



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

Minutes - Final

City Council

Council President Kathy Lantry
Councilmember Dan Bostrom
Councilmember Melvin Carter III
Councilmember Pat Harris
Councilmember Lee Helgen
Councilmember Russ Stark
Councilmember Dave Thune

Wednesday, August 24, 2011

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

The meeting was called to order by Council President Lantry at 3:32 p.m.

Councilmember Stark excused

Present 6 - Councilmember Dan Bostrom, Councilmember Melvin Carter III, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry and Councilmember Dave Thune

Absent 1 - Councilmember Russ Stark

CONSENT AGENDA

Note: 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.

Approval of the Consent Agenda

Councilmember Harris moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

1 RES 11-1658 Accepting a gift scholarship of \$900.00 for Andrea Miller, Anthony Tedesco and Yamy Vang to attend the Innovations in Criminal Justice Summit, September 28-30, 2011 in Chicago, Illinois.

Sponsors: Lantry

Adopted

- 2 **RES 11-1528** Memorializing the July 20, 2011 decision of the City Council granting the appeal of the District 5 Planning Council of a decision of the Board of Zoning Appeals granting a side-yard setback at 674 Hawthorne Street East.
- Sponsors:** Bostrom
- Adopted**
- 3 **RES 11-1519** Preliminary Order setting the date of City Council public hearing for October 5, 2011 to consider the improvement for above-standard lighting on the north side of Ford Parkway between Finn Street and Cleveland Avenue. (File No. 19124, Assessment No. 115101)
- Sponsors:** Harris
- Adopted**
- 4 **RES 11-1553** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Blair/Griggs area paving/lighting project, constructed as part of the 2011 Residential Street Vitality Project (RSVP). (File No. 19093, Assessment No. 115138)
- Sponsors:** Stark
- Adopted**
- 5 **RES 11-1555** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Front/Victoria Phase II area paving/lighting project, constructed as part of the 2010 Residential Street Vitality Project (RSVP). (File No. 19080A, Assessment No. 115134)
- Sponsors:** Carter III
- Adopted**
- 6 **RES 11-1557** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Page/Woodbury area paving/lighting project, constructed as part of the 2011 Residential Street Vitality Project (RSVP). (File No. 19077, Assessment No. 115118)
- Sponsors:** Thune
- Adopted**
- 7 **RES 11-1559** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Davern/Jefferson Phase II area paving/lighting project, constructed as part of the 2011 Residential Street Vitality Project (RSVP). (File No. 19079A, Assessment No. 115136)
- Sponsors:** Harris
- Adopted**

- 8 **RES 11-1561** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Payne Avenue - Whitall St. to Cook Ave. streetscape project. (File No. 19085, Assessment No. 115126)
- Sponsors:** Bostrom
- Adopted**
- 9 **RES 11-1601** Approving the City's cost of providing Demolition services from July 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1116C, Asmt No. 118107)
- Sponsors:** Lantry
- Adopted**
- 10 **RES 11-1602** Approving the City's cost of providing Boarding services during June 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1112B, Asmt No. 118117)
- Sponsors:** Lantry
- Adopted**
- 11 **RES 11-1603** Approving the City's cost of providing Excessive Inspection services during April 28 to June 10, 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1110E, Asmt No. 118120)
- Sponsors:** Lantry
- Adopted**
- 12 **RES 11-1604** Approving the City's cost of providing Graffiti Removal services during June 23 to July 13, 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1115P, Asmt No. 118123)
- Sponsors:** Lantry
- Adopted**
- 13 **RES 11-1605** Approving the City's cost of providing Property Clean Up services during June 30 to July 28, 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1116A, Asmt No. 118121)
- Sponsors:** Lantry
- Adopted**

- 14 **RES 11-1606** Approving the City's cost of providing Trash Hauling services during July 6 to 27, 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1113G, Asmt No. 118122)
- Sponsors: Lantry
- Adopted**
- 15 **RES 11-1607** Approving the City's cost of providing Towing of Abandoned Vehicle services during April to May 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1104V, Asmt No. 118124)
- Sponsors: Lantry
- Adopted**
- 16 **RES 11-1608** Approving the City's cost of providing Demolition services from July 2011 (C.D.B.G. Funds), and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1117C, Asmt No. 118126)
- Sponsors: Lantry
- Adopted**
- 17 **RES 11-1611** Approving the City's cost of providing Boarding services during July 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1113B, Asmt No. 118127)
- Sponsors: Lantry
- Adopted**
- 18 **RES 11-1612** Approving the City's cost of providing Excessive Inspection services during June 13 to July 1, 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1111E, Asmt No. 118128)
- Sponsors: Lantry
- Adopted**
- 19 **RES 11-1619** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Davern/Jefferson Phase I (Part II) area paving/lighting project, constructed as part of the 2010 Residential Street Vitality Project (RSVP). (File No. 19079B, Assessment No. 115132)
- Sponsors: Harris
- Adopted**

- 20 **RES 11-1624** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Fairview Avenue from St. Clair Avenue to Summit Avenue paving/lighting project. (File No. 19094, Assessment No. 115133)
- Sponsors:** Harris
- Adopted**
- 21 **RES 11-1640** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Payne Avenue - Cook Avenue to Orange Avenue streetscape project. (File No. 19096, Assessment No. 115402)
- Sponsors:** Bostrom
- Adopted**
- 22 **RES 11-1625** Authorizing the City to enter into an agreement with the Minnesota Department of Transportation to provide payment for the State's share of costs for traffic signal revisions and other associated construction along Highway 61at Minnehaha Avenue.
- Sponsors:** Bostrom and Lantry
- Adopted**
- 23 **RES 11-1551** Authorizing the Police Department to renew the lease with Neighborhood House for space in the Paul and Sheila Wellstone Center.
- Sponsors:** Thune
- Adopted**
- 24 **RES 11-1634** Authorizing the Police Department to enter into a State and Local Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA).
- Sponsors:** Lantry
- Adopted**
- 25 **RES 11-1635** Authorizing the Police Department to enter into an agreement with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) for reimbursement of overtime salary costs associated with the ATF Task Force.
- Sponsors:** Lantry
- Adopted**
- 26 **RES 11-1636** Adopting the findings of fact related to demolition of buildings located in the Beacon Bluff Business Center.
- Sponsors:** Bostrom and Lantry
- Adopted**

- 27 **RES 11-1615** Approving adverse action against the Special Event Food Sales - Annual license held by Sugar Buzzers d/b/a Sugar Buzzers located at 1771 Energy Park Drive in Saint Paul.
- Sponsors: Stark
- Adopted**
- 28 **RES 11-236** Approving the application with conditions, per the Legislative Hearing Officer, for a Gas Station, Malt Off Sale, Cigarette/Tobacco, Restaurant (1) - No Seats, and Retail Fd (C) Grocery 1001-3000 sq. ft. licenses (Note: this is for a change in ownership of an existing location), for Northern Tier Retail LLC, d/b/a Superamerica #4039 (ID #20100004246) at 1146 Payne Avenue.
- Sponsors: Bostrom
- Adopted**
- 29 **RES 11-1663** Waiving the 45 day notice requirement for issuance of Malt On Sale (Brewery Taproom) license for Summit Brewing Company d/b/a Summit Brewing Company, 910 Montreal Circle.
- Sponsors: Thune
- Adopted**
- 30 **RES 11-1685** Approving the use of STAR funds through the Neighborhood STAR Year-Round Program for Colossal Cafe in Ward 4.
- Sponsors: Stark
- Adopted**
- 31 **RES 11-1688** Approving the use of Neighborhood STAR Year-Round Loan Program Funds for Historic Saint Paul in Ward 7.
- Sponsors: Lantry
- Adopted**

FOR DISCUSSION

- 32 **PH 11-19** Considering the application of REM Holdings LLC for a combined plat for St. Anthony Park Townhomes to create nine residential parcels and one outlot. (Zoning File #11-128-731) (Public hearing held August 17; laid over from August 24)
- Sponsors: Stark
- Councilmember Helgen said he had heard from enough constituents that he felt the matter should be laid over for a couple of weeks to get Councilmember Stark's input. Council President Lantry said Councilmember Stark's office had been informed of that.*
- Laid over to September 7**
- Yea:** 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

- 33 RES PH 11-1017** Consideration of amendment of resolution 08-1033 approving the site plan with conditions to develop the land owned by the Saint Paul Port Authority and commonly known as 637 Barge Channel Road. (Public hearing held August 17)

Sponsors: Lantry and Thune

Councilmember Thune entered a letter from the Port Authority into the record. He said the letter related most of what was covered in a meeting between himself, Council President Lantry and representatives of the Port, and represented a great step forward.

Council President Lantry said the meeting had included members of the Port Authority, Parks Director Mike Hahm, Councilmember Thune and herself, and had resulted in something that outlined a good plan going forward. In response to a question from Councilmember Helgen, she said that the amendments introduced the previous week had been added to the resolution and served primarily to make sure the 2008 resolution was codified in the current resolution.

Councilmember Thune noted that access to the river from the east side would involve conversations with the County and changes they were anticipating making.

Councilmember Thune moved approval.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

- 34 RLH RR 11-41** Ordering the rehabilitation or razing and removal of the structures at 580 MINNEHAHA AVENUE EAST within one hundred twenty (120) days after the August 17, 2011, City Council Public Hearing. (Public hearing held August 17)

Sponsors: Bostrom

Councilmember Bostrom said the Legislative Hearing Officer's recommendation was to give the property owners 30 days to remove or rehabilitate the property, along with the other conditions included in the resolution. He moved to adopt the recommendation.

Adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

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

- 35 **Ord 11-69** Amending Chapter 310.10 of The Saint Paul Legislative Code to limit amounts on the refunds of fees.

Sponsors: Lantry

Councilmember Harris moved approval.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

- 36 **Ord 11-70** Preserving the status quo within a specified area in the vicinity of the University of St. Thomas pending the completion and report of a zoning study and possible action on that study, including amending the City's official controls to regulate the conversion of one- and two- and three-family homes into student housing.

Sponsors: Stark

Councilmember Harris said he had spoken with Councilmember Stark and would move the ordinance.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

Second Reading

- 37 **Ord 11-74** An interim ordinance preserving the status quo of land uses in the District 9 Planning Area for the purpose of augmenting the zoning study undertaken pursuant to Council File Ord 11-5.

Sponsors: Thune

Laid over to September 7 for third reading/public hearing

- 38 **Ord 11-75** Amending the Zoning Map as recommended in the District 9 Commercial Zoning Study.

Sponsors: Thune

Laid over to September 7 for third reading/public hearing

- 39 **Ord 11-76** Amending the Zoning Map as recommended in the District 9 Residential Zoning Study.

Sponsors: Thune

Laid over to September 7 for third reading/public hearing

First Reading

- 40 **Ord 11-78** Memorializing City Council action granting the application of Saint Paul Housing and Redevelopment Authority for the rezoning from I3 Restricted Industrial to T3M Traditional Neighborhood (Master Plan), T3 Traditional Neighborhood and I1 Light Industrial of 852 Hathaway Street and adjacent parcels, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Sponsors: Thune

Laid over to September 7 for second reading

- 41 **Ord 11-92** Amending Chapter 409.26 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations.

Sponsors: Lantry

Laid over to September 7 for second reading

- 42 **Ord 11-77** Amending Chapter 151, Traffic Code - General Provisions, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Lantry

Laid over to September 7 for second reading

- 43 **Ord 11-79** Amending Chapter 152, Traffic Code - Regulations and Enforcement by City Departments, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Lantry

Laid over to September 7 for second reading

- 44 **Ord 11-80** Amending Chapter 153, Traffic Code - Various Offenses, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Lantry

Laid over to September 7 for second reading

- 45 **Ord 11-81** Amending Chapter 154, Traffic Code - Snowmobiles, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.
Sponsors: Lantry
Laid over to September 7 for second reading
- 46 **Ord 11-82** Amending Chapter 155, Traffic Code - Pleasure Boat Traffic, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.
Sponsors: Lantry
Laid over to September 7 for second reading
- 47 **Ord 11-83** Amending Chapter 156, Traffic Code - Safe Pedestrian Crossings, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.
Sponsors: Lantry
Laid over to September 7 for second reading
- 48 **Ord 11-84** Amending Chapter 157, Traffic Code - General Parking Restrictions, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.
Sponsors: Lantry
Laid over to September 7 for second reading
- 49 **Ord 11-85** Repealing Chapter 158, No Parking Zones, and amending and renumbering Chapter 167, Commercial Vehicles - Special Parking Permits, as Chapter 158, Traffic Code-Commercial Vehicles-Special Permits, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.
Sponsors: Lantry
Laid over to September 7 for second reading
- 50 **Ord 11-86** Repealing Chapter 159, Limited Parking Zones, and amending and renumbering Chapter 164, City-Owned Parking Lots, as Chapter 159, Traffic Code- City-Owned Parking Lots, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.
Sponsors: Lantry
Laid over to September 7 for second reading
- 51 **Ord 11-87** Amending Chapter 160, Traffic Code - Parking Meter Zones, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.
Sponsors: Lantry
Laid over to September 7 for second reading

- 52 **Ord 11-88** Amending Chapter 161, Traffic Code - Parking During Emergencies, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Lantry

Laid over to September 7 for second reading

- 53 **Ord 11-89** Amending Chapter 162, Traffic Code - Impounding of Vehicles, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Lantry

Laid over to September 7 for second reading

- 54 **Ord 11-90** Amending Chapter 163, Traffic Code - Abandoned Vehicles, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Lantry

Laid over to September 7 for second reading

- 55 **Ord 11-91** Repealing Chapter 164, City - Owned Parking Lots, and amending and renumbering Chapter 168, Residential Permit Parking-Guidelines, as Chapter 164, Traffic Code-Residential Permit Parking-Guidelines and Regulations, of the Saint Paul Legislative Code, to comply with state law changes, to align language with standard operating procedures, and to update or eliminate outdated language.

Sponsors: Lantry

Laid over to September 7 for second reading

SUSPENSION ITEMS

Councilmember Bostrom moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

RES 11-1686 Preliminary Order setting the date of Public Hearing for September 21, 2011 to consider approval of the improvement to reconstruct Maryland Avenue from 350 feet west of Clarence Street to Etna Street as a Municipal State Aid route. (File No. 19125, Assessment No. 125200)

Sponsors: Bostrom

Councilmember Harris asked whether this was part of the RSVP. Councilmember Bostrom said it was widening of Maryland and not part of the RSVP. Councilmember Harris asked about the funding mechanism. Council President Lantry noted that the only thing before the Council was the Preliminary Order setting the date of public hearing for September 21, and more information would be available at that time.

Councilmember Harris requested a report from Public Works.

Councilmember Bostrom moved approval.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

Councilmember Harris moved suspension of the rules.

Rules Suspended

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

Ord 11-96 Amending Legislative Code § 67.303(c)(2), pertaining to building regulations in the Shepard Davern residential redevelopment overlay district, by reducing the minimum site size development requirement to one acre, for the purpose of making the residential site size requirement consistent with the site size requirement for the Shepard Davern commercial overlay district under Leg. Code § 67.302(e)(1)(b).

Sponsors: Harris

Council Member Harris moved introduction of the first reading.

Laid over to September 7 for second reading

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

Councilmember Harris acknowledged departing Ward 3 intern, Jack O'Gara.

ADJOURNMENT

Council Member Thune moved adjournment at 3:53 p.m.

Meeting adjourned

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Thune

Nay: 0

Absent: 1 - Councilmember Stark

Council Meeting Information

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