



# City of Saint Paul

City Hall and Court House  
15 West Kellogg Boulevard  
Phone: 651-266-8560

## Minutes - Final 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*

Wednesday, September 28, 2011

3:30 PM

Council Chambers - 3rd Floor

### ROLL CALL

*The meeting was called to order by Council President Lantry at 3:30 p.m.*

**Present** 7 - Councilmember Dan Bostrom, Councilmember Melvin Carter III, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark

### COMMUNICATIONS & RECEIVE/FILE

- 1**      **CO 11-23**      Letters from the Department of Safety and Inspections declaring 1187 Edgerton Street, 11 Maryland Avenue East, and 1180 7th Street East as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

**Sponsors:**      Bostrom and Helgen

**Received and Filed**
  
- 2**      **AO 11-37**      Authorizing payment of all costs including airfare or mileage, meals, and taxi service for assessors that will assist in evaluating Police Department candidates for sergeant position, September 27-30, 2011 at Crowne Plaza Hotel, not to exceed \$10,000 from account code 001-04000-0219.

**Sponsors:**      Lantry

**Received and Filed**

## 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.**

### Approval of the Consent Agenda

*Item 11 was withdrawn. Item 17 was removed from the Consent Agenda for separate consideration.*

*Councilmember Bostrom approval of the Consent Agenda as amended.*

#### **Consent Agenda adopted as amended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 3      **RES 11-1865**      Approving the reappointments of Tom Reding and Harold Purtell by Mayor Chris Coleman to the Saint Paul Public Housing Agency.  
**Sponsors:**      Lantry  
**Adopted**
- 4      **RES 11-1840**      Accepting gifts of reimbursement for all travel expenses from Living Cities Learning Community for Deputy Mayor Paul Williams to attend the Living Cities Conference in Washington, D.C., October 4-6, 2011.  
**Sponsors:**      Lantry  
**Adopted**
- 5      **RES 11-1841**      Accepting the gift of all travel costs from PolicyLink for Deputy Mayor Paul Williams to attend the Policy Link Equity Summit 2011 in Detroit, Michigan, November 8-11, 2011.  
**Sponsors:**      Lantry  
**Adopted**
- 6      **RES 11-1885**      Authorizing the Fire Department to accept the donation of 812 Beanie Babies valued at \$812.00 from Walter and Marcella Eskierka.  
**Sponsors:**      Lantry  
**Adopted**
- 7      **RES 11-1839**      Authorizing the Police Department to enter into an agreement with Camp Ripley for use of the United States Army's advance training facility at Camp Ripley, Fort Ripley, Minnesota.  
**Sponsors:**      Lantry  
**Adopted**

- 8      **RES 11-1874**      Authorizing the City of Saint Paul to enter into a Memorandum of Understanding with the Corporation for National and Community Service (CNCS) for the period of the 2011-2012 VISTA program year.  
**Sponsors:**      Lantry  
**Adopted**
- 9      **RES 11-1873**      Approving the expiditures of Saint Paul VISTA Program staff for food and beverages during meetings which occur over mealtimes as allowed and allocated for by the Corporation for National and Community Service, not to exceed \$750.  
**Sponsors:**      Lantry  
**Adopted**
- 10     **RES 11-1822**      Waiving the 45 day notice requirement for issuance of a Wine On Sale, Malt On Sale (Strong) and Liquor Outdoor Service Area (Patio) license for Lily Pad Design, LLC, d/b/a Java Train at 1341 Pascal Street.  
**Sponsors:**      Stark  
**Adopted**
- 11     **RES 11-1913**      Approving adverse action against the Restaurant (4) 51-150 Seats license held by Franchise Associates, Inc., d/b/a Arby's Restaurant #778 at 1807 Suburban Avenue.  
**Sponsors:**      Lantry  
**Withdrawn**
- 12     **RES 11-1914**      Approving adverse action against the City Contractor-Fence license held by Dan's Fence, LLC, d/b/a Dan's Fence, LLC.  
**Sponsors:**      Lantry  
**Adopted**
- 13     **RES 11-1915**      Approving adverse action against the Massage Practitioner license held by Sarah A. Larson, d/b/a Sarah A. Larson at 50 Cretin Avenue South.  
**Sponsors:**      Stark  
**Adopted**
- 14     **RES 11-1922**      Approving adverse action against the Mobile Food Vehicle license held by Saul Sanchez, d/b/a Lilian's Ice Cream.  
**Sponsors:**      Lantry  
**Adopted**
- 15     **RES 11-1817**      Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the facade improvement at the Great Northern Building, 300 Wall Street. (File No. 19127, Assessment No. 117001)  
**Sponsors:**      Thune  
**Adopted**

- 16      **RES 11-1812**      Adopting the Smith Avenue Revitalization Plan as an addendum to the Saint Paul Comprehensive Plan.

**Sponsors:**      Thune

**Adopted**

- 17      **RES 11-1928**      Declaring October 4, 2011 to be Lorene Rademacher Geheren Day.

**Sponsors:**      Lantry

*Deputy City Attorney Gerald Hendrickson made brief comments honoring long time Eastside resident Lorene Rademacher Geheren on the occasion of her 100th birthday.*

*Councilmember Bostrom moved approval of the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

## **FOR DISCUSSION**

- 18      **AHPC 11-1**      Public hearing to consider the appeal of Shari Wilsey and Susan Foote to a decision of Heritage Preservation Commission Staff for conditionally approving a 78 feet by 34 feet galvanized steel panel fence with cedar posts and top in the front yard at 797 Summit Avenue, House of Hope Presbyterian Church, Hill Historic District. (Public hearing held July 20; laid over from December 21)

**Sponsors:**      Carter III

*Councilmember Carter moved a two week layover.*

**Laid over to October 12**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 19      **RLH RR 11-52**      Ordering the rehabilitation or razing and removal of the structures at 1440 ROBLYN AVENUE within fifteen (15) days after the September 7, 2011 City Council public hearing. (Public hearing held September 7; laid over from September 21)

**Sponsors:**      Carter III

*Legislative Hearing Officer Marcia Moermond said she'd spoken with the building official and with zoning staff and they felt sufficient materials had been provided to move forward with reviewing the building permit. Ms. Moermond expressed concern that the project would continue to languish and she recommended granting 45 days for removal or rehabilitation, with an additional 45 days to be granted only if the the foundation was completed and building attached to the foundation by that time.*

*Councilmember Carter moved to adopt Ms. Moermond's recommendation, and he thanked her for her hard work on the matter.*

**Adopted as amended (45 days to remove or repair the building, with an additional 45 days contingent upon completion of the foundation work to the building official's satisfaction)**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 20      **RLH RR 11-55**    Ordering the rehabilitation or razing and removal of the structures at 937 IGLEHART AVENUE within fifteen (15) days after the September 21, 2011, City Council Public Hearing. (Public hearing held September 21)

**Sponsors:**      Carter III

*Legislative Hearing Officer Marcia Moermond said all of the required materials had been provided; she recommended granting 180 days for the removal or repair of the building.*

*Councilmember Carter moved to adopt the resolution as amended.*

**Adopted as amended (180 days to remove or repair the structure)**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

## **PUBLIC HEARING**

- 21      **RLH VO 11-17**    Appeal of Zach Volk, on behalf of Union Depot Lofts Association, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 214 FOURTH STREET EAST. (Public hearing continued from September 21)

**Sponsors:**      Thune

*Councilmember Thune said there was agreement among all parties on the final resolution. He thanked Jim Bloom and Greg Johnson from DSI, Ms. Moermond, and the condo owners.*

*No one appeared in opposition; Councilmember Thune moved to close the public hearing and grant the appeal.*

**Appeal granted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

## SUSPENSION ITEM

### Rules suspended

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**SR 11-71** Presentation of the 2010 Workforce Solutions annual report.

**Sponsors:** Helgen

*Director Patricia Brady and program managers Joan Truhler, Kate Probert, and Terry Zurn presented a report on 2010 program activities.*

*Councilmember Stark asked about types of job placements and retention rates for MFIP recipients. Ms. Truhler said the highest risk of job loss was during the first 30 days of employment; she said there was a job retention program and providers were expected to follow up for at least 90 days after job placement. She said the jobs taken by this population tended to be seasonal, cyclical or with too few hours to receive benefits or to qualify for unemployment when the job ended, and that set of circumstances lead to recidivism. She said she would provide more exact figures on retention rates and on the types of jobs.*

*Ms. Brady made concluding remarks and thanked Councilmember Helgen for his help to get the Blue Ribbon Commission up and running. She said the Council would receive a written report.*

*Councilmember Helgen said the results of the Blue Ribbon Commission Report would help highlight the employment disparity gap in the Twin Cities region and the work that needs to be done to address it.*

**Received and Filed**

## 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 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

*Councilmember Harris moved approval.*

*Councilmember Harris recognized Gary Nordstrom, former City finance director and treasurer, who was visiting the meeting.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 23 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 24 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 25 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 26 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**27 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**28 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**29 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0



**30 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**31 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**32 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**33 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**34 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

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**35 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

*Councilmember Carter moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**36 Ord 11-92** Amending Chapter 409.26 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations.

**Sponsors:** Lantry

*Councilmember Carter moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 37      **Ord 11-93**      Amending Chapter 310.05 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations.  
Sponsors:      Lantry  
*Councilmember Carter moved approval.*  
**Adopted**  
**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark  
**Nay:** 0
- 38      **Ord 11-95**      Memorializing City Council action taken on August 17, 2011, granting the application to rezone property at 745 White Bear Avenue N from OS Office-Service to B2 Community Business and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. [Zoning File # 11-143721] [Public hearing held August 17, 2011].  
Sponsors:      Lantry  
*Councilmember Bostrom moved approval.*  
**Adopted**  
**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark  
**Nay:** 0
- 39      **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  
*Councilmember Harris read a statement of legislative intent into the record. He moved approval.*  
**Adopted**  
**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark  
**Nay:** 0

**Second Reading**

- 40      **Ord 11-94**      Amending Chapter 310.05 of the Saint Paul Legislative Code to establish presumptive penalties for sidewalk café license violations.  
Sponsors:      Lantry  
**Laid over to October 5 for third reading/public hearing**

- 41      **Ord 11-97**      Repealing Chapter 166 of the Saint Paul Legislative Code pertaining to "Residential Permit Parking - University of Minnesota, St. Paul Campus and William Mitchell College of Law" and incorporating these permit regulations into the new Chapter 164, Traffic Code - Residential Permit Parking - Guidelines and Regulations.

**Sponsors:**      Carter III and Stark

**Laid over to October 5 for third reading/public hearing**

## **ADJOURNMENT**

*Councilmember Harris moved adjournment at 4:17 p.m.*

### **Meeting adjourned**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

## **Council Meeting Information**

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