

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, September 27, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

1	CO 23-53	Letter from the Department of Safety and Inspections declaring 195 Goodrich Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
	Sponsors:	Noecker
	Attachments:	195 Goodrich Ave.OTA 9-20-23
2	AO 23-89	Authorizing the Library to reallocate \$276,000 from salary savings in the 2023 adopted budget to the services budget item and provide the appropriate levels of spending authority.
	Attachments:	AO 23-89 Amending 2023 Budget Reallocate Salary to Services.xlsx
		2023 Vacant Savings Cals 8.15.23.xlsx
3	AO 23-94	Accepting \$15 M PFA Infrastructrue B64grant/loan and establishing the 2023 spending and financing projects budget in the Water Utility Fund.
	Attachments:	BWC RES 23-1413
		Financial Analysis
4	AO 23-95	Amending the 2023 spending budget in the Department of Public Works Sewers Utility Ford Stormwater Management District accounting unit.
	Attachments:	AO 23-95 Financial Analysis - Sewers - Ford Stormwater Mgmt District
5	AO 23-97	Amending CDBG Project Budgets: funding for 1676 White Bear Avenue (V&I Best Steak House) project.
	Attachments:	AO 23-97 Financial Analysis CDBG (V&I Best Steak House)

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.

6 RES 23-1446 Approving the Liquor-Off Sale Micro Distillery, Liquor-Micro Distillery Cocktail

> Room, Liquor On Sale-Sunday, Entertainment (A) and Liquor-Outdoor Service Area (Patio) licenses for King Coil Spirits, Co. d/b/a King Coil Spirits (License ID 20230001516) for the premises located at 550 Vandalia Street, Suite #140.

Sponsors: Jalali

Attachments: King Coil Spirits - Class N License Application

King Coil Spirits - License Application Notification

7 RES 23-1452 Authorizing the City to enter into Agreement No.1054003 with the Minnesota

Department of Transportation for federal participation in a force account for the

West Side Signal Project.

Sponsors: Noecker

Attachments: MnDOT 164-030-016AgreeFA West Side Signal Project

8 Setting a public hearing date of November 1, 2023 for 2024 Water Charges. RES 23-1460

Sponsors: Yang

9 Authorizing the Department of Public Works to ask for and accept donations of RES 23-1466

> new and gently used mittens, hats, and scarves; non-perishable food items; and hygiene products to be donated to people in need through the Community

Cupboard at 891 Dale Street.

Sponsors: Brendmoen

Approving the minutes of the Saint Paul City Council meetings of July 12, 19, 10 Min 23-31

and 26, 2023.

Sponsors: Brendmoen

Attachments: Minutes 7.12.2023

Minutes 7.19.2023

Minutes 7.26.2023

11 Min 23-34 Approving the minutes of the Saint Paul City Council meetings of August 2, 9,

16, and 23, 2023.

Sponsors: Brendmoen

Attachments: Minutes 8.2.2023

> Minutes 8.9.2023 Minutes 8.16.2023 Minutes 8.23.2023

FOR DISCUSSION

12 Authorizing the Office of Neighborhood Safety and the Police ASPIRE unit to RES 23-1384

> jointly apply for future federal and state public safety enhancement grants to further their common mission and without needing individual preapproval from City Council of each individual grant application when the grant applied for does not have city grant obligations of providing matching funds, spending requirements, or hiring or retention requirements beyond grant funding periods. (Laid over from September 13, 2023) (To be withdrawn)

Sponsors: Brendmoen

SUSPENSION ITEM

RES 23-1339 Authorizing the City to amend the HUD Section 3 Compliance (Collaborative)

Program Joint Powers Agreement. (Laid over from September 6.)

Sponsors: Brendmoen

<u>Attachments:</u> Final Section 3 Collaborative Services Agreement 2023 - signed

BUDGET ITEMS

The City Council will recess and convene as the Library Board to consider RES 23-1480 requesting that the City levy property taxes for the Saint Paul Public Library Agency.

The Library Board will adjourn and the City Council will reconvene.

13 RES 23-1471 Approving a 2024 maximum property tax levy for the Housing and

Redevelopment Authority (HRA).

Sponsors: Brendmoen

Attachments: HRA Property Tax Levy Rates 2019-2024 Proposed

2024 HRA Proposed Budget

14 RES 23-1481 Approving a 2024 maximum property tax levy for the City.

Sponsors: Brendmoen

ORDINANCES

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

Final Adoption

15 Ord 23-40 Amending Title XXIII Public Health Safety and Welfare of the Legislative Code

to add Chapter 222, titled Smoking in City Parks and Certain Building

Entrances Prohibited.

Sponsors: Tolbert

Attachments: Ord 23-40 Tolbert Amendment

CM Jalali Amendment 1 - Youth Activity Areas

CM Jalali Amendment 2 - Admin Citations

Ord 23-40 Noecker Amendment to Tolbert Amendment

Ord 23-40 Tolbert Amendment #2

Ord 23-40 City Attorney's Office Amendment

Public comments prior to 9.6.2023 public hearing

Petition delivered during 9.6.2023 public hearing

9.7.2023 public comments

9.8.2023 public comments

9.11.2023 public comments

9.12.2023 public comments

9.13.2023 public comments

9.14.2023 public comments

9.24.2023 public comment

16 Ord 23-42 Granting the application of York Avenue Land Development LLC to rezone

property at 1500 and 1510 York Avenue from a combination of R4 one-family residential & RM2 multiple-family residential to all RM2, and amending Chapter

60 of the Legislative Code pertaining to the zoning map.

Sponsors: Yang

<u>Attachments:</u> 1500-1510 York Ave Rezoning Resolution

ZC staff packet- 1500 York rezoning 60-day extension 1500 York rezoning

Neighbor letters-opposition

Jerde opposition

Letter of support 1500 york avenue ZC minutes- 1500 York rezoning

PC Action Minutes 8-4-23

Paul Markfort public comment

Matt Frigaard public comment

First Reading

17 Ord 23-43 Amending the Zoning Map and specific sections of the Legislative Code

pertaining to zoning regulations to promote the production of 1-6 unit residential housing options as recommended in Phase 2 of the 1-4 Unit Housing Study and amending additional Legislative Code sections that regulate those aspects of property maintenance associated with 1-6 unit

housing.

<u>Sponsors:</u> Brendmoen

Attachments: CC Presentation 9.27-updated

CC Ordinance 23-43

Attachment A - List of Rezonings

Attachment A - List of Rezonings - Additional added 9-26

Planning Commission Public Comment Memo

Appendix A - PC Resolution w zoning text amendments

Appendix B - Proposed Zoning Maps

Appendix C - Public Comments

Appendix D - Data Request Figures

Appendix E - Phase 2 Memo for Public Comment

8-4-23 PC Minutes

8-18-23 PC Minutes

9.11.2023 public comment

9.12.2023 public comments

9.13.2023 public comment

9.18.2023 public comments

9.19.2023 public comments

9.20.2023 public comments

9.21.2023 public comment

9.22.2023 public comment

9.24.2023 public comment

9.27.2023 public comment

PUBLIC HEARINGS

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

18 RES PH Denying the application of Bigos Management/Kellogg Square for an exception

to the general hours of skyway operation. (Public hearing continued from

September 13, 2023)

Sponsors: Noecker

Attachments: Notice of Council Hearing 8-18-2023

SPLC Section 140.10. - Hours of Operation

Exhibit 1

Exhibit 2

Exhibit 3

Exhibit 4

Exhibit 5

<u>LAHIDIC O</u>

Exhibit 6

19	RES PH 23-275	Approving the petition of Sonia Carroll, on behalf of Open Arms Assembly of God, to vacate the alley rights in Block 16 and Block 19, Gurney Highland Park. (Public hearing continued from September 20, 2023)
	Sponsors:	Brendmoen
	Attachments:	Exhibit A - Description and Depiction for RE 05-2022
		Aerial view (rev) for RE 05-2022
		Greg Renteria public comment
		Open Arms public comment
		<u>District Council public comment</u>
20	RES PH 23-224	Ratifying the assessment for the Curtice Street from Woodbury Street to Andrew Street paving and lighting project constructed as part of the 2022 St. Paul Street Paving Program (SPS). (File No. 19257, Assessment No. 225204)
	Sponsors:	Noecker
	Attachments:	Assessment Roll
21	RES PH 23-225	Ratifying the assessment for the Edgcumbe Road from St. Paul Avenue to Fairview Avenue paving and lighting project constructed as part of the 2022 St. Paul Street Paving Program (SPS). (File No. 19234, Assessment No. 225202)
	Sponsors:	Tolbert
	Attachments:	Assessment Roll
		Catherine Grimshaw public comment
22	RES PH 23-233	Ratifying the assessment for Wheelock Parkway from east of Edgerton Street to west of Arcade Street paving and lighting project constructed as part of the 2022 St. Paul Street Paving Program (SPS). (File No. 19210, Assessment No. 225203)
	Sponsors:	Brendmoen
	Attachments:	Assessment Roll
23	RES PH 23-283	Ratifying the assessments for Replacement of Lead Water Service Line on Private Properties. (File No. 2302LDSRP, Assessment No. 234001)
	Sponsors:	Brendmoen
	Attachments:	Notice Assessment Roll 2302LDSRP.234001
24	RES PH 23-284	Ratifying the assessments for Repair of Sanitary Sewer Line on Private Properties. (File No. SWRP2302, Assessment No. 233001)
	Sponsors:	Brendmoen
	Attachments:	Notice Assessment Roll SWRP2302.233001
		50 Rose Ave E - Dareld Meggitt public comment
25	RES PH 23-285	Ratifying the assessments for Replacement of Lead Water Service Line on Private Properties. (File No. 2303LDSRP, Assessment No. 234002)
	Sponsors:	Brendmoen
	Attachments:	Notice Assessment Roll 2303LDSRP.234002

26 RES PH Ratifying the assessments for Repair of Sanitary Sewer Line on Private

23-286 Properties. (File No. SWRP2302, Assessment No. 233002)

Sponsors: Brendmoen

23-280

Attachments: Notice Assessment Roll SWRP2303.233002

27 RES PH Approving the application of Twin Cities in Motion for eleven (11) sound level

variances in order to present amplified sound for announcements, speakers and music on Saturday, September 30, 2023 and Sunday, October 1, 2023 during the Medtronic Twin Cities Marathon at the State Capitol Complex, 75 Rev Doctor Martin Luther King Jr Boulevard and ten (10) various other locations (from Mississippi River Boulevard Eustis St to Marshall Ave,

Mississippi River Boulevard from Exeter PI to Cretin and East along Summit

Avenue to Selby Avenue and State Capitol).

Sponsors: Balenger, Jalali, Noecker and Tolbert

Attachments: Application - Combined

ENS

Map - Mississippi River Blvd between Eustis & Marshall

Map - Mississippi River Blvd between Exeter & Cretin

Map - MN State Capitol Grounds

Map - Summit between Chatsworth & Victoria

Map - Summit between Cretin & Wilder

Map - Summit between Hamline & Syndicate

Map - Summit between Lexington Pkwy & Oxford

Map - Summit between Mackubin & Portland

Map - Summit between Moore & Albert

Map - Summit between Nina & Selby

Map - Summit between Saratoga & Albert

Notice to Owners - Mississippi River Blvd between Eustis & Marshall Ave

Notice to Owners - Mississippi River Blvd between Exeter & Cretin

Notice to Owners - State Capitol Finish Line Area

Notice to Owners - Summit between Chatsworth & Victoria

Notice to Owners - Summit between Hamline & Syndicate

Notice to Owners - Summit between Lexington Pkwy & Oxford

Notice to Owners - Summit between Mackubin & Portland

Notice to Owners - Summit between Nina & Selby

Notice to Owners - Sunday Summit between Cretin & Wilder

Notice to Owners - Sunday Summit between Moore & Howell

Notice to Owners - Sunday Summit between Saratoga & Albert

Owner list - Mississippi River Blvd between Eustis & Marshall - 87

Owner list - Mississippi River Blvd between Exeter & Cretin - 79

Owner list - MN State Capitol Grounds - 6

Owner list - Summit between Chatsworth & Victoria - 185

Owner list - Summit between Cretin & Wilder - 227

Owner list - Summit between Hamline & Sydnicate - 102

Owner list - Summit between Lexington Pkwy & Oxford - 127

Owner list - Summit between Mackubin & Portland - 283

Owner list - Summit between Moore & Howell - 136

Owner list - Summit between Nina & Selby - 182

Owner list - Summit between Saratoga & Albert - 194

Letter to Applicant

Patricia Rowley public comment

Daniel & Christine Kluempke public comment

Jim Kennelly public comment

Trent Spurgeon public comment

28 RES PH

23-287

Approving the application of Derrick Diedrich for a sound level variance in order to present amplified sound on October 1, 2023 at 1509 Ashland Avenue.

Sponsors: Balenger

<u>Attachments:</u> <u>Application</u>

ENS1 Map

Owners List

Notice to Owners
Letter to Applicant

Rick & Sarah Juliusson public comment

29 RES PH

23-288

Approving the application of Anderson Race Management for the Walk for Water event sound level variance in order to present amplified sound on

October 7, 2023 at 180 Shepard Rd - Upper Landing Park.

Sponsors: Noecker

<u>Attachments:</u> <u>Application</u>

ENS1 Map

Owners List

Notice to Owners

Letter to Applicant

30 <u>RES PH</u>

23-291

Approving the application of Church of St. Mark for a sound level variance in order to present live amplified sound on October 7, 2023 at 1976 - 1983

Dayton Ave - parking lot and street.

Sponsors: Jalali

<u>Attachments:</u> Application

ENS Map

Notice to Owners

Owners List

Letter to Applicant

31 RES PH

23-293

Approving the application of Laura LeFebvre for a sound level variance in order to present live amplified sound on October 7, 2023 at 1227 Montreal Ave

- Highland Park picnic shelter.

Sponsors: Tolbert

<u>Attachments:</u> Application

ENS Map

Notice to Owner
Owners List

Letter to Applicant

LEGISLATIVE HEARING DISCUSSION ITEM

32 RLH RR Fourth Making finding on the appealed substantial abatement ordered for 318

23-18 EDMUND AVENUE in Council File RLH RR 21-11. (Public hearing closed, laid

over from August 16, 2023)

<u>Sponsors:</u> Balenger

<u>Attachments:</u> 318 Edmund Ave.MF Notice of PH 3-22-23.doc

318 Edmund Ave.Tea R-R Ltr.4-14-23

318 Edmund Ave.Bank Statement and Affidavit 4-26-23.pdf

318 Edmund Ave.Photos 4-26-23.pdf

318 Edmund Ave.Work Plan.pdf

318 Edmund Ave.Tea R-R Ltr.4-28-23

318 Edmund Ave.Tea R-R Ltr5-10-23

318 Edmund Ave.Tea R-R Ltr5-11-23

318 Edmund Ave.Tea R-R Ltr5-26-23

318 Edmund Ave.Tea R-R Ltr.6-16-23

318 Edmund Ave. Duct Cleaning Service Receipt 6-20-23.pdf

318 Edmund Ave. Ubl Email. 7-12-23

318 Edmund Ave.Tea R-R Ltr.8-17-23.doc

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.

33 RLH VBR Appeal of Yee Fang, Naocha Management, to a Vacant Building Registration

Notice at 720 COOK AVENUE EAST.

<u>Sponsors:</u> Yang

Attachments: 720 Cook Ave E.appeal.8-25-23.pdf

720 Cook Ave E.photo 8-11-23.pdf

720 Cook Ave E.Condemnation Ltr 8-9-23.pdf

720 Cook Ave E.Photos 8-7-23.pdf

720 Cook Ave E.Photos #1 8-9-23.pdf

720 Cook Ave E.Photos #2 8-9-23.pdf

720 Cook Ave.form 4. 8-6-23.pdf

720 Cook Ave E.Fang Ltr.9-8-23

34 <u>RLH RR</u>

23-45

Ordering the razing and removal of the structures at 50 FILLMORE AVENUE

EAST within fifteen (15) days after the September 27, 2023, City Council

Public Hearing.

Sponsors: Noecker

<u>Attachments:</u> 50 Fillmore Ave E.OTA 6-14-23

50 Fillmore Ave E.PH 7-21-23

50 Fillmore Ave E.C of O Revocation 2-22-08

50 Fillmore Ave E.Photos 2-25-08

50 Fillmore Ave E.Photos 5-25-23

50 Fillmore Ave E.Aerial Map

50 Fillmore Ave E.SHPO Letter 7-27-23

50 Fillmore Ave E.Photos 6-16-23.pdf

50 Fillmore Ave E.Photos 7-24-23.pdf

50 Fillmore Ave E.OTA 1-31-12 Well.pdf

50 Fillmore Ave E.Photo 1-31-12 Well.pdf

50 Fillmore Ave E.OTA Ext 2-23-12 Well.pdf

50 Fillmore Ave E.MDH Violation Letter 4-3-12 Well.pdf

50 Fillmore Ave E.Summary.docx

50 Fillmore Ave E.L S 8-22-23.pdf

50 Filmore Ave.R-R Ltr.8-25-23

35 RLH SAO

23-35

Appeal of Joseph Dalbec to a Summary Abatement Order plus Notice to Cut

Tall Grass And/Or Weeds at 913 JOHNSON PARKWAY.

<u>Sponsors:</u> Yang

<u>Attachments:</u> 913 Johnson Pkwy.appeal.8-22-23.pdf

913 Johnson Pkwy.Dalbec Ltr.9-8-23 913 Johnson Pkwy.Dalbec Ltr.9-15-23

36 RLH TA

Ratifying the Appealed Special Tax Assessment for property at 110

23-301 MANITOBA AVENUE. (File No. J2326A, Assessment No. 238534) (Public

hearing continued to March 13, 2024)

<u>Sponsors:</u> Balenger

Attachments: 110 Manitoba Ave.contested email 8-9-23.pdf

110 Manitoba Ave.SA Order 5-18-23.pdf

110 Manitoba Ave.Photos 5-18 & 5-25-23.pdf

37 RLH RR Fourth Making finding on the appealed substantial abatement ordered for 595

PARK STREET in Council File RLH RR 23-12. (Public hearing continued to

September 27, 2023)

<u>Sponsors:</u> Balenger

23-43

<u>Attachments:</u> 595 Park St.30 Day Forfeit Notice 6-26-23.pdf

595 Park St.Making Finding Notice of PH Ltr 7-7-23.doc

595 Park St. Viggiano R-R Ltr.7-28-23 595 Park St. Viggiano R-R Ltr.8-11-23

38 RLH VBR Appeal of Rob Clapp to a Vacant Building Registration Renewal Notice at 949

23-53 PAYNE AVENUE.

Sponsors: Yang

Attachments: 949 Payne Ave.appeal.8-25-23.pdf

949 Payne Ave. Team Inspection 3-29-23.pdf

949 Payne Ave.Clapp Ltr.9-8-23

39 RLH TA Deleting the Appealed Special Tax Assessment for property at 879 RICE

23-303 STREET. (File No. J2326A, Assessment No. 238534)

Sponsors: Balenger

Attachments: 879 Rice St.Summary Abatement Order 5-16-23.pdf

879 Rice St.Photo 5-16-23.pdf 879 Rice St.Photo 5-23-23.pdf

40 RLH RR Ordering the rehabilitation or razing and removal of the structures at 455

23-31 ROBERT STREET SOUTH within fifteen (15) days after the August 2, 2023,

City Council Public Hearing. (Public hearing continued to September 27, 2023)

Sponsors: Noecker

Attachments: 455 Robert St S.OTA 4-18-23

455 Robert St S.PH 5-26-23

455 Robert St S.Revocation of Fire C of O and Order to Vacate 8-19-22

455 Robert St S.SHPO Form 5-25-23

455 Robert St S.Photos 8-19-22

455 Robert St S.Photos 4-7-23

455 Robert St S.Photo 4-20-23

455 Robert St S.Photo 5-31-23

455 Robert St S.Summary.docx

455 Robert St S.L S 6-26-23.pdf

455 Robert St W.Police Call Logs 6-28-23.pdf

455 Robert St S.Tax Valuation 2023.pdf

455 Robert St. South.BK R-R Ltr.6-30-23

455 Robert Street WSCO Board Letter.6-26-23

455 Robert St W.Data Practice email response 7-10-23.pdf

455 Robert St. South.BK R-R Ltr.7-14-23

455 Robert St S.Team Inspection 7-31-23.pdf

455 Robert St. South.BK R-R Ltr.8-11-23

455 Robert St.Zimny WSCO email.8-10-23

455 Robert St. South.BK R-R Ltr.8-25-23

455 Robert St.marketing.9-12-23

455 Robert St. South.BK R-R Ltr.9-19-23

41 RLH SAO Making finding on the appealed nuisance abatement ordered for 34

23-38 SYCAMORE STREET in Council File RLH VBR 23-54. (Legislative Hearing on

September 26, 2023)

Sponsors: Balenger

Attachments: 34 Sycamore St E.Radunz Ltr.9-8-23.doc

34 Sycamore St E.Radunz Ltr.9-20-23.doc

42 RLH VBR Amending Council File No. RLH VBR 23-51 to waive the vacant building fee for

23-57 120-day at 575 UNIVERSITY AVENUE WEST.

<u>Sponsors:</u> Balenger

Attachments: 575 University Ave W.Ratsamy Ltr.8-25-23.doc

43 RLH VBR Appeal of Chris McCalla, PBH Real Estate, to a Vacant Building Registration

23-55 Requirement at 1630 UNIVERSITY AVENUE WEST.

<u>Sponsors:</u> Jalali

<u>Attachments:</u> 1630 University Ave W.appeal.9-5-23

1630 University Ave W - Code Compliance Report.6-2-23.pdf

44 Ratifying the assessments for Graffiti Removal services during January 3 to RLH AR 12, 2023. (File No. J2305P, Assessment No. 238404) 23-54 Sponsors: Brendmoen Attachments: Notice Assessment Roll J2305P.238404 45 RLH AR Ratifying the assessments for Property Clean Up services during May 12 to 30, 2023. (File No. J2326A, Assessment No. 238534) 23-68 Sponsors: Brendmoen Attachments: Notice Assessment Roll J2326A.238534 46 Ratifying the assessments for Equipment and Labor for Clean Up services RLH AR during January to May 2023. (File No. J2328A, Assessment No. 238537) 23-69

Sponsors: Brendmoen

Attachments: Notice Assessment Roll J2328A.238537

47 Ratifying the assessments for Tree Removal service from January 2023. (File

23-70 No. J2329A, Assessment No. 238538)

<u>Sponsors:</u> Brendmoen

Attachments: Notice Assessment Roll J2329A.238538

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:

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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, and by telephone by registering to speak by noon on the day before the meeting. The registration link is located on the City Council website at www.stpaul.gov/council or https://forms.office.com/g/TD3xN7WHy5.

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