



City of Saint Paul

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

Meeting Agenda 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, November 17, 2010

3:30 PM

Council Chambers - 3rd Floor

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 10-10](#) Authorizing proper City officials to execute the lease agreements with the City Academy at Wilder and the Minnesota Jewish Theatre.

Attachments: [Rec Lease Agreements Financial Analysis.xls](#)
 [City Academy at Wilder.pdf](#)
 [MN Jewish Theatre at Hillcrest.pdf](#)

- 2 [AO 10-11](#) Administrative Order to create a new funding code for the Neighborhood Year-Round Program, perform accounting corrections and establish accounts for approved Neighborhood STAR Year-Round Program projects.

Attachments: [Year Round Neighborhood STAR Financial Analysis Template](#)

CONSENT AGENDA

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- 3 [Min 10-19](#) Approval of the minutes of August 18 and 25, 2010.

Attachments: [8/18/2010 City Council Minutes](#)
 [8/25/2010 City Council Minutes](#)

- 4 [RES 10-1106](#) Approving the attached resolution to authorize Andre Haustein's request to proceed in forma pauperis for his appeal of his dangerous dog determination to the Minnesota Court of Appeals.

Sponsors: Harris
Attachments: [Haustein Affidavit.pdf](#)

- 5 [RES 10-1169](#) Approving and ratifying the Memorandums of Agreement for the 2011 - 2012 Wage and Health Insurance contributions. (To be laid over one week for adoption)
- Sponsors:** Lantry
- Attachments:** [2011 2012 MOA AFSCME Clerical Wage Health Ins.pdf](#)
[2011 2012 MOA AFSCME Legal Wage Health Ins.pdf](#)
[2011 2012 MOA AFSCME Tech Wage Health Ins.pdf](#)
[2011 2012 MOA CCEA Wage Health Ins.pdf](#)
[2011 2012 MOA Fire Wage Health Ins.pdf](#)
[2011 2012 MOA FSA Wage Health Ins.pdf](#)
[2011 2012 MOA Machinists Wage Health Ins.pdf](#)
[2011 2012 MOA M&M Wage Health Ins.pdf](#)
[2011 2012 MOA OperEng70 Wage Health Ins.pdf](#)
[2011 2012 MOA PEA Wage Health Ins.pdf](#)
[2011 2012 MOA Police Wage Health Ins.pdf](#)
[2011 2012 MOA SPSO Wage Health Ins.pdf](#)
[2011 2012 MOA TriCouncil Wage Health Ins.pdf](#)
- 6 [RES 10-1214](#) Authorizing the Department of Parks and Recreation to extend the term of the current lease agreement with Circus Juventas for an additional ten years ending October 31, 2021.
- Sponsors:** Harris
- Attachments:** [CircusJuventus2011.pdf](#)
- 7 [RES 10-1228](#) Memorializing City Council action taken on October 20, 2010 denying the appeal of John Bodger, on behalf of CBS Outdoor, Inc. to receive a variance in order to allow a billboard located at 260 Commercial Street to continue operating with a digital display.
- Sponsors:** Lantry

FOR DISCUSSION

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.

PUBLIC HEARINGS (public hearings will begin at 5:30 p.m.)

- 8 [SR 10-98](#) Como Regional Park Transportation Implementation Plan
- Sponsors:** Stark

- 9 [RES 10-1193](#) Approving the City of Saint Paul Housing Action Plan 2010-2013.
- Sponsors:** Lantry
- Attachments:** [Housing Action Plan 2010-2013 public hearing draft](#)
 [Multifamily housing project profiles, 2010-2013, version 2010.pdf](#)
 [City/HRA property inventory map, version 2010.pdf](#)
 [Multifamily housing projects, 2010-2013, version 2010.pdf](#)
 [City Council Resolution 10-935.pdf](#)
- 10 [Ord 10-54](#) An ordinance amending Chapter 106 of the Saint Paul Legislative Code to clarify requirements for sidewalk cafes and sidewalk sales displays.
- Sponsors:** Thune
- Attachments:** [Sidewalk Cafe Recommendations from the Mayor's Advisory Committee for Pec](#)
- 11 [RES 10-1122](#) Amending the budget in the Fire Department by establishing a Financing and Spending Plan for the Minneapolis/Saint Paul Metropolitan Medical Response System (MMRS) grant program in the amount of \$5,110.59.
- Sponsors:** Lantry
- Attachments:** [MMRS Grant Financial Analysis-res10-1122.pdf](#)
- 12 [RES 10-1215](#) Amend the Spending and Financing Plan for the Payne Avenue - Whitall to Cook Project for 2010
- Sponsors:** Bostrom
- Attachments:** [Financial Analysis - Payne Ave-Whitall to Cook 11-1-10.pdf](#)
- 13 [RES 10-1216](#) Approving the 2010 Public Works capital project closeout.
- Sponsors:** Lantry
- Attachments:** [Financial Analysis - PW 2010 Closeout Resolution 11-1-10.pdf](#)
- 14 [RES 10-1217](#) Amending the financing and spending plan for the 2010 Residential Street Vitality Program.
- Sponsors:** Lantry
- Attachments:** [Financial Analysis - 2010 RSVP PROGRAM 11-1-10.pdf](#)
- 15 [RES 10-1135](#) Amending the 2010 Capital Improvement Budget in the Department of Parks and Recreation by adding \$100,000.00 to the financing and spending plans from a STAR Grant received for the Phalen Security Camera project.
- Sponsors:** Bostrom
- Attachments:** [Res 10-1135 - Phalen Security Cameras Financial Analysis.xls](#)

- 16 **RES 10-1167** Amending the 2010 Capital Improvement Budget reflecting the issuance of the General Obligation Tax-Exempt CIB Bonds Series 2010E, Taxable CIB Bonds BABs Series 2010F, Taxable CIB Bonds RZED Series 2010G, and Taxable Library Bonds RZED Series 2010H
Sponsors: Harris
Attachments: [Financial Analysis of Budget Amendment Resolution 10-1167.pdf](#)
- 17 **RES 10-1177** Accepting the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) and amending the 2010 current financing and spending in the Police Department in the amount of \$30,000.
Sponsors: Lantry
Attachments: [2010 Edward Byrne \(JAG\) Grant](#)
 [2010 Edward Byrne \(JAG\) Financial Analysis](#)
- 18 **RES 10-1179** Accepting a \$3,000 grant from the Minnesota Department of Public Safety (MN DPS), authorizing the Police Department to enter into an agreement with the MN DPS to provide training in the Standardized Field Sobriety Testing (SFST) and approve changes to the 2010 budget establishing financing and spending plan.
Sponsors: Lantry
Attachments: [SFST Financial 10-1179.pdf](#)
 [CR 10-1179.pdf](#)
- 19 **RES 10-1208** Accepting the National Association of Police Athletic/Activities Leagues, Inc. (National PAL) grant and amending the finance and spending plans in the Police Department in the amount of \$24,670.
Sponsors: Lantry
Attachments: [National PAL grant](#)
 [National PALFin10 -1208.pdf](#)
- 20 **RES 10-1195** Approving adverse action against all licenses held by La Fonda, LLC d/b/a La Fonda Mexican Eats located at 433 Robert Street South in Saint Paul.
Sponsors: Thune
Attachments: [Notice of Council Hearing.pdf](#)
 [Uncontested License Matter sheet.pdf](#)
 [License Group Comments Text.pdf](#)
 [Electronic Mail dated 092810.pdf](#)
 [Notice of Violation.pdf](#)
 [Request for Public Hearing.pdf](#)
 [SPLC Section 409.26.pdf](#)

- 21 [AHPC 10-3](#) Public hearing to consider the appeal of Dick Huss to a decision of Heritage Preservation Commission denying the replacement of three casement windows on the north and south elevations at 300 Maple Street (745-747 Third Street East) in the Dayton's Bluff Historic district.
- Sponsors:** Lantry
- Attachments:** [HPC Meeting Packet & City Council Appeal](#)
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- 22 [APC 10-5](#) Appeal of 2446 University Avenue LLC to a decision of the Planning Commission upholding the Zoning Administrator's determination at 2446 University Avenue West.
- Sponsors:** Stark
- Attachments:** [Appeal form and grounds](#)
 [Planning Commission & Zoning Cmte actions.pdf](#)
 [Letter in opposition.pdf](#)
 [Extension of 60-day deadline.pdf](#)
 [staff report packet.pdf](#)

LEGISLATIVE PUBLIC HEARINGS

- 23 [RES 10-945](#) Ordering the rehabilitation or wrecking and removal of the structures at 300 EDMUND AVE within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Carter III
- Attachments:** [300 Edmund Ave.Summary for Public Hearing.doc](#)
 [300 Edmund Ave.R-R.LH Ltr.10-26-10.doc](#)
 [300 Edmund Ave.Order to Abate Nuisance Bldg.8-11-10.DOC](#)
 [300 Edmund Ave.Photos.7-29-10.pdf](#)
 [300 Edmund Ave. Owners & Interested Parties.10-1-10.doc](#)
 [300 Edmund Ave.Public Hearing Notice.9-24-10.DOC](#)
 [300 Edmund Ave.Demo Bids.10-18-10.xls](#)
 [300 Edmund Ave.Photos.10-7-09.pdf](#)
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- 24 [RES 10-946](#) Ordering the rehabilitation or wrecking and removal of the structures at 2060 SHERWOOD AVE within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Bostrom
- Attachments:** [2060 Sherwood Ave.Summary for Public Hearing.doc](#)
 [2060 Sherwood Ave.LH ltr.10-26-10.pdf](#)
 [2060 Sherwood Ave.Photos.7-7-10.pdf](#)
 [2060 Sherwood Ave.Order to Abate Nuisance Bldg.8-26-10.DOC](#)
 [2060 Sherwood Ave.Public Hearing Notice.9-24-10.DOC](#)
 [2060 Sherwood Ave.Owners and Interested Parties.10-1-10.doc](#)
 [2060 Sherwood Ave.Demo Bids.9-20-10](#)

- 25 **RES 10-947** Ordering the rehabilitation or wrecking and removal of the structures at 967 MARGARET ST within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Lantry
- Attachments:** [967 Margaret St.Summary for Public Hearing.doc](#)
 [967 Margaret St.R-R.LH Ltr.10-26-10.doc](#)
 [967 Margaret St.Order to Abate Nuisance Building.8-26-10.DOC](#)
 [967 Margaret St.Photos.7-7-10.pdf](#)
 [967 Margaret St.Public Hearing Notice.10-1-10.DOC](#)
 [967 Margaret St.Inspection Appt Ltr.6-7-10.DOC](#)
- 26 **RES 10-948** Ordering the rehabilitation or wrecking and removal of the structures at 922 THOMAS AVENUE within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Carter III
- Attachments:** [922 Thomas Ave.Summary for Public Hearing.doc](#)
 [922 Thomas Ave.LH Ltr.10-26-10.doc](#)
 [922 Thomas Ave.Order to Abate Nuisance Building.8-11-10.DOC](#)
 [922 Thomas Ave.Photos.7-21-10.pdf](#)
 [922 Thomas Ave.Fire Report.12-18-09.pdf](#)
 [922 Thomas Ave.Team Inspection Report.9-13-10.dot](#)
 [922 Thomas Ave.Public Hearing Notice.9-24-10.DOC](#)
 [922 Thomas Ave.Owners & Interested Parties.10-1-10.doc](#)
 [922 Thomas Ave.Demo Bids.10-18-10.pdf](#)
- 27 **RES 10-958** Ordering the rehabilitation or wrecking and removal of the structures at 1107 ROSS AVENUE within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Bostrom
- Attachments:** [1107 Ross Ave.R-R.LH Ltr.10-26-10.doc](#)
 [1107 Ross Ave.Order to Abate Nuisance Bldg.8-26-10.DOC](#)
 [1107 Ross Ave.Photos.7-7-10.pdf](#)
 [1107 Ross Ave.Public Hearing Notice.9-24-10.DOC](#)
 [1107 Ross Ave.Owners & Interested Parties.10-1-10.doc](#)
 [1107 Ross Ave.expired CCI.7-22-09.dot](#)
 [1107 RossAve.Demo Bids.10-14-10.xls](#)

- 28 [RES 10-959](#) Ordering the rehabilitation or wrecking and removal of the structures at 869 SELBY AVENUE within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Carter III
- Attachments:** [869 Selby Ave.Summary for Public Hearing.doc](#)
 [869 Selby Ave R-R.LH Ltr.10-26-10.doc](#)
 [869 Selby Ave.Photos.7-28-10.pdf](#)
 [869 Selby Ave.Order to Abate Nuisance Building.8-12-10.DOC](#)
 [869 Selby Ave.Owners & Interested Parties.10-1-10.DOC](#)
 [869 Selby Ave.Public Hearing Notice.9-24-10.DOC](#)
 [863-869 Selby Ave.Demo Bids.10-18-10.pdf](#)
- 29 [RES 10-960](#) Ordering the rehabilitation or wrecking and removal of the structures at 1644 REANEY AVENUE within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Lantry
- Attachments:** [1644 Reaney Ave.Summary for Public Hearing.doc](#)
 [1644 Reaney Ave.R-R.LH Ltr.10-26-10.doc](#)
 [1644 Reaney Ave.Order to Abate Nuisance Building.8-5-10.DOC](#)
 [1644 Reaney Ave.Photos.7-7-10.pdf](#)
 [1644 Reaney Ave.Owners & Interested Parties.10-1-10.doc](#)
 [1644 Reaney Ave.Public Hearing Notice.9-24-10.DOC](#)
 [1644 Reaney Ave.Demo Bids.9-20-10.xls](#)
- 30 [RES 10-961](#) Ordering the rehabilitation or wrecking and removal of the structures at 590 GORMAN AVENUE within fifteen (15) days after the November 17, 2010, City Council Public Hearing.
- Sponsors:** Thune
- Attachments:** [590 Gorman Ave.Summary for public hearing](#)
 [590 Gorman Ave.Owner Documents.11-9-10.pdf](#)
 [590 Gorman Ave.Order to Abate Nuisance Building.8-26-10.DOC](#)
 [590 Gorman Ave.Photos.8-2-10.pdf](#)
 [590 Gorman Ave.Demo Bids.9-20-10](#)
 [590 Gorman Ave.Public Hearing Notice.9-24-10.DOC](#)
 [590 Gorman Ave.Owners & Interested Parties.10-1-10.doc](#)
 [590 Gorman Ave.Insp Appt Ltr.7-28-10.DOC](#)
 [590 Gorman Ave.Photos.10-16-09.pdf](#)

- 31 [ALH 10-177](#) Appeal of Terri and Dan Brennan to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1787 ORANGE AVENUE EAST.
- Sponsors:** Bostrom
- Attachments:** [1787 Orange Ave E.Appeal.10-7-10.pdf](#)
 [1787 Orange Ave E.Fire Inspection Ltr.9-23-10.dot](#)
 [1787 Orange Ave E.Photos.7-7-10.pdf](#)
- 32 [ALH 10-247](#) Appeal of Jean O'Brien to an Order to Vacate and Condemnation for Unsafe Conditions at 842 RICE SREET.
- Sponsors:** Helgen
- Attachments:** [842 Rice St.Appeal.10-18-10.pdf](#)
 [842 Rice Street.Order to Vacate.10-8-10.dot](#)
- 33 [ALH 10-270](#) Appeal of Sandra Fearson to a Vehicle Abatement Order at 782 FULLER AVENUE.
- Sponsors:** Carter III
- Attachments:** [782 Fuller Ave.Appeal.10-14-10.pdf](#)
 [782 Fuller Ave.Vehicle Abatement Order.10-11-10.DOC](#)
 [782 Fuller Ave.Photo.10-19-10.DOC](#)
 [782 Fuller Ave.Police Tow Work Order.10-21-10.DOC](#)
- 34 [ALH 10-319](#) Appeal of Thomas Rogee to a Summary Abatement Order at 842 CLEAR AVENUE.
- Sponsors:** Bostrom
- Attachments:** [842 Clear Ave.Appeal.10-25-10](#)
 [842 Clear Ave.Summary Abatement Order.10-21-10.DOC](#)
 [842 Clear Ave.Correction Notice.9-14-10.DOC](#)
 [842 Clear Ave.Summary Abatement Order.9-14-10.DOC](#)
 [842 Clear Ave.Photos.10-21-10.pdf](#)
- 35 [ALH 10-322](#) Appeal of Bryan Horton, Renewal by Andersen, on behalf of Roy & Stephanie Kay to an Egress Window Non-Compliance Determination at 1865 PORTLAND AVENUE.
- Sponsors:** Harris
- Attachments:** [1865 Portland Ave.LH Minutes.08-17-10.doc](#)
 [1865 Portland Ave.Appeal.8-6-10.pdf](#)
 [1865 Portland Ave.LH Ltr.8-17-10.doc](#)
 [1865 Portland Ave-Egress window form.10-14-10.pdf](#)
- 36 [ALH 10-140](#) Appeal of Justin Bowser to a Fire Inspection Order at 312 BURGESS STREET.
- Sponsors:** Helgen
- Attachments:** [312 Burgess St.Appeal.9-22-10.pdf](#)
 [312 Burgess St.Fire Inspection Ltr.6-23-10.dot](#)
 [312 Burgess St.Fire Inspection Order.9-16-10.dot](#)

- 37 [ALH 10-277](#) Appeal of Jeffrey DeLisle to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 520 RICE STREET.

Sponsors: Carter III

Attachments: [520 Rice St.Appeal.10-26-10.pdf](#)
[520 Rice.Appeal.11-9-10.pdf](#)
[520 Rice St.Vacate Order.10-22-10.pdf](#)
[520 Rice St.Vacate Order.11-2-10.dot](#)
[520 Rice St.Photos #1.11-2-10.pdf](#)
[520 Rice St.Photos #2.10-20-10.pdf](#)
[520 Rice St.Photos #3.10-21-10.pdf](#)
[520 Rice St.Photos #4.10-29-10.pdf](#)
[520 Rice St.Photos #5.10-29-10.pdf](#)
[520 Rice St.Photos #6.11-2-10.pdf](#)
[520 Rice St.Photos #7.11-2-10.pdf](#)
[520 Rice St.Engineering Rept.11-1-10.pdf](#)
[520 Rice St.Frank Berg Email.10-21-10.pdf](#)
[520 Rice St.Frank Berg Email.10-29-10.pdf](#)

SUSPENSION ITEMS

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

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)