City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd Floor
Katie Burger, Executive Assistant, 651-266-8560

City Council Meeting Minutes - Final

Council President Russ Stark
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert

Wednesday, June 8, 2016 **3:30 PM** **Council Chambers - 3rd Floor**

ROLL CALL

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

Councilmember Bostrom excused

Present 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

Absent 1 - Councilmember Dan Bostrom

COMMUNICATIONS & RECEIVE/FILE

1 **CO 16-32** Letter from the Department of Safety and Inspections declaring 656 Desoto Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Received and Filed

2 **AO 16-48** Authorizing the Police Department to purchase food and beverages for community partnership and program events.

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 3 - 13)

Councilmember Noecker moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

3 **RES 16-930** Memorializing the City Council's action of May 4, 2016 denying Nova Classical Academy's appeal of the Planning Administrator's administrative decision granting a minor modification to the Victoria Park Master Plan.

Adopted

4 **RLH OA 16-7** Making recommendation to Ramsey County on the application of Charles Repke, on behalf of Northeast Neighborhood Development Corporation and its subsidiary Capitol Brokerage, for repurchase of tax forfeited property at 0 Sims Avenue, PIN 27-29-22-41-0012.

Adopted

5 **RES 16-901** Preliminary Order setting the date of City Council public hearing for July 6, 2016 to consider approval of the improvement to the alley bounded by Selby, Dayton, Wilder, and Moore. (File No. 19219, Assessment No. 165001)

Adopted

6 **RES 16-910** Approving the City’s cost of providing Collection of Vacant Building Registration Fees billed January 21 to February 24, 2016, and setting date of Legislative Hearing for July 5, 2016 and City Council public hearing for August 17, 2016 to consider and levy the assessments against individual properties. (File No. VB1611, Assessment No. 168812)

Adopted

7 **RES 16-933** Approving the City's cost of providing Collection of Vacant Building Registration Fees billed September 14, 2014 and August 18, 2015 at 1202 Margaret Street, and setting date of Legislative Hearing for July 5, 2016 and City Council public hearing for August 17, 2016 to consider and levy the assessments. (File No. VB1612, Assessment No. 168813)

Adopted

8 **RES 16-934** Approving the City's cost of providing Property Clean Up services from April 1 to 28, 2016, and setting date of Legislative Hearing for July 5, 2016 and City Council public hearing for August 17, 2016 to consider and levy the assessments against individual properties. (File No. J1611A, Assessment No. 168527)

Adopted

9 **RES 16-935** Approving the City's cost of providing Trash Hauling services from April 6 to 27, 2016, and setting date of Legislative Hearing for July 5, 2016 and City Council public hearing for August 17, 2016 to consider and levy the assessments against individual properties. (File No. J1611G, Assessment No. 168711)

Adopted

10 **RES 16-916** Approving the Memorandum of Agreement for the 2016 Wage and Fringe Adjustment between the City of Saint Paul and Plumbers, Local 34.

Adopted

11 **RES 16-912** Accepting the gift of the costs of conference registration fees from the State & Local Government representative, Tim Larson, from Microsoft, for CIO Tarek Tomes to attend the Microsoft Ignite conference to be held in Atlanta, GA, September 26-30, 2016.

Adopted

12 **RES 16-947** Authorizing the City of Saint Paul to request funds from the FY 2018 Minnesota Department of Transportation (MnDOT) Metro Municipal Agreement Program for various projects and making a commitment for the local share of funding if grants are awarded.

Adopted

FOR DISCUSSION

13 **RES 16-891** Authorizing not using a Project Labor Agreement (PLA) for the Margaret Park Site Improvement Project.

Dave Ronzani, Parks and Recreation, gave a staff report. He said the only response received from the notification of the possible use of a Project labor Agreement (PLA) came from the Building and Trades Council, which stated labor negotiations, dollar amount and time sensitive as their reasons for recommending a PLA. He said after

staff analysis they concluded that use a of a PLA would not be advantageous to the City due to the modest size and scope of the project. He said the Building Trades Council had been communicated with throughout, and was aware of this conclusion.

In response to a question from Councilmember Tolbert, Mr. Ronzani said reiterated the Building and Trades Council's reasons for recommending the PLA and the reasons for Parks' conclusion that a PLA would not be advantageous for the City. Councilmember Tolbert said he would be voting against the resolution because he didn't see why, based on the size of the project, they should go against City policy on PLAs. He said it was good for the workers and good for the City when PLAs were used. He said $500,000 wasn't that small of a project.

Council President Stark asked for further clarification. Mr. Ronzani said less than a third of that budget was being used for the building and the rest was for site work items that they hadn't typically received PLA requests for.

Councilmember Prince said even though the building part of the project was only about $100,000, all of the project did involve the PLA, and the Building Trades portion of the project was the full half million. Council President Stark asked Councilmember Prince whether she had a motion on the item. Councilmember Prince moved approval.

Councilmember Tolbert reiterated his concerns.

Councilmember Thao asked for a one week layover for further discussion. He said he was concerned about setting precedent. Council President Stark said it had already been laid over for a week but Councilmember Thao hadn't been present.

Councilmember Prince asked whether it would interfere with the bidding process if they to laid it over for another week. Mr. Ronzani said he would have to talk to the procurement office for clarification. Councilmember Thao said if they didn't lay it over he would vote against it. Council President Stark recommended voting on the item since a layover might impact the project. Councilmember Prince concurred. Assistant City Attorney Rachel Tierney clarified that voting down this resolution would trigger a public hearing on the PLA so the Council could have sufficient facts on which to order a PLA.

Councilmember Tolbert asked whether it would be better to amend a PLA requirement onto the resolution if they wanted to ensure that this project had a PLA. Ms. Tierney said in order to require a PLA the Council had to consider factors specific to each project. In response to an additional question from Councilmember Tolbert, she said the PLA resolution required that the City go through a public process in order to require a PLA to weigh certain factors for each individual project. She said there was no City policy requiring a PLA on every project. Councilmember Tolbert said he felt the City should go through the process, so he would vote "no."

Adopted

Yea: 4 - Councilmember Brendmoen, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 2 - Councilmember Thao and Councilmember Tolbert

Absent: 1 - Councilmember Bostrom

14 RES PH 16-151 Recommending that Ramsey County implement bicycle facilities on Upper Afton Road between Burns Avenue and McKnight Road.

Councilmember Prince expressed thanks to City staff. She said there had been a meeting that morning including Public Works staff, Ramsey County staff and three

Upper Afton neighbors. She said she had hoped to find a way to preserve at least some parking for the people who lived on Upper Afton from Burns and White Bear Avenue. She said this was a suburban street layout with cul de sacs and few side streets, and inadequate parking for people from Upper Afton to go and park. She said the previous week they had heard from a disabled resident who had hoped to have a handicapped parking space and was unable to. She said they had learned there was no ability to preserve parking and have bike lanes in both directions. She said in the meeting that morning they had discussed the difficulty and hardships the lack of parking would cause for residents, and this was a very difficult issue for her. She said she knew she didn't have the votes to oppose this and asked whether someone else would move approval. She said in her experience when there were problems pitting neighbors against one another, there had always been the ability to mediate the situation to allow for compromise, but clearly this was not the case with the Bike Plan and policy.

Councilmember Brendmoen thanked Councilmember Prince for her work and efforts, and knew that sometimes there was not a way to please everybody. She said she would move approval of the resolution, and felt it was the safest and the right decision for Upper Afton. She noted that it was "just paint" and they were going to give it a try.

Council President Stark said he appreciated Councilmember Prince's work. He said having just come off of the Cleveland Bike Lanes Project he understood these were contentious issues. He said he had really heard the concerns expressed particularly around issues like family events. He said he'd had a chance to drive that section of Upper Afton between White Bear and Burns at 6:00 one evening and had noted just two cars parked on the street, which was consistent with parking count information provided by staff. He said he understood that wasn't solace to someone trying to have a family event, but at the same time it was important to use the street in the way that benefited the most people the most often. He said he felt this was the best option they had on the table in terms of safety and the broader community, but these were tough projects when there was such a sense of something being lost that people thought was theirs. He said as they'd heard many times, people believe that the parking in front of their houses is theirs even though they're public streets. He said he would support the motion.

Councilmember Thao said the message to property owners along Upper Afton was that Councilmember Prince had fought hard for them and they could continue to trust her leadership.

Adopted

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

Nay: 1 - Councilmember Prince

Absent: 1 - Councilmember Bostrom

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

15 Ord 16-13 Amending Chapters 61, 63, 65, and 66 of the Saint Paul Legislative Code pertaining to establishing accessory dwelling units as a permitted use in the R1-RM2 and T1-T3 zoning districts within one-half mile of University Avenue between Emerald Street and Marion Street (amended to Lexington Parkway).

Laid over to June 15 for third reading/public hearing

SUSPENSION ITEMS

Councilmember Brendmoen moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

RES 16-999 Honoring Tin Cups Restaurant for their contributions to the North End, and congratulating them on their 5th anniversary under ownership of Gidget Bailey and her family.

Councilmember Brendmoen invited the Bailey family to the podium and acknowledged their contributions to the North End. She read the resolution. Ms. Bailey thanked the Council for their recognition. Councilmember Brendmoen moved approval of the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

Councilmember Thao moved suspension of the rules.

Rules suspended

Yea: 5 - Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 2 - Councilmember Bostrom and Councilmember Brendmoen

CO 16-36 Presentation by Saint Paul Promise Neighborhood.

Councilmember Thao introduced St. Paul Promise neighborhood Director Muneer Karcher-Ramos, who gave a presentation. Parent Robyn Black answered Councilmember questions.

Received and Filed

Councilmember Thao moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

RES 16-1024 Proclaiming MN Hmong Lao Secret War Special Forces Memorial Statue Recognition Day.

Councilmember Thao read the resolution and moved approval.

Adopted

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

Nay: 0

Absent: 2 - Councilmember Bostrom and Councilmember Noecker

Council members shared good news from their Wards.

ADJOURNMENT

Councilmember Prince moved adjournment.

Meeting adjourned at 4:37 p.m.

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

Nay: 0

Absent: 2 - Councilmember Bostrom and Councilmember Noecker

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