



# City of Saint Paul

City Hall and Court House  
15 West Kellogg Boulevard  
Council Chambers - 3rd  
Floor  
651-266-8560

## Minutes - Final

### City Council

*Council President Russ Stark*  
*Councilmember Dan Bostrom*  
*Councilmember Amy Brendmoen*  
*Councilmember Rebecca Noecker*  
*Councilmember Jane L. Prince*  
*Councilmember Dai Thao*  
*Councilmember Chris Tolbert*

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Wednesday, August 23, 2017

3:30 PM

Council Chambers - 3rd Floor

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There will be no meeting on August 30, the fifth Wednesday of the month.

#### ROLL CALL

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

#### **Council President Stark and Councilmember Noecker excused**

- Present** 5 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert and Councilmember Jane L. Prince
- Absent** 2 - Councilmember Russ Stark and Councilmember Rebecca Noecker

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 17-57](#) Authorizing the Department of Parks and Recreation to reallocate a total of \$294,000 within its various accounting units in the 2017 adopted budget, thereby adjusting the budget to most accurately reflect the projected actual spending in each accounting unit, while also providing the appropriate levels of spending authority.

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 - 21)

*Councilmember Brendmoen moved approval of the Consent Agenda.*

#### **Consent Agenda adopted**

- Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Stark and Councilmember Noecker

- 2     [RES 17-1263](#)     Memorializing the City Council's decision to deny an appeal of a Board of Zoning Appeals decision denying an application for two variances to allow changes to an existing dynamic display sign and the addition of a new freestanding business sign at the Holiday Stationstore at 1770 Old Hudson Road.
- Adopted**
- 3     [RES 17-1319](#)     Authorizing the transfer of the Outdoor Warning Siren System Activation Equipment to Ramsey County.
- Adopted**
- 4     [RES 17-1282](#)     Approving and authorizing the execution of a Pledge Agreement and other agreements in connection with the issuance of HRA Parking Enterprise Revenue Refunding Bonds, Series 2017A, and Taxable Parking Enterprise Revenue Refunding Bonds, Series 2017B.
- Adopted**
- 5     [RES 17-1247](#)     Authorizing the City to enter into a 25-year lease renewal with the Brandt Jens Kluge Limited Partnership for a parking lot on city-owned property.
- Adopted**
- 6     [RES 17-1280](#)     Preliminary Order setting the date of City Council public hearing for October 4, 2017 to consider approval of the Seventh Place Mall operation and maintenance costs for 2017. (File No. 18428-18, Assessment No. 187200)
- Adopted**
- 7     [RES 17-1277](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for benefits, costs, and expenses for the Seventh Place Mall operation and maintenance costs for 2016. (File No. 18428-17, Assessment No. 177200)
- Adopted**
- 8     [RES 17-1297](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for improvements to the alley bounded by Selby, Dayton, Wilder and Moore. (File No. 19219, Assessment No. 165001)
- Adopted**

- 9     [RES 17-1295](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for improvements to the alley bounded by Iowa, Idaho, Edgerton and Payne. (File No. 19224, Assessment No. 175001)  
**Adopted**
- 10    [RES 17-1301](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Idaho/Atlantic area paving and lighting project constructed as part of the 2017 St. Paul Street Paving Program (SPS). (File No. 19164, Assessment No. 175202)  
**Adopted**
- 11    [RES 17-1299](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for improvements to the alley bounded by Minnehaha, Reaney, Hazelwood and Germain.(File No. 19213, Assessment No. 165000)  
**Adopted**
- 12    [RES 17-1239](#)     Approving the corrected Memorandum of Agreement for the May 1, 2017 Wage and Fringe Adjustment between the City of Saint Paul and the International Association of Sheet Metal, Air, Rail and Transportation Workers, Local 10.  
**Adopted**
- 13    [RES 17-1260](#)     Establishing the rate of pay for the new classification of Historic Preservation Supervisor in EG 09, SPSO, Grade 019.  
**Laid over to September 6 for adoption**
- 14    [RES 17-1272](#)     Approving the Mayor's appointment of John Cardoza to serve on the Saint Paul Public Housing Agency Board of Commissioners.  
**Adopted**
- 15    [RES 17-1271](#)     Authorizing the naming of the Police Department training facility, soon to be completed at 600 Lafayette Road, the "Richard H. Rowan Public Safety Training Center."  
**Adopted**
- 16    [RES 17-1265](#)     Authorizing the appropriate personnel to enter into Mn/DOT Detour Agreement No. 1028676 for the Trunk Highway 149 (Smith Avenue High Bridge) project.  
**Adopted**

- 17     [RES 17-1264](#)     Authorizing the City to submit a Point Source Implementation grant application to the Minnesota Public Facilities Authority (PFA), and authorizing City officials to execute a grant agreement on behalf of the City for the West Side Flats Greenway.
- Adopted**
- 18     [RES 17-1249](#)     Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Malt On Sale (Brewery Taproom), Entertainment (A), and Malt Off Sale (Brewery) licenses, for Stone Saloon SBC (License ID #20170000652), d/b/a Waldmann, at 445 Smith Avenue North.
- Adopted**
- 19     [RES 17-1258](#)     Approving adverse action against the Cigarette/Tobacco license held by The Liffey, LLC, d/b/a The Liffey located 175 7th Street West.
- Adopted**
- 20     [RES 17-1242](#)     Approving adverse action against the Cigarette/Tobacco license held by Mohammed Ibrahim and Ali Abdullane, d/b/a Annapolis Super USA #002 at 1333 Thomas Avenue.
- Adopted**
- 21     [RES 17-1256](#)     Approving adverse action against the Sidewalk Contractor license held by Hardstone Concrete, Inc., d/b/a Hardstone Concrete.
- Adopted**

**FOR DISCUSSION**

- 22     [SR 17-85](#)             Presentation on 2018 Super Bowl planning.
- Dana Bailey and Liz Xiong, Mayor's Office; Mike Sand, Emergency Management; Assistant Chief Kathy Wuorinen; and Rosanne Bump, 2018 Winter Carnival Ice Palace Project gave a report and answered Council members' questions.*
- Received and filed**
- 23     [RLH RR 17-29](#)     Ordering the rehabilitation or razing and removal of the structures at 1426 DESOTO STREET within fifteen (15) days after the August 16, 2017, City Council Public Hearing. (Public hearing held August 16) (Amend to grant 180 days for rehabilitation of the structures)
- Councilmember Brendmoen moved an amendment to grant 180 days to remove or repair.*
- Adopted as amended (180 days to remove or repair)**
- Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Stark and Councilmember Noecker

### 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

- 24 [Ord 17-30](#) Granting the application of R2C LLC to rezone property at 1051 Arkwright Street from B2 Community Business to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

*Councilmember Brendmoen moved approval.*

#### Adopted

**Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Stark and Councilmember Noecker

#### Second Reading

- 25 [Ord 17-35](#) Amending Chapter 140 of the Saint Paul Legislative Code pertaining to Skyway Conduct.  
**Laid over to September 6 for third reading/public hearing**
- 26 [Ord 17-36](#) Amending the Zoning Map of Saint Paul as recommended in the Snelling Avenue South Zoning Study.  
**Laid over to September 6 for third reading/public hearing**
- 27 [Ord 17-37](#) Creating a commercial development district to be known as the Hope Engine House Commercial Development District pursuant to Section 17.07.1 of the Saint Paul City Charter and Section 409.20 of the Legislative Code.  
**Laid over to September 6 for third reading/public hearing**

**SUSPENSION ITEMS**

*Councilmember Thao moved suspension of the rules.*

**Rules suspended**

**Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Stark and Councilmember Noecker

[SR 17-117](#)

Presentation on the Police Civilian Internal Affairs Review Commission (PCIARC) Standard Operating Procedures.

*Council Vice President Tolbert: We have one suspension item. We have a motion to suspend the rule by Councilmember Thao. All those in favor say aye. [All say Aye.] Opposed? [None opposed.] The motion passes. The rules are suspended.*

*Ms. Moore: Staff Report 17-117 Staff report on the Police Civilian Internal Affairs Review Commission (PCIARC) standard operating procedures.*

*Council Vice President Tolbert: Deputy Mayor Beckman is here to go over where we've gotten in the last two weeks on this.*

*Deputy Mayor Kristin Beckmann: I appreciate being able to have this conversation with the Council but also with the Community. The work around the Police Civilian Internal Affairs Review Commission, one of the big goals was for people to understand it better, know how the commission worked, how they can bring a complaint into the commission, who is on the commission. These opportunities to talk about the commission are a great opportunity for transparency and openness as we have this commission build relationship between the community and the police department. Earlier this week, I shared with your offices a draft document of the SOP. The four directors who have been working on standing up the PCR in the Hero department have been working on this since January. We passed the resolution in December. Hero, the police department, the City attorney and HR have been coming together for the last eight months to work on this SOP. It has been an iterative document. As things have come up, we've made changes in the document. Last Thursday, the police chief, the human rights director, the director of HR, and the City Attorney's office could all sign off on this document. Since then, we have gotten more feedback through stakeholder meetings, conversations with Council members, and there is still more feedback we are considering adopting but haven't had a chance to meet as a Steering Committee to sign off on it. That is why you have a draft. Our goal is to have the final ready for the commission meeting on Sept 6.*

*If you will read it, you will see we have really tried to take discretion out of the process. It is literally down to what a title of an email is supposed to say when it is sent. How many chairs and what area they are sat in. How it is handled with the computers, how you destroy notes afterwards. So that it is routinized and there isn't discretion in those moments. I have been making sure it matches with state law. It really represents balance. We are getting to the place where both our employee rights, our police department our officers' rights, and the rights of the community who want to talk about their interactions with the police department, that that is balanced. I hope that you will see that as well.*

*Council Vice President Tolbert: Are there questions from the Council?*

*Councilmember Brendmoen: To that point, I think it was helpful to get a copy in advance of this meeting. Thank you.*

*Council Vice President Tolbert: I'd say we are going in the right direction. I hope that before Sept 6 we could see a signed copy and recall you if there are questions. On Sept 6, we will be here.*

*Deputy Mayor Kristin Beckmann: Fair enough.*

*Council Vice President Tolbert: If needed. Councilmember Prince.*

*Councilmember Prince: Might it be worthwhile for you to run over the high points? Does anyone mind if*

*Council Vice President Tolbert: That's fine.*

*Deputy Mayor Kristin Beckmann: One area of discussion was how a complaint comes in. The State law, Police Officer Discipline Procedure Act (PODPA) says a name, address, and a signature from someone making an allegation about misconduct. We clarified that since we have many intake portals for complaints so that's the only information that is needed and it is forwarded on to IA where a file is started.*

*Another area was new--the ability for someone to come in and talk to the commission. The commission has always had subpoena power to call people in. What was new is that a complainant who wanted to be heard by the commission has an opportunity to come in and tell the story. We know from the U of M, who did the audit and are the Office of Restorative Justice, that there is something really powerful about having your story heard. You, as City Councilmembers, do that a lot. We needed to set up policies and procedures around how commissioners heard those complaints in respect to state law, employment law, and in respect to our police officers. That was a large part of the June meeting and the learning from there. It is very clear who gets to talk, when they have to leave, how it is handled afterwards. That's the area we aren't finalized yet.*

*Another high point is how a meeting is run. who picks up the computers. There is extremely private stuff talked about in this commission. We documented so everyone understands the controls that need to be in place around data privacy during meetings, on the computers, afterwards. We need to give confidence to our officers that their data privacy is not being violated. We needed to be very clear with people about rules and roles and I think we've gotten there.*

*Those would be the three areas of concern we've really gotten after in these last two weeks.*

*Councilmember Prince: Thanks.*

*Council Vice President Tolbert: Councilmember Thao.*

*Councilmember Thao: Sometimes when these complaints come forward, there is no evidence. Will body cam footage from police officers be part of the evidence?*

*Deputy Mayor Kristin Beckmann: That's a great question and I think, an example of how this document is going to be a living document as technology evolves. The commissioners will receive the file from IA, where the investigation into the complaint occurs. The investigator presents the file to the commissioners. If IA used body cam tape, that would be in the file and would go to the commissioners. We haven't rolled out body cams yet and that would have to be worked into how the commission takes that in.*

*Council Vice President Tolbert: Great. Any further questions? Councilmember Prince.*

*Councilmember Prince: Thank you for the additional details that you provided. I am*

*grateful that we quickly saw what the issues were after the June meeting and that we've gone through this extensive process. The work we all did and the community input, the process for PCIARC was a really difficult one. the most important aspect to all of us was that both the community and police officers could have confidence in the process. i especially appreciate the point you made about taking discretion out of the process so that it is a step by step process that is followed and we are making sure that the potential mistakes and slips that would reduce confidence are eliminated. Thank you for the work and the fact that the work is ongoing.*

*Council Vice President Tolbert: Councilmember Bostrom.*

*Councilmember Bostrom: Thank you. There's about nine pages of process to go through for one of these complaints. What strikes me is that the people who have these complaints lodged against them are out in the field and they've got that much time [snaps fingers] to make a decision and it takes this much paperwork just to decide what the process is to evaluate their work. I just want to read a brief thing so people just get a sense of what this is all about. "Officers were sent on a report of a domestic and they were informed by Dispatch a female caller locked herself in a bathroom due to being assaulted by her boyfriend. Officers located the suspect and he was arrested without incident. While officers were escorting the suspect to the squad, the victim attempted to interfere by trying to stop the police from arresting the suspect. The female was detained by police while the male suspect was transported for booking. The victim was cited for obstruction of legal process and was released at the scene." That's the kind of stuff they are dealing with out there. It takes nine pages and these guys and women are out there trying to do it. I just think the whole thing is ridiculous. End of my editorial.*

*Council Vice President Tolbert: Anything else to add? Deputy Mayor Beckmann, thank you for the follow-up report. I don't think we have to accept that item. [Looks to City Attorney Tierney] No.*

**Received and filed**

## **ADJOURNMENT**

*Councilmember Bostrom moved adjournment.*

**Meeting adjourned at 4:17 p.m.**

**Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Stark and Councilmember Noecker

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