



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 Russ Stark
Councilmember Dai Thao
Councilmember Dave Thune
Councilmember Chris Tolbert*

Wednesday, January 22, 2014

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

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

COMMUNICATIONS & RECEIVE/FILE

- 1 **CO 14-6** Letters from the Department of Safety and Inspections declaring 866 Clear Avenue and 1022 Minnehaha Avenue West as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed

- 2 **AO 14-3** Authorizing the Police Department to purchase food, water, and soda for the Comprehensive Field Practicals and Academy Graduation for the 2013-2 Recruit Academy.
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 16 was removed from the Consent Agenda for separate consideration.

Councilmember Thune moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

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

Nay: 0

- 3 RES 14-101** Approving the Mayor's appointments of Jon Commers and Jenna Bowman to serve on the Business Review Council.
Adopted
- 4 RES 14-137** Approving the Mayor's appointments of Nieeta Presley, Josh Kriz, Sylvia Perez, Melissa Houghtaling, Sara Lechowich, and J. Lindsay Flint; and the reappointments of Noemi Alcocer, Leila Baker, Gene Gelfelu, Jennifer Lee, Noemi Treviño, and Der Yang, to serve on the Human Rights & Equal Economic Opportunity Commission.
Adopted
- 5 RES 14-138** Approving the use of grant funds through the Ward 4 Neighborhood STAR Year-Round Program for the Dubliner Pub improvements and the Marshall Avenue Green Streets Initiative.
Adopted
- 6 RES 14-120** Celebrating Saint Paul District Councils' 2013 Neighborhood Honor Roll Volunteer Awards Night on Friday, January 31, 2014.
Adopted
- 7 RES 14-115** Authorizing the purchase of a tax forfeited property located at 401 Fourth Street East for the Lowertown Ballpark Project.
Adopted
- 8 RES 14-75** Preliminary Order setting the date of City Council Public Hearing for February 19, 2014 to consider approval for an alley improvement on the westernmost portion of the alley bounded by Watson, Armstrong, Bay and Osceola. (File No. 19159, Assmt. No. 145001)
Adopted

- 9 **RES 14-61** Preliminary Order setting the date of City Council Public Hearing for February 19, 2014 to consider approval for a street widening project along Arkwright Street between Whitall and Cayuga, and along Cayuga Street between Westminster and Phalen. (File No. 19157, Assmt. No. 145206)
Adopted
- 10 **RES 14-99** Approving the petition of 1601 University, LLC for the assessment of costs for a fire protection system at 1601 University Avenue West. (File No. FP2014-01, Assmt No. 147100)
Adopted
- 11 **RES 14-116** Authorizing the release of Utility Easements within the property located at 1979 Old Hudson Road.
Adopted
- 12 **RES 14-92** Authorizing the Fire Department to enter into a joint powers agreement with Inver Hills Community College to provide services for the EMS Academy, January 13 to April 18, 2014.
Adopted
- 13 **RES 14-25** Authorizing the Department of Parks and Recreation to submit a Minnesota Cleanup Revolving Loan Fund application, and if awarded, to execute and manage such loan through the Minnesota Department of Employment and Economic Development (DEED), Brownfields and Redevelopment Office, for the Lowertown Ballpark Project, and to enter into such agreements as are necessary to implement the project.
Adopted
- 14 **RES 14-83** Authorizing the Department of Parks and Recreation, Como Park Zoo and Conservatory, to accept "in-kind" donations of goods for use in the animal enrichment program in 2014.
Adopted
- 15 **RES 14-88** Authorizing the Department of Parks and Recreation to accept a grant in the amount of \$10,000 from the Bush Foundation and Youthprise to support the Canvas teen arts program at Hancock Recreation Center.
Adopted

FOR DISCUSSION

- 16 **RES 14-141** Authorizing application to the Minnesota Department of Employment and Economic Development for a redevelopment grant for the Custom House site.

Councilmember Thune moved an amendment to add a DEED application for the 2700 University site.

Adopted as amended (2700 University site added)

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

Nay: 0

17 **RES 14-91**

Approving the Mayor's appointments of Wendy Underwood and Anne DeJoy; and the reappointments of Christopher Ochs, Trevor Oliver, Julie Perrus, Elizabeth (Betsy) Reveal, Bob Spaulding, Daniel O. Ward II, Barbara A. Wencil, and David Wickiser to serve on the Planning Commission.

Councilmember Tolbert moved approval of the resolution.

Adopted

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

Nay: 0

18 **RLH RR 13-40**

Ordering the rehabilitation or razing and removal of the structures at 676 WELLS STREET within fifteen (15) days after the September 18, 2013, City Council Public Hearing. (Public hearing held September 18 and October 2; laid over from October 16, November 20, and December 18)

Legislative Hearing Officer Marcia Moermond said the item was on the agenda due to a computer error, and should not have appeared until March 5.

Councilmember Bostrom moved to lay the matter over to March 5.

Laid over to March 5

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

Nay: 0

19 **RLH TA 13-562**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1084 LEXINGTON PARKWAY NORTH. (Amended to File No. J1401A2, Assessment No. 148507)

Councilmember Brendmoen moved that the assessment be deleted. She said it had been determined that the property owner was not responsible for keeping the vegetation trimmed.

Adopted as amended (assessment deleted)

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

Nay: 0

20 RES 14-126

Authorizing the Department of Parks and Recreation to enter into a management agreement with Prom Management for the management services of Phalen and Como Golf Courses.

Parks and Recreation Director Mike Hahm gave a staff report on the proposed contracted service partner at Como and Phalen Golf Courses. He reviewed the reasons for pursuing the RFP process, and the assumptions that were part of the RFP and how they were achieved as part of the contract. He highlighted the material aspects of the recommended contract and business deal with Prom Management, and he outlined next steps.

Councilmember Thune asked whether saving would allow additional golf staff to be hired. Mr. Hahm said the savings would prevent continued losses of programming and services throughout the department.

Councilmember Brendmoen asked how Mr. Hahm would be reporting back to the Council. Mr. Hahm said during the budgeting process he would report on contract compliance, and he was open to other suggestions as to reporting. He stressed that seeking feedback would always include outreach to customers.

Councilmember Thao asked if there was a contingency plan if Prom broke off or were unable to live up to the contract. Mr. Hahm said he had full confidence in Prom Management's ability to follow through and operate as specified in the contract. He said there would be protections for the City in the form of bonds issued for maintenance of the equipment to back up the contracted obligations, and he reviewed additional protections for the City included in the contract. He noted that the City had received seven responses and could look to other interested providers if necessary. He said the City was not divesting equipment or assets related to golf.

Councilmember Tolbert asked whether reassigned employees would be filling vacancies or new positions. Mr. Hahm said it was a mix. He said a number of vacancies had been filled with temporary employees, and they had been working throughout the process to create vacancies.

Councilmember Stark said opportunities for feedback from users was especially important and those opportunities should be communicated clearly. He said he didn't take the decision lightly but it boiled down to providing the best service as a department and City.

Councilmember Bostrom said he didn't think the problems with the golf program warranted such extreme measures. He questioned Prom's ability to manage golf, and said the employees and customers didn't deserve this action. Mr. Hahm said Prom was well-known locally and nationally as a caterer, and their golf partnerships were outlined in the RFP. He outlined the experience and qualifications of the individual from Prom who would be overseeing the golf operations.

Councilmember Brendmoen asked what was being done to ensure that qualified City employees had inroads with Prom in terms of being rehired for the golf season. Mr. Hahm said the contract required that Prom management give consideration to existing employees.

Councilmember Thune said he felt it was a slippery slope and one more way the City was passing off serving customers. He said he also felt the only way this would work financially was through reduction in salaries.

Councilmember Brendmoen said she appreciated the comments about it being a slippery slope and a decision not to be taken lightly, but she felt it was a strong response from a union shop with St. Paul roots. She said Prom would make money on food and liquor, and not by reducing salaries. She said the agreement addressed concerns expressed by users of the courses, both winter users and golf program participants. She acknowledged the sentiments behind the opposition expressed at the time the RFP process was initiated, but said they had a strong proposal that she could support.

Councilmember Thao said the bottom line for him was representing families in Ward 1 and the City, and he stressed the importance of keeping Parks programming strong. He said not moving forward with the golf partnership would risk additional losses, and St. Paul children couldn't wait. He said at some point the City might have to consider whether golf was the right recreation service for the City, given dwindling resources and changing demographics.

Councilmember Brendmoen moved approval.

Adopted

Yea: 4 - Councilmember Brendmoen, City Council President Lantry, Councilmember Stark and Councilmember Thao

Nay: 3 - Councilmember Bostrom, Councilmember Thune and Councilmember Tolbert

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

21 Ord 14-2 Amending Chapter 409 of the Saint Paul Legislative Code pertaining to the definition of Off-Sale Brewery.

Councilmember Stark moved approval.

Adopted

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

Nay: 0

Third Reading, No Public Hearing

- 22 **Ord 14-5** Memorializing City Council action granting the application of the Franciscan Sisters of St. Paul to rezone property at 1388 Prior Avenue South from R3 One Family Residential to RM2 Multi Family Residential, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held December 18, 2013)
Laid over to February 5 for final adoption

Second Reading

- 23 **Ord 13-62** Amending Chapter 366 of the Saint Paul Legislative Code to require recycling at all community festivals.
Councilmember Tolbert said he had amendments for the next two items with language developed along with the events group and Public Works, stating that a recycling plan would be a part of the event permit process.
Amended and laid over to February 5 for third reading/public hearing
Yea: 6 - Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
Nay: 0
Absent: 1 - Councilmember Bostrom
- 24 **Ord 13-63** Amending Chapter 366A of the Saint Paul Legislative Code to require recycling at all parades, races or assemblies.
Councilmember Tolbert moved an amendment.
Amended and laid over to February 5 for third reading/public hearing
Yea: 6 - Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
Nay: 0
Absent: 1 - Councilmember Bostrom
- 25 **Ord 14-3** Amending Chapters 60 and 65 of the Legislative Code regarding source-separated organics.
Laid over to February 5 for third reading/public hearing
- 26 **Ord 14-6** Amending section 24.03(B) of the Saint Paul Administrative Code regarding statements of economic interest.
Laid over to February 5 for third reading/public hearing

- 27 **Ord 14-8** Authorizing the issuance of general obligation library bonds, in one or more series, of the Saint Paul Public Library Agency pursuant to Laws of Minnesota 2002, Chapter 390, Sections 36 through 38, and Minnesota Statutes, Chapter 475, as amended.

Laid over to February 5 for third reading/public hearing

First Reading

- 28 **Ord 14-9** Amending Chapter 225 of the Legislative Code to regulate use of bows, arrows, and crossbows in the City of Saint Paul.

Councilmember Stark moved an amendment.

Amended and laid over to February 5 for second reading

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

Nay: 0

Absent: 1 - Councilmember Bostrom

PUBLIC HEARING

- 29 **RES PH 14-15** Approving the application of the St. Paul Festival & Heritage Foundation for a sound level variance in order to present amplified music and entertainment in Rice Park for the 2014 Saint Paul Winter Carnival, from January 23, 2014 through February 2, 2014.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

SUSPENSION ITEM

Councilmember Thao moved suspension of the rules.

Rules suspended

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

Nay: 0

Absent: 1 - Councilmember Bostrom

Reconsideration

*Councilmember Thao moved to reconsider RLH RR 13-48. Yeas - 6 Nays - 0
(Councilmember Bostrom absent)*

RLH RR 13-48

Ordering the razing and removal of the structures at 521 EDMUND AVENUE within fifteen (15) days after the December 4, 2013, City Council Public Hearing. (Adopted January 15)

Legislative Hearing Officer Marcia Moermond asked that the matter be referred for Legislative Hearing on March 4 and Council public hearing on March 19.

Councilmember Thao moved to lay the matter over for Council public hearing on March 19.

Referred to Legislative Hearings on March 4 and Council public hearing on March 19

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

Nay: 0

Absent: 1 - Councilmember Bostrom

ADJOURNMENT

Councilmember Brendmoen moved adjournment.

Meeting adjourned at 4:17 p.m.

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

Nay: 0

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