



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 28, 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 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Bill Finney and City Council President Russ Stark

Absent 1 - Councilmember Dave Thune

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

Nay: 0

Absent: 1 - Councilmember Thune

- 1 [RES 15-1814](#) Authorizing the Department of Planning and Economic Development to submit applications to the Department of Employment and Economic Development for Contamination Cleanup and Investigation Grants and to the Metropolitan Council for Tax Base Revitalization Account Program for the 745 Cleveland Avenue, Fillmore Avenue, former Sholom Home, and University Avenue Inc (former Lexington Library) sites.

Adopted

- 2 [RES 15-1820](#) Authorizing the Fire Department to enter into an agreement with Fire Solutions Systems for the use of the Saint Paul Fire Department training facilities.

Attachments: [Fire Solutions Systems Agreement](#)

Adopted

- 3 [RES 15-1821](#) Authorizing the Fire Department to enter into a joint powers agreement with Century College to provide Hazardous Materials Technician training for firefighters October 12 - November 24, 2015.

Attachments: [Financial Detail 15-1821](#)
 [Century College Haz Mat Tech Agreement](#)

Adopted

- 4 [RES 15-1826](#) Authorizing the Department of Parks and Recreation to apply for \$143,475 in funding through the Conservation Partners Legacy grant program to enhance 60 acres of woodland habitat at Indian Mounds Regional Park and, if successful, enter into an agreement providing indemnification for the MN Dept of Natural Resources.

Adopted

- 5 [RES 15-1836](#) Approving grant funds through the Citywide Neighborhood STAR Year-Round Program for the Lost and Foundry Metal Shed Project in the Schmidt Artists Lofts.

Adopted

- 6 [RES 15-1842](#) Approving the use of grant funds through the Neighborhood Star Year-Round Program for Historic Saint Paul and Greening the Avenue.

Adopted

- 7 [RES 15-1848](#) Approving a Liquor Outdoor Service Area (Patio) license to L & E of St Paul, Inc. d/b/a Bay Street Grill and Bar (License ID #20100000617) for the premises located at 731 Randolph Avenue in Saint Paul.

Attachments: [Bay Street Grill and Bar, Signed license condition affidavit 9/11/15](#)

Adopted

- 8 [RES 15-1849](#) Approving adverse action against the Cigarette/Tobacco license held by Langano Grocery & Meat LLC d/b/a Langano Grocery & Meat LLC located at 421 University Avenue West in Saint Paul.

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

Adopted

- 9 [RES 15-1851](#) Approving the Memorandum of Agreement for the 2016 - 2017 Health Insurance contributions. (Laid over from October 28.)

Attachments: [2016 - 2017 Health Ins Contribution MOA](#)

Laid over to November 4

- 10 [RES 15-1852](#) Approving the 2015 Rules & Regulations for the Department of Parks and Recreation.

Attachments: [2015 Rules and Regulations for Parks Brochure.pdf](#)

Adopted

- 12 [RES 15-1857](#) Approving the Mayor's Reappointment of Ken Peterson to the District Energy of Saint Paul Board of Directors.

Adopted

FOR DISCUSSION

ROLL CALL

- 11 [RES 15-1856](#) Initiating amendments to the Saint Paul Zoning Code pertaining to parkland dedication fee expenditures by referring them to the Planning Commission pursuant to Minn. Stat. § 462.357, Subd. 4 for a study, report, and recommendation regarding their adoption. (Laid over from October 28.)

Councilmember Thao said he is not clear what Parks and Rec and PED (Planning and Economic Development) need to change. It was passed on October 3. He would like to hear from staff as to what they are trying to do. He is not ready for a vote.

Donna Drummond, Director of PED, appeared and said staff took a closer look at the area you can spend. They felt the half mile distance restriction did not match the service areas. Some facilities have bigger service areas.

Thao said he has in front of him an area of low mobility. Some do not have the means to travel. If they move forward, how do they ensure there is equity in those communities that need this the most.

Drummond said Parks is not at this meeting. These are generated by development projects that pay this fee. It is a strict standard to evaluate where the money can be spent. When they spend money on this fund, it has to come back to the Council.

Thao said we can't take parkland dedication from the Bus Barn site and use it on the

East Side. Drummond responded that is right. Under state law, there has to be a connection. They would not be able to spend it way across town. There is a table of different types of facilities and service areas. Some are bigger than half a mile.

Thao asked for examples of 2016-2017 where parkland dedication would be used. Drummond responded there has only been one expenditure: Frogtown Farms.

Thao said he would like to hear from Parks. If we change that, we are continuing to institutionalize inequality especially for the people who need it the most.

Council President Stark read some language. The idea is if it was happening in an area already served, it creates an opportunity to spend it in an area underserved.

Thao recommended laying it over for a week. He would like to make sure he fully understands what they are trying to do.

Councilmember Tolbert and Stark asked who it goes back to. Drummond responded that under state law the Planning Commission has to comment on amendments. This is a minor amendment. The plan was to have them review it, provide recommendations, and the Council would have their own public hearing.

Tolbert said this should go to the Parks Commission. A lot of thought went into every word of that. There may have been 7 public hearings. Parks should get a look at it.

Drummond said the Planning Commission looked at this intensely and worked on it over a long period of time. They worked with Parks staff and the City Attorney's Office on this language.

Stark said when they got feedback, they were suggesting we not limit where the funds could be spent. That would not be consistent with state law. Their recommendation was greater flexibility.

Thao said Planning will send it back to us. We can lay this over, figure it out, not have to go through the public hearing again. A sensible compromise.

Bostrom said there has been enough confusion. A one week layover will not make much of a difference, is reasonable, and will not change anything.

*7 in favor, none opposed
Resolution is laid over to November 4*

Laid over to November 4

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

Nay: 0

13 [RES 15-1859](#) Accepting the Robert Street Transitway Alternatives Analysis Conclusion.

Stark the work that went into developing the two alternatives. The recommendation is rapid transit and street car. They want to make sure they support transit way in the future. There should be some sort of transit investment there.

*Stark moved approval
7 in favor, none opposed*

Res is adopted

Adopted

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

Nay: 0

14 [AHPC 15-3](#)

Public hearing to consider the appeal of the Central Presbyterian Church to a condition of approval by the Heritage Preservation Commission regarding one condition to restore and use metal ridge caps at 500 Cedar Street. (Public hearing held on October 7, 2015.)

Attachments: [HPC Decision Letter for 500 Cedar](#)
[HPC Design Review Application for 500 Cedar](#)
[Appellant letter Central Pres Church](#)
[Staff Report 500 Cedar Central Presbyterian - roof REVISED](#)
[Decra Product Info 500 Cedar](#)
[Example Photos Submitted by Applicant](#)
[500 Cedar - Roofing Size Comparisons](#)
[Sample of Historic Slate with Measurements](#)
[500 Cedar PowerPoint Presentation for Public Hearing](#)
[Adopted HPC Minutes for Public Hearing 08-27-15](#)
[Central Presbyterian Church Letter](#)
[AHPC 15-3 Submitted 100715](#)
[RES PH 15-262 Submitted 100715](#)

Amy Spong said that this was referred back to HPC (Historic Preservation Commission). It was discussed on October 28. There was new information to the Council on October 7 and more questions arose. The contractor was able to attend. It was productive discussion with the HPC. It was long, detailed, and technical. The HPC has modified their condition and are not requiring the continual metal ridge caps on areas that currently do not have it. That was the main reason for the appeal. They were able to verify some things about this product not being able to use with lead and copper. There was an additional question about the historical copper. The contractor verified that the membrane material can be installed next to the copper. The HPC felt it was important to keep the existing copper. Finally, the HPC recommends the Council adopt the remaining conditions that were part of the original HPC decision that the appellant was not appealing.

David Colby, Pastor, said they are grateful.

Thune said they heard the appeal on October 7, and laid it over to October 28. They met on October 22. The contractor was present. They have reached an agreement.

(Thune read the details of his appeal into the record.)

*Thune moved to deny the appeal with the conditions that he read.
7 in favor, none opposed*

Motion of intent, appeal is denied with modification.

Motion of Intent, appeal is denied with modifications

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.

Second Reading

- 15** [Ord 15-54](#) Creating a commercial development district to be known as the Schmidt Brewery Commercial Development District pursuant to Section 17.07.1 of the Saint Paul City Charter and Section 409.20 of the Saint Paul Legislative Code.

Attachments: [Exhibit 1-2015 Schmidt Brewery CDD Map](#)
 [Schmidt Brewery CDD - Planning Commission Resolution #15-43](#)
 [Schmidt Brewery CDD - Keg House Signed Petition](#)

Laid over to November 4 for third reading/public hearing

- 16** [Ord 15-55](#) Granting a competitive cable franchise for Qwest Broadband Services Inc. d/b/a/ CenturyLink.

Attachments: [Exhibits A & B](#)
 [Grogan memo and findings of fact](#)
 [St Paul Signature Page TRS](#)
 [Signed Exhibit B - Indemnity Agreement](#)

Council President Stark moved an amendment. The City did due diligence.

6 in favor, none opposed

Amendment is approved and ordinance is laid over to November 4 for third reading/public hearing

Amended and laid over to November 4 for third reading/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

First Reading

- 17 [Ord 15-56](#) Amending Chapter 21 of the Administrative Code pertaining to the minimum qualifications for City Engineer.

Laid over to November 4 for second reading

SUSPENSION ITEMS**ADJOURNMENT**

The meeting was adjourned at 3:57 p.m.

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

Nay: 0

Council Meeting Information

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Cable

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