



**SUMMARY MINUTES OF THE
SAINT PAUL CITY COUNCIL
Wednesday, July 25, 2007 - 3:30 p.m.**

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

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at www.ci.stpaul.mn.us/council and click on Watch the Live Webcast.

Present – 4 – Benanav, Bostrom, Helgen, Lantry
Absent – 3 – Harris (excused), Montgomery (arrived after the consent agenda),
Thune (arrived after roll call)

CONSENT AGENDA (Items 1 - 26)

*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.*

Councilmember Helgen requested Items 4 and 5 be read into the record.
Councilmember Benanav requested Item 11 be removed for separate consideration.
Councilmember Benanav moved approval of the consent agenda as amended.
Adopted as amended Yeas – 5 Nays – 0

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

1. Claims of Jacob Biragbara, Holly B. Camillo, Andy J. Dols, Michelle Furrer, Luke A. Hunt, Lisa K. Grahek, James Koch, Tamika R. Rodgers, Bruce A. Smith, and Joel E. Solomonson.
Referred to Risk Management
2. Statement of Claim and Summons in the matter of Jeffrey Allen Faudskar vs. one 1994 Buick.
Referred to the City Attorney's Office

3. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on August 1, 2007 to consider the application of Commonbond Communities, Commerce Partners LLC c/o United Properties to create six (6) parcels and variances of subdivision regulations regarding boundary lines, surveyors certification, and monuments at 8 4th Street East (southeast corner at Wabasha). (Zoning File No. 07-080-8738, Commerce Building)
(This item was discussed at the end of the consent agenda)
4. Letter from the Office of the City Attorney announcing a public hearing before the City Council on August 1, 2007 to consider the report of the Administrative Law Judge concerning all licenses held by DRJ, Inc., d/b/a Diva's Overtime Lounge, 1141 Rice Street. (March 21, 22, 23, 2007 and April 5, 2007 Hearings)
5. Letter from the Office of the City Attorney announcing a public hearing before the City Council on August 1, 2007 to consider the report of the Administrative Law Judge concerning all licenses held by DRJ, Inc., d/b/a Diva's Overtime Lounge, 1141 Rice Street. (May 7, 2007 Hearing)
6. Letters from the Department of Safety and Inspections/Code Enforcement declaring 443 Forest Street, 38 Geranium Avenue, 835 Juno Avenue, 118 Rose Avenue East, and 1098 Sylvan Street as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
7. Administrative Order:
D002669 Authorizing the Police Department's Professional Development Institute (PDI) to sponsor various training courses from January 2007 through December 2007.
D002670 Moving awarded funds to the correct funding code and amending the allocation of STAR funds in the Department of Planning and Economic Development.
D002671 Moving C.O.P.P. funding in the Department of Planning and Economic Development to the current year.
On file with the City Clerk

FOR ACTION

8. Resolution – 07-624 – Approving the Memorandum of Agreement between the City and AFSCME District Council #5 - Local 1842, Technical Employees, regarding on-call procedures and compensation. (Laid over from July 18 for adoption)
Adopted Yeas – 5 Nays – 0

9. Resolution – 07-652 – Approving the Memorandum of Agreement between the City and Sprinkler-Fitters, Local 417. (GS 3041851) (To be laid over one week for adoption)
Laid over to August 1 for adoption Yeas – 5 Nays – 0
10. Resolution – 07-653 – Approving the Memorandum of Agreement between the City and AFSCME District Council #5 - Local 2508, Clerical employees, regarding on-call procedures and compensation. (To be laid over one week for adoption)
Laid over to August 1 for adoption Yeas – 5 Nays – 0
11. Resolution – 07-654 – Approving the public purpose for the annual employee picnic and granting permission for the City Picnic Committee to accept a donation on behalf of the City from Simon Delivers.
Councilmember Benanav moved to lay over two weeks.
Laid over to August 8 Yeas – 6 Nays – 0
12. Resolution – 07-655 – Approving the appointment of Anne Hunt, by Mayor Chris Coleman, to the Downtown Airport Advisory Council.
Adopted Yeas – 5 Nays – 0
13. Resolution – 07-656 – Approving the appointments of Allen Lovejoy and Barbara Wencil, by Mayor Chris Coleman, to the Joint Airport Zoning Board for Holman Field.
Adopted Yeas – 5 Nays – 0
14. Resolution – 07-657 – Approving the application, with conditions, per the Legislative Hearing Officer, for an Auto Repair Garage license by Ross D. Van Ness, owner, d/b/a RD's Automotive, 1360 Rice Street.
Adopted Yeas – 5 Nays – 0
15. Resolution – 07-658 – Approving the application, with conditions, per the Legislative Hearing Officer, for a Dance or Rental Hall license by Lao Family Community of Minnesota, Inc., 320 University Avenue West.
Adopted Yeas – 5 Nays – 0
16. Resolution – 07-659 – Approving the application, with one (1) condition, per the Legislative Hearing Officer, for Wine On Sale, Malt On Sale (Strong), and Restaurant (B)--more than 12 seats licenses by Coaster Dreams LLC, d/b/a Ngon Vietnamese Bistro, 799 University Avenue.
Adopted Yeas – 5 Nays – 0
17. Resolution – 07-660 – Authorizing the Police Department to accept a donation in the amount of \$115,000 from the Saint Paul Police Foundation to assist with overtime, phone expenses, and training.
Adopted Yeas – 5 Nays – 0

18. Resolution – 07-661 – Authorizing the Police Department to enter into a Joint Powers Agreement with the Minnesota State Agricultural Society to provide various police services for the State Fair.
Adopted Yeas – 5 Nays – 0

19. Resolution – 07-662 – Authorizing reconveyance of tax-forfeited parcels at the intersection of Como and Minnehaha Avenues and the 700 block of Germain Street to the State of Minnesota.
Adopted Yeas – 5 Nays – 0

20. Resolution – 07-663 – Amending Council File 07-225 to delete the remaining \$60.00 in service fees on an assessment at 737 Cottage Avenue East.
Adopted Yeas – 5 Nays – 0

21. Resolution – 07-664 – Ratifying the proposed RSVP assessment for property at 1689 Upper Afton Road in the White Bear/Burns project area and defer without accumulation of interest during the period of deferment, for up to 20 years.
Adopted Yeas – 5 Nays – 0

22. Resolution – 07-665 – Deleting the assessment for property clean-up (graffiti removal) at 1780 Wordsworth, as assessment was made in error.
Adopted Yeas – 5 Nays – 0

23. Resolution – 07-666 – Amending Council File 07-610 to delete the assessment for excessive consumption of inspection services for property at 83 Isabel Street East.
Adopted Yeas – 5 Nays – 0

24. Resolution Approving Assessment – 07-667 – In the matter of the installation of a 3-Globe Style, above standard street lighting system on the south side of Tenth Street from Wabasha to St. Peter Streets, and setting date of public hearing for September 5, 2007. (File No. 19035)
Adopted Yeas – 5 Nays – 0

25. Resolution Approving Assessment – 07-668 – In the matter of the assessment of benefits, cost, and expenses for construction of a sanitary sewer/connection and a water main/connection at 734 Winthrop Street South, and setting date of public hearing for September 5, 2007. (File Nos. 18985A1 & 18985WA1)
Adopted Yeas – 5 Nays – 0

26. Resolution Approving Assessment – 07-669 – In the matter of the assessment of benefits, cost, and expenses for summary abatements (property clean-up) on private properties from June 7 to July 10, 2007 [J0710A]; weekly garbage hauling services from June 18 to June 27, 2007 [J0710G]; and setting date of public hearing for September 5, 2007.
Adopted Yeas – 5 Nays – 0

Pertaining to Item No. 3, Councilmember Thune requested that the waiting period be waived for August 1. John Kelly, Assistant City Attorney, stated that making the notice on the record as Mr. Thune did is okay as well as a follow-up letter from staff with a letter adding that provision would be sufficient.

Reconsidered Item

Councilmember Helgen moved suspension of the rules to reconsider the following Resolution which was adopted on July 18, 2007:

Resolution Ratifying Assessment – 07-645 – In the matter of the assessment of benefits, cost, and expenses for summary abatement for the excessive consumption of inspection services for property code violations billed during November 27, 2006 to January 30, 2007. [J0701E1] (Laid over from July 5) (Adopted July 18, 2007) (Legislative Hearing Officer recommends the following:

Councilmember Helgen stated that the assessment for 123 Sycamore Street West should have been deleted.

457 Charles Avenue (J0701E) - Approve the assessment in the amount of \$70 and delete the assessment in the amount of \$95;

123 Sycamore Street West (J0701E) - recommendation is forthcoming ~~approve the assessment~~; delete the assessment; and

829 Third Street East (J0701E) - approve the assessment.)

Reconsidered and adopted as amended Yeas – 6 Nays – 0

FOR DISCUSSION

27. Consideration of the report of the Administrative Law Judge concerning all licenses held by Hmong American Partnership, 1075 Arcade Street. (Public hearing held and laid over July 18)

Councilmember Bostrom moved to lay over two weeks.

Laid over to August 8 Yeas – 6 Nays – 0

28. Resolution – 07-670 – Recognizing the efforts of those who have made *Blooming Rice Street* a success.

Councilmember Helgen said that Rice Street people have worked hard to get the Blooming Saint Paul Program to put flower baskets on Rice Street. This was done and it has made a big impression on the neighbors and the neighborhood.

Councilmember Helgen read the resolution and recognized and thanked the people involved in this project. Several of those involved responded with their words of appreciation as well.

Councilmember Helgen moved approval.

Adopted Yeas – 6 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.

29. Final Adoption – 07-548 – An ordinance establishing interim zoning requirements for the Central Corridor area to implement the Development Strategy. (Amended July 11 and 18)
Laid over to August 1 for public hearing on amendments and final adoption on August 8

30. Final Adoption – 07-566 – An ordinance amending Section 411.04 of the Saint Paul Legislative Code to limit Class B and C Entertainment licenses to establishments holding Intoxicating Liquor licenses.

Councilmember Helgen moved approval.

Adopted Yeas – 6 Nays – 0

31. Second Reading – 07-633 – An ordinance amending § 65.500 of the Legislative Code by adding a new section providing for the outdoor sales of consumer fireworks, and amending use tables in §§ 66.421 and 66.521 by adding consumer fireworks sales as a permitted use in certain districts.
Laid over to August 1 for third reading/public hearing

32. Second Reading – 07-634 – An ordinance creating a new Chapter 201 which will permit the City to participate in a program that facilitates the sterilization of feral cats as a humane way of controlling the stray cat population.
Laid over to August 1 for third reading/public hearing

33. Second Reading – 07-650 – An ordinance amending interim ordinance 07-74, pursuant to Minn. Stat. § 462.355, Subd. 4 to preserve the status quo pending the completion and report of a study and possible action on the study including amending the City's zoning ordinances regulating advertising signs as they may pertain to retrofitting existing advertising signs with new "digital" or "electronic" panels by granting an exemption to the new Mississippi Creative Arts Magnet School for an electronic message center sign.
Laid over to August 1 for third reading/public hearing

34. First Reading – 07-671 – An ordinance changing Arlington Avenue from Walsh Street to Payne Avenue from a two-way street to a one-way street.
Laid over to August 1 for second reading

Councilmember Thune moved to adjourn the meeting.

ADJOURNED at 3:50 P.M.

ATTEST:

Mary Erickson
Assistant Council Secretary

Kathy Lantry, Council President

Submitted by:
Mary Erickson

October 3, 2007
Minutes approved by Council