



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, September 28, 2011

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

The meeting was called to order by Council President Lantry at 3:30 p.m.

Present 7 - Councilmember Dan Bostrom, Councilmember Melvin Carter III, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark

COMMUNICATIONS & RECEIVE/FILE

- 1 CO 11-23** Letters from the Department of Safety and Inspections declaring 1187 Edgerton Street, 11 Maryland Avenue East, and 1180 7th Street East as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Sponsors: Bostrom and Helgen

Received and Filed
- 2 AO 11-37** Authorizing payment of all costs including airfare or mileage, meals, and taxi service for assessors that will assist in evaluating Police Department candidates for sergeant position, September 27-30, 2011 at Crowne Plaza Hotel, not to exceed \$10,000 from account code 001-04000-0219.

Sponsors: Lantry

Received and Filed

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

Item 11 was withdrawn. Item 17 was removed from the Consent Agenda for separate consideration.

Councilmember Bostrom approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 3 RES 11-1865** Approving the reappointments of Tom Reding and Harold Purtell by Mayor Chris Coleman to the Saint Paul Public Housing Agency.
Sponsors: Lantry
Adopted
- 4 RES 11-1840** Accepting gifts of reimbursement for all travel expenses from Living Cities Learning Community for Deputy Mayor Paul Williams to attend the Living Cities Conference in Washington, D.C., October 4-6, 2011.
Sponsors: Lantry
Adopted
- 5 RES 11-1841** Accepting the gift of all travel costs from PolicyLink for Deputy Mayor Paul Williams to attend the Policy Link Equity Summit 2011 in Detroit, Michigan, November 8-11, 2011.
Sponsors: Lantry
Adopted
- 6 RES 11-1885** Authorizing the Fire Department to accept the donation of 812 Beanie Babies valued at \$812.00 from Walter and Marcella Eskierka.
Sponsors: Lantry
Adopted
- 7 RES 11-1839** Authorizing the Police Department to enter into an agreement with Camp Ripley for use of the United States Army's advance training facility at Camp Ripley, Fort Ripley, Minnesota.
Sponsors: Lantry
Adopted

- 8 **RES 11-1874** Authorizing the City of Saint Paul to enter into a Memorandum of Understanding with the Corporation for National and Community Service (CNCS) for the period of the 2011-2012 VISTA program year.
Sponsors: Lantry
Adopted
- 9 **RES 11-1873** Approving the expidentures of Saint Paul VISTA Program staff for food and beverages during meetings which occur over mealtimes as allowed and allocated for by the Corporation for National and Community Service, not to exceed \$750.
Sponsors: Lantry
Adopted
- 10 **RES 11-1822** Waiving the 45 day notice requirement for issuance of a Wine On Sale, Malt On Sale (Strong) and Liquor Outdoor Service Area (Patio) license for Lily Pad Design, LLC, d/b/a Java Train at 1341 Pascal Street.
Sponsors: Stark
Adopted
- 11 **RES 11-1913** Approving adverse action against the Restaurant (4) 51-150 Seats license held by Franchise Associates, Inc., d/b/a Arby's Restaurant #778 at 1807 Suburban Avenue.
Sponsors: Lantry
Withdrawn
- 12 **RES 11-1914** Approving adverse action against the City Contractor-Fence license held by Dan's Fence, LLC, d/b/a Dan's Fence, LLC.
Sponsors: Lantry
Adopted
- 13 **RES 11-1915** Approving adverse action against the Massage Practitioner license held by Sarah A. Larson, d/b/a Sarah A. Larson at 50 Cretin Avenue South.
Sponsors: Stark
Adopted
- 14 **RES 11-1922** Approving adverse action against the Mobile Food Vehicle license held by Saul Sanchez, d/b/a Lilian's Ice Cream.
Sponsors: Lantry
Adopted
- 15 **RES 11-1817** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the facade improvement at the Great Northern Building, 300 Wall Street. (File No. 19127, Assessment No. 117001)
Sponsors: Thune
Adopted

- 16 **RES 11-1812** Adopting the Smith Avenue Revitalization Plan as an addendum to the Saint Paul Comprehensive Plan.

Sponsors: Thune

Adopted

- 17 **RES 11-1928** Declaring October 4, 2011 to be Lorene Rademacher Geheren Day.

Sponsors: Lantry

Deputy City Attorney Gerald Hendrickson made brief comments honoring long time Eastside resident Lorene Rademacher Geheren on the occasion of her 100th birthday.

Councilmember Bostrom moved approval of the resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

FOR DISCUSSION

- 18 **AHPC 11-1** Public hearing to consider the appeal of Shari Wilsey and Susan Foote to a decision of Heritage Preservation Commission Staff for conditionally approving a 78 feet by 34 feet galvanized steel panel fence with cedar posts and top in the front yard at 797 Summit Avenue, House of Hope Presbyterian Church, Hill Historic District. (Public hearing held July 20; laid over from December 21)

Sponsors: Carter III

Councilmember Carter moved a two week layover.

Laid over to October 12

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 19 **RLH RR 11-52** Ordering the rehabilitation or razing and removal of the structures at 1440 ROBLYN AVENUE within fifteen (15) days after the September 7, 2011 City Council public hearing. (Public hearing held September 7; laid over from September 21)

Sponsors: Carter III

Legislative Hearing Officer Marcia Moermond said she'd spoken with the building official and with zoning staff and they felt sufficient materials had been provided to move forward with reviewing the building permit. Ms. Moermond expressed concern that the project would continue to languish and she recommended granting 45 days for removal or rehabilitation, with an additional 45 days to be granted only if the foundation was completed and building attached to the foundation by that time.

Councilmember Carter moved to adopt Ms. Moermond's recommendation, and he thanked her for her hard work on the matter.

Adopted as amended (45 days to remove or repair the building, with an additional 45 days contingent upon completion of the foundation work to the building official's satisfaction)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 20 RLH RR 11-55** Ordering the rehabilitation or razing and removal of the structures at 937 IGLEHART AVENUE within fifteen (15) days after the September 21, 2011, City Council Public Hearing. (Public hearing held September 21)

Sponsors: Carter III

Legislative Hearing Officer Marcia Moermond said all of the required materials had been provided; she recommended granting 180 days for the removal or repair of the building.

Councilmember Carter moved to adopt the resolution as amended.

Adopted as amended (180 days to remove or repair the structure)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

PUBLIC HEARING

- 21 RLH VO 11-17** Appeal of Zach Volk, on behalf of Union Depot Lofts Association, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 214 FOURTH STREET EAST. (Public hearing continued from September 21)

Sponsors: Thune

Councilmember Thune said there was agreement among all parties on the final resolution. He thanked Jim Bloom and Greg Johnson from DSI, Ms. Moermond, and the condo owners.

No one appeared in opposition; Councilmember Thune moved to close the public hearing and grant the appeal.

Appeal granted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

SUSPENSION ITEM

Rules suspended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

SR 11-71 Presentation of the 2010 Workforce Solutions annual report.

Sponsors: Helgen

Director Patricia Brady and program managers Joan Truhler, Kate Probert, and Terry Zurn presented a report on 2010 program activities.

Councilmember Stark asked about types of job placements and retention rates for MFIP recipients. Ms. Truhler said the highest risk of job loss was during the first 30 days of employment; she said there was a job retention program and providers were expected to follow up for at least 90 days after job placement. She said the jobs taken by this population tended to be seasonal, cyclical or with too few hours to receive benefits or to qualify for unemployment when the job ended, and that set of circumstances lead to recidivism. She said she would provide more exact figures on retention rates and on the types of jobs.

Ms. Brady made concluding remarks and thanked Councilmember Helgen for his help to get the Blue Ribbon Commission up and running. She said the Council would receive a written report.

Councilmember Helgen said the results of the Blue Ribbon Commission Report would help highlight the employment disparity gap in the Twin Cities region and the work that needs to be done to address it.

Received and Filed

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

22 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

Councilmember Harris moved approval.

Councilmember Harris recognized Gary Nordstrom, former City finance director and treasurer, who was visiting the meeting.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 23 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 24 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 25 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 26 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 27 **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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 28 **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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 29 **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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 30 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 31 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 32 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 33 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

34 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

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

35 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

Councilmember Carter moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

36 Ord 11-92

Amending Chapter 409.26 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations.

Sponsors: Lantry

Councilmember Carter moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 37 **Ord 11-93** Amending Chapter 310.05 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations.
Sponsors: Lantry
Councilmember Carter moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
Nay: 0
- 38 **Ord 11-95** Memorializing City Council action taken on August 17, 2011, granting the application to rezone property at 745 White Bear Avenue N from OS Office-Service to B2 Community Business and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. [Zoning File # 11-143721] [Public hearing held August 17, 2011].
Sponsors: Lantry
Councilmember Bostrom moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
Nay: 0
- 39 **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
Councilmember Harris read a statement of legislative intent into the record. He moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
Nay: 0

Second Reading

- 40 **Ord 11-94** Amending Chapter 310.05 of the Saint Paul Legislative Code to establish presumptive penalties for sidewalk café license violations.
Sponsors: Lantry

Laid over to October 5 for third reading/public hearing

- 41 **Ord 11-97** Repealing Chapter 166 of the Saint Paul Legislative Code pertaining to "Residential Permit Parking - University of Minnesota, St. Paul Campus and William Mitchell College of Law" and incorporating these permit regulations into the new Chapter 164, Traffic Code - Residential Permit Parking - Guidelines and Regulations.

Sponsors: Carter III and Stark

Laid over to October 5 for third reading/public hearing

ADJOURNMENT

Councilmember Harris moved adjournment at 4:17 p.m.

Meeting adjourned

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Council Meeting Information

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. Please visit www.stpaul.gov/council for meeting videos and updated copies of the Agendas, Minutes and supporting documents.

Cable

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