



# 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 Bill Finney*  
*Councilmember Dai Thao*  
*Councilmember Dave Thune*  
*Councilmember Chris Tolbert*

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Thursday, November 12, 2015

3:30 PM

Council Chambers - 3rd Floor

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**Please Note the City Council is meeting on Thursday, November 12 due to the Veteran's Day holiday.**

#### 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

**Present** 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Bill Finney and City Council President Russ Stark

**Absent** 1 - Councilmember Dave Thune

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 15-95](#) Amending the 2015 spending budget for the Office of Technology and Communications.  
**Received and Filed**
- 2 [AO 15-98](#) Amending the CDBG activity budget for the COPP program.  
**Received and Filed**
- 3 [AO 15-99](#) Establishing two new Year-Round STAR account codes and closing three completed Year-Round STAR projects  
**Received and Filed**
- 4 [AO 15-100](#) Authorizing the Police Department to reimburse actual costs for the assessors for the commander's exam.  
**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**

**Consent Agenda adopted**

**Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**Absent:** 1 - Councilmember Thune

- 5**     [RES 15-1858](#)     Authorizing the Saint Paul Port Authority to submit a Minnesota Investment Fund application on behalf of a company (“Company”) wishing to locate in Saint Paul, Minnesota.  
**Adopted**
- 6**     [RES 15-1915](#)     Authorizing the Department of Public Works to request variance for Jackson Street from Shepard Road to University Avenue from State of Minnesota Department of Transportation Municipal State Aid and indemnifying the State of Minnesota for claims, demands, actions, or causes of action arising out of or by reason of the variance.  
**Adopted**
- 7**     [RES 15-1919](#)     Sustaining adverse licensing action against the application of The Lex, Inc., d/b/a The Lex for the premises located at 976 Concordia Avenue in Saint Paul.  
**Adopted**
- 8**     [RES 15-1949](#)     Authorizing the Police Department to enter into a cooperative agreement with the Hubert H. Humphrey Job Corps Center.  
**Adopted**
- 9**     [RES 15-1950](#)     Authorization for the Police Department to enter into a Master Subscription Agreement with Kanopy, LLC.  
**Adopted**
- 10**    [RES 15-1956](#)     Approving adverse action against the Pet Shop license held by Charles J. Schuck III d/b/a CS Reptiles located at 963-7th Street West.  
**Adopted**

- 11     [RES 15-1957](#)     Approving adverse action against the Auto Garage license and Alarm Permit (Renew) held by Morgan Tire & Auto, Inc. d/b/a Tires Plus #8126 located at 300 Snelling Avenue North in.

**Adopted**

- 12     [RES 15-1967](#)     Approving payment in the amount of fourteen thousand nine hundred forty three dollars and twenty six cents (\$14,943.26) in full settlement of the claim of Nationwide Insurance Company as subrogee of Ricky Vang.

**Adopted**

- 13     [Min 15-59](#)        Approving the minutes of the July 8, 15, 22, and August 5, 12, 19, and 26 City Council meetings.

**Adopted**

**FOR DISCUSSION**

- 14     [RES 15-1989](#)     Canvassing the returns and declaring the results of the City General Election held November 3, 2015. (To be amended with the result of the Ward 2 vote reallocation.)

*Council President Stark said the results need to be amended for Ward 2.*

*Councilmember Finney moved the amendment.*

*6 in favor, none opposed*

*Amendment is approved*

*Stark moved approval.*

*6 in favor, none opposed*

*Resolution is adopted as amended*

**Adopted as amended**

**Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**Absent:** 1 - Councilmember Thune

**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**

- 15**    [Ord 15-54](#)            Creating a commercial development district to be known as the Schmidt Brewery Commercial Development District pursuant to Section 17.07.1 of the Saint Paul City Charter and Section 409.20 of the Saint Paul Legislative Code.
- Councilmember Finney moved approval.  
6 in favor, none opposed  
Ordinance is adopted*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Thune
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- 16**    [Ord 15-55](#)            Granting a competitive cable franchise for Qwest Broadband Services Inc. d/b/a/ CenturyLink.
- Councilmember Bostrom moved approval.  
6 in favor, none opposed  
Ordinance is adopted*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Thune

**Second Reading**

- 17**    [Ord 15-57](#)            Amending Chapter 324 of the Legislative Code pertaining to flavored tobacco and making amendments to comply with state statute.
- Councilmember Thao moved an amendment: 90 days after adoption instead of 30 days.*  
*6 in favor, none opposed*  
*Amendment is approved and ordinance is laid over to November 18 for third reading/public hearing*
- Amended and laid over to November 18 for third reading/public hearing**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Thune
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- 18**    [Ord 15-60](#)            Amending Chapter 84 of the Administrative Code establishing a dollar threshold for applicability, creating a set-aside program for CERT certified businesses and establishing penalties for failure to establish good faith efforts to establish vendor outreach goals.
- Laid over to November 18 for third reading/public hearing**
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- 19**    [Ord 15-61](#)            Amending Chapter 409.02 of the Legislative Code, changing the definition of restaurant.
- Laid over to November 18 for third reading/public hearing**
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- 20**    [Ord 15-62](#)            Amending Chapter 33 of the Legislative Code pertaining to Establishment of Permit Fees and Certificate of Compliance.
- Laid over to November 18 for third reading/public hearing**
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- 21**    [Ord 15-63](#)            Amending Chapter 40 of the Legislative Code pertaining to Fire Certificate of Occupancy as it relates to Fees.
- Laid over to November 18 for third reading/public hearing**
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- 22**    [Ord 15-64](#)            Amending Chapter 55 of the Legislative Code pertaining to the Fire Code - Tent Permit Fees.
- Laid over to November 18 for third reading/public hearing**
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- 23**    [Ord 15-65](#)            Amending Chapter 310 of the Legislative Code pertaining to Uniform License Procedures as it relates to License Fee Schedule.
- Laid over to November 18 for third reading/public hearing**

- 24 [Ord 15-68](#) Amending Chapter 43 of the Legislative Code pertaining to Vacant Buildings as it relates to Vacant Building Registration Fee.

Laid over to November 18 for third reading/public hearing

**First Reading**

- 25 [Ord 15-70](#) Amending Chapter 293 of the Legislative Code regarding Noise Regulations.

Laid over to November 18 for second reading

- 26 [Ord 15-71](#) Amending Chapter 6 of the Administrative Code regarding the Department of Public Works.

Laid over to November 18 for second reading

- 27 [Ord 15-72](#) Amending Chapter 17.07 of the Charter, pursuant to Minnesota Statutes § 410.12 subd. 7, regarding On-Sale Liquor Licenses issued to restaurants.

Laid over to November 18 for second reading

- 28 [Ord 15-73](#) Amending Chapter 409.03 of the Legislative Code exempting restaurants from total license limits.

Laid over to November 18 for second reading

**ROLL CALL**

**Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Dave Thune, Councilmember Chris Tolbert, Councilmember Bill Finney and City Council President Russ Stark

**SUSPENSION ITEMS**

- [RES 15-2001](#) Authorizing the City to enroll in the Apple Developer Program and enter into Apple Mac App Store, App Store, App Store for Apple TV, and iBooks Store Terms and Conditions to develop and distribute apps on the App Store and the Mac App Store.

*Council President Stark moved suspension of the rules.*

*7 in favor, none opposed*

*Rules are suspended*

*Stark said this allows us to move forward with some apps.*

*7 in favor, none opposed*

*Resolution is adopted*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

[RES 15-2003](#)

Authorizing the City to enroll in the Google Play Developer Distribution Agreement to develop and distribute apps on the Google Store.

*Council President Stark moved to suspend the rules.*

*7 in favor, none opposed*

*Rules are suspended*

*Stark said this is similar to enrollment in Google Play.*

*7 in favor, none opposed*

*Resolution is adopted*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

[RES 15-2004](#)

Authorizing the Office of Technology and Communications to enter into an agreement with Oracle America, Inc. for Cloud Services.

*Council President Stark moved to suspend the rules.*

*7 in favor, none opposed*

*Rules are suspended*

*Stark moved the resolution.*

*7 in favor, none opposed*

*Resolution is adopted*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

[Ord 15-66](#)

Amending Section 366A.06 of the Legislative Code pertaining to Races, Runs, and Public Assemblies.

*Councilmember Thune moved suspension of the rules.*

*7 in favor, none opposed*

*Rules are suspended*

*Thune said this is pertaining to races, runs, public assemblies. This will relieve some problems on Shepard Road.*

*7 in favor, none opposed*

*Ordinance is laid over to November 18 for second reading*

**Laid over to November 18 for second reading**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

[Ord 15-74](#)

Amending Section 409.30 of the Legislative Code relating to intoxicating beverages at block parties.

*Councilmember Thune moved suspension of the rules.*

*7 in favor, none opposed*

*Rules are suspended*

*Thune moved first reading. This is related to Xcel Arena and Chestnut, etc.*

*7 in favor, none opposed*

*Ordinance is laid over to November 8 for second reading*

**Laid over to November 18 for second reading**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

[Ord 15-75](#)

Amending Chapter 427.07 of the Legislative Code regarding requirements for health clubs located in the Downtown Business District.

*Councilmember Thune moved suspension of the rules.*

*7 in favor, none opposed*

*Rules are suspended*

*Thune said this is regarding health clubs without staff people. This is about health clubs in Downtown buildings.*

*Council President Stark asked about previous change. Thune responded it did apply to Downtown. This was initiated by the Lowry Building. They have taken care of all the concerns.*

*Councilmember Bostrom asked does it delineate where the Downtown area is. Thune responded it is the Downtown Business District.*

*7 in favor, none opposed*

*Ordinance is laid over to December 18 for second reading*

**Laid over to November 18 for second reading**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0



Ord 15-76

Amending Chapter 409.03 of the Legislative Code removing the quarter-mile exemption zone for off-sale liquor licenses around the Xcel Energy Center.

*Councilmember Thune moved to suspend the rules.*

*7 in favor, none opposed*

*Rules are suspended*

*Thune moved the first reading.*

*7 in favor, none opposed*

*Ordinance is laid over to November 19 for second reading*

**Laid over to November 18 for second reading**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

**ADJOURNMENT**

**The meeting was adjourned at 3:50 p.m.**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

**Nay:** 0

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