



# City of Saint Paul

## Minutes - Final

### City Council

*Council President Russ Stark  
Councilmember Dan Bostrom  
Councilmember Amy Brendmoen  
Councilmember Rebecca Noecker  
Councilmember Jane L. Prince  
Councilmember Dai Thao  
Councilmember Chris Tolbert*

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

Katie Burger, Executive  
Assistant, 651-266-8560

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Wednesday, March 22, 2017

3:30 PM

Council Chambers - 3rd Floor

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**There will be no meeting on March 29, the fifth Wednesday of the month.**

### ROLL CALL

*The meeting was called to order by Council President Stark at 3:32 p.m.*

**Councilmember Bostrom excused**

**Present** 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

**Absent** 1 - Councilmember Dan Bostrom

### COMMUNICATIONS & RECEIVE/FILE

1    [AO 17-28](#)    Authorizing the Saint Paul Public Library Agency to reallocate budgeted amounts within the 2017 Adopted Budget between spending accounts, thereby adjusting the budget to reflect the shift of resources out of contingency and into the 2017 ROW program.

**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 (Items 2 - 15)**

*Councilmember Prince moved approval of the Consent Agenda.*

**Consent Agenda adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

2      [RES 17-448](#)      Approving the Settlement Agreement and Release between the City of St. Paul and LTF Real Estate Company, Inc. and its attorney Patrick J. Kelly.  
**Adopted**

3      [RES 17-354](#)      Authorizing the proper city officials to apply for a State Deed for a parcel of tax-forfeited land through the Ramsey County Tax-Forfeited Lands Division.  
**Adopted**

4      [RES 17-440](#)      Preliminary Order setting the date of City Council public hearing for May 3, 2017 to consider approval to install lantern style LED lighting on Como Avenue from Dale Street to 300' past Jessamine Avenue. (Project No. 19227, Assessment No. 175103)  
**Adopted**

5      [RES 17-445](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessment for a sanitary sewer connection at 2159 Douglynn Lane. (File No. 18928A2, Assessment No. 176006)  
**Adopted**

6      [RES 17-422](#)      Approving the amendment to the agreement for transfer of St. Paul Police employee, Juliet Rudie, to the Ramsey County Sheriff's Office.  
**Adopted**

7    [RES 17-452](#)    Approving the Mayor's appointments of Kristin Guild and Jennifer Roettger to serve on the Workforce Innovation Board of Ramsey County.  
**Adopted**

8    [RES 17-472](#)    Approving the Mayor's appointments of Wesley Farrow and Lissa Jones-Lofgren to serve on the Saint Paul Neighborhood Network Board of Directors.  
**Adopted**

9    [RES 17-455](#)    Accepting the gift of travel and expenses from the National League of Cities for Mayor's Office staff member Ana Vang, and Parks and Recreation staff member Faith Krogstad to travel to the CCCN Implementation Phase Cross-Site Meeting, May 16-18, 2017 in Austin, TX.  
**Adopted**

10    [RES 17-454](#)    Declaring Saturday, March 25, 2017 from 8:30 p.m. to 9:30 p.m. to be "Earth Hour" in the City of Saint Paul.  
**Adopted**

11    [RES 17-430](#)    Authorizing the Department of Parks and Recreation, Como Park Zoo and Conservatory, to enter into an agreement with Hennepin County for payments not to exceed \$175 for services performed by Como Park Zoo and Conservatory education staff on March 28, 2017.  
**Adopted**

12    [RES 17-443](#)    Approving a partial waiver of the Sustainable Building Policy for the restroom facility for the Margaret Park Improvements project at 1109 Margaret Street.  
**Adopted**

13    [RES 17-431](#)    Authorizing the Police Department to enter into an on line services agreement, which includes an indemnification clause, with Lexis Nexis.  
**Adopted**

14    [RES 17-432](#)    Authorizing the Police Department to send four Police Explorers to the Police Memorial Week in Washington, D.C.  
**Adopted**

15 [RES 17-427](#) Approving and authorizing execution of Site Lease Agreement with Sprint Spectrum L.P. to provide for continued wireless operations at the Board's Cottage Avenue Standpipe site located at 2095 Clear Avenue.

**Adopted**

**FOR DISCUSSION**

16 [RES PH 17-84](#) Amending the Financing and Spending Plans for the 2017 Right-of-Way Maintenance Program to reflect changes to spending from budgets that were placed into contingency as part of the 2017 Budget. (Public hearing held March 15)

*Councilmember Brendmoen introduced an amendment. She said the item had been discussed the previous week and they'd wanted a little more time to discuss the sidewalk maintenance piece. She said they were planning to move ahead with continuing to replace sidewalk panels, without the additional 50% participation from residents at this time. She said looking at it on 2018 would be an option.*

*Councilmember Noecker and Council President Stark spoke in support of the amendment.*

*Vote on amendment. Yeas - 6 Nays - 0*

*Councilmember Prince said she would support it because it applied to 2017 only. She said she continued to have concerns about corner properties and would like to find a way to treat commercial and residential properties the same going forward in 2018.*

*Council President Stark said it had been an intensive process and a bad set of choices for the Council. He said he felt they'd managed to do the best they could under the circumstances with a program that kept services going for this year and kept options open for the final details to be worked out for next year and beyond. He thanked everyone for their work.*

*Councilmember Tolbert seconded those thoughts and thanked Public Works and Finance staff for their work.*

**Adopted as amended**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

17 [RES 17-458](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the Traditions category, to recognize a business that has been active in Saint Paul for at least twenty years.

*Council President Stark welcomed everyone and thanked Council members Thao, Noecker and Prince for initiating and organizing the awards. He described the award process and recognized committee members and staff members.*

*Councilmember Prince presented the Traditions Award to Captain Ken's. A representative from Captain Ken's made brief comments.*

*Councilmember Prince moved approval of the resolution as amended with the award recipient.*

**Adopted as amended**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

18 [RES 17-459](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the Large Business Excellence category to recognize a business with at least 50 employees in Saint Paul that cares for its employees and the community.

*Councilmember Noecker presented the Large Business Excellence Award to Securian Financial Group. John Regal from Securian made brief comments.*

*Councilmember Noecker moved approval of the resolution as amended with the award recipient.*

**Adopted as amended**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

19 [RES 17-460](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the Small Business Excellence category to recognize a business with fewer than 50 employees in Saint Paul that cares for its employees and the community.

*Councilmember Brendmoen presented the Small Business Excellence Award to Kamp's Food Market. Paul Kamp made brief comments.*

*Councilmember Brendmoen moved approval of the resolution as amended with the award recipient.*

**Adopted as amended**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

*The meeting was interrupted by protestors, and was recessed at 3:53 p.m.*

*The Council reconvened at 4:43 p.m.*

**20** [RES 17-461](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the Alice M. O'Brien Award category to recognize a woman-owned business that is committed to equity and empowerment.

*Councilmember Tolbert moved approval of the resolution as amended with the Alice M. O'Brien Award recipient (Urban Growler).*

**Adopted as amended**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**21** [RES 17-462](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the Reflecting Saint Paul Award category to recognize a business owned by a person of color that is committed to equity and empowerment.

*Council President Stark moved approval of the resolution as amended with the Reflecting Saint Paul Award recipient (Element Boxing and Fitness).*

**Adopted as amended**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**22** [RES 17-463](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the New Kid on the Block Award category to recognize a business that has opened in Saint Paul within the last five years.

*Councilmember Prince moved approval of the resolution as amended with the new Kid on the Block Award recipient (Tongue in Cheek).*

**Adopted as amended**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**23** [RES 17-465](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the People's Choice Award category for a business that is recognized for its excellence by St. Paul residents.

*Councilmember Thao moved approval of the resolution as amended with the People's Choice Award recipient (Tin Cups).*

**Adopted as amended**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**24** [RES 17-466](#) Honoring the recipient of the 2017 Saint Paul Business Awards for the Open For Business Award to recognize a business that exemplifies nearly all the categories in the Saint Paul Business Awards.

*Councilmember Noecker moved approval of the resolution as amended with the Open For Business Award recipient (El Burrito Mercado).*

**Adopted as amended**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

## 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

**25** [Ord 17-5](#) Amending Chapter 376 of the Legislative Code pertaining to taxicab service company license applicant qualifications.

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**26** [Ord 17-6](#)

Amending Chapter 412 of the Legislative Code pertaining to Massage and Bodywork Centers.

*Councilmember Tolbert said on this item and the next one he would move a two-week layover to April 5. He said after the previous week's testimony he had asked DSI and the attorneys to prepare an amended to reflect that and make the process even simpler.*

**Laid over to April 5 for final adoption**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**27** [Ord 17-7](#)

Amending Chapter 414 of the Legislative Code pertaining to Massage and Bodywork Practitioners.

*Councilmember Tolbert moved to lay the matter over to April 5.*

**Laid over to April 5 for final adoption**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

### **Second Reading**

**28** [Ord 17-8](#)

Amending Chapter 62 of the Administrative Code to allow charging of fees for street maintenance service charges.

**Laid over to April 5 for third reading/public hearing**

### **First Reading**

**29** [Ord 17-11](#)

Amending Chapter 375 of the Saint Paul Legislative Code pertaining to pedicab definitions.

**Laid over to April 5 for second reading**

**PUBLIC HEARING****30      ABZA 17-3**

Public hearing to consider the appeal of McKenna Skrypek to a decision of the Board of Zoning Appeals (BZA) denying a variance of the minimum floor area ratio (FAR) in order to construct a new commercial building with three business spaces in the T2 Traditional Neighborhood zoning district at 373 Ruth Street North. (Public hearing continued from May 3)

*Councilmember Prince moved to lay the matter over indefinitely. She said the applicant was waiving their rights under (State Law) 15.99.*

*In response to questions from Deputy City Attorney Rachel Tierney, Councilmember Prince said she hadn't yet received a document to that effect, and did understand that if the if the document wasn't received the appeal would be deemed approved by operation of law if the Council didn't act.*

*Council President Stark said he didn't think there was a way to lay a matter over indefinitely. Following further discussion of options for addressing the deadline, Councilmember Tolbert suggested that the Council could deny the application, and Councilmember Prince could ask to reconsider the item the following week if necessary. The item was tabled so Councilmember Prince could consult with the appellant by phone.*

*The matter was taken up again after the suspension item. Councilmember Tolbert moved to deny the appeal, consistent with the BZA's findings. In response to a request for clarification from Councilmember Noecker, Ms. Tierney said this action protected the City from granting the initial application automatically.*

**Motion of Intent - Appeal denied**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**SUSPENSION ITEMS**

*Councilmember Tolbert moved suspension of the rules.*

**Rules suspended**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

RES 17-509

Supporting local decision-making authority.

*Councilmember Tolbert said the League of Minnesota Cities was urging Cities to pass this resolution, and a number of cities already had. He said he'd like St. Paul to pass it because they supported local decision making, and the state was considering legislation to preempt city action on a number of issues. He moved approval.*

*Council members Noecker, Thao, and Prince, and Council President Stark spoke in support.*

**Adopted**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

**ADJOURNMENT**

*Councilmember Noecker moved adjournment.*

**Meeting adjourned at 5:04 p.m.**

**Yea:** 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Brendmoen

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