



# 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, May 8, 2013

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

*The meeting was called to order by Council President Lantry at 3:30 p.m.*

- Present** 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark and Councilmember Chris Tolbert
- Absent** 1 - Councilmember Dave Thune

*Councilmember Thune arrived after roll call.*

- 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 13-13](#) Letters from the Department of Safety and Inspections declaring 417 Clarence Street and 1299 Scheffer Avenue as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

**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 - 14)**

*Councilmember Brendmoen 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

- 2**     [RES 13-671](#)     Approving the settlement agreement and release between the City of Saint Paul and Douglas Bahl and his attorney, Roderick J. Macpherson III.  
**Adopted**
- 3**     [RES 13-693](#)     Authorizing the City to enter into an agreement with the Minnesota Department of Revenue for collection of a Local Sales and Use Tax and a Lodging Tax.  
**Adopted**
- 4**     [RES 13-683](#)     Authorizing the Saint Paul Fire Department to accept a grant of \$10,000 from the Bush Foundation.  
**Adopted**
- 5**     [RES 13-658](#)     Authorizing the Department of Parks and Recreation to enter into an agreement with Minnesota Toro Inc. for the use of a formal cut rotary mower valued at \$6,000, for field and grounds maintenance at Midway Stadium, as a trade for the City providing advertising space at Midway Stadium.  
**Adopted**
- 6**     [RES 13-659](#)     Authorizing the Department of Parks and Recreation to enter into an agreement with Tri-State Bobcat for the use of a tractor/loader valued at \$6,000, for field and grounds maintenance at Midway Stadium, as a trade for the City providing advertising space at Midway Stadium.  
**Adopted**

- 7     [RES 13-679](#)     Authorizing the Department of Parks and Recreation to apply for, and if awarded, enter into a grant agreement with the Minnesota State Arts Board to accept \$80,000 in grant funds.  
**Adopted**
- 8     [RES 13-681](#)     Authorizing the Department of Parks and Recreation to apply for, and if awarded, enter into a grant agreement with the Saint Paul Foundation to accept \$75,000 in grant funds.  
**Adopted**
- 9     [RES 13-629](#)     Approving adverse action against the Restaurant (2) 1-12 Seats license application submitted by Pizza Three LLC, d/b/a Pizza 3, 1556 Selby Avenue.  
**Adopted**
- 10    [RES 13-628](#)     Approving adverse action against the Sidewalk Contractor license held by Guy Nelson Construction, LLC.  
**Adopted**
- 11    [RES 13-630](#)     Approving adverse action against the Tree Trimmer & 1 Vehicle and Tree Trimmer - Each Add'l Vehicle licenses held by Jeff M. Fuchs, d/b/a J F Tree Care.  
**Adopted**
- 12    [RES 13-631](#)     Approving adverse action against the Taxicab Vehicle license for Cab #5231 held by Abdinur Omar Rage, d/b/a MSP Airport Taxi, LLC.  
**Adopted**
- 13    [RES 13-675](#)     Waiving the 45 day notice requirement and approving a 545 square foot expansion of the licensed wine and beer service area into the compact and contiguous space east of the current service area for La Cabana Restaurant Inc (License ID #20040004015), 863 East Seventh Street.  
**Adopted**
- 14    [RES 13-673](#)     Authorizing the St. Paul Midway Lions Club Foundation to conduct charitable gambling at V & J Liquors, Inc., d/b/a Christensen's Bar, 1567 University Avenue West.  
**Adopted**

**FOR DISCUSSION**

- 15**     [ABZA 13-4](#)     Public hearing to consider the appeal of Luis Mota 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 building for Qdoba Mexican Grill Restaurant in the T2 Traditional Neighborhood zoning district at 2081 Ford Parkway.
- Councilmember Tolbert moved to lay the matter over to May 15. He said it was his understanding from staff that the appellant may submit another plan, and if that was the case he felt the Council should have an opportunity to see the plan before making a judgment on the matter.*
- Laid over to May 15**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
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- 16**     [RES PH 13-76](#)     Final Order to consider approval for new sidewalk improvements along the west side of Kent Street - Orange to Wheelock. (File No. S1307, Assmt. No. 135307)
- Councilmember Brendmoen said a conversation was initiated with Public Works about the method for assessing new sidewalk construction, and the possibility of adding an opt-in clause allowing new sidewalks to be assessed at the regular RSVP rate of 25%. She moved a one-week layover to continue the conversation with Public Works and the neighbors.*
- Laid over to May 15**
- 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.

**Third Reading, No Public Hearing**

- 17 [Ord 13-24](#) Memorializing City Council action granting the application of the Housing and Redevelopment Authority (HRA) for the rezoning of 719 Burr Street from B1 Local Business to T1 Traditional Neighborhood and RT1 Two-Family Residential, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.
- Laid over to May 15 for final adoption**

**Second Reading**

- 18 [Ord 13-22](#) Amending Legislative Code Chapters 60, 62, 63, 64, 65, and 66 pertaining to industrial zoning districts and regulation of industrial uses. (Public hearing to be continued to July 17)
- Councilmember Stark said there had been a good conversation about the ordinance change with some of the parties on both sides, and there was need for additional conversation and work, and the intention was to continue the public hearing for eight weeks (from May 15). He said there would probably be some additional tweaks at that time.*
- Laid over to May 15 for third reading/public hearing**
- 19 [Ord 13-28](#) Amending Chapter 2 of the Saint Paul Administrative Code to transfer the payroll function from the Office of Financial Services to the Office of Human Resources, and amending Chapter 3 of the Saint Paul Administrative Code to transfer the worker's compensation functions from the Office of the City Attorney to the Office of Human Resources.
- Laid over to May 15 for third reading/public hearing**
- 20 [Ord 13-30](#) Creating Chapter 346 of the Saint Paul Legislative Code pertaining to the establishment of a license for Mobile Retail.
- Laid over to May 15 for third reading/public hearing**
- 21 [Ord 13-31](#) Amending Chapter 310 of the Saint Paul Legislative Code pertaining to the establishment of a license fee for a Mobile Retail Vehicle.
- Laid over to May 15 for third reading/public hearing**

**SUSPENSION ITEMS**

*Council President Lantry said two items from the previous week's agenda were being reconsidered and would be laid over for public hearing on May 15.*

*Councilmember Brendmoen 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

**Reconsideration**

*Councilmember Brendmoen moved to reconsider RLH TA 13-181 adopted by Council on May 1. Yeas - 7 Nays - 0*

[RLH TA 13-181](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307A2, Assessment No. 138524 at 987 EDGERTON STREET. (Laid over from May 22 for public hearing)

*Councilmember Brendmoen moved to lay the matter over to May 15 for public hearing.*

**Public hearing continued to May 15**

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

**Nay:** 0

*Councilmember Bostrom 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

**Reconsideration**

*Councilmember Bostrom moved to reconsider RLH TA 13-181 adopted by Council on May 1. Yeas - 7 Nays - 0*

[RLH TA 13-195](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307G, Assessment No. 138707 at 1269 EARL STREET. (Laid over from May 8 for public hearing)

*Councilmember Bostrom moved to continue the public hearing to May 15.*

**Public hearing continued to May 15**

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

**Nay:** 0

**ADJOURNMENT**

*Councilmember Bostrom moved adjournment.*

**The meeting was adjourned at 3:38 p.m.**

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

**Nay:** 0

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