



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, July 26, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:31 PM

Present 6 - Councilmember Amy Brendmoen, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Nelsie Yang and Councilmember Russel Balenger

Absent 1 - Councilmember Mitra Jalali

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 23-68](#) Authorizing Public Works' General Fund's street maintenance, traffic, and traffic engineering accounting units to amend their 2023 fiscal budget, including a reallocation of spending by \$2,964,230 to repair potholes citywide.

Received and Filed

- 2 [AO 23-76](#) Authorizing Public Works Solid Waste and Recycling Fund to amend their 2023 fiscal budget, including a reallocation of spending by \$1,793,850 to purchase a pickup truck and four cart service trucks (including operating personnel), a storage trailer, and a fabric storage building.

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 Noecker moved approval.

Consent Agenda adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 3** [RES 23-589](#) Approving the City's cost of providing Graffiti Removal services during January 3 to 12, 2023, and setting date of Legislative Hearing for August 15, 2023 and City Council public hearing for September 27, 2023 to consider and levy the assessments against individual properties. (File No. J2305P, Assessment No. 238404)
- Adopted**
- 4** [RES 23-1017](#) Approving Trunk Highway Routine Maintenance Agreement Number 1054194 between the City and the State of Minnesota effective July 1, 2023 to June 20, 2025.
- Adopted**
- 5** [RES 23-1059](#) Authorizing the Department of Parks and Recreation to accept funds and enter into a grant agreement from the Minnesota Department of Employment and Economic Development for Right Track, the City's Youth Employment Program in an amount of \$775,000 a year for two years.
- Adopted**
- 6** [RES 23-1060](#) Authorizing the Department of Parks and Recreation to accept funds and enter into a grant agreement from the F.R. Bigelow Foundation for Right Track, the City's Youth Employment Program in an amount of \$30,000 for the 2023 program year.
- Adopted**
- 7** [RES 23-1061](#) Authorizing the Department of Parks and Recreation to accept funds and enter into a grant agreement from the Saint Paul Foundation for Right Track, the City's Youth Employment Program in an amount of \$30,000 for the 2023 program year.
- Adopted**
- 8** [RES 23-1083](#) Approving the Mayor's appointment of Jonathan Banks and Tanya Velishek and reappointment of Chad Kulas, Tony Lusiba, James McClean, Yolanda McIntosh, Sheri Riemers, Chris Tolbert to the Workforce Innovation Board of Ramsey County.
- Adopted**
- 9** [RES 23-1093](#) Accepting the gift of travel expenses from the Aspen Institute for Mayor Melvin Carter to attend the Aspen VisionXChange 2023 in Aspen, Colorado, from July 30-August 2, 2023.

Adopted

- 10 [RES 23-1099](#) Authorizing the City to enter into a Collaborative Agreement with the Ramsey County Board of Commissioners, Saint Paul Independent School District #625, and Community Action Partnership of Ramsey & Washington Counties for establishment of the Saint Paul Children's Collaborative.

Adopted

- 11 [RES 23-1100](#) Accepting the donation of disc golf course tee pad gravel installation and tee pad sign post installation improvements, valued at \$750, for Hillcrest Knoll Park, donated by Andrew Coddington through his Eagle Scout Service Project.

Adopted

- 12 [RES 23-1101](#) Memorializing a decision of the City Council denying an appeal from a decision of the Planning Commission to approve a site plan and grant variances for a new multifamily residential development at 0 Madison Street.

Adopted

- 13 [RES 23-1110](#) Changing the rate of pay for Parks Services Lead (formerly titled Refectory Supervisor).

Laid over to August 2, 2023

- 14 [RES 23-1117](#) Approving a Gas Station, an Auto Repair Garage and a Tobacco license for Royalty & Sons, Inc. d/b/a Parkway Marathon (License ID #20230001029) for the premises located at 304 Wheelock Parkway East.

Adopted

- 15 [RES 23-1123](#) Approving adverse action against the Tobacco Shop license held by Walgreen Co. d/b/a Walgreens #02142 (License ID #20060003027) for the premises located at 1585 Randolph Avenue.

Adopted

- 16 [RES 23-1127](#) Authorizing the Police Department to submit an application for funds under a Request for Proposals issued by the Minnesota Department of Human Services, Opioid Epidemic Response Services Grants Program.

Adopted

- 17 [RES 23-1128](#) Authorizing the Police Department to submit an application for funds under a Request for Proposals issued by the United States Department of Justice (USDOJ), Bureau of Justice Assistance (BJA) FY 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

Adopted

- 18 [RES 23-1129](#) Authorizing the Police Department to submit an application for funds under a Request for Proposals issued by the Minnesota Department of Employment

and Economic Development (DEED), Women's Economic Security Act (WESA) Grants Program.

Adopted

- 19 [RES 23-1084](#) Approving the Labor Agreement (January 1, 2023 - December 31, 2025) and Memorandums of Agreement between the City and the Saint Paul Manual & Maintenance Supervisors Association.

Adopted

FOR DISCUSSION

- 20 [RES 23-1135](#) Celebrating Olympian Sunisa Lee and Proclaiming Sunday, July 30, 2023, as Sunisa Lee Day in the City of Saint Paul.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 21 [RES 23-1136](#) Celebrating the 33rd Anniversary of the Americans with Disabilities Act and pledging to create a city where people of all abilities can fully participate.

Koami DaCruz, from the City's AccessABILITY employee resource network, spoke to the resolution.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

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

- 22 [Ord 23-30](#) Amending the Ford Site (Highland Bridge) Zoning and Public Realm Master Plan to accommodate a proposed project by the University of Saint Thomas.

Councilmember Tolbert moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

23 [Ord 23-36](#)

Approving an extension of an interim ordinance requesting a Planning Commission study to undertake a zoning study of non-conventional residential housing unit products.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

First Reading

24 [Ord 23-39](#)

Granting the application of 897 LLC to rezone the property at 897 Saint Paul Avenue from OS Office-Service to T2 Traditional Neighborhood and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Laid over to August 2, 2023 for Second Reading

PUBLIC HEARINGS

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

25 [Ord 23-35](#)

Granting the application of NP328 LLC to rezone the property at 898 Raymond Avenue from RM2 multiple-family residential to T2 traditional neighborhood and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Andrew McNattin, property owner, spoke during the public hearing.

Councilmember Noecker moved to close the public hearing.

Laid over to August 2, 2023 for Final Adoption

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 26 [Ord 23-27](#) Amending Chapter 142 of the Legislative Code (Title XII) pertaining to a special service district in downtown. (Public hearing continued from July 19, 2023 for Final Adoption)

Withdrawn

- 27 [RES PH 23-185](#) Adopting the 2024 Operating Plan for the Downtown Improvement District and imposing a service charge pursuant to Minnesota Statutes Chapter 428A. (Public hearing continued from July 19, 2023)

Joe Spencer from the Downtown Alliance spoke during the public hearing.

Councilmember Noecker moved approval.

Public hearing continued to August 16, 2023

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 28 [RES PH 23-158](#) Final Order approving the 2023 Mill and Overlay Program.

Nick Peterson from Public Works gave a staff report and answered councilmember questions.

Lynn Rolf from the Office of Financial Services spoke to the assessments and the special benefits analysis.

Renate Sharp spoke during the public hearing.

Gail Brinkmeier spoke during the public hearing.

Anne Fretheim spoke during the public hearing.

Tammy Albrecht spoke during the public hearing.

Deborah Smith-Wright spoke during the public hearing.

Dane Smith spoke during the public hearing.

David Shields spoke during the public hearing.

Ted Johnson spoke during the public hearing.

Monroe & Ann Walker spoke during the public hearing.

Jamie Parker spoke during the public hearing.

Heather Bach spoke during the public hearing.

Councilmember Tolbert asked about determining the rates for assessments.

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

Rolf gave additional remarks in response to Tolbert's question.

Council President Brendmoen spoke to assessment concerns and potential policy changes.

Councilmember Prince spoke to assessment concerns and potential policy changes.

Rolf spoke to the rate policy development.

Prince expressed additional concerns.

Brendmoen expressed additional concerns and asked about continuing the conversation about the rates.

Kershaw gave additional remarks.

Councilmember Yang spoke to assessment concerns and potential policy changes.

Councilmember Noecker spoke to assessment concerns and potential policy changes.

Councilmember Tolbert spoke to assessment concerns and potential policy changes, and asked when approval of the policy would be before the Council.

Kershaw addressed Tolbert's question.

Prince asked about applicability to tax exempt properties.

Rolf addressed Prince's question.

Brendmoen suggested a date for the policy conversation being September 6.

Tolbert moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

29 [RES PH 23-190](#)

Authorizing the Office of Financial Empowerment to accept grant funds from the Saint Paul and Minnesota Foundation, and to amend the financing and spending plan, in the amount of \$57,500, for the CollegeBound Saint Paul program.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 30** [RES PH 23-194](#) Approving the application of Securian Financial for a sound level variance in order to present amplified sound on Wednesdays, August 9 - August 30, 2023 at 400 Robert Street North - Securian Financial.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 31** [RES PH 23-195](#) Approving the application of Water Lantern Festival for a sound level variance in order to present amplified sound on July 29, 2023 at 1400 Phalen Drive - Phalen Park Beach House.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 32** [RES PH 23-196](#) Approving the application of MN Department of Human Services for a sound level variance in order to present amplified sound on August 9, 2023 at 1600 Phalen Drive - Phalen Regional Park.

Councilmember Yang moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 33** [RES PH 23-197](#) Approving the application of Irish Fair of Minnesota for a sound level variance in order to present amplified sound on August 11, 2023, August 12, 2023,

and August 13, 2023 at 200 Justus Ohage Boulevard - Harriet Island Regional Park.

Councilmember Noecker moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

- 34** [RES PH 23-201](#) Approving the issuance by the City of Mounds View of its Educational Facilities Revenue Note, Series 2023, under Minnesota Statutes, Sections 469.152 through 469.1655, for the High School for the Recording Arts Project at 1166 University Avenue West (District 13, Ward 1).

Councilmember Balenger moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Jalali

LEGISLATIVE HEARING DISCUSSION ITEM

- 35** [RLH RR 23-18](#) Fourth Making finding on the appealed substantial abatement ordered for 318 EDMUND AVENUE in Council File RLH RR 21-11. (Public hearing closed. Laid over from July 26, 2023)

Marcia Moermond, Legislative Hearing Officer: I am asking that you lay this over to August 16 and require a progress inspection on the open building permit for this property.

Councilmember Balenger moved approval.

Laid over to August 16, 2023 (progress inspection required on the open building permit)

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

Nay: 0

Absent: 1 - Councilmember Jalali

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 Prince moved approval.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Jalali

- 36** [RLH VO 23-26](#) Appeal of Ron Becker to a Re-Inspection Fire Certificate of Occupancy With Deficiencies (which includes condemnation) at 1020 and 1022 AURORA AVENUE.
Adopted
- 37** [RLH RR 23-28](#) Ordering the rehabilitation or razing and removal of the structures at 1043 BEECH STREET within fifteen (15) days after the July 19, 2023, City Council Public Hearing.

Adopted as amended (granted 180 days)
- 38** [RLH VBR 23-39](#) Appeal of Shai Leibovich and Carolyn Brown, Community Stabilization Project, to a Vacant Building Registration Notice at 646 CHARLES AVENUE.
Adopted
- 39** [RLH RR 23-37](#) Second Making finding on the appealed substantial abatement order for 939 CHARLES AVENUE in Council File RLH RR 22-67. (July 25, 2023 Legislative Hearing)
Public hearing continued to August 9, 2023
- 40** [RLH VBR 23-21](#) Appeal of Danny Joslin, on behalf of owners Wendy and Jeffery Guertin, to a Vacant Building Registration Notice at 826 COMO AVENUE.
Adopted
- 41** [RLH VO 23-27](#) Appeal of Albert Vierling to a Correction Notice-Reinspection Complaint (which includes condemnation) at 20 EXCHANGE STREET EAST, APARTMENT B104.
Adopted
- 42** [RLH SAO 23-33](#) Making finding on the appealed nuisance abatement ordered for 1009 FULLER AVENUE in Council File RLH SAO 23-28. (July 25, 2023)

Legislative Hearing)

Adopted as amended (nuisance abated)

- 43 [RLH SAO 23-26](#) Appeal of Victoria Downey to a Summary Abatement Order at 761 HOWELL STREET NORTH.

Adopted

- 44 [RLH VBR 23-33](#) Appeal of Kara Silva, Property Manager for 1583 Jefferson Avenue LLC., to a Vacant Building Registration Notice at 1583 JEFFERSON AVENUE.

Adopted

- 45 [RLH RR 23-10](#) Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (To refer back to October 24, 2023 Legislative Hearing)

Referred to October 24, 2023 Legislative Hearing

- 46 [RLH VBR 23-40](#) Appeal of Lisa Proechel to a Vacant Building Registration Requirement at 892 JESSAMINE AVENUE EAST

Adopted

- 47 [RLH RR 23-43](#) Fourth Making finding on the appealed substantial abatement ordered for 595 PARK STREET in Council File RLH RR 23-12. (July 25, 2023 Legislative Hearing)

Referred to August 8, 2023 Legislative Hearing

- 48 [RLH VBR 23-34](#) Appeal of Howard Henry to a Vacant Building Registration Renewal Notice at 933 PAYNE AVENUE.

Adopted

- 49 [RLH RR 23-36](#) Making finding on the appealed substantial abatement ordered for 1802 ROSS AVENUE in Council File RLH RR 22-43.

Adopted

- 50 [RLH VBR 23-31](#) Appeal of Arhondus Simmons to a Vacant Building Registration Requirement at 1073-1075 SELBY AVENUE.

Adopted

- 51 [RLH RR 23-38](#) Making finding on the appealed substantial abatement ordered for 346 SHERBURNE AVENUE in Council File RLH RR 22-65. (July 25, 2023 Legislative Hearing)

Adopted as amended (granted 180 days)

- 52 [RLH RSA 23-8](#) Appeal of Geruth Buetow to a Rent Stabilization Determination at 250 SIXTH STREET EAST, Apt. 608.

Public hearing continued to August 2, 2023

- 53 [RLH CO 23-8](#) Appeal of Daniel & Cheryl Dobervich to a Correction Order at 1485 WINTHROP STREET NORTH.

Adopted

ADJOURNMENT

Meeting ended at 5:24 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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