

**From:** [John Purdy](#)  
**To:** [Sean Kershaw](#)  
**Cc:** [Rebecca Noecker](#); [\\*CI-StPaul Contact-Council](#)  
**Subject:** Ord 25-2 Administrative Penalties  
**Date:** Tuesday, January 7, 2025 3:32:17 PM

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Sean Kershaw  
Director of Public Works  
City of St. Paul  
City Hall Annex 1500  
St Paul, MN

Dear Mr. Kershaw,

Thank you for informing the Charter Commission of why Public Works needs the civil penalty in your November 26, 2024 presentation. You provided the example of a telecom company that had an ongoing construction project in the sidewalk right-of-way at Portland and Western. A cone was left standing in the sidewalk to protect pedestrians, but remained for 18 months because the City's only tool was to put the contractor on probation, a measure your City Attorney decried as "byzantine".

I asked if a franchise agreement would help. Your further response was that the City doesn't hold franchise agreements with every contractor working within the right-of-way. It has since come to my attention that MN Statute 237.162, Subd. 8 paragraph 10 appears to already provide Public Works with the ability to impose reasonable penalties in such circumstances.

<https://www.revisor.mn.gov/statutes/cite/237.162#stat.237.162.8>

With the proposal now before the City Council can you kindly correct the record to state that Public Works already holds statutory power to impose reasonable penalties and does not need a Charter amendment for that purpose.

Respectfully,

John Purdy  
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St. Paul, MN 55107  
612-804-5019

Note to City Clerk: please post as public comment.