



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, September 28, 2011

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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
 Attachments: [11 Maryland E.ota.pdf](#)
 [1180 7th E.ota.pdf](#)
 [1187 Edgerton.ota.pdf](#)

- 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
 Attachments: [Sergeant Test.pdf](#)

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.

- 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

- 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
Attachments: [RES 11-1840 Living Cities Conference.pdf](#)
- 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
Attachments: [RE 11-1841 - Equity Summit Donation.pdf](#)
- 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
- 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
Attachments: [Camp Ripley.pdf](#)
- 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
Attachments: [2011-2012 VISTA MOU.9.16.2011.doc](#)
[RES 11-1874 VISTA.MOU.Cost-Share.pdf](#)
- 9 **RES 11-1873** Approving the expiditures 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
Attachments: [RES 11-1873 - VISTA Food Allowance.pdf](#)
- 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
Attachments: [District 10 letter of support](#)
- 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

- Attachments:** [Request for License Adverse Action.pdf](#)
[Notice of Violation.pdf](#)
[SPLC Section 331A.11.pdf](#)
[MN Admin Rules part 4626.0395.pdf](#)
[SPLC Section 310.05 \(m\).pdf](#)
- 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
Attachments: [Letter and Account Balance.pdf](#)
 [Notice of Intent to Suspend License.pdf](#)
 [SPLC Section 310.05 \(m\).pdf](#)
- 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
Attachments: [Letter and Renewal Invoice.pdf](#)
 [Notice of Intent to Suspend License.pdf](#)
 [SPLC Section 310.05 \(m\).pdf](#)
- 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
Attachments: [Letter and Account Balance.pdf](#)
 [Notice of Intent to Suspend License.pdf](#)
 [SPLC Section 310.05 \(m\).pdf](#)
- 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
Attachments: [Report of Completion.pdf](#)
 [Assessment Roll.pdf](#)
- 16 **RES 11-1812** Adopting the Smith Avenue Revitalization Plan as an addendum to the Saint Paul Comprehensive Plan.
Sponsors: Thune
Attachments: [Smith Avenue CC Resolution 09082011.doc](#)
 [SmithAvenueToCC08012011.pdf](#)
 [Smith Avenue PC Resolution FINAL.pdf](#)
- 17 **RES 11-1928** Declaring October 4, 2011 to be Lorene Rademacher Geheren Day.
Sponsors: Lantry

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 September 14)

Sponsors: Carter III

Attachments: [797 Summit, Ground for Appeal](#)
[797 Summit, Certificate of Approval for Work](#)
[797 Summit application materials](#)
[SARPA testimony.pdf](#)
[AHPC 11-1 Photos 797 Summit.pdf](#)
[AHPC 11-1 Staff Repor 797 Summit.pdf](#)
[AHPC 11-1 Testimony 797 Summit.pdf](#)

Legislative History

7/20/11	City Council	Laid Over to the City Council
8/10/11	City Council	Laid Over to the City Council
9/14/11	City Council	Laid Over to the City Council

- 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

Attachments: [1440 Roblyn Ave Order to Abate.pdf](#)
[1440 Roblyn Ave Public Hearing Notice.pdf](#)
[1440 Roblyn Ave Photos.pdf](#)
[1440 Roblyn Ave.8-9-11 Remove-Repair Ltrs.pdf](#)
[1440 Roblyn Ave.Bid Tab.pdf](#)
[1440 Roblyn.DSI Site Plan Meeting Notes.9-15-11.pdf](#)

Legislative History

8/9/11	Legislative Hearings	Referred to the City Council
9/7/11	City Council	Laid Over to the City Council
9/21/11	City Council	Laid Over to the City Council
9/27/11	Legislative Hearings	Referred to the City Council

- 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

Attachments: [937 Iglehart Ave Order to Abate.pdf](#)
[937 Iglehart Ave Public Hearing Notification.pdf](#)
[937 Iglehart Ave Expired Code Compliance Report.pdf](#)
[937 Iglehart Ave Photos.pdf](#)
[937 Iglehart Ave.Fuchs Ltr Ltr 8-29-11.doc](#)
[937 Iglehart Ave.Photos.9-21-11.pdf](#)
[937 Iglehart Ave.VB Perf Dep & Registration.9-12-11.pdf](#)
[937 Iglehart.Financial Statement.9-14-11.pdf](#)
[956 Iglehart Ave.Revocation & Ordet to Vacate.7-22-11.pdf](#)
[937 Iglehart.Workplan.9-18-11](#)

Legislative History

8/23/11	Legislative Hearings	Referred to the City Council
9/21/11	City Council	Laid Over to the City Council

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

Attachments: [214 4th E.appeal.5-10-11.pdf](#)
[214 4th St E.Diagram 1.pdf](#)
[214 4th St E.Diagram 2.pdf](#)
[214 4th St E.Diagram 3.pdf](#)
[214 4th St E.Diagram 4.pdf](#)
[214 4th St E.Diagram 5.pdf](#)
[214 4th St E.Diagram 6.pdf](#)
[214 4th St E.Bloom Union Depot Response Letter.9-1-11.pdf](#)
[214 4th St E.Union Depot Request Letter.8-18-11.pdf](#)
[Union Depot Loft Temporary Agreement Acceptance.9-27-11.pdf](#)

Legislative History

5/24/11	Legislative Hearings	Laid Over to the Legislative Hearings
6/7/11	Legislative Hearings	Referred to the City Council
7/6/11	City Council	Continue Public Hearing to the City Council
9/7/11	City Council	Continue Public Hearing to the City Council
9/21/11	City Council	Continue Public Hearing to the City Council

SUSPENSION ITEM

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

Sponsors: Helgen

Attachments: [2010 Workforce Solutions Annual Report.pdf](#)

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
- Legislative History**
- | | | |
|---------|--------------|---|
| 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
- 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
- Legislative History**
- | | | |
|---------|--------------|---|
| 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
- 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
- Legislative History**
- | | | |
|---------|--------------|---|
| 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
- 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
- Legislative History**
- | | | |
|---------|--------------|---|
| 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
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|----|----------------------------------|--|--------------|---|
| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 26 | <u>Ord 11-82</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 27 | <u>Ord 11-83</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 28 | <u>Ord 11-84</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 29 | <u>Ord 11-85</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |

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| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 30 | <u>Ord 11-86</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 31 | <u>Ord 11-87</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 32 | <u>Ord 11-88</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 33 | <u>Ord 11-89</u> | 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. | | |
| | | <u>Sponsors:</u> Lantry | | |
| | | <u>Legislative History</u> | | |
| | | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |

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| | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 34 | <u>Ord 11-90</u> | 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. | |
| | <u>Sponsors:</u> | Lantry | |
| | <u>Legislative History</u> | | |
| | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 35 | <u>Ord 11-91</u> | 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. | |
| | <u>Sponsors:</u> | Lantry | |
| | <u>Attachments:</u> | Chapter 164 Sept-21-11 Amendment.pdf
Jane Prince Testimony | |
| | <u>Legislative History</u> | | |
| | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | 9/21/11 | City Council | Amended and Laid Over for Final Adoption to the City Council |
| 36 | <u>Ord 11-92</u> | Amending Chapter 409.26 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations. | |
| | <u>Sponsors:</u> | Lantry | |
| | <u>Legislative History</u> | | |
| | 8/24/11 | City Council | Laid Over to Second Reading to the City Council |
| | 9/7/11 | City Council | Laid Over to Third Reading/Public Hearing to the City Council |
| | 9/21/11 | City Council | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council |
| 37 | <u>Ord 11-93</u> | Amending Chapter 310.05 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations. | |
| | <u>Sponsors:</u> | Lantry | |
| | <u>Attachments:</u> | Chapter 310 Penalty Matrix.pdf | |

Legislative History

9/7/11	City Council	Laid Over to Second Reading to the City Council
9/14/11	City Council	Laid Over to Third Reading/Public Hearing to the City Council
9/21/11	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council

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

Legislative History

9/7/11	City Council	Laid Over to Second Reading to the City Council
9/14/11	City Council	Laid Over to Third Reading to the City Council
9/21/11	City Council	Laid Over to Final Adoption to the City Council

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

Attachments: [ShepardDaven67.300_orig.pdf](#)
[ShepardDavernMemoNeighbhd.pdf](#)
[ShepardDavernPlan_Summary.pdf](#)
[ShepardDavernResOverlyAmend.pdf](#)
[Highland Dist Cncl Res 9-12-11.doc](#)

Legislative History

8/24/11	City Council	Laid Over to Second Reading to the City Council
9/7/11	City Council	Laid Over to Third Reading/Public Hearing to the City Council
9/21/11	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption to the City Council

Second Reading40 [Ord 11-94](#)

Amending Chapter 310.05 of the Saint Paul Legislative Code to establish presumptive penalties for sidewalk café license violations.

Sponsors: Lantry

Attachments: [Sidewalk Cafe Penalty Matrix.pdf](#)

Legislative History

9/21/11 City Council Laid Over to Second Reading to the City Council

- 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

Legislative History

9/21/11 City Council Laid Over to Second Reading to the City Council

ADJOURNMENT**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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