



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
651-266-8560

Meeting Minutes

City Council

Council President Rebecca Noecker
Vice President HwaJeong Kim
Councilmember Anika Bowie
Councilmember Molly Coleman
Councilmember Cheniqua Johnson
Councilmember Saura Jost
Councilmember Nelsie Yang

Wednesday, September 10, 2025

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Meeting started at 3:32 PM

Present 6 - Councilmember Rebecca Noecker, Councilmember Nelsie Yang, Councilmember Anika Bowie, Councilmember Saura Jost, Councilmember Cheniqua Johnson and Councilmember Molly Coleman

Absent 1 - Councilmember HwaJeong Kim

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 25-37](#) Letter from the Department of Safety and Inspections declaring 1079 Arkwright Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Received and Filed

- 2 [CO 25-38](#) Letter from the Department of Safety and Inspections declaring 693 Cook Avenue East a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

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 Noecker stated that Items 4 and 14 would be taken separately.

Councilmember Yang moved approval.

Consent Agenda adopted as amended

Yea: 6 - Councilmember Noecker, Councilmember Yang, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

Absent: 1 - Councilmember Kim

- 3** [RES 25-854](#) Authorizing the Fire Department to pay for all costs incurred to hold a graduation ceremony for 15 new paramedics on September 5, 2025 at the Neighborhood House.
- Adopted**
- 5** [RES 25-1343](#) Directing the Department of Safety and Inspections to proceed with adverse action and the imposition of a \$500 matrix penalty against Seventh Street Liquor INC d/b/a Seventh Street Liquor Barrell (License ID #20120005702) for the premises located at 665 7th St. W.
- Adopted**
- 6** [RES 25-1347](#) Authorizing the City's conveyance of a permanent Thermal Line Easement to District Energy St. Paul for the installation and maintenance of thermal heating and cooling service lines through the George Latimer Central Library to serve the adjoining property at 80 West Fourth Street.
- Adopted**
- 7** [RES 25-1369](#) Approving the City's cost of providing Repair of Sanitary Sewer Service Line on Private Properties and setting date of City Council public hearing for October 8, 2025 to consider and levy the assessments against individual properties. (File No. SWRP2503, Assessment No. 253002)
- Adopted**
- 8** [RES 25-1370](#) Approving the City's cost of providing Replacement of Lead Water Service Line on Private Properties and setting date of City Council public hearing for October 8, 2025 to consider and levy the assessments against individual properties. (File No. 2502LDSRP, Assessment No. 254001)
- Adopted**
- 9** [RES 25-1371](#) Approving the City's cost of providing Collection of Delinquent Garbage Bills for service during January to March 2025, and setting date of legislative hearing for October 2, 2025 and City Council public hearing for November 5, 2025 to consider and levy the assessments against individual properties. (File No. CG2503A3, Assessment No. 250126)
- Adopted**
- 10** [RES 25-1407](#) Approving the application for change of ownership to the Liquor On Sale-100 seats or less, Liquor On Sale Sunday, Liquor Outdoor Service Area (Patio) and Entertainment (A) license now held by La Morelense Restaurant and Sweets Inc d/b/a La Morelense Restaurant and Sweets (License ID

#20250001163) for the premises located at 1552 Como Avenue.

Adopted

- 11 [RES 25-1408](#) Memorializing a City Council decision to deny the appeal of Stronger Sober House from a Board of Zoning Appeals decision to deny a variance request to establish a 12-resident supportive housing facility on the property at 269 Harrison Avenue.

Adopted

- 12 [RES 25-1413](#) Approving the separation of the grant funds through the Ward 7 Neighborhood Star Year-Round program for Faith City Church in partnership with the G.W Carver Center for Innovation.

Adopted

- 13 [RES 25-963](#) Approving the Labor Agreement (May 1, 2025 - April 30, 2028) between the City of Saint Paul and the North Central States Regional Council of Carpenters.

Adopted

ROLL CALL

Present 7 - Councilmember Rebecca Noecker, Councilmember Nelsie Yang, Councilmember HwaJeong Kim, Councilmember Anika Bowie, Councilmember Saura Jost, Councilmember Cheniqua Johnson and Councilmember Molly Coleman

FOR DISCUSSION

- 4 [RES 25-1341](#) Authorizing the Department of Public Works Organized Trash and Recycling operations to expend an amount not to exceed \$5,000 for the purpose of providing candy for various public events and parades throughout 2025.

Council President Noecker moved approval of Version 2.

Adopted as amended

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 14 [RES 25-1365](#) Approving the appointment of Melanie McMahon as Interim Director of the Department of Planning and Economic Development

Councilmember Johnson moved approval.

Councilmember Jost spoke in favor.

Council President Noecker spoke in favor.

Melanie McMahon was sworn in.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 15** [RES 25-1404](#) Recognizing the City of Saint Paul's participation in Welcoming Week 2025.

Edmundo Lijo from the City Attorney's Office gave a staff report.

Briana Broberg from Welcoming America gave remarks.

Councilmember Yang spoke in support.

Councilmember Bowie spoke in support.

Councilmember Kim spoke in support and moved approval..

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 16** [RES 25-1357](#) Reciting a proposal for a housing 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, Joseph's Pointe at Upper Landing Project, 200 Wilkin Street (District 9, Ward 2). (Laid over from September 3, 2025)

Council President Noecker moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 17** [RES 25-1358](#) Approving issuance of a \$241,157.97 ERA2 loan and execution of the loan agreements and related documents for the Joseph's Pointe at Upper Landing Project, 200 Wilkin Street (District 9, Ward 2). (Laid over from September 3, 2025)

Council President Noecker moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 18 [RES 25-1359](#) Authorizing use of a Project Labor Agreement (PLA) for the rehabilitation of the Joseph's Pointe at Upper Landing project, 200 Wilkin Street (District 9, Ward 2). (Laid over from September 3, 2025)

Council President Noecker moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

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

- 19 [Ord 25-48](#) Amending Chapter 130 of the Legislative Code, Procedure for Vacating Streets and Other Public Grounds.

Councilmember Jost moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

First Reading

- 20 [Ord 25-49](#) Establishing the classification titled City Council Communications Lead in the unclassified service pursuant to Section 12.03.2(H) of the City Charter (must be approved by Civil Service Commission after adoption by City Council and prior to Mayor signature).

Jay Willms, City Council Director, gave a staff report.

Laid over to September 17, 2025 for Second Reading

- 21 [Ord 25-53](#) Amending Chapter 441 of the Legislative Code to adjust the electric-vehicle charging station rates.

Russ Stark from the Mayor's Office gave a staff report and answered councilmember questions.

Laid over to September 17, 2025 for Second Reading

PUBLIC HEARINGS

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

- 22** [Ord 25-50](#) Amending Chapter 45 of the Administrative Code to define reporting requirements and require that the City's Legislative Agenda be presented to City Council no later than the second Wednesday in December.
- Councilmember Bowie moved her amendment. Approved 7-0.*
- Council President Noecker moved her amendment. Approved 7-0.*
- Bowie moved to close the public hearing.*
- Amended and laid over to September 17, 2025 for Final Adoption**
- Yea:** 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman
- Nay:** 0
- 23** [RES PH 25-106](#) Ratifying the assessment for Minnesota Street from Sixth Street to Eleventh Street paving and lighting project constructed as part of the 2024 St. Paul Street Paving Program (SPS). (File No. 19262, Assessment No. 245203)
- Barb Mundahl from the Department of Public Works gave a staff report.*
- Councilmember Johnson moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman
- Nay:** 0
- 24** [RES PH 25-196](#) Approving major modifications to the Victoria Park Master Plan.
- Councilmember Jost moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman
- Nay:** 0
- 25** [RES PH 25-197](#) Amending the financing and spending plans in the Fire Department in the amount of \$191,723.66 for the contribution received from the Minnesota Board

of Firefighter Training and Education to pay for training for firefighters.

Councilmember Coleman moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 26** [RES PH 25-195](#) Amending the financing and spending plans in the Fire Department in the amount of \$100 for the donation from the Brandenburg family in honor of retired Fire Captain Patrick Donnelly.

Councilmember Yang moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 27** [RES PH 25-198](#) Amending the financing and spending plans in the Fire Department in the amount of \$29,703.51 for the Minnesota Task Force One (MNTF1) reimbursement from the City of Edina.

Councilmember Kim moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 28** [RES PH 25-189](#) Approving the application of Minnesota Taco and Tequila Festival for the Viva La Vida: Taco & Tequila Festival event on Saturday, September 20 and Sunday, September 21, 2025 for a sound level variance in order to present live amplified sound at 425 Rice Street, former Sears parking lot.

Councilmember Bowie moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 29** [RES PH 25-190](#) Approving the application of Anderson Race Management/Jennifer Williams Walk for Water event, Saturday, September 20, 2025 for a sound level

variance in order to present live amplified sound at Upper Landing Park, 226 Spring Street.

Councilmember Jost moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 30** [RES PH 25-194](#) Approving the application of The Leukemia & Lymphoma Society, Inc.; The Leukemia & Lymphoma Society Inc's Light the Night Event, Saturday, September 27, 2025 for a sound level variance in order to present live amplified sound at Harriet Island- 200 Dr Justus Ohage Boulevard.

Councilmember Johnson moved approval.

Adopted

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

LEGISLATIVE HEARING DISCUSSION ITEMS

- 31** [RLH TA 25-115](#) Ratifying the Appealed Special Tax Assessment for property at 686 EDMUND AVENUE. (File No. VB2507A, Assessment No. 258826) (Public hearing closed and laid over from April 9, 2025)

Marcia Moermond, Legislative Hearing Officer: My recommendation is to lay this over to October 22, to allow us to access property information from the new PAULIE system.

Councilmember Bowie moved to lay over to October 22, 2025.

Laid over to October 22, 2025

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 32** [RLH TA 25-344](#) Amending Council File RLH AR 24-25 to reduce the assessment Collection of Vacant Building Registration fees billed during April 5 to October 20, 2023 at 1350 HAGUE AVENUE. (File No. VB2407, Assessment No. 248806) (Public hearing closed and laid over from August 27, 2025)

Assessment reduced from \$5,075 to \$2,537

Councilmember Kim: I move to approve Moermond's recommendation.

Councilmember Yang: How long has this been part of the vacant building program? Was work done in time to get a reduction? Is there a justification for a reduction? Based on these questions, we should not be reducing this assessment at all.

Councilmember Bowie: Why was a reduction recommended?

Moermond: This assessment was already ratified and certified to 2025 property taxes. My rationale for the reduction was that if they had appealed the assessment, I would have offered to reduce the assessment by half if they were out of the vacant building program within six months. They were out in six months, so I recommended a reduction I normally would have recommended in a normal course of events.

Councilmember Johnson: What was assessed last year? Was there a reduction then?

Moermond: There was not a reduction then. The assessment was for \$5,075.

Johnson: You are now recommending a reduction by 50%? Would that be a refund?

Moermond: Yes. That is the only way to do this after assessment was certified.

Bowie: After the last hearing, I said that if there were texts showing DSI staff saying the assessment would be deleted, I would have supported deletion. Did anything like that come forward?

Moermond: No.

Yang: I don't see anything documented to support a reduction. I will be voting against the recommendation.

Johnson: I don't see a path for reduction either. Did this recommendation come from talking to the councilmember?

Moermond: It came from me. I don't talk to councilmembers before issuing my recommendation.

Johnson: I will be voting against the recommendation too.

Bowie: I move Moermond's recommendation to reduce the assessment by half. This is not a problem property. It is no longer vacant.

Adopted as amended

Yea: 5 - Councilmember Noecker, Councilmember Kim, Councilmember Bowie, Councilmember Jost and Councilmember Coleman

Nay: 2 - Councilmember Yang and Councilmember Johnson

33 [RLH RSA 25-8](#)

Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenant, Jill Ackerman, to a Rent Stabilization Determination at 934 ASHLAND AVENUE, UNIT 1.

Public hearing closed and laid over for one week.

Abbie Hanson, Attorney from the Housing Justice Center, appeared in person o/b/o the appellants in Items 33 - 40.

Scott Day, son of building owner Judith Day, appeared in person.

Bill Griffith, Attorney from Larkin Hoffman, appeared in person o/b/o Judith and Scott Day

Marcia Moermond, Legislative Hearing Officer: This is an appeal of a Department of Safety and Inspections (DSI) determination on an exception to the 3% rent stabilization limit. Items 33 through 40 are all appeals of different units within the same three properties, which are all part of the same complex. Because the application was for more than an 8% increase, a full staff review was conducted. The reasons for the exception in the application were: an increase in real property taxes, unavoidable increase in operating expenses, a capital improvement project, and an increase in the number of tenants occupying a unit. The applicant needed to provide numbers to demonstrate that these factors increased the Maintenance of Net Operating Income (MNOI). The worksheet is attached to the record. It shows CPI changes from 2019, the base year, and 2023. Ordinance lays out many items that are exceptions to the 3% rent cap, including the four I mentioned. The appellant argues that none of the items should be considered, because the property does not meet the warranty of habitability. That is the last item in the ordinance, and if that isn't met, the rest doesn't matter.

There was no discussion or dispute of the accuracy of the numbers for taxes or operating income in the appeals process. The attorney for the appellants wanted their appeal to apply to the entire building. Council only looking at specific appeals, though. The appellants today have certificates of representation from the Housing Justice Center. There is no way for the City Council to collect all of these individual decisions and say they apply throughout the buildings. With respect to the buildings' conditions and the warrant of habitability, that is the first thing DSI looks at. Staff looked at the fire certificate of occupancy ratings, which is the standard measure that the City uses to determine the condition of a non-owner-occupied building. For the 3 buildings in front of you, one had an A rating, one had a B rating, and one had a C rating. No subsequent inspections were triggered because no complaints were filed with DSI indicating that there were problems.

In Legislative Hearings on July 17, 2025, when reviewing the conditions, I asked specifically if these had been forwarded to DSI for investigation, as they were submitted to my office at the beginning of June. They had not. I asked if the appellants would you like them to be. The answer was yes. They all got sent to DSI the third week in July, but then the City had the digital security incident. DSI got out there on September 4 and did an inspection of the entire premises. The inspector found that the conditions did not rise to the level of requiring any unit to be vacated. A staircase on the outside had been condemned, but it was not a mandatory exit route. I found it hard to see that as taking away the habitability of the unit.

The fire certificate of occupancy inspectors look at both fire code and at property maintenance codes like building and mechanical and so on. If necessary, they bring in trades inspectors. In this case they had a certified building official and a certified fire inspector with them. In the legislative hearing, the presented expert was asked specifically if the warranty of habitability issues constituted reason for the units to be vacated. He indicated that they would be worthy to go unaddressed. There's no information indicating that the appellants' findings were corroborated.

On September 4, the fire inspector also found that a lot of things had been addressed that were originally brought up since the June 4 inspection by the expert witness. The landlord testified that he had not been made aware of a significant number of these violations. I don't have records one way or the other on that. One example that appears in the recommendation letter is that he stated that if he been aware of lock problem

that was reported on one of the units he would have addressed it, because the day before he had a locksmith on the property to do another repair. I struggle with this because the rent increases are not insignificant, ranging from 28% to 52%. There isn't a line in the code, though, that says "except if you can't afford it." It doesn't speak to tenant income or ability to afford a rent increase, so I have not been able to take that into account. I have no information on income or affordability.

Finally I would ask that the City Council consider laying the matter over for a week to review the materials. One submission came in today. If the Council does choose to lay the matter over, I would encourage the Council to close the public hearing.

Abbie Hanson: I just passed around photos to you all. As noted, the rent increase here is 28%, a significant increase. What stands out about this case, and why the residents chose to appeal, is that this was approved for a property with serious documented habitability problems. Moermund referred to documents submitted earlier today that were submitted by the landlord. It states that residents and their legal counsel have misrepresented the current state of the property. We have not. In the objection document that we submitted on Monday, we have pictures of the property on pages 3 - 5. Page 5 has a giant hole in the floor that is still there. Page 4 shows pictures in and around Vincent Cornell's unit. The pictures I passed around are photos that Cornell took on Monday, which are time-stamped. They show a water damaged wall in the kitchen and cracks that lead to water infiltration and mold. There are text messages that we screenshotted, alerting the landlord of this problem in October 2024. The broken window on page 4 is from Autumn Buel's unit. The fire report from last Thursday identified it as broken. The letter that was submitted today simply says the window has been ordered.

I visited Jessica Skaare's unit on Sunday. The windowsills and door frame look exactly as they did when I first visited the property in May. The landlord's statement says these problems are fixed or will be fixed. There has been no documentation submitted that these problems actually have been fixed. The record has pictures, video, and the declaration that residents have submitted about these problems. These were confirmed by last week's fire inspection and orders, which we included as an exhibit to our objection. The code violations need to be corrected. These are not minor. There is flaking paint. Because this is in a building built before 1978, the law says the paint is presumed to contain lead, unless the landlord says otherwise. There has been no documentation on that, so it is presumed to contain lead. There are children that live in and visit this property.

The foundation cracks have been raised since the start of this, and they are still there. This leads to water infiltration and mold as well. If these increases are approved, they will be paying \$3,000 to \$4,000 more per year in rent for these units with documented problems. They have documented these problems with videos and more than 100 photos. They told the landlord about these problems and detailed if the problems were there when they moved in. They took time off work to attend today and have put a lot of effort in. They have put their necks out to raise these problems in the context of a rent stabilization appeal, and it seems as if these problems are being swept aside. It's been incredibly frustrating for them, especially because the law is written to consider habitability. There's the implied warranty of habitability that Moermund mentioned, but there is also substantial deterioration that must be considered. There is compliance with local health and housing code that must be considered. Habitability language has been in the ordinance since it was passed into law by voters.

We are asking that you follow the ordinance as it is written and follow the

non-controversial principle that if a landlord wants to deviate from that 3% cap, they need to hold up their end of the bargain and provide a habitable home.

Scott Day: I'm the son of the owner, Judith Day, as well as her power of attorney. She is dealing with health issues and is unable to manage the property. I've been living abroad for the last 21 years and was brought back to the Twin Cities in November due to her health situation. She has owned these buildings since 1998 and was a tenant before she bought them. She's acted more of a mother figure to her tenants, rather than just a landlord. I welcomed the inspectors when they came, and am working daily with professionals to remedy the problems the inspectors noted. We've never had an eviction. We are part of the community. I only did this because of my mom's health issues. She never kept up with expenses. I had to go through all the books and submit all the paperwork to justify the rent increase. We don't want to increase the rent. We have to. Property taxes, insurance, and energy costs have raised our bills, but rents have not increased. This was partly due to my mom's health. She didn't ever want to raise rents on tenants. This was an economics decision. Rents are well below the value right now. This is a great neighborhood, and these properties are right by the governor's residence. This is something we had to do.

Bill Griffith: When I sent my letter earlier today, I wanted to indicate to the Council, in real time, a response to a letter from September 8 about the status of the building. I believe the appellants' counsel has misrepresented what Scott Day is doing to rectify issues. Judith Day didn't raise rent more than 1% in 5 years. Her expenses have gone up by 50%, so Scott triaged the complaints when they came in after this appeal. Mold and electrical issues have been addressed. I welcome any of you, between now and your next meeting, to walk out to the property. You can see where all the stairs have been stabilized after previously being condemned. Landlords address the most pressing concerns first. There was also some vandalism, so windows have been boarded up and new windows have been ordered. No tenant is exposed to the elements. I walked around the building myself and I encourage you to do the same. Your own professional staff have confirmed that the building is habitable. The improvements will continue over the next 30 days. All orders from DSI will be addressed. Issues with paint and inoperable windows will be dealt with, but there is nothing left on that list that causes serious habitability concerns, nor would I say that there ever was. In any case, the most serious issues on the property have been addressed. In the last 30 days I think Scott has spent \$70,000 - \$80,000 on improvements. That's fine. That's what a landlord should do. We're not disputing that fact. But, the property is habitable, and your own staff have confirmed. Scott Day will continue to work with DSI to make sure that anything of concern is addressed, and will continue to respond to tenant concerns. The one tenant who had a 52% increase has reached a resolution with Scott and will not have more than a 15% increase. Any tenant can work with us similarly, but we need the increase to make the property work.

Dan Stahley, Assistant City Attorney: Before we continue, there was an invitation by the last speaker for councilmembers to go visit the property. It's the advice of the City Attorney to not do any independent investigation. The record is what happens in the council chambers here today and what's been submitted as part of the record.

Councilmember Bowie moved to close the public hearing. Approved 7-0.

Bowie: The goal of our rent stabilization policy is to ensure fairness and transparency when a landlord requests an exception. I have observed and heard that there has been progress on making improvements to this property. For the habitability concerns, I would say the buildings are habitable. Things like increases in property taxes and

management have been documented. I think it's important for tenants to know that there are proper channels for exploring concerns about living conditions through DSI's complaint system. I think DSI followed the law in allowing the rent increase.

Council President Noecker: Moermond, you said DSI staff looked at the fire certificate of occupancy for the properties and one was an A, B, and C. Do we know when those last inspections have taken place that they based their decision on?

Moermond: For 934 Ashland, which as an address also reads 934/936 Ashland, it received a B rating. The last inspection was on June 15, 2023. No subsequent complaints have been called in. For 938 Ashland, the last inspection was November of 2021. It has a C rating, so it should have been reinspected under the normal course of events. Due to short staffing, DSI hasn't been doing reinspections on these unless a complaint has been called in, until they get a full complement of staff again. For 942 Ashland, it has an A rating. It was last inspected October 22, 2021. A-rated buildings are allowed to have 6 years between inspections, so that was not due for one. No subsequent complaints came in on it. I talked to the fire inspections manager about the ratings on these. How the rating system works is that the violations are loaded into the City system, which used to be AMANDA, and attaches point values to different deficiencies. It will take the point values then and divide that by the number of units in common space in the building and give a rating. Council actually approves the point values that are attached to the different types of ratings. The inspections manager said he couldn't tell right then by just seeing the deficiency list, but figured two of the buildings were between an A and a B, and maybe one was between a B and a C. He did not believe that the inspection results moved the needle on how the ratings were given.

Noecker: What I'm struggling with is that it seems like we are focusing on one of the requirements of our law, which is the warrant of habitability. But, there is also the substantial deterioration of the rental unit other than as a result of normal wear and tear. There's also failure on the part of the landlord to provide adequate housing or comply with local housing health and safety codes. It seems like we are focusing only on habitability, and we continue to have this refrain that the renters never let us know or that it wasn't reported to DSI. DSI didn't do anything more than look at the fire certificate of occupancy because there weren't complaints, but the burden of proof is not on the tenants. In our ordinance, the burden of proof is on DSI to ascertain all of these different points. I am concerned if the only metric they're using is a fire certificate of occupancy, especially when that certificate of occupancy is more than 4 years old. It's also especially concerning when at least one of those units should have been reinspected in the meantime because of its low rating, but wasn't due to staff challenges. I am having difficulty with the fact that the department made a determination to grant the rent increase prior to having done the level of due diligence that I think needed to be done. Regardless of what happened afterwards and what's been fixed since then, and what's been inspected since then, I'm kind of coming back to the original determination and what had happened before that determination was made.

Councilmember Johnson: I agree. It's not clear to me that when we focus specifically on that habitability piece, that we have also looked at the other elements of the ordinance. When we receive an appeal specifically outlining one thing, in this case habitability, do we go into the other potential issues or just go off of what is stated from the tenants?

Moermond: The rating is already out there before the appeal. That is what staff refer to

when the tenants filed the appeal. Originally, they indicated subsequent materials would follow. I didn't have anything besides an appeal of a rent increase. Subsequent materials did elaborate upon the conditions within the building. Staff were not asked to confirm. Rent stabilization staff review the numbers and there had been no complaint. I talked to DSI Director Angie Wiese. She said that without having a complaint, DSI is loath to dispatch inspectors. Regarding the ratings, the unit in front of you is in the 934 Ashland building that has a B rating. It isn't within the normal calendar for reinspection. The withdrawn appeal is the C-rated building. That's not in front of you with this item. The 942 Ashland building has the A rating, and that's where the majority of the appeals are from.

Johnson: What concerns me is that the current state of some of these buildings may not be accurate based on the time of the last inspection. Has DSI been out to confirm the conditions?

Moermond: On September 4, last week.

Johnson: Were they only looking for things brought up by the tenants?

Moermond: They did a standard certificate of occupancy inspection. They didn't use just the complaint. They went through their list they would normally go through for everything. For this particular unit they called out a couple items. Those are in the attachment in front of you.

Johnson: I don't know if I'm prepared to vote one way or the other today.

Councilmember Kim: I agree with Noecker and Johnson. I'm doing a cursory search of the definition of habitability and I would say it's too broad. Some of the videos and photos that were submitted, and having running water coming through my basement would be considered inhabitable. I also have concerns about the timing of inspections and the due diligence of our departments. It's not to say that they don't do a good job. I would like more time to consider this as well.

Bowie: I'm in favor of laying this over for a week. Moermond, you considered us closing the public hearing. What should we do if there is more information? I'm hearing questions about how we measure habitability and inspections.

Moermond: Council already closed the public hearing. These are Minnesota State codes used to determine habitability, but for the local property maintenance code that's consistent with state code. I'm strongly encouraging the Council to use that for understanding what is considered unsafe. Other determinations would be more subjective. If you have a chipped tile in your bathroom, that's going to be written up by a fire certificate of occupancy inspector. Would points attach to that? Yes. Would that influence the rating in that particular case? Door locks and smoke detectors have large amounts of points attached to them. For this unit, the inspector noted scraped paint in the bathroom and improper bulbs in the bedroom.

Bowie: So not having a smoke detector isn't considered a violation?

Moermond: Not having smoke and carbon monoxide detectors present, or if they're malfunctioning, would be considered a significant violation.

Bowie: But is that a question of habitability?

Moermond: It's a component. There is uniqueness about that situation because the fire inspectors will not leave the site without having those items corrected, unless it's an extra non-necessary smoke or carbon monoxide detector. They have free ones that they can install. They will require the property owner to get something in right then. The inspector would then come back a month later and make sure it's still there.

Kim: Stahley thinks we may need to reopen the public hearing to receive any new information. I don't think we need to do that, since we have the information we need. I support a layover to go over that information, though.

Bowie: I move a one week layover of this item.

Noecker: I support that. I'm struggling with habitability concerns, code violations, and the words in our ordinance that don't have specific definitions like "substantial deterioration." Even the word deterioration implies a change over time, which implies the need to go look at it now, not 3 - 6 years ago.

Councilmember Coleman: I support a layover. I'm also hearing there may be areas to look at for policy change.

Kim: I am also happy to offer assistance with these items, if Bowie would like.

Public hearing closed and laid over to September 17, 2025

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

34 [RLH RSA 25-10](#)

Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenant, Vincent Cornell, to a Rent Stabilization Determination at 934 ASHLAND AVENUE, UNIT 2.

Public hearing closed and laid over for one week.

[See 9/10 minutes on RLH RSA 25-8 for staff report, initial public comment from appellant attorney, property owner, and property owner's attorney, as well as councilmember discussion.]

Marcia Moermond, Legislative Hearing Officer: At the inspection last week, no deficiencies were found.

Councilmember Bowie moved to close the public hearing. Approved 7-0.

Bowie: What is your recommendation?

Moermond: To deny the appeal. The landlord could increase rent up to 28%.

Bowie: I move to lay this over for one week.

Public hearing closed and laid over to September 17, 2025

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 35 [RLH RSA 25-12](#) Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenant, Ehren Stemme, to a Rent Stabilization Determination at 938 ASHLAND AVENUE, UNIT 6. (Appeal withdrawn)

[See 9/10 minutes on RLH RSA 25-8 for staff report, initial public comment from appellant attorney, property owner, and property owner's attorney, as well as councilmember discussion.]

Withdrawn

- 36 [RLH RSA 25-13](#) Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenant, Kayla Simonson, to a Rent Stabilization Determination at 942 ASHLAND AVENUE, UNIT 8.

Public hearing closed and laid over for one week.

[See 9/10 minutes on RLH RSA 25-8 for staff report, initial public comment from appellant attorney, property owner, and property owner's attorney, as well as councilmember discussion.]

Marcia Moermond, Legislative Hearing Officer: There are no new orders and no orders written at this time.

Councilmember Bowie moved to close the public hearing and lay over for one week.

Public hearing closed and laid over to September 17, 2025

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 37 [RLH RSA 25-14](#) Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenant, Jessica Skaare, to a Rent Stabilization Determination at 942 ASHLAND AVENUE, UNIT 9.

Public hearing closed and laid over for one week.

Jessica Skaare, appellant, appeared in person.

Scott Day, son of building owner Judith Day, appeared in person.

[See 9/10 minutes on RLH RSA 25-8 for staff report, initial public comment from appellant attorney, property owner, and property owner's attorney, as well as councilmember discussion.]

Marcia Moermond, Legislative Hearing Officer: Last week's inspection had orders to scrape and repaint the hallway and kitchen. The back stairs were also condemned, which was mentioned in my initial comments.

Jessica Skaare: I've been a tenant here for 10 years. I was shocked and disheartened by the 28% increase. There was no communication of my rent possibly increasing. I was baffled the approval happened without any sort of inspection. There are many different issues my landlord and the building manager have been aware of for years. In

the last 2 weeks there have been fast fixes and short term solutions to long term problems. For example, my bedroom window's top pane has not been able to shut properly or even stay up without my makeshift wooden dowels for at least 3 years. That has now been fixed by 4 screws holding the top window pane in place. I'm now unable to fully use my window. My deck has been an ongoing safety concern. It has been coming disconnected from the building itself and the railing was extremely shaky. The fix has secured it to the building but the original boards were reused and just turned upside down. I now have chunks of wood that have flaked off and I do not feel safe having my nephews and nieces come over to play. The wood shreds could cause injury. I also didn't see a permit posted for this deck work. It's unclear if it's been inspected. There are still other major concerns that have not been addressed. The ceiling fan in my living room wobbles when it's turned on. I rarely use it because I'm worried about it falling on my cats or guests. I purchased a new ottoman because I was afraid it would fall on my coffee table and break it. My windowsill and door frame around my back door are also deteriorating and flaking paint. I do not feel like all the documented evidence of safety issues were taken into account in the recommendation. As you know the cost of living has increased and having an increase like this with my social work salary would be severely overwhelming. Approving this increase when the whole process has provided documentation that basic upkeep has not been maintained is not a fair judgment.

Scott Day: We addressed the staircase and deck issues. That problem is resolved. You're welcome to take another look.

Councilmember Bowie: It would be helpful for appellants to clearly state their ask.

Council President Noecker: I think that was given by their attorney earlier.

Bowie moved to close the public hearing and lay over for one week.

Public hearing closed and laid over to September 17, 2025

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

38 [RLH RSA 25-16](#)

Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenant, Autumn Buel, to a Rent Stabilization Determination at 942 ASHLAND AVENUE, UNIT 10.

Appeal denied.

[See 9/10 minutes on RLH RSA 25-8 for staff report, initial public comment from appellant attorney, property owner, and property owner's attorney, as well as councilmember discussion.]

Marcia Moermond, Legislative Hearing Officer: As the tenant has moved out, I recommend that Council dismiss the appeal.

Council President Noecker: So, a tenant can no longer appeal on behalf of a unit if they're gone? It wouldn't apply to them anymore, but it would still apply to the unit they left.

Moermond: Appellants are people, not physical spaces. They can only appeal on their own behalf. If they initiated the appeal while they were a tenant but have since moved, they would lose that standing.

Councilmember Johnson: Is this the C-rated building?

Moermond: This was an A-rated building.

Johnson: What was the timeline again? I remember a similar case where we ruled in favor of the tenant after they moved out. Is this an automatic dismissal or just a practice?

Moermond: It would likely be the subject of litigation. I would defer to the City Attorney's Office. My recommendation is the same as it was in the previous case, and that is that the tenant who appealed is no longer a tenant and therefore doesn't have standing.

Dan Stahley, Assistant City Attorney: Our advice is that they don't have standing anymore.

Councilmember Bowie moved to close the public hearing and deny the appeal for lack of standing.

Adopted

Yea: 5 - Councilmember Noecker, Councilmember Yang, Councilmember Bowie, Councilmember Jost and Councilmember Coleman

Nay: 1 - Councilmember Johnson

Absent: 1 - Councilmember Kim

- 39** [RLH RSA 25-15](#) Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenants, Samuel Perkins & Chloe Cable, to a Rent Stabilization Determination at 942 ASHLAND AVENUE, UNIT 11.

Public hearing closed and laid over for one week.

Chloe Cable, appellant, appeared in person.

Samuel Perkins, appellant, appeared in person.

[See 9/10 minutes on RLH RSA 25-8 for staff report, initial public comment from appellant attorney, property owner, and property owner's attorney, as well as councilmember discussion.]

Marcia Moermond, Legislative Hearing Officer: Specific items listed during the recent inspection were to scrape and repaint the wall/bedroom door, decrease the fire load in the bedroom, and clear space around electric panels to 36 inches.

Chloe Cable: Please reject the recommendation to approve a 28.5% increase in rent. The recommendation comments on a lack of communication from tenants to the landlord and the City. Tenants have reported issues to both landlord and City in the past. The issue is not communication by tenants, but rather is neglect by the property owner and incompetence by City inspectors. Many of the habitability issues have been clearly visible to anyone with eyes. Mold, broken windows and doors, and holes in the walls and floors were easily visible, and some still are. The fact that these issues have

been overlooked by both property owners and inspectors over the years is indicative of neglect of the properties and their occupants. In other cases, we only learned of issues after we hired our own inspectors. For example, in our apartment we had no idea that our outlets were ungrounded. They were concealed by grounded 3-prong covers. What I thought was a funky light fixture in our kitchen was actually revealed to be a live wire wrapped in cloth. These fire hazards were not disclosed to us upon moving in and is not the job of tenants to understand safety standards and know the ins and outs of responsible property management. That is on the owners and City inspectors. Responsibility should not be placed on tenants as an error in communication. I acknowledge the right of property owners to a return on investment, but that right is not inherent to property ownership. It is earned. The habitability clause of the ordinance indicates that owners cannot qualify for an exception without their properties being up to code and safe to inhabit. The property owners have not earned this right to return on investment.

Samuel Perkins: We've lived here almost a year. In 2021 the City voted with a 60% margin for rent stabilization. You can get into the details of the law, but with an increase of 28.5%, can you still me that vote matters? That's almost 10 times the expected amount, and my neighbor is approaching 20 times that amount. Us tenants have done our job by taking time off work to be here and submitting materials documenting habitability concerns. You need to consider the intended goal of what voters chose and not allow such a massively destabilizing number to take effect. That is complete violation of the ordinance's intended spirit.

Councilmember Bowie moved to close the public hearing and lay over for one week.

Public hearing closed and laid over to September 17, 2025

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

40 [RLH RSA 25-17](#)

Appeal of Jim Poradek & Abbie Hanson, Attorneys for Housing Justice Center, representing Tenants, Lillian Johnson & Eleanor Rowen, to a Rent Stabilization Determination at 942 ASHLAND AVENUE, UNIT 12.

Public hearing closed and laid over for one week.

[See 9/10 minutes on RLH RSA 25-8 for staff report, initial public comment from appellant attorney, property owner, and property owner's attorney, as well as councilmember discussion.]

Marcia Moermond, Legislative Hearing Officer: The violation identified here is to replace bathroom ceiling tiles.

Councilmember Bowie moved to close the public hearing and lay over for one week.

Public hearing closed and laid over to September 17, 2025

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

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 Coleman moved approval.

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson and Councilmember Coleman

Nay: 0

- 41** [RLH TA 25-111](#) Amending Council File RLH TA 24-472 to Continue the Public Hearing for the Appealed Special Tax Assessment for property at 1055 FOURTH STREET EAST adopted by Council on February 12, 2025. (File No. J2505R, Assessment No. 258508) (Public hearing continued to September 10, 2025)
Public hearing continued to October 22, 2025
- 42** [RLH TA 25-160](#) Ratifying the Appealed Special Tax Assessment for property at 562 GALTIER STREET. (File No. J2513R, Assessment No. 258524) (Public hearing continued to September 10, 2025)
Public hearing continued to October 22, 2025
- 43** [RLH RR 25-25](#) Making finding on the appealed substantial abatement ordered for 925 MAGNOLIA AVENUE EAST in Council File RLH RR 24-44.
Adopted as amended (granted 180 days)
- 44** [RLH TA 25-96](#) Ratifying the Appealed Special Tax Assessment for property at 1155 REANEY AVENUE. (File No. J2511R, Assessment No. 258519) (Public hearing continued to September 10, 2025)
Public hearing continued to October 22, 2025
- 45** [RLH RR 25-24](#) Second Making finding on the appealed substantial abatement ordered for 378 SIMS AVENUE in Council File RLH RR 25-5.
Public hearing continued to October 22, 2025

ADJOURNMENT

Meeting ended at 5:37 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. Live testimony by telephone is unavailable at this time.

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