



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 Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, December 16, 2020

3:30 PM

Council Chambers - 3rd Floor

**There will not be a City Council meeting on December 23 and 30.
See the meeting guidelines due to the COVID-19 pandemic emergency.**

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 20-62](#) Authorizing the Police Department to reallocate its 2020 Special Fund operating budget to more accurately record expenditures.
Attachments: [AO 20-62 Financial Analysis](#)

- 2 [AO 20-64](#) Amending the 2020 spending budget in the Department of Public Works Street Lighting Maintenance accounting unit.
Attachments: [Financial Analysis](#)

- 3 [AO 20-65](#) Amending the 2020 spending budget in the Department of Public Works Special Fund Sweeping accounting unit.
Attachments: [AO 20-65 Financial Analysis - Sweeping](#)

- 4 [AO 20-66](#) Amending the 2020 spending budget in the Department of Public Works Special Fund Brushing and Seal Coating accounting unit.
Attachments: [AO 20-66 Financial Analysis - Seal Coating-](#)

- 5 [AO 20-67](#) Amending the 2020 spending budget in the Department of Public Works General Funds ROW Mgmt., Summer and Winter accounting units.
Attachments: [AO 20-67 Financial Analysis - ROW Mnqt](#)

- 6 [AO 20-68](#) Amend CDBG project budget: funding for 786 University Avenue.
Attachments: [Financial Analysis CDBG 12.4.20](#)

- 7 [CO 20-84](#) Letter from the Department of Safety and Inspections declaring 521 York Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Sponsors: Brendmoen

Attachments: [521 York Ave.OTA 12-3-20](#)

- 8 [CO 20-92](#) Mayor's Emergency Executive Orders 20-39, 20-40 and 20-41.

Sponsors: Brendmoen

Attachments: [Executive Order 2020-39](#)

[Executive Order 2020-40](#)

[Executive Order 2020-41](#)

- 9 [CO 20-93](#) Letter from the Department of Safety and Inspections declaring 1816 Minnehaha Avenue East a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Sponsors: Prince

Attachments: [1816 Minnehaha Ave E.OTA 12-7-20](#)

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.

- 10 [RES](#)
[20-1746](#) Approving the polling locations for the 2021 elections.

Sponsors: Brendmoen

Attachments: [Ramsey County Polling Place Locations](#)

- 11 [RES](#)
[20-1679](#) Approving the Joint Memorandum of Agreement Extension between the City of Saint Paul and AFSCME District Council 5 (Locals 1842, 2508, 3757), Classified Confidential Employees Association (CCEA), Fire Fighters Local 21, Fire Supervisory Association (FSA) Local 3939, Machinists, Manual & Maintenance Supervisors Association, Operating Engineers Local 70, Police Federation, Professional Employees Association (PEA), Saint Paul Supervisory Association (SPSO), Tri-Council (Local 49, 120 and 363), Trades: Bricklayers, Carpenters, Cement Masons, Electrical Workers, Elevator Constructors, Painters, Pipefitters, Plumbers, Sprinkler-Fitters and Sheet Metal Workers for the purpose of access for employees who are unable to work a portion of, or all their regularly scheduled hours due to the COVID 19 pandemic, up to eighty (80) hours of Emergency Pandemic Leave (EPL). (To be laid over one week for adoption)

Sponsors: Brendmoen

Attachments: [MOA COVID Extension 12042020](#)

- 12 [RES](#)
[20-1716](#) Authorizing the Department of Parks and Recreation to apply for \$15,000 in grant funds from the Metropolitan Regional Arts Council to support the Healing

The Soul Arts Project at Hancock and Rice Recreation Centers.

Sponsors: Brendmoen

- 13 [RES](#)
[20-1717](#) Authorizing the City to enter into an agreement with Apple for use of their Business Manager and Volume Purchase Programs.

Sponsors: Brendmoen

Attachments: [abm-us 20201203](#)

- 14 [RES](#)
[20-1722](#) Authorizing the Fire Department to accept the donation of two 2009 Ford F-350 15 passenger vans from the State of Minnesota Department of Natural Resources Federal Excess Property Program.

Sponsors: Brendmoen

Attachments: [Van Donation Information.pdf](#)

- 15 [RES](#)
[20-1729](#) Memorializing the Council's decision to grant an appeal by Told Development Co. from a decision of the planning commission which had denied Told's request for a floor area variance to construct a new commercial building at 1212 Prosperity Avenue.

Sponsors: Brendmoen

- 16 [RES](#)
[20-1734](#) Approving a petition from Travis Temke for specially assessing the costs of a fire protection system at 754 Randolph Avenue. (Project No. FP2021-02, Assessment No. 217101)

Sponsors: Noecker

Attachments: [Petition Letter](#)

[Agreement and Waiver of Appeal](#)

[QCD](#)

[QCD \(2\)](#)

[Assessment Roll](#)

- 17 [RES](#)
[20-1736](#) Approving a petition from Minnesota Transportation Museum for specially assessing the costs of a fire protection system at 193 Pennsylvania Avenue East, covering Bay A of the building. (Project No. FP2021-01, Assessment No. 217100)

Sponsors: Thao

Attachments: [Petition Letter, Agreement and Waiver of Appeal](#)

[Assessment Roll](#)

- 18 [RES](#)
[20-1739](#) Authorizing the City to execute a third amendment to a conservation easement held by the State of Minnesota within the Bruce Vento Nature Sanctuary in order to perform geo-technical investigations to determine the feasibility of constructing a proposed Wakan Tipi Center within the sanctuary property.

Sponsors: Prince

Attachments: [Exhibit A to Resolution - Third Amendment to BVNS Conservation Easement](#)
[Exhibit A to Cons Esmt Amdt - Landmark Proposal](#)
[Exhibit A to Cons Esmt Amdt - Braun Change Order 2](#)

- 19 [RES](#)
 [20-1747](#) Authorizing the Department of Parks and Recreation to apply for, and if awarded, accept \$2,500 in grant funds from the JCI Saint Paul Chapter to support the 2021 Parks and Recreation Amazing Race at the McDonough Recreation Center.
- Sponsors:** Brendmoen
- 20 [RES](#)
 [20-1749](#) Memorializing the Council's decision to grant an appeal by Suebue LLC from a decision of the Board of Zoning Appeals which had denied SueBue LLC's request for rear-yard setback and lot coverage variances in order to construct a new single-family home at 1493 Highland Parkway.
- Sponsors:** Brendmoen
- 21 [RES](#)
 [20-1669](#) Approving the Memorandum of Agreement between the City of Saint Paul and AFSCME Clerical Local 2508 for the purpose of determining night shift differential rate of pay for those employees allowed to work during evening hours for their own convenience. (To be laid over one week for adoption)
- Sponsors:** Brendmoen
- Attachments:** [AFSCME Clerical MOA Night Shift Differential Waiver](#)
- 22 [RES](#)
 [20-1634](#) Approving the City's cost of providing Property Clean Up services during September 30 to October 14, 2020, and setting date of Legislative Hearing for January 19, 2021 and City Council public hearing for March 3, 2021 to consider and levy the assessments against individual properties. (File No. J2109A, Assessment No. 218508)
- Sponsors:** Brendmoen
- Attachments:** [Report of Completion J2109A.218508](#)
 [Assessment Roll J2109A.218508](#)
- 23 [RES](#)
 [20-1635](#) Approving the City's cost of providing Property Clean Up services during October 14 to 29, 2020, and setting date of Legislative Hearing for January 19, 2021 and City Council public hearing for March 3, 2021 to consider and levy the assessments against individual properties. (File No. J2110A, Assessment No. 218509)
- Sponsors:** Brendmoen
- Attachments:** [Report of Completion J2110A.218509](#)
 [Assessment Roll J2110A.218509](#)

FOR DISCUSSION

- 24 [SR 20-153](#) Year end staff report from the Administration.
- Sponsors:** Brendmoen
- 25 [AHPC 20-2](#) Public hearing to consider the appeal of William Garman ("Gar") Hargens and

Mary ("Missy") Staples Thompson to the Heritage Preservation Commission decision of 540 Portland Avenue in the Historic Hill Heritage Preservation District. (Public hearing closed on November 18)

Sponsors: Thao

Attachments: [HPC Agenda](#)

[540 Portland HPC Packet](#)

[Additional Testimony Letter](#)

[Adopted HPC Resolution](#)

[Adopted HPC Minutes](#)

[Appeal Filed by Hargens and Thompson](#)

[AHPC 20-2 - Marcucci & Schroder email 10-23-20](#)

[AHPC 20-2 - Jason Patalonis email 10-28-20](#)

[AHPC 20-2 - Laura Kindseth e-mail 11-4-20](#)

[AHPC 20-2 - Eric Galatz email 11-17-20](#)

[AHPC 20-2 - Comments to BZA staff Matthew Graybar](#)

[AHPC 20-2 - Email chain to HPC staff George Gause](#)

[AHPC 20-2 - Gar Hargens email 9-22-20](#)

[AHPC 20-2 - Missy Staples Thompson and Gar Hargens comments 9-29-20](#)

[Strole Letter](#)

- 26 [ABZA 20-7](#) Public hearing to consider the appeal of William Garman Hargens and Mary Staples Thompson to a decision of the Board of Zoning Appeals (BZA) approving six variances (for primary entrance location, number of off-street parking spaces provided, lot coverage, lot size, lot width, and rear yard setback) for a second triplex to be constructed on a lot that has an existing triplex at 542 Portland Avenue. (Public hearing closed on November 18)

Sponsors: Thao

Attachments: [Appeal Application for 542 Portland Ave](#)

[Variance Application for 542 Portland Ave](#)

[Supporting Information for 542 Portland Ave](#)

[BZA Staff Report for 542 Portland Ave](#)

[10052020 BZA Hearing Presentation](#)

[BZA Resolution for 542 Portland Ave](#)

[October 05, 2020- BZA General and Hearing Minutes](#)

[Dist. Council Letter of Support for 542 Portland Ave](#)

[Letters of Support for 542 Portland Ave](#)

[Letters of Opposition for 542 Portland Ave](#)

[Area Map for 542 Portland Ave](#)

[Hearing Notice for 542 Portland Ave](#)

[15.99 Extension Letter for 542 Portland Ave](#)

[ABZA 20-7 - Ramsey Hill Board of Directors email 10-27-20](#)

[ABZA 20-7 - Carlsen & Frank Architects letter 10-26-20](#)

[Roth Email](#)

[Marcucci and Schroder Letter](#)

[Cornejo Letter](#)

[ABZA 20-7 - Tom Darling email 11-3-20](#)

[ABZA 20-7 - SARPA letter 11-3-20](#)

[ABZA 20-7 - Emilia Mettenbrink and Simon Jette Nantel letter 11-1-20](#)

[ABZA 20-7 - Tim and Cathy Maes email 11-3-20](#)

[ABZA 20-7 - SARPA Position Statement to BZA](#)

[ABZA 20-7 - John Sularz and Dan Chouinard letter](#)

[ABZA 20-7 - Missy Staples Thompson and Gar Hargens email 11-17-20](#)

[ABZA 20-7 - Eric Galatz email 11-17-20](#)

[Strole Letter](#)

- 27 [RES](#) Authorizing the Department of Parks and Recreation to apply for grant funds of
[20-1664](#) \$5,000 from the Walmart Local Community grant fund to support the
McDonough Girls and Women in Sports Project. (Laid over from December 9.)

Sponsors: Brendmoen

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

- 28 [Ord 20-29](#) Amending Chapter 409 of the Legislative Code pertaining to the distance
restriction between liquor license locations, to reduce the location radius for
off-sale wine only license locations.

Sponsors: Prince and Thao

Attachments: [ORD 20-29 - Contact Council emails](#)

[ORD 20-29 - Minnesota Licensed Beverage Association email 11-4-20](#)

[ESABA Letter of Support Vin de Pays 2020](#)

[Vin de Pays Letter](#)

[Vin de Pays Business Plan](#)

[Wine Shop Support Distances - FRF ltr 20201014](#)

[Letter to City Council from PABA](#)

[Thompson Email](#)

[2020 August Wine Ordinance Letter](#)

[D5-PPCC Support for changing off-sale wine distance requirements - August 20](#)

[Comments Received by Ward 7- 20-29 Wine Shop](#)

[Perrier Email](#)

[Perrier Letter](#)

[Opposition Emails](#)

[D4CC Letter of Support for Wine Ordinance Change 111820](#)

[Ord 20-29 - Angela Albee email 12-14-20](#)

[Ord 20-29 - Lucas Gulbranson email 11-29-20](#)

[Ord 20-29 - Nikita Godette email 12-1-20](#)

[Ord 20-29 - Rachel Horne email 11-30-20](#)

[Ord 20-29 - David Knipfel email 12-1-20](#)

[Ord 20-29 - Michael McCafferty email 11-5-20](#)

[Ord 20-29 - Michael Nilles email 11-4-20](#)

[Ord 20-29 - Nancey Quinn email 12-7-20](#)

[Ord 20-29 - Mike Radenbaugh email 12-9-20](#)

[Ord 20-29 - Kiki Sonnen voicemail 12-9-20](#)

[Ord 20-29 - Dan Stahley email 11-30-20](#)

[Ord 20-29 - Cindy Smith email 11-29-20](#)

[Ord 20-29 - Ryan Wachtel email 11-7-20](#)

[Wine Shop Fact Sheet](#)

[Summit Hill Wine Ordinance Letter](#)

[Lee Email](#)

[Public Comment received by Ward 7 \(part 2\)](#)

[Mayor Carter Letter](#)

[SAPCC letter of support](#)

[Comments received by Ward 6 regarding wine sales](#)

[kallsen email](#)

- 29** [Ord 20-35](#) Granting the application of Keith Schroeder to rezone the property at 981 Fuller Avenue from R4 Single Family Residential to T2 traditional neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

Sponsors: Thao

Attachments: [Staff Report](#)

[Application](#)

[District 8 letter of support](#)

[PC resolution](#)

[ZC minutes](#)

[Testimony from stanely gardner](#)

[extension letter](#)

[Gardner Email](#)

SUSPENSION ITEMS

[RES
20-1763](#)

Approving the Mayor's appointments of Thomas Aasheim, Robert Blake Chris Duffy, Yolanda McIntosh, and Trish Stevens to the Workforce Innovation Board of Ramsey County.

Sponsors: Brendmoen

[RES
20-1773](#)

Authorizing the City of Saint Paul to enter into a vehicle lease agreement with National Cooperative Leasing for the carshare service component of the Twin Cities Electric Vehicle Mobility Network.

Sponsors: Brendmoen

Attachments: [2020 12 14 Non-Appropriation Addendum](#)
[2020 12 14 Chevy Bolt Trac Lease-Ranger GM](#)
[2020 12 14 Master Lease Agreement](#)

PUBLIC HEARINGS

30 [Ord 20-37](#)

Creating Chapter 194 of the Legislative Code entitled Smoking Policy Disclosure to require the completion of a smoking sale disclosure report for sale of units within a common interest community.

Sponsors: Noecker

Attachments: [Ord 20-37 - Martha Hewett email 12-11-20](#)
[Ord 20-37 - Kathy Klimoski email 12-10-20](#)
[Ord 20-37 - Thomas E. Kottke email 12-9-20](#)
[Ord 20-37 - Heidi Larson, American Lung Association](#)
[Ord 20-37 - Margaret Meyer email 12-13-20](#)
[Ord 20-37 - Amy Ruzick 12-9-20 sample of condo declaration](#)
[Ord 20-37 - Amy Ruzick email 12-9-20](#)
[Ord 20-37 - Vicki Sheffer, TISH Board, email 12-15-20](#)
[Ord 20-37 - Jeff Tentinger & Robin Werrbach email 12-8-20](#)
[Ord 20-37 - Jeanne Weigum, Association of NonSmokers](#)
[Baucom Email - Ord. 20-37](#)

31 [RES PH
20-247](#)

Amending the financing and spending plans in the Department of Public Works Capital and Operating Budgets for the 2020 Bikeway Improvements Program.

Sponsors: Brendmoen

Attachments: [RES PH 20-247 Financial Analysis.pdf](#)

32 [RES PH
20-286](#)

Amending the 2020 Financing and Spending Budget for Public Works, Sewer Utility Fund and the Grant Fund related to the 2018 MCES Inflow and Infiltration Demonstration Project Grant.

Sponsors: Brendmoen

Attachments: [RES PH 20-286 Financial Analysis](#)

- 33 [RES PH
20-274](#) Amending the spending and financing plans for various city departments.
- Sponsors:** Brendmoen
 Attachments: [RES PH 20-274 - 2020 Year End Budget Resolution - Final v2.xlsx](#)
- 34 [RES PH
20-276](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$1,003,137 to reflect Metropolitan Council Regional Parks Bonding Program funding, and giving permission for the proper city officials to enter into an agreement with the Metropolitan Council, which includes an indemnification clause.
- Sponsors:** Brendmoen
 Attachments: [Fish Hatch-Lower Landing-Phalen-RPRT Met Council Bonding Appropriation FS](#)
- 35 [RES PH
20-283](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$6,900 for improvements to Margaret Park.
- Sponsors:** Prince
 Attachments: [Margaret Park STAR Bud Amd \\$6900](#)
- 36 [RES PH
20-285](#) Amending the financing and spending plan in the Department of Parks and Recreation in the amount of \$77,800 to reflect funds received from the Lower Phalen Creek Project for staff design services for the Wakan Tipi project.
- Sponsors:** Prince
 Attachments: [Wakan Tipi LPCP FS Sheet Dec'20](#)
- 37 [RES PH
20-280](#) Authorizing the Police Department to enter into a grant agreement with the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) for the COSSAP grant (Comprehensive, Opioid, Stimulant, Substance Abuse Site Based Program).
- Sponsors:** Brendmoen
 Attachments: [2020 BJA COSSAP Grant](#)
 [RES PH 20-280 Financial Analysis](#)
- 38 [RES PH
20-282](#) Amending the financing and spending plans in the Fire Department in the amount of \$31,809.40 for the Minnesota Task Force One team reimbursement from the City of Edina.
- Sponsors:** Brendmoen
 Attachments: [MNTF1 Financial Analysis \\$31,809.40 Dec 2020.pdf](#)

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.

- 39** [RLH FCO
20-166](#) Appeal of Shalanda Williams to a Fire Certificate of Occupancy Correction Notice at 474 BLAIR AVENUE.
- Sponsors:** Thao
- Attachments:** [474 Blair Ave.appeal.11-24-20.pdf](#)
[474 Blair Ave.Photos.11-5-20.pdf](#)
[474 Blair Ave.Williams Ltr.12-4-20](#)
- 40** [RLH FCO
20-164](#) Appeal of Juan F. Paredes to a Reinspection Fire Certificate of Occupancy With Deficiencies at 1048 BURR STREET.
- Sponsors:** Thao
- Attachments:** [1048 Burr St.appeal.11-20-20](#)
[1048 Burr St.photos 11-10-20](#)
[1048 Burr St.Paredes Ltr.12-4-20](#)
- 41** [RLH OA 20-9](#) Making recommendation to Ramsey County on the application of David Goodlow, Jr. for repurchase of tax forfeited property at 1008 CARROLL AVENUE.
- Sponsors:** Thao
- Attachments:** [1008 Carroll Ave.repurchase appeal.11-23-20.pdf](#)
[1008 Carroll Ave.STAMP inquiry.11-24-20.pdf](#)
[1008 Carroll Ave.Police Logs.11-24-20.pdf](#)
[1008 Carroll Ave.Hanson Ltr.12-11-20](#)
- 42** [RLH SAO
20-47](#) Appeal of Paul F. Stefanyshyn to a Summary Abatement Order and Vehicle Abatement Order at 98 GARFIELD STREET.
- Sponsors:** Noecker
- Attachments:** [98 Garfield St.appeal.11-13-20](#)
[98 Garfield St.photos 11-10-20](#)
[98 Garfield St.Stefanyshyn Ltr.11-25-20](#)
[98 Garfield St.Stefanyshyn Ltr.12-4-20](#)
- 43** [RLH SAO
20-46](#) Making finding on the appealed nuisance abatement ordered for 598 LAFOND AVENUE in Council File RLH SAO 20-41.
- Sponsors:** Thao
- Attachments:** [598 Lafond Ave.Okoi Ltr.10-23-20.doc](#)
[598 Lafond Ave.Photos.12-3-20.pdf](#)
[598 Lafond Ave.Okoi Ltr.12-11-20](#)

- 44 [RLH VO
20-57](#) Amending Council File RLH VO 20-38, adopted September 23, 2020, to grant Davina Harper an additional extension for property at 403 MINNEHAHA AVENUE EAST.
 Sponsors: Brendmoen
 Attachments: [403 Minnehaha Ave E.email chain.12-1-20.pdf](#)
 [403 Minnehaha Ave E.Vang-Harper email.12-2-20.pdf](#)
- 45 [RLH VO
20-56](#) Appeal of Hussein U. Abdullahi to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1393 PROSPERITY AVENUE.
 Sponsors: Yang
 Attachments: [1393 Prosperity Ave.appeal.11-16-20](#)
 [1393 Prosperity Ave.Abdullahi Ltr.11-25-20](#)
 [1393 Prosperity Ave.Abdullahi Ltr.12-4-20](#)
 [1393 Prosperity Ave.Work Plan.11-30-20](#)
 [1393 Prosperity Ave.Abdullahi Zimny emails.12-4-20](#)

ADJOURNMENT

In-person meetings, or meetings conducted under Minn. Stat. § 13D.02 of the City Council, are not practical or prudent because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and Saint Paul Mayor Melvin Carter. In light of the COVID-19 health pandemic, members of the City Council will participate in City Council meetings by telephone or other electronic means.

Public attendance at the City Council's regular meeting location is not feasible due to the COVID-19 health pandemic. Members of the public may view City Council meetings online at stpaul.legistar.com/Calendar.aspx or on local cable Channel 18.

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.

While the Council will make best efforts to decide all issues before them, the Council may delay decisions on certain matters where the members believe meeting in-person is necessary. All City Council public hearings will be held at 3:30 p.m. and there will be no separate 5:30 p.m. public hearings. More information is available at www.stpaul.gov/departments/city-council

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.