



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, November 2, 2011

3:30 PM

Council Chambers - 3rd Floor

Public hearings at 5:30 p.m.

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 11-40](#) Amending the 2011 budget for Fund 255 due to unforeseen expenditures incurred while pursuing APWA certification.
Attachments: [AO 11-40 FUND 255.xls](#)

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.

- 2 [RES 11-2078](#) Accepting the gift of travel and expenses, not to exceed \$400, from the American Public Gardens Association for Department of Parks and Recreation Marjorie McNeely Conservatory staff member Bryn Fleming to travel to the Midwestern Sentinel Plant Network (SPN) workshop, October 16 to 18, 2011 in Lisle, Illinois.
Sponsors: Helgen
Attachments: [Sentinel Plant Network APGA.mht](#)
 [RES 11-2078 Sentinel Plant Network Donation Fiscal Analysis.xls](#)
- 3 [RES 11-2064](#) Accepting the gifts of travel, food, and lodging expenses, not to exceed \$2,826, from The American Express Leadership Academy for William Tully of the Mayor's Staff to attend the American Express Leadership Academy in partnership with the The Corporation for National and Community Service, from November 13 to 18, 2011 in Washington, D.C.
Sponsors: Lantry
Attachments: [Willy Tully.November 2011 Trip.10.12.2011.xls](#)

- 4 [RES 11-2131](#) Accepting the donation of travel expenses, lodging, and meals from Project Interchange, an institute of The American Jewish Committee, for Mayor Chris Coleman to attend an educational seminar in Israel for Mayors of major U.S. Cities, from November 13 to 20, 2011.
Sponsors: Lantry
Attachments: [RES 11-2131 - Mayor Israel Trip.Nov 2011.pdf](#)
- 5 [RES 11-2094](#) Authorizing the Fire Department to accept a donation of \$400 from the Residential Mortgage Group (RMS) Inc. to continue to provide public safety services and community education.
Sponsors: Lantry
Attachments: [RMG donation 11-2094.pdf](#)
- 6 [RES 11-2165](#) Authorizing the Department of Parks and Recreation to apply for an Environmental Protection Agency (EPA) brownfield cleanup grant, and if awarded, to accept the grant and enter into an agreement with the EPA for the Trillium Nature Sanctuary Central Site.
Sponsors: Helgen
- 7 [RES 11-2130](#) Accepting an educational grant of \$130,000 from The Traveler Foundation to support the Mayor's educational and out-of-school time initiatives known as Sprockets and the Saint Paul Promise Neighborhood.
Sponsors: Lantry
Attachments: [RES 11-2130 - Traveler Foundation Grant Acceptance.pdf](#)
- 8 [RES 11-1732](#) Authorizing the City to enter into the General Obligation Bond Grant Agreement with the Metropolitan Council to allow the City to be reimbursed for money spent on Inflow and Infiltration abatement projects.
Sponsors: Lantry
Attachments: [MCES G.O. I&I Grant Agreement 1.pdf](#)
- 9 [RES 11-1901](#) Setting the date of Public Hearing for November 16, 2011 for 2012 Sanitary Sewer Rates and 2012 Storm Sewer System Charges.
Sponsors: Lantry
- 10 [RES 11-2014](#) Approving the Lower Afton Station Area Plan Report.
Sponsors: Lantry
Attachments: [Draft Lower Afton Station Area Plan](#)
 [Staff report](#)
 [Planning Commission Memo](#)

- 11 **[RES 11-2038](#)** Approving the Settlement Agreement and Release between the City of Saint Paul and Isabel Garcia, on behalf of herself and as general guardian for J. Refugio Garcia.
- Sponsors:** Lantry
- Attachments:** [J. Refugio Garcia Settlement & Release.pdf](#)
 [J. Refugio Garcia - Judge's Approval.pdf](#)
 [Administrative Code Section 3.02.pdf](#)
 [J. Refugio Garcia Fiscal Analysis.xls](#)
- 12 **[RES 11-2163](#)** Approving the Settlement Agreement and Release between Harold Shirley and the City of Saint Paul regarding an incident outside St. Joseph's Hospital on January 21, 2010.
- Sponsors:** Lantry
- Attachments:** [Harold Shirley Settlement and Release.pdf](#)
 [Administrative Code Section 3.02.pdf](#)
 [Harold Shirley Fiscal Analysis.xls](#)
- 13 **[RES 11-2173](#)** Memorializing City Council action taken on October 19, 2011 sustaining adverse licensing action against all licenses held by V & HM Plus LLC, d/b/a El Pantano Plus at 586 Rice Street.
- Sponsors:** Carter III
- 14 **[RES 11-2197](#)** Approving the use of Neighborhood STAR Year-Round Program Funds for Ward 3 projects.
- Sponsors:** Harris

FOR DISCUSSION

- 15 **[RES PH](#)**
 [11-1083](#) Approving the petition of Wayne Wermager to vacate a portion of a platted, unimproved alley abutting 1065 Juliet Avenue. (Public hearing held October 19)
- Sponsors:** Harris
- Attachments:** [Exhibit A](#)

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

- 16 [Ord 11-106](#) Memorializing City Council action granting the application of Rolando Aguilar, et. al. for the rezoning from RT1 Two-Family Residential to T2 Traditional Neighborhood of portions of 908 Arcade Street and 833 York Avenue and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.
- Sponsors:** Bostrom
- Attachments:** [Complete CC packet - 11-255-877 Rolando Aguilar.pdf](#)
 [60-day extension letter.pdf](#)
 [CC-cover letter.pdf](#)

First Reading

- 17 [Ord 11-109](#) Memorializing City Council action granting the application of Mississippi Market for the rezoning of 633 Hague Avenue from RM2 Medium Density Multiple-Family Residential to B2 Community Business, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.
- Sponsors:** Carter III
- Attachments:** [District 8 Letter of Support](#)
- 18 [Ord 11-110](#) Amending Chapter 92 of the Saint Paul Legislative Code pertaining to plumbing permit fees.
- Sponsors:** Harris
- Attachments:** [Staff Report](#)
 [Revised Ordinance](#)
 [BWC Resolution #7136](#)

PUBLIC HEARINGS

- 19 [RES PH](#)
 [11-1056](#) Authorizing the Right-of-Way Maintenance for 2012.
- Sponsors:** Lantry
- Attachments:** [2012 ROW Scope of Work](#)
- 20 [RES PH](#)
 [11-1152](#) Establishing the Water Rates for 2012.
- Sponsors:** Harris
- Attachments:** [2012 Water Rates Council Resolution](#)

- 26 [RES PH
11-1138](#) Approving adverse against the Taxicab Driver license held by Osman Sed Elmi, d/b/a Osman Sed Elmi.
- Sponsors:** Lantry
- Attachments:** [Notice of Council Hearing.pdf](#)
 [Uncontested License Matter.pdf](#)
 [License Group Comments Text.pdf](#)
 [License application.pdf](#)
 [Receipt for License Application.pdf](#)
 [MN Driver's License.pdf](#)
 [DVS Printout.pdf](#)
 [Notice of Intent to Revoke License.pdf](#)
 [Request for Public Hearing.pdf](#)
 [Minn. Stat. 169A.20 \(2010\).pdf](#)
 [Minn.Stat. 169A.03.pdf](#)
 [Minn. Stat. 169A.54.pdf](#)
 [SPLC Section 376.16.pdf](#)
- 27 [RES PH
11-1121](#) Amending the 2011 CIB and general debt budgets to reflect the issuance of general obligation bonds to acquire the Griffin Building (the police headquarters) from Ramsey County, satisfy the Amended and Restated Lease Agreement, and refund the 2004A CIB bonds.
- Sponsors:** Lantry
- Attachments:** [PH 11-1121 Griffin Building Refinancing and 2004A CIB Refundi.xls](#)
- 28 [RES PH
11-1122](#) Amending the 2011 Budget for the Solar America Cities Special Project.
- Sponsors:** Lantry
- Attachments:** [Res PH 11-1122 Solar America Cities Special Projects Grant.pdf](#)
- 29 [RES PH
11-1111](#) Amending the spending and financing plans for the 2008 Signal Installation Program to reflect additional financing for the Arlington - Jackson Traffic Signal Project.
- Sponsors:** Lantry
- Attachments:** [RES PH 11-1111 Financial Analysis - Arlington-Jackson Traffic Signal.pdf](#)
- 30 [RES PH
11-1113](#) Amending the spending and financing plans for the 2011 Bike, Pedestrian & Traffic Safety Improvement Program to reflect additional Trunk Highway financing for the ADA Improvements at the intersections of Snelling & Marshall; and West 7th Street, Lexington Parkway & Montreal Avenue.
- Sponsors:** Lantry
- Attachments:** [RES PH 11-1113 Financial Analysis - Snelling-Marshall ADA and W 7TH-Lexing](#)

- 31 [RES PH](#) Final Order to consider the approval of various street improvements along Raymond
[11-1097](#) Avenue from University Avenue to Hampden Avenue. (File No. 19097)
- Sponsors:** Stark
- Attachments:** [SOER 09192011.pdf](#)
 [Assessment Roll.pdf](#)
 [Furlong email.doc](#)
 [Bryan email.doc](#)
 [Furlong email.doc](#)
 [Sizveland letter](#)
 [Lucas letter.pdf](#)
 [Phillips.doc](#)
 [Commers.doc](#)
- 32 [RES PH](#) Authorizing the Police Department to accept the Juvenile Accountability Block Grant
[11-1129](#) from the State of Minnesota and amend the finance and spending plans in the amount
 of \$5,000.
- Sponsors:** Lantry
- Attachments:** [Attachment A - JABG Grant](#)
 [JABG Grant Financial Analysis](#)
- 33 [RES PH](#) Authorizing the Police Department to accept a vehicle donation from the State Farm
[11-1131](#) Insurance Company with an "as is" value of \$1,450, to be used primarily as a "bait car"
 in the property crimes unit.
- Sponsors:** Lantry
- Attachments:** [State Farm Insurance Company Donation](#)
- 34 [RES PH](#) Authorizing the Department of Public Works Asphalt Plant to amend the spending and
[11-1139](#) financing budget for the extraordinary repair and maintenance of four asphalt cement
 tanks to extend the useful life of the tanks and realize significant energy savings.
- Sponsors:** Lantry
- Attachments:** [RES PH 11-1139 Asphalt Plant Cement Tanks Fiscal Analysis.xls](#)

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

LEGISLATIVE HEARING CONSENT AGENDA

Note: Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

- 35 [RLH FCO](#)
 [11-429](#) Appeal of Dwight Schuette to a Correction Notice-Complaint Inspection at 860 ARKWRIGHT STREET.

 Sponsors: Helgen
 Attachments: [860 Arkwright.appeal.9-26-11.pdf](#)
 [860 Arkwright St. Ltr 10-12-11.doc](#)
- 36 [RLH FCO](#)
 [11-292](#) Appeal of Robert Andrews, Twin Cities Real Estate Holdings, to a Fire Certificate of Occupancy Inspection Correction Notice at 327-329 AURORA AVENUE.

 Sponsors: Carter III
 Attachments: [329 Aurora.appeal.8-4-11.pdf](#)
 [327-329 Aurora Ave.Photos.7-26-11.pdf](#)
- 37 [RLH VO](#)
 [11-83](#) Appeal of Anne M. Haney to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 317 BAKER STREET WEST.

 Sponsors: Thune
 Attachments: [317 Baker W.appeal.9-29-11.pdf](#)
 [317 Baker St W.Haney Ltr 10-12-11.doc](#)
 [317 Baker St W.Haney Ltr 10-26-11.doc](#)
- 38 [RLH FCO](#)
 [11-437](#) Appeal of Jeanine Sundberg to a Fire Certificate of Occupancy Inspection Correction Notice at 1083 CHATSWORTH STREET NORTH.

 Sponsors: Helgen
 Attachments: [1083 Chatsworth.appeal.9-26-11.pdf](#)
 [1083 Chatsworth St N.Sundberg Ltr 10-12-11.doc](#)
- 39 [RLH FOW](#)
 [11-176](#) Appeal of Carol Nuteson to a Fire Certificate of Occupancy Inspection Correction Notice at 1162 EDGERTON STREET.

 Sponsors: Bostrom
 Attachments: [1162 Edgerton.appeal.9-26-11.pdf](#)
 [1162 Edgerton St.Nuteson Ltr 10-12-11.doc](#)
- 40 [RLH WP](#)
 [11-77](#) Appeal of Saint Paul Ramsey County Department of Public Health, on behalf of True Hang and Suenie Yang, to an Egress Window Non-Compliance Determination at 945 EDMUND AVENUE.

 Sponsors: Carter III
 Attachments: [945 Edmund.appeal.9-23-11.pdf](#)
 [945 Edmund Ave.Schmidt Ltr 10-13-11.doc](#)

- 41 [RLH FOW](#)
[11-188](#) Appeal of Tenzin N. Lama to a Fire Certificate of Occupancy Inspection Correction Notice at 1144 GRAND AVENUE.
- Sponsors:** Thune
- Attachments:** [1144 Grand.appeal.10-5-11.pdf](#)
 [1144 Grand Ave.Lama Ltr 10-13-11.doc](#)
- 42 [RLH FOW](#)
[11-174](#) Appeal of Joshua O'Neill, CBI LLC, to a Fire Inspection Correction Notice and Condemnation of Basement Bedrooms at 1594/1596 HAGUE AVENUE.
- Sponsors:** Stark
- Attachments:** [1594-96 Hague.appeal.10-11-11.pdf](#)
 [1594-96 Hague Ave.ONeill Ltr 10-12-11.doc](#)
 [1594-96 Hague Ave.Revised O'Neill Ltr 10-12-11.doc](#)
 [1594-1596 Hague.window well worksheet.pdf](#)
 [1596 Hague Photos from Owner.10-11-11.pdf](#)
 [1596 Hague.Photos.9-20-11.pdf](#)
 [1594-96 Hague Ave.O'Neill Email.10-20-11.pdf](#)
 [1594-96 Window Wells B.pdf](#)
 [1594-96 Hague Window Wells A.pdf](#)
 [1594-96 Hague Ave.Window Well Guardrail Example A.pdf](#)
 [1594-96 Hague Ave.Window Well Guardrail Example B \(gate open\).pdf](#)
- 43 [RLH WP](#)
[11-85](#) Appeal of Renewal by Andersen, on behalf of Dan Baggenstoss, to an Egress Window Non-Compliance Determination at 1635 HARTFORD AVENUE.
- Sponsors:** Harris
- Attachments:** [1635 Hartford.appeal.10-3-11.pdf](#)
 [1635 Hartford Ave.Renewal by Andersen Ltr 10-13-11.doc](#)
- 44 [RLH FOW](#)
[11-182](#) Appeal of Jeanine Sundberg to a Fire Certificate of Occupancy Inspection Correction Notice at 1055 LAUREL AVENUE.
- Sponsors:** Carter III
- Attachments:** [1055 Laurel.appeal.9-26-11.pdf](#)
 [1055 Laurel Ave.Sundberg Ltr 10-12-11.doc](#)
- 45 [RLH RR](#)
[11-61](#) Ordering the razing and removal of the structures at 499 LYNNHURST AVENUE WEST within fifteen (15) days after the October 5, 2011 City Council public hearing. (Public hearing continued from October 5)
- Sponsors:** Stark
- Attachments:** [499 Lynnhurst Ave W Order to Abate a Nuisance.pdf](#)
 [499 Lynnhurst Ave W Public Hearing Notification.pdf](#)
 [499 Lynnhurst.Photos.6-22-11.pdf](#)
 [499 Lynnhurst.Bank Contact.10-25-11.pdf](#)

- 46 [RLH RR](#)
 [11-70](#) Ordering the rehabilitation or razing and removal of the structures at 701 MARYLAND AVENUE EAST within fifteen (15) days after the November 2, 2011 City Council Public Hearing.
- Sponsors:** Bostrom
- Attachments:** [701 Maryland Ave E.Photos.pdf](#)
 [701 Maryland Ave E.Team Inspection 4-4-11.pdf](#)
 [701 Maryland Ave E.Order to Abate.pdf](#)
 [701 Maryland Ave E.Public Hearing Notice.pdf](#)
- 47 [RLH FOW](#)
 [11-81](#) Appeal of Bonnie Hammer to a Fire Certificate of Occupancy Inspection Correction Notice at 419 MICHIGAN STREET.
- Sponsors:** Thune
- Attachments:** [419 Michigan.appeal.6-21-11.pdf](#)
 [419 Michigan St.Hammer Ltr 7-12-11.doc](#)
 [419 Michigan St.Revised Hammer Ltr 7-12-11.doc](#)
- 48 [RLH VBR](#)
 [11-76](#) Appeal of Dustin Nguyen to a Vacant Building Registration Fee and Summary Abatement Order at 760 MINNEHAHA AVENUE EAST.
- Sponsors:** Lantry
- Attachments:** [760 Minnehaha.appeal.9-23-11.pdf](#)
 [760 Minnehaha Ave E.Nguyen Ltr 10-12-11.doc](#)
- 49 [RLH FCO](#)
 [11-335](#) Appeal of Carrie Micko to a Fire Certificate of Occupancy Inspection Correction Notice at 1171 NORTON STREET.
- Sponsors:** Helgen
- Attachments:** [1171 Norton.appeal.8-23-11.pdf](#)
 [1171 Norton.Aerial Photo #1.9-6-11.pdf](#)
 [1171 Norton.Photo #2.9-13-11.pdf](#)
 [1171 Norton St.Micko Ltr 9-27-11.doc](#)
 [1171 Norton St.Micko Ltr 10-26-11.doc](#)
- 50 [RLH FOW](#)
 [11-187](#) Appeal of Earl F. Miller to a Fire Certificate of Occupancy Correction Notice at 1116 PACIFIC STREET.
- Sponsors:** Lantry
- Attachments:** [1116 Pacific.appeal.10-04-11.pdf](#)
 [1116 Pacific St.Miller Ltr 10-13-11.doc](#)

- 51 [RLH FCO](#)
 [11-439](#) Appeal of MaiCher Her to a Correction Notice-Complaint Inspection at 1066 ROSS AVENUE.

 Sponsors: Bostrom

 Attachments: [1066 Ross.appeal.9-29-11.pdf](#)
 [1066 Ross Ave.Her Ltr 10-12-11.doc](#)
- 52 [RLH AR](#)
 [11-124](#) Amending the assessment for Boarding and Securing services during June 2011 to delete the assessment at 1077 ROSS AVENUE. (File No. J1112B, Assessment No. 118117)

 Sponsors: Bostrom
- 53 [RLH AR](#)
 [11-123](#) Amending the assessment for Collection of Vacant Building Fees services in July 2011 to delete the assessment at 1072 SEVENTH STREET WEST. (File No. VB1113, Assessment No. 118119)

 Sponsors: Thune
- 54 [RLH FOW](#)
 [11-184](#) Appeal of Nina Moua to a Fire Certificate of Occupancy Correction Notice at 890 SIMS AVENUE.

 Sponsors: Bostrom

 Attachments: [890 Sims.appeal.10-11-11.pdf](#)
 [890 Sims Ave.Moua Ltr 10-13-11.doc](#)
- 55 [RLH RR](#)
 [11-69](#) Ordering the razing and removal of the structures at 334 ST. CLAIR AVENUE within fifteen (15) days after the November 2, 2011 City Council Public Hearing.

 Sponsors: Thune

 Attachments: [334 St. Clair Ave.Order to Abate.8-5-11](#)
 [334 St Clair Ave.Public Hearing Notice.9-16-11](#)
 [334 St. Clair Ave.R-R FTA Ltr 10-12-11.doc](#)
 [334 St Clair Ave.Photos.4-6-11.pdf](#)
- 56 [RLH RR](#)
 [11-68](#) Ordering the razing and removal of the structures at 46 STEVENS STREET EAST within fifteen (15) days after the November 2, 2011 City Council Public Hearing.

 Sponsors: Thune

 Attachments: [46 Stevens St.Photos.pdf](#)
 [46 Stevens St.Order to Abate.pdf](#)
 [46 Stevens St E.Public Hearing Notice.pdf](#)
 [46 Stevens St E.R-R FTA & LO Ltr 10-12-11.doc](#)

- 57 [RLH RR
11-67](#) Ordering the razing and removal of the structures at 773-777 UNIVERSITY AVENUE WEST within fifteen (15) days after the November 2, 2011 City Council Public Hearing.
- Sponsors:** Carter III
- Attachments:** [773-777 Univ Ave W.Order to Abate.9-1-11](#)
 [773-777-University Ave W.Public Hearing Notice.9-16-11](#)
 [773-777 University Ave W.Photos.3-3-11](#)
 [773-777 University Ave W.Model Cities.R-R Ltr 10-12-11.doc](#)
- 58 [RLH FOW
11-173](#) Appeal of Rashad H. Badae to a Fire Certificate of Occupancy Inspection Correction Notice at 1611 WESTMINSTER STREET.
- Sponsors:** Helgen
- Attachments:** [1611 Westminister.appeal.9-23-11.pdf](#)
 [1611 Westminister St.Badae Ltr 10-13-11.doc](#)

SUSPENSION ITEMS

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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