



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, June 26, 2013

3:30 PM

Council Chambers - 3rd Floor

**There will be no meeting on Wednesday, July 3.
July public hearings will be held on July 10 and July 24.**

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 13-16** Letters from the Department of Safety and Inspections declaring 989 Burr Street and 676 Wells Street 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 - 32)

Item 26 was withdrawn. Item 29 was removed from the Consent Agenda for separate consideration.

Councilmember Carter 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

- 2 RES 13-921** Approving the Mayor's appointments of Jim Kaufer, Joe Rascher, and Tom Zangs to the Saint Paul Plumbing Board of Evaluators.
Adopted
- 3 RES 13-877** Approving the polling location changes for the November 5, 2013 General Election.
Adopted
- 4 RES 13-878** Declaring the necessity of tabulating votes on November 11, 2013.
Adopted
- 5 RES 13-812** Approving assessment costs and setting date of City Council Public Hearing to ratify the assessment for installation of a fire protection system, as requested by the Sokol Hall, at 383 Michigan Street. (File No. FP2012-01, Asmt. No. 127100)
Adopted
- 6 RES 13-852** Approving the City's cost of providing Collection of Vacant Building Fees Services billed August 28, 2012 to March 21, 2013, and setting date of Legislative Hearing for July 23, 2013 and City Council Public Hearing for September 4, 2013 to consider and levy the assessments against individual properties. (File No. VB1311, Asmt. No. 138815)
Adopted

- 7 **RES 13-853** Approving the City's cost of providing Graffiti Removal Services from May 8 to May 19, 2013, and setting date of Legislative Hearing for July 23, 2013 and City Council Public Hearing for September 4, 2013 to consider and levy the assessments against individual properties. (File No. J1311P, Asmt. No. 138410)
- Adopted**
- 8 **RES 13-854** Approving the City's cost of providing Property Clean Up Services from May 1 to June 4, 2013, and setting date of Legislative Hearing for July 23, 2013 and City Council Public Hearing for September 4, 2013 to consider and levy the assessments against individual properties. (File No. J1311A, Asmt. No. 138530)
- Adopted**
- 9 **RES 13-855** Approving the City's cost of providing Trash Hauling Services from May 1 to May 29, 2013, and setting date of Legislative Hearing for July 23, 2013 and City Council Public Hearing for September 4, 2013 to consider and levy the assessments against individual properties. (File No. J1311G, Asmt. No. 138713)
- Adopted**
- 10 **RES 13-865** Approving the City's cost of providing Collection of Certificate of Occupancy Fees billed February 21 to March 19, 2013, and setting date of Legislative Hearing for July 23, 2013 and City Council Public Hearing for September 4, 2013 to consider and levy the assessments against individual properties. (File No. CRT1310, Asmt. No. 138211)
- Adopted**
- 11 **RES 13-793** Authorizing the Fire Department to enter into a joint powers agreement with Inver Hills Community College to provide services for the EMS Academy, June 17 to August 23, 2013.
- Adopted**
- 12 **RES 13-873** Authorizing the Fire Department to accept a grant of \$10,000 from the General Mills Foundation in support of the EMS Academy.
- Adopted**
- 13 **RES 13-876** Authorizing the Fire Department to accept the donation of a 15-passenger shuttle van from the Embassy Suites.
- Adopted**

- 14 RES 13-888** Creating the classifications of EMS Cadet-Temporary, occ code 483B, and EMS Cadet Assistant-Temporary, occ code 484B, in the Special Employment (99) Salary Schedule, in Grade 28H and Grade 001, respectively.
- Adopted**
- 15 RES 13-889** Creating the new classification of IS Information/Technical Analyst VI, occ code 476B, in Employee Group 06 Salary Schedule, in the new grade of Grade 24T.
- Adopted**
- 16 RES 13-895** Approving the ISD #625 Labor Agreements for AFSCME, Local 844 (representing Clerical/Technical Employees - July 1, 2012 - June 30, 2014); Minnesota School Employees Association (representing Classified Confidential Employees - July 1, 2012 - June 30, 2014); International Union of Operating Engineers, Local 70 (July 1, 2012 - June 30, 2014); International Brotherhood of Electrical Workers, Local 110 (May 1, 2012 - April 30, 2015); Twin City Glaziers, Architectural Metals and Glass Workers, Local 1324 (June 1, 2012 - May 31, 2015); Minnesota Teamsters Local No. 320 (representing Nutrition Services Personnel - July 1, 2011 - June 30, 2013); Professional Employees Association (January 1, 2012 - December 31, 2013); Tri-Council Local 49, Local 120 and Local 132 (July 1, 2012 - June 30, 2014); and the Memorandum of Agreements (May 1, 2012 - April 30, 2013) for the North Central States Regional Council of Carpenters; International Union of Painters and Allied Trades, Local No. 61; and the United Association of Plumbers, Local Union No. 34.
- Laid over to July 10 for adoption**
- 17 RES 13-858** Approving the Memorandums of Agreement between the City of Saint Paul and the Sprinkler-Fitters Local #417 for the January 1, 2013 and June 1, 2013 Wage and Fringe Adjustments.
- Adopted**
- 18 RES 13-859** Approving the Memorandum of Agreement between the City of Saint Paul and Tri-Council, General Drivers-Local #120; Laborers-Local #132; and Operating Engineers-Local #49 regarding Reachall Premium Pay.
- Adopted**

- 19 **RES 13-903** Memorializing the Council's June 5, 2013 decision granting an appeal by Dan Gleeson & Associates of a decision of the Heritage Preservation Commission denying a sign application for 255 East 6th Street.
Adopted
- 20 **RES 13-918** Authorizing the City to enter into a Cooperative Agreement, PW 2013-10, by and between the City and Ramsey County.
Adopted
- 21 **RES 13-893** Approving a Liquor Outdoor Service Area (Sidewalk) license for The Buttered Tin, LLC, d/b/a The Buttered Tin (License ID #20130001235) at 237 Seventh Street East.
Adopted
- 22 **RES 13-917** Waiving the 45 day notice requirement for issuance of on-sale licenses, and approving a Liquor Outdoor Service Area (Patio) license and a Liquor Outdoor Service Area (Sidewalk) license for Grand American Restaurant Company, d/b/a The Wild Onion (License ID # 19990002357) at 788 Grand Avenue.
Adopted
- 23 **RES 13-896** Approving the application with conditions, per the Deputy Legislative Hearing Officer, for a Health/Sport Club license, for Element Boxing & Fitness LLC (I.D. #20130001742), d/b/a Element Boxing & Fitness at 655 Fairview Avenue North.
Adopted
- 24 **RES 13-908** Approving a Special Law enacted by the Minnesota State Legislature during the 2013 regular session allowing the City to issue an on-sale liquor license for services at the Lowertown Regional Ballpark, and lessen statutory restrictions on eligibility of on-sale wine and 3.2 malt liquor license holders to also sell strong malt liquor.
Adopted
- 25 **RES 13-909** Approving adverse action against the Massage Practitioner license held by Allison A. Gerber at 937 Grand Avenue.
Adopted
- 26 **RES 13-913** Approving adverse action against all licenses held by Thai Ginger Restaurant, Inc., d/b/a Thai Ginger at 173 Robert Street South.
Withdrawn

- 27 RES 13-910** Approving adverse action against the Pedal Car Business and Pedal Car licenses held by 3 Buckaroos, LLC, d/b/a Amsterdam Pedals.
Adopted
- 28 RES 13-915** Granting temporary reciprocity to holders of valid state-issued Seasonal Temporary Food Stand licenses.
Adopted
- 29 RES 13-931** Staying enforcement for 90 days of City Council File RLH RR 12-81 ordering the rehabilitation or razing and the demolition of the structures at 704-706 BLAIR AVENUE within 30 days after the January 16, 2013 City Council Public Hearing.
Legislative Hearing Officer Marcia Moermond said a number of stringent conditions had been met by the property owner and she was confident the rehabilitation would be completed in the time allotted.
Councilmember Carter moved approval of the resolution as amended.
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
- 30 RES 13-894** Approving the modification of Neighborhood STAR Program Funds for Twin Cities Housing Development Corporation.
Adopted
- 31 RES 13-949** Approving the use of Year Round STAR Loan Program Funds for a project in Ward 1.
Adopted
- 32 RES 13-947** Proclaiming June 30, 2013 to be Mary K. Murray Boyd Day in the City of Saint Paul.
Adopted

FOR DISCUSSION

- 33 RES 13-850** Congratulating Evelyn A. Senty on her retirement after more than 35 years of serving the City of Saint Paul.
- Council President Lantry introduced Ev Senty and read the resolution. Ms. Senty made brief comments about her work with the adaptive recreation program.*
- 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
- 34 RLH RR 13-25** Ordering the rehabilitation or razing and removal of the structures at 1281 THIRD STREET EAST within fifteen (15) days after the June 5, 2013 City Council Public Hearing. (Public hearing held June 5) (To be amended to remove the building within 15 days with no option for repair)
- Legislative Hearing Officer said none of the items the Council had requested had been provided; she recommended ordering the building's removal within 15 days with no option for its rehabilitation.*
- Council President Lantry moved approval of the resolution as amended.*
- Adopted as amended (remove within 15 days with no option for rehabilitation)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 35 RLH RR 13-26** Ordering the razing and removal of the structures at 217-219 WHITE BEAR AVENUE NORTH within fifteen (15) days after the June 5, 2013, City Council Public Hearing. (Public hearing held June 5; laid over from June 26)
- Legislative Hearing Officer Marcia Moermond said a solid work plan had been submitted, and she asked for a layover to July 10 to allow time for the other conditions to be met.*
- Council President Lantry moved to lay the matter over to July 10.*
- Laid over to July 10**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

- 36 RES 13-925** Appointing Nathaniel A. Khaliq as the interim Ward 1 councilmember filling the term of Councilmember Melvin Carter until the November election. (Councilmember Carter will abstain from the vote.)

Council President Lantry said there had been a lot of interest in the interim position and great candidates, and she thanked all who applied.

Councilmember Thune moved approval.

Adopted

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

Nay: 0

Abstain: 1 - Councilmember Carter III

- 37 SR 13-23** Honoring Councilmember Melvin Carter III for his service to the City.

The Council members thanked Councilmember Carter and offered their best wishes. Councilmember Carter made brief comments.

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

- 38 Ord 13-33** Amending Chapter 331A of the Saint Paul Legislative Code pertaining to the licensing and regulating of food establishments.

Adopted

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

Nay: 0

- 39 Ord 13-34** Amending Chapter 310 of the Saint Paul Legislative Code pertaining to food establishment license fees.

Adopted

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

Nay: 0

- 40 Ord 13-35** Amending Chapter 409 of the Saint Paul Legislative Code pertaining to location restrictions for licensed brewers and taprooms.

Adopted

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

Nay: 0

- 41 Ord 13-36** Amending Chapter 66 of the Saint Paul Legislative Code pertaining to RM2 Multifamily Residential density and dimensional standards and amending the Saint Paul zoning map, pertaining to properties along Grand Avenue from Cretin Avenue to just east of Fairview Avenue.

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

- 42 Ord 13-25** Amending Chapter 345 of the Saint Paul Legislative Code pertaining to distance restrictions for peddlers.

Laid over to July 10 for third reading/public hearing

- 43 Ord 13-26** Amending Chapter 409 of the Saint Paul Legislative Code pertaining to charitable gambling by state licensed charitable nonprofit organizations.

Laid over to July 10 for third reading/public hearing

- 44 Ord 13-38** Amending Legislative Code Chapter 74 by enacting a new section designating the St. Paul Gas Light Company Island Station at 380 Randolph Avenue as a Saint Paul Heritage Preservation Site.

Laid over to July 10 for third reading/public hearing

Council members shared information about upcoming events in their wards.

ADJOURNMENT

Councilmember Carter moved adjournment.

The meeting was adjourned at 4:02 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.

The agendas and Council files are all available on the Web (see below).

Councilmembers use iPads to review the files during the meeting. Using the iPad greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released Minutes, Agendas and Meetings are available by subscription. Please visit www.stpaul.gov/council for meeting videos and updated copies of the Agendas, Minutes and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed on: Thursdays at 5:30 p.m., Saturdays at 12:30 p.m., and Sundays at 1:00 p.m. (Subject to change)