



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor

Meeting Minutes - Action Only

Katie Burger, Executive
Assistant, 651-266-8560

City Council

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

Wednesday, February 14, 2018

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

Present 7 - Councilmember Dan Bostrom, City Council President Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 18-11](#) Authorizing the Police Department to reallocate its 2018 Special Fund, ECC Operating Budget to more accurately record expenditures.
Received and filed

- 2 [AO 18-12](#) Authorizing the Fire Department to reallocate a total of \$61,195 for the 2016 Assistance to Firefighter Grant (AFG) in the 2018 adopted budget to more accurately record the grant expenditures.
Received and filed

CONSENT AGENDA

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 - 18)

Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 3 [RES 18-218](#) Accepting a gift of up to \$1,300 from the National League of Cities to cover expenses for Councilmember Chris Tolbert to attend and speak at the National League of Cities Silicon Valley Policy Roundtable, February 7 - 9, 2018.
- Sponsors: Tolbert
- Adopted**
- 5 [RES 18-230](#) Supporting funding for a second daily train from Saint Paul to Chicago.
- Sponsors: Prince
- Adopted**
- 6 [RES 18-121](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for replacement of sanitary sewer services within the right-of-way as part of the Jackson Street, Phase I, Part B, street paving and lighting project. (File No. 19173C, Assessment No. 176004)
- Sponsors: Noecker
- Adopted**
- 7 [RES 18-116](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for replacement of sanitary sewer services within the right-of-way as part of the Raymond Avenue, Phase III street paving and lighting project. (File No. 19190C, Assessment No. 186001)
- Sponsors: Stark
- Adopted**
- 8 [RES 18-119](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for replacement of sanitary sewer services within the right-of-way as part of the Como Avenue from Raymond to Commonwealth street paving and lighting project. (File No. 19202C, Assessment No. 186004)
- Sponsors: Stark
- Adopted**

- 9 [RES 18-120](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for replacement of sanitary sewer services within the right-of-way as part of the Wheelock Parkway, Phase II, street paving and lighting project. (File No. 19204C, Assessment No. 186002)
- Sponsors: Brendmoen
- Adopted**
- 10 [RES 18-117](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for replacement of sanitary sewer services within the right-of-way as part of the Battle Creek Road from Upper Afton to Park Ridge Court street paving and lighting project. (File No. 19201C, Assessment No. 186003)
- Sponsors: Prince
- Adopted**
- 11 [RES 18-183](#) Approving assessment costs and setting date of City Council public hearing to ratify the assessment for replacement of sanitary sewer services within the right-of-way as part of the White Bear Avenue project. (File No. 19197C, Assessment No. 176002)
- Sponsors: Prince
- Adopted**
- 12 [RES 18-237](#) Granting a temporary construction easement to the Minnesota Department of Transportation over a portion of city-owned Lilydale Park.
- Sponsors: Noecker
- Adopted**
- 13 [RES 18-238](#) Authorizing the Saint Paul Public Library Agency to hold a volunteer recognition event.
- Sponsors: Prince
- Adopted**
- 14 [RES 18-252](#) Authorizing the Department of Parks and Recreation to enter into a management agreement with O'Reilly Custom 3, LLC, for the Como Lakeside Pavilion.
- Sponsors: Brendmoen and Stark
- Adopted**

- 15 [RES 18-223](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add Auto Body Repair Garage and Auto Repair Garage licenses to the existing Second Hand Dealer - Motor Vehicle license for Global Auto USA LLC (ID# 20140001093), d/b/a Global Auto USA at 357/365 Como Avenue.

Sponsors: Thao

Adopted

- 16 [RES 18-243](#) Approving adverse action against the Cigarette/Tobacco license held by Elisea's Snack Shop, LLC d/b/a Elisea's Snack Shop located at 1885 University Avenue West, Ste. 100.

Sponsors: Stark

Adopted

- 17 [RES 18-241](#) Approving adverse action against the Auto Repair Garage and Second Hand Dealer - Motor Vehicle licenses held by Phoenix Auto d/b/a 3B Auto Sales located at 1176 Dale Street North.

Sponsors: Brendmoen

Adopted

- 18 [RLH OA 18-1](#) Making recommendation to Ramsey County on the application of David L. Och for repurchase of tax forfeited property at 1508 SEVENTH STREET EAST.

Sponsors: Prince

Adopted

FOR DISCUSSION

- 4 [RES 18-234](#) Appointing the interim Ward 4 council member filling the term of Councilmember Russ Stark until the election certificate is issued from the Ward 4 special election scheduled for August 14, 2018.

Sponsors: Brendmoen

Adopted

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

Nay: 0

Abstain: 1 - Councilmember Stark

19 [RES 18-290](#) Outlining the City of Saint Paul's 2018 Legislative Agenda.

Sponsors: Brendmoen

Adopted

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen,
 Councilmember Thao, Councilmember Tolbert, Councilmember Stark,
 Councilmember Noecker and Councilmember Prince

Nay: 0

20 [SR 18-8](#) Disparity Study Presentation.

Sponsors: Brendmoen

Received and filed

21 [PH 18-1](#) Public hearing to consider the report of the Administrative Law Judge concerning the Liquor On Sale-100 Seats or less, Liquor-Outdoor Services Area (Patio), Liquor On Sale-Sunday, Entertainment A, and Gambling Location licenses held by El Alamo, LLC, d/b/a El Alamo at 429 Robert Street South. (Public hearing held February 7)

Sponsors: Noecker

Motion of Intent - Adopted the Findings of Fact, Conclusions of Law, and Recommendations of the Administrative Law Judge as amended

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen,
 Councilmember Thao, Councilmember Tolbert, Councilmember Stark,
 Councilmember Noecker and Councilmember Prince

Nay: 0

SUSPENSION ITEM

Rules suspended

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen,
 Councilmember Thao, Councilmember Tolbert, Councilmember Stark,
 Councilmember Noecker and Councilmember Prince

Nay: 0

[RES 18-335](#) Adopting the Findings of Fact, Conclusions of Law and Recommendations of the Administrative Law Judge as amended, and revoking all licenses held by El Alamo for the premises located at 429 Robert Street South.

Sponsors: Noecker

Adopted

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

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

- 22** [Ord 18-3](#) Granting the application of the Northern Star Council to rezone their property at 393 Marshall from OS Office Service to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Sponsors:** Thao
- Adopted**
- Yea:** 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
-
- 23** [Ord 17-64](#) Amending Legislative Code Section 293.07, pertaining to noise source limitations, by enacting a new subdivision to exempt certain soccer matches and other activities held in a municipal stadium from noise source limitations.
- Sponsors:** Thao
- Adopted**
- Yea:** 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
-
- 24** [Ord 18-2](#) Granting the application of PDMC, LLC to rezone their property at 739 Selby Avenue from B2 Community Business to T2 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Sponsors:** Thao
- Adopted**

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Second Reading

25 [Ord 18-5](#) Amending Chapter 157 of the Legislative Code to clarify parking restrictions in certain zoning districts.

Sponsors: Noecker

Laid over to February 21 for third reading/public hearing

26 [Ord 18-8](#) Amending Chapter 160 of the Legislative Code pertaining to parking meter zones on holidays.

Sponsors: Noecker

Laid over to February 21 for third reading/public hearing

First Reading

27 [Ord 18-6](#) Amending Chapter 106 of the Legislative Code pertaining to restrictions on the use of sidewalks, streets, and etc. to permit sidewalk cafes on boulevards under certain conditions.

Sponsors: Tolbert

Laid over to February 21 for second reading

28 [Ord 18-7](#) Amending Chapter 121 of the Legislative Code, pertaining to permits for driveways, sidewalks, curbs, and etc. to permit surfacing of boulevards for sidewalk cafes under certain conditions.

Sponsors: Tolbert

Laid over to February 21 for second reading

BUDGET AMENDMENT PUBLIC HEARINGS

No items

SUSPENSION ITEM**Rules suspended**

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

[RES 18-176](#)

Proclaiming February 15, 2018 “Not for Sale Day” to raise awareness about sexual exploitation

Sponsors: Tolbert, Brendmoen, Noecker, Prince, Stark and Thao

Adopted

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 30** [RLH RR 18-4](#) Ordering the rehabilitation or razing and removal of the structures at 642 CHARLES AVENUE within fifteen (15) days after the February 14, 2018, City Council public hearing. (Amend to remove within 15 days with no option for rehabilitation)

Sponsors: Thao

Amended; public hearing continued to March 14

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 43** [RLH RR 18-2](#) Ordering the rehabilitation or razing and removal of the structures at 1536 VAN BUREN AVENUE within fifteen (15) days after the February 14, 2018, City Council public hearing. (Amend to remove within 15 days with no option for rehabilitation)

Sponsors: Stark

Amended; public hearing continued to February 21

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

LEGISLATIVE HEARING CONSENT AGENDA

Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda (Items 29 - 44)

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 29** [RLH VBR 18-5](#) Appeal of Randall Bibeau, on behalf of William Gobely, to a Vacant Building Registration Fee Warning Letter at 1560 CANFIELD AVENUE.

Sponsors: Stark

Adopted
- 31** [RLH SAO 17-65](#) Making finding on the appealed nuisance abatement ordered for 25 ELIZABETH STREET EAST in Council File RLH SAO 17-56. (Public hearing continued to April 11, 2018)

Sponsors: Noecker

Public hearing continued to April 11
- 32** [RLH FCO 18-14](#) Appeal of Minnesota Place, LLC to a Correction Notice - Complaint Inspection at 46 FOURTH STREET EAST.

Sponsors: Noecker

Adopted
- 33** [RLH FCO 18-11](#) Appeal of Mieczyslaw Glowka to a Fire Inspection Correction Notice at 2314 HILLSIDE AVENUE.

Sponsors: Stark

Adopted
- 34** [RLH SAO 18-8](#) Appeal of Liberty Tax to a Summary Abatement Order at 472 LEXINGTON PARKWAY NORTH.

Sponsors: Thao

Adopted

- 35 [RLH RR 18-3](#) Ordering the rehabilitation or razing and removal of the structures at 735 MARGARET STREET within fifteen (15) days after the February 14, 2018, City Council public hearing. (Public hearing to be continued to April 4)

Sponsors: Prince

Public hearing continued to April 4

- 36 [RLH FCO 18-7](#) Appeal of Brian L. Kraut to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 749 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Adopted

- 37 [RLH FCO 18-6](#) Appeal of Michael Johnson to a Correction Notice-Reinspection Complaint at 958 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Adopted

- 38 [RLH RR 17-48](#) Making finding on the appealed nuisance abatement ordered for 544 MINNEHAHA AVENUE WEST in Council File RLH RR 17-12. (Public hearing continued from February 14)

Sponsors: Thao

Public hearing continued to February 28

- 39 [RLH FCO 18-16](#) Amending Council File RLH VO 17-8, adopted June 21, 2017, to grant Gary D Schultz an additional extension for property at 1818 NEVADA AVENUE EAST.

Sponsors: Bostrom

Adopted

- 40 [RLH CO 18-4](#) Appeal of Jeff Groves to a Correction Notice at 873 SCHEFFER AVENUE.

Sponsors: Noecker

Adopted

- 41 [RLH SAO 18-9](#) Appeal of Kendra Logan to a Summary Abatement Order at 1082 SHERBURNE AVENUE.

Sponsors: Thao

Adopted

- 42 [RLH VBR 17-77](#) Appeal of Calvin Mickel to a Vacant Building Registration Notice at 316 SUPERIOR STREET. (Public hearing continued from December 6, 2017)

Sponsors: Noecker

Adopted as amended (extension granted)

- 44 [RLH VO 17-60](#) Appeal of Gina Yanez and Louis Yanez to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 740 WASECA STREET. (Public hearing continued from February 14)

Sponsors: Noecker

Public hearing continued to February 28

ADJOURNMENT

Meeting adjourned

Yea: 7 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

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). Council members 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

Meetings are available on the Council's website. Email notification and web feeds (RSS) of newly released minutes, agendas, and meetings are available by subscription. Visit www.stpaul.gov/council for meeting videos and updated copies of the agendas, minutes, and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed on Thursdays at 5:30 p.m., Saturdays at 12:30 p.m., and Sundays at 1:00 p.m. (Subject to change)

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