



City of Saint Paul

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

Minutes - Final 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, February 23, 2011

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

Present 6 - Councilmember Dan Bostrom, Councilmember Melvin Carter III, Councilmember Pat Harris, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark

Absent 1 - Councilmember Lee Helgen

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 11-3** Authorizing the Fire Department to pay for all costs incurred to hold a promotional ceremony for eleven Fire Captains on February 17, 2011.
- Received and Filed**

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 and considered separately.

Approval of the Consent Agenda

Items 3, 4 and 5 were removed from the Consent Agenda for separate consideration.

Councilmember Stark moved approval of the balance of the Consent Agenda.

Consent Agenda adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

- 2 **Min 11-5** Approval of the minutes of the October 27, November 3, 10, 17, 24, December 1, 8, 15, and 22, 2010 City Council meetings.
Adopted
- 6 **RES 11-196** Amending assessment for Certificate of Occupancy fees re invoiced in August 2010 for property at 542 SELBY AVENUE.
Sponsors: Carter III
Adopted
- 7 **RES 11-317** Preliminary Order setting the date of Public Hearing on March 16, 2011 for the improvement of Fairview Avenue from St Clair to Summit.
Sponsors: Harris
Adopted
- 8 **RES 11-262** Approving the City's cost of providing Vacant Building services and setting date of Legislative Hearing for March 15, 2011 and City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. VB1106)
Sponsors: Lantry
Adopted
- 9 **RES 11-263** Approving the City's cost of providing Graffiti Removal services and setting date of Legislative Hearing for March 15, 2011 and City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. J1109P)
Sponsors: Lantry
Adopted
- 10 **RES 11-264** Approving the City's cost of providing Property Clean Up services and setting date of Legislative Hearing for March 15, 2011 and City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. J1110A)
Sponsors: Lantry
Adopted
- 11 **RES 11-265** Approving the City's cost of providing Trash Hauling services and setting date of Legislative Hearing for March 15, 2011 and City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. J1107G)
Sponsors: Lantry
Adopted

- 12 **RES 11-300** Approving the City's cost of providing Tree Removal services at 978 Fremont Ave and setting date of Legislative Hearing for March 15, 2011 and City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. 1104T1)
- Sponsors: Lantry
- Adopted**
- 13 **RES 11-310** Approving the City's cost of providing Replacement of Lead Water (Private Property) during August to October, 2010 and setting date of City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. 1101LDSRP)
- Sponsors: Lantry
- Adopted**
- 14 **RES 11-311** Approving the City's cost of providing Repair of Sanitary Sewer Connection (Private Property) during August to October, 2010 and setting date of City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. SWRP1101)
- Sponsors: Lantry
- Adopted**
- 15 **RES 11-319** Approving the City's cost of providing Emergency Boarding and Securing services and setting date of Legislative Hearing for March 15, 2011 and City Council Public Hearing for April 06, 2011 to consider and levy the assessments against individual properties. (File No. J1102B1)
- Sponsors: Lantry
- Adopted**
- 16 **RES 11-282** Approving adverse action against the Cigarette/Tobacco license held by Abderrahmane Deriche & Rachid Mezali d/b/a A A Avenue Grocery located at 682 Selby Avenue in Saint Paul.
- Sponsors: Carter III
- Adopted**
- 17 **RES 11-387** Authorizing the submission of a substantial amendment to the 2010-2014 Consolidated Plan and 2010 Annual Action Plan to the United States Department of Housing and Urban Development for grant funds through the Neighborhood Stabilization Program 3 under the Wall Street Reform and Consumer Protection Act of 2010.
- Sponsors: Bostrom
- Adopted**

- 18 **RES 11-369** Recognizing Black History Month 2011 - Celebrating Firsts.

Sponsors: Lantry

Adopted

FOR DISCUSSION

- 3 **RES 11-49** Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Gas Station, Cigarette/Tobacco, Restaurant (1) - No Seats, and Retail Food (C) - Grocery 1001-3000 sq. ft., for Northern Tier Retail LLC, d/b/a Superamerica #4151 (ID #20100004247) at 1580 Ford Parkway.

Sponsors: Harris

Councilmember Harris moved that the matter be referred back to Licensing and laid over to the March 9 City Council meeting.

Referred back for a Licensing hearing and laid over to the March 9 City Council meeting

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

- 4 **RES 11-237** Approving the application with conditions, per the Legislative Hearing Officer, for a Gas Station, Malt Off Sale, Cigarette/Tobacco, Restaurant (1) - No Seats, and Retail Fd (C) Grocery 1001-3000 sq ft licenses (Note: this is for a change in ownership of an existing location), for Northern Tier Retail LLC, doing business as Superamerica #4358 (ID #20100004249) at 756 Snelling Avenue North.

Sponsors: Stark

Councilmember Stark said there were conditions at most other Superamericas in town that were not present at this one. He moved to refer the matter back for a Licensing hearing and lay it over to the March 9 City Council meeting.

Referred back for a Licensing hearing and laid over to the March 9 City Council meeting

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

- 5 **RES 11-236** Approving the application with conditions, per the Legislative Hearing Officer, for a Gas Station, Malt Off Sale, Cigarette/Tobacco, Restaurant (1) - No Seats, and Retail Fd (C) Grocery 1001-3000 sq ft licenses (Note: this is for a change in ownership of an existing location), for Northern Tier Retail LLC, doing business as Superamerica #4039 (ID #20100004246) at 1146 Payne Avenue.

Sponsors: Bostrom

Councilmember Bostrom moved that the matter be referred back to Licensing and laid over to the March 9 City Council meeting.

Referred back for a licensing hearing and laid over to the March 9 City Council meeting

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

- 19 **RES 11-165** Approving the application with conditions, per the Deputy Legislative Hearing Officer, for a Gas Station, Malt Off Sale, Cigarette/Tobacco, Restaurant (1) - No Seats, and Retail Fd (C) Grocery 1001-3000 sq ft licenses (note: this is for a change in ownership of an existing location), for Northern Tier Retail LLC, d/b/a Superamerica #4421 (ID #20100004256) at 970 University Avenue West.

Sponsors: Carter III

Councilmember Carter moved to lay the matter over to March 16. (This item was referred for a Licensing hearing at the February 9 Council meeting.)

Laid over to March 16

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

- 20 **RES 11-202** Approving the application with conditions, per the Legislative Hearing Officer, for a Gas Station, Malt Off Sale, Cigarette/Tobacco, Restaurant (1) - No Seats, and Retail Fd (C) Grocery 1001-3000 sq ft licenses (note: this is for a change in ownership of an existing location), for Northern Tier Retail LLC, d/b/a Superamerica #4420 (ID #20100004254) at 1125 7th Street West. (Laid over from February 23)

Sponsors: Thune

Councilmember Thune moved to lay the matter over to March 9.

Laid over to March 9

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

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

21 Ord 11-10 Amending Chapter 376.06 Of The Saint Paul Legislative Code To Clarify Notice Requirements In The Case Of Insurance Cancellation For Nonpayment Of Premium For Taxi Licenses.

Sponsors: Lantry

Councilmember Thune moved approval.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

22 Ord 11-2 Creating a new Chapter 33B in the Administrative Code entitled Reimbursement for technology expense.

Sponsors: Thune

Councilmember Thune moved approval.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

23 Ord 11-3 Amending Chapter 33 of the Administrative Code regarding transportation reimbursement.

Sponsors: Thune

Councilmember Thune moved approval.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

24 Ord 11-12 Amending Charter Section 7.04 regarding elections.

Sponsors: Lantry

Laid over to March 2 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

25 Ord 11-13 Amending Charter Section 2.05 regarding elected officials.

Sponsors: Lantry

Laid over to March 2 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

26 Ord 11-14 Amending Charter Section 4.01.3 regarding decennial redistricting.

Sponsors: Lantry

Laid over to March 2 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

First Reading

- 27 **Ord 11-21** Memorializing City Council action taken on December 15, 2010, approving a rezoning from B3 General Business to RM2 Medium-Density Multiple-Family Residential of 1870 Old Hudson Road; public hearing held December 15, 2010.

Sponsors: Lantry

Laid over to March 2 for second reading

ADJOURNMENT

Councilmember Thune moved adjournment at 3:40 p.m.

Meeting adjourned

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Helgen

Council Meeting Information**Web**

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Cable

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