



# 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 Amy Brendmoen  
Councilmember Russ Stark  
Councilmember Dai Thao  
Councilmember Dave Thune  
Councilmember Chris Tolbert*

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Wednesday, December 4, 2013

3:30 PM

Council Chambers - 3rd Floor

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**Public hearings at 5:30 p.m. Final hearing on the proposed 2014 Budget and Tax Levy  
(Truth in Taxation) at 6:30 p.m.**

### ROLL CALL

### COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 13-29](#) Letter from the Department of Safety and Inspections declaring 349 Curtice Street East a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
- Sponsors:** Thune  
**Attachments:** [349 Curtice St E.OTA 11-14-13.pdf](#)

### CONSENT AGENDA (Items 2 - 18)

**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 13-1908](#) Approving the Mayor's appointment of Madonna McDermott to the Saint Paul - Ramsey County Joint Community Health Services Advisory Committee.
- Sponsors:** Lantry
- 3 [RES 13-1921](#) Authorizing the Mayor to execute a Joint Powers Agreement with the State of Minnesota to engage assistance as deemed necessary to complete an Entertainment Facilities Coordination Study and Report, and authorizing the acceptance of a contribution from the Minnesota Wild of \$25,000 toward the Entertainment Facilities Coordination Study.
- Sponsors:** Lantry  
**Attachments:** [State of MN Joint Powers Agreement](#)  
[Sec. 39 - Mpls & St. Paul Entertainment Facilities Coordination Study; Appropri](#)
- 4 [RES 13-1812](#) Approving the City's cost of providing Collection of Vacant Building Fees billed September 10, 2012 to August 21, 2013, and setting date of

Legislative Hearing for January 7, 2014 and City Council Public Hearing for February 19, 2014 to consider and levy the assessments against individual properties. (File No. VB1404, Assessment No. 148803)

**Sponsors:** Lantry

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

- 5      [RES](#)  
[13-1815](#)
- Approving the City's cost of providing Property Clean Up Services from October 2 to 31, 2013, and setting date of Legislative Hearing for January 7, 2014 and City Council Public Hearing for February 19, 2014 to consider and levy the assessments against individual properties. (File No. J1404A, Assessment No. 148503)

**Sponsors:** Lantry

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

- 6      [RES](#)  
[13-1816](#)
- Approving the City's cost of providing Trash Hauling Services from October 3 to 30, 2013, and setting date of Legislative Hearing for January 7, 2014 and City Council Public Hearing for February 19, 2014 to consider and levy the assessments against individual properties. (File No. J1404G, Assessment No. 148703)

**Sponsors:** Lantry

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

- 7      [RES](#)  
[13-1817](#)
- Approving the City's cost of providing Graffiti Removal Services from October 8 to 12, 2013, and setting date of Legislative Hearing for January 7, 2014 and City Council Public Hearing for February 19, 2014 to consider and levy the assessments against individual properties. (File No. J1404P, Assessment No. 148403)

**Sponsors:** Lantry

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

- 8      [RES](#)  
[13-1842](#)
- Authorizing the Fire Department to accept the donation of physical fitness equipment from the Saint Paul Fire Foundation for three fire stations.

**Sponsors:** Lantry

**Attachments:** [Saint Paul Fire Foundation donation letter](#)

- 9      [RES](#)  
[13-1883](#)
- Authorizing the Department of Parks and Recreation to expend an amount not to exceed \$15,000 for the purpose of providing refreshments, marketing materials, and other incentives for various activities, programs and events throughout 2014.

**Sponsors:** Lantry

**Attachments:** [Res 13-1883 Marketing.xls](#)

- 10     [RES](#)  
       [13-1906](#)     Initiating a study of zoning regulations pertaining to source-separated organics.  
***Sponsors:***     Stark  
***Attachments:***   [CC Resolution 13-1906](#)
- 11     [RES](#)  
       [13-1841](#)     Approving the 2013-2014 Emergency Solutions Grant fund recipients.  
***Sponsors:***     Lantry  
***Attachments:***   [2013-2014 Emergency Solutions Grant Budget Analysis FINAL 10312013](#)  
                      [2013-2014 ESG - Funding Allocation](#)
- 12     [RES](#)  
       [13-1856](#)     Authorizing the Police Department to accept donated professional services time for Colby Reineke to produce an on-line version of the Police Department policy manual.  
***Sponsors:***     Lantry  
***Attachments:***   [Donation of Professional Services - Colby Reineke](#)
- 13     [RES](#)  
       [13-1858](#)     Authorizing the Police Department to enter into a license agreement, which includes an indemnification clause, with Applied Simulation Technologies, Inc. for licenses to access EVOC-101 web based law enforcement training.  
***Sponsors:***     Lantry  
***Attachments:***   [Applied Simulation Technologies License Agreement](#)
- 14     [RES](#)  
       [13-1823](#)     Authorizing the Saint Paul Port Authority to submit a Minnesota Investment Fund application on behalf of Pearson Candy Company.  
***Sponsors:***     Tolbert  
***Attachments:***   [Financial Analysis for Pearson's MIF application.xls](#)  
                      [Port Authority Board Memo - Pearsons MIF Application.pdf](#)  
                      [Port Authority Board Resolution - Pearson MIF Application.pdf](#)
- 15     [RES](#)  
       [13-1862](#)     Authorizing the proper City Officials to enter into agreement No. 14-1389 between the Department of Public Works and three individual property owners relating to the design, construction, and cost participation of the capital improvements to be made on Cayuga Street between Phalen Boulevard and Westminster Street.  
***Sponsors:***     Bostrom  
***Attachments:***   [Cayuga-Arkwright Agreement - Final](#)
- 16     [RES](#)  
       [13-1891](#)     Approving adverse action against the Cigarette/Tobacco license held by Richard A. Stai, d/b/a 5th Street Convenience at 55 Fifth Street East.  
***Sponsors:***     Thune

**Attachments:** [Tobacco Compliance Check Purchase Form dated Oct. 17th 2013](#)  
[Notice of Violation dated Nov. 1st 2013](#)  
[Minn.Stat.Section 609.685](#)  
[SPLC Section 324.07](#)  
[SPLC Section 324.11](#)

- 17     [RES](#)  
         [13-1907](#)     Memorializing City Council action taken on November 13, 2013, denying Saint Paul College's request for variances to install a dynamic sign on the northeast portion of the Saint Paul College campus abutting Kellogg Boulevard.

**Sponsors:**     Thao

- 18     [RES](#)  
         [13-1920](#)     Approving grant funds through Wards 3 and 4 Neighborhood STAR Year-Round Program for the Groveland Recreation Center Warming Room.

**Sponsors:**     Stark and Tolbert

#### FOR DISCUSSION

- 19     [RES](#)  
         [13-1890](#)     Recognizing Karin DuPaul for her many years of service to the Dayton's Bluff Neighborhood and the City of Saint Paul.

**Sponsors:**     Lantry

- 20     [RES](#)  
         [13-1753](#)     Approving a partial waiver of the Sustainable Building Policy for a new operations storage structure and parking lot at 85 West Water Street, adjacent to Harriet Island Regional Park. (Laid over from November 13)

**Sponsors:**     Thune

**Attachments:** [85 Water Waiver Staff Report](#)  
[85 W Water Street Resolution Text](#)

- 21     [RES](#)  
         [13-1588](#)     Amending the 1985 Highland Village Special District Sign Plan. (Laid over from November 20)

**Sponsors:**     Tolbert

**Attachments:** [Highland Village Plan Stirkeouts and underlines](#)  
[PC Approved Minutes 022213.pdf](#)  
[PC RESOLUTION Highland signs plan022213.pdf](#)  
[Public hearing Response Memo FINAL.pdf](#)  
[PublicHearingWrittenCommentsDSI.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

- 22     [Ord 13-39](#)     Amending Legislative Code Chapter 64.750 pertaining to the Highland

Village Special Sign District.

**Sponsors:** Tolbert

**Attachments:** [PC Resolution FINAL.pdf](#)

[PC Approved Minutes 022213.pdf](#)

[Public hearing Response Memo FINAL.pdf](#)

[Highland Village Plan Stirkeouts and underlines020613withnotes.pdf](#)

[ResolutionSupporting2012AmendmentsToHighlandVillageSpecialSignDistrict v2](#)

[PublicHearingWrittenCommentsDSI.pdf](#)

- 23      [Ord 13-57](#)      Amending Legislative Code Chapters 63, 65, and 66 pertaining to alcohol production uses.

**Sponsors:** Stark and Brendmoen

**Attachments:** [Res 13-256](#)

[NPC memo to PC August 15 2013](#)

[PCapprovedminutes100413](#)

[63.207](#)

[66.321](#)

[66.421](#)

[66.521](#)

[PC resolution final](#)

[CC Ord 13-57](#)

- 24      [Ord 13-54](#)      Amending Chapter 87 of the Saint Paul Legislative Code pertaining to categories that exclude one-inch street service connections from qualifying for schedule charge rates.

**Sponsors:** Brendmoen

**Attachments:** [Chapter 87 - Proposed Ordinance](#)

[Chapter 87 - Staff Report](#)

[Chapter 87 -Code Changes Redline Form](#)

[BWC Resol 7237](#)

- 25      [Ord 13-55](#)      Amending Chapter 90 of the Saint Paul Legislative Code pertaining to deposits and charges for hydrant use permits.

**Sponsors:** Brendmoen

**Attachments:** [Chapter 90 - Proposed Ordinance](#)

[Chapter 90 - Staff Report](#)

[Chapter 90 - Code Changes Redline Form](#)

[BWC Resol 7238](#)

- 26      [Ord 13-52](#)      Amending Chapter 40 of the Saint Paul Legislative Code pertaining to responsibility for management of the fire certificate of occupancy program, and updating language.

**Sponsors:** Lantry

**Attachments:** [Section 40.10 - Fire C of O fees](#)

- 27     [Ord 13-58](#)     Memorializing City Council action granting the application of Associated Bank et al to rezone property at 176 North Snelling Avenue et al, area bounded by Marshall, Snelling, Selby, and Saratoga, from B2 Community Business, B3 General Business, RM2 Medium-Density Multiple-Family Residential, VP Vehicular Parking, and I 1 Light Industrial, to T2 Traditional Neighborhood and T3 Traditional Neighborhood. (Public hearing held October 16, 2013)
- Sponsors:**     Lantry

#### First Reading

- 28     [Ord 13-62](#)     Amending Chapter 366 of the Saint Paul Legislative Code to require recycling at all community festivals.
- Sponsors:**     Tolbert
- 29     [Ord 13-63](#)     Amending Chapter 366A of the Saint Paul Legislative Code to require recycling at all parades, races or assemblies.
- Sponsors:**     Tolbert

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

- 30     [RES PH 13-303](#)     Approving the application of Kami Blackwell-Kinney, President, TCGIS-PTO, for a sound level variance in order to provide a DJ booth and sound system during the Twin Cities German Immersion School-PTO Annual Fundraising Event from 7:00 p.m. until 12:00 midnight on February 22, 2014 at 1031 Como Avenue.
- Sponsors:**     Brendmoen
- Attachments:**   [German Immersion School SLV Application.pdf](#)  
[German Immersion School ENS.pdf](#)  
[German Immersion School Applicant Notification.pdf](#)  
[German Immersion School DC 6 Notice.pdf](#)  
[German Immersion School Map.pdf](#)  
[German Immersion School PO List.pdf](#)  
[German Immersion School Example Letter.pdf](#)
- 31     [PH 13-18](#)     Public hearing to consider the application of O'Reilly Automotive Stores Inc to rezone properties at 1653, 1655, and 1659 Huron Street from VP Vehicular Parking to B2 Community Business District.
- Sponsors:**     Brendmoen
- Attachments:**   [Zoning Committee Minutes](#)  
[Correspondence](#)  
[Deadline for Action Extension Correspondence](#)  
[Staff Report Packet](#)  
[Planning Commission Resolution](#)

- 32     [RES PH  
13-291](#)     Amending the 2008 Bruce Vento Regional Trail Master Plan.  
  
          Sponsors:     Lantry  
          Attachments:   [B Vento Trail MP Amendment](#)
- 33     [RES PH  
13-293](#)     Authorizing the City of Saint Paul, Parks and Recreation Department, to enter into a grant agreement with and provide indemnification for the State of Minnesota, Department of Transportation, to accept a \$799,880 FHWA High Priority grant for the Bruce Vento Trail, and to amend the budget to include additional monies.  
  
          Sponsors:     Lantry  
          Attachments:   [B Vento Bridge Finance Sheet](#)  
                              [B Vento Trail Connection MnDOT Agree 04556](#)
- 34     [RES PH  
13-301](#)     Amending the financing and spending plans in the Department of Public Works in the amount of \$815,922.50 in additional revenues, \$55,000.00 for transfer of appropriations in order to cleanup and realign projects.  
  
          Sponsors:     Lantry  
          Attachments:   [RES PH 13-301 FINANCIAL ANALYSIS](#)

**TRUTH IN TAXATION PUBLIC HEARING (This item will not be heard before 6:30 p.m.)**

- 35     [PH 13-20](#)     Final Hearing on the proposed 2014 Budget and Tax Levy, aka Truth in Taxation hearing.  
  
          Sponsors:     Lantry  
          Attachments:   [2014 TNT Presentation](#)

**LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**

No items

**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.

- 36     [RLH FCO  
13-240](#)     Appeal of Vik Karr to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 314-332 CHESTER STREET.  
  
          Sponsors:     Thune  
          Attachments:   [314 Chester St.appeal.10-31-13](#)  
                              [314-332 Chester St.Photos.11-7-13](#)  
                              [314 Chester St.Karr Ltr.11-13-13](#)
- 37     [RLH RR  
13-48](#)     Ordering the razing and removal of the structures at 521 EDMUND AVENUE within fifteen (15) days after the December 4, 2013, City Council Public Hearing.  
  
          Sponsors:     Thao

**Attachments:** [521 Edmund Ave.OTA 8-16-13.pdf](#)  
[521 Edmund Ave.PH 10-1-13.pdf](#)  
[521 Edmund Ave.SHPO Form 8-28-13.pdf](#)  
[521 Edmund Ave.Photos 10-3-12.pdf](#)  
[521 Edmund Ave.Photos 7-24-13.pdf](#)  
[521 Edmund Ave.R-R FTA Ltr 11-13-13](#)

- 38 [RLH FCO](#)  
[13-244](#) Appeal of Robert Johnson to a Fire Inspection Correction Notice at 276 EXCHANGE STREET SOUTH.

**Sponsors:** Thune

**Attachments:** [276 Exchange St S.appeal.11-4-13](#)  
[276 Exchange St S.Johnson Ltr.11-14-13](#)

- 39 [RLH RR](#)  
[13-47](#) Ordering the rehabilitation or razing and removal of the structures at 838-840 GOODRICH AVENUE within one hundred eighty days after the November 6, 2013, City Council Public Hearing. (Public hearing continued from November 6)

**Sponsors:** Thune

**Attachments:** [838-840 Goodrich Ave.OTA.7-31-13.pdf](#)  
[838-840 Goodrich Ave.PH.7-31-13.pdf](#)  
[838-840 Goodrich Ave.Expired Code Compliance.12-1-10.pdf](#)  
[838-840 Goodrich Ave.Photos 7-23-13.pdf](#)  
[838-840 Goodrich Ave.SHPO Form 8-30-13.pdf](#)  
[838-840 Goodrich Ave.FTA & LO RR Ltr 10-16-13](#)  
[838-840 Goodrich Ave.Atty Letter to David Thune.11-5-13](#)  
[838-840 Goodrich Ave.Casselman Ltr.11-7-13](#)  
[838-840 Goodrich Ave.Casselman Ltr.11-13-13](#)  
[838-840 Goodrich Ave.Code Compliance.11-19-13.pdf](#)  
[838-840 Goodrich Ave.Construction Schedule.11-12-13](#)  
[838-840 Goodrich Ave.Sunrise Bank Statement.10-31-13](#)  
[838-840 Goodrich Ave.Application for Code Compliance.11-7-13](#)  
[838-840 Goodrich Ave.Affidavit & Bond Receipt.11-18-13](#)

- 40 [RLH VO](#)  
[13-60](#) Appeal of Chris Dewberry to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1940 REANEY AVENUE EAST.

**Sponsors:** Lantry

**Attachments:** [1940 Reaney Ave.appeal.11-14-13](#)  
[1940 Reaney Ave.Photos.9-18-13](#)  
[1940 Reaney Ave.Photos.10-10-13](#)  
[1940 Reaney Ave.Photos.10-14-13](#)  
[1940 Reaney Ave.Dewberry Ltr 11-20-13](#)



- 41 [RLH VO](#) Appeal of Wendy Jansen to a Notice of Condemnation as Unfit for  
[13-49](#) Human Habitation and Order to Vacate at 610 ST. ALBANS STREET  
NORTH.

**Sponsors:** Thao

**Attachments:** [610 St. Albans St. N.appeal.10-10-13](#)

[610 St Albans.Photos.6-26-13](#)

[610 St Albans.Photos.8-28-13](#)

[610 St Albans.Photos.10-9-13](#)

[677 Thomas Ave.Correction Notice.9-9-13](#)

[610 St Albans St N.Jansen Ltr.11-6-13](#)

[610 St. Albans St N.Jansen Ltr.11-20-13](#)

[610 St Albans Street Work Plans.11-19-13](#)

- 42 [RLH VO](#) Appeal of Sean Caffie to a Revocation of Fire Certificate of Occupancy  
[13-54](#) and Order to Vacate at 535 SMITH AVENUE SOUTH.

**Sponsors:** Thune

**Attachments:** [535 Smith Ave.appeal.10-29-13](#)

[535 Smith Ave.photos.10-29-13](#)

[533-535 Smith Ave.Kaluzny and Caffie Ltr.11-13-13](#)

## SUSPENSION ITEMS

## ADJOURNMENT

### Council Meeting Information

The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Councilmembers use iPads to review the files during the meeting. Using the iPad greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

### Web

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