



City of Saint Paul

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

Minutes - Final

Katie Burger, Executive
Assistant, 651-266-8560

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

Wednesday, August 24, 2016

3:30 PM

Council Chambers - 3rd Floor

There will be no meeting on August 31, the fifth Wednesday of the month.

ROLL CALL

The meeting was called to order by Council President Stark at 3:35 p.m.

Councilmembers Noecker, Brendmoen, and Bostrom excused

- Present** 4 - Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark and Councilmember Jane L. Prince
- Absent** 3 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen and Councilmember Rebecca Noecker

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 16-52](#) Letters from the Department of Safety and Inspections declaring 776 Desoto Street and 778 Jessie Street as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and filed
- 2 [CO 16-51](#) Letter from the Department of Safety and Inspections declaring 896 Cottage Avenue East a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
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

Item 11 was withdrawn. Councilmember Tolbert moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

Yea: 4 - Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Prince

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

- 3** [RES 16-1232](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the University Avenue - Robert Street to 12th Street paving and lighting project constructed as part of the 2016 St. Paul Street Paving Program (SPS). (File No. 19187, Assessment No. 165209)
- Adopted**
- 4** [RES 16-1228](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Como/Chatsworth, Phase II paving and lighting project constructed as part of the 2016 St. Paul Street Paving Program (SPS). (File No. 19189, Assessment No. 165205)
- Adopted**
- 5** [RES 16-1230](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Como/Chatsworth, Phase I, Part B paving and lighting project constructed as part of the 2015 St. Paul Street Paving Program (SPS). (File No. 19167 PHASE2, Assessment No. 155205)
- Adopted**
- 6** [RES 16-1463](#) Approving the Mayor's reappointments of Tom Reding and Georgie Kadir Kabeto to serve on the Saint Paul Public Housing Agency Board of Commissioners.
- Adopted**

- 7 [RES 16-1472](#) Approving the Mayor's appointments of Rafael Espinosa, Clara Haycraft, and SuChann Yang, and reappointments of Susan Bishop and Andy Trcka to serve on the Parks and Recreation Commission.
Adopted
- 8 [RES 16-1465](#) Accepting the gift of the cost of airfare, lodging, and some meal expenses from the Aspen Institute, for Scott Cordes, Director of Budget and Innovation, and Jessica Brokaw, Deputy Director of Procurement, to attend CityLab 2016.
Adopted
- 9 [RES 16-1447](#) Authorizing the Police Department to enter into an agreement with Minnesota State Colleges, Dakota County Technical College, that includes an indemnification clause.
Adopted
- 10 [RES 16-1431](#) Approving a waiver of the 45-day notification requirement in order to issue a Wine On Sale and a Malt On Sale (Strong) license to Tori, LLC, d/b/a Tori Ramen (License ID #20160002323) at 161 Victoria Street North.
Adopted
- 11 [RES 16-1430](#) Approving adverse action against the Cigarette/Tobacco license held by Jubilee St Marie's of St Paul, d/b/a Jubilee - St. Marie's at 101 Fifth Street East. (To be withdrawn)
Withdrawn

FOR DISCUSSION

- 12 [RES 16-1462](#) Initiating an interim ordinance pursuant to Minn. Stat. § 462.355, Subd. 2 regulating “temporary family healthcare dwellings” pending the effective date of a separate ordinance regulating the same subject to be adopted in compliance with City Charter § 6.05.

Travis Bistodeau, Department of Safety and Inspections, gave a staff report.

Council President Stark said this was a new state law that provided only a short turn around time for the City to deal with the issue. He moved approval of the resolution.

Adopted

Yea: 4 - Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Prince

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen 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.

First Reading

- 13 [Ord 16-36](#) Adopting an interim ordinance pursuant to Minn. Stat. § 462.355, Subd. 4 pending the completion of a zoning study and actions based upon the study including amending the City’s official controls as they may pertain to the regulation of “temporary family healthcare dwellings” as permitted residential uses.
Laid over to September 7 for second reading
- 14 [Ord 16-32](#) Amending Chapter 33 of the Saint Paul Legislative Code pertaining to Establishment of Permit Fees.
Laid over to September 7 for second reading
- 15 [Ord 16-33](#) Amending Chapter 39 of the Saint Paul Legislative Code pertaining to Smoke Alarms and Carbon Monoxide Alarms in Certain Buildings.
Laid over to September 7 for second reading
- 16 [Ord 16-34](#) Amending Chapter 40 of the Saint Paul Legislative Code pertaining to Fire Certificate of Occupancy.
Laid over to September 7 for second reading

- 17 [Ord 16-35](#) Amending Chapter 55 of the Saint Paul Legislative Code pertaining to the Fire Code.

Laid over to September 7 for second reading

Final Adoption

- 18 [Ord 16-27](#) Amending Chapter 153 of the Legislative Code regarding Traffic Code - Various Offenses to add a prohibition against the use of engine braking by drivers on Interstate 94.

Councilmember Prince moved approval of the resolution.

Adopted

Yea: 4 - Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Prince

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

PUBLIC HEARING

19 [Ord 16-29](#)

Amending Legislative Code Title XXIII, reserved Chapter 233, pertaining to Public Health, Safety and Welfare by adopting language requiring Saint Paul employers to provide earned safe and sick time for their workers in Saint Paul.

Council President Stark said after review of some language brought in the previous week, some clean-up language had been brought forward to clarify that the private right of action was solely in the case of retaliation. He said Councilmember Tolbert would be bringing forward the amendment. He said the Charter did require that the language lay over again.

Councilmember Tolbert said the language brought in the previous week did not line up with the intent of the amendment, and this was to make Councilmember Thao's intent clear. He moved the amendment. Council President Stark spoke in support; he said it was important that their intent was expressed clearly in the ordinance.

Vote on Amendment: Yeas - 4 Nays - 0

In opposition to the amendments:

Nick Closmore (788 Grand Avenue)

Mike Schumann (541 Dayton Avenue; business at 1039 Grand Avenue)

Gary Huffman (1283 Lincoln Avenue)

Tom Casper (1826 Jefferson Avenue)

In support:

Reverend Oby Ballinger (1515 Sherburne Avenue)

Aaron Sinner (1352 Osceola Avenue)

Lyle Nelson (334 Cherokee W.)

Deanna Sande (1181 Edgemoor Road)

Christy Hall (550 Rice Street)

Erika Sanders (2005 Lincoln Avenue)

Shannon Forney (no address given)

Nyijaah Monn (3406 Penn Avenue S.)

Council President Stark said he appreciated everyone coming and contributing to the process.

Councilmember Prince said she knew it was frustrating to have to wait, but she was glad the Council was making the amendment on the advice of counsel to make the intentions clear.

Councilmember Tolbert moved to close the public hearing and lay the matter over. He thanked everyone on both sides of the issue. He said if the ordinance was passed the implementation date was July 2017 regardless of whether it was laid over, and it was important that the ordinance read as intended.

Amended; public hearing closed; laid over to September 7

Yea: 4 - Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Prince

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

SUSPENSION ITEM

Councilmember Prince moved suspension of the rules.

Rules suspended

Yea: 4 - Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Prince

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

[RES 16-1489](#)

Expressing solidarity with Indigenous Resistance to the Dakota Access Pipeline.

Councilmember Prince made described the resolution, and introduced, Barry Frantom, who spoke about the pipeline project and its potential impact on the population.

Councilmember Prince moved approval of the resolution.

Council President Stark thanked everyone for coming down. He said items coming in at the last minute were difficult because he liked to get as much information as possible, but after hearing the story and taking time over the past 24 hours to read about it, he was in full support of the resolution.

Adopted

Yea: 4 - Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Prince

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

ADJOURNMENT

Councilmember Prince moved adjournment.

Meeting adjourned at 4:32 p.m.

Yea: 4 - Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Prince

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Brendmoen and Councilmember Noecker

Council Meeting Information

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Cable

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