

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

Wednesday, December 3, 2014

3:30 PM

Council Chambers - 3rd Floor

Public Hearings at 5:30 p.m. Final hearing on the proposed 2015 Budget and Tax Levy (Truth in Taxation) at or after 6:30 p.m.

ROLL CALL

COMMUNICATIONS & RECEIVE/FILE

1	<u>AO 14-67</u>	Amending the 2014 spending budget for the General Government Accounts.
		Attachments: A.O. 14-67 General Govt Work Comp
2	<u>AO 14-68</u>	Correcting Public Works Engineering Fund 732 variances.
		Attachments: AO 14-68 ENGINEERING FUND
3	AO 14-69	Amending the 2014 spending budget in the Right of Way Fund, Traffic division accounting units.
		Attachments: Fund 230 Traffic Financial Analysis Template 11-17-14
4	AO 14-70	Amending the 2014 spending budget in the Central Service Fund, Treasury Fiscal Services accounting unit.
		Attachments: AO 14-70 - Treasury
5	<u>AO 14-72</u>	Authorizing the Police Department to reallocate the 2014 operating budget to more accurately record expenditures.
		Attachments: AO 14-72 General Fund Budget Reallocation

Attachments: AO 14-72 General Fund Budget Reallocation

Financial Analysis

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.

6	RES 14-2038	Approving the appointment of Nancy Homans as Interim Director of the Department of Public Works.
		<u>Sponsors:</u> Lantry
7	RES 14-2042	Memorializing a decision of the City Council granting the appeal of Donald Buckrey, d/b/a More4ABuck, and authorizing a change of nonconforming permit, with conditions, to operate an auto repair and an outdoor auto sales business at 1176 Dale Street North.
		<u>Sponsors:</u> Brendmoen
8	<u>RES</u> 14-1990	Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property from April to June 2014 at 106 King Street East, and setting date of City Council Public Hearing for January 7, 2015 to consider and levy the assessments. (File No. 1403LDSRP1, Assessment No. 144004)
		<u>Sponsors:</u> Thune
		Attachments: Report of Completion
		Assessment Roll
9	RES 14-1989	Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property from July to September 2014, and setting date of City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. 1501LDSRP, Assessment No. 154000)
		<u>Sponsors:</u> Lantry
		Attachments: Report of Completion
		Assessment Roll
10	RES 14-1991	Approving the City's cost of providing Repair of Sanitary Sewer Line on Private Property from July to September 2014, and setting date of City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. SWRP1501, Assessment No. 153000)

Sponsors: Lantry

<u>Attachments:</u> Report of Completion

Assessment Roll

11	RES
	14-1996

Approving the City's cost of providing Collection of Vacant Building Fees billed December 6, 2013 to August 26, 2014, and setting date of Legislative Hearing for January 6, 2015 and City Council Public Hearing for February 18, 2015 to consider and levy the assessments against individual properties. (File No. VB1503, Assessment No. 158802)

Sponsors: Lantry

Attachments: Report of Completion

Assessment Roll

12 RES 14-1999

Approving the City's cost of providing Property Clean Up services from October 1 to 30, 2014, and setting date of Legislative Hearing for January 6, 2015 and City Council Public Hearing for February 18, 2015 to consider and levy the assessments against individual properties. (File No. J1505A, Assessment No. 158504)

Sponsors: Lantry

<u>Attachments:</u> Report of Completion

Assessment Roll

13 <u>RES</u> 14-2000 Approving the City's cost of providing Trash Hauling services from October 1 to 29, 2014, and setting date of Legislative Hearing for January 6, 2015 and City Council Public Hearing for February 18, 2015 to consider and levy the assessments against individual properties. (File No. J1504G, Assessment No. 158703)

Sponsors: Lantry

Attachments: Report of Completion

Assessment Roll

14 <u>RES</u> 14-2001

Approving the City's cost of providing Tree Removal services during October 2014, and setting date of Legislative Hearing for January 6, 2014 and City Council Public Hearing for February 18, 2015 to consider and levy the assessments against individual properties. (File No. 1502T, Assessment No. 159001)

Sponsors: Lantry

Attachments: Report of Completion

Assessment Roll

15 <u>RES</u> 14-1985

Authorizing an agreement between the City and SBA 2012 TC Assets LLC for a cell tower encroachment on City property at 388 Como Avenue.

Sponsors: Thao

<u>Attachments:</u> Exhibit A - Depiction of Cell Tower Encroachments

Exhibit B - Encroachment Agreement

16	<u>RES</u> <u>14-2033</u>	Authorizing the City of Saint Paul to enter into a contract with the Saint Paul RiverCentre & Convention Authority to equip, maintain, manage, and operate the Saint Paul RiverCentre and to market and promote the City of Saint Paul as a tourist and convention destination. Sponsors: Lantry Attachments: Renewed Agreement with RCVA-DRAFT
17	<u>RES</u> <u>14-1997</u>	Authorizing the Department of Parks and Recreation to enter into an agreement with the State of Minnesota to accept payment to assist with Emerald Ash Borer detection and dispersal. Sponsors: Lantry Attachments: JPA branch sampling.pdf JPA EAB Coyle.pdf
18	<u>RES</u> <u>14-1975</u>	Authorizing the Department of Parks and Recreation to apply for funding to provide environmental education programs for recreation center youth at Trout Brook Nature Sanctuary and Como Regional Park and, if successful, enter into an agreement providing indemnification for Capitol Region Watershed District. **Sponsors:* Lantry**
19	<u>RES</u> <u>14-2013</u>	Authorizing the Department of Parks and Recreation to accept a grant from the Minnesota Association for Volunteer Administration (MAVA) in the amount of \$1,000 to support the Natural Resources volunteer program. Sponsors: Lantry
		Attachments: MAVA Grant for Environmental
20	<u>RES</u> 14-1579	Authorizing the Department of Parks and Recreation to apply for grant funding to develop an Archery Range program.
		<u>Sponsors:</u> Lantry
21	<u>RES</u> 14-1967	Memorializing City Council action taken November 5, 2014 approving the Preliminary and Final Plat for Pleasant Ridge.
		<u>Sponsors:</u> Thune
		Attachments: 14-307093 Final Plat
		14-307093 Resolution
		14-307093 Staff Report
		14-307093 Application

22	RES 14-2023	Approving the issuance of a conduit tax exempt revenue note for Open Cities Health Center, Inc.
		<u>Sponsors:</u> Lantry
		Attachments: Open Cities Financial Analysis.xls
		Port Authority Open Cities Board Report.pdf
		Port Authority Open Cities Board Resolution.pdf
23	<u>RES</u> 14-2045	Authorizing the Police Department to enter into an agreement, which includes an indemnification clause, with the State of Minnesota, State Patrol for Standardized Field Sobriety Testing.
		<u>Sponsors:</u> Lantry
		Attachments: State of MN-State Patrol, Standardized Field Sobriety Test
		Financial Analysis
24	RES 14-2015	Authorizing the City of Saint Paul to accept funds from the Ramsey County Public Entities Innovation Grant and to enter into a grant agreement.
		<u>Sponsors:</u> Lantry
25	<u>RES</u> 14-1980	Approving Right of Way Permit Fee Rates for 2015.
		<u>Sponsors:</u> Lantry
		<u>Attachments:</u> 2015PermitFeeResolutionAttachments
26	RES 14-2049	Approving adverse action against the Tanning Facility license held by CKF Holdings, Inc., d/b/a Perfect Tan at 373 Pederson Street, Unit #103.
		Sponsors: Lantry
		Attachments: Notice of Intent to Suspend License with Affidavit of Service.pdf
		SPLC 310.05(m)
27	RES 14-2050	Approving adverse action against the Taxicab Driver license held by Shane R. Swanson.
		<u>Sponsors:</u> Lantry
		Attachments: Notice of Intent to Revoke License with Affidavit of Service.pdf
		Register of Actions (MNCIS) Case No. 62-CR-14-7907.pdf
		SPLC 376.16 - Taxicab Driver's License
28	<u>RES</u> 14-2057	Amending sections 9 and 11 of Appendix Chapter A-11 to create an ENS notice for demolition permits within two (2) public business days following receipt of a permit.

Sponsors: Tolbert

29 <u>RES</u> 14-2058

Submitting a proposed amendment to Legislative Code §69.306 pertaining to subdivision regulations, to the Planning Commission for study and a report in accordance with Minn. Stat. §462.357, Subd. 4.

Sponsors: Tolbert

FOR DISCUSSION

30 <u>RES</u> 14-2043

Designating December 3, 2014 as Sawie Nebo Day in the City of Saint Paul.

Sponsors: Stark

31 <u>RES</u> 14-1729 Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Liquor On Sale - 101-180 Seats and Liquor On Sale - Sunday licenses for The Eagle Street Grille LLC (I.D. #20140001613), d/b/a The Salt Cellar at 173 Western Avenue North. (Public hearing held October 22; laid over from November 5)

Sponsors: Thao

Attachments: Minutes (09-04-2014)

Minutes (09-08-2014)

Conditions Affidavit (Signed on 07-03-2014)

Application

Floor Plan

Zoning Administrator Report on Parking Calculations

Aerial Photo

Street Photos

STAMP Activity

Police Indicent Report

Letters in Oppostion (Received by Response Deadline of 08-15-2014)

Applicants' Business Plan (Received on 09-04-2014)

Letter from Planning Council (Received on 09-04-2014)

Affidavit of James Crockerall (Received 09-08-14)

Letters in Oppostion (Received after Response Deadline of 08-15-2014)

Letters in Support (Received after Response Deadline of 08-15-2014)

Sign In Sheet Sept 4, 2014

Sign In Sheet Sept 8, 2014

Letter in Opposition from neighbor (10-18-14)

Letter in Opposition from Architect (10-18-14)

Moscow on the Hill letter re Salt Cellar

WA Frost letter re Salt Cellar

Austin correspondence opposing Salt Cellar

Kuhl email supporting Salt Cellar

Perrault email supporting Salt Cellar

Sonn email supporting Salt Cellar

Courtney letter to Council

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

32	<u>Ord 14-44</u>	Amending Chapter 157 of the Saint Paul Legislative Code pertaining to parking requirements for larger vehicles.
		<u>Sponsors:</u> Thune
33	Ord 14-45	Amending Chapter 161 of the Legislative Code to permit the Director of Public

Works to declare a continuous winter parking restriction on non-snow

Sponsors: Lantry

emergency routes.

34 Ord 14-46 Amending Chapter 162 of the Legislative Code to permit the impounding of vehicles during a continuous winter parking restriction on non-snow emergency routes.

Sponsors: Lantry

First Reading

35	Ord 14-47	Memorializing City Council action granting the application of John D. Lenzi to
		rezone property at 662 Payne Ave from B2 Community Business to T2
		Traditional Neighborhood, and amending Chapter 60 of the Saint Paul
		Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held
		November 5, 2014)

Sponsors: Lantry

36	<u>Ord 14-48</u>	Memorializing City Council action granting the application of Housing &	
		Redevelopment Authority (HRA) to rezone the property at 627 Wells St	
		from R4 One-family residential to T2 Traditional Neighborhood and	
		amending Chapter 60 of the Saint Paul Legislative Code pertaining to the	
		Saint Paul zoning map. (Public hearing held November 5, 2014)	

Sponsors: Bostrom

37	Ord 14-49	Amending Chapter 33 of the Saint Paul Legislative Code pertaining to permit
		fees.

Sponsors: Lantry

38	Ord 14-50	Amending Chapter 40 of the Saint Paul Legislative Code pertaining to fire certificate of occupancy.
39	Ord 14-51	<u>Sponsors:</u> Lantry Amending Chapter 43 of the Saint Paul Legislative Code pertaining to Vacant Buildings.
		<u>Sponsors:</u> Lantry

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

40 Ord 14-39 Creating Chapter 373 of the Saint Paul Legislative Code pertaining to Transportation Network Companies. (Public hearing continued from October 15 and November 19)

Sponsors: Lantry

Attachments: PCI Ltr re TNC ordinance

Cervantes email to Council

MCTA-Letter

41 Ord 14-40 Amending Chapter 310 of the Saint Paul Legislative Code to add a license fee for Transportation Network Companies. (Public hearing continued from October 15 and November 19)

Sponsors: Lantry

Attachments: Section 310.18 (f) Enforcement Level 6 - Transportation Network Companies

42 RES PH 14-336

Approving the application of Hangman Productions, Inc. for a sound level variance in order to allow 24/7 operation of chillers and generators from Friday, December 26, 2014 through Friday, February 6, 2015; and the use of an amplified sound system for the Red Bull Crashed Ice International Ice Cross event, to be held on Wednesday, January 21, 2015 through Saturday, January 24, 2015 between 4:00 p.m. and 10:00 p.m., near a chilled ice track along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch Park.

Sponsors: Thao

Attachments: Application

ENS

Map

Notice to District Councils

Notice to Property Owners

Property Owner List

Letter to Applicant

43 RES PH 14-339

Approving the petition of David Schreiner to vacate part of the right-of-way within Hastings Avenue in Burlington Park, Ramsey County, Minnesota.

Sponsors: Lantry

<u>Attachments:</u> Attachment A - Area Map Hastings Ave Vacation

Exhibit A Hastings Ave Vacation

44 PH 14-22

Public hearing to consider the application of Face to Face Health and Counseling Service Inc. to rezone property at 798 Rose Avenue East from RT1 Residential to T2 Traditional Neighborhood.

Sponsors: Bostrom

Attachments: PC Resolution

pcactionminutes111414

ZC draft minutes
60 day extension

ZC staff report

45 PH 14-23

Public hearing to consider the application of Joe Urbanski to rezone property at 1396 White Bear Avenue North from B2 Community Business to T2 Traditional Neighborhood.

Sponsors: Bostrom

Attachments: PC Resolution

pcactionminutes111414

ZC draft minutes
60 day extension
ZC staff report

46 PH 14-21

Public hearing to consider the application of Big Steer Meats to rezone property at 1762 Minnehaha Avenue East from R4 Single Family Residential to B2 Community Business.

Sponsors: Lantry

Attachments: PC Resolution

pcactionminutes111414

ZC draft minutes
60 day extension
ZC staff report

47 <u>RES PH</u> 14-335

Amending the financing and spending plans in the Emergency Management Department in the amount of \$405,000 for the Metropolitan Medical Response System Sustainment money.

Sponsors: Lantry

Attachments: RES PH 14-335 Emergency Mgmt MMRS Financial

MMRS Sustainment Money Letter

48	RES PH 14-315	Authorizing vacation and sale of the Lexington Library property at 1080 University Avenue West.
		Sponsors: Thao Attachments: Exhibit A - Legal Description Exhibit B - Depiction of Library Property Exhibit C - Report to Council
49	RES PH 14-337	Amending the budget in the Fire Department by establishing the financing and spending plans for a grant reimbursement from the City of Bloomington in the amount of \$16,708.24.
		<u>Sponsors:</u> Lantry <u>Attachments:</u> <u>SCT Training - Financial Analysis</u>
50	RES PH 14-334	Authorizing an increase in 2014 spending authority for the Department of Parks and Recreation, Parks Environmental Grants budget, by \$10,000 to fulfill an agreement with the Minnesota Historical Society.
		<u>Sponsors:</u> Stark <u>Attachments:</u> Parks MN Historical Society grant financial analysis
51	RES PH 14-332	Authorizing the Police Department to accept a grant in the amount of \$92,052 from the Initial Teaching Alphabet Foundation and to amend the 2014 budget in the department special fund for this grant.

Sponsors: Lantry

<u>Attachments:</u> 2014-2015 ITA Grant

Financial Analysis

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

Final Hearing on the proposed 2015 Budget and Tax Levy, aka Truth in Taxation hearing.

Sponsors: Lantry

<u>Attachments:</u> 2015 TNT Hearing Revised Final

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.

53 <u>RLH RR</u> 14-20 Amending Council File RLH RR 14-5 and RLH RR 14-17 to grant Jose Amaya a final extension to complete the rehabilitation of property at 444 BEACON AVENUE.

Sponsors: Stark

Attachments: 444 Beacon.Email Chain.10-27-14

444 Beacon Ave.Keiffer Email.10-27-14444 Beacon Ave.Owner Photos.10-27-14

444 Beacon Ave. Financial Documentations. 11-13-14

444 Beacon Ave.Amaya R-R Ltr 11-13-14

444 Beacon Ave. Heating and Cooling Design Invoice. 11-25-14

444 Beacon Ave.Prairie Plumbing Co Invoice.11-3-14
444 Beacon Ave.Wells Fargo Statement.11-26-14
444 Beacon Ave.Westys Electric Invoice.6-12-14

54 <u>RLH VBR</u> App 14-84 CO

Appeal of Benito Benitez to a Vacant Building Registration Fee at 452 CONCORD STREET.

Sponsors: Thune

Attachments: 452 Concord St.appea.10-28-14

452 Concord St.Benitez Ltr.11-5-14

55 <u>RLH OA</u> 14-30

Appeal of William T. Dillon to a Public Works letter denying an encroachment permit for a fence at 1401 ELEANOR AVENUE. (Public hearing continued from November 19)

Sponsors: Tolbert

Attachments: 1401 Eleanor Ave.appeal.10-24-14

1401 Eleanor Ave. Aerial Map. 11-4-14

SPLC Pertaining to 1401 Eleanor Fence Issue

1401 Eleanor Ave. Owner submitted materials to Public Works

1401 Eleanor Ave. Dillon Revised Ltr. 11-6-14

56 <u>RLH VBR</u> 14-83 Appeal of Sally Higgins to a Vacant Building Registration Renewal Notice at 25 EMPIRE DRIVE.

Sponsors: Thao

Attachments: 25 Empire Dr.appeal.10-28-14

25 Empire Dr.email to Appellant re hearing date.10-28-14

25 Empire Dr. Team Inspection Report. 8-14-14

25 Empire Dr. Higgins Ltr. 11-5-14

57 <u>RLH VBR</u> 14-87 Appeal of Mike Simerson to a Vacant Building Registration Notice at 305 GEORGE STREET WEST.

Sponsors: Thune

Attachments: 305 George St. W.appeal.10-30-14

305 George St. W.email to Appellant re hearing date.10-30-14

305 George St. Photos. 10-16-14

305 George St.Ubl Emailed Materials.10-31-14 305 George St.Fire C of O Revocation.10-8-14

305-307 George St W.Simerson Ltr.11-5-14

58 <u>RLH VBR</u> 14-86 Appeal of Abe Appert and Jack "John" Appert to a Vacant Building Registration Renewal Notice at 694 GRAND AVENUE.

Sponsors: Thune

Attachments: 694 Grand Ave.appeal.10-29-14

694 Grand Ave. Team Inspection. 2-21-14

694 Grand Ave.Appert Ltr.11-5-14

59 <u>RLH RR</u> 14-15 Ordering the razing and removal of the structures at 1164 MINNEHAHA AVENUE WEST within fifteen (15) days after the August 20, 2014, City Council Public Hearing. (Public hearing continued from August 20 and September 17) (To be referred back to Legislative Hearing on November 25, 2014 and City Council Public Hearing on December 3, 2014)

Sponsors: Stark

Attachments: 1164 Minnehaha Ave W.OTA 5-7-14

1164 Minnehaha Ave W.PH 6-13-14

1164 Minnehaha Ave W.Photos 8-16-13

1164 Minnehaha Ave W.Photos 5-2-14

1164 Minnehaha Ave W.SHPO Form 6-9-14

1164 Minnehaha Ave W.FTA R-R.Ltr 7-17-14

1164 Minnehaha Ave W.Email and Photos by Erlien.8-15-14

1164 Minnehaha Ave W.Erlien Ltr.8-13-14

1164 Minnehaha Ave W.Photos.8-4-14

1164 Minnehaha Ave W.Erlien Ltr.9-17-14

1164 Minnehaha Ave W Erlien Revised Ltr 9-17-14

1164 Minnehaha Ave W.Erlien Ltr.11-26-14

1164 Minnehaha Ave W.Erlien Revised Ltr.11-26-14

1164 Minnehaha Ave W.Erlien Revised Ltr.12-3-14

60 <u>RLH VBR</u> 14-82 Appeal of Jamie Thelen, on behalf of St. Paul Old Home Plaza, LLC, to a Vacant Building Registration Fee at 370 UNIVERSITY AVENUE WEST.

Sponsors: Thao

Attachments: 370 University Ave W.appeal.10-24-14

370 Univeristy Ave W.Email Chain.11-6-14

370 University Ave W.Thelen Ltr.11-5-14

61 <u>RLH CO</u> 14-16 Appeal of Melvin Welch for Ronald Adams to a Correction Order at 676 WELLS STREET.

Sponsors: Bostrom

Attachments: 676 Wells St.appeal.10-31-14

676 Wells St.email to atty re hearing date.10-31-14

676 Wells.Forfeit Notice.10-14-14

676 Wells Staff Backgrouind Rept 11-12-14

676 Wells St.Welch Ltr.11-13-14

62 <u>RLH VBR</u> 14-89 Appeal of Terrance Luther to a Vacant Building Registration Notice at 125 WINNIPEG AVENUE.

Sponsors: Thao

Attachments: 125 Winnipeg Ave.appeal.10-30-14

125 Winnipeg.SAO.10-23-14

125 Winnipeg.C of O Revocation.10-24-14

125 Winnipeg.Photos.10-22-14

125 Winnipeg Ave.Luther Ltr.11-5-14

SUSPENSION ITEMS

ADJOURNMENT

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Cable

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