



# 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 Nathaniel Khaliq  
Councilmember Russ Stark  
Councilmember Dave Thune  
Councilmember Chris Tolbert*

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Wednesday, September 18, 2013

3:30 PM

Council Chambers - 3rd Floor

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### Public Hearings at 5:30 p.m.

#### 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](#)            Approving the Mayor's reappointment of George Fremder to serve on  
      [13-1437](#)            the District Energy Board of Directors.  
                      Sponsors:     Lantry
- 2     [RES](#)            Approving the Mayor's reappointments of Dave Haley, Betsy Mowry,  
      [13-1438](#)            and Salina Vang to serve on the Parks and Recreation Commission.  
                      Sponsors:     Lantry
- 3     [RES](#)            Approving the gift of airfare and hotel accommodations from Minnesota  
      [13-1407](#)            Philanthropy Partners for Mayor's staff member Nancy Homans to serve  
                      as a panelist at The Integration Initiative meetings in Chicago, October  
                      8-10, 2013.  
                      Sponsors:     Lantry
- 4     [Min 13-34](#)        Approving the minutes of the July 24, August 7 and 14, 2013 City  
                      Council meetings.  
                      Sponsors:     Lantry  
                      Attachments:   [Minutes 07-24-13](#)  
  [Minutes 08-07-13](#)  
  [Minutes 08-14-13](#)
- 5     [RES](#)            Amending the membership of the Comcast Cable Franchise committee.  
      [13-1399](#)  
                      Sponsors:     Lantry



- 11      [RES](#)  
[13-1409](#)      Authorizing the Fire Department to enter into an agreement with the Minnesota State Agricultural Society to provide fire, emergency ambulance and paramedics service, and hazardous materials response to the State Fairgrounds.
- Sponsors:**      Lantry
- Attachments:**      [Financial Detail 13-1409.pdf](#)  
[MN State Fair Agreement.pdf](#)
- 12      [RES](#)  
[13-1112](#)      Approving the Maintenance Labor Agreement (May 1, 2013 - April 30, 2016) between the City of Saint Paul and the International Union of Painters and Allied Trades, District Council 82. (To be laid over one week for adoption)
- Sponsors:**      Lantry
- Attachments:**      [2013 - 2016 Painters Contract.pdf](#)  
[2013 - 2016 Painters Summary Agreement Sheet.pdf](#)
- 13      [RES](#)  
[13-1332](#)      Approving the ISD #625 Maintenance Labor Agreement for the United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 96 (May 1, 2013 - April 30, 2016); and the 2013 - 2014 Terms and Conditions of Employment Memorandum of Agreement between ISD #625 and the Twin City Glaziers, Architectural Metals and Glass Workers, Local 1324 (June 1, 2013 - May 31, 2014).
- Sponsors:**      Lantry
- Attachments:**      [ISD 625 2013 - 2016 Roofers Employment Agreement.pdf](#)  
[ISD 625 2013 - 2016 Roofers Summary.pdf](#)  
[ISD 625 Glaziers MOA 2013-2014.pdf](#)  
[ISD 625 Glaziers Summary MOA 2013-2014.pdf](#)
- 14      [RES](#)  
[13-1318](#)      Authorizing the Horticulture Department at the Marjorie McNeely Conservatory to apply for, and if awarded, to accept a grant of up to \$400 from the Mid-America Orchid Congress for the purchase of species orchid plants in the year 2014.
- Sponsors:**      Stark
- 15      [RES](#)  
[13-1382](#)      Authorizing the Police Department to enter into an agreement with the State of Minnesota, Dakota County Technical College, to provide facility rental for law enforcement training.
- Sponsors:**      Lantry
- Attachments:**      [Dakota County Facility Rental October 14 & 20](#)  
[Financial Analysis](#)

- 16     [RES](#)  
         [13-1386](#)     Authorizing the Police Department to enter into the Joint Powers Agreement with the State of Minnesota, Bureau of Criminal Apprehension (BCA) to joint the multi-agency ICAC task force.  
**Sponsors:**     Lantry  
**Attachments:**   [State of MN, BCA ICAC Joint Powers Agreement](#)
- 17     [RES](#)  
         [13-1387](#)     Authorizing the Police Department to enter into a Joint Powers Agreement with the Anoka County Sheriff's Office to establish procedures and responsibilities for reimbursement for their participation in the Gerald D. Vick Human Trafficking Task Force.  
**Sponsors:**     Lantry  
**Attachments:**   [Anoka County Joint Powers Agreement-Gerald Vick](#)  
                         [Financial Analysis](#)
- 18     [RES](#)  
         [13-1388](#)     Authorizing the Police Department to enter into a Joint Powers Agreement with the City of Rochester Police Department to establish procedures and responsibilities for reimbursement for their participation in the Gerald D. Vick Human Trafficking Task Force.  
**Sponsors:**     Lantry  
**Attachments:**   [Rochester Joint Powers Agreement Gerald D Vick Task Force](#)  
                         [Financial Analysis](#)
- 19     [RES](#)  
         [13-1389](#)     Authorizing the Police Department to enter into a Joint Powers Agreement with the City of Duluth Police Department to establish procedures and responsibilities for reimbursement for their participation in the Gerald D. Vick Human Trafficking Task Force.  
**Sponsors:**     Lantry  
**Attachments:**   [City of Duluth Joint Powers Agreement Gerald Vick Task Force](#)  
                         [Financial Analysis](#)
- 20     [RES](#)  
         [13-1390](#)     Authorizing the Police Department to enter into a Joint Powers Agreement with the Ramsey County Sheriff's Office to establish procedures and responsibilities for reimbursement for their participation in the Gerald D. Vick Human Trafficking Task Force.  
**Sponsors:**     Lantry  
**Attachments:**   [Ramsey County Sheriff Joint Powers Agreement Gerald Vick RES 13-1390.pdf](#)  
                         [Financial Analysis](#)
- 21     [RES](#)  
         [13-1373](#)     Setting the date of City Council Public Hearing for November 6, 2013 for 2014 Sanitary Sewer Rates and 2014 Storm Sewer System Charges.  
**Sponsors:**     Lantry

- 22     [RES](#)  
         [13-1403](#)     Authorizing the City to enter into Mn/DOT Agreement No. 04426 with the State of Minnesota, Department of Transportation.  
**Sponsors:**     Lantry  
**Attachments:**   [MnDOT Agreement 04426](#)
- 23     [RES](#)  
         [13-1370](#)     Approving a Liquor Outdoor Service Area (Patio) and Liquor Outdoor Service Area (Sidewalk) license with conditions for The Neighborhood Café (License ID #20120000960), 1570 Selby Avenue.  
**Sponsors:**     Khaliq  
**Attachments:**   [The Neighborhood Cafe Good Faith Letter](#)
- 24     [RES](#)  
         [13-1396](#)     Approving special law to issue a Liquor On-sale license to Capitol Cafeteria, also known as the Rathskeller Café, located in the state capitol building.  
**Sponsors:**     Lantry
- 25     [RES](#)  
         [13-1429](#)     Approving adverse action against the Cigarette/Tobacco license held by Rolu, LLC, d/b/a Mi Linda Tierra at 585 University Avenue West. (To be withdrawn)  
**Sponsors:**     Khaliq  
**Attachments:**   [Notice of Violation](#)  
                         [Tobacco Compliance Check Purchase Form](#)  
                         [Minn.Stat.Section 609.685](#)  
                         [SPLC Section 324.07](#)  
                         [SPLC Section 324.11](#)
- 26     [RES](#)  
         [13-1431](#)     Approving adverse action against the Cigarette/Tobacco license held by Hanna T. Mamo, d/b/a United Grocery at 170 Grand Avenue.  
**Sponsors:**     Thune  
**Attachments:**   [Notice of Violation](#)  
                         [Tobacco Compliance Check Purchase Form](#)  
                         [Minn.Stat.Section 609.685](#)  
                         [SPLC Section 324.07](#)  
                         [SPLC Section 324.11](#)
- 27     [RES](#)  
         [13-1425](#)     Approving adverse action against the Malt Off Sale and Cigarette/Tobacco license applications submitted by Piassa, LLC, d/b/a Piassa Market at 512 North Snelling Avenue. (To be withdrawn)  
**Sponsors:**     Stark  
**Attachments:**   [Notice of Intent to Deny Licenses](#)  
                         [MNCIS Conviction Record](#)  
                         [Electronic mail from DSI to City Attorney dated Aug 23rd 2013](#)  
                         [SPLC Section 310.06](#)

- 28      [RES 13-1426](#)      Approving adverse action against the Cigarette/Tobacco license held by Family Dollar Store, Inc. #6507 at 1990 Suburban Avenue.

**Sponsors:**      Lantry

**Attachments:**      [Notice of Violation](#)

[Tobacco Compliance Check Purchase Form](#)

[Receipt for tobacco sale](#)

[Minn.Stat.Section 609.685](#)

[SPLC Section 324.07](#)

[SPLC Section 324.11](#)

- 29      [RES 13-730](#)      Requesting a Planning Commission study of zoning changes to the sign ordinance regarding murals, flexible dynamic display screens, and outdoor business signs.

**Sponsors:**      Thune

#### FOR DISCUSSION

No discussion items

#### 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

- 30      [Ord 13-43](#)      Amending Appendix F, District Heating Franchise-District Energy St. Paul, Inc., to extend the term of the franchise to September 1, 2033. (Public hearing held August 21; laid over from August 28, September 4, and September 11)

**Sponsors:**      Lantry

- 31      [Ord 13-45](#)      Amending Appendix K, District Cooling Franchise-District Cooling St. Paul, Inc., to extend the term of the franchise to September 1, 2033. (Public hearing held August 21; laid over from August 28, September 4, and September 11)

**Sponsors:**      Lantry

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

- 32**     [RES PH](#)  
[13-222](#)     Approving the petition of David Brooks to right-of-way easement rights over a portion of a public alley in the block bounded by Wacouta Street, Wall Street, Sixth Street, and Seventh Street, for a pedestrian bridge.
- Sponsors:**     Thune
- Attachments:**   [General Map](#)  
[Map of Alley](#)  
[Survey Drawing & Bridge Plan](#)
- 33**     [RES PH](#)  
[13-225](#)     Approving the application of Sandy Schwarz, manager of Wild Tymes, for a sound level variance in order to present amplified music from 3:00 p.m. until 8:00 p.m. on September 28, 2013 at 33 Seventh Place West.
- Sponsors:**     Thune
- Attachments:**   [Wild Tymes SLV Application.pdf](#)  
[Wild Tymes ENS.pdf](#)  
[Wild Tymes Applicant Notification Letter.pdf](#)  
[Wild Tymes District Council 17 Notification.pdf](#)  
[Wild Tymes Map.pdf](#)  
[Wild Tymes Property Owner List.pdf](#)  
[Wild Tymes Example.pdf](#)
- 34**     [RES PH](#)  
[13-193](#)     Ratifying the assessment for the Hatch/Agate area paving/lighting project, constructed as part of the 2013 Residential Street Vitality Project (RSVP). (File No. 19138, Assessment No. 135202)
- Sponsors:**     Brendmoen
- Attachments:**   [Assessment Roll](#)
- 35**     [RES PH](#)  
[13-230](#)     Amending the financing and spending plans in the Police Department, Chief's Training Fund, in the amount of \$122,000 for the increase in training activities.
- Sponsors:**     Lantry
- Attachments:**   [Chief's Training Fund Budget Amendment](#)  
[Financial Analysis](#)
- 36**     [RES PH](#)  
[13-231](#)     Amending the financing and spending plans in the Police Department in the amount of \$87,217.95 for a grant from the Initial Teaching Alphabet Foundation (ITA) for use during the 2013-2014 school year.
- Sponsors:**     Lantry
- Attachments:**   [Initial Teaching Alphabet Foundation \(ITA\) Grant](#)  
[Financial Analysis](#)

- 37      [RES PH](#)      Establishing the financing and spending plans in the Police Department  
[13-232](#)      for a grant from Target Corporation in the amount of \$1,300 for the  
National Night Out event.
- Sponsors:**      Lantry
- Attachments:**    [Target Corporation National Night Out Grant](#)  
[Financial Analysis](#)

#### 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.

- 38      [RLH VO](#)      Appeal of Kenneth Firkus to a Revocation of Fire Certificate of  
[13-43](#)      Occupancy and Order to Vacate at 661 ASHLAND AVENUE.
- Sponsors:**      Khaliq
- Attachments:**    [661 Ashland Ave.appeal.8-16-13](#)  
[663 Ashland Ave.Photos.1-30-13](#)  
[661 Ashland Ave.Photos.8-12-13](#)  
[661 Ashland Ave.Firkus Ltr 8-29-13](#)
- 39      [RLH FCO](#)      Amending Council File RLH FCO 12-557, adopted October 13, 2012, to  
[13-212](#)      grant Cyrus Irani an additional extension for property at 1842 ASHLAND  
AVENUE.
- Sponsors:**      Stark
- Attachments:**    [1842 Ashland Ave.Minutes.8-27-13](#)
- 40      [RLH VBR](#)      Appeal of Donald Klemmer to a Vacant Building Registration Notice and  
[13-50](#)      Summary Abatement Order at 1060 AVON STREET NORTH.
- Sponsors:**      Brendmoen
- Attachments:**    [1060 Avon St N.appeal.9-3-13](#)  
[1060 Avon.Photos.8-22-13](#)  
[1060 Avon.SAO.8-22-13](#)  
[1060 Avon St N.Klemmer LO Ltr 9-4-13](#)  
[1060 Avon St N.Klemmer LO Ltr 9-11-13](#)



- 41      [RLH RR  
13-38](#)      Ordering the rehabilitation or razing and removal of the structures at 989 BARR STREET within fifteen (15) days after the August 21, 2013, City Council Public Hearing. (Public hearing continued from August 21) (To be laid over to October 8, 2013 Legislative Hearing and October 16, 2013 City Council Public Hearing)
- Sponsors:**      Brendmoen
- Attachments:**      [989 Burr St.OTA.6-18-13.pdf](#)  
                                    [989 Burr St.PH.7-12-13.pdf](#)  
                                    [989 Burr St.Photos 2-23-12.pdf](#)  
                                    [989 Burr St.Photos 11-26-12.pdf](#)  
                                    [989 Burr St.Photos 6-14-13.pdf](#)  
                                    [989 Burr Legistar Master Report for RLH VO 11-101](#)  
                                    [989 Burr St.Kujala Ltr 8-14-13](#)  
                                    [989 Burr St.Kujala Ltr 9-11-13](#)
- 42      [RLH TA  
13-535](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1306E1, Assessment No. 138308 at 1741 BUSH AVENUE.
- Sponsors:**      Lantry
- Attachments:**      [1741 Bush Ave.Correction Notice.2-13-13](#)  
                                    [1741 Bush Ave.EC Letters.2-28-13 & 3-8-13](#)  
                                    [1741 Bush Ave.Photos.2-28-13](#)
- 43      [RLH SAO  
13-35](#)      Appeal of Robert Madrigal to a Vehicle Abatement Order at 1779 CARROLL AVENUE.
- Sponsors:**      Stark
- Attachments:**      [1779 Carroll Ave.appeal.8-16-13](#)  
                                    [1779 Carroll Ave.Photos.7-24-13](#)  
                                    [1779 Carroll Ave.Madrigal Ltr 8-29-13](#)
- 44      [RLH FCO  
13-196](#)      Appeal of Mai Kou Vang to a Fire Inspection Correction Notice at 1751 CLEAR AVENUE.
- Sponsors:**      Bostrom
- Attachments:**      [1751 Clear Ave.appeal.8-19-13](#)  
                                    [1751 Clear Ave.Vang 8-29-13](#)
- 45      [RLH FCO  
13-193](#)      Appeal of Dale and Nancy Lapakko to a Notice of Incomplete Student Housing Registration Application at 2075 DAYTON AVENUE.
- Sponsors:**      Stark
- Attachments:**      [2075 Dayton Ave.appeal.8-16-13](#)  
                                    [LC Chapter 67 re Student Housing ao 8-22-13](#)  
                                    [2075 Dayton Ave.Lapakko Ltr 8-29-13](#)

- 46     [RLH SAO](#)     Appeal of Rebecca Bertini to a Summary Abatement Order at 872  
         [13-38](#)             DULUTH STREET.  
**Sponsors:**     Bostrom  
**Attachments:**   [872 Duluth St.appeal.8-26-13](#)  
                          [872 Duluth St.Bertini Ltr 9-4-13](#)
- 47     [RLH AR](#)             Ratifying the assessments for Demolition Services during May 2013 at  
         [13-78](#)             924 ELEANOR AVENUE. (File No. J1313C, Assessment No. 132016)  
**Sponsors:**     Lantry  
**Attachments:**   [Assessment Roll](#)
- 48     [RLH SAO](#)             Appeal of John Knowles to a Summary Abatement Order at 750  
         [13-36](#)             FOURTH STREET EAST.  
**Sponsors:**     Lantry  
**Attachments:**   [750 Fourth St E.appeal.8-21-13](#)  
                          [750 Fourth St E.Knowles Ltr FTA 8-29-13](#)  
                          [750 Fourth St E.Knowles Ltr 9-4-13](#)  
                          [750 4th St E.Photos.8-26-13](#)
- 49     [RLH FOW](#)             Appeal of Lisa Lambert to a Correction Notice - Foster Care Inspection  
         [13-11](#)             at 1964 FREMONT AVENUE.  
**Sponsors:**     Lantry  
**Attachments:**   [1964 Fremont Ave.appeal.8-15-13](#)  
                          [1964 Fremont Ave.Lambert Ltr 8-29-13](#)
- 50     [RLH FCO](#)             Appeal of Doug Ouimet to a Correction Notice-Complaint Inspection at  
         [13-218](#)             1467 SEVENTH STREET EAST.  
**Sponsors:**     Bostrom  
**Attachments:**   [1467 7th St E.appeal.8-23-13](#)  
                          [1467 Seventh Se E.Ouimet Ltr 9-4-13](#)
- 51     [RLH TA](#)             Ratifying the Appealed Special Tax Assessment for Real Estate Project  
         [13-488](#)             No. J1312B, Assessment No. 138114 at 1849 SEVENTH STREET  
                          EAST.  
**Sponsors:**     Lantry  
**Attachments:**   [1849 7th St E.Respro Invoice 5-28-13.pdf](#)  
                          [1849 7th St E.Police Report 5-28-13.pdf](#)  
                          [1849 7th St E.Letter from Inspector 6-4-13.pdf](#)

- 52     [RLH SAO  
13-37](#)     Appeal of Daniel Simmer to a Summary Abatement Order and Vehicle Abatement Order at 2036 SHERWOOD AVENUE EAST.  
**Sponsors:**     Bostrom  
**Attachments:**     [2036 Sherwood Ave E.appeal.8-23-13](#)  
                                 [2036 Sherwood.Photos.8-21-13](#)  
                                 [2036 Sherwood Ave E.Simmer Ltr 9-4-13](#)
- 53     [RLH AR  
13-79](#)     Ratifying the assessments for Tree Removal Services during May 2013 at 1260 SUMMIT AVENUE. (File No. 1307T, Assessment No. 139008)  
**Sponsors:**     Lantry  
**Attachments:**     [Assessment Roll](#)
- 54     [RLH TA  
13-534](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 1039 THIRD STREET EAST. (To be amended to File No. J1311A1, Assessment No. 138540)  
**Sponsors:**     Lantry  
**Attachments:**     [1039 Third St E.SA.5-24-13](#)

- 55      [RLH RR](#)  
[13-40](#)      Ordering the rehabilitation or razing and removal of the structures at 676 WELLS STREET within fifteen (15) days after the September 18, 2013, City Council Public Hearing. (To be laid over to September 24, 2013 Legislative Hearing and October 2, 2013 City Council Public Hearing)
- Sponsors:**      Bostrom
- Attachments:**    [676 Wells St.OTA.6-19-13.pdf](#)  
[676 Wells St.PH.7-26-13pdf](#)  
[676 Wells St.Code Compliance Report 10-29-12.pdf](#)  
[676 Wells St.SHPO Letter.7-12-13.pdf](#)  
[676 Wells St.Photos 8-07-12.pdf](#)  
[676 Wells St.Photos 10-12-12.pdf](#)  
[676 Wells St.Photos 8-13-13.pdf](#)  
[676 Wells St.Photos.8-15-13](#)  
[676 Wells St.Email Response to D5.7-16-13.pdf](#)  
[676 Wells St.Correspondence from Murph Dawkins.8-8-13.pdf](#)  
[676 Wells St.Email from City Engineer.8-14-13.pdf](#)  
[676 Wells St.City Engineer Photos.8-14-13.pdf](#)  
[676 Wells St.Email from City Building Official.8-19-13.pdf](#)  
[676 Wells St. O and E Repprt.8-9-13](#)  
[676 Wells St.Neighborhood Letters](#)  
[676 Wells St.R-R Ltr 8-30-13](#)  
[676 Wells.D5 McMurray Email.8-29-13](#)  
[676 Wells.D5 CPED Minutes.8-7-13](#)  
[676 Wells.McMurry-Moermond Chain.9-6-13](#)  
[676 Wells.D 5 Ltr to Moermond.9-6-13](#)  
[676 Wells St.R-R LO Ltr 9-11-13](#)
- 56      [RLH RR](#)  
[13-43](#)      Granting a stay in the enforcement of Council File No. RLH RR 13-26, an Order to Remove or Repair the Structures at 217-219 WHITE BEAR AVENUE NORTH.
- Sponsors:**      Lantry
- Attachments:**    [217-219 White Bear Ave.Work Plan and Photos.6-26-13](#)
- 57      [RLH AR](#)  
[13-76](#)      Ratifying the assessments for Boarding and/or Securing Services during May 2013. (File No. J1312B, Assessment No. 138114)
- Sponsors:**      Lantry
- Attachments:**    [Assessment Roll](#)

- 58      [RLH AR  
13-77](#)      Ratifying the assessments for Graffiti Removal Services from May 29 to June 3, 2013. (File No. J1312P, Assessment No. 138411)
- Sponsors:      Lantry
- Attachments:      [Assessment Roll](#)

## 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

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](http://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)