



# 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 Samantha Henningson*  
*Councilmember Rebecca Noecker*  
*Councilmember Jane L. Prince*  
*Councilmember Dai Thao*  
*Councilmember Chris Tolbert*

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Wednesday, May 16, 2018

3:30 PM

Council Chambers - 3rd Floor

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### Budget Amendment Public Hearings and Legislative Hearing Items at 3:30 p.m. Public Hearings at 5:30 p.m.

#### ROLL CALL

**Councilmember Henningson excused**

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

**Absent** 1 - Councilmember Samantha Henningson

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 18-28](#) Letters from the Department of Safety and Inspections declaring 737  
Orange Avenue East and 522-524 Otis Avenue as nuisance properties.  
(For notification purposes only; public hearings will be scheduled at a  
later date if necessary.)  
  
**Sponsors:** Bostrom and Henningson  
  
**Received and filed**
- 2 [AO 18-31](#) Amending HOME activities budget for Thomas Ave Flat project.  
  
**Received and filed**
- 3 [EO 18-1](#) Appointing Ikram Koliso to serve on behalf of Mayor Melvin Carter as a  
member of the Metropolitan Airports Commission during the Mayor's  
term of office as Mayor of the City of Saint Paul, effective May 17, 2018.  
  
**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 4 - 24)****Consent Agenda adopted as amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson

- 5     [RES 18-781](#)     Approving a petition from Rebound Exchange, LLC for specially assessing the costs of a fire protection system at 26 Exchange St E. (Project No. FP20196-01, Assessment No. 197100)
- Sponsors:     Noecker
- Adopted**
- 6     [RES 18-757](#)     Approving the execution of the third amendment to the second agreement with the Saint Paul RiverCentre & Convention Authority.
- Sponsors:     Brendmoen
- Adopted**
- 7     [RES 18-693](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for the 2017 Street Maintenance Service Program-Mill and Overlay: Selby Avenue. (File No. MO1708, Assessment No. 175507)
- Sponsors:     Thao
- Adopted**
- 8     [RES 18-691](#)     Approving assessment costs and setting date of City Council public hearing to ratify the assessment for the 2017 Street Maintenance Service Program-Mill and Overlay: Smith Avenue. (File No. MO1707, Assessment No. 175506)
- Sponsors:     Noecker
- Adopted**

- 9      [RES 18-721](#)      Approving the City's cost of providing Property Clean Up services during March 1 to 30, 2018, and setting date of Legislative Hearing for June 19, 2018 and City Council public hearing for August 1, 2018 to consider and levy the assessments against individual properties. (File No. J1811A, Assessment No. 188525)
- Sponsors:**      Brendmoen
- Adopted**
- 10     [RES 18-724](#)      Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property during January to March 2018, and setting date of City Council public hearing for June 20, 2018 to consider and levy the assessments against individual properties. (File No. 1803LDSRP, Assessment No. 184002)
- Sponsors:**      Brendmoen
- Adopted**
- 11     [RES 18-725](#)      Approving the City's cost of providing Replacement of Sanitary Sewer Line on Private Property during January to March 2018, and setting date of City Council public hearing for June 20, 2018 to consider and levy the assessments against individual properties. (File No. SWRP1803, Assessment No. 183002)
- Sponsors:**      Brendmoen
- Adopted**
- 12     [RES 18-735](#)      Authorizing the Fire Department to accept the donation of \$75.00 from Ron and Wanda Frykberg to purchase pet oxygen masks.
- Sponsors:**      Brendmoen
- Adopted**
- 13     [RES 18-464](#)      Establishing the rate of pay for the new classification of Data Release Coordinator in EG 09, SPSO, Grade 010.
- Sponsors:**      Brendmoen
- Laid over to May 23 for adoption**
- 14     [RES 18-738](#)      Establishing the rate of pay for the new classification of Data Release Specialist in EG 02, AFSCME Technical, Grade 037.
- Sponsors:**      Brendmoen
- Laid over to May 23 for adoption**

- 15     [RES 18-753](#)     Approving the Memorandum of Agreement for the 2018 Wage and Fringe Adjustment between the City of Saint Paul and the Pipefitters Local Union #455.  
  
          Sponsors:     Brendmoen  
  
          **Laid over to May 23 for adoption**
- 16     [RES 18-787](#)     Approving the Memorandum of Agreement for the 2018 Wage and Fringe Adjustment between the City of Saint Paul and the International Association of Sheet Metal, Air, Rail and Transportation Workers, Local 10.  
  
          Sponsors:     Brendmoen  
  
          **Laid over to May 23 for adoption**
- 17     [RES 18-699](#)     Approving the Memorandum of Agreement for the 2018 Wage and Fringe Adjustment between the City of Saint Paul and the North Central States Regional Council of Carpenters.  
  
          Sponsors:     Brendmoen  
  
          **Adopted**
- 18     [RES 18-761](#)     Acknowledging a public purpose for the Annual City Employee Cookout and granting permission to the City Employee Cookout Committee to spend city funds and to solicit for and accept donations on behalf of the City to defray the costs of the cookout to be held on Tuesday, August 14, 2018.  
  
          Sponsors:     Brendmoen  
  
          **Adopted**
- 19     [RES 18-756](#)     Authorizing the Department of Parks and Recreation to accept a gift in the amount of \$1,500 from the St. Anthony Park Community Foundation for Historical Significance Review of the Langford Park Bandstand.  
  
          Sponsors:     Henningson  
  
          **Adopted**
- 20     [RES 18-745](#)     Approving the updated rules and regulations for the Department of Parks and Recreation.  
  
          Sponsors:     Brendmoen  
  
          **Adopted**

- 21    [RES 18-763](#)    Authorizing application for the Tax Base Revitalization Account for the Stryker Avenue Site.  
**Sponsors:**    Noecker  
**Adopted**
- 22    [RES 18-702](#)    Authorizing the Police Department to submit a request for small arms from the State of Minnesota as part of the U.S. Department of Justice Firearm Transfer Program.  
**Sponsors:**    Brendmoen  
**Adopted**
- 23    [RES 18-751](#)    Authorizing the Police Department to purchase upgrade equipment and licenses from Cellebrite, Inc. which will included an indemnification in the sales and service terms and conditions.  
**Sponsors:**    Brendmoen  
**Adopted**
- 24    [RES 18-776](#)    Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Double Black Diamond Inc. (License ID #20180000245), d/b/a Red Rabbit, for Liquor On Sale - 101-180 seats, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Patio), and Liquor Outdoor Service Area (Sidewalk) licenses at 788 Grand Avenue.  
**Sponsors:**    Noecker  
**Adopted**

**FOR DISCUSSION**

- 25    [SR 18-76](#)    Update on citywide garbage services.  
**Received and filed**
- 4    [RES 18-663](#)    Declaring Tuesday, May 22, 2018 as VocalEssence Cantare! Day in the City of Saint Paul.  
**Sponsors:**    Brendmoen  
**Adopted**  
**Yea:** 6 - Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker and Councilmember Prince  
**Nay:** 0  
**Absent:** 1 - Councilmember Henningson

- 26 [RLH VO 18-11](#) Appeal of Prenesse C. Hamilton to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 686 IGLEHART AVENUE. (Public hearing held May 2)

**Sponsors:** Thao

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson

**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.**

**First Reading**

- 27 [Ord 18-18](#) Granting the application of LB 842 Ray LLC to rezone property at 2330 Long Avenue from T2 Traditional Neighborhood to T3 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.
- Sponsors:** Henningson
- Laid over to May 23 for second reading**
- 28 [Ord 18-20](#) Amending Chapter 164 of the Legislative Code pertaining to residential permit parking. (2nd Reading to be on June 13, 2018 and Public Hearing will be held on June 20, 2018)
- Sponsors:** Brendmoen
- Laid over to June 13 for second reading**
- 29 [Ord 18-21](#) Amending Chapter 44 of the Administrative Code on Employee Authority in Immigration Matters pertaining to law enforcement certifications for victims of crimes.
- Sponsors:** Brendmoen, Henningson, Noecker, Tolbert and Thao
- Laid over to May 23 for second reading**

- 30     [Ord 18-22](#)     Amending Chapter 409 of the Legislative Code to allow the City Council to waive the distance restriction for certain off-sale liquor establishments which existed prior to January 15, 2003.

**Sponsors:**     Thao

Laid over to May 23 for second reading.

**BUDGET AMENDMENT PUBLIC HEARINGS (3:30 p.m.)**

- 31     [RES PH 18-127](#)     Amending the financing and spending plans in the Fire Department for the Minnesota Task Force One team reimbursement from the City of Edina in the amount of \$8,781.16.

**Sponsors:**     Brendmoen

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson

- 32     [RES PH 18-128](#)     Amending the financing and spending plans in the Fire Department in the amount of \$46,525.50 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training for firefighters.

**Sponsors:**     Brendmoen

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson

- 33     [RES PH 18-124](#)     Authorizing an increase in the Parks and Recreation Grant Fund Budget in the amount of \$437,360 to reflect various grant funding awarded in 2018 from the State of Minnesota DNR, Metropolitan Council, and Capital Region Watershed District.

**Sponsors:**     Brendmoen

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson

- 34**    [RES PH 18-123](#)    Authorizing the Police Department to amend the Joint Powers Agreement with the State of Minnesota, Bureau of Criminal Apprehension, and amend the 2018 Special Fund Budget for this amendment.

**Sponsors:**        Brendmoen

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson

**LEGISLATIVE HEARING ITEMS FOR DISCUSSION**

- 46**    [RLH TA 18-160](#)    Ratifying the Appealed Special Tax Assessment for property at 1816 MINNEHAHA AVENUE EAST. (File No. VB1808, Assessment No. 188810)

**Sponsors:**        Prince

**Adopted as amended (assessment approved and payments spread over five years)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson



**LEGISLATIVE HEARING CONSENT AGENDA (3:30 p.m.)**

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****Legislative Hearing Consent Agenda adopted as amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Henningson

- 35**    [RLH VO 18-18](#)    Appeal of Tom Ellermann to a Correction Notice-Reinspection Complaint (which includes condemnation) at 358 ARBOR STREET.  
**Sponsors:**        Noecker  
**Adopted**
- 36**    [RLH TA 18-207](#)    Deleting the Appealed Special Tax Assessment for property at 924 BEECH STREET. (File No. VB1808, Assessment No. 188810)  
**Sponsors:**        Prince  
**Adopted**
- 37**    [RLH TA 18-186](#)    Deleting the Appealed Special Tax Assessment for property at 308 CLARENCE STREET. (File No. VB1808, Assessment No. 188810)  
**Sponsors:**        Prince  
**Adopted**
- 38**    [RLH FCO 18-45](#)    Appeal of Joseph Simmonds to a Fire Inspection Correction Notice at 949 CONWAY STREET.  
**Sponsors:**        Prince  
**Adopted**
- 39**    [RLH TA 18-195](#)    Ratifying the Appealed Special Tax Assessment for property at 940 EDGERTON STREET. (File No. J1808G, Assessment No. 188708)  
**Sponsors:**        Bostrom  
**Adopted**

- 40     [RLH TA 18-231](#)     Ratifying the Appealed Special Tax Assessment for property at 2153 FREMONT AVENUE. (File No. J1808G, Assessment No. 188708)
- Sponsors:     Prince
- Adopted**
- 41     [RLH TA 18-84](#)     Ratifying the Appealed Special Tax Assessment for property at 1080 LAWSON AVENUE EAST. (File No. VB1806, Assessment No. 188805; amended to File No. VB1806A, Assessment No. 188813) (Public hearing continued from April 18)
- Sponsors:     Bostrom
- Public hearing continued to June 6**
- 42     [RLH TA 18-161](#)     Ratifying the Appealed Special Tax Assessment for property at 95 LITCHFIELD STREET. (File No. J1807B, Assessment No. 188108) (To be referred back to Legislative Hearing on July 10)
- Sponsors:     Thao
- Referred to Legislative Hearings on July 10**
- 43     [RLH AR 18-31](#)     Ratifying the assessments for Towing of Abandoned Vehicle service during March 2017 at 682 MAGNOLIA AVENUE EAST. (File No. J1805V, Assessment No. 188007)
- Sponsors:     Brendmoen
- Adopted**
- 44     [RLH TA 18-181](#)     Deleting the Appealed Special Tax Assessment for property at 358 MARIA AVENUE. (File No. VB1808, Assessment No. 188810)
- Sponsors:     Prince
- Adopted**
- 45     [RLH TA 18-134](#)     Deleting the Appealed Special Tax Assessment for property at 995 MILTON STREET NORTH. (File No. VB1808, Assessment No. 188810)
- Sponsors:     Brendmoen
- Adopted**
- 47     [RLH VO 18-14](#)     Appeal of Jon Guerra or Gonzo Guerra to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1056 REANEY AVENUE.
- Sponsors:     Prince
- Adopted**

- 48     [RLH TA 18-147](#)     Deleting the Appealed Special Tax Assessment for property at 164 STEVENS STREET WEST. (File No. VB1808, Assessment No. 188810)  
  
          Sponsors:       Noecker  
  
          **Adopted**
- 49     [RLH TA 18-200](#)     Deleting the Appealed Special Tax Assessment for property at 280 STINSON STREET. (File No. J1808G, Assessment No. 188708)  
  
          Sponsors:       Thao  
  
          **Adopted**
- 50     [RLH RR 17-47](#)       Ordering the rehabilitation or razing and removal of the structures at 380 YORK AVENUE within fifteen (15) days after the January 3, 2018, City Council public hearing. (Public hearing continued from April 11) (Amend to remove within 15 days)  
  
          Sponsors:       Brendmoen  
  
          **Adopted as amended (15 days to remove the structure)**
- 51     [RLH AR 18-28](#)       Ratifying the assessments for Collection of Vacant Building Registration Fees billed during May 17 to November 22, 2017. (File No. VB1808, Assessment No. 188810)  
  
          Sponsors:       Brendmoen  
  
          **Adopted**
- 52     [RLH AR 18-29](#)       Ratifying the assessments for Boarding and/or Securing services during December 2017. (File No. J1807B, Assessment No. 188108)  
  
          Sponsors:       Brendmoen  
  
          **Adopted**
- 53     [RLH AR 18-30](#)       Ratifying the assessments for Trash Hauling services during January 2 to 31, 2018. (File No. J1808G, Assessment No. 188708)  
  
          Sponsors:       Brendmoen  
  
          **Adopted**

**PUBLIC HEARINGS (5:30 p.m.)**

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

- 54**    [Ord 18-17](#)            Granting the application of Baker East Partners to rezone property at 821 Raymond Avenue and 2421 Territorial Road from B2 Community Business and VP Vehicular Parking to T3 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

**Sponsors:**            Henningson

**Public hearing held and closed; laid over to May 23 for final adoption**

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

**Nay:** 0

- 55**    [RES PH 18-140](#)        Approving adverse action against the Cigarette/Tobacco license held by Dollar Plus, Inc., d/b/a Dollar Plus (License ID #20080000589) at 560 University Avenue West.

**Sponsors:**            Thao

**Withdrawn**

- 56**    [RES PH 18-122](#)        Approving the application of Brock Obee for a sound level variance in order to present outdoor amplified live music on Saturday, June 2, 2018 for the Obee/Rupp Wedding at 924 Hague Avenue.

**Sponsors:**            Thao

**Adopted as amended**

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

**Nay:** 0

- 57**    [RES PH 18-135](#)        Approving the application of the Asian Economic Development Association for a sound level variance for amplified music and performances located in the parking lots at 422 University Avenue West and Western near Sherburne Avenues on Saturday, July 7 and Sunday, July 8, 2018 for the Little Mekong Night Market.

**Sponsors:**            Thao

**Adopted**

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

**Nay:** 0

- 58**     [RES PH 18-129](#)     Approving the application of Jim Buron Productions, Inc. for a sound level variance in order to present announcements and amplified music on Saturday, May 19, 2018 at Harriet Island during the Twin Cities Burger Battle.

**Sponsors:**     Noecker

**Adopted**

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

**Nay:** 0

- 59**     [RES PH 18-131](#)     Approving the application of Flint Hills Family Festival for a sound level variance in order to present live music at 4th & Washington Streets and at Landmark Plaza from May 29 through June 2, 2018.

**Sponsors:**     Noecker

**Adopted**

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

**Nay:** 0

- 60**     [RES PH 18-130](#)     Approving the application of Protect Minnesota for a sound level variance for the Sensible Gun Laws NOW! Rally on Saturday, May 19, 2018 on the south steps of the State Capitol.

**Sponsors:**     Noecker

**Adopted**

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

**Nay:** 0

- 61**     [RES PH 18-134](#)     Approving the application of OSP Events LLC for a sound level variance in order to present amplified music for Music in Mears concert series on twelve Thursdays from June 7 through August 30, 2018 in Mears Park.
- Sponsors:**         Noecker
- Adopted**
- Yea:** 7 -     Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 
- 62**     [RES PH 18-137](#)     Approving the temporary installation of artwork in the public right-of-way on the Robert Street Skyway windows between 6th Street and 7th Place (Skyway Bridge #12).
- Sponsors:**         Noecker
- Adopted**
- Yea:** 7 -     Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 
- 63**     [RES PH 18-85](#)         Final Order approving the reconstruction of new sidewalk on the west side of Wheeler Street North between University Avenue and Thomas Avenue. (Project No. S1802, Assessment No. 185302)
- Sponsors:**         Henningson
- Adopted**
- Yea:** 7 -     Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0
- 
- 64**     [RES PH 18-86](#)         Final Order approving the completion of the city sidewalk on the south side of Energy Lane at 1300 Energy Lane. (Project No. S1803, Assessment No. 185303)
- Sponsors:**         Henningson
- Adopted**
- Yea:** 7 -     Councilmember Bostrom, City Council President Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince and Councilmember Henningson
- Nay:** 0

- 65     [RES PH 18-87](#)     Final Order approving the completion of the city sidewalk on the west side of Energy Lane at 1400 Energy Park Drive. (Project No. S1804, Assessment No. 185304)

**Sponsors:**     Henningson

**Adopted**

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

**Nay:** 0

**ADJOURNMENT**

**Meeting adjourned**

**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**

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**Cable**

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Many people are extremely sensitive to scented products. Please refrain from wearing or using fragrances such as perfumes, lotions, aftershave, scented aerosol products, and other such products.