

ACTION MINUTES OF THE SAINT PAUL CITY COUNCIL

Wednesday, December 4, 2002 - 3:30 - 5:00 p.m.

PUBLIC HEARINGS - 5:30 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 - 5 - Benanav, Blakey, Bostrom, Lantry, Reiter
Absent - 2 - Coleman, Harris (both excused)

CONSENT AGENDA (Items 1-13)

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 Jeffrey Clemons, Robert Kundrat, Kip McClellan, Attorney at Law (for clients Vanessa Cook and Eric McCoy), Scott Thompson, and Shannon Wilson.

Referred to the Risk Management Division

2. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on December 18, 2002, to consider the application of Royal Crest Properties, Inc. to rezone property from R-4 (One-Family Residential) to RM-1 (Multiple-Family Residential) to construct two, four-unit townhouse structures (8 units total) at the southeast corner of Cottage Avenue and Farrington Street.

3. Letter from the Real Estate Division announcing a public hearing before the City Council on December 18, 2002, to consider the vacation of an old right-of-way for replatting the new Eagle Street.

4. Administrative Orders:

D002217 Providing sufficient funds for the necessary improvements to the animal exhibits at Como Zoo from the Parks and Recreation's 2002 Como Campus Special Revenue Fund.

D002218 Amending the 2002 budget of the City Sales Tax Capital Projects Fund by allocating funds from the Neighborhood Investment Initiative Program to provide funding for STAR projects in City Wards as designated by their respective Councilmember.

D002219 Amending the 2002 budget of the General Fund by implementing the PC Replacement Program in the various City offices listed.

Noted as on file in the City Clerk's Office

FOR ACTION

5. Resolution - 02-1120 - Amending the spending and financing plan of the 2002 Citywide Lighting program to include Municipal Lighting Preservation Project matching funds and assessments for replacement of the existing trolley pole style street lighting system on East Seventh Street between Beech Street and Minnehaha Avenue.

Adopted Yeas - 5 Nays - 0

6. Resolution - 02-1121 - Amending the spending and financing plan of the Saint Paul Gateway project by adding financing from District 15 and transferring Capital Improvement Budget (CIB)

funding from the Historic Gateway/Fort Road project.

Adopted Yeas - 5 Nays - 0

7. Resolution - 02-1122 - Authorizing the Department of Fire and Safety Services to accept the donation of used, discarded exercise equipment valued at \$5,600.00 from Lifetime Fitness.

Adopted Yeas - 5 Nays - 0

8. Resolution - 02-1123 - Authorizing the Police Department to accept the donation of used, discarded exercise equipment valued at \$5,600.00 from Lifetime Fitness.

Adopted Yeas - 5 Nays - 0

9. Resolution - 02-1124 - Authorizing execution of an amended and restated lease agreement for the Benz Public Safety Building.

Adopted Yeas - 5 Nays - 0

10. Resolution - 02-1125 - Approving Registered Land Survey for Radisson Riverfront Hotel and parking ramp.

Adopted Yeas - 5 Nays - 0

11. Resolution - 02-1126 - Approving the 2003 City of Saint Paul Legislative Initiatives.

Adopted as amended Yeas - 4 Nays - 1 Reiter)

12. Resolution - 02-1127 - Approving the proposed items of support brought forward by outside groups and organizations for the City of Saint Paul's 2003 Legislative Agenda.

Adopted Yeas - 5 Nays - 0

13. Resolution - 02-1128 - Concerning adverse action against the Tow Truck/Wrecker license held by A-1 Able Towing, 14 Acker Street East.

Adopted Yeas - 5 Nays - 0

FOR DISCUSSION

14. Resolution - 02-1129 - Approving the 2003 Civic Organizations Partnership (COPP) Program recommendations.

Adopted as amended Yeas - 5 Nays - 0

15. Appeal of Colleen Moore to a summary abatement order for property at 1774 Norfolk Avenue. (Laid over from November 20) Legislative Hearing Officer recommends that there should be no forthcoming assessment related to this summary abatement order dated August 13, 2002, as the nuisance was abated by the City before the appeals process had been completed.

Adopted the Legislative Hearing Officer's recommendation.

Yeas - 5 Nays - 0.

16. Resolution - 02-289 - Ordering the owner to remove or repair the building at 860 Euclid Street within fifteen (15) days from adoption of resolution. (Laid over from November 20) **(Legislative Hearing Officer recommends approval)**

Laid over to December 18 Yeas - 5 Nays - 0

17. Resolution - 02-1096 - Ordering the owner to remove or repair the building at 278 Topping Street within fifteen (15) days from adoption of resolution. **(Legislative Hearing Officer recommends granting the owner 180 days to complete the rehabilitation of the property provided the following is done by noon on November 20, 2002: 1) post the \$2,000 bond; 2) pay the \$200 vacant building fee; and 3) apply for a code compliance inspection.)** (Laid over from November 20)

Adopted (remove or repair within 15 days) Yeas - 5 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.

18. Third Reading - 02-1091 - An ordinance memorializing City Council action approving the application of Lorraine Peltier to rezone property from RT-1 (Two-Family Residential) to I-1 (Industrial) to allow expansion of existing wire cloth business at 12 W. Acker Street, between Sylvan Street and Lightner Place. (Public hearing held October 23, 2002)

Laid over to December 11 for final adoption

19. Third Reading - 02-1092 - An ordinance amending Chapter 60 of the Saint Paul Legislative Code to rezone 1760 Larpenteur Avenue East from R-3 to B-3 to become part of a new retail development and to resolve zoning district boundary conflict. (Public hearing held October 23, 2002)

Laid over to December 11 for final adoption

20. Second Reading - 02-1115 - An interim ordinance adopted pursuant to Minnesota Statute 462.355, Subdivision 4, preserving the status quo with respect to the use of property in the Sunray area.

Amended and laid over to December 18 for third reading/public hearing

PUBLIC HEARINGS (public hearings will begin at 5:30 p.m.)

21. Resolution - 02-1084 - Authorizing the preparation of plans and specifications for a noise wall on the south side of Interstate 94 right-of-way between Cretin Avenue and Wilder Street. (Laid over from

November 20)

(There will be an Informational Meeting on the sound wall proposal on Wednesday, December 4th at 4:30 p.m. in Room 42 (Lower Level) of Saint Paul City Hall, 15 W. Kellogg Blvd. Between 4:30 and 5:00 p.m., interested parties may review sound wall data and drawings and at 5:00 p.m, Victor Vasas from MnDOT will make a presentation and answer questions.)

Adopted as amended Yeas - 4 Nays - 1 (Reiter)

22. Resolution - 02-1130 - Ordering the owner to remove or repair the property at 1066 7th Street East within fifteen (15) days from adoption of resolution. **(Legislative Hearing Officer recommends approval)**

Adopted Yeas - 5 Nays - 0

23. Final Order - 02-1131 - 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. (File #18961)

Adopted Yeas - 4 Nays - 0 (Benanav not present for vote)

24. Final Order - 02-1132 - 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. (File #18961C)

Adopted Yeas - 4 Nays - 0 (Benanav not present for vote)

25. Final Order - 02-1133 - 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. (File #18974)

Adopted Yeas - 5 Nays - 0

26. Final Order - 02-1134 - 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. (File #18974C)

Adopted Yeas - 5 Nays - 0

27. Resolution - 02-1135 - Granting Trigen Cinergy Solutions of St. Paul, L.L.C., 50 Kellogg Boulevard West, Suite 340, St. Paul, a sound level variance to allow cleaning of piping from the boiler to steam turbine at the St. Paul Cogeneration facility, 76 Kellogg Boulevard West, for five consecutive 24-hour time periods, or until the operation is completed, sometime between December 11, 2002 and January 17, 2003.

Adopted as amended Yeas - 5 Nays - 0

28. Appeal of Michael Harper to a Notice of Condemnation and Order for property at 1560 Western Avenue North. (Laid over from November 20 for continuation of public hearing). **(Legislative Hearing Officer recommends denying the appeal)**

Appeal denied (per the recommendation of the Legislative Hearing Officer)

Laid over to December 11 Yeas - 5 Nays - 0

29. Public hearing to consider the application of Lawrence Walker to rezone property at 896 and the easterly portion of 904 Marshall Avenue from RT-1 (Two-Family Residential) to RT-2 (Townhouse Residential) to allow a four-plex to be moved to this location.

Motion of Intent - Application granted Yeas - 5 Nays - 0

30. Public hearing to consider the appeals of Saint Anthony Park Community Council, Scenic St. Paul, and Jay Dregni to a decision of the Planning Commission to uphold a billboard repair permit issued by the Office of License, Inspections and Environmental Protection (LIEP) and denying the request of neighborhood organizations to revoke the repair permit for an old single-sided, wooden billboard at 1016 Raymond Avenue (east side of Raymond Avenue at Raymond Place).

Laid over to December 11 Yeas - 3 Nays - 2 (Blakey, Reiter)

31. Public hearing to consider the Administrative Law Judge Report for a Currency Exchange License Renewal by Team Management, Inc., dba Community Financial Centers, 259 University Avenue West.

Adopted the Findings of Fact, Conclusions of Law and the Recommendation of the Administrative Law Judge Yeas - 5 Nays - 0

Suspension Items

Resolution - 02-1137 - Amending Council File 02-1115 and Council File 02-1116 by permitting Krispy Kreme developers to apply for any zoning or building permits necessary to undertake the construction of their proposed development.

Adopted Yeas - 5 Nays - 0

Resolution - 02-1138 - Amending Council File 02-1005 by approving a moratorium of limited duration for the purpose of studying the impact of so called convenience stores only and deleting auto convenience stores.

Adopted Yeas - 5 Nays - 0

Councilmember Benanav requested the Administration to provide a report at their City Council Meeting on December 11, 2002, regarding the procedure they followed for making appointments to the Capital Improvement Budget Committee.

Website

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

Cable

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