



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 15, 2023

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 23-112](#) Amending the spending plans in the Department of Public Works Capital Budget for the Kellogg/Third Street Bridge Project.

Attachments: [AO 23-112 Kellogg 3rd Bridge.xlsx](#)

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 23-1605](#) Approving the City's cost of providing Property Clean up services during September 7 to 8, 2023, and setting date of Legislative Hearing for December 19, 2023 and City Council public hearing for February 21, 2024 to consider and levy the assessments against individual properties. (File No. J2410A, Assessment No. 248509)

Sponsors: Brendmoen

Attachments: [Report of Completion J2410A,248509](#)
[Assessment Roll J2410A,248509](#)

- 3 [RES 23-1704](#) Authorizing the Department of Public Works to accept the terms and conditions for use of Quest Software & its affiliates software and/or software apps (TOAD for Oracle Base Addition Software).

Sponsors: Brendmoen

Attachments: [DLT Quote \(5196086\) \[Ref 1798987\].pdf](#)
[DLT Quote \(5196086\) \[Ref 1799787\].pdf](#)

- 4 [RES 23-1715](#) Approving adverse action against the Tree Trimmer and Tree Trimmer Vehicle license applications submitted by Arban Inc. d/b/a Arban Outdoor Services (License ID# 20210000564 located at 3718 Sumter Avenue South in Saint Louis Park, MN 55426).

- Sponsors:** Brendmoen
- Attachments:** [Arban Outdoor Services - Completed packet - Notice of Intent to Deny](#)
- 5 [RES 23-1734](#) Authorizing the Department of Parks and Recreation to apply for up to \$219,070 from the Ramsey County Environmental Response Fund (ERF) for the Fish Hatchery Trail project.
- Sponsors:** Prince
- 6 [RES 23-1738](#) Authorizing the Office of Financial Empowerment to apply for a \$25,000 grant from the Saint Paul and Minnesota Foundation for CollegeBound Saint Paul operations.
- Sponsors:** Brendmoen
- 7 [RES 23-1740](#) Approving the 2023 Cultural Sales Tax Revitalization (STAR) Grant Program awards.
- Sponsors:** Brendmoen
- Attachments:** [Financial Analysis](#)
[2023 CSTAR Recommendations - 11-3-2023](#)
- 8 [RES 23-1746](#) Authorizing the Department of Safety and Inspections to apply for a grant in the amount of \$65,000 from the Minnesota Department of Labor, to participate in the 2024 Building Official Training (BOT) grant program.
- Sponsors:** Brendmoen
- 9 [RES 23-1754](#) Staying enforcement of Council File Number RLH RR 23-7, an Order to Remove 901 Fuller Avenue.
- Sponsors:** Balenger
- Attachments:** [901 Fuller Ave - Writ of Certiorari COA A23-1457](#)
[901 Fuller Ave - Certificate of Service \(towd\)2 Corrected](#)
[901 Fulle Ave - Certificate of Service \(towd\) 3](#)
- 10 [RES 23-1761](#) Authorizing the appropriate City designees to solicit donations, enter into contracts, and establish the budget for the purpose of holding City Council Inaugural events.
- Sponsors:** Brendmoen
- 11 [RES 23-1764](#) Authorizing the Office of the City Attorney to negotiate and settle claims and lawsuits in a dollar amount not to exceed \$45,000, without the necessity of a City Council resolution.
- Sponsors:** Brendmoen
- Attachments:** [Administrative Code 3.02](#)
[Settlement Authority Financial Analysis](#)
- 12 [RES 23-1766](#) Authorizing the City to enter into the Overpass Agreement that includes temporary easement rights from BNSF Railroad for the Public Works Kellogg Third Street Bridge Project.
- Sponsors:** Noecker
- Attachments:** [Exhibit A - BNSF Overpass Agreement - City of Saint Paul - K3 Bridge Project](#)

- 13 [RES 23-1767](#) Authorizing the City to enter into the Overpass Agreement that includes temporary easement rights from Union Pacific Railroad for the Public Works Kellogg Third Street Bridge Project.
- Sponsors:** Noecker
- Attachments:** [Exhibit A - UP Overpass Agreement - City of St Paul - K3 Bridge Project](#)
- 14 [RES 23-1690](#) Changing the rate of pay for Parks Services Assistant (formerly Refectory Assistant).
- Sponsors:** Brendmoen
- Attachments:** [Financial Analysis Worksheet - Parks Services Assistant](#)
- 15 [RES 23-1727](#) Approving the Memorandum of Agreement between the City and Manual & Maintenance Supervisors Association for the purpose of establishing an on-call scheduling and payment process for Supervisors in the Street Maintenance division of the Public Works department.
- Sponsors:** Brendmoen
- Attachments:** [MMSA MOA On Call Public Works Street Maintenance](#)

FOR DISCUSSION

- 16 [RES 23-1611](#) Canvassing the returns and declaring the results of the City General Election held November 7, 2023. (To be amended with the results of the reallocation of votes)
- Sponsors:** Brendmoen
- Attachments:** [St Paul Abstract](#)
- [Ward 1 Reallocation Summary Statement](#)
- [Ward 3 Reallocation Summary Statement](#)
- [Ward 7 Reallocation Summary Statement](#)
- [2023-11-15 P. Hendricks Letter to Councilmembers re Ward 3 Council Election](#)

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

- 17 [Ord 23-46](#) Amending Chapter 74 of the Legislative Code by adding a new section 74.04 for the purpose of designating the Dwight H. and Clara Watson House at 402 Hall Avenue as a Saint Paul Heritage Preservation Site.
- Sponsors:** Noecker

Attachments: [402 Hall - Watson House Nomination Final](#)
[402 Hall - HPC Minutes 11-1-2021](#)
[402 Hall PC Resolution - 3-4-2022](#)
[402 Hall Photos](#)
[402 Hall SHPO designation letter 11.3.23](#)

First Reading

- 18** [Ord 23-52](#) Amending Chapter 324 of the Legislative Code to remove tobacco vending machine licenses, reduce the number of Tobacco Shop Licenses from 150 to 100, reduce the number of Tobacco Product Shop Licenses from 25 to 15, and move the penalty section into the matrix penalties under section 310.
- Sponsors:** Brendmoen, Balenger, Noecker, Prince, Yang and Tolbert
- 19** [Ord 23-57](#) Amending specific sections of the Legislative Code pertaining to zoning regulations to allow micro-unit dwellings as an accessory use to religious institutions.
- Sponsors:** Brendmoen
- Attachments:** [Planning Commission Resolution 23-31 for Religious Micro-Units](#)
[Planning Commission Memo for Religious Micro-Units](#)
[Planning Commission Action Minutes for Religious Micro-Units](#)
- 20** [Ord 23-59](#) Amending Chapter 183 of the Legislative Code pertaining to human rights protections for persons with disabilities.
- Sponsors:** Brendmoen, Noecker, Jalali, Tolbert, Yang, Prince and Balenger
- Attachments:** [HREEO Ch 183 Technical Edits Nov 2023](#)
[HREEO memo re_Ch 183 minor edits \(BC to CPAB 9.27.23\)](#)
- 21** [Ord 23-60](#) Amending Chapter 293 of the Legislative Code to create an administrative process for Amplified Sound Permits and modify the process for Sound Level Variances.
- Sponsors:** Brendmoen
- Attachments:** [BRC Letter of Support Sound Level Variance 11.6.2023 Final](#)
[PRC CouncilLtr October 2023](#)
[Signed Resolutions](#)
[Amended SPLC Chapter 293](#)
- 22** [Ord 23-61](#) Amending Chapter 140 of the Legislative Code regarding the maintenance of the Skyway Pedestrian System including responsibilities, abatements and assessments.
- Sponsors:** Noecker
- 23** [Ord 23-62](#) Amending Chapter 105.04 of the Saint Paul Legislative Code to allow raised planter beds to be placed in the boulevard of the public right-of-way.
- Sponsors:** Tolbert

PUBLIC HEARINGS

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

- 24** [RES PH](#) Amending the financing and spending plans in the Department of Emergency Management budget in the amount of \$30,000 for the 2023 Emergency Management Performance Grant (EMPG) to provide assistance for Emergency Management to attend and provide training, public education and purchase equipment.
[23-340](#)
- Sponsors:** Brendmoen
- Attachments:** [23EMPG Financial Analysis](#)
- 25** [RES PH](#) Approving the host issuance by the City of Maplewood of its Charter School Lease Revenue Notes, Series 2023 (under Minnesota Statutes, Sections 469.152 through 469.1655), approving a Bond Compliance and Fee Agreement, and authorizing the execution of documents relating thereto, all for the Achieve Language Academy Project at 2169 Stillwater Avenue West (District 5, Ward 6).
[23-348](#)
- Sponsors:** Prince
- Attachments:** [City of St Paul Affidavit 11.1.23 71510092 - signed](#)

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.

- 26** [RLH FCO](#) Appeal of Jason Overs to a Correction Notice-Complaint Inspection at 950 ARKWRIGHT STREET, UNIT 2.
[23-92](#)
- Sponsors:** Brendmoen
- Attachments:** [950 Arkwright St.appeal.10-27-23.pdf](#)
[950 Arkwright St.photos 10-23-23.pdf](#)
[950 Arkwright St.photos 10-19-23.pdf](#)
[950 Arkwright St.Fire Inspection Report handwritten 10-23-23.pdf](#)
[950 Arkwright St.search result 10-19-23.pdf](#)
[950 Arkwright St.search result #2.10-19-23.pdf](#)
[950 Arkwright St.Floor Plan.pdf](#)
[950 Arkwright St.Correction Notice.10-30-23](#)
[950 Arkwright St.MN Residential Lease Agreement.pdf](#)
[950 Arkwright St.Overs VM transcript.11-3-23](#)
[950 Arkwright St.Overs Ltr.11-9-23](#)
- 27** [RLH TA](#) Deleting the Appealed Special Tax Assessment for property at 2082 DAYTON AVENUE (File No. CG2303A1, Assessment No. 230111)
[23-324](#)
- Sponsors:** Jalali

- Attachments:** [2082 Dayton Avenue. Assessment Inquiry Ticket. 9-14-2023.pdf](#)
[2082 Dayton Avenue. Fw 2082 Dayton Ave Q2 2023 Assessment Inquiry Email.](#)
- 28** [RLH VBR
23-61](#) Appeal of Jeff Johnson to a Vacant Building Registration Renewal Notice at 811
FOURTH STREET EAST.
- Sponsors:** Prince
- Attachments:** [811 Fourth St E.appeal.10-10-23.pdf](#)
[811 Fourth St E.CCI Report 12-6-06.pdf](#)
[811 4th St E.Johnson Ltr.10-20-23](#)
[811 4th St E.CC certificate.11-3-23](#)
[811 4th St E.Johnson Ltr.11-9-23](#)
- 29** [RLH SAO
23-32](#) Making finding on the appealed nuisance abatement ordered for 761 HOWELL
STREET NORTH in Council File RLH SAO 23-26.
- Sponsors:** Jalali
- Attachments:** [761 Howell St.Downey Ltr.6-23-23.doc](#)
- 30** [RLH SAO
23-31](#) Making finding on the appealed nuisance abatement ordered for 845 HOWELL
STREET NORTH in Council File RLH SAO 23-22.
- Sponsors:** Jalali
- Attachments:** [845 Howell St.Mayefske Ltr.6-23-23.doc](#)
- 31** [RLH SAO
23-42](#) Making finding on the appealed nuisance abatement ordered for 0 ISABEL
STREET EAST (PIN: 08-28-22-21-0085) in Council File RLH SAO 23-40.
- Sponsors:** Noecker
- Attachments:** [0 Isabel.Rosillo Ltr.10-6-23.doc](#)
[0 Isabel St E.Kedrowski email 11-6-23.pdf](#)
[0 Isabel.Rosillo Ltr.11-9-23](#)
- 32** [RLH RR 23-10](#) Ordering the rehabilitation or razing and removal of the structures at 1117
JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council
Public Hearing. (To refer back to February 13, 2024 Legislative Hearing)
- Sponsors:** Yang

Attachments: [1117 Jenks Ave.OTA 1-5-23](#)
[1117 Jenks Ave.PH 2-10-23](#)
[1117 Jenks Ave.Photos 12-15-22](#)
[1117 Jenks Ave.Photo 11-28-18.pdf](#)
[1117 Jenks Ave.Photos 12-24-18.pdf](#)
[1117 Jenks Ave.Respro Invoice 12-13-18.pdf](#)
[1117 Jenks Ave.Respro Invoice 12-13-18 Inv 59745.pdf](#)
[1117 Jenks Ave.Photos 6-17-19.pdf](#)
[1117 Jenks Ave.Google Street View 2022.pdf](#)
[1117 Jenks Ave.Alley View 2022.pdf](#)
[1117 Jenks Ave.Metro Legal Services.Email 2-20-23.pdf](#)
[1117 Jenks Ave.Metro Legal Services.pdf](#)
[1117 Jenks Ave.email chain 3-1-23.pdf](#)
[1117 Jenks Ave.Sheriff Certificate 3-2-23.pdf](#)
[1117 Jenks Ave.Police Reports Dec 2018 & Call Log.pdf](#)
[1117 Jenks Ave.Summary 3-13-23.docx](#)
[1117 Jenks Ave.L S 3-13-23.pdf](#)
[1117 Jenks Ave.Fergus Proechel R-R ltr.3-17-23](#)
[1117 Jenks Ave.CAG National Fund nuisance mitigation plan.4-6-23](#)
[1117 Jenks Ave.Fergus Proechel R-R ltr.4-14-23](#)
[1117 Jenks Ave.Fergus Proechel R-R ltr.7-14-23](#)
[1117 Jenks Ave.30 Day Forfeit Notice 9-5-23.pdf](#)
[1117 Jenks Ave.affidavit.10-10-23](#)
[1117 Jenks.work plan estimate.submitted 10-10-23](#)
[1117 Jenks Ave.financing redacted.sub 10-11-23](#)
[1117 Jenks Ave.Fergus Proechel R-R ltr.10-27-23](#)

33 [RLH SAO 23-41](#) Making finding on the appealed nuisance abatement ordered for 1523 LAUREL AVENUE in Council File RLH SAO 23-36.

Sponsors: Balenger

Attachments: [1523 Laurel Ave.Busch Ltr.9-29-23.doc](#)

34 [RLH SAO 23-43](#) Making finding on the appealed nuisance abatement ordered for 1223 MARION STREET in Council File RLH SAO 23-37.

Sponsors: Brendmoen

Attachments: [1223 Marion St.Heller Ltr.10-13-23.doc](#)
[1223 Marion St.Photos 11-3-23.pdf](#)
[1223 Marion St.Transcript of Voicemail from neighbor to Insp Smith10-23-23](#)

35 [RLH RR 23-52](#) Second Making finding on the appealed substantial abatement ordered for 1006 THIRD STREET EAST in Council File RLH RR 23-14. (Public hearing

continued to November 15, 2023)

Sponsors: Prince

Attachments: [1006 Third St E.30 Day Forfeit Notice 9-6-23.pdf](#)
[1006 Third St E.Making Finding PH Letter 9-22-23.doc](#)
[1006 Third St E.Stockwell R-R Ltr.10-13-23](#)
[1006 Third St E.updated financing.10-20-23](#)
[1006 Third St. E.updated schedule.10-20-23](#)
[1006 Third St. E.Stockwell R-R Ltr.10-31-23](#)

- 36** [RLH TA 23-331](#) Ratifying the Appealed Special Tax Assessment for property at 900 WESTMINSTER STREET. (File No. CG2303A1, Assessment No. 230111)

Sponsors: Brendmoen

Attachments: [900 Westminster Street. Assessment Inquiry Ticket.9-18-223.pdf](#)
[900 Westminster Street. Email Request to Remove Assessment.9-18-223.pdf](#)

- 37** [RLH AR 23-83](#) Ratifying the assessment for the City's cost of providing Collection of Delinquent Garbage Bills for services during April to June 2023. (File No. CG2303A1, Assessment No. 230111)

Sponsors: Brendmoen

Attachments: [Notice Assessment Roll CG2303A1.230111](#)

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

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