



# 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*

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Wednesday, August 24, 2011

3:30 PM

Council Chambers - 3rd Floor

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### ROLL CALL

### 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.**

- 1     [RES 11-1658](#)   Accepting a gift scholarship of \$900.00 for Andrea Miller, Anthony Tedesco and Yamy Vang to attend the Innovations in Criminal Justice Summit, September 28-30, 2011 in Chicago, Illinois.  
  
      Sponsors:     Lantry  
      Attachments:   [APA Conference Chicago Fiscal Analysis.pdf](#)
  
- 2     [RES 11-1528](#)   Memorializing the July 20, 2011 decision of the City Council granting the appeal of the District 5 Planning Council of a decision of the Board of Zoning Appeals granting a side-yard setback at 674 Hawthorne Street East.  
  
      Sponsors:     Bostrom
  
- 3     [RES 11-1519](#)   Preliminary Order setting the date of City Council public hearing for October 5, 2011 to consider the improvement for above-standard lighting on the north side of Ford Parkway between Finn Street and Cleveland Avenue. (File No. 19124, Assessment No. 115101)  
  
      Sponsors:     Harris  
      Attachments:   [Summary of Engineering Recommendation](#)  
                          [Assessment Roll](#)

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- 4     **[RES 11-1553](#)**     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Blair/Griggs area paving/lighting project, constructed as part of the 2011 Residential Street Vitality Project (RSVP). (File No. 19093, Assessment No. 115138)
- Sponsors:**         Stark
- Attachments:**     [Report of Completion](#)  
                                      [Assessment Roll](#)
- 5     **[RES 11-1555](#)**     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Front/Victoria Phase II area paving/lighting project, constructed as part of the 2010 Residential Street Vitality Project (RSVP). (File No. 19080A, Assessment No. 115134)
- Sponsors:**         Carter III
- Attachments:**     [Report of Completion](#)  
                                      [Assessment Roll](#)
- 6     **[RES 11-1557](#)**     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Page/Woodbury area paving/lighting project, constructed as part of the 2011 Residential Street Vitality Project (RSVP). (File No. 19077, Assessment No. 115118)
- Sponsors:**         Thune
- Attachments:**     [Report of Completion](#)  
                                      [Assessment Roll](#)
- 7     **[RES 11-1559](#)**     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Davern/Jefferson Phase II area paving/lighting project, constructed as part of the 2011 Residential Street Vitality Project (RSVP). (File No. 19079A, Assessment No. 115136)
- Sponsors:**         Harris
- Attachments:**     [Report of Completion](#)  
                                      [Assessment Roll](#)
- 8     **[RES 11-1561](#)**     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Payne Avenue - Whittall St. to Cook Ave. streetscape project. (File No. 19085, Assessment No. 115126)
- Sponsors:**         Bostrom
- Attachments:**     [Report of Completion](#)  
                                      [Assessment Roll](#)

- 9      [RES 11-1601](#)      Approving the City's cost of providing Demolition services from July 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1116C, Asmt No. 118107)
- Sponsors:**      Lantry
- Attachments:**      [Report of Completion](#)  
  [Assessment Roll](#)
- 10     [RES 11-1602](#)      Approving the City's cost of providing Boarding services during June 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1112B, Asmt No. 118117)
- Sponsors:**      Lantry
- Attachments:**      [Report of Completion](#)  
  [Assessment Roll](#)
- 11     [RES 11-1603](#)      Approving the City's cost of providing Excessive Inspection services during April 28 to June 10, 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1110E, Asmt No. 118120)
- Sponsors:**      Lantry
- Attachments:**      [Report of Completion](#)  
  [Assessment Roll](#)
- 12     [RES 11-1604](#)      Approving the City's cost of providing Graffiti Removal services during June 23 to July 13, 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1115P, Asmt No. 118123)
- Sponsors:**      Lantry
- Attachments:**      [Report of Completion](#)  
  [Assessment Roll](#)
- 13     [RES 11-1605](#)      Approving the City's cost of providing Property Clean Up services during June 30 to July 28, 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1116A, Asmt No. 118121)
- Sponsors:**      Lantry
- Attachments:**      [Report of Completion](#)  
  [Assessment Roll](#)

- 14     **[RES 11-1606](#)**     Approving the City's cost of providing Trash Hauling services during July 6 to 27, 2011, and setting date of Legislative Hearing for September 20, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1113G, Asmt No. 118122)
- Sponsors:**     Lantry
- Attachments:**     [Report of Completion](#)  
                                  [Assessment Roll](#)
- 15     **[RES 11-1607](#)**     Approving the City's cost of providing Towing of Abandoned Vehicle services during April to May 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1104V, Asmt No. 118124)
- Sponsors:**     Lantry
- Attachments:**     [Report of Completion](#)  
                                  [Assessment Roll](#)
- 16     **[RES 11-1608](#)**     Approving the City's cost of providing Demolition services from July 2011 (C.D.B.G. Funds), and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1117C, Asmt No. 118126)
- Sponsors:**     Lantry
- Attachments:**     [Report of Completion](#)  
                                  [Assessment Roll](#)
- 17     **[RES 11-1611](#)**     Approving the City's cost of providing Boarding services during July 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1113B, Asmt No. 118127)
- Sponsors:**     Lantry
- Attachments:**     [Report of Completion](#)  
                                  [Assessment Roll](#)
- 18     **[RES 11-1612](#)**     Approving the City's cost of providing Excessive Inspection services during June 13 to July 1, 2011, and setting date of Legislative Hearing for September 12, 2011 and City Council Public Hearing for October 5, 2011 to consider and levy the assessments against individual properties. (File No. J1111E, Asmt No. 118128)
- Sponsors:**     Lantry
- Attachments:**     [Report of Completion](#)  
                                  [Assessment Roll](#)

- 19      [RES 11-1619](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Davern/Jefferson Phase I (Part II) area paving/lighting project, constructed as part of the 2010 Residential Street Vitality Project (RSVP). (File No. 19079B, Assessment No. 115132)
- Sponsors:**      Harris
- Attachments:**      [Report of Completion](#)  
                                                      [Assessment Roll](#)
- 20      [RES 11-1624](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Fairview Avenue from St. Clair Avenue to Summit Avenue paving/lighting project. (File No. 19094, Assessment No. 115133)
- Sponsors:**      Harris
- Attachments:**      [Report of Completion](#)  
                                                      [Assessment Roll](#)
- 21      [RES 11-1640](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Payne Avenue - Cook Avenue to Orange Avenue streetscape project. (File No. 19096, Assessment No. 115402)
- Sponsors:**      Bostrom
- Attachments:**      [Report of Completion](#)  
                                                      [Assessment Roll](#)
- 22      [RES 11-1625](#)      Authorizing the City to enter into an agreement with the Minnesota Department of Transportation to provide payment for the State's share of costs for traffic signal revisions and other associated construction along Highway 61at Minnehaha Avenue.
- Sponsors:**      Bostrom and Lantry
- Attachments:**      [Agreement to City 080411.pdf](#)  
                                                      [Agreement 98465.pdf](#)
- 23      [RES 11-1551](#)      Authorizing the Police Department to renew the lease with Neighborhood House for space in the Paul and Sheila Wellstone Center.
- Sponsors:**      Thune
- Attachments:**      [Exhibit A - Lease](#)
- 24      [RES 11-1634](#)      Authorizing the Police Department to enter into a State and Local Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA).
- Sponsors:**      Lantry
- Attachments:**      [DEA.pdf](#)

- 25      [RES 11-1635](#)      Authorizing the Police Department to enter into an agreement with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) for reimbursement of overtime salary costs associated with the ATF Task Force.
- Sponsors:**      Lantry
- Attachments:**      [ATF.pdf](#)
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- 26      [RES 11-1636](#)      Adopting the findings of fact related to demolition of buildings located in the Beacon Bluff Business Center.
- Sponsors:**      Bostrom and Lantry
- Attachments:**      [Port Authority Memo.pdf](#)  
   [Exhibit A to City Council Resolution.pdf](#)
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- 27      [RES 11-1615](#)      Approving adverse action against the Special Event Food Sales - Annual license held by Sugar Buzzers d/b/a Sugar Buzzers located at 1771 Energy Park Drive in Saint Paul.
- Sponsors:**      Stark
- Attachments:**      [Request for Adverse Action.pdf](#)  
   [Notice of Violation.pdf](#)  
   [MN Admin Rules part 4626.1110.pdf](#)  
   [SPLC Section 310.05 \(m\).pdf](#)
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- 28      [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, d/b/a Superamerica #4039 (ID #20100004246) at 1146 Payne Avenue.
- Sponsors:**      Bostrom
- Attachments:**      [Minutes 03-10-11](#)  
   [Minutes 01-20-11](#)  
   [Signed Conditions Affidavit 08-17-11](#)  
   [Signed Conditions Affidavit 02-03-11](#)  
   [Contested Letters](#)  
   [Staff Summary](#)  
   [Floor Plan](#)  
   [Photos](#)  
   [STAMP Activities Report](#)  
   [Police Activities Report](#)  
   [Superamerica's Exceptional Customer Experience Worksheet Form](#)

- 29     **[RES 11-1663](#)**     Waiving the 45 day notice requirement for issuance of Malt On Sale (Brewery Taproom) license for Summit Brewing Company d/b/a Summit Brewing Company, 910 Montreal Circle.  
          **Sponsors:**     Thune  
          **Attachments:**    [West 7th Fort Rd Federation 45 waiver approval.pdf](#)
- 30     **[RES 11-1685](#)**     Approving the use of STAR funds through the Neighborhood STAR Year-Round Program for Colossal Cafe in Ward 4.  
          **Sponsors:**     Stark
- 31     **[RES 11-1688](#)**     Approving the use of Neighborhood STAR Year-Round Loan Program Funds for Historic Saint Paul in Ward 7.  
          **Sponsors:**     Lantry

**FOR DISCUSSION**

- 32     **[PH 11-19](#)**     Considering the application of REM Holdings LLC for a combined plat for St. Anthony Park Townhomes to create nine residential parcels and one outlot. (Zoning File #11-128-731) (Public hearing held August 17)  
          **Sponsors:**     Stark  
          **Attachments:**    [CC-Plat Cover Letter.pdf](#)  
                              [CC-Plat Staff Report.pdf](#)  
                              [Final Plat.pdf](#)  
                              [Preliminary Plat.pdf](#)  
                              [PH 11-19 Zoning File Recommendation.pdf](#)  
                              [emails in opposition.pdf](#)
- 33     **[RES PH 11-1017](#)**     Consideration of amendment of resolution 08-1033 approving the site plan with conditions to develop the land owned by the Saint Paul Port Authority and commonly known as 637 Barge Channel Road. (Public hearing held August 17)  
          **Sponsors:**     Lantry and Thune  
          **Attachments:**    [A1–City Council Resolution 08-1033.pdf](#)  
                              [A1–Cover Letter to City Council Resolution .pdf](#)  
                              [A2-matrix of donation exchange parcels.pdf](#)  
                              [A3–Port Authority Board Resolution.pdf](#)  
                              [A4 - Park Commission resolution.pdf](#)  
                              [A5-Letters of Support.pdf](#)  
                              [BT 2 Donation SP site Plan Modification Request.pdf](#)  
                              [Quit Claim Deed.pdf](#)  
                              [Public Hearing Notice, Notification List, and Affidavit.pdf](#)

- 34      [RLH RR  
11-41](#)      Ordering the rehabilitation or razing and removal of the structures at 580 MINNEHAHA AVENUE EAST within one hundred twenty (120) days after the August 17, 2011, City Council Public Hearing. (Public hearing held August 17)
- Sponsors:**      Bostrom
- Attachments:**      [580 Minnehaha Ave E Order to Abate.5-19-11](#)  
[580 Minnehaha Ave E Public Hearing Notice.6-24-11](#)  
[580 Minnehaha Ave E.Ling Ltr 7-25-11.pdf](#)  
[580 Minnehaha Ave E.Photos.3-17-11.pdf](#)  
[580 Minnehaha Ave E.2011 July CPED Minutes.pdf](#)  
[580 Minnehaha Ave E.R-R Simek Ltr 7-26-11.doc](#)  
[580 Minnehaha Ave E.Neighbor Ltr.7-12-11.pdf](#)  
[580 Minnehaha Ave E.Ltr of Concern.7-12-11.pdf](#)  
[580 Minnehaha Ave E.Police Calls.2007-2011.pdf](#)  
[580 Minnehaha Ave EAssignment of Mortgage.12-31-10.pdf](#)  
[580 Minnehaha Ave E Photos.3-5-10](#)  
[580 Minnehaha Ave E.Photos.7-26-11.pdf](#)  
[580 Minnehaha Ave E.Severson et al Ltr.7-25-11](#)  
[580 Minnehaha Ave E.Work Plan Attachments.8-9-11.pdf](#)  
[580 Minnehaha Ave E.Proposed Operations Manual.8-2-11.pdf](#)  
[580 Minnehaha Ave E.Operations Manual Addendum.8-3-11.pdf](#)  
[580 Minnehaha Ave E.Crime Free Multi Housing Lease Info.8-3-11.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

- 35      [Ord 11-69](#)      Amending Chapter 310.10 of The Saint Paul Legislative Code to limit amounts on the refunds of fees.
- Sponsors:**      Lantry



- 36     [Ord 11-70](#)     Preserving the status quo within a specified area in the vicinity of the University of St. Thomas pending the completion and report of a zoning study and possible action on that study, including amending the City's official controls to regulate the conversion of one- and two- and three-family homes into student housing.

**Sponsors:**     Stark

**Attachments:**   [moratoriummap.pdf](#)  
                      [RES PH 11-1015 Thomas C Ernst Communication.pdf](#)  
                      [Ord 11-70 constituent emails.pdf](#)  
                      [Ord 11-70 WSNAC email.pdf](#)  
                      [Ord 11-70 constituent e-mail.pdf](#)  
                      [Ord 11-70 Smith email.doc](#)

### Second Reading

- 37     [Ord 11-74](#)     An interim ordinance preserving the status quo of land uses in the District 9 Planning Area for the purpose of augmenting the zoning study undertaken pursuant to Council File Ord 11-5.

**Sponsors:**     Thune

- 38     [Ord 11-75](#)     Amending the Zoning Map as recommended in the District 9 Commercial Zoning Study.

**Sponsors:**     Thune

**Attachments:**   [D9commzngstudystaffmemo.pdf](#)  
                      [D9commzngstudypcrecs.pdf](#)  
                      [D0commzngstudypcres&mins.pdf](#)  
                      [D9CommZoningOrdAttachment A.xls](#)  
                      [District9CommercialZoningStudyProposed.pdf](#)

- 39     [Ord 11-76](#)     Amending the Zoning Map as recommended in the District 9 Residential Zoning Study.

**Sponsors:**     Thune

**Attachments:**   [Attachment A - Map Amendments.pdf](#)  
                      [Attachment B - Zoning Study Map.pdf](#)  
                      [Attachment C - D9 Residential Zoning Study.pdf](#)  
                      [Attachment D - Planning Commission Resolution.pdf](#)  
                      [Attachment E - Planning Commission Action Minutes.pdf](#)  
                      [Attachment F - Memo on PH Testimony.pdf](#)

## First Reading

- 40     [Ord 11-78](#)     Memorializing City Council action granting the application of Saint Paul Housing and Redevelopment Authority for the rezoning from I3 Restricted Industrial to T3M Traditional Neighborhood (Master Plan), T3 Traditional Neighborhood and I1 Light Industrial of 852 Hathaway Street and adjacent parcels, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.
- Sponsors:**     Thune
- Attachments:**   [vicparkProposedZoning.pdf](#)  
                              [vicparkzoningParcels.xls](#)
- 41     [Ord 11-92](#)     Amending Chapter 409.26 Of The Saint Paul Legislative Code to simplify matrix penalties for repeat violations.
- Sponsors:**     Lantry
- 42     [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
- 43     [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
- 44     [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
- 45     [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
- 46     [Ord 11-82](#)     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.
- Sponsors:**     Lantry
- 47     [Ord 11-83](#)     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.
- Sponsors:**     Lantry
- 48     [Ord 11-84](#)     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.
- Sponsors:**     Lantry

- 49     [Ord 11-85](#)     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.  
**Sponsors:**     Lantry
- 50     [Ord 11-86](#)     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.  
**Sponsors:**     Lantry
- 51     [Ord 11-87](#)     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.  
**Sponsors:**     Lantry
- 52     [Ord 11-88](#)     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.  
**Sponsors:**     Lantry
- 53     [Ord 11-89](#)     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.  
**Sponsors:**     Lantry
- 54     [Ord 11-90](#)     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.  
**Sponsors:**     Lantry
- 55     [Ord 11-91](#)     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.  
**Sponsors:**     Lantry

## SUSPENSION ITEMS

- [RES 11-1686](#)     Preliminary Order setting the date of Public Hearing for September 21, 2011 to consider approval of the improvement to reconstruct Maryland Avenue from 350 feet west of Clarence Street to Etna Street as a Municipal State Aid route. (File No. 19125, Assessment No. 125200)  
**Sponsors:**     Bostrom  
**Attachments:**   [Summary of Engineering Recommendation](#)

**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

**ADJOURNMENT****Council Meeting Information****Web**

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**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)