



# 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*

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Wednesday, January 18, 2023

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 23-2](#) Approving the 2023 Fund 200 - City Grants for the Department of Emergency Management to more accurately record expenditures.

**Attachments:** [AO 23-2.pdf](#)

- 2 [CO 23-5](#) Letters from the Department of Safety and Inspections declaring 2120 Rose Avenue East and 1117 Jenks Avenue nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

**Sponsors:** Yang

**Attachments:** [2120 Rose Ave E.OTA 12-19-22](#)  
[1117 Jenks Ave.OTA 1-5-23](#)

#### 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.

- 3 [RES 23-78](#) Authorizing the Fire Department to accept a donation of \$1,000 from Saint Patrick's Association.

**Sponsors:** Brendmoen

**Attachments:** [Saint Patricks Donation Letter.pdf](#)

- 4 [RES 23-80](#) Approving the request for removal of license condition #3 deleting the requirement of closing the establishment at 12:00 a.m. for the licenses held by The Essence Event Center Inc d/b/a The Essence Event Center (License ID #20200000193) for the premises located at 1217 Bandana Boulevard North.

**Sponsors:** Jalali

**Attachments:**      [Exhibit 1 - District Council Support letter](#)  
[Letter to DSI](#)  
[License Application Notification](#)  
[Signed License Condition](#)

- 5      [RES 23-103](#)      Approving the Settlement Agreement and Release between the City and Monique C. Cullars-Doty, Trustee, and O'Connor Law Firm, Ltd.

**Sponsors:**      Brendmoen

**Attachments:**      [Administrative Code 3.02](#)  
[Cullars-Doty Financial Analysis](#)  
[Cullars-Doty Settlement Agreement and Release](#)

- 6      [RES 23-49](#)      Establishing the rate of pay for the new classification Utility Trainee, in Employee Group 71, Grade 028.

**Sponsors:**      Brendmoen

**Attachments:**      [Utility Trainee Financial Analysis](#)

#### **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**

- 7      [Ord 23-3](#)      Granting the application of Trellis Treehouse Acquisition LLC to rezone property at 0 Madison Street (north of 2319 West 7th Street, PIN 22.28.23.22.0080), from R1 one-family residential to RM2 medium density multiple-family residential and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

**Sponsors:**      Tolbert

**Attachments:**

- [Planning Commission Resolution 22-46](#)
- [Planning Commission Action Minutes 12.09.22](#)
- [Planning Commission Minutes](#)
- [0 Madison Zoning Committee Rezoning Minutes](#)
- [Zoning Committee Staff Report](#)
- [Rezoning Application](#)
- [Site Plan and other attachments](#)
- [Context Section Graphic](#)
- [Comment 1 Highland Park District Council Resolution Support](#)
- [Comment 2 Bill Reiling Opposition](#)
- [Comment 3 Rick and Mary Johnson, et al., Opposition](#)
- [Comment 4 Rick Johnson Opposition](#)
- [Comment 5 Patrick Steinhoff \(representing Johnsons and Cutshalls\) Opposition](#)
- [Comment 6 Chad and Jolene Cutshall Opposition](#)
- [Comment 7 Chad and Jolene Cutshall Opposition](#)
- [Comment 8 Michael Waldman of Minnesota JCC Support](#)
- [13 Aerial, Land Use, and Zoning Maps](#)
- [14 Photographs of the area](#)
- [Steve & Michele DuMond public comment](#)
- [Tim Marx public comment](#)
- [Avi Katz public comment](#)
- [Jolene Cutshall public comment](#)

- 8     [Ord 23-11](#)     Amending Chapter 33.04 of the Legislative Code pertaining to establishment of Permit Fees.
- Sponsors:**     Brendmoen
- 9     [Ord 23-10](#)     Amending Chapter 33.06 and 33.07 of the Legislative Code pertaining to Establishment of Fees for Certificate of Compliance and Fence Requirements.
- Sponsors:**     Brendmoen
- 10    [Ord 23-9](#)     Amending Chapter 34.24 of the Legislative Code pertaining to Excessive Consumption of City Services.
- Sponsors:**     Brendmoen
- 11    [Ord 23-8](#)     Amending Chapter 40.10 of the Legislative Code pertaining to Fire Certificate of Occupancy as it relates to Fees.
- Sponsors:**     Brendmoen
- 12    [Ord 23-7](#)     Amending Chapter 43.03 of the Legislative Code pertaining to Vacant Buildings as it relates to the Vacant Building Registration Fee.
- Sponsors:**     Brendmoen
- 13    [Ord 23-6](#)     Amending Chapter 55.04 of the Legislative Code pertaining to the Fire Code - permit fees for tents.

- Sponsors:** Brendmoen
- 14** [Ord 23-5](#) Amending Chapters 55.09 and 55.10 of the Legislative Code pertaining to the Fire Code - permit fees for liquid petroleum & hazardous materials, storage tanks, and dispensing devices.
- Sponsors:** Brendmoen
- 15** [Ord 23-4](#) Amending Chapter 161 of the Legislative Code pertaining to parking enforcement during Snow Emergencies.
- Sponsors:** Brendmoen
- Attachments:** [Chapter 161 Amendments SE Ordinance FINAL Clean Copy Oct 2022](#)  
[Chapter 161 Amendments SE Ordinance FINAL Marked Up Copy Oct 2022](#)
- 16** [Ord 23-2](#) Amending Chapter 233 of the Legislative Code pertaining to Earned Sick and Safe Time.
- Sponsors:** Brendmoen and Jalali
- Attachments:** [HREEO ESST Staff Report to City Council \(BC 12.30.22\)](#)

## PUBLIC HEARINGS

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

- 17** [Ord 23-1](#) Granting the application of Keith Schroeder to rezone the property at 981 Fuller Avenue, from R4 one-family residential to T2 traditional neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Sponsors:** Balenger
- Attachments:** [Staff Report](#)  
[22-110-671 981-83 Fuller Rezoning application Packet](#)  
[Written Testimony Rezoning 981 983 Fuller Avenue, ZF 22-110-671](#)  
[PC minutes](#)  
[PC resolution](#)  
[Extension Letter](#)  
[Ord 23-1 Kao Yang public comment](#)  
[Ord 23-1 Duane & Kevin Reed public comment](#)
- 18** [RES PH 23-13](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$89,244 to utilize Parkland Dedication funds for the Duluth and Case and Hazel Park Play Area projects.
- Sponsors:** Yang
- Attachments:** [DC and Hazel Park Parkland Ded Fund Bud Amd \\$89244](#)
- 19** [RES PH 23-14](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$305,000 for the Hamline Avenue Trail project.
- Sponsors:** Tolbert
- Attachments:** [Hamline Avenue Trail STAR Grant Bud Amd FS \\$305K](#)
- 20** [RES PH 23-15](#) Authorizing the Department of Parks and Recreation to amend the financing

and spending plan, in the amount of \$500,000, for the North End Community Center (NECC) project.

**Sponsors:** Brendmoen

**Attachments:** [NECC \\$500K CDBG Funding](#)

- 21** [RES PH 23-10](#) Considering and adopting the Findings of Fact, Conclusions of Law and Recommendation submitted by the Administrative Law Judge concerning the cigarette/tobacco license held by Zakariya Abukhudeer, d/b/a The One Stop Market, LLC at 1541 Maryland Avenue East.

**Sponsors:** Yang

**Attachments:** [Affidavit of Service for September 10, 2020 Notice of Violation](#)  
[April 27, 2020 letter from DSI Kris Schweiler requesting March 30, 2020 video fr](#)  
[Email from Eric Hudak to The One Stop Market](#)  
[Information Memo to Council](#)  
[Joseph Voyda March 1, 2021 Report of June 1, 2020 video](#)  
[June 5, 2020 letter requesting June 1, 2020 video](#)  
[License Group Conditions Text for One Stop Market](#)  
[March 2, 2021 Amended Notice of Violation and Request for Upward Departure](#)  
[May 4, 2020 email from Zakariya Abukhudeer to Kris Schweiler about March 3](#)  
[MN Stat. 144.414 144.416 Ramsey County Ordinance B2015-302](#)  
[Motion to Certify Order to Council](#)  
[Photo Stills from June 1, 2020 video One Stop Market 1](#)  
[Photo Stills from June 1, 2020 video One Stop Market 2](#)  
[Photo Stills from June 1, 2020 video One Stop Market 3](#)  
[Photo Stills referenced in Joseph Voyda March 1, 2021](#)  
[Properties for Licensee Contact from EClips system](#)  
[Recommendation and Order on Motion](#)  
[Saint Paul Police Department Address-Intersection Report One Stop](#)  
[Saint Paul Police Report 20076456](#)  
[Saint Paul Police Report 20144580](#)  
[Saint Paul Police Report 20145047](#)  
[Saint Paul Police Report from Sgt Stanway CN 20062710](#)  
[September 10, 2020 Notice of Violation and Request for Upward Departure to T](#)  
[STAMP Ownership Zoning Information](#)  
[Summary of Violation from June 5, 2020 video](#)  
[Findings of Fact Conclusions of Law and Recommendation - One Stop](#)  
[One Stop Market video 3-30-20](#)  
[One Stop Market video 6-1-20 Part 1.3](#)  
[One Stop Market video 6-1-20 Part 1.4](#)  
[OSM Video 6-1-20 Part 1.2](#)  
[OSM Video 6-1-20 Part 1.5](#)  
[OSM Video 6-1-20 Part 1.6](#)  
[OSM Video 6-1-20 Part 1.7](#)  
[OSM Video 6-1-20 Part 1](#)  
[Saint Paul Legislative Code Section 310 as of 9-8-2020](#)  
[Saint Paul Legislative Code Section 324 as of 9-8-2020](#)  
[Exhibits 2-1 - 2-40 The One Stop Market](#)  
[Exhibits 2-41 - 2-69 The One Stop Market](#)

[Exhibits 2-70 - 2-114 The One Stop Market](#)  
[Exhibit 1-1 - 1-12 The One Stop Market](#)  
[Exhibit 1-14 - 1-20 The One Stop Market](#)  
[Exhibit 1-22 - 1-33 The One Stop Market](#)  
[Exhibit 3-1 - 3-31 The One Stop Market Saint Paul Legislative Code Section 311](#)  
[Exhibit 4-1 - 4-2 Saint Paul Legislative Code Section 324.07 Sales Prohibited - 7](#)  
[Exhibit 5-1 - 5-9 MN Stat. 144.414, 144.416, Ramsey County Ordinance B2015-](#)  
[Exhibit 6-1 - 6-27 The One Stop Affidavit of Eric Hudak](#)  
[Exhibit 7-1 - 7-2 Signed and Notarized Affidavit of James Legierski](#)  
[Exhibit 8-1, 8-2 Signed and Notarized Affidavit of Peter Baldwin](#)  
[Exhibit 9-1 - 9-5 Signed and Notarized Affidavit of Joseph Voyda](#)  
[Exhibit 10-1 - 10-2 Affidavit of Sergeant Rob Stanway The One Stop](#)  
[Exhibit 11-1 - 11-2 Affidavit of Dillon Marquis](#)  
[City's One Stop Market final closing argument 9-6-22](#)  
[MKT letter](#)  
[MKT One Stop post-trial brief](#)

- 22**     [RES PH 23-5](#)     Ratifying the assessments for Replacement of Lead Water Service Line on Private Property during July to September 2022. (File No. 2301LDSRP, Assessment No. 234000)
- Sponsors:**     Brendmoen
- Attachments:**     [Notice Assessment Roll 2301LDSRP.234000](#)
- 23**     [RES PH 23-6](#)     Ratifying the assessments for Repair of Sanitary Sewer Line on Private Property during July to September 2022. (File No. SWRP2301, Assessment No. 233000)
- Sponsors:**     Brendmoen
- Attachments:**     [Notice Assessment Roll SWRP2301.233000](#)  
[Kevin Clark public comment](#)  
[Kathy Palfe public comment](#)
- 24**     [RES PH 23-9](#)     Amending Public Works' FY2023 spending and financing budgets to reflect the final City Recycling Service rates as approved in RES PH 22-345 on December 14, 2022.
- Sponsors:**     Brendmoen
- Attachments:**     [RES-PH FY2023 Recycling Rates.xlsx](#)

#### 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.

- 25**     [RLH TA 22-382](#)     Ratifying the Appealed Special Tax Assessment for property at 1374 ARLINGTON AVENUE WEST/ 1437 SHELDON STREET. (File No. J2304A, Assessment No. 238503)
- Sponsors:**     Jalali
- Attachments:**     [1437 Sheldon St.TG&W notice.7-13-22](#)  
[1437 Sheldon St.photo.7-19-22](#)  
[1437 Sheldon St.Zimny email.11-9-22](#)  
[1437 Sheldon St.McLane contest notice email.11-17-22](#)  
[1437 Sheldon St.Kedrowski email.12-7-22](#)  
[1437 Sheldon St.McLane Kedrowski email.12-9-22](#)  
[1437 Sheldon St.McLane Kedrowski email.1-3-23](#)  
[1437 Sheldon St.McLane email to RK.1-13-23](#)  
[1437 Sheldon St.Homeowner Statement Assessment # 238503.1-13-23](#)
- 26**     [RLH VBR 23-3](#)     Appeal of Bao Starr to a Vacant Building Registration Fee Warning Letter at 1239 BURR STREET.
- Sponsors:**     Brendmoen
- Attachments:**     [1239 Burr St.appeal.1-3-23.pdf](#)  
[1239 Burr St.vacate order 11-29-22.pdf](#)  
[1239 Burr St.vacate order 11-22-22.pdf](#)  
[1239 Burr St.photos 11-29-22.pdf](#)  
[1239 Burr St.Fire Report 11-21-22.pdf](#)  
[1239 Burr St.Fire Photos 11-21-22.pdf](#)  
[1239 Burr St.Photos 11-21-22.pdf](#)  
[1239 Burr St.Photos 11-22-22.pdf](#)  
[1239 Burr St.Starr Ltr.1-13-23](#)
- 27**     [RLH TA 22-377](#)     Ratifying the Appealed Special Tax Assessment for property at 1437 CHARLES AVENUE. (File No. J2304A, Assessment No. 238503) (Public Hearing continued to April 19, 2023)
- Sponsors:**     Jalali
- Attachments:**     [1437 Charles Ave.EC bill.7-20-22](#)  
[1437 Charles Ave.photo.7-20-22](#)  
[1437 Charles Ave.SAO.7-6-22](#)
- 28**     [RLH RR 22-57](#)     Ordering the rehabilitation or razing and removal of the structures at 1501 CLARENCE STREET within fifteen (15) days after the November 9, 2022, City Council Public Hearing. (Amend to grant 180 days)
- Sponsors:**     Yang



**Attachments:** [1501 Clarence St.OTA 8-3-22](#)  
[1501 Clarence St.PH 9-9-22](#)  
[1501 Clarence St.SHPO Form 8-31-22](#)  
[1501 Clarence St.Photos 5-4-20](#)  
[1501 Clarence St.Photos 7-21-22](#)  
[1501 Clarence St.Respro Invoice 4-29-20.pdf](#)  
[1501 Clarence St.Boarding Letter 5-4-20.pdf](#)  
[1501 Clarence St.Police Report 4-29-20.pdf](#)  
[1501 Clarence St.L&S 10-11-22](#)  
[1501 Clarence St summary.10-11-22](#)  
[1501 Clarence St.Grimm R-R Ltr.10-16-22](#)  
[1501 Clarence St.Grimm email.11-3-22](#)  
[1501 Clarence St., St Paul.Grimm update email.12-14-22](#)  
[1501 Clarence St.Grimm R-R Ltr.12-16-22](#)  
[1501 Clarence St.Code Compliance Report 1-5-23.pdf](#)  
[1501 Clarence St.CC bid.1-10-23](#)  
[1501 Clarence St.affidavit.1-10-23](#)  
[1501 Clarence St.Financial Plan 1-10-23.pdf](#)  
[1501 Clarence St.Grimm R-R Ltr.1-13-23](#)  
[1501 Clarence St.updated bid and Schedule.1-17-23](#)  
[1501 Clarence St.revised affidavit.1-17-23](#)

**29** [RLH SAO 23-3](#) Appeal of Sonya Humes to a Summary Abatement Order at 643 EARL STREET.

**Sponsors:** Prince

**Attachments:** [643 Earl St.appeal.12-27-22](#)  
[643 Earl Street.Humes Ltr.1-6-23](#)

**30** [RLH VBR 23-1](#) Appeal of Mike Mortimer to a Vacant Building Registration Renewal Notice and Summary Abatement Order at 1762 ENGLEWOOD AVENUE.

**Sponsors:** Jalali

**Attachments:** [1762 Englewood Ave.appeal.12-16-22](#)  
[1762 Englewood Ave.Team Inspection Letter 10-12-22.pdf](#)  
[1762 Englewood Ave.Condemnation Letter 12-27-21.pdf](#)  
[1762 Englewood Ave Incident Report 12-19-21.pdf](#)  
[1762 Englewood Ave Fire Investigation 12-19-21.pdf](#)  
[1762 Englewood Ave.Mortimer Ltr.1-6-23](#)

**31** [RLH TA 22-371](#) Deleting the Appealed Special Tax Assessment for property at 1043 KENT STREET. (File No. J2304A, Assessment No. 238503)

- Sponsors:** Brendmoen
- Attachments:** [1043 Kent St.SA Letter & Photo 6-17-22.pdf](#)  
[1043 Kent St.Photos.6-17-22.pdf](#)  
[1043 Kent St.SAO.6-20-22](#)  
[1043 Kent St.Zimny email.10-24-22](#)
- 32** [RLH FCO 23-8](#) Amending Council File RLH FCO 22-88, adopted September 28, 2022, to grant Arnold Kampa an additional extension for property at 1084 LARPENTEUR AVENUE WEST.
- Sponsors:** Brendmoen
- Attachments:** [1084 Larpenteur Ave W.Minutes 1-3-23.pdf](#)  
[1084 Larpenteur Ave W.Kampa Ltr.1-6-23.doc](#)
- 33** [RLH TA 22-418](#) Ratifying the Appealed Special Tax Assessment for property at 802 MOUND STREET. (File No. J2304A, Assessment No. 238503)
- Sponsors:** Prince
- Attachments:** [802 Mound St.SA Letter 7-15-22.pdf](#)
- 34** [RLH RR 22-39](#) Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71.
- 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](#)  
[575 Park St.Viggiano R-R Ltr.11-9-22](#)  
[575 Park St.Viggiano R-R Ltr.11-28-22](#)  
[575 Park St.Zimny email.1-5-23](#)
- 35** [RLH TA 22-381](#) Ratifying the Appealed Special Tax Assessment for property at 1393 PROSPERITY AVENUE. (File No. J2304A, Assessment No. 238503)
- Sponsors:** Yang

**Attachments:**      [1393 Prosperity Ave.SAO.6-27-22](#)  
[1393 Prosperity Ave.Photo.7-7-22](#)  
[1393 Prosperity Ave.Zimny email.11-17-22](#)

- 36**      [RLH SAO  
23-2](#)      Appeal of Todd Harper to a Vehicle Abatement Order at 1384 REANEY AVENUE.

**Sponsors:**      Prince

**Attachments:**      [1384 Reaney Ave.appeal 12-19-22](#)  
[1384 Reaney Ave.Vehicle Abatement Order](#)  
[1384 Reaney Ave.Photo 12-21-22.pdf](#)  
[1384 Reaney Ave.Harper Ltr.1-6-23](#)

- 37**      [RLH AR 22-97](#)      Ratifying the assessments for Property Clean up services during July 1 to 7, 2022. (File No. J2303A, Assessment No. 238502)

**Sponsors:**      Brendmoen

**Attachments:**      [Notice Assessment Roll J2303A.238502](#)

- 38**      [RLH AR 22-98](#)      Ratifying the assessments for Property Clean up services during July 7 to 28, 2022. (File No. J2304A, Assessment No. 238503)

**Sponsors:**      Brendmoen

**Attachments:**      [Notice Assessment Roll J2304A.238503](#)

## 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](mailto:Contact-Council@ci.stpaul.mn.us), [CouncilHearing@ci.stpaul.mn.us](mailto: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](http://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](http://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.