



# 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 Melvin Carter III*  
*Councilmember Pat Harris*  
*Councilmember Lee Helgen*  
*Councilmember Russ Stark*  
*Councilmember Dave Thune*

---

Wednesday, March 23, 2011

3:30 PM

Council Chambers - 3rd Floor

---

**Note: There will be no meeting on March 30, the fifth Wednesday of the month.**

#### ROLL CALL

*Council President Lantry called the meeting to order at 3:30 p.m.*

- Present** 5 - Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark
- Absent** 2 - Councilmember Dan Bostrom and Councilmember Melvin Carter III

#### 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

*Councilmember Helgen moved approval of the consent agenda.*

#### Consent Agenda Adopted

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

- 1      [RES 11-503](#)      Approving the Labor Agreement (January 1, 2011 - December 31, 2012) and Memorandum of Agreement (2011 - 2012) between the City of Saint Paul and District Lodge No. 77 International Association of Machinists and Aerospace Workers AFL-CIO. (Laid over from March 23 for adoption)

**Sponsors:**      Lantry

**Laid over to 4/6/2011 for adoption**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

- 2      [RES 11-504](#)      Approving the Labor Agreement (May 1, 2010 - April 30, 2011) between the City of Saint Paul and the North Central States Regional Council of Carpenters. (Laid over from March 23 for adoption)

**Sponsors:**      Lantry

**Laid over to 4/6/2011 for adoption**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

- 3      [RES 11-443](#)      Approving the 2010-2011 Emergency Shelter Grant Fund recipients.

**Sponsors:**      Lantry

**Adopted**

- 4      [RES 11-520](#)      Authorizing the Fire Department to enter into a joint powers agreement with Dakota County Technical College to provide an Emergency Response Driving course to firefighters on May 2, 2011.

**Sponsors:**      Lantry

**Adopted**

- 5      [RES 11-523](#)      Authorizing the Fire Department to conduct various fire training exercises at the property located at 615 Drake Street, Saint Paul, Minnesota.

**Sponsors:**      Lantry

**Adopted**

- 6      [RES 11-526](#)      Authorizing the Fire Department to accept a donation of \$200.00 from the Residential Mortgage Group (RMG) Inc.

**Sponsors:**      Lantry

**Adopted**

- 7      [RES 11-569](#)      Authorizing the Police Department to enter into the attached agreement with the United States Department of Justice to participate in the Organized Crime Drug Enforcement (OCDETF) Task Force from February 20, 2011 through September 30, 2011.

**Sponsors:**      Lantry

**Adopted**

- 8      [RES 11-506](#)      Approving the City's cost of providing Excessive Consumption of Inspection services during December 16, 2010 to January 14, 2011 and setting date of Legislative Hearing for April 19, 2011 and City Council Public Hearing for May 04, 2011 to consider and levy the assessments against individual properties. (File No. J1106E)
- Sponsors:**      Lantry
- Adopted**
- 9      [RES 11-507](#)      Approving the City's cost of providing Boarding and Securing services during the month of November, 2010 and setting date of Legislative Hearing for April 19, 2011 and City Council Public Hearing for May 04, 2011 to consider and levy the assessments against individual properties. (File No. J1105B)
- Sponsors:**      Lantry
- Adopted**
- 10     [RES 11-508](#)      Approving the City's cost of providing Towing of Adandoned Vehicles during the months of August to December, 2010 and setting date of Legislative Hearing for April 19, 2011 and City Council Public Hearing for May 04, 2011 to consider and levy the assessments against individual properties. (File No. J1102V)
- Sponsors:**      Lantry
- Adopted**
- 11     [RES 11-509](#)      Approving the City's cost of providing Replacement of Lead Water Service Lines during the month of August, 2010 at 1756 Wellesley Ave and setting date of City Council Public Hearing for May 04, 2011 to consider and levy the assessments against individual properties. (File No. 1101LDSRP1)
- Sponsors:**      Lantry
- Adopted**
- 12     [RES 11-510](#)      Approving the City's cost of providing Tree Removal services in the month of January, 2011 and setting date of Legislative Hearing for April 19, 2011 and City Council Public Hearing for May 04, 2011 to consider and levy the assessments against individual properties. (File No. 1106T)
- Sponsors:**      Lantry
- Adopted**
- 13     [RES 11-505](#)      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 August Ventures - Lowertown, LLC, the property owners at 178 East 9th Street (Ward 2).
- File No. FP2010-05 Assessment No. 115139
- Sponsors:**      Thune
- Adopted**

- 14      [RES 11-521](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessment for a sidewalk improvement on the north side of Englewood Avenue from Dunlap to Lexington.
- File No. S0701 Assessment No. 090775
- Sponsors:**      Stark
- Adopted**
- 15      [RES 11-524](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessment for a sidewalk improvement on the north side of Christie Place between Prosperity Avenue and Kennard Street.
- File No. S0703 Assessment No. 090776
- Sponsors:**      Bostrom
- Adopted**
- 16      [RES 11-525](#)      Approving assessment costs and setting date of City Council public hearing to ratify the assessment for a sidewalk improvement on the south side of Cottage Avenue East from Germain to Kennard and the east side of Germain Street from Ivy to Cottage.
- File No. S0801 Assessment No. 090780
- Sponsors:**      Bostrom
- Adopted**
- 17      [RES 11-548](#)      Deleting the assessment for 796 Concordia Avenue for Property Clean Up Services provided from September 30 to October 27, 2010. (File No. J1107A, Assessment Number. 118005)
- Sponsors:**      Carter III
- Adopted**
- 18      [RES 11-554](#)      Deleting the assessment at 927 CHARLES AVENUE for Property Clean Up Services provided from November 01 to December 02, 2010. (File No. J1108A, Asmt No. 118015)
- Sponsors:**      Carter III
- Adopted**
- 19      [RES 11-560](#)      Deleting the assessment at 1344 FREMONT AVENUE for Tree Removal services during the month of November, 2010. (File No. 1104T, Asmt No. 119091).
- Sponsors:**      Lantry
- Adopted**



*Mr. Hurley said it was an extremely successful sale. The City is still in historically low interest rates. The high credit quality of the City, Sewer and Water Utility are very important in these markets. These are volatile times and things that happen throughout the world result in a flight to quality and it's great that the City of Saint Paul and its' entities are high quality, Hurley said.*

*This resolution awards the winning bid for the \$15.185 million GO Capital Improvement Bonds, Series 2011A. The bonds were sold to refund the 2003 CIB and provide funding for the various capital improvement projects as part of the City's annual capital improvement program. The refunding resulted in a \$155,000 present value savings to the City.*

*Six bids were received in this sale. The lowest one came from Stifel Nicolaus at a rate of 2.14% with a cover bid of 2.19% coming from UBS.*

*The Council was presented with a completion certificate that will allow Financial Services to update and amend the resolution.*

*Councilmember Harris commended Mr. Hurley and his staff for the good job they always do on the bond sales and the immense amount of money that is saved for the City. Harris asked if they had a budgeted estimate for the 2011 budget. Mr. Hurley responded that when they build the budget, depending on how risky the times seem, it is around 5% and they have come in well under 5%. Also, the principle is amortized over 10 years so it's not like half of the budget is saved. He will be showing the Council what the actual budget savings are. Of the \$155,000 of the refunding, one-quarter of that is going to be savings in this year and 75% will be savings next year.*

*Harris said he would like an e-mail from FSO to the Council showing the net 2011 savings on all these issues. The Council needs to have that number as one of the considerations when they enter budget deliberations. It can't just disappear into fund balance, they need to know that it was unbudgeted. Mr. Hurley said that report has become standard over the past few years.*

*Councilmember Harris moved approval as amended.*

**Adopted as amended**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

**25**      **RES 11-570**

Providing for the issuance of and accepting a proposal on the sale of General Obligation Street Improvement Special Assessment Bonds, Series 2011B; fixing the form and specifications of the Series 2011B bonds; providing for the issuance of the series 2011B Bonds; and levying a tax for the payment of the Series 2011B bonds.

**Sponsors:**      Lantry

*Todd Hurley, Acting Director, Office of Financial Services, said this resolution awards the sale of the \$12.5 million street improvement assessment bonds. They were sold to provide funding for a portion of the City's street paving and lighting program, the annual RSVP program. On this date, the City received five bids on these bonds and the lowest rate came from UBS at 3.63% and the cover bid came from Wells Fargo at*

3.67%. The Council has a completion certificate which will allow staff to insert the relevant information from the winning bids into the blanks in the resolution.

Councilmember Harris moved approval as amended.

**Adopted as amended**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

26 [RES 11-571](#)

Supplementing the General Resolution (CF 88-835) relating to Sewer Revenue Bonds and providing for the issuance of Sewer Revenue Bonds, Series 2011C; awarding the sale of the Series 2011C bonds; and fixing the form and specifications of the Series 2011C Bonds.

**Sponsors:** Lantry

*Todd Hurley, Acting Director, Office of Financial Services, said this resolution awards the winning bid of \$8.9 million sewer revenue bonds. Bond proceeds will be used for various rehab projects on the City's sewer utility. The City received three bids on these bonds on this date. The lowest rate of 3.76% came from Robert W. Baird with a cover bid of 3.77%, 1/1000th of a basis point higher coming from Piper Jaffrey. The completion certificate will allow staff to complete the resolutions with relevant information on the winning bid.*

Councilmember Harris moved approval as amended.

**Adopted as amended**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

27 [RES 11-572](#)

Authorizing the issuance and sale of Water Revenue Refunding Bonds, Series 2011D and Series 2011E; awarding the sale thereof to the purchasers named herein and; fixing the form and specifications of the Water Revenue Refunding Bonds, Series 2011.

**Sponsors:** Lantry

*Todd Hurley, Acting Director, Office of Financial Services, stated this resolution awards two different bond sales of Water Revenue Bonds. This issue had to be split between taxable and tax exempt bond funds. It awards \$3,865,000 in tax exempt revenue bonds, Series 2011D and the \$2,665,000 taxable water revenue bonds, Series 2011E. These bonds were sold to refund the 1998 Minnesota Public Facilities Authority Note. Some extra work was required on this looking at the sources of the money that the PFA gave the City which was a combination of State tax exempt dollars and Federal grant dollars which the State received plus do a pro-rata refunding with both taxable and tax exempt bonds.*

*The first issue is the tax exempt series. Four bid were received with the lowest rate of 1.99% from Piper Jaffrey. The cover bid was 2.01% from Hutchinson and Shockey.*

*Eight bids were received for the taxable series. The lowest bid was from Robert Baird at 1.2% and the cover from UBS at 1.27%.*

*Mr. Hurley said the present value savings is \$400,000 for the Water Utility.*

*The completion certificates before Council allows staff to amend the resolution to include the relevant purchaser.*

*Councilmember Harris moved approval as amended.*

**Adopted as amended**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

29

**RES 11-576**

Urging the Metropolitan Council to add to construction and business mitigation efforts along Central Corridor given new information in the FTA's recent Supplemental Environmental Assessment.

**Sponsors:** Stark and Carter III

*Councilmember Stark presented an amended resolution and provided background information saying there was a lawsuit against the Central Corridor project and the courts determined the project had to do some environmental work with business mitigation which they did. The headline of that work was that the overall impact on businesses along the corridor was fairly modest as a percentage of their overall revenues. But when the details are looked at, there are some significant losses that weren't protected for certain kinds of businesses. Mr. Stark said they looked at what kinds of losses, based on the study, that businesses should expect and then went back and looked at all the ways in which both the City and the Council have contributed to mitigation type efforts. The basis of the resolution is to say that there is still about a \$3.6 million gap between what has been done and what the report says will be the losses of these businesses on University Avenue. He said they are urging the Metropolitan Council to find a way to add to their mitigation of the original project.*

*Councilmember Stark moved approval of the resolution as amended.*

**Adopted as amended**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

**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**

- 30     [Ord 11-26](#)     Amending the Legislative Code, Chapter 65, land use definitions and development standards, and Chapter 66, zoning district uses, pertaining to tobacco shops.
- Sponsors:     Stark
- Councilmember Stark moved approval.*
- Adopted**
- Yea:** 5 -   Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- Absent:** 2 -   Councilmember Bostrom and Councilmember Carter III

**Second Reading**

- 31     [Ord 11-24](#)     Amending the Zoning Map of Saint Paul as recommended in the Highland Village Zoning Study.
- Sponsors:     Harris
- Laid over to 4/6/2011 for third reading/public hearing**
- 32     [Ord 11-25](#)     Amending Chapter 77 of the Saint Paul Legislative Code to clarify the service availability charge and move the collection duties to the Department of Safety and Inspections.
- Sponsors:     Lantry
- Laid over to 4/6/2011 for third reading/public hearing**
- 33     [Ord 11-27](#)     Amending Chapters 60, 62, 63, 64, 65, 66, 67, 69 of the Legislative Code and the Zoning Map as recommended in the Central Corridor and Traditional Neighborhood Zoning Study. (Public testimony will be heard only on the amendments introduced on April 13.)
- Sponsors:     Stark and Carter III
- Council President Lantry presented an amendment to Attachment A. The intention was to only have the exemption for auto body related uses in T2 through T4 apply to this study area and that was not clarified in the ordinance. Staff from the Department of Planning and Economic Development drafted the following language to include as an amendment: "Other auto body related services that are outside of this study area will be just as they always were."*

*Roll call on amendment Yeas - 5 Nays - 0*

**Laid over to 4/6/2011 for third reading/public hearing (Attachment A amended)**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

### First Reading

34 [Ord 11-31](#) Amending Chapter 30 of the Saint Paul Legislative Code pertaining to election signs.

**Sponsors:** Helgen

**Laid over to 4/6/2011 for second reading**

35 [Ord 11-33](#) Repealing Administrative Code Chapter 96 pertaining to collection of registered bills, to replace it with an updated Chapter 96 pertaining to accounts receivable and clarifying certain procedures for collection.

**Sponsors:** Lantry

**Laid over to 4/6/2011 for second reading**

### SUSPENSION ITEMS

#### Rules suspended

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

[RES 11-605](#) Granting a stay of imposition of the fine and suspension of all licenses held by V & HM Plus LLC d/b/a El Pantano Plus.

**Sponsors:** Lantry

*Council President Lantry moved suspension of the rules and approval of the resolution.*

*Yeas - 5 Nays - 0*

#### Adopted

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

28 [RES 11-555](#) Honoring Margaret Egan, Chief Budget Analyst, for serving the City Council since 2005.

**Sponsors:** Bostrom, Carter III, Harris, Helgen, Lantry, Stark and Thune

*Council President Lantry read the resolution honoring Margaret Egan, retiring City Council Chief Budget Analyst since 2005.*

*Council President Lantry and Councilmembers Helgen, Thune, Harris, and Stark extended their thanks and appreciation to Ms. Egan for her great work for the City over the past five years and congratulated her on her retirement.*

*Ms. Egan responded with words of appreciation for the Council and staff she has worked with over the years.*

**Adopted**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

**ADJOURNMENT**

*Councilmember Thune moved to adjourn the meeting.*

*Adjourned at 4:10 p.m.*

**Meeting adjourned**

**Yea:** 5 - Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Carter III

**Council Meeting Information**

**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](http://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)