



City of Saint Paul

City Council Meeting Minutes

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
Katie Burger, Executive
Assistant, 651-266-8560

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

Wednesday, February 24, 2016

3:30 PM

Council Chambers - 3rd Floor

Council Voting

The reader calls the names of all Councilmembers. A vote in favor is cast by remaining silent, and a vote against is cast by saying no or nay. When the voting is complete, the reader will state whether the motion passed or failed.

ROLL CALL

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

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 16-23** Authorizing the Department of Emergency Management to pay for all costs for Emergency Management training and/or costs associated with the operation of the Emergency Operations Center during emergencies and declared disasters.
Received and Filed

- 2 **AO 16-29** Authorizing the Police Department to reallocate its 2015 operating budget to more accurately record expenditures.
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

Councilmember Brendmoen move approval of the Consent Agenda.

Consent Agenda adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 3 RES 16-331** Approving the Mayor's appointments of Joel Clemmer, Rebecca Airmet, Amy Huerta, Larvel Bunker, Chai Lee, and Samakab A. Hussein; and the reappointment of Kellie Charles Connor to the Capital Improvement Budget (CIB) Committee.
Adopted
- 4 RES 16-321** Approving the FY2016 Innovation Fund Allocation.
Adopted
- 5 RES 16-342** Honoring Boy Scout Troop 17's 100th Anniversary.
Adopted
- 6 RES 16-289** Committing to divestment from fossil fuels.
Adopted
- 7 RES 16-128** Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property from October to December 2015, and setting date of City Council public hearing for April 20, 2016 to consider and levy the assessments against individual properties. (File No. 1602LDSRP, Assessment No. 164001)
Adopted
- 8 RES 16-129** Approving the City's cost of providing Repair of Sanitary Sewer Line on Private Property from October to December 2015, and setting date of City Council public hearing for April 20, 2016 to consider and levy the assessments against individual properties. (File No. SWRP1602, Assessment No. 163001)
Adopted

- 9 **RES 16-232** Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed from October 19 to November 6, 2015, and setting date of Legislative Hearing for March 15, 2016 and City Council public hearing for May 4, 2016 to consider and levy the assessments against individual properties. (File No. CRT1607, Assessment No. 168206)
Adopted
- 10 **RES 16-233** Approving the City's cost of providing Property Clean Up services from December 2 to December 30, 2015, and setting date of Legislative Hearing for March 15, 2016 and City Council public hearing for May 4, 2016 to consider and levy the assessments against individual properties. (File No. J1607A, Assessment No. 168506)
Adopted
- 11 **RES 16-235** Approving the City's cost of providing Trash Hauling services from December 3 to December 30, 2015, and setting date of Legislative Hearing for March 15, 2016 and City Council public hearing for May 4, 2016 to consider and levy the assessments against individual properties. (File No. J1607G, Assessment No. 168706)
Adopted
- 12 **RES 16-236** Approving the City's cost of providing Collection of Vacant Building Registration Fees billed from October 10, 2013 to September 10, 2014, and setting date of Legislative Hearing for March 15, 2016 and City Council public hearing for May 4, 2016 to consider and levy the assessments against individual properties. (File No. VB1606, Assessment No. 168805)
Adopted
- 13 **RES 16-237** Approving the City's cost of providing Collection of Vacant Building Registration Fees billed from May 18 to November 24, 2015, and setting date of Legislative Hearing for March 15, 2016 and City Council public hearing for May 4, 2016 to consider and levy the assessments against individual properties. (File No. VB1607, Assessment No. 168806)
Adopted
- 14 **RES 16-308** Establishing the rate of pay for the new classification of Water Customer Service and Billing Supervisor, Job Code 220520, in EG 09, Grade 014.
Adopted

- 15 **RES 16-309** Accepting a donation from the MN chapter of National Public Employees Labor Relations Association (NPELRA) in the amount of \$2000 to cover the expenses of Jason Schmidt to attend the NPELRA training conference.
Adopted
- 16 **RES 16-316** Authorizing the Police Department to enter into an agreement with the Regents of the University of Minnesota.
Adopted
- 17 **RES 16-313** Approving adverse action against the Massage Practitioner license application submitted by Sara A. Lundequam at 493 Selby Avenue.
Adopted
- 18 **RES 16-290** Approving adverse action against the Taxicab Driver license application submitted by David M. Arth.
Adopted
- 19 **RES 16-310** Approving adverse action against Second Hand Dealer - Motor Vehicle license application submitted by Fleetwood Motors, LLC, d/b/a Fleetwood Motors at 461 Wilder Street North, Suite A.
Adopted

FOR DISCUSSION

- 20 **RES PH 16-22** Final Order approving the construction of improvements In the Payne Avenue & Bedford Street Area and to acquire the necessary property rights for completion of said improvements. (File No. 19195B Assessment No. 165204)
Councilmember Brendmoen said an agreement had been reached, and she thanked staff and the business owners for their efforts. She moved approval of the resolution.
Adopted
Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
Nay: 0
- 21 **RES 16-337** Directing the Public Works Department to solicit input from residents to develop draft goals and objectives for implementing a system of organized trash collection.
Council President Stark said amendments were coming forward from Council members Thao and Tolbert. He said the resolution was the result of months of work to look at the issue and get a sense of how the process.
Kris Hageman, Public Works, gave a staff report on the process.
Councilmember Thao thanked Anne Hunt, and Ms. Hageman and her team. He said

it was a big change but he thought it was the way to go. Council President Stark thanked Ms. Hageman, and said this kicked off the period of getting feedback from the public to get a better sense of what their priorities were.

Councilmember Bostrom asked Ms. Hageman to review the timeline, and whether independent haulers were being included in the conversation. Ms. Hageman said they would be collecting community input through April and reporting back to the Council in May. She said independent haulers had been in conversations with Council members and had been participating in community meetings already. Councilmember Bostrom asked whether there was any kind of understanding the independent haulers were getting at this point. Ms. Hageman said she hoped they were feeling like their concerns were being heard, and they were an integral for this to move forward. Council President Stark said that was consistent with priorities set out in the resolution.

Councilmember Tolbert moved an amendment adding labor peace agreements as one of the priorities. Yeas - 7 Nays - 0

Councilmember Thao moved an amendment to add alley plowing to the discussion. Council President Stark said he would support the amendment because the issue was a big one in neighborhoods where not all alleys got plowed all of the time. He said he was a little concerned that the issue might overwhelm the trash issue, and at some point it might make sense to separate the issues and have the conversations concurrently. Councilmember Brendmoen agreed. She said alley plowing needed to be discussed and she was a bit concerned it might add another obstacle to moving the organized trash collection conversation forward, and she appreciated the fact it had been inputted as an exploratory conversation. Councilmember Bostrom said this discussion had been going on for years, and there was no argument about the need but the question had always been how would it be paid for. He suggested a friendly amendment to add language calling for exploration of funding sources. Councilmember Thao said he appreciated the support. He said the conversation was about small, local women-owned haulers and this was another dynamic where the haulers could be innovative in figuring out how to provide a total solution. He said he wasn't sure how it would be paid for and was okay with the amendment, because the exploratory process might show savings from organized hauling that could be applied to alley plowing. Council President Stark suggested language for the friendly amendment. Councilmember Thao moved the amendments. Yeas - 7 Nays - 0

Councilmember Tolbert moved approval of the resolution as amended.

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

22 RES 16-353

Requesting that the Administration submit a budget resolution funding the super medic service at Station 5.

Councilmember Prince said the title of the resolution should be amended to say Station 5 rather than Station 9. She said she and Councilmember Bostrom were asked to meet with Chief Butler two weeks before regarding the urgent need for super medic services at Fire Station 5 to cover increased need for emergency services along the Green Line and in anticipation of the Snelling Midway and Ford developments. She said Chief Butler felt he had no choice but to fill the need by taking the super medic from Fire House 9 on the East Side. She said she and Councilmember Bostrom decided that rather than allow the East Side to be without super medic services they would seek the support of their colleagues to ask the

administration to bring in a budget amendment to fill this urgent need. She said the need was urgent enough that Chief Butler had asked whether it could be done on a pilot basis in the meantime.

Councilmember Bostrom said with the super medic, if the medic rig was out there were still engines available to fill the gap. He said Fire was getting involved in more medic runs the proper equipment should be there. He said this was not a situation where a new building or equipment was needed but it was just a matter of staffing. He said if it was that important it should be funded and not taken from one part of the city to another. He said in the past when services were moved on a test basis they were never moved back. He said with continued building in the City, even more staffing might be needed, and this was a good opportunity for Fire staff and the Administration to evaluate that. He said the City could find millions of dollars to rebuild roads and for infrastructure for the new soccer stadium, but these were basic life supporting needs that the citizens deserved and he didn't think they should be taking a back seat to any of the other activities. He said he would like to amend the resolution for a report back at the public hearing back on March 16, to give the administration a little more time to find funds to accomplish this.

Council President Stark said he appreciated his colleagues bringing the matter forward and fully supported the idea that the City would have to increase staffing in the Fire Department in the coming years. He said the conversation started in budget sessions over the last couple of years. He said he was a little concerned that the Council had just passed a budget a couple of months ago and was now coming back and saying another \$700,000 was needed. He said he heard Councilmember Bostrom's concerns about finding money for one-time expenses, but finding money for the ongoing expense of additional staff was different. He said he would not support the resolution but completely supported the underlying goal of making sure the Fire Department was adequately staffed. He said the Council was set to have a policy discussion on that later in the spring to hopefully set the stage for identifying that as one of their priorities.

Councilmember Noecker said to supplement what Councilmember Bostrom had said she wanted to point out information they had received documenting how often the engine was unable to respond due to the fact that either its fire or EMS crew was out. She said just in 2014 there were 831 fire calls that they were unable to respond to because they were out doing EMS work, and 1515 EMS calls that they couldn't respond to due to fire work. She said response time also increased to fire and EMS calls by 3 to 4 minutes, which meant the difference between life and death. She said the data supported the claim that there really was a need.

Councilmember Tolbert said he would support the resolution. He said he agreed with Council President Stark's comments about having adopted the budget two months before, but it was bothersome to him that this specific issue wasn't part of that conversation which he found unacceptable. He said if there was a problem the Council needed to know about it, and this problem hadn't happened in the period of time since the budget was passed.

Councilmember Thao said he had the same concerns and wouldn't repeat them, but there was a need for more personnel given the growth and expansion in the Midway area and increased need for services in Wards 1 and 4. He said he would support the resolution.

Councilmember Bostrom moved approval of the resolution as amended.

Adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker and Councilmember Prince

Nay: 1 - City Council President Stark

23 RES 16-315

Approving the Settlement Agreement and Release between the City of Saint Paul and Christopher Lollie and his attorney Andrew M. Irlbeck.

Council President Stark said typically settlement resolutions were on the Consent Agenda because they were not necessarily worthy of discussion. He said there had been some of late where there had been a lot of public discussion and he wanted to take a moment to talk about this one very briefly. He said the incident had gotten a lot of attention and the process of going into settlement conference on this incident was an interesting one. He said part of him wasn't satisfied with settling in that, by settling, not as much of the details of what happened came out as might have in a trial. He said some members of the public felt they weren't hearing all sides of an issue when the City settled and he had a lot of respect for that point of view. He said in this case, given the information he received representing the City at the settlement conference, he felt the settlement was the best option for the City in terms of the potential exposure for the City to larger dollar amounts. He said he felt it was important that the Council go back and have a conversation with the police department about what happened from their perspective, and whether this was being talked about in terms of training and how things might go differently another time. He said there were some people in the department who felt very strongly that the officers involved had behaved appropriately, and the settlement was an signal from the public and court system that maybe that was not the case. He said the part he regretted was that in some ways the settlement cut off the public conversation, and it was his intention to keep the public conversation going around these important topics.

Councilmember Thao said accountability and transparency in policing were important issues in the community and across the country, and the Council would dig deeper during the police civilian review policy discussion. He said with the recent resignation of Saint Paul police officer the Council should be proactive in continuing the dialog about increasing police transparency.

Councilmember Noecker said she would vote to approve the settlement but still felt very disturbed by the events that took place that day. She said although the case would be formally settled after the vote, she felt she spoke for many others in saying the incident still felt very unsettled. She said she wanted to see the St. Paul make national news for a lot of things but this was not one of them. She said she planned to join her colleagues in continuing the conversation to make sure they fully understood the procedures in place, and if they needed to be revised, how to do that so this never happened again.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

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 16-2

Amending Chapter 409 of the Saint Paul Legislative Code to prohibit the issuance of Consumption and Display Permits.

Council President Stark moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Second Reading

- 25 **Ord 16-3** Granting the application of Jamestown Homes LLLP to rezone their property at 586 Central Avenue W from RM2 Multiple-Family Residential to T2 Traditional Neighborhood and amending Chapter 60 of the Legislative Code pertaining to the Saint Paul zoning map.
Laid over to March 2 for third reading/public hearing

ADJOURNMENT

Councilmember Noecker moved adjournment.

Meeting adjourned

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Council Meeting Information

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Cable

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