



City of Saint Paul

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

City Council Meeting Minutes - Final

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

Wednesday, April 1, 2015

3:30 PM

Council Chambers - 3rd Floor

Council Voting

The reader calls the names of all Councilmembers. A vote in favor is cast by remaining silent, and a vote against is cast by saying no or nay. When the voting is complete, the reader will state whether the motion passed or failed.

ROLL CALL

The meeting was called to order by Council President Stark at 3:33 p.m.

Councilmember Finney excused

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

COMMUNICATIONS & RECEIVE/FILE

- 1 **CO 15-14** Letter from the Department of Safety and Inspections declaring 614 California Avenue East a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed

- 2 **CO 15-15** Letters from the Department of Safety and Inspections declaring 1181 Edgerton Street, 870 Fuller Avenue, 1839 St. Anthony Avenue, and 155 Wheelock Parkway East as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed

- 3 **AO 15-32** Amending the 2014 spending budget in the Right of Way Fund, Traffic division accounting units.
 Received and Filed

- 4 **AO 15-35** Amending the CDBG activity budget for the Frogtown Flexible Fund program.
 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 5 - 13)

Councilmember Tolbert moved approval of the Consent Agenda.

Consent Agenda adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 5 **RES 15-570** Approving the Mayor's appointment of Mailee Lor to serve on the Human Rights and Equal Economic Opportunity Commission.
 Adopted

- 6 **Min 15-21** Approving the minutes of the February 18 and 25, 2015 City Council meetings.
 Adopted

- 7 **RES 15-560** Approving the use of neighborhood STAR grant funds for a security camera at Payne and Maryland Avenues.
 Adopted

- 8 **RES 15-576** Approving the use of Neighborhood STAR Year-Round Loan Program Funds for the Mounds Theatre for a project in Ward 7.
 Adopted

- 9 **RES 15-548** Authorizing the proper city officials to approve the Amendment to the Grant of Easement and the Amendment to the Pedestrian Concourse Agreement between Pioneer Endicott LLC and the City of Saint Paul.
 Adopted

- 10 **RES 15-558** Approving Liquor On Sale - 291 or More Seats, Liquor On Sale-Sunday, Liquor On Sale - 2 AM Closing, Liquor Outdoor Service Area (Sidewalk), Liquor Outdoor Service Area (Patio), and Entertainment (B) licenses with conditions to Lowry Kitchen & Bar, LLC, d/b/a Bookmakers (License ID #20140003650) at 345 Wabasha Street North.

Adopted

- 11 **RES 15-559** Approving the addition of Liquor On Sale - 100 Seats or less, Liquor On Sale - Sunday, and Liquor Outdoor Service Area (Sidewalk) licenses with conditions to Lowertown Café, LLC, d/b/a Lowertown Café (License ID #20150000321) at 400 Sibley Street, Suite 150.

Adopted

- 12 **RES 15-536** Waiving the 45-day notice requirement to add Wine On Sale and Malt On Sale (Strong) licenses to Blindsight 75 Minnesota, LLC, d/b/a Pieology Pizzeria (License ID #20150000083) at 2111 Ford Parkway.

Adopted

- 13 **RES 15-478** Authorizing the Department of Public Works to apply for the Metropolitan Council Environmental Services 2014 State Bond Fund Municipal I/I Grant.

Adopted

FOR DISCUSSION

No items

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

- 14 **Ord 15-12** Amending Chapter 324 of the Saint Paul Legislative Code pertaining to licensing the sale of tobacco at retail, adding a penalty for revocation of license at a location.

Laid over to April 15 for third reading/public hearing

- 15 **Ord 15-13** Repealing Legislative Code Chap. 67, Art. III, pertaining to the Shepard Davern Commercial and Residential Redevelopment Overlay District as recommended in the Shepard Davern Area Zoning Study adopted on January 28, 2015.

Laid over to April 15 for third reading/public hearing

First Reading

- 16 **Ord 15-17** Amending Section 409.30 - Districts; Pertaining to Block Party Rules Within the Downtown Development District.
Laid over to April 8 for second reading
- 17 **Ord 15-18** Amending Chapter 31.09 of the Saint Paul Legislative Code pertaining to electronic reallocation of votes.
Councilmember Thune asked if he had received more calls about the vote reallocation ordinance, and he asked to be provided with additional information.
Laid over to April 8 for second reading

SUSPENSION ITEMS

Council President Stark moved suspension of the rules.

Rules suspended

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

Nay: 0

Absent: 1 - Councilmember Finney

- RES 15-598** Authorizing the Fire Department and the Saint Paul Fire Foundation, in cooperation with the Department of Public Works, to place signs around the City of Saint Paul to recognize the 62 firefighters who have died in the line of duty since 1855.
Bob Kippels, St. Paul Fire Department, displayed sample recognition signs, and spoke about the planning process, costs, and plans for soliciting donations. Council President Stark thanked Mr. Kippels for his work.

Council President Stark moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

Councilmember Brendmoen moved suspension of the rules.

Rules suspended

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

Nay: 0

Absent: 1 - Councilmember Finney

RES 15-604

Supporting House File 97, Minnesota Driver's License for All.

Councilmember Brendmoen said by passing this resolution the Council would be joining multiple Minnesota cities in support of House File 94, Minnesota Drivers Licenses for All, currently moving through the state legislature. She moved approval.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

Council members shared information about upcoming events in their wards.

The Council recessed at 3:48 p.m.

PUBLIC HEARINGS

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

Councilmember Finney excused

Present 4 - Councilmember Dai Thao, Councilmember Dave Thune, Councilmember Chris Tolbert and City Council President Russ Stark

Absent 3 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen and Councilmember Bill Finney

Councilmember Bostrom arrived after roll call

Present 5 - Councilmember Dan Bostrom, Councilmember Dai Thao, Councilmember Dave Thune, Councilmember Chris Tolbert and City Council President Russ Stark

Absent 2 - Councilmember Amy Brendmoen and Councilmember Bill Finney

18 Ord 15-14

Creating the classification titled Deputy Director of Planning and Economic Development in the unclassified service pursuant to Section 12.03.2(H) of the City of Saint Paul Charter. (Civil Service Commission approval needed prior to Mayor's approval)

No one appeared in opposition; Councilmember Thao moved to close the public hearing.

Public hearing held and closed; laid over to April 8 for final adoption

Yea: 5 - Councilmember Bostrom, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and City Council President Stark

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Finney

Councilmember Brendmoen joined the meeting

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

Absent 1 - Councilmember Bill Finney

19 Ord 15-16

Amending Chapter 245 of the Saint Paul Legislative Code to delete obsolete references and to allow tailgating at parking lots within a defined area for attendees of professional baseball games and other events at CHS Field.

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

Councilmember Tolbert asked how security for open tailgating was addressed in the ordinance, specifically whether it would be the responsibility if the City.

Parks and Recreation Director Mike Hahm said the ordinance change was related to allowing the activity of tailgating to occur, and the professional ball team was required to have security and traffic programs separate from this ordinance. He said the City was in the process of working out the details of that.

Councilmember Thune asked whether the ordinance allowed consumption of alcoholic beverages. Mr. Hahm said it was set up to allow consumption of alcohol in the tailgating lot.

Councilmember Bostrom asked whether the ordinance was restricted to a specific lot or could be extended to private property. Mr. Hahm said the ordinance defined a specific geographic area, and the lot where the activity would be allowed would be under the management for the ball team. Deputy City Attorney Gerald Hendrickson confirmed that was correct. He said it was conceivable that the operator of the ball field might have more than one lot, but as far as he knew there was no plan or even opportunity for that. Councilmember Bostrom asked about what strength of liquor was included. Mr. Hendrickson said the City was now adopting the consistent language with the state statute and liquor licensing in St. Paul, and include all alcoholic beverages. Councilmember Bostrom said in that case it was a good idea to make sure there was adequate security, as Councilmember Tolbert had suggested.

Councilmember Thune asked about dram shop-type insurance coverage for the tailgating lot. Mr. Hendrickson said the ordinance wasn't authorizing sales, so there wasn't any kind of insurance requirement. He said the City neither owned nor leased the property and was not providing insurance. He said the ordinance only dealt with consumption, just like in a City park.

Councilmember Bostrom asked who owned the property. Mr. Hendrickson said there was no lease set up for a specific location, but discussions were taking place with the Met Council.

Councilmember Thune asked about activity at the Farmers Market. Mr. Hendrickson said his understanding was that there was going to be actual liquor sales there, authorized and regulated under existing law for City-owned property.

In response to a question from Councilmember Bostrom, Mr. Hendrickson said all the ordinance change did was allow drinking in public at this specific lot in this defined area, and other ordinances required specific licenses to sell. Councilmember Bostrom asked who would provide enforcement to make sure there were no sales. Mr. Hendrickson the Department of Safety or police would enforce that.

Councilmember Tolbert asked whether this authorization allowed tailgating at any hour, or would permits for a specific time period be required for each event. Mr. Hendrickson said the proposed ordinance amendment did not involve permitting, but allowed the operator of CHS Field to use the lot for tailgating for events other than high school and college baseball.

In response to a question from Council President Stark, Mr. Hendrickson said he didn't recall that there was anything in the ordinance limiting the time frame for tailgating relative to the event.

Councilmember Thune said he wasn't aware that it included concerts, and he questioned whether that was a good idea. Council President Stark said the ordinance language referred to baseball games or other events taking place at the CHS Field.

Councilmember Tolbert asked whether the City would have the authority to require security during tailgating. Mr. Hendrickson said that was not addressed in this ordinance, and he didn't know what other discussions were going on between Parks and CHS.

Council President Stark reminded those present that this was third reading, and the item would lay over one week before passage.

Councilmember Bostrom said he felt there should be time limits. Council President Stark agreed and said it was not clarified in the ordinance. He said one limiting factor was that the lot was probably being used during the day.

Councilmember Thune suggested one week continuation to allow time to draft an amendment. Councilmember Tolbert said everyone seemed generally supportive, and tailgating before Saints games at Midway stadium had been a good part of the experience. He said St. Paul was a family city and he wanted to make sure the tailgating didn't become like Vikings pregames.

Councilmember Thune asked what the arrangement had been at Midway Stadium. Mr. Hendrickson said it was City-owned and regulated by Parks.

Tom Whaley, St. Paul Saints, said they were currently in negotiations with the Met Council, the owner of the property, who had made clear they needed access to the lot during business hours. He said they were probably looking at a tailgating start time no earlier than 4:00 or 5:00 for a 7:00 game. He said CHS would be responsible for clean up so the lot could be used the next day, and security would be the same as that provided over the years at Midway. He said there had been few if any problems at Midway.

Councilmember Thune said things were different downtown than at Midway in terms of potential problems. Councilmember Tolbert said things could be codified in the ordinance.

Council President Stark asked whether there would be a timing issue if the ordinance were laid over. Mr. Hahm said they would like to have the item approved the following week so it would go into effect by opening day.

The Council members and Mr. Hendrickson discussed the specific things to be addressed in an amendment. Mr. Hendrickson met outside the chambers with Mr. Hahm to draft language.

Mr. Hendrickson returned to the chambers following Item 39 with an amendment addressing tailgating timing and security.

Councilmember Thune moved the amendment. Yeas - 6 Nays - 0

No one appeared in opposition; Councilmember Thune moved to close the public hearing.

Amended; public hearing held and closed; laid over to April 8 for final adoption

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

Nay: 0

Absent: 1 - Councilmember Finney

- 20 RES PH 15-89** Accepting the \$40,000 Environmental Assistance Grant from the Minnesota Pollution Control Agency (MPCA) for the topic area Communities Adapting to Climate Change and Extreme Weather; providing a matching grant of up to \$13,409; entering into a grant agreement with the MPCA that identifies the terms, and conditions of the funding award; and amending the 2015 grant budget in the amount of \$40,000.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 21 RES PH 15-50** Ratifying the assessment for the improvement of the westernmost 190 feet of the alley in Finch's Addition, Block 5 (bounded by Watson Avenue, Armstrong Avenue, Bay Street, and Osceola Avenue). (File No. 19159, Assessment No. 145001)

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 22 RES PH 15-51** Ratifying the assessment for the safety improvement of the sidewalk at 9 Seventh Place West (Seventh Place Associates LLC) by filling in the areaway. (File No. S1501, Assessment No. 155301)

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 23 RES PH 15-87** Allocating \$1,375,000 of the \$9,500,000 streets and public spaces improvements funding of the 8-80 Vitality Fund to four projects, and establishing a capital project and spending budget for the Snelling Avenue Streetscape Project being administered and constructed by Mn/DOT and that requires a City cost share based on the location and types of improvements being made.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 24 RES PH 15-71** Amending the financing and spending budgets in the Department of Public Works in order to transfer \$138,000 of available MSA financing from the Ames/Case/White Bear Avenue Project into the 2015 MSA Contingency Project.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 25 **RES PH 15-72** Amending the financing and spending budgets in the Department of Public Works in order to transfer \$63,000 from 2015 MSA Contingency into the Cayuga at Arkwright Street Improvements and Traffic Signal Installation Project.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 26 **RES PH 15-73** Amending the financing and spending budgets in the Department of Public Works by adding \$1,403,913 of MSA into the 2015 MSA Contingency Project known as SU-6600818 and approved on Council File PH 14-24.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 27 **RES PH 15-75** Amending the financing and spending budgets in the Department of Public Works to fully fund the Reconstruction of the Kellogg Bridges at Market and St. Peter Streets known as SU-1702332 and SU-1703186 and approved on Council File(s) RES 09-1368 and PH 14-24.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

- 34 RLH RR 15-5** Ordering the rehabilitation or razing and removal of the structures at 668-670 CONWAY STREET within fifteen (15) days after the March 4, 2015, City Council Public Hearing.
- Legislative Hearing Officer Marcia Moermond said this was a nice, historic property which was close to tax forfeiture, and they were hoping to get the property into the County's hands to be redeveloped. She said the County would be assisting the City legally with an accelerated forfeiture, and she recommended a two month layover to allow time to initiate that process. She said neighbors were present to testify.*
- Edward Johnson (667 Conway Street), said he and his wife had purchased their home a year ago and were happy to be in the Dayton's Bluff historical neighborhood. He said it was an attractive building, and, in this era of diminishing resources it was important not to rush to destroy any more of the housing stock unnecessarily. He said if it came up for tax forfeiture they would possibly be interesting rehabbing the building and keeping neighborhood intact. he said they really didn't want to see a vacant lot. He said they had had no problems with the building, and it would be a shame to tear it down.*
- Councilmember Brendmoen thanked the neighbors for coming and testifying. She said she had spoken with Councilmember Finney, and he was supportive of Ms. Moermond's recommendation. She moved to continue the public hearing to June 3.*
- Referred to Legislative Hearings on May 12; Council public hearing continued to June 3**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and City Council President Stark
- Nay:** 0
- Absent:** 1 - Councilmember Finney
- 39 RLH TA 15-114** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504G1, Assessment No. 158408 at 699 IVY AVENUE EAST.
- Legislative Hearing Officer Marcia Moermond gave a staff report on the summary abatement charge for garbage service provided by the City. She said garbage service was provided by the property owner after the summary abatement deadline and on the same day as a container was provided by the City. She noted that the property owner had had some problems with the private garbage provider, and she said the property owner was not being charged for the garbage bags picked up by the City prior to service being provided. She said she felt there should be credit granted to the property owner for taking care of things quickly, and there was a charge by the Parks department for an item that wasn't documented. She recommended reducing the assessment from \$360 to \$200.*
- In opposition:*
- Peter Nguyen (688 Ivy Avenue East) said he cleaned up the trash as soon as he was notified about overflowing cans. He said after receiving the letter dated October 7 he called Waste Management and asked why they were taking the can away, and didn't receive a satisfactory answer so he decided to cancel service. He said he contracted with Krupenny for a year and they said they would bring out can right away. He said he contacted the City on October 9 and left a message saying he had trash service.*

He said he was asking for a waiver on the \$100 charge for the missing container, and for removal of the \$160 service charge because he wasn't given enough time and wasn't aware that Waste Management had taken the container. He said he agreed to pay \$50 for dropping off a container and \$50 for one week of service.

Ms. Moermond clarified the breakdown of fees.

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

In response to a question from Councilmember Bostrom, Ms. Moermond said the City went out in response to a complaint, and orders were issued.

Councilmember Bostrom moved approval of Ms. Moermond's recommendation.

Adopted as amended

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

Nay: 0

Absent: 1 - Councilmember Finney

43 RLH FCO 15-28 Appeal of Felicia Reed to a Fire Inspection Correction Notice Updated with Corrected Dates at 1858 MAGNOLIA AVENUE EAST, UNIT 306.

Legislative Hearing Officer Marcia Moermond gave a staff report on the order to vacate due to accumulation of combustible materials, blocking egress and increasing the fire load. She said there were additional physical issues that were the responsibility of the landlord and were not addressed during the Legislative Hearing. She said her recommendation at the time of the hearing was to order that the amount of material be reduced by half by the end of the week (April 3). She said she understood that the appellant would like a longer time period, and she noted that the appellant was storing her items in boxes due to her belief that there was a cockroach infestation. Ms. Moermond said inspectors had reported that exterminators had been to the apartment several times and not found evidence of cockroaches.

In opposition:

Felicia Reed (1858 East Magnolia Avenue, Apartment 306), said she had lived there for 19 years, and Mr. Vue had been lax on extermination throughout his ownership. She said even though Ms. Moermond stated there was no visible evidence of infestation, she (Ms. Reed) had photographs and video proving otherwise, and had seen mice and cockroaches every day since Mr. Vue bought the building. She said Mr. Vue had ignored numerous requests for an exterminator and had treated her and her daughter shamefully. She said storing her belongings in boxes was the only alternative given the lax extermination process. She said the building was in deplorable condition all the time. She said she would like more time to be able to afford storage, and would like a secure place to put her belongings until she could move to a better place. She said the inspectors didn't call out storage of items in 2011 and 2012, and she was told as long as she could move around and function normally there was no problem. She said the items did not get accumulated in one day, but it had been a process.

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

Councilmember Bostrom said this had obviously been going on for a long time, and there was a lot of material. He asked how many units there were. Ms. Moermond said there were 17. Councilmember Bostrom said it was troubling that this is just one

unit, and while he understood Ms. Reed was having trouble with the landlord, there was a responsibility to other tenants. He moved to adopt Ms. Moermond's recommendation.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 59 RLH TA 15-121** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1503C, Assessment No. 152002 at 601 WESTERN AVENUE NORTH.

Legislative Hearing Officer Marcia Moermond gave a staff report on the assessment for demolition of the building. She said the questions of whether it was appropriate to remove the building and whether adequate time was granted for other options to be explored had all been decided in previous Council public hearings and in district court. She said for the size of the building and for a brick structure this was a reasonable assessment, and her recommendation was to approve it as written.

In opposition:

Ameena Samatar (303 5th Avenue S.) said they bought the building on July 19, 2012. She said she was given 30 days to fix the building, but permits were blocked by the City. Council President Stark said the issue at hand was the demolition assessment. Ms. Samatar said she was ordered to repair the building but denied permits, and she asked what her rights were as an owner. She submitted documents for the record.

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

Councilmember Thao thanked Ms. Samatar for coming to testify. He said the Council was voting on the demolition assessment, and he agreed with Ms. Moermond that the assessment was reasonable given the size and type of building. He said he felt for the situation, but granting this appeal would not be fair to other property owners who had buildings razed. He moved to ratify the assessment.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 48 RLH TA 15-109** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1503C, Assessment No. 152002 at 586 RICE STREET.

Legislative Hearing Officer Marcia Moermond confirmed for the record that the demolition costs associated with hazardous materials at the Stahl House was \$105,258.78.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

- 49 RLH TA 15-119** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502C, Assessment No. 152001 at 586 RICE STREET.
Legislative Hearing Officer Marcia Moermond pointed out the cost for removing the structure.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Finney

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 (Items 28 - 66)

No one appeared in opposition; Councilmember Thune 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, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and City Council President Stark

Nay: 0

Absent: 1 - Councilmember Finney

- 28 RLH VO 15-12** Appeal of Terry Scot Glass to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 646 AURORA AVENUE.

Adopted

- 29 RLH TA 15-96** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 361 BATES AVENUE. (Amended to VB1504A, Assessment No. 158813)

Adopted as amended

- 30 **RLH TA 15-183** Amending Council File RLH AR 14-81 to reduce the assessment for Collection of Certificate of Occupancy fees billed April 22 to June 13, 2014 at 498 BRIMHALL STREET. (File No. CRT1502, Assessment No. 158201)
Adopted
- 31 **RLH TA 15-117** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 810 BUFFALO STREET.
Referred to Legislative Hearings on August 18; Council public hearing continued to September 2
- 32 **RLH VBR 15-16** Appeal of DeMarcus Robertson to a Vacant Building Registration Notice at 1152 BUSH AVENUE.
Adopted
- 33 **RLH TA 15-198** Amending Council File RLH AR 15-1 to delete the assessment for Collection of Vacant Building fees billed November 5, 2013 to September 19, 2014 at 452 CONCORD STREET. (File No. VB1504, Assessment No. 158803)
Adopted
- 35 **RLH TA 15-184** Amending Council File RLH AR 14-89 to reduce the assessment for Collection of Certificate of Occupancy fees billed July 14 to August 15, 2014 at 1228 DANFORTH STREET. (File No. CRT1504, Assessment No. 158203)
Adopted
- 36 **RLH TA 15-124** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 1181 EDGERTON STREET.
Adopted
- 37 **RLH FCO 15-31** Appeal of Scott Black to a Fire Inspection Correction Notice at 1805 HAWTHORNE AVENUE EAST.
Adopted
- 38 **RLH FCO 15-21** Appeal of Donald Eldred to a Fire Inspection Correction Notice at 784 HOLTON STREET.
Adopted
- 40 **RLH TA 15-115** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1506, Assessment No. 158205 at 699 IVY AVENUE EAST.
Adopted

- 41 **RLH TA 15-127** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1505B, Assessment No. 158104 at 551 JENKS AVENUE.
Adopted
- 42 **RLH TA 15-129** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1505B, Assessment No. 158104 at 675 MAGNOLIA AVENUE EAST.
Adopted
- 44 **RLH TA 15-128** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1505B, Assessment No. 158104 at 134 MARIA AVENUE.
Adopted
- 45 **RLH TA 15-100** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1506, Assessment No. 158205 at 1210 PACIFIC STREET.
Adopted
- 46 **RLH TA 15-126** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 827 PEDERSEN STREET.
Adopted
- 47 **RLH VBR 15-15** Appeal of Gary Southward to a Vacant Building Registration Fee at 723 PLUM STREET.
Adopted
- 50 **RLH TA 15-131** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1505B, Assessment No. 158104 at 1021 ROSE AVENUE EAST.
Adopted
- 51 **RLH TA 15-132** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 1021 ROSE AVENUE EAST.
Adopted
- 52 **RLH TA 15-116** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 872 SELBY AVENUE.
Referred to Legislative Hearings on April 14; Council public hearing continued to June 3

- 53 **RLH TA 15-182** Amending Council File RLH AR 14-91 to delete the assessment for Boarding and/or Securing services during September 2014 at 882 SEVENTH STREET WEST. (File No. J1503B, Assessment No. 158102)
Adopted
- 54 **RLH TA 15-122** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 987 SHERBURNE AVENUE.
Adopted
- 55 **RLH TA 15-134** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 688 SIXTH STREET EAST.
Adopted
- 56 **RLH SAO 15-16** Appeal of Leo Reck to a Summary Abatement Order at 1119 SIXTH STREET EAST.
Adopted
- 57 **RLH TA 15-185** Amending Council File RLH AR 14-85 to delete the assessment for Collection of Vacant Building fees billed December 12, 2013 to July 17, 2014 at 1548 VAN BUREN AVENUE. (File No. VB1502, Assessment No. 158801)
Adopted
- 58 **RLH TA 15-123** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 419 VAN DYKE STREET.
Adopted
- 60 **RLH TA 15-133** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 427 WHITALL STREET.
Public hearing continued to June 3
- 61 **RLH TA 15-125** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 1673 YORK AVENUE.
Adopted
- 62 **RLH AR 15-5** Ratifying the assessments for Collection of Certificate of Occupancy fees billed September 15 to October 10, 2014. (File No. CRT1506, Assessment No. 158205)
Adopted

- 63 **RLH AR 15-6** Ratifying the assessments for Collection of Vacant Building fees billed January 27 to October 22, 2014. (File No. VB1505, Assessment No. 158804)
Adopted
- 64 **RLH AR 15-7** Ratifying the assessments for Demolition services from August and October 2014. (File No. J1502C, Assessment No. 152001)
Adopted
- 65 **RLH AR 15-8** Ratifying Demolition services from September to October 2014. (File No. J1503C, Assessment No. 152002)
Adopted
- 66 **RLH AR 15-9** Ratifying the assessments for Boarding and/or Securing services during November 2014. (File No. J1505B, Assessment No. 158104)
Adopted

ADJOURNMENT

Councilmember Brendmoen moved adjournment.

Meeting adjourned at 6:43 p.m.

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

Nay: 0

Absent: 1 - Councilmember Finney

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