



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

City Council Meeting Minutes – Final

*Council President Kathy Lantry
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Russ Stark
Councilmember Dai Thao
Councilmember Dave Thune
Councilmember Chris Tolbert*

Wednesday, September 3, 2014

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

The meeting was called to order by Council President Lantry at 3:30 p.m.

Councilmember Thune excused

Present 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dai Thao and Councilmember Chris Tolbert
Absent 1 - Councilmember Dave Thune

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 14-48** Amending the 2014 budget of the CDBG Federal Grants Fund.

 Received and Filed

- 2 **AO 14-49** Authorizing the Fire Department to pay for all costs incurred to hold a graduation ceremony for the summer graduating class of the EMS Academy on August 25, 2014 at the Paul and Sheila Wellstone Center.

 Received and Filed

- 3 **AO 14-50** Authorizing the Fire Department to pay for all costs incurred to hold a graduation ceremony for new firefighters on September 19, 2014 at the Saint Paul College.

 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 4 - 31)

Councilmember Brendmoen moved approval of the Consent Agenda.

Consent Agenda adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 4 **RES 14-1503** Approving the Mayor's appointment of Paul Williams to serve on the Saint Paul Port Authority.
Adopted
- 5 **RES 14-1505** Approving the Mayor's appointment of Mara Humphrey to serve on the Board of Water Commissioners.
Adopted
- 6 **RES 14-1495** Memorializing the City Council's August 20, 2014 decision denying the appeal by Pergola Investments, LLC, of a Planning Commission decision to approve a conditional use permit for office use at 390-394 Dayton Avenue.
Adopted
- 7 **RES 14-1492** Memorializing City Council action granting the appeal of the Payne-Phalen District 5 Planning Council of a Planning Commission decision permitting the expansion of a nonconforming outdoor auto sales lot at 1265 Arcade Street.
Adopted
- 8 **RES 14-1437** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for lantern style lighting installed on Griggs Street between Summit Avenue and Minnehaha Avenue. (File No. 19128, Assessment No. 125100)
Adopted

- 9 **RES 14-1395** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Fairview/Bohland area paving/lighting project, constructed as part of the 2014 Residential Street Vitality Project (RSVP). (File No. 19146, Assessment No. 145200)
Adopted
- 10 **RES 14-1399** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for street reconstruction on Montreal Avenue between Saint Paul and Snelling Avenues. (File No. 19111, Assessment No. 135204)
Adopted
- 11 **RES 14-1397** Approving assessment costs and setting date of City Council public hearing to ratify the assessments for the Montana/Greenbrier area paving/lighting project, constructed as part of the 2014 Residential Street Vitality Project (RSVP). (File No. 19147, Assessment No. 145201)
Adopted
- 12 **RES 14-1418** Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property during April to June 2014, and setting date of City Council Public Hearing for October 15, 2014 to consider and levy the assessments against individual properties. (File No. 1403LDSRP, Assessment No. 144002)
Adopted
- 13 **RES 14-1419** Approving the City's cost of providing Repair of Sanitary Sewer Line on Private Property from April to June 2014, and setting date of City Council Public Hearing for October 15, 2014 to consider and levy the assessments against individual properties. (File No. SWRP1403, Assessment No. 143002)
Adopted
- 14 **RES 14-1425** Approving the City's cost of providing Excessive Use of Inspection services billed May 22 to June 20, 2014, and setting date of Legislative Hearing for October 7, 2014 and City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. J1502E, Assessment No. 158301)
Adopted

- 15 **RES 14-1426** Approving the City's cost of providing Graffiti Removal services from June 17 to July 18, 2014, and setting date of Legislative Hearing for October 7, 2014 and City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. J1501P, Assessment No. 158400)
Adopted
- 16 **RES 14-1429** Approving the City's cost of providing Collection of Vacant Building fees billed November 18, 2013 to June 25, 2014, and setting date of Legislative Hearing for October 7, 2014 and City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. VB1501, Assessment No. 158800)
Adopted
- 17 **RES 14-1484** Authorizing the release of utility easements within vacated part of platted alley located in Block 4, Kittson's Addition, bounded by Broadway Street, Pine Street, Balsam Street and Tenth Street.
Adopted
- 18 **RES 14-1483** Authorizing the Fire Department to enter into a joint powers agreement with State of Minnesota - Department of Natural Resources to provide firefighters for conducting search and rescue services and fighting wildfires for the time period of April 15, 2014 through December 31, 2016.
Adopted
- 19 **RES 14-1463** Authorizing the Department of Parks & Recreation to accept a donation of plant material valued at \$1,800 from HandsOn Twin Cities to plant at Phalen Regional Park.
Adopted
- 20 **RES 14-1465** Authorizing the Police Department to enter into a Joint Powers agreement with the City of Bloomington for participation with the Human Trafficking grant program.
Adopted
- 21 **RES 14-1480** Authorizing the Police Department to enter into a Joint Powers Agreement with the State of Minnesota, Commissioner of Public Safety to participate in the MN Financial Crimes Task Force.
Adopted

- 22 **RES 14-1488** Authorizing the City to enter into Traffic Control Signal Maintenance Agreement 05974 with Minnesota Department of Transportation, Inver Grove Heights, West St. Paul and Dakota County
Adopted
- 23 **RES 14-1447** Adopting the 2013 Stormwater Permit Annual Report.
Adopted
- 24 **RLH OA 14-15** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 766 AURORA AVENUE.
Adopted
- 25 **RLH OA 14-14** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 675 AURORA AVENUE.
Adopted
- 26 **RLH OA 14-16** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 819 AURORA AVENUE.
Adopted
- 27 **RLH OA 14-17** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 823 AURORA AVENUE.
Adopted
- 28 **RLH OA 14-22** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 966 CENTRAL AVENUE WEST.
Adopted
- 29 **RLH OA 14-18** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 777 FULLER AVENUE.
Adopted

30 **RLH OA 14-20** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 899 FULLER AVENUE.

Adopted

31 **RLH OA 14-21** Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 840 THOMAS AVENUE.

Adopted

FOR DISCUSSION

32 **RLH RR 14-7** Ordering the rehabilitation or razing and removal of the structures at 1022 MINNEHAHA AVENUE WEST within one-hundred eighty days after the September 17, 2014, City Council Public Hearing. (Public hearing held and closed; laid over from September 3)

Legislative Hearing Officer Marcia Moermond said the Code Compliance inspection report had been written up just the day before. She recommended laying the matter over for two weeks to allow time for bids to be solicited, and said she anticipated being able to request 180 days for rehabilitation at that time.

Councilmember Thao moved to lay the matter over for two weeks.

Laid over to September 17

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

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

33 **Ord 14-37** Amending Legislative Code Chapter 64 pertaining to sign regulations in the City of Saint Paul.

Laid over to September 10 for second reading

34 Ord 14-38 Memorializing City Council action granting the application of TCB Properties LLC to rezone property at 1599 - 1605 Rice Street from B3 General Business to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Laid over to September 10 for second reading

SUSPENSION ITEM

Councilmember Brendmoen moved suspension of the rules.

Rules suspended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

RES 14-1558 Accepting the gift of travel, lodging and meals from the Kennedy School of Government for Kristin Beckmann to attend an urban policy advisory group meeting.

Council President Lantry moved approval.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

Council members shared information about upcoming events in their wards.

The Council recessed at 3:38 p.m.

PUBLIC HEARINGS

The Council reconvened for Public Hearings at 5:31 p.m.

Councilmember Thune excused

Present 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dai Thao and Councilmember Chris Tolbert

Absent 1 - Councilmember Dave Thune

- 35 RES PH 14-243** Approving the application of American Royalty Group for a sound level variance in order to present outdoor music performance and play by play announcements on Saturday, September 6, 2014 and Sunday, September 7, 2014 from 8:00 a.m. to 5:00 p.m. during the American Royalty Group Gus Macker Tournament 2014 at 75 Reverend Doctor Martin Luther King Boulevard, Upper and Lower Mall Area of State Capitol Complex.
- Project Director Orlando Walker (P.O. Box 28792, Oakdale) apologized for the last-minute nature of the application, and described the event and amplified sounds.*
- No one appeared in opposition; Councilmember Thao moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
- 36 RES PH 14-226** Approving the application of MotionPoems, Inc. for a sound level variance to present outdoor short films with use of speakers between 8:00 p.m. to 10:00 p.m. on Friday, October 10, 2014 or on a rain date of Saturday, October 11, 2014 at Union Depot, 214 Fourth Street East, North Plaza.
- No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
- 37 RES PH 14-242** Approving the application of Twin Cities Jazz Festival for a sound level variance in order to present amplified live music from 7:00 p.m. until 10:00 p.m. on Thursday, September 4, 2014; and from 4:00 p.m. to 10:00 p.m. on Friday, September 5, 2014 and Saturday, September 6, 2014 during the Concrete and Grass Music Festival at Mears Park.
- In support:*
Ralph Hepola (406 Wacouta Street) read a statement in support of the event and stressed the importance of such events in building to a sense of community in Lowertown.
- Organizer Steve Heckler described the event.*

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 38 RES PH 14-241** Approving the application of the University of St. Thomas for a sound level variance in order to present amplified music from 6:30 p.m. until 9:00 p.m. on Saturday, September 13, 2014 during an outdoor concert music event at the John P. Monahan Plaza at 2115 Summit Avenue.

No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 39 RES PH 14-238** Approving the application of St. Paul Saints Baseball Club Inc. for a sound level variance to present amplified music and use of a public address system outdoors between 4:30 p.m. and 9:30 p.m. on Saturday, September 6, 2014 at Midway Stadium, 1771 Energy Park Drive.

Councilmember Stark moved an amendment changing the location of the decibel measurements to the sound mix location.

No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.

Adopted as amended (decibel level to be measured at sound mix)

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 40 RES PH 14-239** Approving the application of St. Paul Saints Baseball Club Inc. for a sound level variance to present amplified music and use of a public address system outdoors between 5:30 p.m. and 11:00 p.m. on Saturday, September 13, 2014 at Midway Stadium, 1771 Energy Park Drive.

Councilmember Stark moved an amendment changing the location of the decibel measurements to the sound mix location.

No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.

Adopted as amended (decibel level to be measured at sound mix)

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 41 RES PH 14-225** Approving the petition of D. Oren B., LLC to vacate part of an alley in Block 67, Kittson's Addition near Kellogg Boulevard and platted Kittson Street in Lowertown.

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 42 RES PH 14-244** Approving the petition of Pine Street Investors, LLC to vacate a portion of platted alley located in Block 4, Kittson's Addition, bounded by Broadway Street, Pine Street, Balsam Street and Tenth Street.

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 43 RES PH 14-240** Approving the petition of Kil-Ben Rice to vacate a portion of the adjacent alley abutting Kil-Ben Rice owned property at 1360 Rice Street.

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

The attorney for petitioners thanked the Council.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 44 **RES PH 14-204** Ratifying the assessments for benefits, costs, and expenses for the Seventh Place Mall operation and maintenance costs for 2013. (File No. 18428-14, Assessment No. 147200)

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 45 **RES PH 14-205** Final Order approving the Seventh Place Mall operation and maintenance for 2014. (File No. 18428-15, Assessment No. 157200)

No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 46 **RES PH 14-202** Ratifying the assessments for benefits, costs, and expenses for the Arcade/Case and the Grand/Snelling parking lots operation and maintenance costs for 2015. (File No. 18744-14 and 18746-14, Assessment No. 147201 and 147202)

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 47 **RES PH 14-203** Final Order approving the Arcade/Case and the Grand/Snelling parking lots operation and maintenance costs for 2016. (File No. 18744-15 and 18746-15, Assessment No. 157201 and 157202).
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
-
- 48 **RES PH 14-192** Amending the budget in the Fire Department by establishing the financing and spending plans for a grant reimbursement from the City of Bloomington for the amount of \$11,599.59.
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
-
- 49 **RES PH 14-245** Authorizing the Department of Planning and Economic Development to apply for and accept a grant in the amount of \$13,000, entering into agreement with the Minnesota Historical Society, and amending the 2014 budget to hire a consultant to complete phase I text amendments to Chapter 73 of the City's Legislative Code, Heritage Preservation Commission.
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert
- Nay:** 0
- Absent:** 1 - Councilmember Thune
-
- 50 **RES PH 14-246** Amending the Redevelopment Plan for the Saint Paul Neighborhood Redevelopment Project Area, approving the establishment of the East Seventh Street and Bates Senior Housing Tax Increment Financing District, and approving tax increment financing plan thereof.

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

63 RLH VO 14-38 Appeal of Keith Hayes to a Correction Notice - Complaint Inspection Notice of Condemnation and Order to Vacate at 318 FRONT AVENUE. (Public hearing held September 3; laid over from September 17)

Legislative Hearing Officer Marcia Moermond gave a staff report. She said the ownership situation had gone back and forth between Contract for Deed and rental, and some enforcement had been through the Certificate of Occupancy and some by Code Enforcement. She said Mr. Hayes was the current owner although there was no title information to support that. She said there was extreme dilapidation, and the property hadn't seen professional renovations for many years. She displayed photographs and recommended denying the appeal and ordering vacation.

In opposition:

Keith Hayes and Jay Wylie (both 318 Front Avenue) appeared. Mr. Hayes said everything was done, and he'd thought he would be able to have the property reinspected before the Council meeting but no one had shown up. He said he'd been in the house since 1980 and had lost and gotten it back three times. He said he had an organization that was going to come in and do the windows, plumbing, and electricity, and everything would be brought up to code. He said he was doing the best he could and would like to be able to stay in his house. He said he had gotten rid of the problem tenant. He displayed photographs of some of the work that had been completed.

Mr. Wiley. said he had done some of the work for Mr. Hayes.

Council President Lantry asked whether permits had been pulled for the work done. Mr. Hayes said they had pulled permits. Ms. Moermond noted that a permit had been pulled to do sheet rock but had not been finalled. In response to a question from Council President Lantry about permits for other work, Mr. Hayes said he had done some work himself. He said the work would be completed for sure by December 31.

Councilmember Thao asked Mr. Hayes whether he was asking for an extension to December 31. Mr. Hayes said the organization that was helping him was getting bids, and would be starting work in two weeks.

Councilmember Thao moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Thao asked Ms. Moermond whether she felt two weeks would be sufficient time to complete the work. Ms. Moermond suggested a one-week layover for a full inspection and documentation of ownership.

Councilmember Thao moved a one week layover.

Laid over to September 10 at 3:30 p.m.

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

73 RLH VO 14-33

Appeal of Ferdinand Peters for Leonard Anderson to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate and Correction Notice at 559 MCKNIGHT ROAD SOUTH.

Legislative Hearing Officer Marcia Moermond distributed additional information including an amendment to the resolution and an attachment from Southern Minnesota Regional Legal Services (SMRLS). She said she had spoken with someone at St. Paul Regional Water Services about whether water could be turned on, and water staff would be going out the following day to see if there was hot and cold running water and flushing toilets. She said if the water was running she would recommend two deadlines for completing the balance of the items, and SMRLS would be working with the property owner to meet those deadlines.

No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and approve the resolution as amended.

Adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

83 RLH VO 14-40

Appeal of Robert King to a Notice of Condemnation Unfit for Human Habitation Order to Vacate the Building is a Gross Unsanitary at 1891 SEVENTH STREET EAST.

Legislative Hearing Officer Marcia Moermond said new orders had been issued September 2 with the number of items decreased by about half. She said her recommendation in Legislative Hearings had been to deny the appeal with a September 2 deadline and a September 12 vacation date, and her recommendation now was the same. In response to a question from Council President Lantry she said the orders had been outstanding since April when there had been a fire in one of the units.

In opposition:

Robert King (3168 Berwick Knoll) said Inspector Thomas inspected on August 8 and gave a September 10 deadline, and the building was condemned at another inspection on August 14. He said the damage to the carpeting and walls in the hallways was due to construction workers going up to the unit that had burned, and the flooring was being replaced. He showed photographs.

In response to questions from Council President Lantry he reviewed the items that had been completed and said many issues from the previous list had been

addressed. He said it was a nice brick building built in the 60s. He said he had not seen the new list and would like to have the opportunity to speak to Inspector Thomas for clarifications on some of the items. He said they had put a lot of money into repairs, and acknowledged it had taken a long time. He said they were nice apartments and many had been updated.

In response to a question from Council President Lantry, Ms. Moermond reviewed the timing of the fire and inspections.

Mr. King said they had every intention of bringing the building up to code, but needed clarification from the inspector on some of the items. Ms. Moermond reviewed some of the items from the new list, and noted the items that were of particular concern.

Council President Lantry asked whether the items could be done by September 12. Mr. King said they could. He reiterated that many items were already done, and the heating and smoke detector documentation had been sent.

Council President Lantry moved to close the public hearing and deny the appeal with an extension to September 12 for compliance or vacation.

Adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

60 RLH VBR 14-59 Appeal of Calhoun Ventures to a Vacant Building Registration Notice at 812 COOK AVENUE EAST.

Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of the Vacant Building registration. She said there was a long history of exterior violations, And an unusually long period of time before an inspection was scheduled by DSI. She said no one had met the inspector for the appointment and the building was empty so it was referred to the Vacant Building program. She said the field coordinator for Calhoun Ventures appeared at the Legislative Hearing. She recommended denying the appeal. She said the property manager had contractors ready and would like to rehab and sell the property.

In opposition:

Dave Scheller, Calhoun Ventures (2345 Rice Street), displayed an agreement from a contractor, and said they would spend \$10,000 on rehabilitation of the property. He said the summary abatements were just cosmetic. He said he drove by every week, and the problems were with a neighbor who wanted to use the property for parking.

Council President Lantry asked whether the property was vacant. Mr. Scheller said no one was living there and they wanted to make it habitable.

Councilmember Bostrom moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Bostrom asked Ms. Moermond how long there had been problems at the property. Ms. Moermond said there had been quite a few complaints in 2011, 2012, and 2013; some had been addressed by the Parks and some by the owners. She said those complaints addressed by Parks were considered founded complaints. Councilmember Bostrom confirmed with Ms. Moermond that the building was vacant.

Councilmember Bostrom moved to adopt Ms. Moermond's recommendation to deny the appeal.

Adopted (appeal denied)

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

LEGISLATIVE HEARING CONSENT AGENDA

Note: 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

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

- 51 RLH TA 14-443** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 1000 ALBEMARLE STREET.
Adopted
- 52 RLH TA 14-424** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 631 ALBERT STREET NORTH.
Adopted
- 53 RLH VO 14-34** Appeal of Donald J. Klemmer to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1060 AVON STREET NORTH #1.
Adopted
- 54 RLH TA 14-436** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 2036 BORDNER PLACE.
Adopted

- 55 **RLH VBR 14-60** Appeal of Jeff Sutphen to a Vacant Building Registration Notice at 594 CASE AVENUE.
Adopted
- 56 **RLH TA 14-441** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 711 CHARLES AVENUE.
Adopted
- 57 **RLH TA 14-430** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 863-865 CLARK STREET.
Adopted
- 58 **RLH TA 14-428** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 303 CLEVELAND AVENUE SOUTH.
Adopted
- 59 **RLH VBR 14-62** Appeal of Ashley Whitney for Calhoun Ventures to a Vacant Building Registration Notice at 588 COOK AVENUE EAST.
Adopted
- 61 **RLH TA 14-444** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 1715 FREMONT AVENUE.
Adopted
- 62 **RLH TA 14-475** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 36 FRONT AVENUE.
Adopted
- 64 **RLH TA 14-383** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1409B, Assessment No. 148108 at 717 FRY STREET.
(Amended to File No. J1409B3, Assessment No. 148114)
Adopted
- 65 **RLH FCO**
14-123 Appeal of Waverley Booth to a Correction Notice - Foster Care Inspection at 851 GOODRICH AVENUE.
Adopted
- 66 **RLH TA 14-448** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 304 HAZELWOOD STREET.
Adopted

- 67 **RLH TA 14-425** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 1505 HOYT AVENUE EAST.
Adopted
- 68 **RLH TA 14-431** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 651 IVY AVENUE EAST.
Adopted
- 69 **RLH TA 14-439** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 566 JESSAMINE STREET WEST.
Adopted
- 70 **RLH TA 14-505** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1409B2, Assessment No. 148112 at 897 JESSIE STREET.
Adopted
- 71 **RLH TA 14-432** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 860 LAWSON AVENUE EAST.
Adopted
- 72 **RLH TA 14-440** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 147 MARIA AVENUE.
Adopted
- 74 **RLH TA 14-437** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 1200 MINNEHAHA AVENUE EAST.
Adopted
- 75 **RLH TA 14-207** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1407, Assessment No. 148806 at 541 OHIO STREET.
(To be laid over to September 3, 2014) (Amended to Project No. VB1407A, Assessment No. 148818)
Adopted
- 76 **RLH TA 14-421** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 1285 PARK STREET.
Adopted

- 77 **RLH TA 14-433** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 1120 PAYNE AVENUE.
Adopted
- 78 **RLH SAO 14-29** Appeal of Katrina Smith to a Vehicle Abatement Order at 1558 POINT DOUGLAS ROAD SOUTH.
Adopted
- 79 **RLH TA 14-445** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 1169 ST. PAUL AVENUE.
Adopted
- 80 **RLH TA 14-442** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 700 SELBY AVENUE. (710 and 716 SELBY AVENUE HAS SAME PIN)
Adopted
- 81 **RLH TA 14-429** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 920 SELBY AVENUE (AKA 163 MILTON STREET NORTH & 922, 924, 926 SELBY AVENUE).
Adopted
- 82 **RLH TA 14-508** Amending Council File RLH AR 14-47 to delete the assessment for Graffiti Removal Services from March 8 to April 9, 2014 at 778 SEVENTH STREET EAST. (File No. J1408P, Assessment No. 148407)
Adopted
- 84 **RLH FCO
14-124** Appeal of Jeff Detloff for Bank of the West to a Correction Notice - Complaint Inspection at 364 SHERBURNE AVENUE.
Adopted
- 85 **RLH TA 14-438** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 310 SHERMAN STREET.
Adopted as amended (assessment reduced from \$181.98 to \$90)
- 86 **RLH TA 14-422** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 1635 THIRD STREET EAST.
Adopted

- 87 **RLH TA 14-435** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 919 TUSCARORA AVENUE.
Adopted
- 88 **RLH TA 14-519** Amending Council File RLH AR 14-36 to delete the assessment for Graffiti Removal Services from January 24 to March 3, 2014 at 1825 UNIVERSITY AVENUE WEST. (File No. J1407P, Assessment No. 148406)
Adopted
- 89 **RLH TA 14-517** Amending Council File RLH AR 13-88 to delete the assessment for Graffiti Removal Services from April 22 to July 10, 2013 at 1845 UNIVERSITY AVENUE WEST. (File No. J1401P, Assessment No. 148400)
Adopted
- 90 **RLH FCO**
 14-120 Appeal of Thomas Cross to a Fire Inspection Correction Notice at 1407 VIRGINIA STREET.
Adopted
- 91 **RLH AR 14-53** Ratifying the assessments for Collection of Certificate of Occupancy fees billed February 11 to March 10, 2014. (File No. CRT1411, Assessment No. 148212)
Adopted
- 92 **RLH AR 14-54** Ratifying the assessments for Excessive Use of Inspection services billed February 7 to March 28, 2014. (File No. J1405E, Assessment No. 148310)
Adopted
- 93 **RLH AR 14-55** Ratifying the assessments for Boarding and/or Securing services during April 2014. (File No. J1410B, Assessment No. 148109)
Adopted
- 94 **RLH AR 14-56** Ratifying the assessments for Graffiti Removal services from April 10 to May 2, 2014. (File No. J1409P, Assessment No. 148408)
Adopted

ADJOURNMENT

Councilmember Brendmoen moved adjournment.

Meeting adjourned at 6:30 p.m.

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

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