



**SUMMARY MINUTES OF THE
SAINT PAUL CITY COUNCIL
Wednesday, October 13, 2010 - 3:30 p.m.**

**CITY COUNCIL CHAMBERS, 3RD FLOOR
City Hall and Court House
15 West Kellogg Boulevard**

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at www.stpaul.gov/council and click on Watch the Live Webcast.

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

Present – 7 – Bostrom, Carter, Harris, Helgen, Lantry, Stark, Thune

Absent – 0

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

1. Administrative Order:
D002819 Amending the 2010 Capital Maintenance Program budget to make two technical corrections from previous administrative orders, and to allocate funding for the Public Safety Annex (PSA) and Pedro's Luggage demolition projects.
On file with the City Clerk
2. Letters from the Department of Safety and Inspections/Code Enforcement declaring 1173 Bradley Street, 1456 Cohansey Street, 968 Jackson Street, 927 Jordan Avenue, and 578 Thomas Avenue as nuisance properties, and setting date of Legislative Hearings for October 12, 2010 and City Council public hearings for November 3, 2010.
3. Letters from the Department of Safety and Inspections/Code Enforcement declaring 300 Edmund Avenue, 590 Gorman Avenue, 967 Margaret Street, 1644 Reaney Avenue, 1107 Ross Avenue, 869 Selby Avenue, 2060 Sherwood Avenue, and 922 Thomas Avenue as nuisance properties, and setting date of Legislative Hearings for October 26, 2010 and City Council public hearings for November 17, 2010.

CONSENT AGENDA (Items 4 – 19)

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.

Councilmember Bostrom moved approval of the Consent Agenda.

Adopted Yeas – 7 Nays – 0

4. Resolution – 10-1151 – Approving the appointment of Sara Grewing, by Mayor Coleman, to serve as City Attorney effective September 20, 2010.
Adopted Yeas – 7 Nays – 0

5. Resolution – 10-1152 – Approving adverse action against the Massage Practitioner license held by Lisa G. Keathly, 857 Grand Avenue.
Adopted Yeas – 7 Nays – 0

6. Resolution – 10-1153 – Approving the application, with conditions per the Legislative Hearing Officer, of Molto, Inc., d/b/a Scusi, 1806 St. Clair Avenue, for Malt On-Sale (Strong), Restaurant (4) - 51-150 Seats, and Wine On-Sale licenses.
Adopted Yeas – 7 Nays – 0

7. Resolution – 10-1154 – Authorizing the Police Department to enter into an Amendment to the Joint Powers Agreement with the State of Minnesota to continue participation in the Child Sexual Predator Program.
Adopted Yeas – 7 Nays – 0

8. Resolution – 10-1155 – Authorizing the Department of Public Works to submit a funding application to the Metropolitan Council for New Freedom funds for installation of Accessible Pedestrian signals.
Adopted Yeas – 7 Nays – 0

9. Resolution – 10-1156 – Acknowledging receipt of the District Energy rate change notice and directing the Office of Financial Services and City Council Research to analyze the proposed rate changes and report back to the City Council within 180 days.
Adopted Yeas – 7 Nays – 0

10. Resolution – 10-1157 – Acknowledging receipt of the District Cooling rate change notice and directing the Office of Financial Services and City Council Research to analyze the proposed rate changes and report back to the City Council within 180 days.
Adopted Yeas – 7 Nays – 0

11. Resolution Approving Assessment – 10-1158 – In the matter of the assessment of benefits, cost, and expenses for graffiti removal on private properties from August 26 to September 3, 2010, and setting date of Legislative Hearing for November 2, 2010 and City Council public hearing for January 19, 2011.
Adopted Yeas – 7 Nays – 0

12. Resolution Approving Assessment – 10-1159 – In the matter of the assessment of benefits, cost, and expenses for towing abandoned vehicles from private properties in June and July 2010, and setting date of Legislative Hearing for November 2, 2010 and City Council public hearing for January 19, 2011.
Adopted Yeas – 7 Nays – 0

13. Resolution Approving Assessment – 10-1160 – In the matter of the assessment of benefits, cost, and expenses for re-assessing (address correction) demolition of a vacant building at 770 Bush Avenue in November 2009, and setting date of Legislative Hearing for November 2, 2010 and City Council public hearing for January 19, 2011.
Adopted Yeas – 7 Nays – 0

14. Resolution Approving Assessment – 10-1161 – In the matter of the assessment of benefits, cost, and expenses for demolition of vacant buildings in August 2010 (Non-CDBG Funds), and setting date of Legislative Hearing for November 2, 2010 and City Council public hearing for January 19, 2011.
Adopted Yeas – 7 Nays – 0

15. Resolution Approving Assessment – 10-1162 – In the matter of the assessment of benefits, cost, and expenses for demolition of vacant buildings in August (CDBG Funds), and setting date of Legislative Hearing for November 2, 2010 and City Council public hearing for January 19, 2011.
Adopted Yeas – 7 Nays – 0

16. Resolution Approving Assessment – 10-1163 – In the matter of the assessment of benefits, cost, and expenses for removal of diseased and/or dangerous trees on private properties in September 2010, and setting date of Legislative Hearing for November 16, 2010 and City Council public hearing for January 19, 2011. [1102T]
Adopted Yeas – 7 Nays – 0

17. Resolution Approving Assessment – 10-1164 – In the matter of the assessment of benefits, cost, and expenses for property cleanup on private properties from August 31 to September 16, 2010, and setting date of Legislative Hearing for November 16, 2010 and City Council public hearing for January 19, 2011. [J1104A]
Adopted Yeas – 7 Nays – 0

18. Resolution Approving Assessment – 10-1165 – In the matter of the assessment of benefits, cost, and expenses for excessive consumption of inspection services for property code violations billed from July 12 to August 6, 2010, and setting date of Legislative Hearing for November 16, 2010 and City Council public hearing for January 19, 2011. [J1102E]
Adopted Yeas – 7 Nays – 0

19. Resolution Approving Assessment – 10-1166 – In the matter of the assessment of benefits, cost, and expenses for collection of vacant building fees (re-invoiced) in August 2010, and setting date of Legislative Hearing for November 16, 2010 and City Council public hearing for January 19, 2011. [VB1101]
Adopted Yeas – 7 Nays – 0
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Councilmember Harris welcomed a visiting student from Cretin-Derham Hall High School.

FOR DISCUSSION

20. Resolution – 10-1130 – Approving adverse action against all licenses held by Kim Huoy Chor Asian Cuisine, 1664 University Avenue. [Public hearing held and laid over from October 6]

Rachel Tierney, Assistant City Attorney for the Department of Safety and Inspections (DSI), distributed a summary and report from an October 8, 2010 inspection of the restaurant. She said based on the inspection report and a subsequent conversation with the restaurant owner and his attorney, DSI did not have a new recommendation.

Jay Benanav, attorney representing the restaurant owner, was allowed to address the Council. He said the restaurant owner had offered to voluntarily surrender their licenses effective immediately. Councilmember Stark confirmed that Mr. Benanov was asking that the Council not revoke the licenses.

Ms. Tierney said she wasn't sure of the distinction between a revocation and voluntary surrender, but she recommended that the Council act on what was before them.

Councilmember Bostrom recommended that the Council pass the resolution before them and review the item the following week if necessary.

Councilmember Stark moved approval.
Adopted Yeas – 7 Nays – 0

ORDINANCES

NOTE: 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 FINAL ADOPTION.

- 21. Final Adoption – 10-1014 – An ordinance amending Chapter 324.03 of the Saint Paul Legislative Code to update the definition of Tobacco and Other Regulations.
Councilmember Carter moved approval.
Adopted Yeas – 7 Nays – 0

- 22. Final Adoption – 10-1015 – An ordinance amending Chapter 55 of the Saint Paul Legislative Code to clarify requirements for Tent Permits.
Councilmember Bostrom moved approval.
Adopted Yeas – 7 Nays – 0

- 23. Final Adoption – 10-1031 – An ordinance amending Chapters 87, 90, and 94 of the Saint Paul Legislative Code pertaining to the rules and regulations of the Board of Water Commissioners.
Councilmember Harris moved approval.
Adopted Yeas – 7 Nays – 0

- 24. Second Reading – 10-1117 – An ordinance amending Chapter 43.04 of the Saint Paul Legislative Code to correct Reference Citations.
Laid over to October 20 for third reading/public hearing

- 25. Second Reading – 10-1118 – An ordinance amending Chapters 65 and 66 of the Saint Paul Legislative Code regarding currency exchanges and alternative financial establishments.
Laid over to October 20 for third reading/public hearing

- 26. Second Reading – 10-1119 – An ordinance memorializing City Council action granting the application of Zamzam, Inc. to rezone property from RM1 Low-density Multiple-Family Residential to B1 Local Business at 1555 Maryland Avenue East, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to zoning. [ZF 10-603-211]
[Public hearing held September 15, 2010]
Laid over to October 20 for third reading

Councilmember Carter moved adjournment. Yeas – 7 Nays – 0

ADJOURNED at 3:40 P.M.

ATTEST:

Mary Erickson
Assistant Council Secretary

Kathy Lantry, Council President

Submitted by:
Katie Burger

Minutes approved by Council