



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 Melvin Carter III
Councilmember Pat Harris
Councilmember Lee Helgen
Councilmember Russ Stark
Councilmember Dave Thune

Wednesday, September 14, 2011

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

The meeting was called to order by Council President Lantry at 3:32 p.m.

Present 7 - Councilmember Dan Bostrom, Councilmember Melvin Carter III, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 11-35** Amending the 2011 spending budget for the Recreation Service Area One Special Fund.

 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 21 was removed from the Consent Agenda for separate consideration.

Councilmember Helgen moved approval of the balance of the Consent Agenda.

Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 2 **RES 11-1711** Approving the Maintenance Labor Agreement (May 1, 2011 - April 30, 2013) between the City of Saint Paul and the International Union of Painters and Allied Trades District Council 82. (Laid over from September 14 for adoption)
- Sponsors:** Lantry
- Laid over to September 21 for adoption**
- 3 **RES 11-1662** Approving the Maintenance Labor Agreement (May 1, 2011 - April 30, 2014) between the City of Saint Paul and the Sheet Metal Workers International Association, Local 10. (Laid over from September 7 for adoption.)
- Sponsors:** Lantry
- Adopted**
- 4 **RES 11-1740** Changing the rate of pay for the classifications of Parks and Recreation Manager, occ code 287A, and Parks and Recreation Design Manager, occ code 269B, from Grade 026 to Grade 028, in the Saint Paul Supervisors Organization, Employee Group 09 Salary Schedule.
- Sponsors:** Lantry
- Adopted**
- 5 **RLH TA 11-319** Amending Council File RLH AR 11-16 to delete the assessment for Graffiti Removal Services from January 18 to February 9, 2011 at 1696 GRAND AVENUE. (File No. J1110P, Assessment No. 118052)
- Sponsors:** Harris
- Adopted**
- 6 **RES 11-1735** Amending Council Files RLH AR 11-40 and RLH TA 11-158 to delete the assessment for Excessive Inspection Services billed from March 14 to April 9, 2011 at 1270 CLEVELAND AVENUE SOUTH. (File No. J1108E, Assessment No. 118084)
- Sponsors:** Harris
- Adopted**
- 7 **RES 11-1736** Setting the date of Public Hearing for October 5, 2011 for ratification of 2011 Right-of-Way Maintenance Assessment Program charges to be assessed against benefited properties.
- Sponsors:** Lantry
- Adopted**
- 8 **RES 11-1739** Setting the date of Public Hearing for November 2, 2011 for proposal of the 2012 Right-of-Way Maintenance Assessment Program.
- Sponsors:** Lantry
- Adopted**

- 9 **RES 11-1742** Approving the use of Neighborhood STAR Year-Round Program funds for projects in Ward 2, 4 and 5.
Sponsors: Thune, Stark and Helgen
Adopted
- 10 **RES 11-1759** Approving adverse action against the Solid Waste Hauler & Vehicle license held by William J. Horrigan, d/b/a Horrigan Hauling at 321 Arlington Avenue East.
Sponsors: Helgen
Adopted
- 11 **RES 11-1760** Approving adverse action against the Taxicab Driver (Provisional) license application submitted by Lester Owens for the City of Saint Paul.
Sponsors: Lantry
Adopted
- 12 **RES 11-1761** Approving adverse action against all licenses held by Donald L. Coury, d/b/a St. Paul Flatbread at 439 Robert Street South.
Sponsors: Thune
Adopted
- 13 **RES 11-1733** Authorizing the Fire Department to accept a donation of \$300.00 from the Residential Mortgage Group (RMG) Inc. to continue to provide public safety services and community education.
Sponsors: Lantry
Adopted
- 14 **RES 11-1772** Authorizing the Police Department to enter into an agreement with the State of Minnesota, Century College for Peace Officers and Standards Training Board (POST) approved training.
Sponsors: Lantry
Adopted
- 15 **RES 11-1775** Authorizing the Police Department to enter into an agreement with Sibley Plaza Limited Partners to lease 1,969 square feet of space at Sibley Plaza, 2447 West 7th Street, for use as a Police Department sub-station.
Sponsors: Lantry
Adopted

- 16 **RES 11-1788** Authorizing the Department of Parks and Recreation to apply for and, if awarded, accept grant funds in the amount of \$150,000 from the Minnesota State Arts Board for recreation center youth programs.

Sponsors: Lantry

Adopted

- 17 **RES 11-1773** Acknowledging receipt of the District Cooling rate change proposal and assigning a rate review team.

Sponsors: Lantry

Adopted

- 18 **RES 11-1776** Acknowledging receipt of the District Heating rate change proposal and assigning a rate review team.

Adopted

- 19 **RES 11-1785** Approving and ratifying the expenditures and donations for the 2011 City Employee Cookout held at the Como Park East Picnic Pavilions on August 15, 2011.

Sponsors: Lantry

Adopted

- 20 **RES 11-1689** Recognizing Constitution Week, September 17 - 23, 2011.

Sponsors: Lantry

Adopted

- 21 **RES 11-1803** Recognizing the outstanding service of John Vomastek.

Sponsors: Helgen

Councilmember Helgen acknowledged the work of Commander Vomastek in the City and community. He read the resolution. Deacon Vomastek commented on his 33 years of police work and the support he received from the community.

Councilmember Helgen moved approval of the resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

FOR DISCUSSION

*Councilmember Thune moved to recess the meeting of the City Council. Yeas - 7
Nays - 0*

The Council recessed and convened as the Library Board to consider the following item:

RES 11-1796 Requesting that the City levy property taxes for the Library Agency.

See Library Board minutes

The Library Board adjourned and the Council reconvened.

22 **RES 11-1804** Setting the 2012 maximum property tax levy for the City of Saint Paul.

Sponsors: Lantry

Councilmember Stark noted the difficult circumstances and the budget work the Council faced over the next few months, but said he felt the Mayor's proposal was a good ceiling for the levy increase. He said he hoped the Council would be able to reduce the impact on property owners.

Councilmember Carter moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

The Council recessed and the HRA reconvened to consider the following item:

RES 11-1782 Certifying the proposed HRA tax levy payable in 2012.

See HRA minutes

The HRA adjourned and the Council reconvened.

The meeting of the City Council reconvened at 3:42 p.m.

Present 6 - Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune, Councilmember Pat Harris and Councilmember Lee Helgen

Absent 1 - Councilmember Dan Bostrom

23 **RES 11-1784** Certifying the proposed Housing and Redevelopment Authority tax levy payable in 2012.

Sponsors: Thune

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 24 AHPC 11-1** Public hearing to consider the appeal of Shari Wilsey and Susan Foote to a decision of Heritage Preservation Commission Staff for conditionally approving a 78 feet by 34 feet galvanized steel panel fence with cedar posts and top in the front yard at 797 Summit Avenue, House of Hope Presbyterian Church, Hill Historic District. (Public hearing held July 20; laid over from December 21)

Sponsors: Carter III

Councilmember Carter said the parties were close to a resolution; he moved to lay the matter over for two more weeks.

Laid over to September 28

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember 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

- 25 Ord 11-74** An interim ordinance preserving the status quo of land uses in the District 9 Planning Area for the purpose of augmenting the zoning study undertaken pursuant to Council File Ord 11-5.

Sponsors: Thune

Councilmember Thune moved approval.

Adopted

Yea: 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Bostrom

Councilmember Bostrom rejoined the meeting.

Present 7 - Councilmember Dan Bostrom, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune, Councilmember Pat Harris and Councilmember Lee Helgen

26 **Ord 11-75** Amending the Zoning Map as recommended in the District 9 Commercial Zoning Study.

Sponsors: Thune

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

27 **Ord 11-76** Amending the Zoning Map as recommended in the District 9 Residential Zoning Study.

Sponsors: Thune

Councilmember Thune moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Third Reading, No Public Hearing

28 **Ord 11-78** Memorializing City Council action granting the application of Saint Paul Housing and Redevelopment Authority for the rezoning from I3 Restricted Industrial to T3M Traditional Neighborhood (Master Plan), T3 Traditional Neighborhood and I1 Light Industrial of 852 Hathaway Street and adjacent parcels, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Sponsors: Thune

Laid over to September 21 for final adoption

Second Reading

29 **Ord 11-93** Amending Chapter 310.05 of the Saint Paul Legislative Code to simplify matrix penalties for repeat violations.

Sponsors: Lantry

Laid over to September 21 for third reading/public hearing

- 30 **Ord 11-95** Memorializing City Council action taken on August 17, 2011, granting the application to rezone property at 745 White Bear Avenue N from OS Office-Service to B2 Community Business and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. [Zoning File # 11-143721] [Public hearing held August 17, 2011].

Sponsors: Lantry

Laid over to September 21 for third reading

SUSPENSION ITEMS

Councilmember Stark moved suspension of the rules.

Rules suspended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- RES 11-1832** Authorizing the Mayor to submit an application to the Department of Housing and Urban Development for a 2011 Community Challenge Planning Grant.

Sponsors: Stark

Councilmember Stark moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Council President Lantry said Councilmember Bostrom had had votes recorded for items 23 and 24 and he had not been present. Assistant City Attorney Rachel Tierney advised that those items be reconsidered. (The minutes above reflect the corrected votes taken with Councilmember Bostrom present.)

Councilmember Harris wished Council President Lantry a happy birthday. Councilmember Carter welcomed his new Legislative Aide, Noel Nix.

ADJOURNMENT

Councilmember Thune moved adjournment at 3:50 p.m.

Meeting adjourned

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune, Councilmember Harris and Councilmember Helgen

Nay: 0

Council Meeting Information

Web

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Cable

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