approving the Memorandum of Agreement for the 2023 Wage and Fringe Adjustment between the City of Saint Paul and the Electrical Workers Local 110.

Laid over to April 19, 2023

- 23 [RES 23-523](#) Authorizing using a Project Labor Agreement for 2023 Arterial Mill and Overlay and Pedestrian Improvements, 2023 Citywide Sidewalk Contract, 2023 City-County Sidewalk Improvements, 2023 Residential Mill and Overlay, Annapolis Street Reconstruction, Bruce Vento Safe Routes to School, Kellogg Boulevard Capital City Bikeway, Lafayette Trail, Maxfield Safe Routes to School, Minnesota Street Reconstruction, and Pierce Butler and Minnehaha Avenue Intersection Improvements, and authorizing not using a Project Labor Agreement for Otto-Shepard Bridge Rehabilitation.

Adopted

- 24 [RES 23-525](#) Authorizing the City to accept a donation of \$500 from the Saint Paul Police Foundation on behalf of the Police Department (SPPD) to provide food for volunteers helping at a May training event.

Adopted

- 25 [RES 23-530](#) Authorizing agreements between the City and The Learning Jet, for the Police Department's use of commercial space for police operations.

Adopted

- 26 [RES 23-531](#) Authorizing the Fire Department to donate 17 treadmills to the Minneapolis Fire Department.

Adopted

- 28 [RES 23-541](#) Supporting a Job Creation Fund application in connection with ForwardEdge ASIC LLC for a project proposed at 2340 or 2344 Energy Park Drive (District

12, Ward 4).

Adopted

- 29 [RES 23-542](#) Authorizing the Police Department to submit an application for funds under a Request for Proposal issued by the United States Department of Justice, Office of Community Oriented Policing Services (COPS) FY 2023 Microgrants Program.

Adopted

- 30 [RES 23-546](#) Approving the use of additional grant funds through the Ward 3 Neighborhood Star Year-Round Program for a new Hamline Avenue Pathway.

Adopted

- 31 [RES 23-549](#) Approving the Mayor's reappointment of Liz Xiong, John Marshall, and Emma Burns to the Visit Saint Paul Board of Directors.

Adopted

- 32 [RES 23-438](#) Approving the Collective Bargaining Agreement (January 1, 2023 - December 31, 2025) and Memorandums of Agreement between the City of Saint Paul and the Saint Paul Supervisors' Organization.

Adopted

- 33 [RES 23-442](#) Changing the rate of pay for Grounds Crew Leader in the LIUNA City Employees Local #363 Salary Schedule.

Adopted

FOR DISCUSSION

- 4 [RES 23-269](#) Authorizing the City to accept a donation of safety carpet on behalf of the Police Department (SPPD) for use during canine training.

Councilmember Balenger spoke in opposition to Items 4, 5, and 6.

Council President Brendmoen spoke in support.

Councilmember Jalali spoke in support.

Brendmoen moved approval.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince and Councilmember Jalali

Nay: 1 - Councilmember Balenger

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 5 [RES 23-270](#) Authorizing the City to accept a donation of items valued at \$19,809.00 on behalf of the Police Department (SPPD) for canine care from the St. Paul

Police K9 Foundation.

Council President Brendmoen moved approval.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince and Councilmember Jalali

Nay: 1 - Councilmember Balenger

Absent: 2 - Councilmember Noecker and Councilmember Yang

6 [RES 23-271](#)

Authorizing the City to accept an 'in kind' donation valued at \$4,418.52 on behalf of the Police Department (SPPD) for canine grounds maintenance from the St. Paul Police K9 Foundation.

Council President Brendmoen moved approval.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince and Councilmember Jalali

Nay: 1 - Councilmember Balenger

Absent: 2 - Councilmember Noecker and Councilmember Yang

27 [RES 23-535](#)

Declaring April 2023 as Fair Housing Month in Saint Paul.

Councilmember Prince spoke in support.

Paige Kahle from the St. Paul Area Association of Realtors spoke to the resolution.

Faith Deitz, Fair Housing Coordinator in the Office of Financial Services, spoke to the resolution.

Councilmember Jalali spoke in support.

Prince moved approval of Version 2.

Adopted as amended

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

34 [SR 23-66](#)

Ramsey County-City of Saint Paul American Rescue Plan Act: Young Adult Career Academy Update.

Councilmember Tolbert gave an introduction.

Ling Becker, Director of Workforce Solutions for Ramsey County, gave a staff report.

Butch Inks, Fire Chief, gave a staff report.

Andy Rodriguez, Director of Parks and Recreation, gave a staff report.

Received and Filed

SUSPENSION ITEM

RES 23-534

Approving a Temporary License Agreement between the City of Saint Paul Police Department and Shidler/West Finance Partners for the Department's use of a parking lot for the temporary relocation of the City Impound Lot

Council President Brendmoen spoke to the resolution.

Councilmember Tolbert moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

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.

Final Adoption

35

Ord 23-17

Amending Chapter 52 of the Legislative Code pertaining to storm water runoff management and incorporating by reference the regulatory standards and guidelines of the Saint Paul Stormwater Management Design Standards manual.

Councilmember Prince moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

36

Ord 23-16

Amending Chapter 63 and Chapter 69 of the Legislative Code pertaining to Stormwater Run-Off and Wetlands.

Councilmember Balenger moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

PUBLIC HEARINGS

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

- 37** [RES PH 23-43](#) Final Order approving the reconstruction of streets in the 2023 Saint Paul Streets Program (2023 SPS).

Kelly Hadac, legal counsel for affected property owners, spoke during the public hearing.

Council President Brendmoen spoke to Hadac's concerns.

Councilmember Jalali moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 38** [RES PH 23-75](#) Amending the 2023 Saint Paul Regional Water Services Adopted Budget in the amount of \$97,862,510 to reflect the issuance of 2023 revenue bonds.

Councilmember Tolbert moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 39** [RES PH 23-77](#) Approving the application of Anderson Race Management for a sound level variance in order to present amplified sound on May 20, 2023 at 200 Dr Justus Ohage Boulevard - Harriet Island Regional Park Riverside.

Councilmember Jalali moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 40** [RES PH 23-78](#) Approving the application of Eclectic Culinary Concepts dba Pajarito for a sound level variance in order to present amplified sound on Saturday, May 6, 2023 at 605 Seventh Street West - Pajarito.

Councilmember Prince moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 41** [RES PH 23-79](#) Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on May 17, 2023, May 27 and on June 3, 2023 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

Councilmember Balenger moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 42** [RES PH 23-80](#) Amending the financing and spending plans in the Fire Department in the amount of \$31,500 for the 2022 Hazardous Material Emergency Preparedness Grant.

Councilmember Tolbert moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 43** [RES PH 23-85](#) Authorizing the City's sponsorship of a Minnesota Investment Fund application by ForwardEdge ASIC, LLC for a Project Proposed at 2340 or 2344 Energy Park Drive (District 12, Ward 4).

Nicolle Goodman, Director of Planning and Economic Development, gave a staff report.

Council President Brendmoen spoke in support.

Councilmember Jalali spoke in support.

Councilmember Tolbert spoke in support.

Jalali moved approval.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

LEGISLATIVE HEARING DISCUSSION ITEM

- 47** [RLH TA 23-78](#) Ratifying the Appealed Special Tax Assessment for property at 1985 MINNEHAHA AVENUE EAST. (File No. J2313A, Assessment No. 238512)
- Laid over for 6 months to October 11, 2023. Expectation is to avoid future tall grass and weeds incidents for the potential of having the assessment reduced by 50%.*
- Marcia Moermond, Legislative Hearing Officer: The property owner had a letter objecting to my recommendation, and so Councilmember Prince asked that I prepare a staff report. This is a tax assessment related to removal of tall grass and weeds. The letter or abate was sent out August 16, 2022 and the standard 6 days to comply was given. The inspector went back out and the work was not done on time, but they did grant an additional 2 weeks before a work order was issued. The crew arrived on September 1, 2022. This property does have a history of tall grass and weeds violations. In 2022 there was also an order about branches that needed to be removed. 3 tall grass and weeds orders in 2019, also some in 2017, 2016, and 2015. In this case, the property owner indicated during the hearing that she was not in town when the orders were issued, and therefore unable to address it. She did not have someone monitoring her mail in her absence. Also noted during the hearing was that she was trying to establish prairie-type planting in the boulevard area, and that when the crew arrived they removed not only the tall grass but also this planting. We discussed what that planting might look like. Personally, when I looked at the video and photos, I thought there a lot of dandelions and other plants that might have confused the crew about this being tall grass and weeds, as opposed to intentional planting to attract butterflies.*
- Moermond then showed video documenting the tall grass and weeds before the work was done.*
- Moermond: The purpose of this video is just to establish the condition when the crew arrived. You will see in photos that there was a measuring tape inserted into the boulevard area and found that growth exceeded one foot, coming up on 2 feet. The front yard is clearly in excess of 8 inches of growth.*
- Moermond then showed video documenting the tall grass and weeds after the work was done.*

Moermond: As you can see, they did leave the plants closer to the porch, as that looked like intentional planting. We did see some hosta in there. They did mow the rest of the area. The assessment for doing this work is \$160 for the crew and a service charge of \$162, for a total assessment of \$322.

Council President Brendmoen: Is there anyone here to speak to this item?

Moermond: No. You just have the email attached to the record. I think I presented what their concerns were.

Councilmember Prince moved to close the public hearing. Motion approved 5-0.

Prince: Having studied the email from the property owner and being convinced that she is dedicated to complying, I would like to take the opportunity with the coming warm weather seasons to move to lay this over for 6 months until October 11, 2023, so that the property owner can demonstrate a commitment to getting their yard under control. If by that date, there are no same or similar..we would reduce the fines by 50%.

Brendmoen: In your proposal, who pays for the \$160 for mowing her lawn?

Prince: I thought that was the service fee, as an opportunity to reduce the amount.

Brendmoen: So \$160 is free for us? Moermond, can you clarify the cost?

Moermond: \$162 for the service charge, which I can give you an approximate breakdown of. There is a real estate processing fee, a Department of Safety and Inspections fee, as well as like \$5 for the City Attorney's office. That bring the total processing cost up to \$162, just to send the assessment through. That amount is pretty much equal to the cost of performing the work.

Brendmoen: So, Prince, you're suggesting it's some cost, so we should give her 6 months to mow her lawn and then write it off?

Prince: And deal with the boulevard plantings.

Brendmoen: I will support your motion today, but I will say that it does open up the door for...those costs, whether or not they're sunk, are our staff doing the work. It sounds like this person has a pattern of doing this. In looking at the video, I agree that the boulevard looked like overgrown weeds. The problem is that their neighbors experience the yard as it is, not as the owner seems it to be. I will support this today and hope for the best in the next 6 months, while also recognizing that we have a history of not pushing these fees off onto other taxpayers.

Public hearing closed and laid over to October 11, 2023

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

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 Jalali moved approval.

Legislative Hearing Consent Agenda adopted as amended

Yea: 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Prince, Councilmember Jalali and Councilmember Balenger

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 44** [RLH VO 23-11](#) Appeal of Warren Enright, Tenant, to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 1355 EUSTIS STREET, UNIT #2. (Legislative Hearing on April 11, 2023)
Adopted as amended (extension granted)
- 45** [RLH RR 23-11](#) Making finding on the appealed substantial abatement ordered for 733 FAIRVIEW AVENUE NORTH in Council File RLH RR 22-28. (Legislative Hearing on April 11, 2023)
Referred to April 25, 2023 Legislative Hearing
- 46** [RLH RR 22-55](#) Ordering the rehabilitation or razing and removal of the structures at 1366 FREMONT AVENUE within fifteen (15) days after the October 26, 2022, City Council Public Hearing. (Amend to remove 15 days)

Public hearing continued to April 26, 2023
- 48** [RLH VBR 23-14](#) Appeal of James Richter to a Vacant Building Registration Notice at 1222 SEVENTH STREET WEST.
Adopted
- 49** [RLH VO 23-13](#) Appeal of Atnafu Yeshidagne to a Fire Certificate of Occupancy and Order to Vacate at 506-510 SNELLING AVENUE.
Adopted
- 50** [RLH VO 23-12](#) Appeal of Brian Norelius to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 842 VANDALIA STREET. (To refer back to April 25, 2023 Legislative Hearing)
Referred to April 25, 2023 Legislative Hearing
- 51** [RLH TA 23-138](#) Amending Council File RLH AR 23-11 to delete the assessment for Collection of Delinquent Garbage Bills for services during July to September 2022 at

1932 ASHLAND AVENUE. (File No. CG2204A3, Assessment No. 220115)

Adopted

- 52** [RLH TA 23-142](#) Amending Council File RLH AR 23-11 to delete the assessment for Collection of Delinquent Garbage Bills for services during July to September 2022 at 723 SIXTH STREET EAST. (File No. CG2204A3, Assessment No. 220115)

Adopted

ADJOURNMENT

Meeting ended at 4:22 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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Web

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