Green Sheet Green Sheet Green Sheet Green Sheet Green Sheet Green Sheet

Department/office/council:	Date Initiated:
SI –Dept. of Safety & Inspections	27-AUG-08

Green Sheet NO: 3058746

Contact Person & Phone:
Christine Rozek
266-9108

Must Be on Council Agenda by (Date):
27-AUG-08

Doc. Type: RESOLUTION

E-Document Required: Y

Document Contact:

Contact Phone:

Assign Number For Routing Order

	Department	Sent To Person	Initial/Date
0	Dept. of Safety & Inspections		
1	Dept. of Safety & Inspections	Department Director	
2	City Attorney	City Attorney	
3	Council	City Council	
4	City Clerk		
5			

Total # of Signature Pages _____ (Clip All Locations for Signature)

Action Requested:
Waiving the 45-day notice requirement and granting Trotter's Country Bakery, Inc., d/b/a Trotter's Cafe and Bakery, 232 Cleveland Avenue North, a liquor outdoor service area (patio) license.

Recommendations: Approve (A) or Reject (R):

_____ Planning Commission
_____ CIB Committee
_____ Civil Service Commission
_____ _____
_____ _____
_____ _____
_____ _____

Personal Service Contracts Must Answer the Following Questions:

1. Has this person/firm ever worked under a contract for this department?
   Yes No
2. Has this person/firm ever been a city employee?
   Yes No
3. Does this person/firm possess a skill not normally possessed by any current city employee?
   Yes No

Explain all yes answers on separate sheet and attach to green sheet

Initiating Problem, Issues, Opportunity (Who, What, When, Where, Why):

Advantages If Approved:

Disadvantages If Approved:

Disadvantages If Not Approved:

Total Amount of Transaction:

Cost/Revenue Budgeted:

Funding Source:

Activity Number:

Financial Information: (Explain)

Suspension 8/27/08

Council File # 08-963
Green Sheet # 3058746

RESOLUTION
CITY OF SAINT PAUL, MINNESOTA

Presented by

WHEREAS, Trotter's Country Bakery Inc. d/b/a Trotter's Café and Bakery, located at 232 Cleveland Avenue North in Saint Paul, has requested a waiver of the 45-day notice requirement for issuance of a liquor outdoor service area (patio) license; and

WHEREAS, the Union Park District Council, has agreed to the waiver of the notice requirements; and

WHEREAS, 34 residential properties are within a 300 foot radius of licensee's proposed patio, and licensee has obtained consent from 12 of those properties (35%); and

WHEREAS, over the course of four months, licensee has left notes, knocked on doors and made phone calls in attempt to obtain signatures from the remaining residences but was unable to contact them and received no negative responses to his request for consent; and

WHEREAS, the Council finds that these efforts constitute a good faith effort to fulfill all petition requirements, and that the results of the attempts to obtain signatures showed a generally favorable disposition from the surrounding community toward the proposed licensed activity; and

WHEREAS, the Council finds that issuance of the license will not interfere with the reasonable use and enjoyment of neighboring property and residences and will not bear adversely on the health, safety, morals and general welfare of the community; and

WHEREAS, the Council finds that the application is in order and there are no grounds for denial of the license and that the failure to grant the waiver and the consequent delay in approving the license would cause exceptional and unusual hardship to the license applicant; and

WHEREAS, the licensee agrees that in the event a complaint is received prior to the expiration of the 45-day period and the complaint provides a basis for adverse action against the license, that the Department of Safety and Inspections may direct the licensee to immediately discontinue all operations until a public hearing is scheduled, and that the licensee shall comply with said directive; now, therefore, be it,

RESOLVED, that the 45 day notice requirements of § 409.06 of the Saint Paul Legislative Code are hereby waived and a liquor outdoor service area (patio) license is issued to Trotter's Country Bakery Inc. d/b/a Trotter's Café and Bakery, located at 232 Cleveland Avenue North in Saint Paul, subject to the agreement stated above.

	Yeas	Nays	Absent
Bostrom	✓		
Carter			✓
Harris	✓		
Helgen			✓
Lantry	✓		
Stark	✓		
Thune	✓		
	5	0	2

Adopted by Council: Date 8/27/08

Adoption Certified by Council Secretary

By: Mary Erickson

Approved by Mayor: Date 8/29/08

By: Chris Coleman

Requested by Department of:

DSI

By: Christine A Rozek

Approved by the Office of Financial Services

By:

Approved by City Attorney

By: Rachel Tierney

Approved by Mayor for Submission to Council

By: