



# 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**

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Wednesday, June 8, 2011

3:30 PM

Council Chambers - 3rd Floor

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#### ROLL CALL

*The meeting was called to order by Council President Lantry at 3:33 p.m.*

**Present** 6 - Councilmember Dan Bostrom, Councilmember Melvin Carter III,  
Councilmember Pat Harris, Councilmember Lee Helgen, City Council  
President Kathy Lantry and Councilmember Russ Stark

**Absent** 1 - Councilmember Dave Thune

*Councilmember Thune arrived after roll call.*

#### 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 6 and 7 were removed from the Consent Agenda for separate consideration.*

*Councilmember Helgen moved approval of the Consent Agenda as amended.*

#### Consent Agenda adopted as amended

**Yea:** 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Stark

**Nay:** 0

**Absent:** 1 - Councilmember Thune

- 1      **RES 11-1018**      Accepting the gifts of conference registration fee, lodging and meal costs, airfare and ground transportation not to exceed \$2,500 from The Corporation for National and Community Service for William Tully of Mayor's Staff to attend the National Conference on Volunteering and Service, June 4 - 8, 2011, in New Orleans, Louisiana.

Sponsors:      Lantry

**Adopted**

- 2      **RES 11-1043**      Approving the Labor Agreement (January 1, 2011 - December 31, 2012) between the City of Saint Paul and the Saint Paul Manual and Maintenance Supervisors Association. (To be laid over one week from June 8 for adoption)

Sponsors:      Lantry

**Laid over to June 15 for adoption**

- 3      **RES 11-1044**      Approving the Labor Agreement (January 1, 2011 - December 31, 2012) between the City of Saint Paul and the Classified Confidential Employees Association. (To be laid over one week from June 8 for adoption)

Sponsors:      Lantry

**Laid over to June 15 for adoption**

- 4      **RES 11-1000**      Authorizing the Department of Parks and Recreation to apply for and, if awarded, accept a grant from the Wallace Foundation for the purpose of implementing strategies to gather reliable information on youth participation in out-of-school time learning and youth outcomes across the City; to work with Saint Paul Public Schools to connect the times and places where young people learn; and to improve the quality of out-of-time learning opportunities through the Sprockets Out-of School Time Network.

Sponsors:      Lantry

**Adopted**

- 5      **RES 11-1045**      Authorizing the Saint Paul Police Department to accept the donation from the Saint Paul Police Foundation in the amount of \$2,766.20. The funds will be used for the gang unit to attend the annual Midwest Gang Investigators Association Conference in Dubuque, Iowa, and for the mounted unit to repair the 91 square foot horse trailer flooring.

Sponsors:      Lantry

**Adopted**

- 6      **RES 11-1004**      Rescinding the Final Order for acquisition of 1200 Jackson Street. (Laid over from June 8 and June 15)
- Sponsors:**      Helgen
- Councilmember Helgen moved a one week layover.*
- Laid over to June 15**
- Yea:** 7 -      Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 
- 7      **RES 11-1019**      Approving the City's cost of providing Collection of Vacant Building Fees services from April 2011, and setting date of Legislative Hearing for July 5, 2011 and City Council Public Hearing for August 3, 2011 to consider and levy the assessments against individual properties. (File No. VB1110)
- Sponsors:**      Lantry
- Councilmember Thune moved an amendment to delete the assessment at 474 Curtice Street.*
- Adopted as amended**
- Yea:** 7 -      Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
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- 8      **RES 11-1020**      Approving the City's cost of providing Property Clean Up services from April 1 to 27, 2011, and setting date of Legislative Hearing for July 5, 2011 and City Council Public Hearing for August 3, 2011 to consider and levy the assessments against individual properties. (File No. J1113A)
- Sponsors:**      Lantry
- Adopted**
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- 9      **RES 11-1022**      Approving the City's cost of providing Graffiti Removal services from March 30 to April 23, 2011, and setting date of Legislative Hearing for July 5, 2011 and City Council Public Hearing for August 3, 2011 to consider and levy the assessments against individual properties. (File No. J1112P)
- Sponsors:**      Lantry
- Adopted**

- 10      **RES 11-1023**      Approving the City's cost of providing Boarding and Securing services during March 2011, and setting date of Legislative Hearing for July 5, 2011 and City Council Public Hearing for August 3, 2011 to consider and levy the assessments against individual properties. (File No. J1109B)

**Sponsors:**      Lantry

**Adopted**

- 11      **RES 11-1024**      Approving the City's cost of providing Excessive Inspection services billed March 14 to April 8, 2011, and setting date of Legislative Hearing for July 5, 2011 and City Council Public Hearing for August 3, 2011 to consider and levy the assessments against individual properties. (File No. J1108E)

**Sponsors:**      Lantry

**Adopted**

- 12      **RES 11-1037**      Approving adverse action against all licenses held by Mary Fasching, d/b/a M F Automotive, 1728 Selby Avenue.

**Sponsors:**      Stark

**Adopted**

- 13      **RES 11-1017**      Approving the imposition of a \$50.00 administrative fine against Michael Yousry Sawiers for selling tobacco products to a minor at the West St. Paul BP, Inc., 657 Seventh Street West, on March 28, 2011.

**Sponsors:**      Lantry

**Adopted**

- 14      **RES 11-1015**      Memorializing City Council action taken May 18, 2011 imposing adverse licensing action against the taxicab license application submitted by Michael Anthony Spann.

**Sponsors:**      Lantry

**Adopted**

- 15      **RES 11-1016**      Memorializing City Council action taken April 20, 2011 imposing adverse action against all licenses held by Cherry's Minnehaha Tavern, Inc. d/b/a The Cherry Pit, 735 White Bear Avenue North.

**Sponsors:**      Lantry

**Adopted**

**FOR DISCUSSION**

- 16      **RLH VBR 11-40**      Appeal of Nguyen and Chu Properties, on behalf of PRO Realty Services, to a Vacant Building Registration Notice, Code Compliance Report, and Revocation of Fire Certificate of Occupancy & Order to Vacate at 565 THOMAS AVENUE. (Laid over from June 8)

**Sponsors:**      Carter III

*Legislative Hearing Officer Marcia Moermond recommended that the Council allow the property to be reoccupied if the Certificate of Occupancy was reinstated within three weeks, and a work plan was submitted with a four month deadline for completion of selected items from the Code Compliance inspection. She asked for a one week layover to put the terms in writing.*

*Councilmember Carter moved to lay the matter over to June 15.*

**Laid over to June 15**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember 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**

- 17      **Ord 11-43**      Amending Chapter 16 of the Administrative Code entitled "Council Personnel."

**Sponsors:**      Lantry

*Councilmember Thune moved approval.*

**Adopted**

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

**Nay:** 0

- 18      **Ord 11-44**      Amending Chapter 15 of the Administrative Code entitled "Council Meetings and Meetings of Committees, Boards and Commissions."

**Sponsors:**      Lantry

*Councilmember Thune moved approval.*

**Adopted**

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

**Nay:** 0

- 19      **Ord 11-50**      Amending Chapter 376.16 of the Saint Paul Legislative Code to update prerequisites for taxicab licenses.

**Sponsors:**      Lantry

*Councilmember Thune moved approval.*

**Adopted**

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

**Nay:** 0

- 20      **Ord 11-51**      Amending Chapter 157 of the Saint Paul Legislative Code pertaining to miscellaneous parking restrictions and mobile food vehicles.

**Sponsors:**      Stark

*Councilmember Stark moved approval.*

**Adopted**

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

**Nay:** 0

**Second Reading**

- 21      **Ord 11-45**      Amending Chapter 160 of the Saint Paul Legislative Code pertaining to Parking Meter Zones.

**Sponsors:**      Carter III, Stark and Thune

**Laid over to June 15 for third reading/public hearing**

- 22      **Ord 11-47**      Administrative Ordinance placing the classification titled Deputy Director I in the unclassified service pursuant to Section 12.03.02(H) of the City of Saint Paul Charter. (Must be approved by Civil Service Commission after adoption by City Council but prior to Mayor signature.)

**Sponsors:**      Lantry

**Laid over to June 15 for third reading/public hearing**

- 23      **Ord 11-52**      Administrative Ordinance placing the classification titled Deputy Director II in the unclassified service pursuant to Section 12.03.2(H) of the City of Saint Paul Charter. (Must be approved by Civil Service Commission after adoption by City Council but prior to Mayor signature.)

**Sponsors:**      Lantry

*Councilmember Helgen requested a report on the potential financial impact of adding the titles (Items 22 and 23) and how many departments would be impacted. Council President Lantry agreed that the Council Budget Analyst should review it, but said both titles already existed as classified titles and theoretically there shouldn't be any budget implications. She said both items included a financial analysis and were specific to a department. Councilmember Helgen said that was an important point to clarify.*

*Councilmember Harris said the ordinances addressed specific departments, but it was his understanding that the titles would become available for use in other departments.*

*Councilmember Thune said he would also like a report on the number of unclassified positions in the City.*

*Councilmember Harris said the effect of the ordinance on positions in other departments was unclear. Council President Lantry requested a written clarification from Human Resources Director Angela Nalezny.*

**Laid over to June 15 for third reading/public hearing**

#### **First Reading**

- 24      **Ord 11-55**      Amending Chapter 409 of the Saint Paul Legislative Code to enable licensure of private non-profit colleges.

**Sponsors:**      Lantry

**Laid over to June 15 for second reading**

#### **SUSPENSION ITEMS**

*Council President Lantry moved suspension of the rules.*

#### **Rules suspended**

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

**Nay:** 0

**RES 11-1099** Recognizing Keith O. Holm's service to the St. Paul Area Association of REALTORS.

**Sponsors:** Lantry

*Council President Lantry moved approval of the resolution.*

**Adopted**

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

**Nay:** 0

*Councilmember Bostrom moved suspension of the rules.*

**Rules suspended**

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

**Nay:** 0

**RES 11-1104** Proclaiming Wednesday, June 15, 2011 as Donovan Schwichtenberg Day.

**Sponsors:** Bostrom

*Councilmember Bostrom acknowledged Donovan Schwichtenberg's outstanding work at St. Paul College. He moved approval of the resolution.*

**Adopted**

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

**Nay:** 0

*Councilmember Bostrom moved suspension of the rules.*

**Rules suspended**

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

**Nay:** 0



**RES 11-1106** Proclaiming Friday, June 10, 2011 as Marjorie Jo Ann Ebensteiner Day.

**Sponsors:** Bostrom

*Councilmember Bostrom acknowledged the service of Marjorie Jo Ann Ebensteiner. He moved approval of the resolution.*

**Adopted**

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

**Nay:** 0

*Councilmember Carter moved suspension of the rules.*

**Rules suspended.**

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

**Nay:** 0

**RES 11-1102** Proclaiming Wednesday, June 8, 2011 to be Acooa Lee Day in the City of Saint Paul.

**Sponsors:** Carter III

*Councilmember Carter recognized and thanked Ms. Lee for her service to his office and the City. He read the resolution. Ms. Lee made brief comments.*

*Councilmember Carter moved approval of the resolution.*

**Adopted**

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

**Nay:** 0

*Councilmember Carter welcomed intern Bianca Jones.*

**ADJOURNMENT**

*Councilmember Carter moved to adjourn the meeting at 3:55 p.m.*

**Meeting adjourned**

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

**Nay:** 0

### **Council Meeting Information**

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#### **Cable**

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