



# 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*

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Wednesday, October 26, 2011

3:30 PM

Council Chambers - 3rd Floor

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#### 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 11-27](#) Letters from the Department of Safety and Inspections declaring 81 Jessamine Avenue East, 586 Maryland Avenue West, and 594 Maryland Ave West as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

**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

*Councilmember Bostrom moved approval of the Consent Agenda.*

#### Adopted

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

**Nay:** 0

- 2      [RES 11-2135](#)      Approving the Mayor's appointment of David Wagner and the reappointments of Matt Hill, Matt Mazanec, Diane Trout-Oertel, and David Wagner to serve on the Heritage Preservation Commission.

**Adopted**

- 3      [RES 11-2125](#)      Authorizing the applications to the Department of Employment and Economic Development for contamination investigation and cleanup grants, and to the Metropolitan Council for tax base revitalization grants for the Chittenden and Eastman, Starky, Rayette, Schmidt Brewery Phase II, 2318 Marshall, and the Hamm's Brewery sites.

**Adopted**

- 4      [RES 11-2081](#)      Approving the second amendment to city contract #02-15698-G with the State of Minnesota to continue participation in the Narcotics and Gang Task Force - Safe Streets program.

**Adopted**

- 5      [RES 11-2023](#)      Approving the City's cost of providing Collection of Vacant Building Fees services in August 2011, and setting date of Legislative Hearing for November 15, 2011 and City Council Public Hearing for January 4, 2012 to consider and levy the assessments against individual properties. (File No. VB1201, Asmt No. 128800)

**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

- 6      [RES 11-2024](#)      Approving the City's cost of providing Property Clean Up services in August 2011 at 1332 3rd Street East, and setting date of Legislative Hearing for November 15, 2011 and City Council Public Hearing for January 4, 2012 to consider and levy the assessments. (File No. J1202A, Asmt No. 128501)

**Adopted**

- 7      [RES 11-2025](#)      Approving the City's costs for providing Demolition services during August 2011, and setting date of Legislative Hearing for November 15, 2011 and City Council Public Hearing for January 4, 2012 to consider and levy the assessments against individual properties. (File No. J1202C)

**Adopted**

- 8      [RES 11-2026](#)      Approving the City's cost of providing Boarding and Securing services in August 2011, and setting date of Legislative Hearing for November 15, 2011 and City Council Public Hearing for January 4, 2012 to consider and levy the assessments against individual properties. (File No. J1201B, Asmt No. 128100)

**Adopted**

- 9      [RES 11-2028](#)      Approving the City's cost of providing Excessive Inspection services during July 2011, and setting date of Legislative Hearing for November 15, 2011 and City Council Public Hearing for January 4, 2012 to consider and levy the assessments against individual properties. (File No. J1201E, Asmt No. 128300)
- Adopted**
- 10     [RES 11-2029](#)      Approving the City's cost of providing Trash Hauling services from September 1 to 28, 2011, and setting date of Legislative Hearing for November 15, 2011 and City Council Public Hearing for January 4, 2012 to consider and levy the assessments against individual properties. (File No. J1202G, Asmt No. 128701)
- Adopted**
- 11     [RES 11-2030](#)      Approving the City's cost of providing Graffiti Removal services from July 26 to September 15, 2011, and setting date of Legislative Hearing for November 15, 2011 and City Council Public Hearing for January 4, 2012 to consider and levy the assessments against individual properties. (File No. J1202P, Asmt No. 128401)
- Adopted**
- 12     [RES 11-2033](#)      Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add an Entertainment B license to the existing Wine On Sale, Malt On Sale (Strong), and Restaurant 5 (151 and over seats) licenses, for Hoa Bien Incorporated (ID#20060000131), d/b/a Hoa Bien, 1105 University Avenue West.
- Adopted**
- 13     [RES 11-2113](#)      Approving adverse action against all licenses held by Lee Vang, d/b/a Asian Special Drinks & Deli, 217 Como Avenue, Unit #131.
- Adopted**
- 14     [RES 11-2129](#)      Waiving the 45 day notice requirement for issuance of on-sale liquor licenses for Smashburger Acquisitions-Minneapolis LLC, d/b/a Smashburger, 2138 Ford Parkway.
- Adopted**
- 15     [RES 11-2126](#)      Waiving the distance requirement of 300 feet from any church for a Liquor Off-Sale license for Midway Liquor Store, Inc., d/b/a Midway Liquor Store, 1955 University Avenue.
- Adopted**
- 16     [RES 11-2127](#)      Waiving the 45 day notice requirement for issuance of a Liquor Off-Sale license for Midway Liquor Store, Inc., d/b/a Midway Liquor Store, 1955 University Avenue.
- Adopted**
- 17     [RES 11-2051](#)      Reducing the assessment for the Page/Woodbury Residential Street Vitality Program (RSVP) at 132 STEVENS STREET. (File No. 19077, Assessment No. 115118)
- Adopted**

- 18     [RES 11-1994](#)     Amending the assessment for Property Clean Up services from March 1 to 31, 2011 to ratify the assessment at 768 CENTRAL AVENUE WEST. (File No. J1112A, Assessment No. 118064)  
**Adopted**
- 19     [RLH AR 11-122](#)     Amending the assessment for Boarding and Securing Services during June 2011 to delete the assessment at 680 MINNEHAHA AVENUE WEST. (File No. J1112B, Assessment No. 118117)  
**Adopted**
- 20     [RLH AR 11-112](#)     Amending the assessment for Property Cleanup Services from June 1 to June 29, 2011 to delete the assessment at 1254 RAYMOND AVENUE. (File No. J1115A, Assessment No. 11803)  
**Adopted**
- 21     [RLH AR 11-113](#)     Amending the assessment for Boarding and Securing Services during June 2011 to reduce and spread payments at 264 POINT DOUGLAS ROAD NORTH. (File No. J1112B, Assessment No. 118117)  
**Adopted**
- 22     [RLH AR 11-125](#)     Amending the assessment for Boarding and Securing Services during June 2011 to delete the assessment at 724 FOURTH STREET EAST. (File No. J1112B, Assessment No. 118117)  
**Adopted**
- 23     [RLH AR 11-126](#)     Amending the assessment for Collection of Delinquent Vacant Building Fees (re-invoiced) in April 2010 to delete the assessment at 1836 ROSS AVENUE. (File No. VB1004, Assessment No. 108880)  
**Adopted**
- 24     [RLH AR 11-127](#)     Amending the assessment for Emergency Boarding and Securing and/or Boarding of Vacant Buildings during March 2010 to delete the assessment at 1836 ROSS AVENUE. (File No. J1005B, Assessment No. 108886)  
**Adopted**

**FOR DISCUSSION**

- 25     [SR 11-84](#)     Update on the activities of the Ramsey County Attorney's Office.

*Ramsey County Attorney John Choi said the Ramsey County Attorney's office wanted to be part of continuing to make St. Paul the most livable city. He reviewed new initiatives his office had undertaken in the 10 months since he'd begun to serve as County Attorney. He reiterated his desire to work with the Council as elected officials to continue to make the St. Paul safe and livable.*

**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**

- 26     [Ord 11-101](#)     Amending Legislative Code Chapters 63 and 65 pertaining to solar energy systems.

*Councilmember Thune moved approval.*

*Councilmember Stark congratulated staff and stakeholders on their work.*

**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 11-98](#)     Amending Chapter 88 of the Legislative Code pertaining to water meters, to define new metering system technology and installation requirements, and to permit customers to select alternative metering systems, and imposing additional charges for manual reads of alternative metering systems.

*Councilmember Harris 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 11-99](#)     Amending Chapter 91 of the Legislative Code pertaining to water meter removal, to update language to conform to new metering system technology.

*Councilmember Harris 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 11-100](#)      Amending Chapter 94 of the Legislative Code pertaining to water meter removal, to update language to conform to new metering system technology.

*Councilmember Harris moved approval.*

*Councilmember Harris thanked SPRWS staff for their response to concerns and for their work.*

*Councilmember Helgen echoed the thanks to staff and asked that they continue to monitor scientific research and costs.*

**Adopted**

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

**Nay:** 0

**Third Reading, No Public Hearing**

- 30      [Ord 11-106](#)      Memorializing City Council action granting the application of Rolando Aguilar, et. al. for the rezoning from RT1 Two-Family Residential to T2 Traditional Neighborhood of portions of 908 Arcade Street and 833 York Avenue and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

**Laid over to November 2 for final adoption**

**Second Reading**

- 31      [Ord 11-102](#)      Amending Chapter 86 of the Saint Paul Administrative Code to correct the title of the Department of Human Rights and Equal Economic Opportunity, clarify signature authority, and impose a fee for affirmative action plan certificates of compliance.

**Laid over to November 2 for third reading/public hearing**

- 32      [Ord 11-107](#)      Amending Chapter 362 of the Saint Paul Legislative Code, to update outdated language and to add requirements for displaying business names and license numbers, adhering to industry standards for tree work, and registering with the State Department of Agriculture.

**Laid over to November 2 for third reading/public hearing**

- 33      [Ord 11-108](#)      Amending Chapter 409.06 of the Saint Paul Legislative Code regarding liquor licenses for private colleges to clarify the amendment of July 13, 2011.

**Laid over to November 2 for third reading/public hearing**

*Councilmember Thune moved to reconsider Item 5. Yeas - 7 Nays - 0*

*Councilmember Thune amended the resolution with the deletion of 413 Robie and moved approval as amended. He said it was a project they were working on with Guadalupe Area Project.*

*Council President Lantry noted that the resolution only set the date of the Legislative Hearing and Council public hearing, and the address would have to be deleted at the time the assessment roll came before the Council for ratification.*

**ADJOURNMENT**

*Councilmember Thune moved to adjourn the meeting at 3:45 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

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