



# 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*

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Wednesday, February 22, 2012

3:30 PM

Council Chambers - 3rd Floor

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### Public Hearings at 3:30 p.m.

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

### ROLL CALL

*The meeting was called to order by Council President Lantry at 3:31 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      [CO 12-5](#)      Letters from the Department of Safety and Inspections declaring 777 Lawson Avenue East, 674 Rivoli Street, 1186 7th Street East, 1210 7th Street East, 1058 Sherburne Avenue, and 721 Wilson Avenue as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

**Received and Filed**

- 2      [AO 12-11](#)      Authorizing payment to cover expenses for food and beverage for the Saint Paul Police Department Professional Development Institute sponsored training courses.

**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 3-16)**

*Item 7 was removed from the Consent Agenda for separate consideration.*

*Councilmember Thune moved approval of the balance of the Consent Agenda.*

**Consent Agenda adopted as amended**

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

**Nay:** 0

- 3      [RES 12-345](#)      Approving the Mayor's appointments of Jeremiah Ellis, Brooke Hanson, Meredith Beeson, and Michael DeCourcy, Jr. to serve on the Neighborhood STAR Board.
- Adopted**
- 4      [RES 11-2542](#)      Authorizing the Police Department to enter into an agreement with the State of Minnesota, State Patrol, that includes an indemnification clause.
- Adopted**
- 5      [RES 12-327](#)      Amending the Memorandum of Understanding with the United States Marshals service.
- Adopted**
- 6      [RES 12-168](#)      Authorizing the Department of Parks and Recreation to enter into a joint powers agreement with Saint Paul School District (ISD #625) allowing the use of the Como Woodland Outdoor Classroom as a School Forest.
- Adopted**
- 7      [RES 12-339](#)      Authorizing the Department of Parks and Recreation to enter into a grant agreement with and provide indemnification for Ramsey County to accept a grant for purchase and installation of benches in Lilydale Regional Park and Dunedin Highrise on behalf of the City. (Laid over from February 22 for public hearing)
- Councilmember Thune moved to lay the matter over to March 7 for public hearing.*
- Laid over to March 7**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

- 8      [RES 12-325](#)      Accepting temporary construction easements, authorizing payment for the easements, and declaring a trail easement related to the Cherokee Regional Bicycle Trail Project.
- Adopted**
- 9      [RES 12-310](#)      Identifying the need for Livable Communities Transit-Oriented Development Funding and authorizing applications for grant funds.
- Adopted**
- 10     [RES 12-311](#)      Approving the 2011-2012 Emergency Shelter Grant Fund recipients.
- Adopted**
- 11     [RES 12-283](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessment for construction of sanitary sewer connections, as requested by the property owners in connection with the Davern/Jefferson Phase II RSVP. (File No. 19079C2, Assessment No. 126002)
- Adopted**
- 12     [RES 12-284](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessment for construction of sanitary sewer connections, as requested by the property owners in connection with the Davern/Jefferson Phase I RSVP. (File No. 19079C3, Assessment No. 126006)
- Adopted**
- 13     [RES 12-246](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessment for construction of sanitary sewer connections, as requested by the property owners in connection with the Blair/Griggs RSVP. (File No. 19093C, Assessment No. 126004)
- Adopted**
- 14     [RES 12-321](#)      Preliminary Order setting the date of Public Hearing for March 21, 2012 to consider approval for the installation and implementation of a bicycle facility along Prior Avenue from Summit Avenue to Pierce Butler Route. (File No. PRIORBIKE'12)
- Adopted**
- 15     [RLH TA 12-85](#)      Amending Council File RLH AR 11-118 to delete the assessment for Excessive Inspection Services at 688 FOURTH STREET EAST during July 5 to July 29, 2011. (File No. J1201E, Assessment No. 128300)
- Adopted**
- 16     [RES 12-354](#)      Recognizing Black History Month 2012.
- Adopted**

**FOR DISCUSSION**

- 17      [RES PH 12-52](#)      Approving adverse action against all licenses held by MW #1, Inc., d/b/a Corner Meats & Grocery, 516 Rice Street. (Public hearing held February 15)
- Councilmember Carter said it did not appear that the problems at the business were beyond the manager's control. He moved approval.*
- Adopted (\$450 penalty imposed)**
- 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**

- 18      [Ord 12-3](#)      Memorializing City Council action granting the application of Wulff Family Mortuary for the Rezoning from R4 Single-Family Residential to VP Vehicular Parking at 1756 Nebraska Avenue East and 1755 Nevada Avenue East, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held December 21, 2011)
- Councilmember Bostrom 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

**Third Reading, No Public Hearing**

- 19      [Ord 12-5](#)      Memorializing City Council action granting the application of Apex Auto Salvage, Inc to rezone the property at 198 Minnehaha Avenue East from I1 Light Industrial to I2 General Industrial, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held January 18)
- Laid over to March 7 for final adoption**

**Second Reading**

- 20      [Ord 12-10](#)      Memorializing City Council action granting the application of Marquette Apartments Llc to rezone the property at 204-208 Western Avenue N. from RM2 Medium-Density Residential to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held February 1, 2012).

**Laid over to March 7 for third reading**

**First Reading**

- 21      [Ord 12-13](#)      Amending Chapter 348 of the Saint Paul Legislative Code pertaining to license requirements for animal daycare and/or animal boarding.

**Laid over to March 7 for second reading**

**SUSPENSION ITEMS**

*Councilmember Stark 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

- [RLH TA 12-126](#)      Amending Council File RLH AR 11-74 to delete the assessment for Vacant Building Fees from June 2011 at 1795 SELBY AVENUE. (File No. VB1112, Assessment No. 118097)

*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

*Councilmember Tolbert 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 12-412**

Declaring Wednesday, February 29, 2012 as "Shout Out St. Kate's Day" in the City of Saint Paul.

*Councilmember Tolbert read the resolution and presented it to Amy Gage, Director of Marketing and Communications at St. Catherine University.*

**Adopted**

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

**Nay:** 0

**PUBLIC HEARINGS****22      RES PH 12-50**

Approving the establishment of the Schmidt Brewery Redevelopment Project Area and the Schmidt Brewery Tax Increment Financing District, and approving a redevelopment plan and tax increment financing plan therefor.

*Cecile Bedor, Director of the Department of Planning and Economic Development, said the development agreement to construct the Schmidt Brewery Housing Project had been approved by the HRA board on December 22, 2011 and acknowledged TIF as one of the financing sources. She gave a staff report summarizing the Schmidt project and proposed development.*

*Councilmember Thune thanked Ms. Bedor.*

*No one appeared in opposition; Councilmember Thune moved to close the public hearing and approve the resolution.*

**Adopted**

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

**Nay:** 0

**23      RES PH 12-51**

Approving the establishment of a Tax Increment Financing District and approving an amended and Restated Tax Increment Plan (Penfield Redevelopment Project).

*Cecile Bedor, Director of the Department of Planning and Economic Development, said the financing and implementation plans for the Penfield project, including conditional approval of the TIF, had been considered and approved by the HRA board on December 21, 2011. She summarized the project, and said today's vote was on final approval of the TIF. She acknowledged Marie Franchett and Al Carlson for their work.*

*In opposition:*

*Jim White (1071 Fairmount) expressed concerns about putting taxpayer money on the line when two developers had turned down the project. He said TIF financing in general did not have a good track record.*

*In support:*

*Larry Englund (162 College Avenue) said he had appeared before the Council supporting the project a number of times in various capacities at several steps along the way. He said the Capitol River Council had always been excited about the project because it will bring young professionals downtown to live downtown and help spur the economic development. He said a vital downtown was important for a vital city. He the project would diversify the neighborhood and be a boon to downtown and the City. He noted that the Lund's store was not receiving City support.*

*Councilmember Thune moved to close the public hearing and and approve the resolution.*

*Council President Lantry said she would not support the resolution.*

*Councilmember Thune said this was another huge project with a long history and represented citizen participation at its best. He said it was meeting an identified long-standing need, and had been shaped and changed in response to adverse market condition. He said Lunds would be a great addition, and the project would strengthen the mix of housing. He moved approval.*

*Councilmember Bostrom said one issue he still found troubling was the lack of skyway connection to the rest of downtown. He said he hoped that would be made a goal.*

*Councilmember Carter said he would not support the resolution.*

**Adopted**

**Yea:** 4 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thune and Councilmember Tolbert

**Nay:** 3 - Councilmember Carter III, City Council President Lantry and Councilmember Stark

**(The HRA reconvened immediately following the City Council meeting to consider the companion HRA resolutions.)**

**ADJOURNMENT**

*Councilmember Thune moved to adjourn the meeting at 3:50 p.m.*

**Meeting adjourned**

**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****Web**

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**Cable**

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