



City of Saint Paul

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

Meeting Agenda

City Council

Council President Amy Brendmoen
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, December 1, 2021

3:30 PM

Remote Meeting

**Please see below for meeting guidelines due to the COVID-19 pandemic emergency.
The Truth in Taxation Public Hearing will be held at 6:00 PM at a separate meeting.**

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 21-88](#) Letters from the Department of Safety and Inspections declaring 1628 Darlene Street and 1457 Third Street East nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Sponsors: Yang and Prince
Attachments: [1628 Darlene St.OTA 11-12-21](#)
[1457 3rd St E.OTA 11-16-21](#)
- 2 [CO 21-89](#) Mayor's Emergency Executive Order 21-42.
Sponsors: Brendmoen
Attachments: [Executive Order 2021-42](#)
- 3 [AO 21-13](#) Amending the 2021 spending budget for the Office of Financial Empowerment in the Office of Financial Services
Attachments: [AO 21-13 Financial Analysis](#)
- 4 [AO 21-63](#) Authorizing the Department of Parks and Recreation to reallocate \$510,348 within its various accounting units in the 2021 adopted budget to most accurately reflect the projected actual spending in each accounting unit and provide the appropriate levels of spending authority.
Attachments: [2021 Parks Budget A-O 11.5.21](#)
- 5 [AO 21-64](#) Authorizing the Library to reallocate \$225,505 within its various accounting units in the 2021 adopted budget to most accurately reflect the projected actual spending in each accounting unit and provide the appropriate levels of spending authority.

Attachments: [AO 21-64 Amending 2021 Budget.xlsx](#)

- 6 [AO 21-66](#) Amending CDBG Project Budgets: Funding for 913 Payne (Gentlemen's Cuts), a project selected by CDBG subgrantee ESNDK to be funded with Payne Ave BIF program funds.
Attachments: [AO 21-66 Financial Analysis CDBG](#)
- 7 [AO 21-67](#) Authorizing the Police Department to reallocate its 2021 Special Fund budget to reflect expenditures more accurately.
Attachments: [AO - Fund 200 - AU 20023814](#)

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.

- 8 [RES](#)
[21-1645](#) Accepting the 2022 Toward Zero Death Enforcement Program grant with the State of Minnesota, Department of Public Safety.
Sponsors: Brendmoen
Attachments: [2022 Toward Zero Death Enforcement Program Grant](#)
- 9 [RES](#)
[21-1646](#) Establishing the City Council Legislative Advisory Committee on Garbage.
Sponsors: Brendmoen
- 10 [RES](#)
[21-1650](#) Authorizing the City to enter into a Work Order Contract with the Minnesota Department of Transportation for the State's Trunk Highway 5 Project.
Sponsors: Prince
Attachments: [MnDOT Contract 1028167W11 TH5 rev 11.9.21](#)
- 11 [RES](#)
[21-1651](#) Approving Ordinance Permit 20200010603 for Sanitary Sewer Collection Infrastructure Installed by Ryan on the Ford (Highland Bridge) Site.
Sponsors: Tolbert
Attachments: [Permit 20200010603 - Exhibit A - ForCouncil - Combined](#)
- 12 [RES](#)
[21-1652](#) Approving Ordinance Permit 20200010604 for Sanitary Sewer Collection Infrastructure installed by Ryan on the Ford (Highland Bridge) Site.
Sponsors: Tolbert
Attachments: [Permit 20200010604 - Exhibit A - For Council - Combined](#)
- 13 [RES](#)
[21-1671](#) Authorizing the City Attorney's Office to apply for Byrne Justice Assistance Criminal and Juvenile Justice Intervention Renewal (Byrne-JAG) grant.
Sponsors: Brendmoen

- 14 [RES](#)
[21-1682](#) Authorizing the City to transfer \$5,456,090 of American Rescue Plan funds to a specific account for public safety radio replacement costs.
- Sponsors:* Brendmoen
 Attachments: [RES 21-1682 Financial Analysis](#)
- 15 [RES](#)
[21-1694](#) Memorializing the City's Council's denial of an appeal taken from a planning commission decision to grant a conditional use permit and dimensional and area variances requested by the owner of property at 695 Grand Avenue for the purpose of constructing a commercial and residential mixed use building.
- Sponsors:* Brendmoen
- 16 [RES](#)
[21-1695](#) Authorizing the City to enter into a lease agreement and management agreement with Your Boat Club, LLC for use and management of Watergate Marina.
- Sponsors:* Tolbert
 Attachments: [YBC at Watergate Marina LEASE Agreement 2021.10.25](#)
 [YBC at Watergate Marina MANAGEMENT Agreement 2021.10.25](#)
 [Res 21-19 - Recommendation of lease and management agreements between I](#)
- 17 [RES](#)
[21-1696](#) Approving the settlement agreement and release between the City and Benjamin Smith and other members of the putative class, and their attorneys, Wrobel & Smith, PLLP, Michael J. Vanselow Law Office, PLLC, and Meyer Njus Tanick.
- Sponsors:* Brendmoen
 Attachments: [Smith - Financial Analysis](#)
 [Administrative Code 3.02](#)
 [Settlement Agreement.Plaintiff Executed.11-19-21](#)
- 18 [RES](#)
[21-1698](#) Waiving the 45-day notice requirement to issue a Malt On Sale (Strong) and Wine On Sale License to Yum Kitchen & Bakery Homeland LLC d/b/a Yum Kitchen & Bakery (License ID # 20210001764) for the premises located at 164 Snelling Avenue North.
- Sponsors:* Thao
 Attachments: [District Council letter](#)
 [Letter to applicant from DSI](#)
 [License Application Notification](#)
 [Neighborhood Notification](#)

SUSPENSION ITEM

- [RES](#)
[21-1749](#) Affirming the Extension of Declaration of Local Emergency issued November 29, 2021 by Mayor Melvin Carter III.

Sponsors: Brendmoen
 Attachments: [Emergency Declaration COVID-19 Renewal Final Signed 20211129](#)

FOR DISCUSSION

- 19 [RES](#)
[21-1575](#)
- Approving the application with conditions, per the Deputy Legislative Hearing Officer, for DWD Group LLC (License ID # 20210000875), d/b/a Billy's on Grand, for a Liquor on Sale - 291 or more seats, Liquor on Sale - Sunday, Liquor on Sale - 2 AM Closing, Liquor Outdoor Service Area (Patio), Entertainment (B), and Gambling Location licenses, located at 857 Grand Avenue. (Laid over from November 17, 2021.)

Sponsors: Noecker

Attachments: [Conditions Affidavit](#)

[Minutes](#)

[Class N Application](#)

[Approved Site Plan](#)

[STAMP Activity Report](#)

[Incident Report](#)

[Street Photo](#)

[Objection #1](#)

[Objection #2](#)

[Objection #3](#)

[Objection #4](#)

[Objection #5](#)

[Objection #6](#)

[Objection #7](#)

[Objection #8](#)

[Objection #9](#)

[Objection #10](#)

[District Council Correspondence](#)

[Aerial Photo](#)

[Zoning Map](#)

[Plat Map](#)

[100' Property Ownership](#)

[AMANDA Print Screen](#)

[Class N Notification](#)

[Notification of License Hearing](#)

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 Legal Ledger. Public hearings on ordinances are held at the second reading.

First Reading

- 20** [Ord 21-52](#) Granting the application of Selby Flats LLC to rezone property at 1708 Selby Avenue from B2 community business to RM2 medium- density multiple-family residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map .
- Sponsors:** Jalali
- Attachments:** [Planning Commission Resolution 21-51](#)
[Planning Commission Action Minutes](#)
[DRAFT Zoning Committee Meeting Minutes](#)
[Staff Report Packet](#)
[Written public comment for Zoning Committee](#)
[60 Day Extension Letter 1708 Selby Avenue](#)
[ORD 21-52 Public Comment - Zoning #1](#)
[ORD 21-52 Public Comment - Zoning #2](#)
- 21** [Ord 21-53](#) Considering the application of Gary and Catherine Ballman to rezone property at 1329-1331 Lincoln Avenue from RT1 two-family residential to RM1 low-density multiple-family residential.
- Sponsors:** Tolbert
- Attachments:** [01 PC Resolution 21-305-090 1329-1331 Lincoln Rezoning](#)
[02 PC Action Minutes 21-305-090](#)
[03 ZC Packet 21-305-090 1329 Lincoln](#)
[04 ZC Minutes 21-305-090 1329 Lincoln](#)
[05 60-Day Letter](#)
[06 MGCC Recommendation Re 1329 Lincoln Avenue Ref No 21-305-090](#)

PUBLIC HEARINGS

- 22** [RES PH 21-274](#) Authorizing the Department of Parks and Recreation to accept Minnesota Department of Natural Resources (MN DNR) Outdoor Recreation grant program funds, enter in a grant agreement required as a condition of receiving said funds, which includes an indemnification clause, and to amend the financing and spending plan in the amount of \$250,000 for the Victoria Park Multi-Use Athletic Field project.
- Sponsors:** Noecker
- Attachments:** [Victoria Park Multi-Use Field Grant Awd Ltr 2021 06 30](#)
[Victoria Park \\$250000 from DNR 11.5.21](#)
- 23** [RES PH 21-317](#) Amending the financing and spending plan of the Office of Financial Services and Department of Public Works in the amount of \$48,974 to utilize available capital maintenance funds for costs related to multiple HVAC renovation projects.
- Sponsors:** Brendmoen

Attachments: [RES PH 21-317 - financial analysis - CIB HVAC projects](#)

- 24 [RES PH 21-320](#) Authorizing an increase in the Parks and Recreation Grant Fund Budgets in the amount of \$1,056,000 to reflect various grant funding awarded in 2022 and establishing the appropriate grant activity budgets.
- Sponsors:** Brendmoen
 Attachments: [Grant Fund Multiple Right Track 2022.xlsx](#)
- 25 [RES PH 21-325](#) Authorizing the Police Department to add fund equity to its 2021 Special Fund operating budget to reflect expenditures more accurately.
- Sponsors:** Brendmoen
 Attachments: [RES PH 21-325 - Fund 225 - AU 22523210](#)
- 26 [RES PH 21-321](#) Authorizing the Department of Planning and Economic Development to execute a grant agreement with the State of Minnesota Department of Employment and Economic Development, which includes an indemnification clause, acceptance of grant funds, and amendment of related City budgets.
- Sponsors:** Brendmoen and Noecker
 Attachments: [Financial Analysis](#)
- 27 [RES PH 21-322](#) Approving the petition of Matthew Michel, on behalf of Noelna Holdings, LLC, to vacate a two-foot portion of Wynne Avenue abutting 1611 Wynne Avenue.
- Sponsors:** Jalali
 Attachments: [Exhibit A - Description and Depiction](#)
 [Aerial](#)
- 28 [RES PH 21-323](#) Approving the application of Cathedral Heritage Foundation/Carolyn Will for a sound level variance in order to present live amplified sound for the Cathedral Festival of Lights on December 15 through December 19, 2021 at Cathedral Hill Park - 215 Summit Avenue.
- Sponsors:** Thao
 Attachments: [Application](#)
 [ENS](#)
 [Map](#)
 [Owners list](#)
 [Notice to Owners](#)
 [Letter to Applicant](#)
- 29 [RES PH 21-327](#) Amending the 2021 spending budgets for the Public Works Traffic Building and the Grant Fund related to the LED electrical retrofit.
- Sponsors:** Brendmoen
 Attachments: [Financial Analysis RES PH 21-327](#)

- 34 [RLH VBR
21-71](#) Appeal of Scott Beck, Havenbrook Homes, to a Vacant Building Registration Notice plus Revocation of Fire Certificate of Occupancy and Order to Vacate at 1125 MARGARET STREET.
- Sponsors:** Prince
- Attachments:** [1125 Margaret St.appeal.10-18-21](#)
[1125 Margaret St.vacate order 10-5-21](#)
[1125 Margaret St.vacate order 9-21-21](#)
[1125 Margaret St.vacate order 8-18-21](#)
[1125 Margaret St. Beck Ltr.10-29-21](#)
[1125 Margaret St.Staff Reinspection Update.11-10-21](#)
[1125 Margaret St.Photos.11-10-21](#)
[1125 Margaret St. Beck Ltr.11-12-21](#)
- 35 [RLH TA
21-472](#) Amending the previously ratified assessment to reduce the assessment for Property Clean Up services during August 3 to 14, 2020 at 1817 MARYLAND AVENUE EAST. (File No. J2105A2, Assessment No. 218522)
- Sponsors:** Yang
- Attachments:** [1817 Maryland Ave E.email chain.11-15-21.pdf](#)
- 36 [RLH VO
21-41](#) Appeal of Tamer Azzazi to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1843 MINNEHAHA AVENUE EAST.
- Sponsors:** Prince
- Attachments:** [1843 Minnehaha Ave E.appeal.10-1-21](#)
[1843 Minnehaha Ave E.photos 9-9-21](#)
[1843 Minnehaha Ave E.Azzazi Ltr.10-22-21](#)
[1843 Minnehaha Ave.engineering analysis.11-3-21](#)
[1843 Minnehaha Ave E.testimony.12-1-21](#)
[1843 Minnehaha Ave E.additional testimony.12-1-21](#)
- 37 [RLH VBR
21-73](#) Appeal of Greg Fry, Oak Knoll Property Management, to a Vacant Building Registration Fee Warning Letter at 912 ROSE AVENUE EAST.
- Sponsors:** Yang
- Attachments:** [912 Rose Ave E.appeal.10-22-21](#)
[912 Rose Ave E.photos 6-9-21](#)
[912 Rose Ave E.Fry Ltr.11-12-21](#)
- 38 [RLH RR
21-44](#) Making finding on the appealed substantial abatement ordered for 1179 SEVENTH STREET EAST in Council File RLH RR 21-40. (Legislative Hearing on November 23, 2021)
- Sponsors:** Yang
- Attachments:** [1179 7th St E Thirty Day Forfeit Notice Signed.pdf](#)
[1179 Seventh St E.Making Finding Notice of Hearing Ltr.10-1-21.docx](#)

[1179 Seventh St E.Zoning Letter.6-14-21.pdf](#)
[1179 Seventh Street E.Aderinkomi R-R Ltr.10-29-21](#)
[1179 Seventh Street E.Aderinkomi R-R Ltr.11-12-21](#)
[1179 Seventh St E.Updated work plan.11-16-21](#)
[1179 Seventh St E.updated work plan.11-22-21](#)
[1179 Seventh Street E.Aderinkomi R-R Ltr.11-24-21](#)

- 39** [RLH RR](#)
[21-62](#) Ordering the rehabilitation or razing and removal of the structures at 1514 VAN BUREN AVENUE within fifteen (15) days after the October 20, 2021, City Council Public Hearing. (Amend to grant 180 days)

Sponsors: Jalali

Attachments: [1514 Van Buren Ave.OTA 7-13-21](#)
[1514 Van Buren Ave.PH 8-13-21](#)
[1514 Van Buren Ave.SHPO Form 5-5-27](#)
[1514 Van Buren Ave.Photo 7-24-20](#)
[1514 Van Buren Ave.Photo 4-22-21](#)
[1514 Van Buren Ave.Photo 5-25-21](#)
[1514 Van Buren Ave.Condemnation Notice.4-14-17.pdf](#)
[1514 Van Buren Ave.email chain.7-30-21.pdf](#)
[1514 Van Buren Ave.Alan Tang email.8-4-21.pdf](#)
[1514 Van Buren Ave.email chain.8-19-21.pdf](#)
[1514 Van Buren Ave.PH 8-26-21.Revised Notice.pdf](#)
[1514 Van Buren Ave.email chain.8-30-21.pdf](#)
[1514 Van Buren Ave.Foreclosure Documents 7-28-21.pdf](#)
[1514 Van Buren Ave.Order Affidavit Reducing Redemption 9-1-21.pdf](#)
[1514 Van Buren Ave.Summary.9-13-21.pdf](#)
[1514 Van Buren Ave.LS 9-14-21.pdf](#)
[1514 VanBuren Ave.Stangland Tang R-R Ltr.9-17-21](#)
[1514 VanBuren Ave.Nelson email.9-22-21](#)
[1514 VanBuren Ave. Tang R-R Ltr.10-15-21](#)
[1514 Van Buren Ave.Schedule - Bids - Affidavit - Financing.11-9-21](#)
[1514 VanBuren Ave. Tang R-R Ltr.11-12-21](#)

- 40** [RLH VO](#)
[21-43](#) Appeal of Amy Her to an Amended Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 360 WHEELLOCK PARKWAY EAST.

Sponsors: Brendmoen

Attachments: [360 Wheelock Pkwy E.appeal.10-11-21.pdf](#)
[360 Wheelock Pkwy E.Photos.8-2-21.pdf](#)
[360 Wheelock Pkwy E.Photos.8-9-21.pdf](#)
[360 Wheelock Pkwy E#2.8-9-21.pdf](#)

[360 Wheelock Pkwy E.Photos.9-8-21.pdf](#)
[360 Wheelock Pkwy E.Kedrowski email with documents.10-18-21.pdf](#)
[360 Wheelock Pkwy E.Application Documents.7-20-16.pdf](#)
[360 Wheelock Pkwy E.Information Cover Sheet.7-20-16.pdf](#)
[360 Wheelock Pkwy E.BZA - Hearing Notice.7-20-16.pdf](#)
[360 Wheelock Pkwy E.Photos.7-26-16.pdf](#)
[360 Wheelock Pkwy E.BZA-Staff Report.7-27-16.pdf](#)
[360 Wheelock Pkwy E.BZA-Resolution.7-28-16.pdf](#)
[360 Wheelock Pkwy E.Minutes.7-20-16.pdf](#)
[360 Wheelock Pkwy E.Minutes II.8-9-16.pdf](#)
[360 Wheelock Pkwy E.Application Documents-Additional Documents.9-20-16.pdf](#)
[360 Wheelock Pkwy E.Her Ltr.10-22-21](#)
[360 Wheelock PkwyHer letter + photos.10-27-21](#)
[360 Wheelock Pkwy.Diatta Zoning email.10-29-21](#)
[360 Wheelock Pkwy E.Zimny email.11-2-21](#)
[360 Wheelock Pkwy E.Her Ltr.11-12-21](#)

- 41 [RLH RR 21-43](#) Making finding on the appealed substantial abatement ordered for 521 YORK AVENUE in Council File RLH RR 21-10.

Sponsors: Brendmoen

Attachments: [521 York Avenue.Griffin R-R Ltr.4-16-.21.doc](#)
[521 York Thirty Day Forfeit Notice Signed.pdf](#)
[521 York Ave.Making Finding Notice of Hearing Ltr 10-5-21.doc](#)
[521 York Avenue.Griffin R-R Ltr.10-29-21](#)
[521 York Ave.Documents dropped off 11-8-21](#)
[521 York Ave.Documents dropped off 11-9-21](#)
[521 York Avenue.Griffin R-R Ltr.11-12-21](#)

- 42 [RLH VBR 21-74](#) Appeal of James Brinker to a Vacant Building Registration Fee Warning Letter at 1739 YORK AVENUE.

Sponsors: Yang

Attachments: [1739 York Ave.appeal.10-29-21](#)
[1739 York Ave.Condemnation.9-10-19.pdf](#)
[1739 York Ave.Photos.9-10-19.pdf](#)
[1739 York Ave.Brinker Ltr.11-12-21](#)

ADJOURNMENT

In-person meetings, or meetings conducted under Minn. Stat. § 13D.02 of the City Council, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the City Council will participate in City Council meetings by telephone or other electronic means.

Public attendance at the City Council's regular meeting location is not feasible due to the COVID-19 health pandemic. Members of the public may view City Council meetings online at stpaul.legistar.com/Calendar.aspx or on local cable Channel 18.

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.

While the Council will make best efforts to decide all issues before them, the Council may delay decisions on certain matters where the members believe meeting in-person is necessary. More information is available at www.stpaul.gov/departments/city-council

Council Meeting Information

The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Council members use mobile devices to review the files during the meeting. Using a mobile device greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released minutes, agendas, and meetings are available by subscription. Visit www.stpaul.gov/council for meeting videos and updated copies of the agendas, minutes, and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed at various times. Check your local listings.