



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*

Wednesday, October 14, 2015

3:30 PM

Council Chambers - 3rd Floor

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

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 15-93](#) Authorizing the Fire Department to pay for all costs incurred to host a National Fire Academy "Shaping the Future" training course on October 2-3, 2015 at the Fire Department training center.

Attachments: [Financial Detail AO 15-93](#)

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

Bostrom moved the consent agenda as amended.

7 in favor, none opposed

Consent Agenda is adopted as amended

Consent Agenda 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 15-1653](#) Appointing a Saint Paul Public Library Representative to the Metropolitan Library Service Agency (MELSA) Board of Trustees.

Adopted

- 3 [RES 15-1706](#) Preliminary Order setting the date of Public Hearing for November 4, 2015 to consider approval of the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program. (File No. 16ROW FINAL)

Attachments: [2016 Description of Services and Assessment Rates](#)
 [Asmt Roll 01-28-23-11-0001 to 09-28-23-13-0092](#)
 [Asmt Roll 09-28-23-13-0093 to 22-29-23-23-0020](#)
 [Asmt Roll 22-29-23-23-0021 to 29-29-23-13-0031](#)
 [Asmt Roll 29-29-23-13-00321 to 36-29-23-44-0004](#)

Adopted

- 5 [RES 15-1723](#) Approving the Maintenance Labor Agreement (May 1, 2015 - April 30, 2018) between the City of Saint Paul and the United Association of Plumbers, Local 34 and Sprinkler Fitters, Local Union No. 417. (Laid over from October 7.)

Attachments: [Plumbers SprinklerFitters Labor Agreement 2015-2018](#)
 [Plumbers Sprinklerfitters SUMMARY AGREEMENT SHEET 15-17](#)

Adopted

- 6 [RES 15-1742](#) Approving a 45-day waiver of the notification waiting period to grant a Liquor On Sale-100 Seats or less, Liquor On Sale-Sunday, Liquor On Sale 2AM Closing, Liquor-Outdoor Service Area (Patio) and Entertainment A license to J & A, Inc. d/b/a Los Ocampos (License ID #20150002452) for the premises located at 615 University Avenue West in Saint Paul.

Attachments: [Petition and support letters](#)
 [Email with petition numbers](#)
 [District 7 letter of support for 45 day waiver](#)
 [Signed license conditions dated September 15th 2015](#)

Adopted

- 7 [RES 15-1756](#) Approving adverse action against the Taxicab Driver (Provisional) license

application submitted by Daniel Patrick Lawler for the City of Saint Paul.

Attachments: [Notice of Intent to Deny License with Affidavit of Service.pdf](#)
[BCA - Minnesota Public Criminal History.pdf](#)
[SPLC Section 376.16.pdf](#)

Adopted

- 8 [RES 15-1757](#) Approving adverse action against the Sidewalk Contractor license held by Eberhard Construction, Inc. d/b/a Eberhard Construction, Inc. for the City of Saint Paul. (To be withdrawn.)

Attachments: [Notice of Intent to Suspend License with Affidavit of Service and forms.pdf](#)
[SPLC 310.05\(m\)](#)

Council President Stark said this item is being withdrawn.

Withdrawn

- 9 [RES 15-1758](#) Approving adverse action against the Laundry/Dry-cleaning Plant and Commercial Vehicle licenses held by Joseph Sturdevant d/b/a Sweeney Cleaners located at 252 Snelling Avenue South in Saint Paul.

Attachments: [Notice of Intent to Suspend License with Affidavit of Service.pdf](#)
[SPLC 310.05\(m\)](#)

Adopted

- 10 [RES 15-1775](#) Authorizing the Department of Parks and Recreation to enter into an agreement with Minnesota State Fair, which includes a promise of indemnification, for storage space for the storage of golf cars and beverage cars for Saint Paul golf courses and two sail boats for Phalen Beach, at a cost of \$3,396.00.

Attachments: [Minnesota State Fair Storage License.pdf](#)

Adopted

- 11 [RES 15-1779](#) Authorizing the Department of Parks and Recreation to apply for up to \$147,150 from the Capitol Region Watershed District's 2015 Special Projects Grant Program, and if funds are granted, authorizing the proper City of Saint Paul authorities to execute grant agreements in compliance with all applicable laws, and authorizing staff to apply for reimbursement from the grant funds approved for the Swede Hollow Stream project.

Adopted

- 12 [RES 15-1789](#) Sustaining adverse licensing action against the Second Hand Dealer - Motor

Vehicle license held by Fleetwood Motors, LLC d/b/a Fleetwood Motors for the premises located at 550 Como Avenue in Saint Paul.

Attachments: [Fleetwood Motors LLC ALJ Report dated August 31st 2015\(1\).pdf](#)
[Faxed letter from licensee agreeing to \\$500.00 penalty dated October 5th 2015.pdf](#)

Adopted

- 13 [RES 15-1792](#) Waiving the signature requirement of Schmidt Keg House, LLC to create a commercial development district and directing the pertinent City officials to schedule a public hearing.

Attachments: [Schmidt CDD Petition](#)
[Schmidt CDD Petition-Revised Letter](#)
[Planning Commission Schmidt Resolution PC7-10-15](#)

Adopted

- 14 [RES 15-1801](#) Requesting the Saint Paul Charter Commission to review the proposed ordinance amending Charter Section 17.07 regarding On-Sale Liquor Licenses issued to restaurants.

Attachments: [17.07 Proposed Charter Amendment](#)
[Schmitt-Dunlop support email](#)

Adopted

- 15 [RES 15-1804](#) Establishing boundaries for the Downtown Parking District.

Adopted

FOR DISCUSSION

- 4 [RES 15-1722](#) Recognizing the Saint Paul Pioneers Men's Amateur Football Team for outstanding athletic achievements and community service.

Councilmember Brendmoen invited the St. Paul Pioneers to come up. They have been functioning since 2002. There are 60 members. She was invited to see a skills camp they were putting on at the North End. The field was packed with kids from the North End. They have won championships. A lot of people don't know what they do. She is bringing awareness to the organization. Games at the Seafoam stadium at Concordia is fun.

(Brendmoen read the resolution.)

Council President Stark said he hasn't been to a game, but he can hear the play by play in his backyard.

Jim Walsh said the team was founded in 2002. They have coached youth football at Palace Recreation Center for years. They have been in the community for a long

time. It has been a challenge for people to know about them. They have 60 players on their team and about a dozen coaches. No one is paid; everyone is a volunteer. They do it because they love the game and love to give back. On January 16, they return to Daytona Beach, Florida to play for their 4th national championship.

George Hall, board member of the St. Paul Pioneers, said he was a player, equipment specialist, did stats, announcer, was an owner, and now is a board member. Players and staff sleep, work, bleed, dine, eat, and win Saint Paul.

Brendmoen 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

16 [SR 15-90](#)

Update from Ramsey County Sheriff Matt Bostrom.

Referring to Item 4, the previous item on the agenda, Sheriff Bostrom talked about football and how it was an important time in his life.

The Sheriff updated the Council: they release two positive stories a week and they do not necessary make it into the media. He has 25 units. There are some things he would like to highlight. One of the areas is providing an opportunity to do coffee with a cop. They did this with the residents of Vadnais Heights, Little Canada, and Shoreview. Dozens of people came out. They handed out stickers to the kids and got valuable information from things told in the community. Some people said they didn't want to call 911, but they wanted the police to know something. Other places around the country have developed this.

They just had a community drug forum at North Saint Paul High School. There will be another on October 29 at Mounds View High School. Residents want relevant information about drug use. There is an uptick in overdose, particularly heroin. It starts with the misuse of prescription drugs. Heroin is running 90% pure. When people are trying to self-minister, that is when the problem comes in. There are a lot of people who think they are the only ones going through this. There is a resource fair where people can meet with a lot of providers. They would like to take this fair school to school. All citizens can reduce. People should turn in pain killers. The police will take them and dispose of them. They have brought in 6,000 pounds already, and there is still a vast amount out there.

Oftentimes when people call detention, they are wondering if someone is there. Now it is automated. They can e-mail them. Another change is they can leave a voice mail. Right now, a person can go to the telephone and talk to someone for 20 minutes. They have implemented a skype sort of thing. The people in custody have not been convicted. People do better when they know they have not been forgotten by family and community. E-mail, voice, video contact has made the facility even more safe. It is good, but it doesn't make the news.

Some of you were at the gala. The sheriff's foundation does a haunted house. That is their fundraiser. It goes to support the youth program, K-9, dive team. It is an independent 501c3 with its own board. They fund things that really help the community. It is every Friday and Saturday night at dusk through Halloween. It is all volunteer staff, a lot of deputies, and corrections staff. It takes about 100 volunteers a night. It is a production.

Councilmember Thao asked has he been working on diversifying his deputies. Sheriff responded there are 140 correction officers. They non sworn, wear uniforms and badges, and they serve the detention center. They have about 230 sworn officers. They recently put on 3 corrections academies and the most recent was 67% diverse, the one previous to that was 70%, and the one previous to that was 33%. When they look at what is available to be hired as law enforcement officers--gone to college, taken the peace officers test, and ready to be hired--there isn't a lot of diversity on that list. They are trying to improve their diversity in the correctional environment--which requires a high school diploma, good background, and good work history--and those people decide to get into sworn law enforcement and go back to college. He can promote them. That is the coming future.

Received and Filed

- 17 [RES 15-1784](#) Approving the execution of a Joint Powers Agreement between the City of Saint Paul, the Port Authority of the City of St. Paul and the Metropolitan Council.

Attachments: [JPA 10.14.15](#)

Councilmember Tolbert explained his amendment. It brings more transparency to the process. This gives the city more site control. This is the next step to bringing major league soccer to Saint Paul.

Tolbert moved the amendment.

Councilmembers Brendmoen and Stark gave support to the amendment.

7 in favor, none opposed
Amendment is approved

Councilmember Bostrom said it was passed at the Port Authority this morning. There were tails on these projects that end up costing a lot of money. They do not support using taxpayer money to support the infrastructure. There should not be any surprises.

Stark said the clear language is the team will pay full cost of the stadium. The street is not the language we passed. Any development is going to need some streets. There is a community advisory group being set up with applications already online.

Tolbert moved approval of the amended version.
7 in favor, none opposed
Resolution is adopted as amended

Tolbert asked for an update of where MLS, soccer, and the City of St. Paul are right now.

Todd Hurley (Office of Financial Services Director) responded the Administration has had several discussions with the owners of the Minnesota United Soccer Team in the last few months. There is no official deal in place. In these discussions, they have shared the general principles with the team for things to be in place: principles around the land, principles around the stadium, principles around the master development plan, and requirements necessary for this to happen. Any agreements with a soccer stadium will have to come back to the Council for final approval. The land identified is the bus barn site in the Midway area on Snelling. The joint

powers agreement is a great first step to get into official negotiations with the Met Council and the Port Authority. The City and Port Authority will negotiate for the best deal. They will be looking for revenues from this lease. It is the intent of the City to sign a lease with the team and they would be responsible for 100% of the cost of payment of the ground lease. For moving into the stadium, the team is responsible for 100% of the stadium cost. It looks like the stadium will cost \$120 Million. Some public entity will have to own or control it as far as property tax exemption. With ownership, they will delegate all responsibility back to the team. Any construction costs, cost overruns, operation costs, maintenance costs, requirement to fund capital repair funds all would be the responsibility of the team. The one responsibility the City will take is to continue to use our efforts for property tax exemption at the Legislature. As for the master development plan, the City has committed to plan and participate in the public infrastructure for the entire 35 acre site. They announced the formation of a task force. That will be on next week's agenda. The Master Development plan includes green spacing, public plaza, roads, public utilities, storm water management, and parking on the entire site.

Other guiding principles is the team will have to adhere to the hiring practices of the Human Rights Department, although it is being funded by private dollars. There will be a public use requirement. They have talked about an affordable ticket program, and the team will participate in helping fund and promote youth soccer in St. Paul. That is as far as we have gotten. Any deal will be approved by the City Council.

Councilmember Thao said they are looking at property tax exemption. He asked does our right-of-way assessment apply to them. Hurley responded yes.

Stark stated the joint powers agreement is solely dealing with the issue of the lease of the property by some combination of the City, Port Authority, and Met Council. Hurley responded that is correct.

Tolbert said there has been no deal made. This task force will be important to ensure neighborhood, business owners, labor to make this a transparent process. Major league soccer would be fantastic for the City and region.

Stark said there was a lot of interest in this issue at the Union Park District Council. Even if the soccer does not pan out, people are still interested in this site.

Adopted as amended

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

- 18 [Ord 15-47](#) Amending Chapter 370 of the Legislative Code regarding Building Trades Certificates of Competency.

Attachments: [Memo re: Fuel Burner Installers](#)

*Councilmember Thao moved approval.
6 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

19 [Ord 15-48](#)

Amending the Zoning Map of Saint Paul as recommended by the Gold Line Station Area Plans.

Attachments: [Ordinance Attachment A- properties for rezoning](#)
[PC resolution 15-57 adopted](#)
[NPC memo to PC- PH response](#)
[PC minutes July 24 approved \(excerpt\)](#)
[PC minutes August 7 draft \(excerpt\)](#)
[PC resolution 14-31 to initiate study](#)
[Stinson Leonard Street letter](#)
[District 1 Letter of Support](#)
[Smart Trips Letter](#)

*Councilmember Finney moved approval.
6 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

20 [Ord 15-49](#)

Amending Chapter 34 of the Legislative Code, Minimum Property Maintenance Standards for All Structures and Premises, to include Outdoor Swimming Pools.

Attachments: [Memorandum RE Nuisance Pool Ordinances.9-4-15](#)
[Additional Memorandum RE Nuisance Pool Ordinance.9-29-15](#)

*Councilmember Brendmoen moved approval.
6 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

21 [Ord 15-50](#)

Amending Chapter 45 of the Legislative Code, Nuisance Abatement, to include Outdoor Swimming Pools.

Attachments: [Memorandum RE Nuisance Pool Ordinances.9-4-15](#)
[Additional Memorandum RE Nuisance Pool Ordinance.9-29-15](#)

*Councilmember Brendmoen moved approval.
6 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

22 [Ord 15-52](#)

Amending Chapter 91 of the Saint Paul Legislative Code pertaining to unpaid service charges.

Attachments: [Proposed Ordinance](#)
[Code Changes](#)
[BWC Resolution 15-1630](#)

*Officer Brendmoen moved approval.
6 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

SUSPENSION ITEMS

*Council President Stark moved suspension of the rules.
6 in favor, none opposed
Rules are suspended*

Suspension of the rules

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

Nay: 0

Absent: 1 - Councilmember Bostrom

[RES PH 15-262](#)

Ratifying the assessment for the Raymond Avenue from Hampden to Energy Park Drive paving/lighting project. (File No. 19171, Assessment No. 155201)

Attachments:

[Assessment Roll](#)

[150908 - JGH to Council Mayor City Clerk re Assessments for Update and McCann](#)

[150904 - JGH to Council Mayor City Clerk re Assessments](#)

[Industrial Equities LLP letter](#)

Council President Stark moved a one week layover.

6 in favor, none opposed

Resolution is laid over to October 21

Laid over to October 21

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

Nay: 0

Absent: 1 - Councilmember Bostrom

ADJOURNMENT

The meeting was adjourned at 4:12 p.m.

The meeting was adjourned at 4:12 p.m.

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

Nay: 0

Absent: 1 - Councilmember Bostrom

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