



City of Saint Paul

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

Minutes - Final

City Council

Council President Kathy Lantry
Councilmember Dan Bostrom
Councilmember Melvin Carter III
Councilmember Pat Harris
Councilmember Lee Helgen
Councilmember Russ Stark
Councilmember Dave Thune

Wednesday, July 6, 2011

3:30 PM

Council Chambers - 3rd Floor

Public hearings at 5:30 p.m.

ROLL CALL

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

Present 6 - Councilmember Melvin Carter III, Councilmember Pat Harris,
Councilmember Lee Helgen, City Council President Kathy Lantry,
Councilmember Dave Thune and Councilmember Russ Stark

Absent 1 - Councilmember Dan Bostrom

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 11-18** Amending the 2011 Sewer Utility budget for additional work on the Saint Anthony Park Storm Tunnel.

 Received and Filed

- 2 **AO 11-19** Authorizing proper City officials to execute lease agreements with Community Action Partners at Baker Recreation Center and Twin City Barbell at Eastview Recreation Center.

 Received and Filed

- 3 **AO 11-22** Authorizing the Fire Department to pay for all costs incurred to hold a "Recruiting and Retaining Diversity in the Fire Service" workshop on June 29-30, 2011 at the Phalen Golf Course Club House.

 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

Item 15 was removed from the Consent Agenda for separate consideration. Item 35 was laid over to the 5:30 portion of the meeting.

Consent Agenda adopted as amended

Yea: 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Bostrom

- 4 RES 11-1165** Approving the Maintenance Labor Agreement (May 1, 2011 - April 30, 2013) between the City of Saint Paul and the United Association Pipefitters Local Union No. 455 and the 2011 Wage and Fringe Adjustment between the City of Saint Paul and the Bricklayers and Allied Craftworkers, Local Union 1, Minnesota/North Dakota.

Sponsors: Lantry

Laid over to July 13 for adoption

- 5 RES 11-1118** Approving the Memorandum of Agreement for the June 2011 Wage and Fringe Adjustment between the City of Saint Paul and the Sprinkler-Fitters Local 417. (Laid over from June 22 for adoption)

Sponsors: Lantry

Adopted

- 6 Min 11-20** Approving the minutes of the May 4, 11, 18 and 25 City Council meetings.

Sponsors: Lantry

Adopted

- 7 RES 11-1214** Accepting the gift of reimbursement for one hotel room night from the International Institute of Municipal Clerks, for City Clerk Shari Moore while attending their conference, May 6 - 12, 2011.

Sponsors: Lantry

Adopted

- 16 **RES 11-1149** Recommending the Jacob Schmidt Brewing Company Historic District for certification by the Secretary of the Interior as substantially meeting the requirements for listing in the National Register of Historic Places, for purposes of the Tax Reform Act of 1986.

Sponsors: Thune

Adopted

- 17 **RES 11-1189** Approving and authorizing the execution of an amended loan agreement for the Model Cities Brownstone project.

Sponsors: Carter III

Adopted

- 18 **RES 11-1158** Approving adverse action against the Retail Food (B) - Grocery 101-1000 sq. ft. and Retail Food - Restricted Food Services licenses held by Herbal Healing Tea Shop, d/b/a Herbal Healing Tea Shop, 995 University Avenue.

Sponsors: Carter III

Adopted

- 19 **RES 11-1161** Approving adverse action against the Taxicab Vehicle license for Cab #585 held by Abdikafe Warsame, d/b/a Airport & Airline Taxicab Corporation, 141 Arch Street, Apt. C.

Sponsors: Carter III

Adopted

- 20 **RES 11-1159** Approving adverse action against the Massage Practitioner license held by Jennifer M. Torres, d/b/a Jennifer M. Torres, 1053 Grand Avenue.

Sponsors: Thune

Adopted

- 21 **RES 11-1160** Approving adverse action against the Retail Food (B) - Bakery 101-1000 sq. ft. and Retail Food Grocery - Secondary Facility licenses held by Donald L. Coury, d/b/a St. Paul Flatbread Co., 439 Robert Street.

Sponsors: Thune

Adopted

- 22 **RES 11-1162** Approving adverse action against the Taxicab Vehicle license for Cab #503 held by Malik Olaad, d/b/a Town Taxi & Transportation.

Sponsors: Lantry

Adopted

- 23 **RES 11-1234** Approving the City's cost of providing Demolition services during April 2011 at 557 Eifelt Street, and setting date of Legislative Hearing for August 2, 2011 and City Council public hearing for August 17, 2011 to consider and levy the assessments. (File No. J1112C)
- Sponsors: Lantry
- Adopted**
- 24 **RES 11-1181** Approving the City's cost of providing Collection of Certificate of Occupancy Fees services from April 2011, and setting date of Legislative Hearing for August 2, 2011 and City Council Public Hearing for August 17, 2011 to consider and levy the assessments against individual properties. (File No. CRT1106)
- Sponsors: Lantry
- Adopted**
- 25 **RES 11-1182** Approving the City's cost of providing Towing of Abandoned Vehicle services during February to March 2011, and setting date of Legislative Hearing for August 2, 2011 and City Council public hearing for August 17, 2011 to consider and levy the assessments against individual properties. (File No. J1103V)
- Sponsors: Lantry
- Adopted**
- 26 **RES 11-1183** Approving the City's cost of providing Boarding and Securing services during April 2011, and setting date of Legislative Hearing for August 2, 2011 and City Council Public Hearing for August 17, 2011 to consider and levy the assessments against individual properties. (File No. J1110B)
- Sponsors: Lantry
- Adopted**
- 27 **RES 11-1184** Approving the City's cost of providing Property Cleanup Services from May 2 to 31, 2011, and setting date of Legislative Hearing for August 2, 2011 and City Council public hearing for August 17, 2011 to consider and levy the assessments against individual properties. (File No. J1114A)
- Sponsors: Lantry
- Adopted**
- 28 **RES 11-1187** Approving the City's cost of providing Trash Hauling Services from May 4 to 25, 2011, and setting date of Legislative Hearing for August 2, 2011 and City Council public hearing for August 17, 2011 to consider and levy the assessments against individual properties. (File No. J1111G)
- Sponsors: Lantry
- Adopted**

- 29 **RES 11-1210** Approving the assessment and setting date of City Council public hearing for August 17, 2011 to ratify the assessments for sidewalk improvements done at the request of property owners. (File No. S1001, Assessment No. 100786)
- Sponsors:** Lantry
- Adopted**
- 30 **RES 11-1220** Approving the assessment and setting date of City Council public hearing for August 17, 2011 to ratify the assessment for the Seventh Place Mall operation and maintenance costs for 2010. (File No. 18428-11, Assessment No. 110199)
- Sponsors:** Thune
- Adopted**
- 31 **RES 11-1223** Preliminary Order setting the date of Public Hearing for August 17, 2011 to consider approval of the Seventh Place Mall operation and maintenance costs for 2011. (File No. 18428-12, Assessment No. 120199)
- Sponsors:** Thune
- Adopted**
- 32 **RES 11-1202** Waiving the 45 day notice requirement for issuance of Wine on Sale, Malt on Sale (Strong) and Outdoor Service Area licenses for Cinema Saint Paul LLC, d/b/a Palumbo's Pizzeria, 454 Snelling Avenue South.
- Sponsors:** Harris
- Adopted**
- 33 **RES 11-1152** Approving the use of grant funds through the Neighborhood STAR Year-Round Program for SteppingStone Theatre and Blue Plate Restaurant Company.
- Sponsors:** Harris
- Adopted**
- 34 **RES 11-1280** Granting preliminary approval for the issuance of certain general obligation tax increment refunding bonds (the "City of Saint Paul U.S. Bank Operations Center Bonds")
- Sponsors:** Harris and Lantry
- Adopted**

FOR DISCUSSION

- 15 **RES 11-1150** Authorizing the Department of Planning and Economic Development to submit the Streetcar Feasibility Study Grant application.

Sponsors: Stark

Councilmember Helgen asked for more information about the scope of the study. Councilmember Stark said the general idea was to look at current and potential routes in the whole city, including historic routes that might be high priority places for moving more people more efficiently. He said there was a built-in assumption that it would ultimately connect to the light rail downtown but it would also connect to other corridors in other areas of the city.

Councilmember Thune asked whether other corridors were specified. He said he didn't want the Riverview Corridor noted as a corridor without community discussion. He asked what the application deadline was and whether he could get more information. Councilmember Stark said he thought the application had already been submitted.

Councilmember Bostrom said it would be good to serve parts of town not served by light rail.

Councilmember Thune asked for a report from PED on the specifics and scope of the study.

Councilmember Harris said there was something wrong with the process if they were being asked to approve the submission of an application that had already been submitted. He asked whether it had definitely already been submitted.

*Council President Lantry moved to lay the item over to the 5:30 portion of the meeting so it could be determined whether the application had already been submitted.
Yeas - 7 Nays - 0*

ORDINANCES

An ordinance is a city law enacted by the City Council. It is read at four separate council meetings and becomes effective after passage by the Council and 30 days after publication in the Saint Paul Legal Ledger. Public hearings on ordinances are held at the third reading.

Third Reading, No Public Hearing

- 36 **Ord 11-53** Memorializing City Council action granting the application of Eugene Sitzmann for the rezoning of 45 Syndicate Street South from RM2 Medium-Density Multiple-Family Residential to TN1 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held May 18, 2011)

Sponsors: Harris

Laid over to July 13 for final adoption

First Reading

- 37 **Ord 11-62** Creating Chapter 375 of the Legislative Code to establish a license for Pedicabs.

Sponsors: Lantry and Thune

Laid over to July 13 for second reading

- 38 **Ord 11-63** Amending Chapter 310 of the Legislative Code to impose licensure fees for pedicab vehicles and drivers.

Sponsors: Thune

Laid over to July 13 for second reading

SUSPENSION ITEMS

Council President Lantry moved suspension of the rules.

Rules suspended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- RES 11-1306** Opposing the imposition of a ½ cent sales tax in Ramsey County for the construction of a Vikings Stadium in Arden Hills.

Sponsors: Bostrom, Harris, Helgen, Lantry, Stark and Thune

Council President Lantry moved an amendment to make a correction.

Yeas - 7 Nays - 0

Councilmember Harris said he appreciated the item being brought forward. He said a proposal had been brought forward that involved but did not benefit the community, and he felt it was important that St. Paul taxpayers were protected. He said he didn't think the proposal was fair or made sense for St. Paul. He said if the proposal were to be changed to give St. Paul a return on the \$16 million per year investment the Council might take a look at it.

Councilmember Thune noted that the City had done sales tax levies in the past without a referendum, but in those cases there were explicit and significant benefits to the City.

Council President Lantry stressed that the resolution wasn't about the Vikings but about the proposed financing structure. She said the Vikings were a state-wide asset and there should be state-wide solution for financing. She moved approval of the resolution.

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

The Council recessed at 3:47 p.m.

PUBLIC HEARINGS

The Council reconvened for public hearings at 5:32 p.m.

Present 6 - Councilmember Dan Bostrom, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark

Absent 1 - Councilmember Melvin Carter III

RES 11-1150 Authorizing the Department of Planning and Economic Development to submit the Streetcar Feasibility Study Grant application.

Sponsors: Stark

Councilmember Stark said the Streetcar Feasibility Study Grant application (Item 15) had already been submitted by the Department of Planning and Economic Development. He said it was a federal funding source that was announced on a short timeline and it would not have been possible to bring it before the Council sooner.

Councilmember Harris said he felt the department should at least have had the courtesy to inform the Council. Councilmember Stark said the application was submitted with a notation that Council approval was pending.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

35 RES 11-1290 Declaring July 6, 2011 as Tom Sullivan Day in the City of Saint Paul.

Sponsors: Harris

Councilmember Harris invited Dr. Sullivan to the podium and acknowledged family members present. He read the resolution recognizing Dr. Sullivan on the event of his retirement from the University of St. Thomas. He moved approval of the resolution.

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Carter III

- 39 **Ord 11-55** Amending Chapter 409 of the Saint Paul Legislative Code to enable licensure of private non-profit colleges.

Sponsors: Lantry

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

Public hearing held and closed; laid over to July 13 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Carter III

- 40 **Ord 11-61** Amending Chapter 409 of the Saint Paul Legislative Code to enable licensure of brewer taprooms.

Sponsors: Lantry

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

Public hearing held and closed; laid over to July 13 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Carter III

Councilmember Carter joined the meeting at this time.

- 41 **Ord 11-56** Amending Chapter 310 of the Saint Paul Legislative Code to impose licensure fees for brewer taprooms.

Sponsors: Lantry

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

Public hearing held and closed; laid over to July 13 for final adoption

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 42 **RES PH 11-967** Approving the application of the Metropolitan Council for a sound level variance in order to allow Central Corridor Light Rail construction between 10:00 PM and 7:00 AM from July 7, 2011 to August 31, 2011 along Cedar Street between 4th Street East and 7th Street East.

Sponsors: Thune

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 43 **RES PH 11-963** Approving the application of McNally Smith College of Music for a sound level variance in order to present amplified music from 11:00 a.m. until 10:00 p.m. on July 9, 2011 during a community event concert in Mears Park.

Sponsors: Thune

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

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Thune

- 44 **RES PH 11-962** Approving the application of SPC Enterprises, Inc., d/b/a Station 4, for a sound level variance in order to present amplified live music from 11:00 a.m. until 10:00 p.m. on July 31, 2011 during the 2nd Annual Lowertown Music Festival at the intersection of 4th Street East and Sibley Street.

Sponsors: Thune

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

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Thune

- 45 **RES PH 11-966** Approving the application of the Cherry Pit Bar & Grill for a sound level variance in order to present amplified live music from 7:30 p.m. until 10:00 p.m. on July 16, 2011 at 735 White Bear Avenue North.

Sponsors: Lantry

Bill Gunther, Department of Safety and Inspections (DSI), said the appellant had requested an ending time of midnight for this annual event, but DSI was recommending 10:00 p.m. due to complaints about previous events. He said he'd received an email from the District Council supporting DSI's recommendation, and a letter from District 2 indicating they might be okay with 11:00 p.m. He said the establishment wasn't a problem in general.

In opposition:

Business owner Nicole Cherry (735 White Bear Avenue) acknowledged that there had been noise complaints in the past, but said she had booked a smaller acoustic band this year. She said there would be two speakers rather than seven, and a smaller tent, and it would be more of a patio party. She said she hoped there were no complaints. She said she would love to go to 11:00 p.m., but if she had to end at 10:00 p.m. she would like to start at 6:00 p.m. for a four-hour set.

Council President Lantry moved to close the public hearing. Yeas - 7 Nays - 0

Council President Lantry said she appreciated what Ms. Cherry had done. She moved to amend the resolution to grant the sound level variance from 6:00 p.m. to 10:00 p.m., and said if there were no complaints it could be revisited next year.

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 46 **RES PH 11-968** Approving adverse action taken against all licenses held by Frank's Dairy & Deli, d/b/a Frank's Dairy & Deli, 1201 Edgerton Street.

Sponsors: Helgen

Assistant City Attorney Kyle Lundgren reviewed the violation. He said DSI recommended a \$500 matrix penalty for a first offense and asked that the Council adopt the recommendation.

In opposition:

Ahmad "Adam" Jarjis said he took over the business in January and was new to business ownership. He said he took over the inventory already in the store and did not have access to receipts. He said business was down and \$500 was a lot. He asked for the Council's help.

Councilmember Helgen moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Helgen said it was unusual to have the State Department of Revenue come in and seize tobacco and contraband. He said he felt the penalty was appropriate, and he moved to adopt DSI's recommendation.

At Councilmember Bostrom's request, Councilmember Helgen clarified the amount and type of material seized.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

47 PH 11-15

Public hearing to consider the report of the Administrative Law Judge concerning all licenses held by Brothers Sales, Inc., d/b/a Brothers Auto Sales, Inc., 1161 University Avenue West.

Sponsors: Stark

Assistant City Attorney Kyle Lundgren described the violation. He said the Administrative Law Judge and the Department of Safety and Inspections (DSI) both recommended a \$2000 penalty and ten day suspension of all licenses. He said there were two similar license violations within the previous 18 months, and the penalty was not an upward departure. He said DSI recommended that the Council adopt the Findings of Fact, Conclusion of Law, and Recommendation of the Administrative Law Judge.

In opposition:

Keith Schweiger, owner of Brothers Auto Sales (1161 University) said a former customer had come looking for him when he was not there, and had left his car parked while he went for lunch. He said the DSI photo showed that the car was parked between the sidewalk and street. He acknowledged the previous violations and said he'd paid the fines. He said business was down with light rail construction and there was absolutely no parking available. He said he could control where his own cars were parked but couldn't always control the customers, although they did make an effort. He noted that Arnella's lot was available during the day and they directed customers to park there.

At Councilmember Carter's request, Mr. Schweiger clarified the arrangement with Arnella's. He said he was already being penalized by light rail, and he asked for the Council's assistance.

Court Holman (12758 Foliage Court, Apple Valley) said he parked the car on the sidewalk because there were no other spots available. He said he was told Mr. Schweiger would return soon so he went next door to kill time while waiting for Mr. Schweiger. He said he was at fault and he apologized.

Councilmember Stark moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Bostrom said it seemed to be just a complaint of parking on the boulevard. Council President Lantry asked whether the sidewalk had been blocked. Mr. Lundgren said Condition 7 of the license required no parking on the sidewalk or boulevard. He said the site plan also included customer parking spots.

Councilmember Bostrom said he didn't think it was the owner's responsibility if a customer took it upon himself to park on the boulevard. He reiterated that he thought it was a parking complaint where the car could have been tagged and towed. He said this seemed to be going a little bit overboard.

Council President Lantry said she understood the license condition; she asked whether the public sidewalk was blocked. Mr. Lundgren referred to the photos in the Council packet and said the public sidewalk was partially blocked. He read license condition number 7 and noted that the conditions were agreed to by the licensee.

Council President Lantry said the licensee was responsible for abiding by the license conditions whether he was present or not. Councilmember Bostrom said it seemed as though there were other remedies.

Councilmember Thune said the penalty seemed stiff given that there had not been

frequent violations or complaints from neighbors, and especially with the economic challenges due to the light rail. He noted that the business owner had had a car wash on the West Seventh that had been a wonderfully run business.

At Councilmember Stark's request, Mr. Lundgren and Mr. Schweiger reviewed the circumstances of the previous violations.

Council President Lantry asked Mr. Lundgren about changing the license conditions. Councilmember Stark said DSI enforcement had done their job and had no way of knowing whether a vehicle in violation belonged to a customer or to the business, but he didn't feel license suspension was appropriate.

Councilmember Carter said a license suspension seemed too harsh but he didn't think it was inappropriate to hold a business accountable for license condition violations.

Councilmember Harris said a public hearing was an opportunity for the Council to take into account unique circumstances. He said he felt the suspension and fine were too much.

Councilmember Helgen said he felt that because the business was open there should be some fine.

Councilmember Stark moved to suspend of all but \$200 of the penalty for 18 months as long as there were no same or similar violations.

Motion of Intent - Adopted the Findings of Fact, Conclusion of Law, and Recommendation of the Administrative Law Judge as amended (\$200 fine imposed; remainder of penalty stayed for 18 months)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 48 RES PH 11-946** Amending the financing and spending plans for the Phalen Village Left Turn Lanes Project.

Sponsors: Bostrom

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 49 **RES PH 11-956** Establishing a financing and spending plan for Saint Paul Police employees transferred to the Ramsey County Sheriff's office.
- Sponsors:** Lantry
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 50 **RES PH 11-957** Amending the financing and spending plans in the Fire Department in the amount of \$533,250.00 to accept the 2010 Assistance to Firefighter Grant to purchase equipment and provide training.
- Sponsors:** Lantry
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 51 **RES 11-687** Ratifying the assessment for Construction of a Water Service Connection at 1389 Portland Avenue as requested by the property owner in connection with the Ashland/Pascal RSVP. (File No. 19045WC, Assessment No. 096053)
- Sponsors:** Carter III
- No one appeared in opposition; Councilmember Carter moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

- 52 RLH RR 11-13** Ordering the rehabilitation or razing and removal of the structures at 763 FOURTH STREET EAST within fifteen (15) days after the May 18, 2011 City Council Public Hearing.
- Sponsors:** Lantry
- No one appeared in opposition; Councilmember Thune moved to continue the public hearing to August 17.*
- Referred to Legislative Hearing on August 9; Council public hearing continued to August 17**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 53 RLH RR 11-18** Ordering the razing and removal of the structures at 1002 CONWAY STREET within fifteen (15) days after the June 1, 2011 City Council Public Hearing. (Laid over from July 6)
- Sponsors:** Lantry
- Legislative Hearing Officer Marcia Moermond said a work plan had been submitted that was consistent with the Code Compliance inspection report, and she expected the bond to be paid by that Friday. She asked for a one week layover.*
- No one appeared in opposition; Council President Lantry moved to close the public hearing and lay the matter over for one week.*
- Public hearing held and closed; laid over to July 13**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 54 RLH VO 11-32** Appeal of Michael G. Kula, P.A., on behalf of Rick Thorne, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1429 MARSHALL AVENUE.
- Sponsors:** Carter III
- Legislative Hearing Officer Marcia Moermond recommended denying the appeal and granting an extension to August 12 for obtaining an engineer's report, with the condition that the structure not be occupied in the meantime.*
- No one appeared in opposition; Councilmember Carter moved to close the public hearing and approve the resolution as amended.*
- Adopted as amended (appeal denied and extension granted to August 12 for engineering report, with the condition of no occupancy in the interim)**

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Harris

55 **RLH AR 11-42** Ratifying Collection of Vacant Building Fees from February 2011 at 331 AURORA AVENUE (File No. VB1108A, Assessment No. 118089).

Sponsors: Lantry

Legislative Hearing Officer Marcia Moermond recommended approving the assessment.

After Item 56 was read, Ms. Moermond corrected herself and said both Items 55 and 56 involving 331 Aurora should be referred back for an August 2 Legislative Hearing, and the Council public hearings be continued to August 17.

No one appeared in opposition; Councilmember Carter moved to continue the public hearing to August 17.

Referred for Legislative Hearing on August 2; Council public hearing continued to August 17

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Harris

56 **RLH TA 11-62** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1108, Assessment No. 118050 at 331 AURORA AVENUE.

Sponsors: Carter III

No one appeared in opposition; Councilmember Carter moved to continue the public hearing to August 17.

Referred for Legislative Hearing on August 2; Council public hearing continued to August 17

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 57 **RLH TA 11-146** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1016 AURORA AVENUE.

Sponsors: Carter III

Legislative Hearing Officer Marcia Moermond recommended approving the assessment.

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

Adopted as amended (assessment approved)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 58 **RLH TA 11-138** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 775 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

Legislative Hearing Officer Marcia Moermond recommended approving the assessment.

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

Adopted as amended (assessment approved)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 59 **RLH TA 11-156** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1095 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Legislative Hearing Officer Marcia Moermond recommended approving the assessment.

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

Adopted as amended (assessment approved)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 61 **RLH RR 11-31** Ordering the razing and removal of the structure(s) at 620 CASE AVENUE within fifteen (15) days after the July 6, 2011 City Council Public Hearing.

Sponsors: Bostrom

Legislative Hearing Officer Marcia Moermond said the appellant had attended the Legislative Hearing but been unable to meet her standard conditions. She recommended ordering removal of the structure within 15 days with no option for rehabilitation.

In opposition:

Property owner Manuel Contreras (4716 92nd Court N., Brooklyn Park) said he had a small construction company based out of the East Side and had purchased the property in July 2009. He said his plan had been to rehabilitate the property and live in it but his business partner filed for bankruptcy so he wasn't able to get a loan. He provided documentation of funds that would be coming in, and said he had an investor willing to provide cash for the project. He described his plans for the property, and asked for an additional week or two to put the financing together.

George Wright (803 W. 61st St., Minneapolis) said Manuel worked for him when he was a project manager for a construction company in Bloomington and worked for him occasionally now. He said they had been talking since winter about the possibility of putting together a portfolio of rental properties, and he was willing to provide funding for this project. He said Mr. Contreras had been maintaining the property and had gutted the interior but hadn't had the funds to move forward.

Councilmember Bostrom moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Bostrom moved to allow 30 days to remove or repair the structure. He said if all of the documentation was submitted to Ms. Moermond in that time the Council would review the issue then.

Adopted as amended (30 days to remove or rehabilitate the structure)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 65** **RLH VO 11-17** Appeal of Zach Volk, on behalf of Union Depot Lofts Association, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 214 FOURTH STREET EAST.

Sponsors: Thune

Legislative Hearing Officer Marcia Moermond said her recommendation was to deny the appeal, but she had pulled it off of the Consent Agenda because she believed Councilmember Thune wanted to lay the matter over. She said it was an unfortunate situation in which the work was not completed to code by the developer before the condo association took over.

Councilmember Thune said he would like to continue the matter for 60 days to allow time for the condo association to meet with City development staff and to explore other options. He said he understood his involvement in trying to resolve the issue between the two parties might necessitate his recusing himself from voting on the matter.

No one appeared in opposition; Councilmember Thune moved to continue the public hearing to September 7.

Public hearing continued to September 7

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 75 **RLH VBR 11-33** Appeal of John Norris to a Vacant Building Registration Notice at 315 LARCH STREET.

Sponsors: Helgen

Legislative Hearing Officer Marcia Moermond said the Council had denied the appeal on the condemnation and order to vacate the previous summer, and was now considering the appeal of the vacant building registration. She said it was clear the building should be in the registered vacant building program as it was condemned, not occupied, and didn't have a Certificate of Occupancy. At Councilmember Helgen's request she clarified that what was before the Council was the vacant building status and fee.

In opposition:

Terry Duggins, attorney for John Norris, Sr. and John Norris, Jr., distributed and reviewed material related to attempts to come into compliance with orders. He said they hadn't been able to find an engineer to do a code analysis, and were still waiting for clarification on what that was.

In response to a question by Council President Lantry, Mr Norris said the date of the deficiency list was May 2010. Council President Lantry asked whether the building was occupied. Mr. Duggins said there was a business there.

Mr. Duggins said they were waiting for clarification on just five items. He said they'd been there 20 years with no problems.

John Norris, Jr. said Inspector Neese was being nitpicky, and items that had been corrected continued to appear on the deficiency list.

Mr. Duggins said going forward would have the effect of putting Mr. Norris out of business. He said they were asking for clarification and then 90 days to complete the corrections.

Councilmember Helgen moved to close the public hearing. Yeas - 6 Nays - 0 (Councilmember Harris not present for vote)

Councilmember Helgen referred to the photos in the packet showing a shed structure with no real roof, and general clutter including a variety of different materials. He said he felt it was a vacant building and the fee should be paid, and the appellant should continue to work with DSI to get the Certificate of Occupancy. Ms. Moermond clarified the engineering report requirement.

Council President Lantry noted that the photos in the file were from a year ago and from April.

Councilmember Helgen moved to adopt the recommendation of the Legislative Hearing Officer (the building is a registered vacant building, the fee must be paid, and the Certificate of Occupancy must be reinstated).

Adopted (appeal denied)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 80 **RLH CO 11-7** Appeal of Mike Kowski and Shelley Jensen to a Correction Notice and a Summary Abatement Order at 1943 RANDOLPH AVENUE.
- Sponsors:** Harris
- Legislative Hearing Officer Marcia Moermond recommended granting the appeal.*
- No one appeared in opposition; Councilmember Harris moved to close the public hearing and approve the resolution.*
- Adopted (appeal granted)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 81 **RLH CO 11-2** Appeal of Richard H. Nicholson to a Correction Notice at 260 SUMMIT AVENUE.
- Sponsors:** Thune
- Legislative Hearing Officer Marcia Moermond asked that the matter be continued to August 3.*
- No one appeared in opposition; Councilmember Thune moved to continue the public hearing to August 3.*
- Public hearing continued to August 3**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 105 **RLH FOW 11-62** Appeal of Scott McCoy to a Fire Certificate of Occupancy Correction Notice at 1071 FOREST STREET.
- Sponsors:** Bostrom
- Legislative Hearing Officer Marcia Moermond recommended granting variances for all units including Unit 201.*
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution as amended.*
- Adopted as amended (window variances granted including in Unit 201)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0

- 119 **RLH FCO 11-94** Appeal of Ansel Johnson and Bruce Johnson to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 590 BLAIR AVENUE.

Sponsors: Carter III

Legislative Hearing Officer Marcia Moermond said all items had been addressed except the egress window measuring 23 by 14 inches, which was beyond what she would recommend a variance for.

In opposition:

Bruce Johnson reviewed the inspection and hearing history, and said he'd thought an appeal of the window order was granted at the 2009 hearing.

Ms Moermond said the appeal was granted because there were no measurements in the orders, and with the understanding that measurements would be made and new orders issued. She said the Council now had the opportunity to correct the situation.

Council President Lantry asked whether it had taken two years to go back and get measurements. Ms. Moermond said these types of clarifications could end up being left for the next inspection.

Mr. Johnson asked that the Council not go back on the earlier decision.

Ms. Moermond noted for the record that the earlier appeal was also about whether the property belonged in the Certificate of Occupancy program since the appellant's father was going to be living there. She said the father did not move in and the property was still in the Certificate of Occupancy program.

Councilmember Carter asked whether the Legislative Hearing minutes clearly stated the reason for the decision on the window appeal. Ms. Moermond said the minutes dealt primarily with the Certificate of Occupancy issue, and the notes on the windows were brief.

Mr. Johnson cited code related to the legality of City requirements that exceed the applicable state building code.

Councilmember Carter moved to close the public hearing. Yeas - 6 Nays - 0 (Thune not present for vote)

Councilmember Carter moved to adopt the recommendation of the Legislative Hearing Officer. He said he agreed with Ms. Moermond that there should be measurements, but Mr. Johnson was aware the windows were an issue, and the new orders should not have come as a surprise. He said either way the issue was one of safety.

Ms. Moermond clarified that it was the Minnesota fire code that was being enforced. She said the state fire code was not always perfectly consistent with the state building code, but the City followed through with the safety items in the fire code.

Adopted (appeal denied)

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Thune

**120 RLH FCO
11-172**

Appeal of Lou Tran to a Fire Certificate of Occupancy Correction Notice at 1138
COOK AVENUE EAST.

Sponsors: Bostrom

*Legislative Hearing Officer Marcia Moermond recommended denying the appeal on
the dryer exhaust venting as the requested photographs were not provided.*

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

Adopted as amended (appeal denied on dryer exhaust duct)

Yea: 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember
Harris, Councilmember Helgen, City Council President Lantry and
Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Thune

133 RLH FCO
11-155

Appeal of Robert D. Jones to a Fire Certificate of Occupancy Correction Notice at 377 TOTEM ROAD. (Laid over from July 6)

Sponsors: Lantry

Legislative Hearing Officer Marcia Moermond said her recommendation was to deny the appeal on the placement of the trailer on the lot, and grant the appeal on the parking surface on the condition that repairs be made to the surface.

Council President Lantry said it was her understanding that the parking issue had to do with the amount of parking surface; she asked why it was not a variance being handled through the Board of Zoning Appeals. Ms. Moermond said it was going forward as a variance before the Board of Zoning Appeals separate from the action being considered by Council. She clarified that what was before the Council was the parking surface material.

In opposition:

Robert Jones (865 Totem Road) said his family had owned the property since 1947. He said there was a '59 Corvette in the trailer in question, and there was a problem with neighbors turning him in for working on it. He said he'd evicted the tenant at 377 and they would be out by the end of the month. He said one of the problems had to do with the ceiling height on the lower level; he said the house was built in the early forties and he was raised in it and the ceiling hadn't been inadequate for them.

Council President Lantry said she thought the ceiling height had been addressed. Mr. Jones said they'd addressed the ceiling height on the upper level and the basement stair rails.

Mr. Jones said he'd purchased the trailer in 1996, and it had been there since with no complaints. He reviewed the history of orders related to parking at the property and said he thought he'd gotten a variance in 2008. He said he needed the ceiling height approved and enough property to put his trailers on.

Council President Lantry and Mr. Jones discussed limits on the number of allowable accessory structures and acceptable options for storage of the trailers.

At Council President Lantry's request, Ms. Moermond reviewed her recommendations related to ceiling height. She said she recommended a variance for the ceiling height in the upper level unit measuring 6'8", but not for that in the lower unit measuring 6'4". Mr. Jones clarified that the lower unit was the main floor.

Council President Lantry asked when the building had been built and whether it was a rental. Mr. Jones said his father had purchased it in the forties and it was now a rental property. Council President Lantry said the ceiling height had probably only become an issue since the property had become a rental. Mr. Jones said it had been a rental property since 1991, and had had regular Certificate of Occupancy inspections.

Council President Lantry confirmed with Ms. Moermond that denying the variance request for the main floor would make the property unusable as a rental.

Council President Lantry said she wanted to take another look at the property. She moved to close the public hearing, lay the issue of the trailer over for one week and grant variances on the ceiling heights and on using Class V as a parking surface.

Laid over to July 13 (appeal granted on ceiling height and parking surface)

- 134 **RLH FCO
11-161** Appeal of Leslie K. Lucht to a Fire Certificate of Occupancy Inspection Correction Notice at 674 VAN BUREN AVENUE.
- Sponsors:** Carter III
- Legislative Hearing Officer Marcia Moermond recommended denying the appeal on the window painting and granting an extension to August 15 to complete the work.*
- Adopted as amended (deny the appeal and grant extension to August 15 for window painting)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 136 **RLH AR 11-18** Ratifying the Assessments for Collection of Vacant Building Fees Services from January 2011. (File No. VB1107, Asmt No. 118036)
- Sponsors:** Lantry
- Legislative Hearing Officer Marcia Moermond asked for an amendment to waive the vacant building fee at 571 Van Buren for 90 days.*
- No one appeared in opposition; Councilmember Carter moved to close the public hearing and approve the resolution as amended.*
- Adopted as amended**
- Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- 151 **RLH TA 11-99** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1105, Assessment No. 118061 at 685 VAN BUREN AVENUE. (Laid over from July 6)
- Sponsors:** Carter III
- Legislative Hearing Officer Marcia Moermond explained the Fire Certificate of Occupancy fees being assessed.*
- In opposition:*
Leslie Lucht (1090 Cumberland) said the inspector was there a lot because he kept adding items to the list. He said he'd lost \$3000 in wages in addition to the amount spent on repairs. He said he'd taken a plea agreement in the criminal citation because he'd been led to believe the fees were included.
- Councilmember Carter moved to close the public hearing. Yeas - 7 Nays - 0*
- Councilmember Carter noted the no-entry penalty included in the assessment and said it cost money for the City to send an inspector. He said he would like to review inspection reports; he moved to lay the matter over for one week.*
- Laid over to July 13**

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

152 RLH AR 11-41 Ratifying the assessments for Collection of Vacant Building Fees Services in March 2011. (File No. VB1109, Assessment No. 118062)

Sponsors: Lantry

Legislative Hearing Officer Marcia Moermond amended the resolution to delete the assessment at 755 Orange.

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

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

167 RLH AR 11-47 Ratifying the assessments for Excessive Inspection services billed from January 20 to March 11, 2011. (File No. J1107E, Assessment No. 118073)

Sponsors: Lantry

Legislative Hearing Officer Marcia Moermond amended the resolution to refer 326 Oneida back for a Legislative Hearing on August 2 and continue the Council public hearing for that address to August 17.

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

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 170 **RLH TA 11-101** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 842 CLEAR AVENUE.

Sponsors: Bostrom

Legislative Hearing Officer Marcia Moermond reviewed the violation and assessments.

In opposition:

Property owner Thomas Rogge (842 Clear) said there had been ongoing harassment for four years and he had been working with a number of inspectors. He said he had a complaining neighbor, and had been told that Council President Lantry had been calling in complaints. Council President Lantry said she was not familiar with Mr. Rogge's property and had not called in complaints.

Councilmember Bostrom moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Bostrom asked for clarification of the number of previous violations and amounts already assessed. Ms. Moermond clarified that there had already been \$50 and \$75 assessments, and this \$150 assessment was for a sixth founded complaint in a twelve month time period.

Councilmember Bostrom said there were obviously issues going on there; he moved to reduce the assessment to \$75.

Adopted as amended (assessment reduced to \$75)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 178 **RLH AR 11-15** Ratifying the assessments for Property Cleanup services from January 31 to February 25, 2011. (File No. J1111A, Assessment No. 118053)

Sponsors: Lantry

Legislative Hearing Officer Marcia Moermond reviewed the amendments.

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

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 183 **RLH TA 11-106** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No.118053 at 2017 DAYTON AVENUE.

Sponsors: Stark

Legislative Hearing Officer Marcia Moermond said there had been two "no-show" Legislative Hearings.

In opposition:

Joe Horwath (2555 Oak Ridge Ct. Maplewood), said he'd received the notice and had mailed back the gold card but had expected a call to confirm the hearing. He said they'd owned the property since 2006, took good care of it and had good tenants. He said they were not landlords and this was their only rental property.

Councilmember Stark said the City had shoveled the snow. He moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 196 **RLH TA 11-112** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No.118053 at 1436 WESTMINSTER STREET.

Sponsors: Helgen

Legislative Hearing Officer Marcia Moermond reviewed the violation.

In opposition:

Property owner John Hedlund (1436 Westminster Street) described the location and configuration of the property and sidewalks. He showed photographs. He said the City wasn't plowing the sidewalk at the adjacent property so he just quit shoveling when there was a large snowfall, and by the time he received the notice, the amount of accumulated snow would have been very difficult to remove. He said he'd lost another St. Paul property and was working a minimum wage job, and the \$300 fee would be difficult.

Councilmember Helgen moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Helgen said he had some sympathy given the circumstances. He said the City had cleared some of the snow and the property owner had done some; he moved to reduce the assessment to \$150 and spread the payments over three years.

Councilmember Carter said that was a fair solution but the Council shouldn't send the message that a neighbor's failure to shovel released a property owner from their own responsibility to shovel.

Adopted as amended (assessment reduced to \$150 and spread over three years)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

174 RLH TA 11-102 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 1060 KILBURN STREET.

Sponsors: Helgen

Council President Lantry read from the file that it was a total assessment of \$95 for excessive consumption of inspection services related to failure to provide a legal lock on a patio door. Legislative Hearing Officer Marcia Moermond said it had been a "no-show" hearing so she had no further staff report.

In opposition:

Property owner Okechukwu Onah said he hadn't been able to attend the hearing for the first assessment because he teaches in St. Cloud, and couldn't attend for the second due to health reasons. He said the inspector had come out the first time because someone had called about illegal occupancy in the basement and at that time the inspector had immediately taken the mail from the mail box and made notes. He displayed photographs.

Council President Lantry asked Mr. Onah to address the issue of the broken lock. Mr. Onah said the tenants had broken the lock to get onto the roof, and were responsible for repairing it. He said he'd had it repaired by a professional locksmith, and the inspector had said the lock wasn't repaired correctly and had a jagged edge. Council President Lantry asked whether there was a receipt for the repair. Mr. Onah said his attorney had the receipt and it had also been sent to the inspector. He said the next issue was with a door damaged by the tenant, and it reached a point where he had to contact an attorney because the tenant was causing damage and calling in complaints because she couldn't pay her rent. He said he pointed the pattern out to Inspector Essling, and Mr. Essling told him to shut up. He said the next issue had to do with the refrigerator in the basement. He displayed photographs.

Council President Lantry said the issue of the refrigerator was not before them. Mr. Onah said the tenant had put him "through the ringers" and kept breaking something else every time he fixed something, because she didn't want to pay her rent. He said he had gone to court over the charges, and the the City Attorney had waived all the assessments related to the tenant. He related difficult experiences with tenants and inspectors at other rental properties.

Councilmember Helgen moved to close the public hearing. Yeas - 7 Nays - 0

At Councilmember Helgen's request, Ms. Moermond clarified that the the charge was for excessive consumption for continued non-compliance for one item over time, and was distinct from any criminal citation action.

Councilmember Helgen said it appeared there were other issues and hassles at the property, but there had been an effort to get Mr. Onah to comply. He moved to reduce the assessment to \$50.

Adopted as amended (assessment reduced to \$50)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 197 **RLH TA 11-109** Reducing the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No.118053 at 35 WINIFRED STREET WEST.

Sponsors: Thune

Councilmember Thune recommended that the assessment be deleted.

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

Adopted as amended (assessment deleted)

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

- 117 **RLH FCO
11-219** Amending the City Council's decision (RLH FCO 11-90) on the appeal of Cheri Kappas to a Fire Inspection Correction Notice at 241 SEVENTH STREET EAST.

Sponsors: Thune

Legislative Hearing Officer Marcia Moermond said her recommendation was to grant the appeal on the door swing.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

122 **RLH FCO**
 11-165

Appeal of Shoua Xiong to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 376 FULLER AVENUE.

Sponsors: Carter III

Legislative Hearing Officer Marcia Moermond said her recommendation was to grant the appeal on the dryer vent and deny on the egress windows measuring 14 inches by 27 inches.

In opposition:

Property owner Shoua Xiong said he purchased the house in 2000 and was told by the previous owner that the windows were approved unless he remodeled. He said the house had been inspected every couple of years during his ownership and no one had ever said anything about the windows. He displayed drawings of the windows with the dimensions and said the width was less than 27 inches and the height was more than 14 inches. He said the roof line made size adjustment impossible. He said windows on the north side could be corrected by removing the mullion and installing a slider, but nothing could be done for the east windows. He reiterated that they were approved prior to 2000.

Council President Lantry said codes changed as life safety issues became more important.

Mr. Xiong said if the Council said no one could live there, he would live there, and the Council could not remove him from his house.

Councilmember Carter moved to close the public hearing. Yeas - 6 Nays - 0 (Bostrom not present for vote)

Councilmember Carter said the bottom line was safe egress, and the opening looked big enough to accommodate a code-compliant window without altering the roof line. He noted that the Council had never granted a variance for a window as small as 14 inches, and he moved to deny the appeal.

Adopted

Yea: 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Bostrom

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**Consent Agenda adopted as amended**

Yea: 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Bostrom

- 60** **RLH RR 11-32** Ordering the razing and removal of the structures at 621 ARLINGTON AVENUE EAST within fifteen (15) days after the July 6, 2011 City Council Public Hearing.
- Sponsors:** Bostrom
- Adopted**
- 62** **RLH RR 11-29** Ordering the razing and removal of the structures at 657 LAFOND AVENUE within fifteen (15) days after the June 15, 2011 City Council Public Hearing. (Public hearing continued from June 15)
- Sponsors:** Carter III
- Adopted**
- 63** **RLH RR 11-40** Granting a stay in the enforcement of Council File 09-843, an Order to Remove or Repair the Structures at 445 PAGE STREET EAST.
- Sponsors:** Thune
- Adopted**
- 64** **RLH VO 11-24** Appeal of Meng Vang to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1486 THIRD STREET EAST.
- Sponsors:** Lantry
- Adopted**
- 66** **RLH VO 11-27** Appeal of Charles McCarty to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 889 SIXTH STREET EAST.
- Sponsors:** Lantry
- Adopted**

- 67 **RLH VO 11-16** Appeal of Gary Munkelwitz to a Notice of Condemnation As Unfit for Human Habitation and Order to Vacate at 1361 SEVENTH STREET EAST.
Sponsors: Lantry
Adopted
- 68 **RLH VO 11-31** Appeal of Steve Sullivan, St. Paul City Church, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 827 AURORA AVENUE.
Sponsors: Carter III
Adopted
- 69 **RLH VO 11-33** Appeal of Gregory L. Sutton and Megan Gordon to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate plus Correction Notice at 785 COOK AVENUE EAST.
Sponsors: Bostrom
Adopted
- 70 **RLH VO 11-28** Appeal of Southern Minnesota Regional Legal Services (SMRLS), on behalf of Amy Johnson, to a Condemnation, Order to Vacate at 207 MAPLE STREET, UNIT 2.
Sponsors: Lantry
Adopted
- 71 **RLH VO 11-35** Appeal of Tiffany Moose, to a Correction Notice-Reinspection Complaint (Condemnation of Unit 1) at 441 MOUNT IDA STREET #1.
Sponsors: Thune
Adopted
- 72 **RLH VO 11-29** Appeal of Coretta Walker-Rinehart to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1833 SIMS AVENUE.
Sponsors: Bostrom
Adopted
- 73 **RLH VBR 11-41** Appeal of Robert H. Paradise to a Vacant Building Registration Notice at 289 FIFTH STREET EAST, UNIT 309.
Sponsors: Thune
Adopted
- 74 **RLH VBR 11-48** Appeal of Greg Carr and Jennifer Mendel-Carr to a Vacant Building Registration Fee at 77 CONGRESS STREET EAST.
Sponsors: Thune
Adopted

- 76 **RLH VBR 11-43** Appeal of Teng Scott Vang to a Vacant Building Registration Notice at 980 FULLER AVENUE.
Sponsors: Carter III
Adopted
- 77 **RLH VBR 11-42** Appeal of James Swartwood to a Vacant Building Registration Notice at 697 WESTERN AVENUE NORTH.
Sponsors: Carter III
Adopted
- 78 **RLH VBR 11-44** Appeal of Holly McCarty to a Vacant Building Registration Notice at 1203 WOODBRIDGE STREET.
Sponsors: Helgen
Adopted
- 79 **RLH SAO 11-16** Appeal of Judy and Paul Nelson to a Vehicle Abatement Order at 2166 SEVENTH STREET EAST.
Sponsors: Lantry
Adopted
- 82 **RLH WP 11-23** Appeal of Sam Riesgraf, on behalf of SMR Real Estate, to an Egress Window Non-Compliance Determination at 995 BURGESS STREET.
Sponsors: Carter III
Adopted
- 83 **RLH WP 11-28** Appeal of Window World, on behalf of Craig Wieber, to an Egress Window Non-Compliance Determination at 2088 CALIFORNIA AVENUE EAST.
Sponsors: Bostrom
Adopted
- 84 **RLH WP 11-29** Appeal of Window World, on behalf of Norm Lee, to an Egress Window Non-Compliance Determination at 1311 CLARENCE STREET.
Sponsors: Bostrom
Adopted
- 85 **RLH WP 11-26** Appeal of Renewal by Andersen, on behalf of Annette and Kirby Hanson, to an Egress Window Non-Compliance Determination at 2221 EDGCUMBE ROAD.
Sponsors: Harris
Adopted

- 86 **RLH WP 11-31** Appeal of Grant Remodeling, on behalf of Danalex Partners, to an Egress Window Non-Compliance Determination at 1896 GRAND AVENUE.
Sponsors: Harris
Adopted
- 87 **RLH WP 11-24** Appeal of Daniel Schmidt and Jim Yannarely, Saint Paul Ramsey County Department of Public Health, to an Egress Window Non-Compliance Determination at 1147 MATILDA AVENUE.
Sponsors: Helgen
Adopted
- 88 **RLH WP 11-30** Appeal of Renewal by Andersen, on behalf of Roger Krenner, to an Egress Window Non-Compliance Determination at 1061 PLEASANT AVENUE.
Sponsors: Thune
Adopted
- 89 **RLH WP 11-27** Appeal of James Stretch to an Egress Window Non-Compliance Determination at 833 PORTLAND AVENUE.
Sponsors: Carter III
Adopted
- 90 **RLH WP 11-33** Appeal of Champion Windows of Minneapolis, on behalf of Simon Thao, to an Egress Window Non-Compliance Determination at 1569 REANEY AVENUE.
Sponsors: Lantry
Adopted
- 91 **RLH WP 11-32** Appeal of Window World, on behalf of Hanz Lehrke, to an Egress Window Non-Compliance Determination at 1871 STILLWATER AVENUE.
Sponsors: Bostrom
Adopted
- 92 **RLH WP 11-43** Appeal of Champion Window Company to an Egress Window Non-Compliance Determination at 1402 WOODBRIDGE STREET.
Sponsors: Helgen
Adopted
- 93 **RLH WP 11-25** Appeal of Jen Stachowiak to an Egress Window Non-Compliance Determination at 1751 YORK AVENUE.
Sponsors: Bostrom
Adopted

- 94 **RLH FOW 11-59** Appeal of Gregory Mailand, on behalf of Mailand Management, to a Fire Certificate of Occupancy Correction Notice at 1376 THIRD STREET EAST and 1351 CONWAY STREET.

Sponsors: Lantry

Adopted

- 95 **RLH FOW 11-79** Appeal of Stephen Mowry to a Fire Certificate of Occupancy Inspection Correction Notice at 842 FOURTH STREET EAST.

Sponsors: Lantry

Adopted

- 96 **RLH FOW 11-68** Appeal of Michelle and Bryan Nuttall to a Fire Certificate of Occupancy Correction Notice at 988 FIFTH STREET EAST.

Sponsors: Lantry

Adopted

- 97 **RLH FOW 11-65** Appeal of Will Rolf to a Fire Certificate of Occupancy Correction Notice at 501 ASHLAND AVENUE.

Sponsors: Carter III

Adopted

- 98 **RLH FOW 11-28** Appeal of Jason Oberhamer to a Fire Inspection Correction Notice at 658 BLAIR AVENUE.

Sponsors: Carter III

Adopted

- 99 **RLH FOW 11-56** Appeal of Rebecca Torres to a Fire Certificate of Occupancy Correction Notice at 622 BUSH AVENUE.

Sponsors: Bostrom

Adopted

- 100 **RLH FOW 11-57** Appeal of Mai Cha Moua and Chong Pao Yang to a Fire Certificate of Occupancy Correction Notice at 1636 CLARENCE STREET.

Sponsors: Bostrom

Adopted

- 101 **RLH FOW 11-66** Appeal of Eric Magnuson to a Fire Certificate of Occupancy Correction Notice at 990 CLEVELAND AVENUE SOUTH.

Sponsors: Harris

Adopted

- 102 **RLH FOW 11-83** Appeal of Christopher Chiabotti to a Fire Certificate of Occupancy Inspection Correction Notice at 1039 EARL STREET.
- Sponsors: Bostrom
- Adopted**
- 103 **RLH FOW 11-74** Appeal of Youa Xiong to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 928 EDMUND AVENUE. (Window Appeal Only)
- Sponsors: Carter III
- Adopted**
- 104 **RLH FOW 11-72** Appeal of Hong Cao to a Fire Certificate of Occupancy Correction Notice at 583 FAIRVIEW AVENUE SOUTH.
- Sponsors: Harris
- Adopted**
- 106 **RLH FOW 11-64** Appeal of Shua Xiong to a Fire Certificate of Occupancy Correction Notice at 409 HOYT AVENUE EAST.
- Sponsors: Helgen
- Adopted**
- 107 **RLH FOW 11-61** Appeal of Joe Skelly to a Fire Certificate of Occupancy Correction Notice at 1231 KENNARD STREET.
- Sponsors: Bostrom
- Adopted**
- 108 **RLH FOW 11-63** Appeal of Scott John Lund to a Fire Certificate of Occupancy Correction Notice at 1534 LARPENTEUR AVENUE EAST.
- Sponsors: Bostrom
- Adopted**
- 109 **RLH FOW 11-67** Appeal of Chue Yang to a Fire Certificate of Occupancy Correction Notice at 1047 LAWSON AVENUE EAST.
- Sponsors: Bostrom
- Adopted**
- 110 **RLH FOW 11-69** Appeal of Howard Googins, on behalf of Summit Church, to a Fire Certificate of Occupancy Correction Notice at 844 PORTLAND AVENUE.
- Sponsors: Carter III
- Adopted**

- 111 **RLH FOW 11-70** Appeal of Howard Googins, on behalf of Summit Church, to a Fire Certificate of Occupancy Correction Notice at 840 PORTLAND AVENUE.

 Sponsors: Carter III

 Adopted
- 112 **RLH FOW 11-76** Appeal of Phil Jacobs to a Fire Certificate of Occupancy Inspection Correction Notice at 1245 SCHEFFER AVENUE.

 Sponsors: Harris

 Adopted
- 113 **RLH FOW 11-75** Appeal of Matt Schumacher to a Fire Certificate of Occupancy Correction Notice at 1088 SUMMIT AVENUE.

 Sponsors: Thune

 Adopted
- 114 **RLH FOW 11-71** Appeal of Brett Hesley, KBD Investments, to a Fire Certificate of Occupancy Correction Notice at 889 WESTMINSTER STREET.

 Sponsors: Helgen

 Adopted
- 115 **RLH FCO
11-149** Appeal of Angela Hansen, on behalf of Applegate Property Management, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 732 FOURTH STREET EAST.

 Sponsors: Lantry

 Adopted
- 116 **RLH FCO
11-185** Appeal of David Gitzen to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1136 FIFTH STREET EAST.

 Sponsors: Lantry

 Adopted
- 118 **RLH FCO 11-74** Appeal of David and Jeannette Morisette to a Fire Certificate of Occupancy Correction Notice at 1539 BIRMINGHAM STREET.

 Sponsors: Bostrom

 Adopted
- 121 **RLH FCO
11-140** Appeal of Patricia A. E. Whitney, on behalf of Robert Flaten, to a Correction Notice-Reinspection Complaint at 469 DAYTON AVENUE.

 Sponsors: Carter III

 Adopted

- 131 **RLH FCO** Appeal of Robert Meyers to a Fire Certificate of Occupancy Correction Notice at
 11-147 1893 SHERIDAN AVENUE.
- Sponsors: Harris
- Adopted**
- 132 **RLH FCO** Appeal of Fred A. Meadows to a Re-Inspection Fire Certificate of Occupancy With
 11-168 Deficiencies at 2026 STILLWATER AVENUE.
- Sponsors: Lantry
- Adopted**
- 135 **RLH AR 11-19** Ratifying the assessment for Tree Removal Services in November 2010 at 1344
 FOURTH STREET EAST. (File No. 1104T2, Asmt No. 119097)
- Sponsors: Lantry
- Adopted**
- 137 **RLH TA 11-159** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1107,
 Assessment No. 118036 at 1053 GALTIER STREET.
- Sponsors: Helgen
- Adopted**
- 138 **RLH AR 11-17** Ratifying the assessments for Boarding and Securing services during December
 2010. (File No. J1106B, Assessment No. 118043)
- Sponsors: Lantry
- Adopted**
- 139 **RLH TA 11-137** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1106B,
 Assessment No. 118043 at 697 COOK AVENUE EAST.
- Sponsors: Bostrom
- Adopted**
- 140 **RLH AR 11-16** Ratifying the Assessments for Graffiti Removal services from January 18 to February
 9, 2011. (File No. J1110P, Assessment No. 118052)
- Sponsors: Stark
- Adopted**
- 141 **RLH TA 11-123** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1110P,
 Assessment No.118052 at 41 CLEVELAND AVENUE SOUTH.
- Sponsors: Stark
- Adopted**

- 150 **RLH TA 11-83** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1105, Assessment No. 118061 at 110 SYCAMORE STREET WEST.
- Sponsors: Helgen
- Adopted**
- 153 **RLH TA 11-88** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1109, Assessment No.118062 at 998 SEVENTH STREET EAST. (To be laid over to September 6 Legislative Hearing and September 21 City Council public hearing.)
- Sponsors: Bostrom
- Adopted**
- 154 **RLH TA 11-91** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1109, Assessment No.118062 at 1180 SEVENTH STREET EAST.
- Sponsors: Bostrom
- Adopted**
- 155 **RLH TA 11-77** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1109, Assessment No. 118062 at 880 CASE AVENUE.
- Sponsors: Bostrom
- Adopted**
- 156 **RLH TA 11-90** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1109, Assessment No. 118062 at 607 SIMS AVENUE.
- Sponsors: Bostrom
- Adopted**
- 157 **RLH TA 11-78** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1109, Assessment No. 118062 at 1350 STILLWATER AVENUE.
- Sponsors: Lantry
- Adopted**
- 158 **RLH AR 11-46** Ratifying the assessments for Graffiti Removal services from February 22 to March 21, 2011. (File No. J1111P, Assessment No. 118063)
- Sponsors: Lantry
- Adopted**
- 159 **RLH TA 11-94** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1111P, Assessment No. 118063 at 1253 JUNO AVENUE.
- Sponsors: Harris
- Adopted**

- 160 **RLH AR 11-24** Ratifying the assessments for Emergency Boarding and Securing services in February 2011. (File No. J1108B, Assessment No. 118066)
Sponsors: Lantry
Adopted
- 161 **RLH AR 11-23** Ratifying the assessments for Demolition services in March 2011. (File No. J1111C, Assessment No. 118070)
Sponsors: Lantry
Adopted
- 162 **RLH TA 11-79** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111C, Assessment No. 118070 at 987 EUCLID STREET. (To be referred back to August 16, 2011 Legislative Hearing and September 7, 2011 City Council public hearing)
Sponsors: Lantry
Adopted
- 163 **RLH AR 11-22** Ratifying the assessments for Tree Removal Services in March 2011. (File No. 1107T, Asmt No. 119098)
Sponsors: Lantry
Adopted
- 164 **RLH TA 11-80** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1107T, Assessment No. 119098 at 878 CENTRAL AVENUE WEST.
Sponsors: Carter III
Adopted
- 165 **RLH TA 11-96** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1107T, Assessment No. 119098 at 1311 LAUREL AVENUE.
Sponsors: Carter III
Adopted
- 166 **RLH TA 11-81** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1107T, Assessment No. 119098 at 2447 UNIVERSITY AVENUE WEST.
Sponsors: Stark
Adopted
- 168 **RLH TA 11-118** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 1136 FIFTH STREET EAST.
Sponsors: Lantry
Adopted

- 169 **RLH TA 11-131** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 865 BURR STREET.
- Sponsors: Helgen
- Adopted**
- 171 **RLH TA 11-127** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 1444 COMO BOULEVARD EAST. (To be referred back to August 16, 2011 Legislative Hearing and September 7, 2011 City Council public hearing.)
- Sponsors: Helgen
- Adopted**
- 172 **RLH TA 11-121** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 757 FLANDRAU STREET.
- Sponsors: Lantry
- Adopted**
- 173 **RLH TA 11-120** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 770 FORSTER STREET.
- Sponsors: Thune
- Adopted**
- 175 **RLH TA 11-98** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 763 MINNEHAHA AVENUE EAST.
- Sponsors: Bostrom
- Adopted**
- 176 **RLH TA 11-87** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 194 STEVENS STREET WEST.
- Adopted**
- 177 **RLH TA 11-107** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1107E, Assessment No. 118073 at 419 THOMAS AVENUE.
- Sponsors: Carter III
- Adopted**
- 179 **RLH TA 11-113** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 2238 THIRD STREET EAST.
- Sponsors: Lantry
- Adopted**

- 180 **RLH TA 11-122** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1648 FOURTH STREET EAST.
Sponsors: Lantry
Adopted
- 181 **RLH TA 11-132** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 861 CARROLL AVENUE.
Sponsors: Carter III
Adopted
- 182 **RLH TA 11-115** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 671 CONWAY STREET.
Sponsors: Lantry
Adopted
- 184 **RLH TA 11-134** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1314 EDGERTON STREET.
Sponsors: Bostrom
Adopted
- 185 **RLH TA 11-104** Reducing the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1836 and 1838 FORD PARKWAY.
Sponsors: Harris
Adopted
- 186 **RLH TA 11-126** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 417 FOREST STREET.
Sponsors: Lantry
Adopted
- 187 **RLH TA 11-162** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 672 MAGNOLIA AVENUE EAST.
Sponsors: Bostrom
Adopted
- 188 **RLH TA 11-135** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1120 ROSS AVENUE.
Sponsors: Bostrom
Adopted

- 189 **RLH TA 11-103** Reducing the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 538 ST. ALBANS STREET NORTH.
Sponsors: Carter III
Adopted
- 190 **RLH TA 11-114** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 710 SIMS AVENUE.
Sponsors: Bostrom
Adopted
- 191 **RLH TA 11-111** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 883 SIMS AVENUE.
Sponsors: Bostrom
Adopted
- 192 **RLH TA 11-95** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 369 STRYKER AVENUE.
Sponsors: Thune
Adopted
- 193 **RLH TA 11-108** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 429 THOMAS AVENUE.
Sponsors: Carter III
Adopted
- 194 **RLH TA 11-128** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 848 THOMAS AVENUE.
Sponsors: Carter III
Adopted
- 195 **RLH TA 11-116** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No. 118053 at 1062 VAN SLYKE AVENUE.
Sponsors: Helgen
Adopted
- 198 **RLH AR 11-45** Reducing the assessment for Property Cleanup services on March 4, 2011 at 393 Cleveland Avenue North. (File No. J1112A1, Assessment No. 118092) (Laid over from June 1) (See also File ID: RLH TA 11-48)
Sponsors: Stark
Adopted

- 199 **RLH TA 11-48** Reducing the Appealed Special Tax Assessment for Real Estate Project No. J1112A, Assessment No. 118064 at 393 CLEVELAND AVENUE NORTH. (Public hearing continued from June 1)
- Sponsors: Stark
- Adopted**
- 200 **RLH AR 11-55** Ratifying the assessments for Property Cleanup service on March 1, 2011 at 1002 Minnehaha Ave E. (File No. J1112A2, Assessment No. 118102) (Laid over from June 07, 2011 for separate consideration to City Council Public Hearing July 06, 2011)
- Adopted**
- 201 **RLH TA 11-97** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1112A, Assessment No. 118064 at 1002 MINNEHAHA AVENUE EAST.
- Sponsors: Lantry
- Adopted**
- 202 **RLH AR 11-48** Ratifying the assessment for Trash Hauling services on March 30, 2011 at 119 Winnipeg Avenue. (File No. J1109G1, Assessment No. 118096) (Laid over from June 15)
- Sponsors: Lantry
- Adopted**
- 203 **RLH TA 11-129** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1109G, Assessment No. 118065 at 119 WINNIPEG AVENUE. (Referred back by Council on June 15, 2011)
- Sponsors: Helgen
- Adopted**
- 204 **RLH TA 11-105** Deleting the assessment for Excessive Inspection Services billed from November 8 to December 15, 2010 for 407 BAY STREET (Note: Amending RES 11-440, Asmt No. 118037).
- Sponsors: Thune
- Adopted**

Additional Items (Agenda amended July 6)

- 205 **RLH AR 11-43** Ratifying the assessment for Collection of Vacant Building Fees Services from February 2011 at 565 Jefferson Avenue. (File No. VB1108B, Assessment No. 118090) (Laid over from June 1)
- Sponsors: Thune
- Adopted**

206 **RLH TA 11-73** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1108, Assessment No. 118050 at 565 JEFFERSON AVENUE.

Sponsors: Thune

Adopted

207 **RLH TA 11-168** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111A, Assessment No.118053 at 116 CLEVELAND AVENUE SOUTH.

Sponsors: Stark

Adopted

208 **RLH TA 11-177** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1107, Assessment No.118036 at 571 VAN BUREN AVENUE.

Sponsors: Carter III

Adopted

209 **RLH TA 11-185** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1109, Assessment No. 118062 at 775 ORANGE AVENUE EAST.

Sponsors: Bostrom

Adopted

ADJOURNMENT

Councilmember Carter moved to adjourn the meeting at 8:52 p.m.

Meeting adjourned

Yea: 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

Nay: 0

Absent: 1 - Councilmember Bostrom

Council Meeting Information**Web**

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

Cable

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