



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 Nathaniel Khaliq
Councilmember Russ Stark
Councilmember Dave Thune
Councilmember Chris Tolbert

Wednesday, September 4, 2013

3:30 PM

Council Chambers - 3rd Floor

Public Hearings at 5:30 p.m.

ROLL CALL

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

Present 5 - Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune and Councilmember Chris Tolbert

Absent 2 - Councilmember Dan Bostrom and Councilmember Nathaniel Khaliq

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 1 - 13)

Councilmember Tolbert moved approval of the Consent Agenda.

Consent Agenda adopted

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

Nay: 0

Absent: 2 - Councilmember Bostrom and Councilmember Khaliq

- 1** [RES 13-1113](#) Approving the Labor Agreement (January 1, 2013 - December 31, 2015) and Memorandum of Agreement regarding Volunteerism and/or Outside Employment (January 1, 2013 - December 31, 2015) between the City of Saint Paul and the International Association of Fire Fighters, AFL-CIO, Local 21.

Adopted

- 2 [RES 13-1198](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Madison/Benson area paving/lighting project, constructed as part of the 2013 Residential Street Vitality Project (RSVP). (File No. 19139, Assessment No. 135203)

 Adopted
- 3 [RES 13-1200](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Arlington/Rice area paving/lighting project, constructed as part of the 2013 Residential Street Vitality Project (RSVP). (File No. 19123, Assessment No. 135201)

 Adopted
- 4 [RES 13-1204](#) Approving assessment costs and setting the date of the City Council public hearing to ratify assessments for the 2013 Right-of-Way Maintenance Program and 2013 Above-Standard Lighting Operation and Maintenance Program. (File No. 13ROW FINAL, Assessment No. 130032)

 Adopted
- 5 [RES 13-1273](#) Approving the City's cost of providing Demolition Services during July 2013 at 466 Iglehart Avenue, and setting date of Legislative Hearing for October 8, 2013 and City Council public hearing for January 2, 2014 to consider and levy the assessment. (File No. J1401C, Assessment No. 142000)

 Adopted
- 6 [RES 13-1274](#) Approving the City's cost of providing Demolition Services during July 2013, and setting date of Legislative Hearing for October 8, 2013 and City Council public hearing for January 2, 2014 to consider and levy the assessments against individual properties. (File No. J1402C, Assessment No. 142001)

 Adopted
- 7 [RES 13-1275](#) Approving the City's cost of providing Boarding and/or Securing Services during July 2013, and setting date of Legislative Hearing for October 8, 2013 and City Council public hearing for January 2, 2014 to consider and levy the assessment against individual properties. (File No. J1401B, Assessment No. 148100)

 Adopted

- 8 [RES 13-1276](#) Approving the City's cost of providing Tree Removal Services during July and August 2013, and setting date of Legislative Hearing for October 8, 2013 and City Council public hearing for January 2, 2014 to consider and levy the assessments against individual properties. (File No. 1401T, Assessment No. 149000)
Adopted
- 9 [RES 13-1278](#) Authorizing the proper City Officials to enter into Mn/DOT Agreement No. 03218 Local Bridge Replacement Program (LBRP) Grant Agreement.
Adopted
- 10 [RES 13-1291](#) Approving the acceptance of two WorkFit work stations by Ergotron as gifts to the Mayor's Office city staff.
Adopted
- 11 [RES 13-1292](#) Changing the rate of pay for the classification of DSI Fire Safety Inspector III, occ code 461B, (formerly Fire Prevention Inspector II, 320A) from Grade 041 to Grade 042 of Employee Group 02, AFSCME Technical.
Adopted
- 12 [RES 13-1293](#) Authorizing the Police Department to enter into an agreement with the State of Minnesota, State Colleges and Universities, Century College to provide POST approved training.
Adopted
- 13 [RES 13-1315](#) Accepting donations from the City and County Credit Union for the employee and retiree open enrollment, recognition events, training and education.
Adopted

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 13-43](#) Amending Appendix F, District Heating Franchise-District Energy St. Paul, Inc., to extend the term of the franchise to September 1, 2033.

Councilmember Thune moved to lay the matter over to September 11.

Laid over to September 11

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

Nay: 0

Absent: 2 - Councilmember Bostrom and Councilmember Khaliq

Councilmember Bostrom joined the meeting.

- 15 [Ord 13-45](#) Amending Appendix K, District Cooling Franchise-District Cooling St. Paul, Inc., to extend the term of the franchise to September 1, 2033.

Councilmember Thune moved to lay the matter over to September 11.

Laid over to September 11

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

Nay: 0

Absent: 1 - Councilmember Khaliq

Councilmember Khaliq joined the meeting.

Council members shared information about upcoming events in their wards.

The meeting was recessed at 3:35 p.m.

PUBLIC HEARINGS

The Council reconvened for Public Hearings at 5:30 p.m.

Present 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Nathaniel Khaliq, City Council President Kathy Lantry, Councilmember Russ Stark and Councilmember Chris Tolbert

Absent 1 - Councilmember Dave Thune

16 [Ord 13-46](#)

Amending Charter Section 2.05 relating to the filling of Council vacancies, pursuant to Minnesota Statutes § 410.12, subd. 7 (2012).

No one appeared in opposition; Councilmember Stark moved to close the public hearing.

Public hearing held and closed; laid over to September 11 for final adoption

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

Nay: 0

Absent: 1 - Councilmember Thune

17 [Ord 13-47](#)

Amending Charter Sections 2.07 and 2.07.1 relating to compensation, pursuant to Minnesota Statutes § 410.12, subd. 7 (2012).

No one appeared in opposition; Councilmember Stark moved to close the public hearing.

Public hearing held and closed; laid over to September 11 for final adoption

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

Nay: 0

Absent: 1 - Councilmember Thune

18 [Ord 13-48](#)

Amending Charter Section 6.08 relating to the adoption of ordinances and resolutions, pursuant to Minnesota Statutes § 410.12, subd. 7 (2012).

No one appeared in opposition; Councilmember Stark moved to close the public hearing.

Public hearing held and closed; laid over to September 11 for final adoption

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

Nay: 0

Absent: 1 - Councilmember Thune

- 19** [Ord 13-49](#) Amending Chapter 189 of the Saint Paul Legislative Code pertaining to timeframes for evaluation filing, creating a duty for an agent of a buyer to report missing TISH evaluations, and updating and eliminating redundant and outdated language.
- No one appeared in opposition; Councilmember Stark moved to close the public hearing.*
- Public hearing held and closed; laid over to September 11 for final adoption**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Khaliq, City Council President Lantry, Councilmember Stark and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
-
- 20** [RES PH 13-216](#) Approving the application of Elizabeth Boyd, Director of Individual and Planned Giving for The Friends of the Saint Paul Public Library, for a sound level variance in order to present amplified live band music during a music event from 1:00 p.m. until 5:00 p.m. on September 15, 2013 at 90 West 4th Street.
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Khaliq, City Council President Lantry, Councilmember Stark and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
-
- 21** [RES PH 13-218](#) Approving the application of Clayton Halunen for a sound level variance in order to present amplified music during a wedding reception from 5:00 p.m. until 12:00 midnight on September 7, 2013 at 7 Heather Place.
- No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Khaliq, City Council President Lantry, Councilmember Stark and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune

- 22** [RES PH 13-219](#) Approving the application of the Lowertown Bike Shop for a sound level variance in order to present amplified live music from 1:00 p.m. until 10:00 p.m. on October 13, 2013 in the parking lot of the Jax Building at 253 East 4th Street.
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Khaliq, City Council President Lantry, Councilmember Stark and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
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- 23** [RES PH 13-195](#) Final Order approving improvements on Bayless Avenue and Bayless Place. (File No. 19152, Assessment No. 145202)
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Khaliq, City Council President Lantry, Councilmember Stark and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
-
- 24** [RES PH 13-215](#) Amending the financing and spending plans in the Police Department for the 2010 State Homeland Security grant (RES 13-997) in the amount of \$12,500.
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Khaliq, City Council President Lantry, Councilmember Stark and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune

Councilmember Thune joined the meeting.

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

- 25** [RES PH 13-175](#) Establishing the financing and spending plans in the Fire Department for a reimbursement from the City of Bloomington in the amount of \$32,746.84.

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

- 26** [RES PH 13-220](#) Amending the financing and spending plans in the Fire Department in the amount of \$41,325 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.

No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

- 27** [RES PH 13-221](#) Establishing the financing and spending plans in the Fire Department for a reimbursement from the City of Bloomington in the amount of \$5,657.56.

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

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

Nay: 0

LEGISLATIVE HEARING CONSENT AGENDA

Note: Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda (Items 28 - 74)

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the Legislative Hearing Consent Agenda.

Legislative Hearing Consent Agenda adopted

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

Nay: 0

- 28** [RLH TA 13-481](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1310, Assessment No. 138211 at 109 ACKER STREET EAST.
Adopted
- 29** [RLH TA 13-462](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 235 ALBERT STREET SOUTH/1401 ST. CLAIR AVENUE.
Adopted
- 30** [RLH CO 13-28](#) Appeal of Delmar and Linda Napue to a Correction Notice at 1470 BURNS AVENUE.
Adopted
- 31** [RLH VO 13-40](#) Appeal of Steven Horvath to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1322 BURR STREET.
Adopted
- 32** [RLH FCO](#)
 [13-195](#) Appeal of Sugandhi Pen to a Fire Inspection Correction Notice at 1512 CASE AVENUE.
Adopted
- 33** [RLH TA 13-461](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 600 CHARLES AVENUE.
Adopted

- 34 [RLH CO 13-26](#) Appeal of Elizabeth Teefy to a Fire Inspection Correction Notice at 626 CHEROKEE AVENUE.
Adopted
- 35 [RLH TA 13-510](#) Amending Council File No. RLH AR 13-52, adopted by Council to Ratify the Appealed Special Tax Assessment for Real Estate Project No. J1309A, Assessment No. 138521 at 831 COMO AVENUE.
Adopted
- 36 [RLH TA 13-467](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 661 DALE STREET NORTH.
Adopted
- 37 [RLH FCO](#)
 [13-188](#) Appeal of Mai Soung to a Fire Inspection Correction Notice at 745 ENGLEWOOD AVENUE.
Adopted
- 38 [RLH FCO](#)
 [13-155](#) Appeal of Chue Feng Thao to a letter regarding a Fire Certificate of Occupancy Deficiency List at 1062 FOREST STREET.
Adopted
- 39 [RLH TA 13-454](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 1187 FOREST STREET.
Adopted
- 40 [RLH TA 13-456](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311G, Assessment No. 138713 at 1187 FOREST STREET.
Adopted
- 41 [RLH TA 13-465](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 884 GERANIUM AVENUE EAST.
Adopted
- 42 [RLH TA 13-476](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311P, Assessment No. 138410 at 1659 GRAND AVENUE.
Adopted

- 43 [RLH FCO 13-173](#) Appeal of Bruce Johnson to a Correction Order-Reinspection Complaint at 159 GRANITE STREET.
Adopted
- 44 [RLH TA 13-538](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 991 HAWTHORNE AVENUE EAST. (Amended to delete the assessment)
Adopted as amended (assessment deleted)
- 45 [RLH TA 13-472](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 953 IGLEHART AVENUE.
Adopted
- 46 [RLH TA 13-497](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1310A1, Assessment No. 138538 at 1502 IGLEHART AVENUE.
Adopted
- 47 [RLH TA 13-453](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311G, Assessment No. 138713 at 1585 IOWA AVENUE EAST.
Adopted
- 48 [RLH TA 13-471](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 0 ISABEL STREET EAST (PIN #08-28-22-21-0085).
Adopted
- 49 [RLH SAO 13-32](#) Appeal of Lorna Zoe Lentz to a Summary Abatement Order and Notice to Cut Tall Grass and/or Weeds at 1163 LANE PLACE.
Adopted
- 50 [RLH RR 13-39](#) Ordering the rehabilitation or razing and removal of the structures at 777 LAWSON AVENUE EAST within fifteen (30) days after the September 4, 2013, City Council Public Hearing.
Adopted
- 51 [RLH TA 13-464](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 1736 MARGARET STREET.
Adopted

- 52 [RLH VO 13-45](#) Appeal of Kao Yang to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 599 MARYLAND AVENUE EAST.
Adopted
- 53 [RLH TA 13-458](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 616 MARYLAND AVENUE EAST.
Adopted
- 54 [RLH TA 13-466](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 1683 MINNEHAHA AVENUE EAST.
Adopted
- 55 [RLH TA 13-513](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 1882 MINNEHAHA AVENUE EAST.
Adopted
- 56 [RLH TA 13-480](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1310, Assessment No. 138211 at 1038 RANDOLPH AVENUE.
Adopted
- 57 [RLH FOW](#)
 [13-10](#) Appeal of Patti M. Cournoyer to a Correction Notice-Daycare Inspection at 2176 REANEY AVENUE.
Adopted
- 58 [RLH RR 13-41](#) Amending Council File RLH RR 13-22, adopted June 5, 2013, to grant Long Minh Nguyen an additional extension for property at 586 RICE STREET.
Adopted
- 59 [RLH FCO](#)
 [13-186](#) Appeal of Jeffrey Martinson, CMS Holdings, to a Fire Inspection Correction Notice at 926 RICE STREET (also known as 924 RICE STREET).
Adopted
- 60 [RLH TA 13-533](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 187-189 ROBIE STREET WEST.
Adopted

- 61 [RLH TA 13-532](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 273 SHERBURNE AVENUE.
Adopted
- 62 [RLH FCO 13-172](#) Appeal of Andrew Dick to a Fire Certificate of Occupancy Correction Notice at 739 SIMS AVENUE.
Adopted
- 63 [RLH TA 13-493](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1311, Assessment No. 138815 at 130 SYCAMORE STREET EAST.
Adopted
- 64 [RLH TA 13-506](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1310A2, Assessment No. 138539 at 586 THOMAS AVENUE.
Adopted
- 65 [RLH TA 13-479](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1310, Assessment No. 138211 at 771 THOMAS AVENUE.
Adopted
- 66 [RLH TA 13-537](#) Amending Council File RLH AR 13-63 to delete the assessment for Trash Hauling Services from April 3 to 24, 2013 at 1744 UNIVERSITY AVENUE WEST. (File No. J1310G, Assessment No. 138710)
Adopted
- 67 [RLH TA 13-536](#) Amending Council Files RLH AR 13-62 and RLH TA 13-400 to delete the assessment for Property Clean Up Services from April 2 to 29, 2013 at 579 VAN BUREN AVENUE. (File No. J1310A, Assessment No. 138522)
Adopted
- 68 [RLH TA 13-469](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1311A, Assessment No. 138530 at 1344 WHEELER STREET SOUTH.
Adopted
- 69 [RLH FOW 13-9](#) Appeal of Julie Peterson to a Fire Certificate of Occupancy Correction Notice at 1447 WHITE BEAR AVENUE NORTH.
Adopted

- 70 [RLH AR 13-72](#) Ratifying the assessments for Collection of Vacant Building Fees billed August 28, 2012 to March 21, 2013. (File No. VB1311, Asmt No. 138815)
Adopted
- 71 [RLH AR 13-80](#) Ratifying the assessments for Graffiti Removal Services during May 2013. (File No. J1311P, Asmt No. 138410)
Adopted
- 72 [RLH AR 13-73](#) Ratifying the assessments for Property Clean Up Services from May 1 to June 4, 2013. (File No. J1311A, Assessment No. 138530)
Adopted as amended (1039 Third Street East removed from the roll for separate consideration)
- 73 [RLH AR 13-74](#) Ratifying the assessments for Trash Hauling Services during May 2013. (File No. J1311G, Assessment No. 138713)
Adopted
- 74 [RLH AR 13-75](#) Ratifying the assessments for Collection of Certificate of Occupancy Fees billed February 21 to March 19, 2013. (File No. CRT1310, Asmt No. 138211)
Adopted

ADJOURNMENT

Councilmember Stark moved adjournment.

Meeting adjourned at 5:38 p.m.

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

Nay: 0

Council Meeting Information

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Web

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