



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 Russel Balenger
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, November 2, 2022

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 22-63](#) Amending the CDBG general ledger budget to allocate the 2022 CDBG spending plan of \$7,600,000.00 to activity codes.

Attachments: [Financial Analysis](#)

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.

- 2 [RES 22-1647](#) Approving the FY2022 Neighborhood Sales Tax Revitalization loan and grant awards.

Sponsors: Brendmoen

Attachments: [RES 22-1647 Neighborhood STAR Program Financial Analysis 10-18-22](#)
[2022 Neighborhood STAR Program Financial Analysis 10-31-22](#)

- 3 [RES 22-1669](#) Approving a Tobacco Shop (Cigarette/Tobacco) and Liquor Off Sale license to Golden Liquor LLC d/b/a Shamrock Plaza Liquors (License ID #20220001200) for the premises located at 289 McKnight Road South.

Sponsors: Prince

Attachments: [Redacted Class N Application - 289 McKnight Road](#)
[License Application Notification](#)

- 4 [RES 22-1682](#) Establishing the rate of pay for the new classification of Equity Manager in the Non-Represented City Managers Employee Group. (to be laid over one week for adoption)

- Sponsors:** Brendmoen
- Attachments:** [Financial Analysis-Equity Manager](#)
- 5** [RES 22-1691](#) Waiving the 45-day notice requirement to issue a Liquor On Sale - 291 or more Seats, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Liquor - Outdoor Service Area (Patio) and Entertainment (B) License to ABPEC LLC d/b/a Abulae (License ID # 20220001789) for the premises located at 255 6th Street East Floor 6.
- Sponsors:** Noecker
- Attachments:** [Class N License Application](#)
[District Council Support Letter](#)
[License Application Notification](#)
[Signed License Condition](#)
- 6** [RES 22-1692](#) Waiving the 45-day notice requirement to issue a Malt On Sale (Strong) and Wine On Sale License to The Keys Restaurant Inc. d/b/a Keys Restaurant (License ID # 20220001746) for the premises located at 767 Raymond Avenue.
- Sponsors:** Jalali
- Attachments:** [Class N License Application](#)
[District Council Support Letter](#)
[License Application Notification](#)
[Signed License Conditions](#)
- 7** [RES 22-1693](#) Approving Ordinance Permit 20210010001 for Civil Public Infrastructure installed by Project Paul, LLC (a wholly-owned subsidiary of Ryan Companies US, Inc.) ("Ryan") on the Ford (Highland Bridge) Site.
- Sponsors:** Tolbert
- Attachments:** [Permit 20210010001 - Exhibit A](#)
- 8** [RES 22-1696](#) Authorizing the Department of Parks and Recreation to amend the management agreement with Be Graceful Bakery and Catering, LLC to operate food and beverage concessions at several Parks and Recreation facilities, to include the Battle Creek Recreation Center.
- Sponsors:** Prince
- Attachments:** [First Amendment to Management Agreement for Be Graceful 2022.09.27](#)
[Res 22-12 - Parks Commission Resolution for First Amendment to Be Graceful.](#)
- 9** [RES 22-1697](#) Authorizing the City to enter into the attached Lease Agreement with Tajana's 11th House, LLC for mooring space on the Harriet Island Public Dock for the Covington Inn Bed and Breakfast.
- Sponsors:** Noecker

Attachments: [Covington Inn Lease 2022.11.16 to 2027.12.31](#)
[Res 22-11 - Parks Commission Resolution for Covington Inn Lease Agreement](#)

FOR DISCUSSION

10 [ABZA 22-2](#) Considering the appeal of Friends of Pigs Eye Lake Park - Tom Dimond to a decision by the Board of Zoning Appeals denying a request to issue a Stop Work Order on the Pigs Eye Lake Island Building Project, a project regulated and permitted by the Department of Natural Resources. (public hearing closed, laid over from October 19, 2022)

Sponsors: Prince

Attachments: [Pigs Eye Lake Original Complaint from Tom Dimond 6.10.2022](#)
[Administrative Review Application for Pigs Eye Lake 7.8.2022](#)
[Board of Zoning Appeals DNR Notification](#)
[Board of Zoning Appeals Pigs Eye Lake 350 Foot Notice Map and Mailing List](#)
[Board of Zoning Appeals Hearing Notice for Pigs Eye Lake](#)
[Pigs Eye Lake - MN Department of Natural Resources Public Comment 8.5.2022](#)
[Pigs Eye Lake - Ramsey County Public Comment 8.5.2022](#)
[Pigs Eye Lake - Public Comment 8.5.2022](#)
[Board of Zoning Appeals Staff Report for Pigs Eye Lake](#)
[Documents Received from Tom Dimond during August 8, 2022 BZA Hearing](#)
[Documents Received from Kiki Sonnen during August 8, 2022 BZA Hearing](#)
[Board of Zoning Appeals August 8, 2022 Hearing Minutes](#)
[Pigs Eye Lake DNR Response Letter for Aug 22 2022 BZA Meeting](#)
[Ordinary High Water Level - Technical Paper 11 - From DNR for August 22, 2022](#)
[Board of Zoning Appeals August 22, 2022 Hearing Minutes](#)
[§ 15.99 Extension Letter for Pigs Eye Lake](#)
[Board of Zoning Appeals Draft September 6, 2022 Hearing Minutes](#)
[Board of Zoning Appeals Resolution for Pigs Eye Lake](#)
[City Council Appeal Application for Pigs Eye Lake 9.15.2022](#)
[City Council Appeal - DNR Notification 9.22.2022](#)
[City Council Appeal 350 Foot Notice Map and Mailing List](#)
[City Council Appeal Hearing Notice for Pigs Eye Lake](#)
[ABZA 22-2 Tom Dimond public comment](#)
[ABZA 22-2 Ramsey County public comment](#)
[ABZA 22-2 DNR public comment](#)
[ABZA 22-2 Melissa Wenzel public comment](#)
[ABZA 22-2 Melissa Wenzel spreadsheet](#)
[ABZA 22-2 Tom Dimond handout 1](#)
[ABZA 22-2 Tom Dimond handout 2](#)
[ABZA 22-2 Kathy Sidles public comment](#)
[ABZA 22-2 Karin Tomervik public comment](#)

ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at three separate council meetings and becomes effective after passage by the Council and 30 days after publication in the Saint Paul Pioneer Press. Public hearings on ordinances are generally held at the first reading.

Final Adoption

11 [Ord 22-43](#) Amending Chapter 105 of the Administrative Code to add two youth

commissioners to the Parks and Recreation Commission.

Sponsors: Brendmoen

Attachments: [Staff Presentation](#)

- 12** [Ord 22-44](#) Amending Section 220.05 of the Legislative Code to set rates for base level garbage service to be effective January 1, 2023.

Sponsors: Brendmoen

Attachments: [Ord 22-44 Peter Butler public comment](#)

PUBLIC HEARINGS

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

- 13** [Ord 22-46](#) Amending Chapter 310 of the Legislative Code to eliminate petition requirements, reference and establish uniform license procedures for Class N, R, and T Licenses, shorten the notification process, eliminate the license renewal public hearing provision, and update gender specific language and other outdated terms.

Sponsors: Noecker

Attachments: [Attachment #1 - Class N Project Memo](#)
[Attachment #2 -District Council Class N License Notification form](#)
[Attachment #3 Class R License Types](#)
[Attachment #4 Class T Licenses Types](#)
[Attachment #5 Class N License Types](#)
[Attachment #6 - General Presumptive Penalties matrix](#)
[Attachment #7 - Intoxicating Liquor; malt liquor presumptive penalties matrix](#)
[Attachment #8 - Tobacco presumptive penalties matrix](#)
[310 Leg Cod Amendments Final - Clean Copy 10-17-2022](#)

- 14** [Ord 22-47](#) Amending Chapter 409 of the Legislative Code to eliminate petition requirements, reference and incorporate uniform license procedures as outlined in Section 310 of the Legislative Code and update gender specific language and other outdated terms.

Sponsors: Noecker

Attachments: [Attachment #1 - Class N Project Memo](#)
[Attachment #2 -District Council Class N License Notification form](#)
[409 Leg Code Amendments Final - Clean Copy 10-18-2022](#)

- 15** [Ord 22-48](#) Amending Chapter 410 of the Legislative Code to eliminate petition requirements, reference and incorporate uniform license procedures as outlined in Section 310 of the Legislative Code and update gender specific language and other outdated terms.

- Sponsors:** Noecker and Prince
- Attachments:** ["Class N" Business License Application Process and Code Clean-up](#)
[District Council Class N License Notification form](#)
[410 Leg code amendments - Clean Copy](#)
[11.01.2022 LetterSt. Paul City Council_Support Class N Licensing](#)
- 16** [Ord 22-49](#) Amending Chapter 411 of the Legislative Code to eliminate petition requirements, reference and incorporate uniform license procedures as outlined in Section 310 of the Legislative Code and update gender specific language and other outdated terms.
- Sponsors:** Noecker and Prince
- Attachments:** ["Class N" Business License Application Process and Code Clean-up](#)
[SPLC Chapter 411 amendments - Clean copy](#)
[District Council Class N License Notification form](#)
[SPLC Chapter 411 - Clean copy \(Version 2\)](#)
- 17** [RES PH 22-322](#) Setting the 2023 Sanitary Sewer and Storm Sewer rates. (To be laid over to December 7 for final adoption)
- Sponsors:** Brendmoen
- Attachments:** [Purdy Exhibit 1](#)
[Purdy Exhibit 2](#)
[Purdy Exhibit 3](#)
- 18** [RES PH 22-323](#) Establishing the Water Charges for 2023. (To be laid over to December 7 for final adoption)
- Sponsors:** Yang
- Attachments:** [BWC Resolution 22-1400](#)
- 19** [RES PH 22-343](#) Setting the Solid Waste Service Fee for 2023. (To be laid over to December 7 for final adoption)
- Sponsors:** Brendmoen
- 20** [RES PH 22-318](#) Approving the Highland Bridge Rowhomes Fifth Addition Final (Combined) Plat.
- Sponsors:** Tolbert

- Attachments:** [Staff Report](#)
[Combined Plat Application](#)
[Highland Bridge Rowhomes Fifth Addition Final Plat](#)
[Highland Bridge Rowhomes Fifth Addition Preliminary Plat](#)
[Aerial Land Use Zoning Maps](#)
[Public Hearing Notice for Pioneer Press](#)
- 21** [RES PH](#)
[22-333](#) Approving the application of Podium Sports Marketing, Inc. for a sound level variance in order to present amplified sound for the Turkey Trot Saint Paul on November 24, 2022 by Shepard Road between Washington Street and Sherman Street.
- Sponsors:** Noecker
- Attachments:** [Application](#)
[ENS#1](#)
[Map](#)
[Owner list](#)
[Notice to Owners](#)
[Letter to Applicant](#)
- 22** [RES PH](#)
[22-337](#) Amending the financing and spending plans in the Fire Department in the amount of \$18,402.73 for the remaining amount for the 2020 Assistance to Firefighters Grant to purchase 248 radios and accessories.
- Sponsors:** Brendmoen
- Attachments:** [2020 AFG Grant \\$18,402.73 Financial Analysis.pdf](#)
[RES 21-170.pdf](#)
[RES 21-1432.pdf](#)
[RES PH 21-311.pdf](#)
- 23** [RES PH](#)
[22-340](#) Authorizing an increase in the Department of Parks and Recreation Grant Fund in the amount of \$85,000 to reflect grant funds received from the Saint Paul Public School's (SPPS) Community Partnership for 2022-2024 ARP grant, authorization to enter into a grant agreement detailing the requirements of said grant, which includes an indemnification clause, and to amend the Department of Parks and Recreation Grant Fund to reflect said funds to support the Upside: Leadership Programming for Middle-School Youth project.
- Sponsors:** Brendmoen
- Attachments:** [Upside Leadership SPPS Comm Partnership ARP Grant \\$85K](#)

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.

- 24 [RLH VBR 22-46](#) Appeal of Jay Mitchell, Quality Residences LLC, to a Vacant Building Registration Notice at 1039 BRADLEY STREET.
- Sponsors:** Brendmoen
- Attachments:** [1039 Bradley St.Appeal.9-8-22](#)
[1039 Bradley St.VB Reg Notice.9-14-22.pdf](#)
[1039 Bradley St.Photos 8-29-22.pdf](#)
[1039 Bradley St.Mitchell Ltr.9-23-22](#)
[1039 Bradley St.Mitchell Ltr.10-21-22](#)
- 25 [RLH RSA 22-4](#) Appeal of Jack Cann, Housing Justice Center, Representing Tenant, Angela Wilhight, to a Rent Stabilization Determination at 261 FIFTH STREET EAST, UNIT #604. (To be laid over to November 9)
- Sponsors:** Noecker
- Attachments:** [261 5th St E.appeal.8-8-22.pdf](#)
[251 5th St E.Request for Rent Increase.5-13-22.pdf](#)
[261 5th St E.Landlord MNOI StaffDetermination 2022-7-25.pdf](#)
[261 5th St E - Proposed Adjustment Worksheet.pdf](#)
[261 5th St E - STAMP Activities.pdf](#)
[261 5th St E - Fire C of O Activities.pdf](#)
[261 5th St E - Renewal Due STAMP folder.pdf](#)
[261 5th St E - Supplement to Wilhight appeal 8-10-22.pdf](#)
[261 5th St E.Terry Ltr Response to City Appeal \(Angela Wilhight\) 8-18-22.pdf](#)
[261 5th St E.Appeal Reply Memorandum.8-29-22](#)
[261 5th St E.Davis utility statement 9_1_22.pdf](#)
[261 5th St E.Letter to City re utility payments](#)
[Proposed Adjustment Worksheet Page 18 Staff Determination 9-15-22.pdf](#)
[Rent Roll 9-14-22.pdf](#)
[Staff Report - 261 5th Street East - Rayette Lofts -- 09-15-22.pdf](#)
[261 5th St E.Clean RayetteFeb-Mar 2022 Worksheet.9-21-22](#)
[261 5th St E.Clean Rayette Mar-April Worksheet.9-21-22](#)
[261 5th St E.Rayette MNOI in Progress worksheet.9-21-22](#)
[Staff Report - 261 5th Street East - Rayette Lofts -- 09-27-22.pdf](#)
[261 5th St E.Cann response letter 9-27-22.pdf](#)
[261 5th St E.Terry Cann RS Ltr.9-30-22](#)
[261 5th St E. Terry Ltr Appeal Response](#)
[261 5th St E- Appeal Response Change Dates for Terry 10-17-2022](#)
[261 5th St E- Confirmation Email 10-27-2022](#)
[261 5th St E.Wilhight Cann RS Ltr](#)

- 26** [RLH VBR 22-53](#) Appeal of Sandra Lou to a Vacant Building Registration Notice at 38 MARYLAND AVENUE EAST.
- Sponsors:** Brendmoen
- Attachments:** [38 Maryland Ave E.appeal.10-12-22](#)
 [38 Maryland Ave E.vacate order 9-1-22](#)
 [38 Maryland Ave E.Lou Ltr.10-21-22](#)
- 27** [RLH RR 22-39](#) Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71. (Public hearing continued to September 28, 2022)
- Sponsors:** Balenger
- Attachments:** [575 595 Park St.Viggiano R-R Ltr.6-9-22.doc](#)
 [575 595 Park St.Viggiano R-R Ltr.7-1-22](#)
 [575 595 Park St.Viggiano R-R Ltr.7-28-22](#)
 [595 Park St.updated work plan.7-29-22](#)
 [575 & 595 Park St-Progress status email from Nathan Bruhn.pdf](#)
 [575 595 Park St.Viggiano R-R Ltr.8-12-22](#)
 [575 595 Park St.Flores update.8-12-22](#)
 [575 595 Park St.Zimny email.8-24-22](#)
 [575 & 595 Park.Zimny email.9-7-22](#)
 [575 Park St.Affidavit of Available Fund 9-14-22.pdf](#)
 [575 Park St.Zimny email.9-28-22](#)
 [575 Park St.Zimny email.10-5-22](#)
 [575 Park St.Viggiano R-R Ltr.11-2-22](#)
- 28** [RLH RR 22-43](#) Ordering the rehabilitation or razing and removal of the structures at 1802 ROSS AVENUE within fifteen (15) days after the August 10, 2022, City Council Public Hearing.
- Sponsors:** Prince

Attachments: [1802 Ross Ave.OTA 5-9-22](#)
[1802 Ross Ave.PH 6-10-22](#)
[1802 Ross Ave.SHPO Form 5-29-22](#)
[1802 Ross Ave.Exp Code Compliance Report 3-3-20](#)
[1802 Ross Ave. Cert of Title.pdf](#)
[1802 Ross Ave.Photos 9-1-10](#)
[1802 Ross Ave.Photos 9-18-13](#)
[1802 Ross Ave.Photos 11-4-20](#)
[1802 Ross Ave.Photos 5-5-22](#)
[1802 Ross Ave.Photos 5-11-22](#)
[1802 Ross Ave.Photos 6-10-22](#)
[1802 Ross Ave L&S Email 7-12-22.pdf](#)
[1802 Ross Ave.3Packet R-R Ltr.7-15-22](#)
[1802 Ross Ave E.Yahiayan email.7-18-22](#)
[1802 Ross Ave.Affidavit of Attempted Service 6-15-22.pdf](#)
[1802 Ross Ave.3Packet R-R Ltr.7-28-22](#)
[1802 Ross Ave.email chain 8-8-22.pdf](#)
[1802 Ross Ave.Zimny CC email.8-23-22](#)
[1802 Ross Ave.3Packet R-R Ltr.8-26-22](#)
[1802 Ross Ave.email chain.9-22-22.pdf](#)
[1802 Ross Ave.3Packet R-R Ltr.9-30-22](#)
[1802 Ross Ave.3Packet R-R Ltr.10-16-22](#)
[1802 Ross Ave.Zimny email.10-26-22](#)
[1802 Ross Ave.Zimny email.10-27-22](#)
[1802 Ross Ave.partnership agreement.sumb 11-2-22](#)
[1802 Ross Ave.financial statement + affidavit.subm 11-2-22](#)
[1802 Ross Ave.Zimny email.11-2-22](#)

29 [RLH CO 22-11](#) Appeal of Matthew and Jamie Wright to a Correction Order at 1155 SEMINARY AVENUE.

Sponsors: Jalali

Attachments: [1155 Seminary Ave.appeal.10-13-22](#)
[1155 Seminary Ave.photo.10-4-22](#)
[1155 Seminary Ave aerial](#)
[1155 Seminary Ave.Wright Ltr.10-24-22](#)
[1155 Seminary Ave.Contested letter to Council 11-2-22.pdf](#)

30 [RLH FCO 22-95](#) Appeal of Katherine Gosiger to a Fire Certificate of Occupancy Correction Notice at 258 SEVENTH STREET WEST.

Sponsors: Noecker

Attachments: [258 7th St W.appeal.9-29-22.pdf](#)
[258 Seventh St W.Photos 9-22-22.pdf](#)
[258 7th St W.aerial photo](#)
[258 7th St W.Gosiger Ltr.10-14-22](#)
[258 7th St W Overhang Roof Structure Photos 10-17-22](#)
[258 7th St W Survey Page 2017](#)
[258 7th St W.Site Plan w Survey.2017](#)
[258 7th St W.Gosiger Ltr.10-21-22](#)
[258 7th St W.Letter from Gleeson Architects.subm 10-31-22](#)
[258 7th St W Email Chain re Architect Opinion 11-2-22](#)

- 31 [RLH OA 22-10](#) Making recommendation to Ramsey County on the application of Frances Nelson Lesicko for repurchase of tax forfeited property at 334 WARWICK STREET.

Sponsors: Tolbert

Attachments: [334 Warwick St.Hanson email 10-11-22.pdf](#)
[334 Warwick St.Repurchase Application appeal 10-19-22.pdf](#)
[334 Warwick St.STAMP Inquiry 10-19-22.pdf](#)
[334 Warwick St.Aerial Map 10-19-22.pdf](#)
[334 Warwick St.Police Log Request Response 10-20-22.pdf](#)
[334 Warwick St.Hanson Ltr.10-28-22](#)

- 32 [RLH VBR 22-51](#) Appeal of Chris and Mackenzie Ryan to a Vacant Building Registration Requirement at 904 WILDER STREET SOUTH.

Sponsors: Tolbert

Attachments: [904 Wilder St S.appeal.10-5-22.pdf](#)
[904 Wilder St S.Photos 9-28-22.pdf](#)
[904 Wilder St S.Ryan Ltr.10-21-22](#)
[904 Wilder St S.Luther Letter to Hearing Officer 10-24-22.pdf](#)

- 33 [RLH VO 22-28](#) Appeal of Benjamin Kaufman, SMRLS, Representing Tenant, Virginia Gibbons to a Fire Certificate of Occupancy Approval with Correction, including Condemnation and Order to Vacate at 1300 WILSON AVENUE, #1211.

Sponsors: Prince

Attachments: [1300 Wilson Ave #1211.appeal.9-19-22.pdf](#)
[1300 Wilson Ave.Kaufman Ltr.10-7-22](#)
[1300 Wilson Ave.Kaufman Ltr.10-21-22](#)

ADJOURNMENT

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>.

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

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