



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

Minutes - Final

City Council

Council President Kathy Lantry
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Melvin Carter III
Councilmember Russ Stark
Councilmember Dave Thune
Councilmember Chris Tolbert

Wednesday, November 14, 2012

3:30 PM

Council Chambers - 3rd Floor

Next week's City Council meetings will be held on Tuesday, November 20.

ROLL CALL

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

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune and Councilmember Chris Tolbert

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 12-32** Authorizing the Fire Department to pay for all costs associated with the Fire Captain Exam which will be administered at the Saint Paul RiverCentre, November 12-16, 2012.

Received and Filed

- 2 **AO 12-34** Moving Neighborhood STAR Year-Round Program funds into two (2) project-specific codes and returning unused Year-Round STAR funds to the Neighborhood STAR Year-Round 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 3 - 12)

Councilmember Bostrom moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

- 3 RES 12-2053** Approving the Collective Bargaining Agreement (2011 - 2012) and Memorandums of Agreement between the City of Saint Paul and the Saint Paul Supervisors' Organization (SPSO).
Laid over to November 20 for adoption.
- 4 RES 12-2005** Approving the Memorandum of Agreement between the City of Saint Paul and the Professional Employees Association, Inc., to modify the severance payments in the existing Collective Bargaining Agreement.
Adopted
- 5 RES 12-2048** Approving the change in the rate of pay for the classifications of IS Information/Technical Analyst I, IS Information/Technical Analyst II, IS Information/Technical Analyst III, and IS Information/Technical Analyst IV from Grade 30T to Grade 32T, Grade 36T to Grade 38T, Grade 40T to Grade 42T, and Grade 44T to Grade 46T, respectively, and in the Employee Group 02, AFSCME Technical Salary Schedule; and approving the change in the rate of pay for the classification of IS Information/Technical Analyst V, from Grade 20T to Grade 22T, in the Employee Group 06, Professional Employees Association Salary Schedule.
Adopted
- 6 RES 12-1936** Approving the Mayor's reappointment of Nancy Dudley Kelly to serve on the Civil Service Commission.
Adopted
- 7 RES 12-2004** Accepting a donated vehicle for the Mobile Workplace program.
Adopted
- 8 RES 12-2011** Approving a request by Keith Schweiger to release easements over a portion of his property at 1161 University Avenue West.
Adopted
- 9 RES 12-2020** Approving the reconveyance of a tax forfeit parcel to the State of Minnesota for subsequent conveyance to ISD #625 for 1499 Brompton Street (Murray Athletic Field).
Adopted

- 10 **RES 12-2034** Accepting the turnback of Water Street from Ramsey County.

 Adopted
- 11 **RES 12-2035** Supporting the findings of the Gateway Corridor Alternatives Analysis Study.

 Adopted
- 12 **Min 12-38** Approving the minutes of the October 17 and 24, 2012 City Council meetings.

 Adopted

FOR DISCUSSION

- 13 AHPC 12-3** Public hearing to consider the appeal by Daniel Gleeson of six conditions made by the Heritage Preservation Commission approving new public sidewalks to the south and west of 366 Jackson Street, historically known as the McColl Building.

Councilmember Thune said he believed in the Heritage Preservation Commission (HPC) guidelines and hated to overturn them, but was willing to consider suggestions from other Council members. He said his biggest fear was that they would deny the appeal, and then guidelines would be developed which would have allowed what the appellant was proposing. He said he had been notified by the HPC that the guideline for Lowertown was slab sidewalks because that's what was present when the buildings were built, and he felt it was important to consider the precedent being set with the ballpark coming in. He moved to granting the appeal on the pattern but denying on the color.

In response to a question from Councilmember Brendmoen, Councilmember Thune clarified that the property owner would be responsible for the full cost of the installation and maintenance of the sidewalk. Councilmember Brendmoen said the property owner had submitted a plan and might not want to do just a part of it. Councilmember Thune said the property owner was asking to deviate from the standard Lowertown plan which allowed plain sidewalks in what was originally a warehouse and industrial district.

Councilmember Brendmoen recalled Councilmember Bostrom's comment (from the previous week) that the building was next to Galtier, which was completely different. She said she was in favor of approving the appeal.

Councilmember Bostrom noted changes that had taken place in Lowertown over the years and said the sidewalk proposed was very attractive. He said he couldn't support bifurcating the proposal and was in favor of granting the appeal.

Councilmember Tolbert said it didn't make sense to deny a property owner permission to do something because it was too nice looking. He said he was in favor of granting the appeal.

Councilmember Stark said historic districts provided for government oversight of reinvestment in old buildings, but the problem in this case was the lack of a clear guideline. He said decisions were made "on the fly" for the sidewalk along the light rail line in the historic district. He said it did seem awkward to impose a guideline in the absence of a formal one, but on the other hand it was a public right-of-way. He said he would lean towards supporting Councilmember Thune's proposal.

Councilmember Carter stressed the importance of historic preservation in St. Paul, but said the proposal looked to him like an aesthetic improvement and it was hard to make the case that the proposed improvements detracted from the area. He said he didn't feel the policy should ever be that nothing should ever change or improve but that a high aesthetic character should be maintained. He said he could not support denying the appeal.

Council President Lantry stressed that a Council decision that was not in agreement with that of the Heritage Preservation Commission (HPC) did not diminish the importance of the HPC's work. She read from the HPC's staff report that there currently was not a master plan for making repairs or alterations to public infrastructure within Lowertown, and said given that she would support the appeal. She reiterated the need for establishing clear concise guidelines.

In response to a question from Councilmember Thune, Amy Spong, Planning and Economic Development Preservation Specialist, clarified that there were established guidelines that addressed streetscape in the Lowertown Historic District. She said the policy in the Greater Lowertown Master Plan was more about having a very clear design for how to move forward with repairing and replacing streets and sidewalks and infrastructure, as opposed to when individual requests were received from individual property owners. She said the design guidelines would be applied if they had a master plan in the future, just like they did currently with an individual proposal.

Councilmember Thune asked whether there was a plan that specifically dictated the use of single slab concrete panels. Ms. Spong said the guidelines talked about the character of streetscape elements.

Councilmember Thune withdrew his motion.

Councilmember Bostrom moved to grant the appeal.

Motion of Intent - Appeal Granted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

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

- 14 Ord 12-62** Amending Chapter 85 of the Saint Paul Legislative Code pertaining to accrual of water charges pending meter removal.

Councilmember Brendmoen moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

- 15 Ord 12-63** Amending Chapter 87 of the Saint Paul Legislative Code pertaining to schedule charges for installation of one-inch street service connections.

Councilmember Brendmoen moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Bostrom

16 Ord 12-64 Amending Chapter 88 of the Saint Paul Legislative Code pertaining to water metering requirements.

Councilmember Brendmoen moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Bostrom

17 Ord 12-65 Amending Chapter 160 of the Saint Paul Legislative Code, Parking Meter Zones to facilitate title changes.

Councilmember Brendmoen moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Bostrom

18 Ord 12-67 Amending Chapter 91 of the Saint Paul Legislative Code pertaining to water service turn-on charge.

Councilmember Brendmoen moved approval.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Bostrom

- 19** **Ord 12-68** Amending Chapter 92 of the Saint Paul Legislative Code pertaining to plumbing permit requirements and charges.
- Councilmember Brendmoen moved approval.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
- 20** **Ord 12-69** Amending Chapter 93 of the Saint Paul Legislative Code pertaining to materials allowed for new water service connections.
- Councilmember Brendmoen moved approval.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
- 21** **Ord 12-70** Amending Chapter 376 of the Saint Paul Legislative Code pertaining to taxicab fares.
- Councilmember Stark moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 22** **Ord 12-71** Amending Chapters 60, 62, and 64 of the Legislative Code pertaining to nonconforming lots, uses, structures, and signs.
- Council President Lantry said she and Councilmember Stark were working on changes.*
- Councilmember Stark moved to lay the matter over to November 28.*
- Laid over to November 28**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

- 23 Ord 12-75** Amending Chapter 82 of the Saint Paul Administrative Code revising the City's prevailing wage ordinance.

Councilmember Stark moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

Second Reading

- 24 Ord 12-74** Amending Chapter 310 of the Saint Paul Legislative Code pertaining to termination of licenses, surety bonds, and insurance contracts.

Laid over to November 20 for third reading/public hearing

- 25 Ord 12-77** Amending Chapter 64 of the Legislative Code pertaining to nonconforming signs.

Council President Lantry moved to lay the matter over to December 5 for third reading/public hearing. She said clarifying language was being developed at the request of the billboard industry.

Laid over to December 5 for third reading/public hearing

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

SUSPENSION ITEMS

Councilmember Thune moved suspension of the rules.

Rules suspended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

- RES 12-2081** Approving the assignment of Lucy Angelis, Emergency Management Coordinator, to assist with hurricane relief with the Red Cross.

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

ADJOURNMENT

Councilmember Thune moved adjournment.

The meeting was adjourned at 4:03 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

Council Meeting Information

The City Council is paperless which saves the environment and reduces expenses.

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Web

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Cable

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