



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 Kassim Busuri
Councilmember Mitra Jalali Nelson
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert

Wednesday, August 28, 2019

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 19-47](#) Amending CDBG activities budget.

Attachments: [Attachment A CDBG AO 19-47](#)

- 2 [AO 19-48](#) Amending the 2019 Fund 200 grant budget for the Fire Department to more accurately record expenditures.

Attachments: [Fire Department Fund 200 - Haz Mat ERT 2019 Budget Adjustment.pdf](#)

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 19-1397](#) Memorializing the City Council's denial of an appeal from a Board of Zoning Appeals decision which granted lot size and parking capacity variances in order to construct a 4-unit apartment building at 2150 Grand Avenue.

Sponsors: Jalali Nelson

- 4 [RES 19-1454](#) Granting a stay in enforcement of RES 19-963 imposing a matrix penalty of a 10-day suspension and reducing the fine to \$1,000 for JC & MTM, Inc., d/b/a Johnny Baby's at 981 University Avenue West. (To be withdrawn)

Sponsors: Thao

Attachments: [City Council.Skarda.Tierney ltr 8.21.2019](#)

[Mayor City of St. Paul w.Writ 8.21.2019](#)

[Email from Jeff 8-20-19](#)

[Email to Jeff 8-5-19](#)

- 5 [RES](#) Approving the use of grant funds through the Neighborhood STAR Year-Round
 [19-1421](#) Program for two projects in Ward 2.

 Sponsors: Noecker
- 6 [RES](#) Approving the use of grant funds through the Neighborhood STAR Year-Round
 [19-1432](#) Program for the Highland District Council

 Sponsors: Tolbert
- 7 [RES](#) Approving the use of grant funds through the Neighborhood STAR Year-Round
 [19-1459](#) Program for the greening of Rice and Larpenteur.

 Sponsors: Brendmoen
- 8 [RES](#) Declaring August 25, 2019 to be Frank Louis Cruz Day.
 [19-1431](#)

 Sponsors: Noecker
- 9 [RES](#) Approving assessment costs and setting date of City Council public hearing to
 [19-1405](#) ratify the assessments for the Fairview Avenue from Shields to University
 paving and lighting project constructed as part of the 2019 St. Paul Street
 Paving Program (SPS). (File No. 19231, Assessment No. 195202)

 Sponsors: Jalali Nelson
 Attachments: [Report of Completion](#)
 [Assessment Roll](#)
- 10 [RES](#) Approving assessment costs and setting date of City Council public hearing to
 [19-1400](#) ratify the assessments for the Wheelock Parkway from Western to Rice paving
 and lighting project constructed as part of the 2019 St. Paul Street Paving
 Program (SPS). (File No. 19206, Assessment No. 195201)

 Sponsors: Brendmoen
 Attachments: [Report of Completion](#)
 [Assessment Roll](#)
- 11 [RES](#) Approving assessment costs and setting date of City Council public hearing to
 [19-1409](#) ratify the assessment for installation of a fire protection system as requested by
 Gloria Freeman for 1850 7th Street East. (File No. FP2019-02, Assessment No.
 197101)

 Sponsors: Prince
 Attachments: [Report of Completion](#)
 [Assessment Roll](#)
- 12 [RES](#) Authorizing payment in the amount of fifteen thousand seven hundred
 [19-1374](#) ninety-four dollars and one cent (\$15,794.01) in full and final settlement of the
 property damage claim of the Amco Insurance Company as subrogee of Pao
 Lee/Sue Lor.

 Sponsors: Brendmoen

Attachments: [C180321 PDrel](#)
[C180321 Resolution](#)
[C180321 W9](#)
[Copy of c180321 financial analysis](#)

- 13 [RES](#)
 [19-1376](#) Authorizing payment in the amount of eighty-six thousand nine hundred four dollars and no cents (\$86,904.00) in full and final settlement of their property damage claim of the Cincinnati Insurance Company as subrogee of the Arcade & Maryland Development, LLC.
- Sponsors:** Brendmoen
- Attachments:** [C190033 pdrel](#)
 [C190033 Resolution](#)
 [C190033 W9](#)
 [c190033 financial analysis](#)
- 14 [RES](#)
 [19-1413](#) Establishing the rate of pay for the new classifications of Water Aerobics Instructor (Year Round) in Grade 054 of EG 02, AFSCME Technical, and Water Aerobics Instructor (Seasonal) in Grade 21H of EG 99, Special Employment. (To be laid over one week for adoption)
- Sponsors:** Brendmoen
- Attachments:** [Financial Analysis Water Aerobics Instructor](#)
- 15 [RES](#)
 [19-1423](#) Approving the Labor Agreements between the Independent School District 625 and Minnesota Cement Masons, Plasterers and Shophands Local 633 (5/1/2019 - 4/30/2022); United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 96 (5/1/2019 - 4/30/2022); Tri-Council, Locals 49, 120 and 363 (7/1/2018 - 6/30/2019); and the 2019 - 2020 Memorandum of Agreement for the United Association of Steamfitters-Pipefitters, Local Union No. 455 wage and fringe adjustment (5/1/2019 - 4/30/2022). (To be laid over one week for adoption)
- Sponsors:** Brendmoen
- Attachments:** [2018-2019 ISD 625 TriCouncil Labor Agreement](#)
 [2018-2019 ISD 625 TriCouncil Summary](#)
 [2019-2022 ISD 625 Cement Masons Labor Agreement](#)
 [2019-2022 ISD 625 Cement Masons Summary](#)
 [2019-2022 ISD 625 Roofers Labor Agreement](#)
 [2019-2022 ISD 625 Roofers Summary](#)
 [2019-2020 ISD 625 Pipefitters MOA Wage and Fringe](#)
 [2019-2020 ISD 625 Pipefittes MOA Wage & Fringe Summary](#)
- 16 [RES](#)
 [19-1362](#) Accepting a grant from the Fund for Cities of Service, Inc. to the City of Saint Paul.

- Sponsors:** Brendmoen
Attachments: [Experience Matters Agreement Saint Paul UNSIGNED](#)
- 17 [RES](#)
[19-1379](#) Supporting a Citywide Safety Committee that monitors and assists departments in providing a safe and healthy work environment for City employees.
- Sponsors:** Brendmoen
- 18 [RES](#)
[19-1425](#) Consenting to the appointment of Kristin Guild as Interim Director of the Department of Planning and Economic Development.
- Sponsors:** Brendmoen
- 19 [RES](#)
[19-1336](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Wine On Sale and Malt On Sale (Strong) licenses for Bibimbap LLC (License # 20190001319), d/b/a Bap and Chicken at 1328 Grand Avenue.
- Sponsors:** Tolbert
Attachments: [Signed Conditions Affidavit](#)
[Minutes](#)
[Class N Application](#)
[Floor Plan](#)
[STAMP Activity Report](#)
[Street Photos](#)
[Aerial Photo](#)
[Plat Map](#)
[Zoning Map](#)
[AMANDA Print Screen](#)
[100' Property Ownership](#)
[District Council Waiver of Support](#)
[Correspondence of Objection 1](#)
[Correspondence of Objection 2](#)
[Class N Notification](#)
[Notification of License Hearing](#)
[Notification to Non-City Parties - email](#)
[Notification to Non-City Parties - mail](#)
[Hearing sign-in](#)
- 20 [RES](#)
[19-1383](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, to modify the existing license conditions to permit amplified sound on the outdoor patio, for Big Operations LLC (License ID # 20170000021), d/b/a Gabe's By The Park at 991 Lexington Parkway North.
- Sponsors:** Jalali Nelson
Attachments: [Signed Conditions Affidavit](#)
[Minutes](#)

[Licensee Request](#)
[Floor Plan](#)
[STAMP Activity Report](#)
[Incident Report](#)
[Street Photos](#)
[Aerial Photo](#)
[Plat Map](#)
[Zoning Map](#)
[AMANDA Print Screen](#)
[100' Property Ownership](#)
[District Council Correspondence](#)
[Correspondence of Objection](#)
[Class N Notification](#)
[Notification of License Hearing](#)
[Notification to Non-City Parties](#)

FOR DISCUSSION

- 21 [RES](#)
 [19-1461](#) Honoring Benita Gram Warns on Winning National Championships.
- Sponsors:* Prince and Jalali Nelson
- 22 [RES PH](#)
 [19-206](#) Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Franklin Avenue from TH 280 to Pelham. (File No. MO1812, Assessment No. 185509) (Public hearing held August 21)
- Sponsors:* Jalali Nelson
Attachments: [MO1812 Assessment Roll](#)
 [Hoeschler Letter](#)
 [2nd Hoeschler Letter](#)
 [3rd Hoeschler Letter](#)
 [Taghioff email - Mill & Overlay Executive Summary](#)
 [Hoeschler email - 190809 Millenacker decision](#)
- 23 [RES PH](#)
 [19-207](#) Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Western Avenue from Larch to Front. (File No. MO1813, Assessment No. 185510) (Public hearing held August 21)
- Sponsors:* Thao
Attachments: [MO1813 Assessment Roll](#)
 [Hoeschler Letter](#)
 [2nd Hoeschler Letter](#)
 [3rd Hoeschler Letter](#)

[Taghioff email - Mill & Overlay Executive Summary](#)

[Hoeschler email - 190809 Millenacker decision](#)

- 24** [RES PH](#)
[19-208](#) Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Prior Avenue from University to Minnehaha. (File No. MO1814, Assessment No. 185511) (Public hearing held August 21)

Sponsors: Jalali Nelson

Attachments: [MO1814 Assessment Roll](#)

[Hoeschler Letter](#)

[2nd Hoeschler Letter](#)

[3rd Hoeschler Letter](#)

[Taghioff email - Mill & Overlay Executive Summary](#)

[Hoeschler email - 190809 Millenacker decision](#)

- 25** [RES PH](#)
[19-209](#) Ratifying the assessment for the 2018 Street Maintenance Service Program-Mill and Overlay: Third Street from Ruth to McKnight. (File No. MO1815, Assessment No. 185512) (Public hearing held August 21)

Sponsors: Prince

Attachments: [MO1815 Assessment Roll](#)

[Hoeschler Letter](#)

[2nd Hoeschler Letter](#)

[3rd Hoeschler Letter](#)

[Taghioff email - Mill & Overlay Executive Summary](#)

[Hoeschler email - 190809 Millenacker decision](#)

ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at four 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 third reading.

Final Adoption

- 26 [Ord 19-53](#) Amending Chapter 25 of the Legislative Code pertaining to the supplemental tax on hotels and motels by increasing the imposed tax rate from three to four percent.

Sponsors: Brendmoen

Attachments: [Chapter 25](#)

[Minnesota Session Laws 1% Lodging tax increase](#)

Second Reading

- 27 [Ord 19-54](#) Amending Chapters 60, 61, 64, and 66 of the Legislative Code pertaining to establish Ford zoning districts, site plan review for Ford zoning districts, sign regulations for Ford zoning districts, references to the *Ford Site Zoning and Public Realm Master Plan*, and minor and major amendments to the *Ford Site Zoning and Public Realm Master Plan*.

Sponsors: Tolbert

Attachments: [1 DS Draft](#)

[2 DS Zoning Text Draft](#)

[3 MP Updates](#)

[4 Public Comment](#)

[5 PC Res](#)

[6 PC Action Minutes](#)

[7 Table 66_931](#)

[Planning Commission Memo](#)

- 28 [Ord 19-55](#) Granting the application of the Housing and Redevelopment Authority to rezone property at 659 Otsego Street from RT1 Two-Family Residential to R4 One-Family Residential, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Sponsors: Brendmoen

Attachments: [PC resolution 19-37](#)

[pactionminutes072619](#)

[draft ZC minutes](#)

[19-054-653 Rivoli Bluff ZC staff packet](#)

[60 day extension](#)

- 29 [Ord 19-56](#) Amending Chapter 409 of the Saint Paul Legislative Code to raise the age of persons allowed to enter liquor stores from age eighteen (18) to twenty-one

(21).

Sponsors: Thao, Brendmoen and Noecker

Attachments: [Chesak-MLBA letter](#)

- 30 [Ord 19-57](#) Amending Chapter 324 of the Legislative Code to raise the age of persons allowed to purchase tobacco and tobacco related devices and products from eighteen (18) to twenty-one (21), to be known as the Ed Owens Ordinance.

Sponsors: Thao, Brendmoen and Noecker

Attachments: [Section 5 - Presumptive Penalties for Violations Matrix](#)

[Blue Cross Letter of Support](#)

[MDH Letter T21 St. Paul](#)

[St. Paul T21 LOS_AHA](#)

[CWMN Letter of Support - St Paul T21 PUP](#)

[Vision In Living Life "Change Is Possible" letter](#)

[Chesak-MLBA letter](#)

[TFA Letter of Support_ Saint Paul City Council](#)

[Open Cities Health Center Letter](#)

[Comment recd by Council](#)

PUBLIC HEARINGS

- 31 [RES 19-1309](#) Approving adverse action against the Cigarette/Tobacco license held by Mel Lindholm, d/b/a Charlie's (License ID #20180002499) at 444 Cedar Street. (Public hearing continued from August 21)

Sponsors: Noecker

Attachments: [Email from Owner requesting hearing](#)

[NOV, Charlie's](#)

- 32 [RES PH 19-289](#) Amending the financing and spending plan of the Saint Paul Public Library in the amount of \$84,280 to utilize available CIB Contingency funds for the replacement of boilers at the Hayden Heights and St. Anthony libraries.

Sponsors: Brendmoen

Attachments: [RES PH 19-289 18 CIB Contingency Library Financial Analysis](#)

- 33 [RES PH 19-278](#) Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$136,000 to reflect additional 2019 funding expected from Como Friends.

Sponsors: Jalali Nelson

Attachments: [Como Friends Donations 2019 8.12.19.xlsx](#)

- 34 [RES PH 19-127](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$217,065.20 to reflect Parks Acquisition Opportunity Fund (PAOF) funding for the Phalen Regional Park Master Plan

Implementation project.

Sponsors: Busuri

Attachments: [Phalen MP Trans Imps PAOF Grant Amd FS Sheet](#)

35 [RES PH
19-273](#)

Approving the application of Minnesota Recovery Connection for a sound level variance for the Walk for Recovery Event on Saturday, September 14, 2019 at the Upper and Lower Malls of the State Capitol.

Sponsors: Noecker

Attachments: [Application](#)

[ENS](#)

[Map](#)

[Notice to Owners](#)

[Owners List](#)

[Letter to Applicant](#)

36 [RES PH
19-274](#)

Approving the application of Five Watt Coffee for a sound level variance for live music on Sunday, September 8, 2019 at 928 7th Street West for the Radio Five Watt Music Fest.

Sponsors: Noecker

Attachments: [Application](#)

[ENS](#)

[Map](#)

[Notice to Owners](#)

[Owners List](#)

[Letter to Applicant](#)

[Hale email](#)

37 [RES PH
19-280](#)

Approving the application of Visit Saint Paul for a sound level variance for live music and DJs on 7th Street West between Walnut Street and Kellogg Boulevard during the Flugtag Street Party on September 7, 2019.

Sponsors: Noecker

Attachments: [Application](#)

[ENS](#)

[Map](#)

[Notice to Owners](#)

[Owners List](#)

[Letter to Applicant](#)

SUSPENSION ITEM

FOR RECONSIDERATION

[RES
19-1360](#)

Approving adverse action against the Cigarette/Tobacco license held by Moundsview Retail Inc., d/b/a Mounds Park Market (License ID #20170000776) at 241 Earl Street.

Sponsors: Prince

Attachments: [NOV, Mounds Park Market](#)

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.

38 [RLH TA
19-282](#)

Ratifying the Appealed Special Tax Assessment for property at 816 ALBERT STREET NORTH. (File No. CG1901C2, Assessment No. 190061) (Public hearing continued from May 22)

Sponsors: Jalali Nelson

Attachments: [816 Albert St N.Letters from City-Aspen Bills-Emails with City.4-8-19](#)
[816 Albert St N.City Response Letter.3-15-19](#)
[816 Albert St N.October Notice of Non-Payment.10-31-18](#)
[816 Albert St N.November Notice of Non-Payment.11-30-18](#)
[816 Albert St N.December Notice of Non-Payment.1-2-19](#)
[816 Albert St N.Vang-Lindstrom chain email.4-30-19.pdf](#)

39 [RLH VBR
19-49](#)

Appeal of Mark Lentsch to a Vacant Building Registration Notice at 1011 ARGYLE STREET.

Sponsors: Brendmoen

Attachments: [1011 Argyle St.appeal.8-5-2019](#)
[1011 Argyle St.photos.8-2-2019](#)
[1011 Argyle St.Condemnation Ltr.5-16-19.pdf](#)
[1011 Argyle St.Condemnation Ltr.7-25-19.pdf](#)
[1011 Argyle St.Photos #1.5-16-19.pdf](#)
[1011 Argyle St.Photos #2.5-16-19.pdf](#)
[1011 Argyle St.Photos #3.5-16-19.pdf](#)
[1101 Argyle St.Lentsch Guggenberger Ltr.8-15-19](#)
[1011 Argyle St.Lensch-Dornfeld Email.8-17-19](#)

40 [RLH RR
19-24](#)

Making finding on the appealed nuisance abatement ordered for 650 AURORA AVENUE in Council File RLH RR 19-2. (Legislative Hearing on August 27)

Sponsors: Thao

Attachments: [650 Aurora Ave.Making Finding Notice of Hearing Ltr.7-29-19.doc](#)
[650 Aurora Ave.Thirty Day Notice.pdf](#)
[650 Aurora Ave.chain email.8-14-19.pdf](#)

- 41 [RLH VBR
19-48](#) Appeal of Shirzad Raimi, Venture Capital, to a Vacant Building Registration Renewal Notice at 1918 IVY AVENUE EAST.
- Sponsors:** Busuri
- Attachments:** [1918 Ivy Ave E.appeal.7-24-19](#)
[1918 Ivy Ave.Condemnation Order.7-17-18.pdf](#)
[1819 Ive Ave E. Raimi Ltr.8-15-19](#)
- 42 [RLH VO
19-30](#) Appeal of Jennifer Olson to a Correction Notice - Re-Inspection Complaint Order to Vacate at 1091 MARYLAND AVENUE EAST.
- Sponsors:** Busuri
- Attachments:** [1091Maryland Ave E.appeal.8-1-2019](#)
[1091 Maryland Ave E.photos.4-23-2019](#)
[1091 Maryland Ave E.Olson Ltr.8-7-19](#)
[1091 Maryland Ave E.Shaff email.8-12-19.pdf](#)
[1091 Maryland Ave E.Photos.8-12-19.pdf](#)
[1091 Maryland Ave E.Photos #2.8-12-19.pdf](#)
[1091 Maryland Ave E.Photos #3.8-12-19.pdf](#)
[1091 Maryland Ave E.Olson Ltr.8-15-19](#)
- 43 [RLH SAO
19-41](#) Appeal of Pao Thao to a Vehicle Abatement Order at 783 MINNEHAHA AVENUE WEST.
- Sponsors:** Thao
- Attachments:** [783 Minnehaha Ave. W.appeal.8-9-2019](#)
[783 Minnehaha Ave W.Photos.8-14-19.pdf](#)
[783 Minnehaha Ave W.Thao Ltr.8-21-19](#)
[783 Minnehaha Ave W.Thao Ltr.8-28-19.doc](#)
- 44 [RLH AR
19-73](#) Ratifying the assessments for Graffiti Removal services billed during March 28 to April 24, 2019. (File No. J1908P, Assessment No. 198407)
- Sponsors:** Brendmoen
- Attachments:** [Assessment Roll Mailing 06/12/2019](#)

ADJOURNMENT

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 iPads to review the files during the meeting. Using the iPad 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 on Thursdays at 5:30 p.m., Saturdays at 12:30 p.m., and Sundays at 1:00 p.m. (Subject to change)

Many people are extremely sensitive to scented products. Please refrain from wearing or using fragrances such as perfumes, lotions, aftershave, scented aerosol products, and other such products.