

AGENDA OF THE SAINT PAUL CITY COUNCIL

Wednesday, November 20, 2002 - 3:30 - 5:00 p.m.

PUBLIC HEARINGS at 5:30 p.m. & 7:45 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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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

1. Claims of Michael and Jacqueline Chase, General Casualty (for Jacqueline Couillard), Ione Ponxs, Daniel Sadoff, Douglas Stahl, and Brian Vicklun.
2. Summons and Complaint, Certificate of Representation and Parties, Informational Statement Form and Notice of Lis Pendens in the matter of Advanced Masonry Restorations, Inc., vs. Housing and Redevelopment Authority aka Housing Redevelopment of St. Paul, et al.
3. Letter from the Office of the City Attorney announcing a hearing before an Administrative Law Judge on November 21, 2002, at 9:30 a.m. in Room 220, Conference Room B, Saint Paul City Hall, 15 West Kellogg Boulevard, concerning the Currency Exchange License Renewal Application by Team Management, Inc., dba Community Financial Centers, 259 University Avenue West.
4. Letter from the Office of the City Attorney announcing that the hearing before an Administrative Law Judge concerning all licenses held by Dinner Club 2002, Inc., 1177 Clarence Street, scheduled for November 5, 2002, has been rescheduled to November 22, 2002, at 9:30 a.m. in Room 42, Saint Paul City Hall, 15 West Kellogg Boulevard.
5. Letter from the Office of the City Attorney announcing a hearing before an Administrative Law Judge on December 10, 2002, at 9:30 a.m. in Room 42, Saint Paul City Hall, 15 West Kellogg Boulevard, concerning all licenses held by Asian Cuisine LLC, 945 Rice Street.
6. Letter from the Office of Citizen Service/Division of Property Code Enforcement declaring 1066 7th Street East as nuisance property and setting date of Legislative Hearing for November 26, 2002, and City Council Hearing for December 4, 2002.
7. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on December 4, 2002, 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.

8. Administrative Orders:

D002212 Authorizing the Police Department to remit an amount, not to exceed \$300.00, to Byerly's, 1959 Suburban Avenue, for food service for participants in the "Interview and Interrogation" course on November 7 and 8, 2002.

D002213 Authorizing payment, not to exceed \$10,000, for relocation costs for the new Library Director, Gina LaForce.

D002214 Approving the purchase of food and beverages, not to exceed \$700.00, by the Department of Public Works for street maintenance employee appreciation.

FOR ACTION

9. Approval of minutes of October 23, 2002.

10. 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. (Laid over from November 13 for adoption)

11. Resolution - 02-1072 - Approving the May 1, 2002 through April 30, 2005 Maintenance Labor Agreement between the City of Saint Paul and the United Association Plumbers Local Union No. 34 and Sprinkler Fitters Local Union No. 417. (To be laid over to November 27 for adoption)

12. Resolution - 02-1073 - Approving the appointments of Frank Caulfield, John Connelly, Laura Offerdahl, Greg Simbeck, Maria Vega, and Fue Vue and the reappointments of Floyd Jaehnert, Randall Reetz, Paul Savage, and Gary Unger, by Mayor Kelly, to the Long Range Capital Improvement Budget Committee.

13. Resolution - 02-1074 - Approving the appointments of Judy Cavanaugh, Debbie Luna, Mary Anne Mathews, Murray Sagsveen, and Alyssa Vang, by Mayor Kelly, to the Saint Paul/Ramsey County Health Services Advisory Committee.

14. Resolution - 02-1075 - Creating the Saint Paul Airport Relations Committee with its members appointed by the Mayor through the open appointments process and approved by the City Council. This resolution supersedes Council File 00-916 (adopted December 20, 2000).

15. Resolution - 02-1076 - Changing the rate of pay for the class titled Health Administration Manager from Grade 24 to Grade 26 of the Saint Paul Supervisors Organization (SPSO) salary schedule.

16. Resolution - 02-1077 - Changing the effective date of the wage increase for certain Mayor appointees to non-represented management positions.

17. Resolution - 02-1078 - Approving payment in the amount of \$6,251.74 to Manoucher Rostamkhani in full settlement of his claim against the City of Saint Paul related to property at 790 Selby Avenue.

18. Resolution - 02-1079 - Concerning adverse action against the Cigarette/Tobacco License held by Gehad A. Elfarra, dba Kormann's Supermarket, 719 Burr Street.

19. Resolution - 02-1080 - Memorializing City Council action taken September 4, 2002, approving a preliminary and final plat for Darmer Addition for subdivision of property to create two residential lots at 569 and 575 McKnight Road between Mailand Road and Burlington Road.

20. Resolution - 02-1081 - Memorializing City Council action taken October 23, 2002, approving a preliminary and final plat for Oak Bluff Second Addition for subdivision of property to create eight residential lots at 2160 Highwood Avenue between Skyway Drive and McKnight Road.
21. Resolution - 02-1082 - Approving the decision of the Legislative Hearing Officer on Property Code Enforcement Appeals for property at 751 Central Avenue, 359 Maria Avenue, 320 Front Avenue, 1785 St. Clair Avenue, and 2135 Case Avenue.
22. Resolution - 02-1083 - Approving the application of A M Investors, Inc., dba Pickles, 1082 Arcade Street, for a Restaurant (C)-Limited, Malt Off Sale, Liquor On Sale-Sunday, Liquor On Sale-100 Seats or Less (C), Gambling Location, False Alarms, Entertainment (B), Cigarette/Tobacco, and Alarm Permit (New). **(Legislative Hearing Officer recommends approval with conditions)**
23. 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.
24. Resolution - 02-1085 - Establishing a one-way segment on Edmund Avenue east bound from Dunlap Street to Lexington Parkway.
25. Resolution - 02-1086 - Approving a STAR grant to upgrade amenities and make improvements at the Dunning Baseball Stadium site.
26. Resolution - 02-1087 - Authorizing the Division of Parks and Recreation to enter into a contract with Rustad & Associates, Inc./Midwest ATM to operate and maintain two existing ATM terminals on site at the Como Campus and to install and operate additional ATM machines on City premises as requested.
27. Resolution - 02-1088 - Authorizing the proper City officials to accept and set up a financing and spending plan for a grant of \$175,000.00 from the Ramsey County Soccer Partners Program to assist in acquisition of land for a soccer field at the Jimmy Lee Recreation Center.
28. Resolution - 02-1089 - Releasing contingency funds in the 2002 Parks and Recreation Forestry budget for use towards stump removal and buckthorn eradication.
29. Resolution - 02-1090 - Accepting a donation from the Schubert Club of Saint Paul for construction of the Schubert Club Bandshell on Raspberry Island.
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FOR DISCUSSION

30. Appeal of Colleen Moore to a summary abatement order for property at 1774 Norfolk Avenue.

(Laid over from October 23) (**Legislative Hearing Officer recommends denying the appeal**)

31. 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 from November 13)

32. 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 from November 13)

33. Presentation by Martha Fuller, Director, Department of Planning and Economic Development, on the Overview of 2002 Housing Program Production.

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.

34. Final Adoption - 02-612 - An ordinance amending Chapter 355 of the Saint Paul Legislative Code requiring second hand dealers to report certain transactions. (Laid over from October 9) (Substitute ordinance will be introduced)

35. Final Adoption - 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)

36. First 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)

37. First Reading - 02-1092 - An ordinance amending Chapter 60 of the Saint Paul Legislative Code to rezone 1760 Larpenteur Avenue from R-3 to B-3 to become part of a new retail development and to resolve zoning district boundary conflict.

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

38. Third Reading - 02-988 - An ordinance amending Section 33.05 of the Saint Paul Legislative Code to increase Certificate of Occupancy renewal fees by 25%.

39. Third 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.
40. Third 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.
41. Third 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.
42. Third 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.
43. Third 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.
44. Third 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).
45. Third 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.
46. Resolution - 02-1093 - Approving the petition of Regions Hospital to vacate that part of Belleview Street lying southwesterly of the southwest right-of-way line of Jackson Street, northeasterly of the southeasterly extension of the center line of Capitol Heights Street and northwesterly of the center line of said Belleview Street to facilitate development of a parking lot.
47. 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 13)
48. Resolution - 02-1094 - Approving the establishment of the Shepard Davern Tax Increment Financing District and a Tax Increment Financing Plan.
49. 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 October 23) (**Legislative**

Hearing Officer recommends approval)

50. Resolution - 02-1038 - Ordering the owner to remove or repair the building at 1083 Conway Street within fifteen (15) days from adoption of resolution. (Laid over from November 13) **(Legislative Hearing Officer recommends approval)**

51. Resolution - 02-1095 - Ordering the owner to remove or repair the building at 695 Charles Avenue within fifteen (15) days from adoption of resolution. **(Legislative Hearing Officer recommends approval)**

52. 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.)**

53. Resolution - 02-1097- Ordering the owner to remove or repair the building at 136 Wilder Street North 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 \$2,000 bond is posted by noon on November 20, 2002.**

54. Resolution - 02-1037 - Ordering the owner to remove or repair the building at 706 Charles Avenue within fifteen (15) days from adoption of resolution. (Laid over from November 6) **(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; and 2) pay the \$200 vacant building fee.**

55. Appeal of Michael Harper to a Notice of Condemnation and Order for property at 1560 Western Avenue North. **(Legislative Hearing Officer recommends denying the appeal)**

56. Final Order - 02-1098 - 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. (File No. 18957)

57. Final Order - 02-1099 - 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. (File No. 18957C)

58. Final Order - 02-1100 - 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. (File No. 18973)

59. Final Order - 02-1101 - 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. (File No. 18973C)

60. Resolution - 02-1102 - Approving 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.

61. Public hearing to consider the application of Virginia Simek to rezone property from R-3 (One-Family Residential) to RM-2 (Multiple-Family Residential) for construction of six townhouses at 965 St. Paul Avenue (southwest corner of St. Paul Avenue and Montreal Avenue). (Laid over from November 6)

62. Public hearing 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.

63. Resolution - 02-1035- Denying the application for a Taxicab Driver's License by Abdulahi O. Mohamed. (Laid over from November 6)

64. Resolution - 02-1036 - Denying the taxicab driver's license application of Khaled Z. Elsayy. (Laid over from November 6)

65. Resolution - 02-1103 - Concerning adverse action against the licenses held by Whoopee, Inc., dba Triviski's Bar, 173 South Robert Street.

66. Resolution - 02-1104 - Concerning adverse action against the Tow Truck/Wrecker License held by Rapid Recovery, Inc., dba Rapid Recovery, Inc., 240 West Sycamore Street.

67. Resolution - 02-1105 - Concerning adverse action against the licenses held by Jefferson Enterprises, Inc., dba Jefferson Auto Repair, 975 West Minnehaha Avenue.

68. Resolution - 02-1106 - Concerning adverse action against the licenses held by The Vintage, Inc., 579 Selby Avenue.

69. Public hearing to consider the report of the Administrative Law Judge concerning all licenses held by Dinner Club 2000, 1177 Clarence Street.

70. Public hearing 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.

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.*