



# City of Saint Paul

City Hall and Court House  
15 West Kellogg Boulevard  
Council Chambers - 3rd  
Floor

## Minutes - Final

Katie Burger, Executive  
Assistant, 651-266-8560

### City Council

*Council President Russ Stark*  
*Councilmember Dan Bostrom*  
*Councilmember Amy Brendmoen*  
*Councilmember Bill Finney*  
*Councilmember Dai Thao*  
*Councilmember Dave Thune*  
*Councilmember Chris Tolbert*

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Wednesday, December 9, 2015

3:30 PM

Council Chambers - 3rd Floor

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#### Council Voting

The reader calls the names of all Councilmembers. A vote in favor is cast by remaining silent, and a vote against is cast by saying no or nay. When the voting is complete, the reader will state whether the motion passed or failed.

#### ROLL CALL

The meeting was called to order at 3:59 p.m.

**Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Dave Thune, Councilmember Chris Tolbert, Councilmember Bill Finney and City Council President Russ Stark

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 15-110](#) Amending the 2015 spending budget for the Office of Technology and Communications.  
Received and Filed

#### CONSENT AGENDA

**Note:** Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

#### Approval of the Consent Agenda

Consent Agenda is adopted as amended

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

- 2     [RES 15-2033](#)     Requesting a Planning Commission study of Southport on the WestSide to address safety and health issues.  
**Adopted**
- 3     [RES 15-2082](#)     Authorizing the Fire Department to accept the donation of physical fitness equipment from the Saint Paul Fire Foundation for two fire stations.  
**Adopted**
- 4     [RES 15-2091](#)     Approving the use of grant funds through the Ward 2 Neighborhood STAR Year-Round Program for the East Side Freedom Library Sign, Summit Hill Community Garden Upgrades, Black Dog Café's Expansion/Kitchen and a New Como Lakeside Pavilion Sound System.  
**Adopted**
- 5     [RES 15-2096](#)     Authorizing the Department of Parks and Recreation to accept donations and thank donors to the Blooming Saint Paul Program.  
**Adopted**
- 6     [RES 15-2097](#)     Approving a First Supplement to Indenture of Trust and related documents with respect to the Taxable Revenue Refunding Notes (State of Minnesota Continuing Appropriation Grant), Series 2014; and directing the execution and delivery of the First Supplement to Indenture of Trust, and related documents.  
**Adopted**
- 7     [RES 15-2106](#)     Authorizing the Police Department to accept a grant in the amount of \$600,000 from the U.S. Department of Justice for the Body Worn Camera grant.  
**Adopted**
- 8     [RES 15-2110](#)     Authorizing the Fire Department to accept the donation of physical fitness equipment from the Saint Paul Fire Foundation for one fire station.  
**Adopted**
- 9     [RES 15-2122](#)     Approving the application with conditions, per the Legislative Hearing Officer, for an Auto Body Repair/Painting Shop, and Auto Repair Garage licenses, for Gacal Auto Body & Repair Inc. (I.D. #20150002431), d/b/a Gacal Auto Body & Repair at 363 Atwater Street.  
**Adopted**

- 10    [RES 15-2130](#)    Appointing Holly Huston as Chief Budget Officer for the City Council.  
**Adopted**
- 11    [RES 15-2136](#)    Memorializing a City Council decision to deny an appeal by the Central Presbyterian Church from a Historic Preservation Commission decision regarding the restoration of the church building roof at 500 Cedar Street and modifying the Commission's decision regarding the roofing materials that must be used for the roof restoration project.  
**Adopted**
- 12    [RES 15-2161](#)    Recognizing Kawaljit Bhatia for his 38 years of running a successful business in the City of Saint Paul.  
**Adopted**
- 15    [RES 15-2165](#)    Waiving the Neighborhood STAR guidelines to increase the acquisition and soft cost limit to 30% and extend the contract to March 31, 2017 for the Million Will Make It Happen on East 7th Street program.  
**Adopted**
- 16    [RES 15-2168](#)    Honoring Twin Cities Refuse, and the Karas and Gubash families, for their good business practices and for their work protecting the environment.  
**Adopted**
- 18    [RES 15-2176](#)    Authorizing a Professional Services Contract with Ward Einess Strategies, LLC.  
**Adopted**
- 19    [RES 15-2177](#)    Authorizing a Professional Services Agreement with Messerli & Kramer.  
**Adopted**
- 20    [Min 15-62](#)    Approving the minutes of the September 2, 9, 16, and 23 City Council meetings.  
**Adopted**

**FOR DISCUSSION**

- 13**     [RES 15-2163](#)     Authorizing appropriate city officials to enter into an agreement with Lockridge Grindal Nauen, PLLP to represent the City and Board of Water Commissioners of the City of Saint Paul in litigation against sellers of Liquid Aluminum Sulfates.
- Council President Stark said he wanted to lay this over for one week for further discussion.*  
*7 in favor, none opposed*  
*Laid over to December 16*
- Laid over to December 16**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- 14**     [RES 15-2164](#)     Renaming Eagle Street Plaza Park to Cossetta Park.
- Councilmember Thune moved approval. He wanted the Parks Commission to approve this on condition that District 9 approve it. It was approved by District 9.*  
*7 in favor, none opposed*  
*Resolution adopted*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- 17**     [RES 15-2175](#)     Outlining the City's 2016 Legislative Agenda.
- Stark highlighted the legislative agenda for next year: continuing reconstruction of Kellogg/3rd Street bridge, environmental learning center, river passage plan, seals & sea lions exhibit at Como Zoo, Bruce Vento Nature Sanctuary, Minnesota Museum of American Art, and a number of policy issues, most of which are ongoing and unchanged from previous years*
- Tolbert said he had one addition: support the St. Paul Public Schools in their effort to secure funding for the learning jet at Holman Field. Fedex donated it. A group of citizens have fixed it up. Now it is a learning center. The problem is there is no bathroom and other things.*
- Tolbert moved the amended version with the addition.*  
*7 in favor, none opposed*  
*Adopted as amended*
- Adopted as amended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

- 21**     [RES 15-2100](#)     Authorizing the use of a Project Labor Agreement (PLA) for the construction of the Fire Station 19 Addition/Renovation Project.

*Councilmember Tolbert moved approval.*

*7 in favor, none opposed*

*Resolution is adopted*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**ORDINANCES**

**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. Public hearings on ordinances are held at the third reading.**

**Final Adoption**

- 22**     [Ord 15-72](#)     Amending Chapter 17.07 of the Charter, pursuant to Minnesota Statutes § 410.12 subd. 7, regarding On-Sale Liquor Licenses issued to restaurants.

*Councilmember Bostrom would like to lay over for one week.*

*Council President Stark said it can only be laid over once.*

*7 in favor, none opposed*

*Ordinance is laid over to December 16*

**Laid over to December 16 for final adoption**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**23**     [Ord 15-66](#)

Amending Section 366A.06 of the Legislative Code pertaining to Races, Runs, and Public Assemblies.

*Councilmember Thune moved an amendment. There are one or two races that go down and use both sides. They grandfather that kind of racing for two years until they find a solution.*

*Gerry Hendrickson, City Attorney's Office, said it is not necessary to have another hearing.*

*Thune moved the amendment and a layover for one week.*

*7 in favor, none opposed*

*Ordinance is amended and laid over to December 16*

**Amended and laid over to December 16 for final adoption**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**24**     [Ord 15-70](#)

Amending Chapter 293 of the Legislative Code regarding Noise Regulations.

*Councilmember Thune moved approval.*

*7 in favor, none opposed*

*Ordinance is adopted*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**25**     [Ord 15-71](#)

Amending Chapter 6 of the Administrative Code regarding the Department of Public Works.

*Councilmember Thao moved approval.*

*6 in favor, none opposed*

*Ordinance is adopted*

**Adopted**

**Yea:** 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

- 26**     [Ord 15-73](#)            Amending Chapter 409.03 of the Legislative Code exempting restaurants from total license limits.
- Councilmember Tolbert moved approval.  
6 in favor, none opposed  
Ordinance is adopted*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen
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- 27**     [Ord 15-74](#)            Amending Section 409.30 of the Legislative Code relating to intoxicating beverages at block parties.
- Councilmember Thune moved approval.  
6 in favor, none opposed  
Ordinance is adopted*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen
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- 28**     [Ord 15-75](#)            Amending Chapter 427.07 of the Legislative Code regarding requirements for health clubs located in the Downtown Business District.
- Councilmember Thune moved approval.  
6 in favor, none opposed  
Ordinance is adopted*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen

- 29 [Ord 15-76](#) Amending Chapter 409.03 of the Legislative Code removing the quarter-mile exemption zone for off-sale liquor licenses around the Xcel Energy Center.
- Councilmember Thune moved approval.  
6 in favor, none opposed  
Ordinance is adopted*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Brendmoen

**Second Reading**

- 30 [Ord 15-79](#) Expanding the Downtown Commercial Development District pursuant to Section 17.07.1 of the City Charter and Section 409.20 of the Legislative Code.
- This is laid over to December 16 for third reading/public hearing.*
- Laid over to December 16 for third reading/public hearing**
- 31 [Ord 15-77](#) Granting the application of Diocese of St. Paul to rezone the property at 328 Kellogg Blvd W from RM2Multiple Family to T1Traditional Neighborhood and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.
- This is laid over to December 16 for third reading/public hearing.*
- Laid over to December 16 for third reading/public hearing**

**First Reading**

- 32 [Ord 15-81](#) Establishing a Qualifications and Examining Committee for the position of Police Chief pursuant to the provisions of Section 12.12.1 of the Saint Paul City Charter.
- This is laid over to December 16 for second reading.*
- Laid over to December 16 for second reading**



**33**     [Ord 15-82](#)

Establishing the minimum qualifications for the vacancy for the position of Police Chief pursuant to the provisions of Section 8.01 (a) of the Administrative Code and Section 12.12.1 of the Saint Paul City Charter.

*Councilmember Bostrom has an amendment for the experience they are looking for. (He circulated the amendment and read it.) They have to have the best of the best, and the person has to have demonstrated the capacity to lead.*

*Council President Stark said he supports the first part of the change. He is concerned about the 500 sworn officers. That would limit the pool. It is likely the majority will come from within anyway. It would be good to leave it somewhat open. They can talk in the next few weeks about more data. 500 is a little too restrictive. He understands the reason behind it.*

*Councilmember Finney said the police chief has to be able to come in and hit the ground working. Having to deal with diversity of police officers, communities diverse by culture, race, economics. These things are challenging to police officers. The person that comes in cannot be from junior varsity. They have to come from a large city. It may limit to Minneapolis, Saint Paul, and state, but it opens up to police from large jurisdictions. They have thought about this long and hard. Certainly an organization that has 100 is too small. Maybe we can argue about numbers.*

*Bostrom moved the amendment.*

*5 in favor, one opposed (Stark)*

*The amendment is approved and ordinance is laid over to December 16 for second reading*

**Amended and laid over to December 16 for second reading**

**Yea:** 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

**Nay:** 1 - City Council President Stark

**Absent:** 1 - Councilmember Brendmoen

**For Reconsideration****34**     [Ord 15-62](#)

Amending Chapter 33 of the Legislative Code pertaining to Establishment of Permit Fees and Certificate of Compliance.

**Amended and laid over to December 16 for public hearing**

**Yea:** 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

**ADJOURNMENT**

**The meeting was adjourned at 4:21 p.m.**

**Yea:** 6 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**Absent:** 1 - Councilmember Brendmoen

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**Web**

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**Cable**

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