



# 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 Melvin Carter III*  
*Councilmember Russ Stark*  
*Councilmember Dave Thune*  
*Councilmember Chris Tolbert*

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Wednesday, May 9, 2012

3:30 PM

Council Chambers - 3rd Floor

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#### 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, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune and Councilmember Chris Tolbert

#### COMMUNICATIONS & RECEIVE/FILE

- 1      **CO 12-12**      Letters from the Department of Safety and Inspections declaring 1132 Central Avenue West, 1175 Earl Street, 924 Eleanor Avenue, 595 Mackubin Street, 763 Lawson Avenue East, 461 Sherburne Avenue, and 435 Thomas Avenue as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

**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 (Items 2 - 19)

*Item 13 was removed from the Consent Agenda for separate consideration.*

*Councilmember Bostrom moved approval of the balance of the Consent Agenda.*

#### **Consent Agenda adopted as amended**

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

**Nay:** 0

- 2      **RES 12-727**      Approving the City's cost of providing Collection of Certificate of Occupancy fees from March 2012 and setting date of Legislative Hearing for June 5, 2012 and City Council Public Hearing for July 18, 2012 to consider and levy the assessments against individual properties. (File No. CRT1208, Asmt No. 128210)  
**Adopted**
- 3      **RES 12-728**      Approving the City's cost of providing Property Clean Up services during March 2012 and setting date of Legislative Hearing for June 5, 2012 and City Council Public Hearing for July 18, 2012 to consider and levy the assessments against individual properties. (File No. J1210A, Asmt No. 128517)  
**Adopted**
- 4      **RES 12-729**      Approving the City's cost of providing Trash Hauling services during March 2012 and setting date of Legislative Hearing for June 5, 2012 and City Council Public Hearing for July 18, 2012 to consider and levy the assessments against individual properties. (File No. J1208G, Asmt No. 128708)  
**Adopted**
- 5      **RES 12-738**      Preliminary Order setting date of public hearing for June 6, 2012 to acquire property rights and to reconstruct the Wheelock Parkway Bridge over CPRR Tracks.  
**Adopted**
- 6      **RES 12-807**      Approving the settlement agreement and release between the City of Saint Paul and Deshun Michael Carter.  
**Adopted**
- 7      **RES 12-809**      Approving a \$8,500,000 conduit revenue bond to be issued by the Port Authority to finance the conversion of the Energy Park Utility Company to a 4 pipe system.  
**Adopted**
- 8      **RES 12-818**      Accepting the donation of air fare expenses from Delta Airlines and conference registration expenses from the City of New Orleans and the US Conference of Mayors for Mayor Chris Coleman and Joe Spencer to attend the "World Culture Economic Forum" conference in New Orleans May 2 - 6, 2012.  
**Adopted**

- 9      **RES 12-819**      Accepting the gift from the National League of Cities, of travel, food expenses, air fare, ground transportation and lodging for Mayor staff Education Policy Director Jane Eastwood to attend an education conference in Memphis, Tennessee from May 14 through May 17, 2012.  
**Adopted**
- 10     **RES 12-821**      Approving food expenses for Public Works Department Training Day.  
**Adopted**
- 11     **RES 12-824**      Acknowledging a public purpose for the Annual City Employee Cookout and granting permission to the City Employee Cookout Committee to spend city funds and solicit for and accept donations on behalf of the City for the cookout to be held on August 16, 2012.  
**Adopted**
- 12     **RES 12-833**      Amending the Joint and Cooperative Agreement for the Mississippi Watershed Management Organization.  
**Adopted**
- 13     **RES 12-851**      Approving adverse action against all licenses held by Coale, Inc. d/b/a Coale's Bar & Grill located at 719 Dale Street North in Saint Paul.  
*Councilmember Carter moved approval, but asked that the suspension be stayed to allow the licensee until 4:00 p.m. on Friday, May 11 to pay the fees in full.*  
**Adopted as amended**
- 14     **RES 12-852**      Approving adverse action against all licenses held by Davis Enterprises, Inc. MN d/b/a Davis Enterprises, Inc. MN located at 817 Vandalia Street in Saint Paul.  
**Adopted**
- 15     **RES 12-854**      Approving adverse action against all licenses held by Taste of Thailand III, Inc. d/b/a Taste of Thailand located at 1753 Old Hudson Road in Saint Paul.  
**Adopted**
- 16     **RES 12-855**      Memorializing City Council action taken on April 4, 2012 granting the appeal of Rene & Rachel K. Lerma regarding the construction of a freestanding pole with a wind turbine on the Metropolitan State University property located at 645 - 7th Street East in Saint Paul.  
**Adopted**

- 17      **RES 12-856**      Changing the rate of pay for the classification of Procedures Coordinator, occ code 401B, from Grade 033 to Grade 036, of Employee Group 01, AFSCME Clerical.  
**Adopted**
- 18      **RES 12-857**      Authorizing the City to enter into an agreement with the Minnesota Department of Transportation for construction of the Saint Paul Arterial Roadway Traffic Flow Improvement Traffic Signal Interconnect Project.  
**Adopted**
- 19      **Min 12-16**      Approving the minutes of the January 4, 11, 18 and 25, 2012 City Council meetings.  
**Adopted**

**FOR DISCUSSION**

- 20      **RES PH  
12-123**      Approving adverse action against the Taxicab Vehicle license application for Cab #1531 submitted by Said Abdi Ali d/b/a Midwest Star Taxi for the City of Saint Paul.
- Gerald Hendrickson, City Attorney, presented his review of the legal issues in this matter. He pointed out that the City requires two licenses for taxicabs, one for the cab and one for the driver. The City ordinance also requires that cabs be affiliated with companies, which provide insurance for the cabs. New cab licenses require that the vehicle be five years or newer, pass mechanical inspection and are affiliated with a company providing insurance. In this particular case, because affiliation and insurance was cancelled, DSI was requiring a new license. Once a new company was created and insurance provided, the cabs could be considered eligible as license renewals and could be offered 30 days to change licensure. He pointed out that DSI was working within the ordinance in this matter, however the policy that was developed has issues in interpretation and thus he suggested that DSI work on a proposed amendment to this ordinance. He recommended that this adverse action be withdrawn.*
- Council President Lantry confirmed with Meghan Kisch, Assistant City Attorney representing the Department of Safety and Inspections (DSI), that Mr. Hendrickson's recommendation was acceptable to DSI, and she thanked Mr. Hendrickson for his work.*
- Withdrawn**

**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.

**Second Reading**

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|----|------------------|--|
| 21 | <b>Ord 12-26</b> | Amending Legislative Code sections 63.200 parking requirements; 65.600 land use definitions and development standards for food and beverages; and chapter 66 zoning district uses.<br><br>Laid over to May 16 for third reading/public hearing |
| 22 | <b>Ord 12-27</b> | Amending Chapter 321 of the Saint Paul Legislative Code pertaining to Rooming and Boarding.<br><br>Laid over to May 16 for third reading/public hearing  |
| 23 | <b>Ord 12-28</b> | Amending Chapter 378 of the Saint Paul Legislative Code pertaining to Bed and Breakfast Residence.<br><br>Laid over to May 16 for third reading/public hearing   |
| 24 | <b>Ord 12-29</b> | Amending Chapter 407 of the Saint Paul Legislative Code pertaining to Hotels.<br><br>Laid over to May 16 for third reading/public hearing  |
| 25 | <b>Ord 12-30</b> | Amending Chapter 360 of the Saint Paul Legislative Code pertaining to Public Swimming Pools.<br><br>Laid over to May 16 for third reading/public hearing   |

**First Reading**

- |    |                  |   |
|----|------------------|---|
| 26 | <b>Ord 12-22</b> | Amending Chapter 331A of the Saint Paul Legislative Code pertaining to Special Event Food Sales.<br><br>Laid over to May 16 for second reading                      |
| 27 | <b>Ord 12-24</b> | Amending Chapter 310 of the Saint Paul Legislative Code pertaining to Special Event Foods Sales License Fee Schedule.<br><br>Laid over to May 16 for second reading |

**PUBLIC HEARING**

- 28      Ord 12-25**      Amending Chapter 60 of the Saint Paul Legislative Code pertaining to the District 9 Gateway Zoning Study. (Public hearing held on May 9, 2012)

*Councilmember Thune introduced an amendment. Yeas - 7 Nays - 0*

*No one appeared. Councilmember Thune moved to close the public hearing.*

**Amended; public hearing held and closed; laid over to May 16 for final adoption**

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

**Nay:** 0

**ADJOURNMENT**

*Councilmember Brendmoen moved to adjourn the meeting.*

**Meeting adjourned at 3:47 p.m.**

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

**Nay:** 0

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**Cable**

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