

ACTION MINUTES OF THE SAINT PAUL CITY COUNCIL Wednesday, October 10, 2007 - 3:30 p.m.

CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Mary Erickson - 651-266-8565 Office of the City Council

Present – 7 – Benanav, Bostrom, Harris, Helgen, Lantry, Montgomery, Thune Absent – 0

CONSENT AGENDA (Items 1 - 29)

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

- Claims of Virginia Graham, Melissa A. Haley, Bernard E. Miller, Randy L. Skrove, Elizabeth A. Smolinski, Qwest, and Carole S. Zellie.
 Referred to Risk Management
- Summons and Complaint and Petition for Writ of Mandamus in the matter of Richard Wybierala vs. the City of Saint Paul.
 Referred to the City Attorney's Office
- Complaint and Interrogatories in the matter of Teresa Cardona, parent and natural guardian of Grisel Cardona, vs. the City of Saint Paul, et al.
 Referred to the City Attorney's Office

- 4. Letter from the Department of Safety and Inspections announcing a continuation of a public hearing before the City Council on October 17, 2007 concerning the appeal of Judith Beck and 31 neighbors to a decision of the Board of Zoning Appeals approving the variances for lot coverage and setbacks to redevelop the St. Paul Church Home site for senior housing with underground parking and townhomes. (This is a revised hearing notice which reflects proposed changes to the variances requested as a result of discussions between the appellants and the developer.) [ZF 07-137535] (Public hearing continued from October 3)
- 5. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on October 17, 2007 to consider the application of James McCann for a Combined Plat for Update Addition to create five (5) industrial parcels and variance of parkland dedication requirement at 2340 Capp Road and 2325 Endicott Street, southwest corner at Hersey Street. [ZF 07-087-802]
- 6. Administrative Order:

D002678 Amending the budget to reflect the allocation of STAR funds awarded through Wards 3, 4, and 6 Neighborhood Investment Initiative Program.

On file in the City Clerk's Office

FOR ACTION

7. Resolution – 07-907 – Approving the Labor Agreement between the City and the Lakes and Plains Regional Council of Carpenters and Joiners for the period May 1, 2007 through April 30, 2010. (Laid over from October 3 for adoption) (GS 3043833)

Adopted Yeas - 7 Nays - 0

8. Resolution – 07-908 – Approving the Memorandum of Agreement between the City and the Saint Paul Fire Supervisory Association, Local 3939, regarding health insurance options and contribution levels for 2008, 2009, and 2010. (Laid over from October 3 for adoption) (GS 3044051)

Adopted Yeas - 7 Nays - 0

9. Resolution – 07-945 – Approving the change in rate of pay for the classification of Payroll Auditor from Grade 030 to Grade 031 of Bargaining Unit 01, AFSCME District Council #5, Clerical Local Union #2508. (GS 3044030)

Adopted Yeas - 7 Nays - 0

10. Resolution – 07-946 – Declaring Monday, September 24, 2007 to be *Charles* "*Chuck*" *Aguirre Day in the City of Saint Paul*. (GS 3044701)

Adopted Yeas - 7 Nays - 0

11. Resolution – 07-947 – Approving the reappointment of Shari A. Moore, made by the City Council, as City Clerk. (GS 3044682)

Adopted Yeas - 7 Nays - 0

12. Resolution – 07-948 – Approving the appointments of Curt Milburn, Chad Kulas, Jerry Hanson, Richard Dunn, David Regan, Judd Fenlon, Chad Curran, Ken Liddell, Phil Owens and Pat Mancini, and the reappointments of Tom Azzone, David Baker, Teri Banaszewski, Bill Cosgriff, Tait Danielson, Billie Young, Pat Igo, and Mike Skillrud, by Mayor Coleman, to the Business Review Council. (GS 3044310)

Adopted Yeas - 7 Nays - 0

13. Resolution – 07-949 –Approving the appointment of Ken Peterson and Nancy Homans, and the reappointments of Becky Hicks and Bob Odman, by Mayor Coleman, to the Ramsey County/City of Saint Paul Homeless Advisory Board. (GS 3044676)

Adopted Yeas - 7 Nays - 0

14. Resolution – 07-950 – Approving the appointment of Jeanette Sobania (Alternate), and the reappointment of Lynn Larkin Wright (Delegate), by Mayor Coleman, to the Civil Service Commission. (GS 3044677)

Adopted Yeas - 7 Nays - 0

15. Resolution – 07-951 – Approving the reappointment of George Fremder, by Mayor Coleman, to the At-Large position on the District Energy Board of Directors. (GS 3044678)

Adopted Yeas - 7 Nays - 0

16. Resolution – 07-952 – Approving the reappointments of Shirley Kane and Maria Manzanares, by Mayor Coleman, to the Saint Paul Public Housing Agency. (GS 3044679)

Adopted Yeas - 7 Nays - 0

- 17. Resolution 07-953 Approving the decision of the Legislative Hearing Officer on Appeals of Letters and Letters of Deficiency for properties at 41 Douglas Street, 1893 Marshall Avenue, and 1204 Sherburne Avenue. (GS 3044693)

 Adopted Yeas 7 Nays 0
- 18. Resolution 07-954 Approving the decision of the Legislative Hearing Office on Appeals of Letters of Deficiency for properties at 283 Harrison Avenue and 2174 Princeton Avenue. (GS 3044697)

Adopted Yeas - 7 Nays - 0

19. Resolution – 07-955 – Authorizing the Division of Parks and Recreation to enter into an agreement with the Minnesota Department of Natural Resources to amend the City's 2006 Shoreline Habitat Restoration grant for Lake Como. (GS 3044130)

Adopted Yeas - 7 Nays - 0

- 20. Resolution 07-956 Authorizing the Police Department to enter into a Community Policing grant agreement with the State of Minnesota which provides funding for one new officer assigned to community policing duties. (GS 3043956)

 Adopted Yeas 7 Nays 0
- 21. Resolution 07-957 Authorizing the Police Department to enter into a Getting Residents Involved Daily (GRID) project grant with the State of Minnesota which provides funding for overtime hours for assigned sworn personnel to work in high crime areas and assist in problem solving and crime prevention. (GS 3043931)

 Adopted Yeas 7 Nays 0
- 22. Resolution 07-958 Authorizing the Department of Public Works to enter into an intercreditor agreement between the City and Ramsey County subordinating any City security interest in processing equipment to be purchased and installed by Eureka Recycling for glass processing, utilizing a loan from the Ramsey County Recycling Market Development Fund. (GS 3044216)

Adopted Yeas - 7 Nays - 0

23. Resolution – 07-959 – Amending the 2007 budget to provide for the scope changes needed in the renovation of the 15th floor City Hall Annex and for the repayment of the loan in 2007. (GS 3040831)

Laid over to October 17

Yeas - 7 Nays - 0

24. Resolution – 07-960 – Amending the financing and spending plans of the Selby, Victoria, Minnehaha, and Jessamine at Como Place projects by transferring MSA funding from Selby Streetscape Phase I and PIA from the 2000 Local Street Improvement Program. (GS 3042031)

Laid over to October 17

Yeas - 7 Nays - 0

25. Resolution – 07-961 – Amending the spending and financing plans of the 2006 Residential Street Vitality Program by adding assessments and SPRWS funding and transferring Sewer, PIA, and Street Improvement Bonds from other capital projects. (GS 3043432)

Laid over to October 17

Yeas - 7 Nays - 0

26. Resolution – 07-962 – Amending the spending and financing plans of the St. Peter/Rondo Storm Tunnel Phase II project by transferring 2007 funding from the Sewer Utility Fund, and surplus funding from the St. Peter/Rondo Storm Tunnel Phase I project. (GS 3043100)

Laid over to October 17

Yeas - 7 Navs - 0

27. Resolution – 07-963 – Approving additional budget authority for various divisions for defensive driving classes for Department of Public Works' employees. (GS 3043350)

Adopted Yeas - 7 Nays - 0

28. Resolution – 07-964 – Amending the spending and financing plans of the 2007 Residential Street Vitality Program by adding SPRWS, STAR Grant funds and alley assessments and transferring Major Sewer Repair, Stormwater Quality Improvements, MSA and CIB funds from other capital projects. (GS 3043390)

Laid over to October 17

Yeas - 7 Navs - 0

29. Preliminary Order – 07-965 – In the matter of improving the alley in Michel and Robertson's Addition, Block 9, by grading and paving with bituminous material in the area bounded by James, Palace, Chatsworth, and Milton, and in the matter of condemning and taking an easement in the land necessary for the slopes, cuts and fills, including right of removal of lateral support from subject land or land remainder thereof, occasioned by excavation thereof or construction of slopes in the grading and paving the alley in Michel and Robertson's Addition, Block 9, and setting date of public hearing for November 21, 2007. [File No. 1908] (GS 3044390)

Adopted Yeas - 7 Nays - 0

FOR DISCUSSION

30. Resolution 07-944 – Formally vacating the stay in implementation of Council File #05-669, an Order to Remove or Repair 332 Saint Clair Avenue. (Laid over from October 3) (GS 3044713)

Adopted Yeas - 7 Nays - 0

31. Consideration of the appeal of University United to a decision of the Planning Commission approving the site plan for two new commercial buildings (a two-story Walgreens with a drive-thru pharmacy window and a Big Top Liquor store) at 1532 University Avenue. [Zoning File 07-048836] (Public hearing held and laid over from October 3)

Motion of Intent – Appeal denied with conditions Yeas - 7 Nays – 0

ORDINANCES

NOTE: 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.

32. Final Adoption – 07-853 – An ordinance amending Chapter 40 of the Saint Paul Legislative Code to provide the Fire Marshal authority to suspend or revoke the fire certificate of occupancy when an owner or interested party cannot be identified after a good-faith effort. (GS 3043535)

Adopted Yeas -7 Nays -0

33. Final Adoption – 07-887 – An interim ordinance pursuant to Minn. Stat. 462.355, Subd. 4, preserving the status quo regarding a residential property use commonly known as a "sober house" pending the completion of studies of possible amendments to the City's official controls. (GS 3044184)

Adopted Yeas - 7 Nays - 0

- 34. Second Reading 07-925 An ordinance amending Section 140.06 of the Saint Paul Legislative Code regulating conduct in the skyway system by deleting obsolete language and adding new language reflecting changes in the administrative process for regulating skyway conduct. (GS 3041970)

 Laid over to October 17 for third reading/public hearing
- 35. Second Reading 07-926 An ordinance amending Chapter 366A of the Saint Paul Legislative Code, Parades, Races, and Public Assemblies by moving skyway permits to Chapter 140. (GS 3043363)

 Laid over to October 17 for third reading/public hearing
- 36. First Reading 07-966 An ordinance amending Chapter 310 of the Saint Paul Legislative Code to increase license fees (except restaurants and on-sale liquor) to reflect the current level of service. (GS 3044691)

 Laid over to October 17 for second reading
- 37. First Reading 07-967 An ordinance amending Chapter 310 of the Saint Paul Legislative Code to increase license fees for restaurants and on-sale liquor to reflect the current level of service. (GS 3044700)

 Laid over to October 17 for second reading

Suspension Item:

Resolution – 07-968 – Approving the appointments of Alan Emory, Stephanie Alstead, and Brian Winkelaar, and the reappointments of Gerald Beedle, Michael Moser, Robert Nardi, and James Reiter, by Mayor Coleman, to the Truth in Sale of Housing Board. (GS 3044930)

Adopted Yeas -7 Nays -0

Council Meeting Information

Web

Meetings are available on the Council's Web site. Email notification and web feeds (RSS) of newly released Minutes, Agendas and Meetings are available by subscription. Please visit 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)
