



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, August 2, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:30 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 [CO 23-38](#) Letter from the Department of Safety and Inspections declaring 594 Brunson Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Received and Filed

- 2 [AO 23-78](#) Amending the 2023 Human Resources budget to utilize salary savings to pay for professional service expenses related to labor relations in the amount of \$56,161.

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 Balenger moved approval.

Consent Agenda adopted

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

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

- 3 [RES 23-1113](#) Changing the rate of pay for the classification of Public Works Field Superintendent (formerly Public Works Field Supervisor). (to be laid over one week for adoption)
Laid over to August 9, 2023
- 4 [RES 23-1114](#) Approving the Labor Agreement (January 1, 2023 - December 31, 2025) and Memorandum of Agreement between the City of Saint Paul and the District Lodge No. 77, International Association of Machinists and Aerospace Workers AFL-CIO.
Laid over to August 9, 2023
- 5 [RES 23-1131](#) Approving the Entertainment (A), Liquor On Sale-101-180 seats, Liquor On Sale - Sunday and Liquor-Outdoor Service Area (Patio) licenses for Crasqui Restaurant, LLC d/b/a Crasqui Restaurant (License ID 20230000754) for the premises located at 84 Wabasha Street South, Ste. 3.
Adopted
- 6 [RES 23-1134](#) Approving the agreement with Lime (Neutron Holdings, Inc. dba Lime) to provide e-bicycle sharing services for the 2023 shared mobility season.
Adopted
- 7 [RES 23-1138](#) Accepting the gift of travel expenses from the Cities for Financial Empowerment Fund for Assistant City Attorney, Edmundo D. Lijo to attend the National Convening on Local Consumer Financial Protection in Washington, D.C. on June 22, 2023.
Adopted
- 8 [RES 23-1139](#) Approving the addition of a Liquor-Outdoor Service Area (Sidewalk) license to the existing Liquor On Sale 101-180 Seats and Liquor On Sale - Sunday licenses held by Eclectic Culinary Concepts, Inc. d/b/a Pajarito (License ID 20160002945) for the premises located at 605 7th Street West.
Adopted
- 9 [RES 23-1140](#) Accepting the gift of travel, lodging, and conference registration expenses from Local Progress for Councilmember Nelsie Yang to attend the 2023 Local Progress National Convening.
Adopted
- 10 [RES 23-1142](#) Naming the private streets (Rivoli Drive and Rivoli Circle) in the Rivoli Village development.
Adopted

- 11 [RES 23-1150](#) Approving the Memorandum of Agreement between the City and the Saint Paul Supervisors Organization for the purpose of establishing funding of uniforms for Parks Department - Como Campus employees.
Laid over to August 9, 2023
- 12 [RES 23-1158](#) Approving the Mayor's appointment of Leonard Thomas and reappointment of Kevin Lindsey to the Public Housing Agency (PHA).
Adopted
- 13 [RES 23-1110](#) Changing the rate of pay for Parks Services Lead (formerly titled Refectory Supervisor).
Adopted

FOR DISCUSSION

- 14 [RES 23-1040](#) Directing the Department of Safety and Inspections as to how to proceed with the request of Licensee, Majid Nitaishoon, doing business as MJ Market, to surrender the Tobacco Shop License (License ID # 20210001131), for the premises located at 922 Thomas Avenue West. (Licensee's attorney will speak on behalf of the licensee and Licensee may wish to address the City Council) (Laid over from July 19, 2023)
Councilmember Balenger moved to revoke the license.
Adopted as amended (license revoked)
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 second reading.

Final Adoption

- 15 [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.
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

SUSPENSION ITEM

[SR 23-175](#)

Update on Minnesota House File 100 regarding cannabis.

Erik Peterson from the Mayor's Office gave a staff report and answered Councilmember questions alongside Alex Hassel from the League of Minnesota Cities.

Received and Filed

PUBLIC HEARINGS

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

16 [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.

Councilmember Tolbert moved to close the public hearing.

Laid over to August 9, 2023 for Final Adoption

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

Nay: 0

Absent: 2 - Councilmember Noecker and Councilmember Yang

17 [RES PH 23-198](#)

Approving the petition of John Dochniak to vacate a public walkway between 825 and 827 Iroquois Avenue.

Councilmember 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

18 [RES PH 23-199](#)

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 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

- 19** [RES PH 23-200](#) Amending the financing and spending plans in the Department of Emergency Management budget in the amount of \$238,536 for the 2022 Emergency Management Performance American Rescue Plan Act Grant (EMPG ARPA) to provide assistance for Emergency Management software.

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

- 20** [RES PH 23-202](#) Approving the application of One Simple Plan LLC for a sound level variance in order to present amplified sound on August 12, 2023 at the Minnesota State Capitol Grounds - 75 Rev Dr Martin Luther King Jr Blvd.

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

- 21** [RES PH 23-203](#) Approving the application of Anderson Race Management for a sound level variance in order to present amplified sound on August 19, 2023 at Phalen Park Picnic Pavilion Patio - 1600 Phalen Drive.

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

- 22** [RES PH 23-204](#) Approving the application of ELS Construction, Inc. for a sound level variance in order to complete construction debris removal on August 11-12, 2023 at 2277 Ford Parkway - Petco.

Councilmember Tolbert moved denial.

Resolution failed

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 ITEMS

- 27 RLH RR 23-7** Ordering the rehabilitation or razing and removal of the structures at 901 FULLER AVENUE within fifteen (15) days after the March 22, 2023, City Council Public Hearing. (Amend to remove only)

Referred to Legislative Hearings August 8. Attorney committed to posting performance deposit and has found a representative of the estate. Moermond committed to adding language stating that the performance deposit will be returned in the event that the property is rehabilitated in the form of demolition.

Marcia Moermond, Legislative Hearing Officer: My recommendation coming into today's meeting was to order the building removed, with no option for its rehabilitation, as no performance deposit has been posted and no code compliance inspection has been applied for. I have been meeting with the attorney representing the mortgage company, and am asking now for this to be referred to Legislative Hearings next Tuesday. She has committed to post the performance deposit. I have committed to add a clause to the resolution which confirms the Department of Safety and Inspections policy to return the performance deposit in the event that the owner pursues demolition and that it's deemed that the property is rehabilitated. The attorney has today identified a representative of the estate. We have been working on this for 6 months, and that had not yet happened. That is great for her company as well as the City.

Council President Brendmoen: Is the attorney here to testify?

Moermond: She is here to answer questions if need be.

Brendmoen: No questions. Just wanted to check.

Councilmember Balenger moved to refer to Legislative Hearings on August 8.

Referred to August 8, 2023 Legislative Hearing

- 34 [RLH RR 23-32](#)** Ordering the rehabilitation or razing and removal of the structures at 792 ROSE AVENUE EAST within fifteen (15) days after the August 2, 2023, City Council Public Hearing.

Laid over for one week to review structural engineering report and potential code compliance report.

Also in attendance:

Kristina Kaluza, Attorney for the property owner

*Hanna Getachew-Kreusser, Executive Director of Face 2 Face Health and Counseling
Darius Husain, Program Director of Face 2 Face Academy*

Marcia Moermond, Legislative Hearing Officer: This is one of the worst nuisance properties I have seen in a while. It has significant neighbor, police, and code enforcement issues. It has been broken into and squatted in. During the first Legislative Hearing at the end of June, the Vacant Building Supervisor stated concerns about break-ins into the garage by homeless people and that it was an urgent problem. The following day there was an explosion and the garage burned down. No one was hurt. The neighboring garage and some trees were damaged and ordered removed. Wires needed to be dealt with by Xcel Energy. The house has structural problems in the basement, such as significant cracks in the wall. To refer this back to Legislative Hearing, I would ask that a performance deposit be posted, a code compliance inspection be requested, and require a structural engineering analysis. During the first hearing, the attorney said that one was anticipated within the next two weeks, which would have been two weeks ago. I got it in my email this morning and will share it with the City's structural engineer. I'm not 100% confident in it. If the cover letter is addressed to the wrong person, you don't necessarily trust the facts that follow. This particular report speaks to the City of Arden Hills, so that does not make me feel confident about the attention to detail that one looks for from an engineer. That said, all 3 things have been done by the owner. I did not commit to make a recommendation one way or another, based on those things being done. I am not confident that the current owner has control of the site. I have briefed Councilmember Yang. There is no code compliance report yet. It was requested last week. The Department of Safety and Inspections is expediting it, and I expect it will be here next week. Based on that, along with the engineering analysis, I think I can give you a better report. I think the bank may have better information, also. I don't think prospects are good, but I wouldn't rule it out. There are testifiers today as well as a good amount of testimony in the record.

Council President Brendmoen: It sounds like there are lots of concerns here, but you did get some stuff in your inbox today. I know Councilmember Yang also wants to be present for this final vote and has concerns. Maybe a one week layover would give that time to review the new materials and for Yang to be here.

Kristina Kaluza: I am agreement with what was just said. I heard from the building inspector that he is hoping to get there on Monday. Hopefully the report will be ready by next Wednesday. The owner has put down the performance deposit. Since this is bank-owned, there are financial resources available for demolition or repair, once we review the two reports. The bank is also soliciting bids to make a determination on that.

Brendmoen: We are looking at a one week layover and it sounds like you are in support of that.

Kaluza: Yes. Once a recommendation is made, will we have a chance to respond to that?

Brendmoen: We will keep the public hearing open so you can get a chance to speak next week.

Hanna Getachew-Kreusser: Darius Husain and I have a number of concerns and some possible solutions. We would like to potentially use this space.

Darius Husain: We just wanted the Council to be aware that there is a grades 9-12 charter school on the other side of the fence from this property. We have been dealing with this nuisance for a long time. Having this right next to our students has been difficult. Right next to the property is a garden space with crops, an outdoor classroom, and a memorial space. It is our hope that the Council continues the pressure to ensure a positive outcome for this space. In the last week, we are encouraged by activity the bank has done since they became aware of everything happening. We know this is privately owned, but we would like to help develop the land if the property is to be demolished. We would like to use it to expand the school and/or the health clinic if it is not rehabilitated.

Brendmoen: It sounds like this could go one way or the other.

Councilmember Prince moved to continue the public hearing for one week.

Public hearing continued to August 9, 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 Balenger 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

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| 23 | <u>RLH VO 23-31</u> | Appeal of Sarah Vaile, SMRLS, o/b/o tenant Elizabeth Mekonine to a Notice of Condemnation and Order to Vacate at 1133 ARUNDEL STREET.
Adopted |
| 24 | <u>RLH TA 23-241</u> | Deleting the Appealed Special Tax Assessment for property at 241-243 AURORA AVENUE. (File No. J2323A, Assessment No. 238530)
Adopted |
| 25 | RLH RR 23-42 | First Making finding on the appealed substantial abatement ordered for 1501 CLARENCE STREET in Council File RLH RR 22-57. (Refer to August 8, 2023 Legislative Hearing) |

Referred to August 8, 2023 Legislative Hearing

- 26 [RLH TA 23-247](#) Ratifying the Appealed Special Tax Assessment for property at 16 DOUGLAS STREET. (File No. J2322A, Assessment No. 238528)

Adopted

- 28 [RLH FCO 23-60](#) Appeal of Linda Kohl and Nick Geng for Bigos Management/On the Park condos to a Correction Order at 380 JACKSON STREET, aka 198 SIXTH STREET EAST (previous File ID RLH FCO 23-28)

Public hearing continued to August 9, 2023

- 29 [RLH TA 23-245](#) Ratifying the Appealed Special Tax Assessment for property at 550 MINNEHAHA AVENUE WEST. (File No. J2322A, Assessment No. 238528)

Adopted

- 30 [RLH VBR 23-37](#) Appeal of Boon Lor to a Vacant Building Registration Requirement at 1811 MONTANA AVENUE EAST.

Adopted

- 31 [RLH TA 23-244](#) Ratifying the Appealed Special Tax Assessment for property at 570 PORTLAND AVENUE. (File No. J2322A, Assessment No. 238528)

Adopted

- 32 [RLH TA 23-243](#) Ratifying the Appealed Special Tax Assessment for property at 576 PORTLAND AVENUE. (File No. J2322A, Assessment No. 238528)

Adopted

- 33 [RLH RR 23-31](#) Ordering the rehabilitation or razing and removal of the structures at 455 ROBERT STREET SOUTH within fifteen (15) days after the August 2, 2023, City Council Public Hearing. (Refers back to August 8, 2023 Legislative Hearing)

Referred to August 8, 2023 Legislative Hearing

- 35 [RLH CO 23-7](#) Appeal of Joseph Zimlich, Jr. to a Correction Notice at 880 ROSE AVENUE EAST.

Adopted

- 36 [RLH RR 23-24](#) First Making finding on the appealed substantial abatement ordered for 694 SHERBURNE AVENUE in Council File RLH RR 22-19. (Amend: nuisance is abated)

Adopted as amended (nuisance abated)

- 37 [RLH RSA 23-8](#) Appeal of Geruth Buetow to a Rent Stabilization Determination at 250 SIXTH STREET EAST, Apt. 608.
Adopted
- 38 [RLH VBR 23-42](#) Appeal of Atnafu Yeshidagne to a Vacant Building Registration Requirement at 506 and 510 SNELLING AVENUE NORTH.
Adopted
- 39 [RLH VO 23-29](#) Appeal of Kamil Roowala and Muhammad Jiwa to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1351 THIRD STREET EAST.

Adopted
- 40 [RLH TA 23-290](#) Amending Council File RLH AR 23-41 to reduce the assessment for Property Clean Up services during January 18 to 30, 2023 at 931 and 933 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)
Adopted
- 41 [RLH AR 23-55](#) Ratifying the assessments for Property Clean Up services during March 14 to 31, 2023 (File No. J2322A, Assessment No. 238528).

Adopted
- 42 [RLH AR 23-56](#) Ratifying the assessments for Property Clean Up services during April 5 to 13, 2023 (File No. J2323A, Assessment No. 238530).
Adopted

ADJOURNMENT

Meeting ended at 4:56 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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