



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, May 23, 2012

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

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

Absent 1 - Councilmember Dan Bostrom

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 12-21** Authorizing the City of St. Paul to enter into a lease agreement with Carroll Avenue Limited Partnership to provide 5,000 square feet of office and warehouse space for police operations.
- 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 2-10)

Councilmember Tolbert moved approval of the Consent Agenda.

Consent Agenda adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

- 2 **RES 12-838** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Davern/Jefferson Phase II (Part II) paving/lighting project, constructed as part of the 2011 Residential Street Vitality Project (RSVP). (File No. 19079D, Assessment No. 125201)
- Adopted**
- 3 **RES 12-806** Approving assessment costs and setting date of City Council public hearing to ratify the assessment for alley improvements on the north-south alley in Cumberland Addition Plat I; bounded by Hoyt, Western, Nebraska and Cumberland. (File No. 19120, Asmt No. 115000)
- Adopted**
- 4 **RES 12-914** Approving assessment costs and setting date of City Council public hearing to ratify the assessment for construction of a sidewalk improvement along the south side of Arlington Avenue East from Westminster to Desoto. (File No. S1003 Assessment No. 100790)
- Adopted**
- 5 **RES 12-922** Authorizing the City Attorney to retain the law firm of Dickstein Shapiro, LLP to represent the City in the investigation of the matter of Magner v. Gallagher and the City's withdrawal of its petition.
- Adopted**
- 6 **RES 12-923** Authorizing the City Attorney to retain the law firm of Fredrikson & Byron to represent the City in qui tam litigation in the investigation of the matter of Magner v. Gallagher and the City's withdrawal of its petition.
- Adopted**
- 7 **RES 12-960** Authorizing the City to enter into an agreement with Ramsey County for the City's Design Group.
- Adopted**
- 8 **RES 12-977** Approving the District Energy Subordination Agreement and consenting to the issuance by the Saint Paul Port Authority of additional bonds for District Energy.
- Adopted**

- 9 **RES 12-962** Approving adverse action against the Retail Food (B) Grocery 101-1000 sq. ft. license held by Pa Vang, d/b/a J P Market, 1001 Johnson Parkway, Unit #289.

Adopted

- 10 **RES 12-967** Opposing the proposed constitutional amendment to restrict the voting rights of Minnesotans by mandating government-issued documents as a condition for voting.

Adopted

FOR DISCUSSION

- 11 **RES 12-982** Approving the amended funding for Round One of Cycle 18 (2012) of the Cultural STAR Program.

Councilmember Thune noted that the final changes to Attachment A amending the resolution were agreed upon and the documents have been updated to reflect this action. The Bedlam Theater request is being partially funded this year with the possibility of further funding next year. Councilmember Carter announced that he works with one of the groups and will abstain from voting. The amendment was adopted followed by adoption of the amended resolution.

Adopted as amended

Yea: 5 - Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Bostrom

Abstain: 1 - 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

- 12 Ord 12-26** Amending Legislative Code sections 63.200 parking requirements; 65.600 land use definitions and development standards for food and beverages; and chapter 66 zoning district uses.
- Councilmember Stark stated that this issue has been before the council for several years and that a compromise position has been reached by defining restaurants and bars differently. Based upon the recommendation of the Planning Commission and other support, he moved adoption of this Ordinance 12-26. Councilmember Thune voiced his opposition, reasoning that the council currently has the ability to address these issues through variances and he was further concerned that there will be parking issues, especially on Grand Avenue and that would not be good for business. Councilmember Tolbert offered his support for adoption and suggested that the results of this decision can be used for further discussion on parking regulations. Council President Lantry thanked staff for their work and suggested that additional work may be needed to address issues on Grand Avenue.*
- Adopted**
- Yea:** 5 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark and Councilmember Tolbert
- Nay:** 1 - Councilmember Thune
- Absent:** 1 - Councilmember Bostrom
- 13 Ord 12-27** Amending Chapter 321 of the Saint Paul Legislative Code pertaining to Rooming and Boarding.
- Councilmember Brendmoen moved approval.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
- 14 Ord 12-28** Amending Chapter 378 of the Saint Paul Legislative Code pertaining to Bed and Breakfast Residence.
- Councilmember Brendmoen moved approval.*
- Adopted**

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

Nay: 0

Absent: 1 - Councilmember Bostrom

15 Ord 12-29 Amending Chapter 407 of the Saint Paul Legislative Code pertaining to Hotels.

Councilmember Brendmoen moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

16 Ord 12-30 Amending Chapter 360 of the Saint Paul Legislative Code pertaining to Public Swimming Pools.

Councilmember Carter moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

Second Reading

17 Ord 12-32 Establishing a community advisory committee for the position of Director of the Department of Human Rights and Equal Economic Opportunity pursuant to the provisions of Section 11.01 of the Saint Paul Administrative Code.

Laid over to June 6 for third reading/public hearing

First Reading

18 Ord 12-33 Clarifying Chapter 310 of the Saint Paul Legislative Code pertaining to Refund of Fees.

Laid over to June 6 for second reading

SUSPENSION ITEMS

Councilmember Tolbert moved suspension of the rules.

Rules suspended

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

Nay: 0

Absent: 1 - Councilmember Bostrom

The items were read and Councilmember Tolbert made a single motion to approve all of the suspension items.

RES 12-890 Approving the City's cost of providing Collection of Vacant Building fees from March 2012, and setting date of Legislative Hearing for June 19, 2012 and City Council Public Hearing for August 1, 2012 to consider and levy the assessments against individual properties. (File No. VB1208, Asmt No. 128810)

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

RES 12-893 Approving the City's cost of providing Tree Removal services from March 2012, and setting date of Legislative Hearing for June 19, 2012 and City Council Public Hearing for August 1, 2012 to consider and levy the assessments against individual properties. (File No. 1208T, Asmt No. 129010)

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

RES 12-895 Approving the City's cost of providing Boarding and/or Securing services during March 2012, and setting date of Legislative Hearing for June 19, 2012 and City Council Public Hearing for August 1, 2012 to consider and levy the assessments against individual properties. (File No. J1208B, Asmt No. 128108)

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

RES 12-896 Approving the City's cost of providing Trash Hauling services during April 2012, and setting date of Legislative Hearing for June 19, 2012 and City Council Public Hearing for August 1, 2012 to consider and levy the assessments against individual properties. (File No. J1209G, Asmt No. 128709)

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

RES 12-897 Approving the City's cost of providing Demolition services from March 2012 (NON-C.D.B.G. Funds), and setting date of Legislative Hearing for June 19, 2012 and City Council Public Hearing for August 1, 2012 to consider and levy the assessments against individual properties. (File No. J1212C, Asmt No. 122013)

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

ADJOURNMENT

The meeting was adjourned at 3:48 pm.

Meeting adjourned

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

Nay: 0

Absent: 1 - Councilmember Bostrom

Council Meeting Information

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