



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

Minutes - Final

City Council

Council President Russ Stark
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Bill Finney
Councilmember Dai Thao
Councilmember Dave Thune
Councilmember Chris Tolbert

Wednesday, September 9, 2015

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

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

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 15-81](#) Amend the HOME activity budget for additional funds to activity 1798 Rondo non CHDO.
Attachments: [Attachment A AO 15-81 HOME activity budget 20150820](#)
Received and Filed
- 2 [AO 15-82](#) Amend the CDBG activity budgets for the Capital Backyard BIF program, Lead window replacement program and Restore St Paul program.
Attachments: [Attachment A AO-15-82 CDBG budget amendment 20150820](#)
Received and Filed
- 3 [AO 15-84](#) Amending the activities ledger budget for Mayor's Office.
Attachments: [AO 15-84 VISTA Grant Fin Analysis](#)
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: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 4 [RES 15-1484](#) Preliminary Order setting the date of Public Hearing for October 7, 2015 to consider approval for the upgrade in size to water service connection serving 526 Selby Avenue. (File No. 19191WC, Assessment No. 166100)

Attachments: [Assessment Roll](#)

Adopted

- 5 [RES 15-1517](#) Authorizing the Fire Department to enter into a joint powers agreement with the Falcon Heights Fire Department for the use of the Saint Paul Fire Department training facilities.

Attachments: [Falcon Heights Training Agreement](#)

Adopted

- 6 [RES 15-1525](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Saint Clair Avenue pavement rehabilitation project, constructed as part of the 2015 St. Paul Street Vitality Paving Program (SPSVP). (File No. 19183, Assessment No. 155204)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 7 [RES 15-1528](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Third Street paving/lighting project, constructed as part of the 2015 St. Paul Street Vitality Paving Program (SPSVP). (File No. 19169, Assessment No. 155202)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 8 [RES 15-1530](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Franklin Avenue paving/lighting project, constructed as part of the 2015 St. Paul Street Vitality Paving Program (SPSVP). (File No. 19170, Assessment No. 155200)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 9 [RES 15-1547](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Raymond Avenue from Hampden to Energy Park Drive paving/lighting project (File No. 19171, Assessment No. 155201).

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 10 [RES 15-1581](#) Accepting the gift of the cost of travel, lodging, and meals from the Aspen Institute for the Budget and Innovations Director, Scott Cordes, to attend the annual CityLab Conference.

Adopted

- 11 [RES 15-1596](#) Changing the rate of pay for the classification of DSI Fire Safety Inspector I, Job Code 740010, from Grade 025 to Grade 28L, EG 02, AFSCME Technical.

Attachments: [DSI FSI I Financial Analysis Worksheet](#)

Adopted

- 12 [RES 15-1597](#) Approving the Settlement Agreement and Release between the City of Saint Paul and Terence Curry and his attorney Thomas J. Laughlin.

Attachments: [Administrative Code 3.02.pdf](#)
 [Settlement Agreement and Release\(1\).pdf](#)
 [Financial Analysis.xls](#)

Adopted

- 13 [RES 15-1618](#) Honoring Representative Dave Pinto for the League of Minnesota Cities Award.

Councilmember Tolbert moved approval and said that for a freshman to win this award is a big deal. He fights about tax issues. Not all rep. understand the importance of local government.

*7 in favor, none opposed
Resolution adopted*

Adopted**FOR DISCUSSION**

- 14 [RES 15-1584](#) Approving the HRA 2016 proposed budget and certifying the proposed Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (HRA) tax levy payable in 2016.

*Councilmember Brendmoen moved approval
7 in favor, none opposed*

Adopted

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

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

- 15** [Ord 15-36](#) Granting the application of Franciscan Sisters of Perpetual Adoration to rezone property at 1784 LaCrosse Ave from R4 One Family Residential to RT2 Townhouse Residential and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Attachments: [PC Resolution](#)
[PC action minutes](#)
[Draft ZC minutes](#)
[60 day extension](#)
[Signed Request for Continuance 6-10-2015](#)
[Staff report packet](#)
[People Incorporated Communication](#)
[Abderholden - People Inc Support Email](#)
[Bastin - People Inc Support Email](#)
[Dahl - People Inc Support Email](#)
[Ellingson - People Inc Support Email](#)
[Frees - People Inc. Support Email](#)
[Regan - People Inc Support Email](#)
[Springhorn - People Inc Support Email](#)
[Turck - People Inc Support Email](#)
[Matson-Daley - People Inc Support Email](#)
[Mulherin - People Inc Support Email](#)
[Neuenfeldt - Opposition Email](#)
[MN DHS letter re People Inc App](#)
[Roberta Beach letter re People Inc](#)
[Mental Health MN Ord 15-36](#)
[Ord 15-36 - Two letters from People Incorporated](#)
[Ord 15-36 - McClay Alton PLLP-Submitted 081915](#)
[Ord 15-36 - Petition-Submitted 081915](#)
[Ord 15-36 - Proposal-Submitted 081915](#)
[Ord 15-36 - Photos-Submitted 081915](#)
[Ord 15-36 - Submitted 081915](#)

Councilmember Bostrom moved to deny the Planning Commission recommendation to rezone from R4 to RT2 and leave the property with its currently R4 zoning. He is disappointed because there was an opportunity to make it work. This is a case of does the zoning code mean anything or is it just a recommendation that we can change if we like the particular person or organization. For the following reasons, he would like to leave the property with its current code:

- 1) Rezoning from R4 to RT2 is not consistent with the comprehensive plan. (Bostrom explained the reason for this.)*
- 2) The proposed rezoning will not create newly constructed residential units, which would be an attractive asset. (Bostrom explained the reason for this.)*
- 3) The proposed rezoning will result in a zoning use classification that is inconsistent with the use surrounding the parcel.*

He appreciates the folks that feel this will be a good use of the property. Maybe it would under different circumstances. They are unwilling to come to the table and discuss some of these other things.

Councilmember Thune said the biggest issue is parking. When you get that many people in a building, there will be cars visiting. Will there be people with cars visiting? There was an idea to purchase another property, knock it down, and make a larger parking lot. Now, the organization said they can provide another three by redoing the back. There will be six parking spots. That should answer enough of the community concerns. He cannot support Dan on this. They are coming closer to a pledge from the organization that they will not park up the neighborhood.

Councilmember Finney said he took an occasion to scout around the Lacrosse address. They will need more than three spots adjacent to them. He supports those working with mental health issues. He also hears the cries of the folks in the neighborhood about increased pressure and limited parking there. He hoped they could resolve the neighborhood's concerns about parking. He will vote against the zoning change at this time and hope we can fix something later on.

Council President Stark said this is a zoning issue. It boils down to whether or not the zoning makes sense. The surrounding area has a mix of different kinds of uses. The zoning change is not inconsistent with the mixed use of that area. People can adjust and make things work. It is not a tremendous burden around parking. For that reason, he is not going to support the motion.

Councilmember Thao said he hears the concerns raised by the residents about parking. There is an opportunity to be courageous and support the least among us. To those who are marginalized for years because of mental health, they do not have the resources and power to fight for themselves. We exist so they can have a voice. He will vote in favor of granting the rezoning. This vote is not against the security and peace of mind of the residents who invest so much in St. Paul. This vote is about understanding as human beings that we are each other's partner.

Bostrom said if we like the organization, we can do the rezoning. If we are not happy with them, then we don't do it. That is what is troubling. It is a zoning issue. Now, we're saying that because we like the organization, let's disregard the facts and do it anyway. When we had the public hearing, the parking issue was a gigantic issue. Creating three more parking places will not solve this. There was an opportunity to get possession of the house and get more parking. There was opposition to tearing down a perfectly good house. People were looking for an adequate amount of parking. There were 15 units in this place plus people coming and going. It is a 24-7 operation. It was zoned the way it was zoned for a purpose. Now, it is a different system. It is a business place. They offered to work for them and find a solution, and they did not want to be a part of it. This has nothing to do with the program. Does the zoning code mean anything or does it?

Gerry Hendrickson says he is concerned about the vote. This is an ordinance and not an appeal. That is causing confusion about how the vote should go. For an ordinance it needs four votes. The motion is voting against the ordinance. He would recommend that they clarify the vote.

Bostrom said he is fine with counsel's recommendation. When the zoning committee took a look at this, it was a 9-8 vote. This was really a close vote.

Stark said there will be a vote to adopt the ordinance change. A yes vote will be to support the zoning change; a no vote would be to oppose the zoning change.

Thune moved to approve it. Yes, it is about the technicalities of the zoning law. If you drive across the high bridge, there are things tied to the high bridge because

someone jumped to their death. Most of us run into situations that people don't understand. This is the time for the Council to move forward and support this.

Finney said to be clear, this vote is to whether or not to approve the zoning change. It has nothing to do with the organization.

*5 in favor, 2 opposed (Finney, Bostrom)
Ordinance is adopted*

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and City Council President Stark

Nay: 2 - Councilmember Bostrom and Councilmember Finney

16 [Ord 15-37](#)

Granting the application of Northern Iron of St. Paul LLC to rezone the property at 877 Wells St, from VP Vehicular Parking to IT Transitional Industrial, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Attachments: [PC Resolution](#)
[pcactionminutes072415](#)
[ZC draft minutes](#)
[60 day extension](#)
[ZC staff packet](#)

Councilmember Bostrom moved approval.

*7 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

17 [Ord 15-38](#)

Granting the application of Wesenberg Management Group LLC to rezone 28 feet of property between 2238 Doswell and 2275-2283 Como 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.

Attachments: [PC Resolution](#)
[pcactionminutes072415](#)
[ZC Draft Minutes](#)
[DeadlineForExtensionLetter](#)
[ZC Staff Packet](#)

Councilmember Stark moved approval.

*7 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

18 [Ord 15-39](#)

Granting the application of Grand Realty Company LLP to rezone their property at 1261 Grand Avenue from R2 One-Family Residential to B2 Community Business and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Attachments: [PC Resolution](#)
[PC Action Minutes 080715](#)
[ZC Minutes DRAFT](#)
[60 Day Extension Letter](#)
[ZC Staff Packet](#)

Councilmember Tolbert moved approval

*7 in favor, none opposed
Ordinance is adopted*

Adopted

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

Nay: 0

19 [Ord 15-42](#)

Amending Chapter 74 of the Legislative Code by enacting a new section designating five individual properties as part of the Limestone Properties Thematic Nomination, as Saint Paul Heritage Preservation Sites.

Attachments: [Planning Commission Resolution-Stone](#)
[Staff Report Stone.pdf](#)
[Stone Houses Historic District.pdf](#)
[Final HPC Resolution--Stone](#)
[Limestone houses SHPO ltr](#)
[Limestone Owners HPC Written Testimony](#)
[Limestone Neighbors HPC Written Testimony](#)
[ORD 15-42 - Letters of Testimony](#)

*Councilmember Thune moved approval
7 in favor, none opposed*

Adopted

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

Nay: 0

Second Reading

- 20 [Ord 15-44](#) Memorializing City Council action granting the application of BlueAnt Designs LLC to rezone property at 1174 Grand Avenue from BC community business (converted) to RM2 multiple family; and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held August 19, 2015)

Attachments: [Staff report \(final\)](#)
[Zoning Committee Minutes](#)
[Planning Commission Action Minutes](#)
[Resolution - PC](#)
[Extention Letter](#)
[Letters of Opposition](#)

Ordinance is laid over to September 15 for third reading

Laid over to September 16 for third reading

- 21 [Ord 15-45](#) Amending Chapter 160, Traffic Code, Parking Meter Zones, to authorize the traffic engineer to enforce the provisions of Section 152.10, as amended in a companion ordinance, and to amend language to accommodate changes in technology.

Ordinance is laid over to September 16 for third reading/public hearing

Laid over to September 16 for third reading/public hearing

- 22 [Ord 15-46](#) Amending Chapter 152, Traffic Code, Regulations and Enforcement By City Departments, to authorize the traffic engineer to set parking meter rates and hours based upon certain criteria.

Ordinance is laid over to September 16 for third reading/public hearing

Laid over to September 16 for third reading/public hearing

First Reading

- 23 [Ord 15-47](#) Amending Chapter 370 of the Legislative Code regarding Building Trades Certificates of Competency.

Attachments: [Memo re: Fuel Burner Installers](#)

Ordinance is laid over to September 16 for second reading

Laid over to September 16 for second reading

SUSPENSION ITEMS**ADJOURNMENT**

The meeting was adjourned at 4:00 p.m.

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

Nay: 0

Council Meeting Information

The City Council is paperless which saves the environment and reduces expenses. The agendas and Council files are all available on the Web (see below). Councilmembers use iPads to review the files during the meeting. Using the iPad greatly reduces costs since most agendas, including the documents attached to files, are over 1000 pages when printed.

Web

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Cable

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