

ACTION MINUTES OF THE SAINT PAUL CITY COUNCIL

Wednesday, November 13, 2002 - 3:30 - 5:00 p.m.

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

Nancy Anderson, Assistant Secretary to the Council
Mary Erickson, Clerical Support - 651-266-8565
Office of the City Council

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Present - 7 - Benanav, Blakey, Bostrom, Coleman, Harris, Lantry, Reiter
Absent - 0

CONSENT AGENDA (Items 1 - 39)

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

1. Claims of Amy Baumhofer, Nicholas Daniel, Flynn, Gaskins & Bennett (attorneys for Robert Kearney), Ann Peterson, Louisa Polk, and Diane Spross.

Referred to the Risk Management Division

2. Summons and Complaint in the matter of Northern Air Corporation vs. the City of Saint Paul.

Referred to the City Attorney's Office

3. Notice of Claim in the matter of Rasheem Akeem Figaro vs. the City of Saint Paul, et al.

Referred to the City Attorney's Office

4. Order to Show Cause and Supporting Affidavit in the matter of Nilles Buildings, Inc. and The Housing and Redevelopment Authority of the City of Saint Paul, et al. (699 Mt. Hope Avenue)

Referred to the City Attorney's Office

5. Summons in Application for Registration of Land pertaining to the title registration of Lots 11 and 12, Block 2, Hopkins Addition to Saint Paul (Application of Hill Building Limited Partnership).

Referred to the City Attorney's Office

6. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on November 20, 2002, to consider the appeal of Wrecker Services, Inc. to a decision of the Planning Commission denying a Conditional Use Permit for a motor vehicle salvage operation at 590 Randolph, southeast corner of Randolph Avenue and Drake Street.

7. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on November 20, 2002, at 5:30 p.m. to consider the appeal of Clear Channel Outdoor, Inc. to a decision of the Saint Paul Planning Commission revoking a billboard repair permit issued by the Office of License Inspections and Environmental Protection (LIEP) for a wooden, v-shaped billboard with two sign faces on the northwest corner of St. Clair Avenue and Ayd Mill Road.

8. Letter from the Office of License, Inspections and Environmental Protection announcing a public hearing before the City Council on November 20, 2002, to consider the application of Tom Scanlon, Dubliner Pub, 2162 University Avenue West, for a sound level variance to allow amplified Irish live band music in an outdoor tent on the parking lot during their St. Patrick's weekend event on March 16, 2003, from 5:00 p.m. to 12:00 midnight and on March 17, 2003, from 1:00 p.m. to 12:00 midnight.

9. Letters from the Office of the City Attorney recommending revocation of the provisional taxicab driver's license of the following individuals based upon their failure to enroll in and successfully complete a taxicab driver training course: Abdillahi Abdi, Mohamed Abdi, Sahal Ahmed, Abdi Arale, Joseph DeCarlo, Charles Eberbach, Abdiaziz Hirsi, Mohamed Ibrahim, Siraj Jafar, Quentin Kelly, Nassir Mahamoud, Ismail Mohamed, Joel Rooke, Khadar Yassin and Dana Will.

10. Administrative Order:

D002211 Authorizing use of fund balance from the 1991 Citywide Tree Planting activity in the Division of Parks and Recreation.

Noted as on file in the City Clerk's Office

FOR ACTION

11. Approval of minutes of October 9 and 16, 2002.

Adopted Yeas - 7 Nays - 0

12. Resolution - 02-1041 - Approving the January 1, 2002 - December 31, 2003 Agreement between the City of Saint Paul and the International Association of Fire Fighters, AFL-CIO Local 21. (To be laid over one week for adoption)

Adopted Yeas - 7 Nays - 0

13. Resolution - 02-1042 - Approving the appointment, by Mayor Kelly, of Matthew Reinartz to the Minnesota Film Board.

Adopted Yeas - 7 Nays - 0

14. Resolution - 02-1043 - Approving the appointment, by Mayor Kelly, of Angela Nalezny as Human Resources Director.

Adopted Yeas - 7 Nays - 0

15. Resolution - 02-1044 - Approving the decision of the Legislative Hearing Officer on Property Code Enforcement Appeals for 124 Dale Street North, 977 Fuller Avenue, 858 Payne Avenue, 1565 Case Avenue, 928 Marion Street-Lower Unit, and 719 Grand Avenue.

Adopted Yeas - 7 Nays - 0

16. Resolution - 02-1045 - Accepting contributed funds in the amount of \$17,000.00 from Ramsey County, Greater Saint Paul Owners and Managers, Wells Fargo, Fraunshush and Saint Paul Visitors and Convention Bureau to offset the cost of the September 11th events.

Adopted Yeas - 7 Nays - 0

17. Resolution - 02-1046 - Amending the 2002 general fund budget to provide authority to transfer \$355,000 receipted in the general fund from the Mears Park Tax Abatement.

Adopted Yeas - 7 Nays - 0

18. Resolution - 02-1047 - Amending the 2002 financing and spending plan for the Police Department Vehicle Impounding Lot for additional costs incurred.

Adopted Yeas - 7 Nays - 0

19. Resolution - 02-1048 - Authorizing payment of a pass through capital equipment grant of \$56,789 from AT&T Broadband to Saint Paul Neighborhood Network (SPNN).

Adopted Yeas - 7 Nays - 0

20. Resolution - 02-1049 - Authorizing the Mayor and Director of Public Works to enter into an agreement with the Minnesota Department of Transportation for federal aid participation for construction, engineering and inspection on Phase I of the Phalen Boulevard Project.

Adopted Yeas - 7 Nays - 0

21. Resolution - 02-1050 - Approving the allocation of federal Emergency Shelter Grant Program funds to various non-profit agencies for the purpose of assisting them to provide a wide range of service to people who are “homeless” or “at risk of becoming homeless.”

Adopted Yeas - 7 Nays - 0

22. Resolution - 02-1051 - Authorizing execution of a Second Amended and Restated Development Agreement and a Moral Obligation Agreement with Hill Building Limited Partnership for the development of up to 53 owner-occupied housing units in the historic J.J. Hill Building.

Adopted Yeas - 7 Nays - 0

23. Resolution - 02-1052 - Approving payment in the amount of \$15,000 to Praxus Consulting, Inc. in full settlement of its indemnity claim on behalf of Farmers Insurance Group for no-fault benefits paid to/or on behalf of Jessie Sutherland and Shawna Bradlich.

Adopted Yeas - 7 Nays - 0

24. Resolution - 02-1053 - Authorizing execution of Department of Natural Resources grant agreements for North Lexington Parkway Pedestrian/Bicycle Tunnel project and the trail connecting the Bruce Vento Regional Trail to Indian Mounds Regional Park.

Adopted Yeas - 7 Nays - 0

25. Resolution - 02-1054 - Authorizing the use of fund balance for the purchase of two Toro mowers and a Load and Pack type one person refuse collection compacting vehicle.

Laid over to November 20 Yeas - 7 Nays - 0

26. Resolution - 02-1055 - Establishing a spending and financing plan for \$15,000 to be received from Twin Cities Marathon, Inc. for services provided in conjunction with the marathon.

Adopted Yeas - 7 Nays - 0

27. Resolution - 02-1056 - Authorizing acceptance of a \$10,000 STAR grant for installation of event electrical power in Mounds Park.

Adopted Yeas - 7 Nays - 0

28. Resolution - 02-1057 - Authorizing acceptance of temporary and permanent easements needed to reconstruct the Earl Street Bridge and to pay the property owners for the easements.

Adopted Yeas - 7 Nays - 0

29. Resolution - 02-1058 - Canceling Final Order Number 00-280 adopted March 22, 2000, as the banner/light pylon style street light system was not installed on Kellogg Boulevard.

Adopted Yeas - 7 Nays - 0

30. Resolution - 02-1059 - Authorizing the proper City officials to execute a purchase agreement with Burlington Northern and Santa Fe Railway Company (BNSF) to acquire vacant land near Third Street and the Mississippi River (aka Bruce Vento Nature Sanctuary), and to pay the BNSF for the property.

Adopted Yeas - 7 Nays - 0

31. Resolution - 02-1060 - Setting a public hearing before the City Council on December 18, 2002, to consider increasing Sewer Service Availability charges (SAC) from \$1,200.00 to \$1,275.00 beginning January 1, 2003.

Adopted Yeas - 7 Nays - 0

32. Preliminary Order - 02-1061 - In the matter of improving various streets in Ward 4 with bituminous roadway, constructing concrete curb and gutter, concrete driveway aprons and outwalks, boulevard sodding, tree planting, construction of a lantern style lighting system, and all other work necessary to complete said improvements for the Wheeler/Iglehart RSVP Paving and Lighting Project, and setting date of public hearing for November 20, 2002.

Adopted Yeas - 7 Nays - 0

33. Preliminary Order - 02-1062 - In the matter of construction of water, sanitary sewer, storm sewer service connections and/or sanitary sewer repair and sidewalk reconstruction, if requested by the property owner, in conjunction with the Wheeler/Iglehart RSVP Paving and Lighting Project, and setting date of public hearing for November 20, 2002.

Adopted Yeas - 7 Nays - 0

34. Preliminary Order - 02-1063 - In the matter of improving various streets in Ward 7 with new bituminous roadway, concrete curbs and gutters, concrete driveway aprons and outwalks, boulevard sodding, tree planting, construction of a lantern style lighting system, and all other work necessary to complete said improvements as part of the Edgebrook/Morningside Street Paving and Lighting Project, and setting date of public hearing for November 20, 2002.

Adopted Yeas - 7 Nays - 0

35. Preliminary Order - 02-1064 - In the matter of construction of sidewalk repairs and/or repair of sanitary sewer, storm sewer and/or water service connections, if requested by the property owner, in conjunction with the Edgebrook/Morningside Area Street Paving and Lighting Project, and setting date of public hearing for November 20, 2002.

Adopted Yeas - 7 Nays - 0

36. Preliminary Order - 02-1065 - In the matter of improving various streets in Ward 7 with bituminous roadway, concrete curbs and gutters, concrete driveway aprons and outwalks, boulevard sodding, tree planting, construction of a lantern style lighting system, and all other work necessary to complete said improvements in conjunction with the Margaret and Atlantic RSVP Paving and

Lighting Project, and setting date of public hearing for December 4, 2002.

Adopted Yeas - 7 Nays - 0

37. Preliminary Order - 02-1066 - In the matter of construction of water, sanitary sewer, storm sewer service connections and/or sanitary sewer repair and sidewalk reconstruction, if requested by the property owner, in conjunction with the Margaret and Atlantic RSVP Paving and Lighting Project, and setting date of public hearing for December 4, 2002.

Adopted Yeas - 7 Nays - 0

38. Preliminary Order - 02-1067 - In the matter of improving various streets in Ward 2 with bituminous roadway, concrete curbs and gutters, concrete driveway aprons and outwalks, boulevard sodding, tree planting, construction of a lantern style lighting system, and all other work necessary to complete said improvements as part of the Seventh/Daly Street Paving and Lighting Project, and setting date of public hearing for December 4, 2002.

Adopted Yeas - 7 Nays - 0

39. Preliminary Order - 02-1068 - In the matter of construction of sidewalk repairs and/or repair of sanitary sewer, storm sewer and/or water service connections, if requested by the property owner, in conjunction with the Seventh/Daly Area Street Paving and Lighting Project, and setting date of public hearing for December 4, 2002.

Adopted Yeas - 7 Nays - 0

FOR DISCUSSION

40. Resolution - 02-1024 - Approving the decision of the Legislative Hearing Officer on Property Code Enforcement Appeals for property at 691 Dale Street North. (Laid over from November 6)

Adopted Yeas - 7 Nays - 0

Councilmember Blakey requested Bob Hammer, Department of Planning and Economic Development, to work with his office (Ward 1) regarding the allocation of \$5,000.00 from the Neighborhood Investment Initiative Fund for this project.

41. Resolution - 02-1069 - Endorsing the creation of a Ramsey County/City of Saint Paul Homeless Advisory Board and directing the appropriate staff to assist in the implementation and operation of the Advisory Board.

Laid over to November 20 Yeas - 7 Nays - 0

41a. Resolution - 02-1070 - Establishing Guidelines and a spending plan for the City's Tenant Remedy Actions Initiative.

Adopted Yeas - 7 Nays - 0

41b. Resolution - 02-1038 - Ordering the owner to remove or repair the property at 1083 Conway Street within fifteen (15) days from adoption of resolution. (**Legislative Hearing Officer recommends approval**) (Laid over from November 6)

Laid over to November 20 for public hearing Yeas - 7 Nays - 0

41c. Resolution - 02-996 - Approving the petition of the City of Saint Paul to vacate interest in the Old East Team Police Station and convey title to the Housing and Redevelopment Authority. (Laid over from November 6)

Laid over to November 20 for public hearing 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.

42. Third Reading - 02-987 - An ordinance granting the application of Arthur Baumeister to rezone property at the southwest corner of Page and Concord Streets from R-4 to RT-1 to construct two duplexes. (Public hearing held September 25, 2002)

Laid over to November 20 for final adoption

43. Second Reading - 02-1025 - An ordinance amending Section 409.06 of the Saint Paul Legislative Code to clarify that the distance restrictions between off-sale liquor stores cannot be waived.

Laid over to November 20 for third reading/public hearing

44. Second Reading - 02-1026 - An ordinance repealing Chapter 341 (Milk) of the Saint Paul Legislative Code by enacting a delegation agreement between the City and the Minnesota Department of Agriculture with the City discontinuing the licensing and inspecting of milk plant/service licenses.

Laid over to November 20 for third reading/public hearing

45. Second Reading - 02-1027 - An ordinance repealing Chapter 339 (Ice Cream Processing and Distributing) of the Saint Paul Legislative Code by enacting a delegation agreement between the City and the Minnesota Department of Agriculture with the City discontinuing the licensing and inspecting of ice cream processing and distributing licenses.

Laid over to November 20 for third reading/public hearing

46. Second Reading - 02-1028 - An ordinance repealing Chapter 374 (Food Salvage) of the Saint Paul Legislative Code by enacting a delegation agreement between the City and the Minnesota Department of Agriculture with the City discontinuing the licensing and inspecting of food salvage licenses.

Laid over to November 20 for third reading/public hearing

47. Second Reading - 02-1029 - An ordinance amending Chapter 331A (Food Protection Standards) of

the Saint Paul Legislative Code to be consistent with the Minnesota Department of Agriculture license types and to make the license fees more equitable.

Laid over to November 20 for third reading/public hearing

48. Second Reading - 02-1030 - An ordinance amending Chapter 366 of the Saint Paul Legislative Code to be consistent with the new definitions in Chapter 331A (Block Parties, Community Festivals and Special Events).

Laid over to November 20 for third reading/public hearing

49. Second Reading - 02-1031 - An ordinance amending Chapter 310 (Uniform License Procedures) of the Saint Paul Legislative Code by deleting certain licenses no longer enforced by the City of Saint Paul and reflecting the new license classifications and fees as a result of changes to Chapter 331A of the Saint Paul Legislative Code.

Laid over to November 20 for third reading/public hearing

Suspension Items

Resolution - 02-1071 - Authorizing` the Citizen Services/Marketing and Promotions Office to solicit donations from outside sources to help defray the costs needed for the development of a “Cultural Assets Inventory.”

Adopted Yeas - 7 Nays - 0

Council Meeting Information

Website

For an updated copy of the City Council Meeting agendas or minutes, please visit our website at www.ci.stpaul.mn.us/council.

Cable

The City Council and Housing and Redevelopment Authority (HRA) Meetings are cablecasted live on Channel 18 and repeated on Thursdays at 7:00 p.m., Saturdays at 12:30 p.m., and Sundays at 1:00 p.m. (Subject to change). Also, the City Council and HRA Agendas are cablecasted on Saturdays at 8:00 a.m. and 7:30 p.m., Sundays at 5:30 p.m., Mondays at 8:00 a.m. 1:30 p.m., and 5:30 p.m.; Tuesdays at 8:00 a.m., and 5:30 p.m.; and Wednesdays at 8:00 a.m. and 1:30 p.m.