



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, December 15, 2010

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 10-19](#) Letters from the Department of Safety and Inspections declaring 686 Bradley Street, 697 Bradley Street, 472 Concord Street, 579 Lexington Parkway South, 1070 McLean Avenue, and 49 Wyoming Street West as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Attachments: [49 Wyoming.ota.pdf](#)
[472 Concord.pdf](#)
[579 Lexington.pdf](#)
[697 Bradley.ota.pdf](#)
[1070 McLean.ota.pdf](#)
[686 Bradley.pdf](#)

- 2 [AO 10-18](#) Adjusting the 2010 Fire Department Budget.

Attachments: [Financial Analysis AO 10-18.pdf](#)

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 [RES 10-1590](#) Designating December 15, 2010 as Joan Trulsen Day in the City of Saint Paul, Minnesota.

Sponsors: Lantry

- 4 [RES 10-1574](#) Approving the Mayor's appointment of Michelle Furrer to serve on the Carousel Board.
Sponsors: Lantry
- 5 [RES 10-1576](#) Approving the Mayor's appointment of Frederick Owusu to serve on the Civil Service Commission.
Sponsors: Lantry
- 6 [RES 10-1579](#) Approving the Mayor's appointment of Jake Spano to serve on the Minnesota Landmarks Board.
Sponsors: Lantry
- 7 [RES 10-1571](#) Approving the Mayor's appointments of Cynthia Frances, Elizabeth Mische, Joann Ellis, Sonja Larson Moore, Therese Buckley, Amy Moser, and Michael Ryan; and reappointments of Dennis Sohlstrom, Harriet Mednick, Parthenia Swynigan, and Aine Bebeau to serve two year terms on the Mayor's Advisory Committee on Aging.
Sponsors: Lantry
- 8 [RES 10-1572](#) Approving the Mayor's appointments of Celine Vang, Jennifer Diderich, Lind Omps, Thomas Hern, Betty Konder, Kari Sheldon, Lou Michaels, Jeremy Damsgard, Barritt Lovelace and Amy Long; and reappointments of Sister Mary Frances Benz, Michelle Bergman, Scott Coleman, Mark Hughes, Jean LaClare, Keith Arnold Schmalzbauer, and James Thayer to serve on the Mayor's Advisory Committee on People with Disabilities.
Sponsors: Lantry
- 9 [RES 10-1573](#) Approving the Mayor's appointments of Avinash Viswanathan and Tara Garman Erickson; and reappointments of Jacob Dorer, Diane Gerth, Michael Steward, Becca Hine, Debra Jessen, Mark Miazga, David Pinto, Gene Olson, and Gary Unger to serve on the Long Range Capital Improvement Budget Committee.
Sponsors: Lantry
- 10 [RES 10-1582](#) Approving the Mayor's appointments of Scott Dunnigan, Remi Stone and Morgan Kavanagh; and reappointments of Stephanie Alstead, Jerrey Beedle, Michael Moser, Bob Nardi, Michael DeTomaso and Jim Reiter to serve on the Saint Paul Truth in Housing Board.
Sponsors: Lantry
- 11 [RES 10-1583](#) Approving the Mayor's appointment of Steven Thao and reappointment of Gladys Morton to serve on the Board of Zoning Appeals.
Sponsors: Lantry
- 12 [RES 10-1575](#) Approving the Mayor's reappointment of Donald Grundhauser to serve on the Capitol Area Architectural Planning Board.
Sponsors: Lantry

- 13 [RES 10-1584](#) Approving the Mayor's reappointments of Alice Hausman and Tim Mahoney to serve on the Saint Paul Riverfront Corporation.
 Sponsors: Lantry
- 14 [RES 10-1585](#) Approving the Mayor's reappointments of Todd Axtell and Mary Jo Woolf to serve on the RiverCenter Visitors Authority.
 Sponsors: Lantry
- 15 [RES 10-1540](#) Approving adverse action against all licenses held by Pappy's Chicago Style Eatery, Inc. d/b/a Pappy's Gyros located at 1783 Maryland Avenue East in Saint Paul.
 Sponsors: Bostrom
 Attachments: [Notice of Violation.pdf](#)
 [Request for License Adverse Action.pdf](#)
 [Resolution #09-1379 dated December 16th 2009.pdf](#)
 [LIEP Customer Transition Detail Report.pdf](#)
 [Minn. Admin. Rules part 4626.0395.pdf](#)
 [Minn. Admin. Rules part 4626.1110.pdf](#)
 [SPLC Section 310.05.pdf](#)
- 16 [RES 10-1524](#) Approving adverse action against all licenses held by AM PM Gas d/b/a Marathon Market located at 719 Payne Avenue in Saint Paul.
 Sponsors: Bostrom
 Attachments: [Notice of Intent to Suspend Licenses.pdf](#)
 [LIEP Customer Transaction Detail Report.pdf](#)
- 17 [RES 10-1525](#) Approving adverse action against the Cigarette/Tobacco license held by AM PM Gas d/b/a Marathon Market located at 719 Payne Avenue in Saint Paul.
 Sponsors: Bostrom
 Attachments: [Notice of Violation.pdf](#)
 [Tobacco Compliance Check Purchase Form.pdf](#)
 [LIEP Customer Transaction Detail Report.pdf](#)
 [Minn.Stat. Section 609.685 \(2009\).pdf](#)
 [SPLC Section 324.07.pdf](#)
 [SPLC Section 324.11.pdf](#)

- 18 **[RES 10-1523](#)** Approving adverse action against all licenses held by Jerry Castillo d/b/a Amigos Auto Center & Sales located at 1445 Arcade Street in Saint Paul.
 Sponsors: Bostrom
 Attachments: [Notice of Violation.pdf](#)
 [License Group Conditions Text.pdf](#)
 [Memo and photographs dated August 25th 2010.pdf](#)
 [SPLC Section 310.05.pdf](#)
- 19 **[RES 10-1511](#)** Approving a declaration affecting a section of Phalen Boulevard ROW, and the underlying Ramsey County Regional Rail Authority property, which was reconstructed for access to the Baldinger Bakery site.
 Sponsors: Bostrom
 Attachments: [Exhibit A.pdf](#)
- 20 **[RES 10-1396](#)** Accepting a grant awarded by the United States Department of Justice - Office of Justice Programs in the sum of \$250,000.00 for the purpose of enhancing the City's outdoor warning siren system and controls.
 Sponsors: Lantry
 Attachments: [FY09 Department Justice Grant Agreement](#)
 [Financial Analysis 10-1396.pdf](#)
- 21 **[RES 10-1489](#)** Authorizing the Saint Paul Fire Department to accept the donation of \$300.00 from the Residential Mortgage Group (RMG) Inc.
 Sponsors: Lantry
 Attachments: [RMG Donation November 2010](#)
- 22 **[RES 10-1498](#)** Approving the 2011 Rules & Regulations for the Department of Parks and Recreation.
 Sponsors: Lantry
 Attachments: [2011 Rules and Reg Brochure.pdf](#)
 [Rules & Regulations 2011-Edits.pdf](#)
- 23 **[RES 10-1485](#)** Authorizing the City Attorney to retain the law firm of Miller and Van Eaton to represent the City in matters of cable television franchising, telecommunications and other specialized areas as necessary.
 Sponsors: Lantry
 Attachments: [Agreement Between the City of Saint Paul and Miller Van Eaton P.L.L.C.](#)
- 24 **[RES 10-1494](#)** Approving the use of Neighborhood STAR Year-Round Loan Program Funds for a project in Ward 6.
 Sponsors: Bostrom
 Attachments: [Payne Maryland STAR 175K.xls](#)

- 25 [RES 10-1360](#) Preliminary Order setting date of public hearing for January 5, 2011 to acquire property rights along Maryland Avenue East immediately east and west of Clarence Street for the Phalen Village Left Turn Lanes project.
Sponsors: Bostrom
Attachments: [Exhibit A - Legal Descriptions.pdf](#)
 [Exhibit B - Depiction of parcels affected.pdf](#)
 [General Map of Area.pdf](#)
 [Summary of Engineering Recommendations.pdf](#)
- 26 [RES 10-1481](#) Setting date of public hearing for January 5, 2011 to ratify the assessment of benefits, cost and expenses for a fire protection system on the 3rd and 4th floor of the Lowry Square, located at 345 Wabasha Street.

 File No. FP2010-03 Assessment No. 105132
Sponsors: Thune
- 27 [RES 10-1486](#) Setting date of public hearing for January 5, 2011 to ratify the assessment of benefits, cost and expenses for a fire protection system at Hamernick Decorating located at 1381 N. Rice Street.

 File No. FP2010-04 Assessment No. 115135
Sponsors: Helgen
- 28 [RES 10-1602](#) Approving the City of Saint Paul's 2011 Legislative Agenda.

FOR DISCUSSION

- 29 [CO 10-12](#) Presentation of accreditation plaque to Como Zoo by Jim Maddy, President and CEO of the Association of Zoos and Aquariums.
- 30 [RES 10-1120](#) Authorizing Right-of-Way Maintenance for 2011.
Sponsors: Lantry
Attachments: [2011 Right of Way Scope of Work - Revised 10-27-10.pdf](#)
- 31 [RES 10-1126](#) Establishing the 2011 Residential Street Vitality Program Assessment Rates.
Sponsors: Lantry
Attachments: [2011 St. Improvement Special Assessment Bonds .pdf](#)
- 32 [RES 10-1115](#) Setting the recycling service fee for 2011 and allowing Public Works to request \$597,750 in SCORE grant funds from Ramsey County to support the curbside recycling program under contract with Eureka Recycling.
Sponsors: Lantry

- 33 [RES 10-1043](#) Setting the 2011 Sanitary Sewer and Storm Sewer Rates.
 Sponsors: Lantry
- 34 [RES 10-1108](#) Establishing the Water Rates for 2011.
 Sponsors: Harris
 Attachments: [Council Resolution](#)
 [SPRWS-2011 rate fiscal impact.pdf](#)
- 35 [RES 10-1464](#) Approving the Saint Paul Regional Water Services 2011 Budget.
 Sponsors: Harris
 Attachments: [RES 10-1464-Attachmt 1.pdf](#)
 [RES 10-1464-Attchmt #2.pdf](#)
 [RES 10-1464 SPRWS Budget Tracker 120910.pdf](#)
- 36 [RES 10-1534](#) Approving the Saint Paul RiverCenter Convention and Visitors Authority 2011 Budget
 Sponsors: Lantry
 Attachments: [RCVA Budget Adoption - Resolution 10-007 .pdf](#)
 [RCVA Budget Tracker](#)
 [RES 10-1534 RCVA Budget Tracker 120910.pdf](#)

The City Council will recess at this time and convene as the HRA to vote on the HRA budget.

ROLL CALL

The City Council will reconvene at this time.

- 37 [RES 10-1273](#) Adopting the 2011 HRA Budget and Property Tax Levy.
 Sponsors: Thune
 Attachments: [Res10-1273FinancialAnalysis.pdf](#)
 [HRA Budget Tracker](#)
 [RES 10-1273 HRA Budget Tracker Council 120910.pdf](#)

The City Council will recess at this time and convene as the Public Library Agency to vote on the Library budget.

ROLL CALL

The City Council will reconvene at this time.

- 38 [RES 10-1536](#) Approving and Adopting the Saint Paul Public Library Agency Budget.
 Sponsors: Harris
 Attachments: [Library Budget Tracker](#)
 [RES 10-1536 Library Budget Tracker Council 120910.pdf](#)

- 39 [RES 10-1537](#) Approving the 2011 City Tax Levy.
 Sponsors: Lantry
 Attachments: [RES 10-1537 - Financial Analysis \(City Tax Levy\).pdf](#)
- 40 [RES 10-1474](#) Adopting the 2011 Budgets.
 Sponsors: Lantry
 Attachments: [City Budget Tracker](#)
 [RES 10-1474 City Budget Tracker 120910.pdf](#)
- 41 [RES 10-1597](#) Adopting the 2011 Dollar List and Policy Plan.
 Sponsors: Lantry
 Attachments: [Dollar List](#)
 [Dollar List Draft](#)

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.

First Reading

- 42 [Ord 10-59](#) Ordinance amending Appendix G. Energy Park Utility Company Franchise - Port Authority of the Saint Paul Legislative Code pertaining to the Energy Park Utility Company (EPUC) franchise agreement.
 Attachments: [Ord 10-59 - EPUC Franchise Agreement - Financial Analysis.pdf](#)
 [Ord 10-59 - EPUC Franchise Agreement \(Clean\).pdf](#)
 [Ord 10-59 - EPUC Franchise Agreement \(Redline\).pdf](#)
- 43 [Ord 10-60](#) Ordinance creating election rules for municipal elections under ranked-choice voting.
 Sponsors: Stark

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

- 44 [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, Lantry and Stark
 Attachments: [Sidewalk Cafe Recommendations from the Mayor's Advisory Committee for Pec Smart Trips Letter.pdf](#)

- 45 **[RES 10-1362](#)** Authorizing vacation of City property at 260 5th Street East and conveyance to the Housing and Redevelopment Authority (HRA).
 Sponsors: Thune
 Attachments: [Exhibit A - legal description.pdf](#)
 [Map of City Property.pdf](#)
- 46 **[RES 10-1559](#)** Amending the financing and spending plans in multiple capital project budgets across several departments to close out inactive projects.
 Sponsors: Lantry
 Attachments: [CIB Clean Up Fiscal Analysis 12.06.10.pdf](#)
 [CIB Committee Approval](#)
- 47 **[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](#)
- 48 **[PH 10-9](#)** Public hearing to consider the application of Minnwest Bank Metro to rezone property at 1870 Old Hudson Road from B3 General Business to RM2 Medium Density Multiple family Residential.
 Sponsors: Lantry
 Attachments: [Planning Commission resolution](#)
 [Planning Commission action minutes 11-19-10](#)
 [Zoning Committee minutes](#)
 [60-day extension letter](#)
 [Letters in opposition](#)
 [Staff report packet](#)

LEGISLATIVE PUBLIC HEARINGS

- 49 [RES 10-920](#) Approving assessment(s) removed for separate consideration from Council File # 10-1066, entitled Resolution approving assessment, pursuant to Chapter 14 of the Saint Paul City Charter, in the matter of the assessment of benefits, cost, and expenses for the property of 1368 MARION AVENUE [VB1006A, 108990] (laid over from September 15, 2010)

Sponsors: Lantry

Attachments: [Report of Completion](#)
[Assessment Roll](#)

- 50 [RES 10-1182](#) Ordering the rehabilitation or razing and removal of the structures at 578 THOMAS AVE within fifteen (15) days after the November 3, 2010, City Council Public Hearing.

Sponsors: Carter III

Attachments: [578 Thomas.LH Minutes.10-12-10.doc](#)
[578 Thomas Ave.Owners & Interested Parties.9-17-10](#)
[578 Thomas Ave.Public Hearing Notice.9-13-10](#)
[578 Thomas Ave.Order to Abate Nuisance Building.7-23-10](#)
[578 Thomas Ave.Photos.6-16-10](#)
[578 Thomas Ave.Inspection Appt Ltr.5-17-10](#)
[578 Thomas Ave.LH Ltr.10-12-10.doc](#)
[578 Thomas Ave.LH Ltr.11-19-10.doc](#)

- 51 [ALH 10-412](#) Appeal of Philip Black and Dan Boler to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 256 MARSHALL AVENUE.

Sponsors: Carter III

Attachments: [256 Marshall.appeal.11-30-10.pdf](#)
[256 Marshall Ave.Fire C of O Orders.11-8-10.dot](#)
[256 Marshall Ave.Photos.11-8-10.pdf](#)
[256 Marshall Ave.Photos.10-29-10.pdf](#)
[256 Marshall Ave.Fire C of O Orders.10-29-10.dot](#)
[256 Marshall Ave.Fire C of O Orders.9-20-10.dot](#)

- 52 [ALH 10-421](#) Appeal of Helen E. Fairbanks to a Notice of Condemnation Unfit for Human Habitation Order to Vacate and Vacant Building Registration Notice at 911 DALE STREET NORTH.

Sponsors: Carter III

Attachments: [911 Dale.appeal. 11-30-10.pdf](#)
[911 Dale St.Photos.11-4-10.pdf](#)
[911 Dale St N.PC ltr.11-30-10.doc](#)
[911 Dale St N.PC ltr.12-10-10.doc](#)

- 53 [ALH 10-451](#) Appeal of Wally Nelson, Renovation Inc. to a Condemnation, Order to Vacate and Vacant Building Registration Notice at 513 VAN BUREN AVENUE.
Sponsors: Carter III
Attachments: [513 Van Buren.appeal.12-7-10.pdf](#)
 [513 Van Buren Ave.Condemnation Ltr.11-24-10.dot](#)
 [513 Van Buren-Vacant Building Reg.pdf](#)
 [513 Van Buren Ave.LH ltr.12-7-10.doc](#)
- 54 [ALH 10-114](#) Appeal of William Wengler to a Fire Certificate of Occupancy Correction Notice at 857 GRAND AVENUE.
Sponsors: Thune
Attachments: [857 Grand Ave.Appeal.9-10-10.pdf](#)
 [857 Grand Ave.Fire C of O Ltr.9-2-10](#)
 [857 Grand Ave.PC ltr.9-24-10.doc](#)
- 55 [ALH 10-430](#) Appeal of Michael Gross to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 852 ALBEMARLE STREET.
Sponsors: Helgen
Attachments: [852 Albemarle St.Appeal.11-18-10.pdf](#)
 [852 Albemarle St.Photos.11-17-10.pdf](#)
- 56 [ALH 10-354](#) Appeal of A. Espinosa to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 211 KIM PLACE.
Sponsors: Lantry
Attachments: [211 Kim Place.appeal.11-1-10](#)
 [211 Kim Place.Condemnation.11-1-10](#)
 [211 Kim Place.Photos.11-1-10](#)
 [211 Kim Pl.Espinosa Email.11-7-10](#)
 [211 Kim Pl.Wittgenstein Email.11-3-10](#)
 [211 Kim Pl.LH ltr.11-9-10.doc](#)
 [211 Kim Pl.PC ltr.12-7-10.doc](#)
- 57 [ALH 10-414](#) Appeal of Janice and Jim Mott to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 642 WHITE BEAR AVENUE.
Sponsors: Lantry
Attachments: [642 White Bear Ave N.Appeal.11-16-10.pdf](#)
 [642 White Bear Ave N.Photos.11-5-10.pdf](#)
 [642 White Bear Ave N Condemn-Vacate ltr.doc](#)

SUSPENSION ITEMS

RES 10-1633 Authorizing the Department of Parks and Recreation to accept donations from community partners for a community gathering to be held at the Oxford Community Center and Jimmy Lee Rec Center on Saturday, December 18, 2010.

Sponsors: Carter III

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)