



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 Russ Stark
Councilmember Dai Thao
Councilmember Dave Thune
Councilmember Chris Tolbert

Wednesday, August 13, 2014

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

The meeting was called to order by Council President Lantry at 3:32 p.m.

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dai Thao, Councilmember Dave Thune and Councilmember Chris Tolbert

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 14-41](#) Amending the 2014 budget of the CDBG Federal Grants Fund.
Received and Filed

- 2 [AO 14-43](#) Authorizing the Department of Emergency Management to pay for all costs incurred during the Emergency Operations Center activation for the 2014 Flood.
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 3 - 11)

Councilmember Brendmoen moved approval of the Consent Agenda.

Consent Agenda adopted

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

Nay: 0

- 3 [RES 14-1365](#) Approving the Mayor's reappointment of Amy Filice, Butch Howard, David MacKenzie, and Sheila Olson to serve on the Workforce Investment Board.
Adopted
- 4 [RES 14-1304](#) Approving the City's cost of providing Tree Removal services during July 2014, and setting date of Legislative Hearing for September 9, 2014 and City Council Public Hearing for October 15, 2014 to consider and levy the assessments against individual properties. (File No. 1410T, Assessment No. 149010)
Adopted
- 5 [RES 14-1242](#) Approving the Memorandum of Agreement for the May 1, 2014 Wage and Fringe Adjustment between the City of Saint Paul and the North Central States Regional Council of Carpenters.
Adopted
- 6 [RES 14-1294](#) Changing the rate of pay for the classification of DSI Fire Safety Inspector II (formerly Fire Prevention Inspector I), occ code 492B, from Grade 035 to Grade 36L, in the AFSCME Technical, EG 02 Salary Schedule.
Adopted
- 7 [RES 14-1278](#) Authorizing the Department of Parks and Recreation to accept a donation in the amount of \$2,500 from the Midway Men's Club for the support of the summer youth programming.
Adopted
- 8 [RES 14-1366](#) Approving the extension of Joan Gryzwinski's term on the Saint Paul Port Authority Board of Commissioners to August 30, 2014.
Adopted
- 9 [RES 14-1319](#) Approving the first amendment to the 875 South Lexington Parkway Easement Deed.
Adopted
- 10 [RES 14-1282](#) Delegating authority to the Department of Public Works to create Community Garden Agreements.
Adopted

- 11 [RES 14-1277](#) Approving the third amendment to the Revised and Restated Joint Powers Agreement Establishing a Watershed Management Organization for the Lower Mississippi River Watershed.

Adopted

FOR DISCUSSION

- 12 [RES PH 14-180](#) Final Order approving the installation of a storm sewer service connection at 24 East Fourth Street. (File No. 19165C, Assessment No. 146005)

Councilmember Thune moved approval.

Adopted

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

Nay: 0

- 13 [RES PH 14-185](#) Amending the financing and spending budgets in the Department of Public Works under the Griggs Avenue and Jefferson Avenue Bicycle and Streetscape projects by transferring \$678,213.00 and recognizing additional financing of \$243,000 Federal TLC Funds.

Assistant City Attorney Rachel Tierney clarified the limits on the Council's authority to allocate CIB funds for future years, and reviewed the Council's options related to the resolution being considered. In response to questions and comments from Council President Lantry and Councilmember Brendmoen, Deputy City Attorney Gerald Hendrickson clarified that money could only be appropriated annually but intent could be expressed prior to the appropriation. Councilmember Bostrom said an expression of intent would not guarantee funding; Councilmember Stark said the short turnaround until the next budget cycle might increase the likelihood of follow-through in this case. Council President Lantry said what also struck a nerve with the Council was that Pierce Butler/Lexington Parkway was a citizen-driven project. There was further discussion and clarification of options available to the Council for ensuring that the Pierce Butler/Lexington Parkway and Palace Rec projects obtained funding to be completed. Councilmember Tolbert questioned whether the Council wanted to support projects to any level, and he noted that the Jefferson project funding was now substantially more than was allocated in 2012. Council President Lantry said the Council did have the opportunity deny requests for additional funds. Councilmember Brendmoen said she supported the projects being discussed but shared the concerns raised by Councilmember Tolbert. Councilmember Bostrom said leaving a small amount of money in the Pierce Butler/Lexington Parkway project might send a message to the CIB committee that the project was a Council priority. Councilmember Stark said sending projects to the CIB committee along with the suspension resolution would have the desired effect without leaving money the Pierce Butler/Lexington Parkway project.

Councilmember Thune moved approval.

Adopted

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

Nay: 0

SUSPENSION ITEM

Councilmember Stark moved suspension of the rules.

Rules suspended

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

Nay: 0

[RES 14-1410](#)

Expressing the intent of the City Council to include the Palace Recreation Center Project in the 2015 Capital Improvement Budget, and the Pierce Butler Lexington Bike Connection Project in the 2016 Capital Improvement Budget.

Councilmember Stark moved approval.

Councilmember Brendmoen said she had additional items to add, specifically the Rice Street Bridge, and she asked whether the item could be laid over or it would be preferable for her to bring in a separate resolution. Council President Lantry said there was a process for that. Councilmember Brendmoen said she intended to follow the process but was bringing it up to make the point that there was a process to follow.

Councilmember Stark said this specific project had been discussed the previous week, and he would prefer to vote on this item separately.

Councilmember Bostrom said having the Council make these decisions defeated the purpose of having a CIB Committee. Councilmember Brendmoen said the projects were pre-approved. Councilmember Thune said the language in the resolution acknowledged the CIB process. Councilmember Bostrom said adding additional items changed things. Councilmember Brendmoen said she would bring in a separate resolution with the Rice Street Bridge project, which was brought through the process by a community that was already somewhat disenfranchised, and then was bumped under circumstances similar to the project being considered.

Councilmember Tolbert said he had items he would like to add too. He said the situation highlighted the problem of funding projects beyond the amount original allocated.

Councilmember Brendmoen said there's been some discussion of taking a CIB "breather" to get caught up on some of these projects, and that was something to consider as well.

Council President Lantry said the original idea had been to follow through on support expressed at the previous meeting for the Pierce Butler/Lexington project, but this was going way outside the CIB process and she would vote against resolution. She said the CIB committee was made up of volunteers who ranked projects and advised the Council, and she wanted to respect their role even though it was only advisory.

Councilmember Stark said he understood the concern but was a little surprised since there seemed to have been consensus the previous week to support the project. He said the project was approved and budgeted so the circumstances were different.

Paul Kurtz, Public Works, a distinguishing factor was that the Pierce Butler/Lexington bike path project was a project in and of itself, and the Rice Street bridge project was funded out of Public Works' annual program for bridge enhancements. He said requests for those enhancements were prioritized by Public Works based on what the community had suggested in the past. He said the Rice Street bridge was first on that list, but some funding had gone to complete the Edgcumbe bridge project and some had gone to the 2014 Mill and Overlay project. He said it was almost unheard of for a specific project to be cancelled.

Council President Lantry said in spite of the general support for the Pierce Butler/Lexington project, the Council was concerned about the precedent that would

be set with this resolution. Councilmember Bostrom agreed and said the Council had expressed support for the project and the resolution was unnecessary. He said he would not vote for it.

Councilmember Stark withdrew the resolution. He said he thought the Pierce Butler/Lexington project was different from some of the others brought up, and it didn't feel right that the Council had signaled something different last week with no discussion or argument.

Withdrawn

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

- 14** [Ord 14-30](#) Amending Chapter 2 of the Saint Paul Administrative Code pertaining to Community Presence and Responsibility in Banking.

Councilmember Thao moved approval.

Adopted

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

Nay: 0

Second Reading

- 15** [Ord 14-32](#) Amending Chapter 33 of the Saint Paul Legislative Code creating a Residential Construction Management Acknowledgment Form and outlining the responsibilities associated with it.

Laid over to August 20 for third reading/public hearing

- 16** [Ord 14-33](#) Amending Chapter 310 of the Saint Paul Legislative Code to add a Microdistillery Cocktail Room license fee.

Laid over to August 20 for third reading/public hearing

- 17** [Ord 14-34](#) Amending Chapter 324 of the Saint Paul Legislative Code pertaining to single cigar packaging regulation.

Laid over to August 20 for third reading/public hearing

SUSPENSION ITEM

Councilmember Bostrom moved suspension of the rules.

Rules suspended

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

Nay: 0

[RES 14-1391](#)

Proclaiming Saturday, August 16, 2014 be forever known in Minnesota's Capital City as Saint Paul Central High School Class of 1964 Day.

Councilmember Bostrom moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Thune

ADJOURNMENT

Councilmember Tolbert moved adjournment.

Meeting adjourned at 4:11 p.m.

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

Nay: 0

Absent: 1 - Councilmember Thune

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