



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
651-266-8560

Minutes - Final

City Council

Council President Amy Brendmoen
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, February 5, 2020

3:30 PM

Council Chambers - 3rd Floor

Public Hearings at 3:30 and 5:30 p.m.

ROLL CALL

The meeting was called to order by Council President Brendmoen at 3:31 p.m.

- Present** 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Nelsie Yang
- Absent** 1 - Councilmember Chris Tolbert

Councilmember Tolbert arrived after roll call.

- Present** 7 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Nelsie Yang

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 20-8](#) Amending the 2020 spending budget for the Office of Financial Services.

 Received and filed
- 2 [AO 20-9](#) Returning funds to the Year-Round STAR Program from four Year-Round STAR projects.

 Received and filed

CONSENT AGENDA

Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

Approval of the Consent Agenda (Items 3 - 31)

Items 21 and 25 were removed from the Consent Agenda for separate consideration.

Councilmember Yang moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 3** [RES 20-207](#) Approving the Settlement Agreement and Release between Defendants, Lee Michael Salminen and the City of Saint Paul and Plaintiff, Katrina Lashawn Clepper and her attorney Michael J. Fay.
Adopted
- 4** [RES 20-231](#) Authorizing proper City officials to accept a scholarship on membership in Welcoming America for this year (2020).
Adopted
- 5** [Min 20-2](#) Approving the minutes of the December 4, 11 and 18, 2019 City Council meetings.
Adopted
- 6** [Min 20-3](#) Approving the minutes of the January 8, 15 and 22, 2020 City Council meetings.
Adopted
- 7** [RES 20-173](#) Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during July 4 to October 21, 2019, and setting date of Legislative Hearing for March 3, 2020 and City Council public hearing for April 8, 2020 to consider and levy the assessments against individual properties. (File No. VB2007, Assessment No. 208806)
Adopted

- 8 [RES 20-176](#) Approving the City's cost of providing Securing and/or Emergency Boarding services during November 2019, and setting date of Legislative Hearing for March 3, 2020 and City Council public hearing for April 8, 2020 to consider and levy the assessments against individual properties. (File No. J2007B, Assessment No. 208106)
Adopted
- 9 [RES 20-177](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during September 17 to October 10, 2019, and setting date of Legislative Hearing for March 3, 2020 and City Council public hearing for April 8, 2020 to consider and levy the assessments against individual properties. (File No. CRT2007, Assessment No. 208206)
Adopted
- 10 [RES 20-178](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during September 23 to October 21, 2019, and setting date of Legislative Hearing for March 3, 2020 and City Council public hearing for April 8, 2020 to consider and levy the assessments against individual properties. (File No. J2007E, Assessment No. 208306)
Adopted
- 11 [RES 20-180](#) Approving the City's cost of providing Removal of Dangerous Tree(s) during June to December 2018, and setting date of Legislative Hearing for March 3, 2020 and City Council public hearing for April 8, 2020 to consider and levy the assessments against individual properties. (File No. 2003T, Assessment No. 209002)
Adopted
- 12 [RES 20-181](#) Approving the City's cost of providing Removal of Dangerous Tree(s) from November 2019 at 1306 Fairmount Avenue, and setting date of Legislative Hearing for March 3, 2020 and City Council public hearing for April 8, 2020 to consider and levy the assessments. (File No. 2004T, Assessment No. 209003)
Adopted
- 13 [RES 20-203](#) Accepting the gift of registration costs from the US Green Building Council for Barbara Morin, Design Group Supervisor, to attend the Impact 2020 Conference in Saint Paul, Minnesota on May 6, 2020.
Adopted

- 14 [RES 20-187](#) Authorizing the City to renew its lease with Metropolitan State University for the Dayton's Bluff Library.
Adopted
- 15 [RES 20-224](#) Authorizing the Fire Department to accept the donation of Way2B Way Better water drink valued at \$12,564 from the Saint Paul Fire Foundation.
Adopted
- 16 [RES 20-211](#) Approving the Mayor's appointments of Michelle Benson, Emma Burns, and Maureen Smith to the Visit Saint Paul Board of Directors.
Adopted
- 17 [RES 20-212](#) Approving the Mayor's reappointments of Joe Nayquonabe, Dianne Krizan, Liz Xiong, Wade Luneburg, John Marshall, and Tim Flynn to the Visit Saint Paul Board of Directors.
Adopted
- 18 [RES 20-225](#) Approving the Mayor's appointments of Janessa Marquette, James Thayer, James Wilkinson, Kaliah Linear, Muria Kruger, and Eva Wailes to the Human Rights and Equal Economic Opportunity Commission.
Adopted
- 19 [RES 20-209](#) Authorizing the Department of Parks and Recreation to accept a donation of 48 Chromebooks and two charging stations from Vivacity Tech.
Adopted
- 20 [RES 20-213](#) Authorizing the Department of Parks and Recreation to apply for \$4,000 in funding through the Saint Paul Garden Club, Community Improvement Project Grant program, to purchase seeds, plants, and related materials to enhance the Kellogg Mall Park roadway medians and, if successful, enter into an agreement with the Saint Paul Garden Club.
Adopted
- 22 [RES 20-168](#) Authorizing the Department of Parks and Recreation, Como Park Zoo and Conservatory Volunteer Services, to purchase items in an amount not to exceed \$4,000 for volunteer recognition events.
Adopted

- 23 [RES 20-188](#) Authorizing the Como Park Zoo and Conservatory to accept in-kind donations of plant and animal related goods, whose individual value is under \$100, from various sources during the calendar year of 2020.
Adopted
- 24 [RES 20-192](#) Authorizing the Department of Parks and Recreation, Como Park Zoo and Conservatory, to accept donations of food and services in an amount not to exceed \$4,000 from Lancer Hospitality and Como Friends through attending and participating in relationship-building, appreciation, and recognition events in 2020.
Adopted
- 26 [RES 20-243](#) Authorizing the Department of Parks and Recreation to apply for an Environmental and Natural Resources Trust Fund grant of up to \$30,000 from the Department of Natural Resources to replace trees lost to the Emerald Ash Borer, and if funds are granted, authorizing the proper City of Saint Paul officials to execute the grant agreement.
Adopted
- 27 [RES 20-214](#) Authorizing the Department of Parks and Recreation to solicit and accept donations for the 2020 Citywide Spring Cleanup event.
Adopted
- 28 [RES 20-158](#) Approving the use or non-use of a Project Labor Agreement on Department of Parks and Recreation construction projects for the first half of 2020.
Adopted
- 29 [RES 20-242](#) Authorizing the declaration of a public sewer easement on City property in the West Side Flats redevelopment area and accepting a public sewer easement from the Housing and Redevelopment Authority within the redevelopment area.
Adopted
- 30 [RES 20-144](#) Authorizing the City of Saint Paul to apply to Minnesota Department of Employment and Economic Development Redevelopment Grant funding for the Northwest Corner of University and Dale project.
Adopted

- 31 [RES 20-218](#) Approving a waiver of the 45-day notice requirement to add a Liquor Outdoor Service Area (Patio) license and expand the indoor liquor service area by approximately 1,700 square feet in size for a business with the following existing licenses: Liquor On Sale - 181-290 seats, Liquor On Sale - 2AM Closing, Liquor On Sale - Sunday, Liquor Outdoor Service Area (Sidewalk), Entertainment (B), Gambling Location, and Shared Parking Agreement licenses with conditions to Meefy Beat Inc., d/b/a Shamrock's Irish Nook (License ID #20060004156) at 995 7th Street West.

Adopted

FOR DISCUSSION

- 21 [RES 20-216](#) Accepting a gift and installation of seven overstory trees in Wacouta Commons, from the Friends of Wacouta Commons, valued at approximately \$10,644.

Councilmember Noecker acknowledged the work of the Friends of Wacouta Park, especially Chris Thomforde. She moved approval of the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 25 [RES 20-141](#) Authorizing the Department of Parks and Recreation to add organizations to the List of Eligible Recipients for Charitable Gambling funds for 2020.

Councilmember Noecker thanked Parks staff for their efforts in making sure more organizations knew about the ability to be on the youth fund eligible list. She said three new groups were added this year, which was more than usual. She moved approval of the resolution.

Adopted (This item was reconsidered at the start of Public Hearings, and laid over to February 12)

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

32 [RES 20-240](#)

Committing the City to exploring a new local option sales tax to fund critical investments in the future of Saint Paul and the region over the next 25 years.

Councilmember Noecker said this would catapult the City into a position to drive economic growth in the region, and to address basic structural and human needs in the City that were going unmet. Specific needs included street maintenance, affordable housing, and early childhood education. She said the resolution didn't impose or commit the City to a sales tax, but committed the City to starting the conversation this year.

Council members Prince, Yang, and Thao spoke in support.

Councilmember Tolbert said he agreed with the need to invest in early childhood education, affordable housing, and in roads and transit; and to diversify revenue sources and pursue a sales tax, but did not feel this was the correct time or correct issues to bring this forward. He said he felt the Council should think about and discuss the issue more before bringing it before the Legislature. He read from state statute limiting the use of local sales tax revenue to construction and rehabilitation of capital improvement projects with a clear regional benefit and approved by the voters. He said the issue that made the most sense and would have the best chance of success in the Legislature was investment in the roads. If the City was going to the Legislature they should go with something that fit within statute and could pass. He said he didn't feel they were ready for that conversation at the Legislature yet and should discuss it among themselves first. He said passing something at the Legislature was difficult, and required building partnerships and coalitions, and the City should begin that work now.

Councilmember Jalali said she believed the City should pursue a sales tax, and nobody disputed the needs, but she did not support the way the resolution was worded and would not be supporting it. She said she wanted to be clear about her intention to keep working on the idea with the City and her colleagues. She said she felt there were a couple of things that would impede their progress at the Legislature: the wording about the specific uses for the funds, and the idea that they should hire a legislative consultant. She said she would rather use staff resources to do homework within the City, and there might be different legislators next year. She said her objections were more about strategy and less about concept.

Councilmember Noecker said she appreciated the comments, and agreed it was an uphill battle at the Legislature. The intention behind the resolution was for the City to do their homework and spend this year learning from the Legislative colleagues and building the coalitions necessary to introduce a bill next year. not bring a bill forward this year. She said they needed to be able to make the argument that it was the human capital they needed to invest in now, not convention centers or stadiums.

Councilmember Prince said she appreciated the concerns of Council members Tolbert and Jalali, that this was a year to explore the viability of this at the Legislature. She said the human capital issues were not only the most important ones but were vitally urgent problems that shouldn't be happening in any Minnesota city but especially not in our capitol city.

Council President Brendmoen said she appreciated those comments but wanted to keep the focus on the resolution, which was asking the administration to hire some

support to look at these things.

Councilmember Thao said this was not something new, and last year 18 cities asked for something similar. He said this was a necessity to figure out how to solve some of these issues. He said this was a long process and he encouraged those with questions or concerns to reach out to the Council offices. This was not being done in a vacuum, and the Mayor's office had been working with several Council members over about six months. He said he also chaired the STAR fund working group, and they were looking at how those tax dollars were being spent.

Councilmember Jalali said she viewed this as a strategy question, and didn't think there was disagreement in terms of need. She said there were downsides in engaging a legislative consultant when they weren't ready. She said she was invested in helping with the next phase, but didn't think this was the path forward. She said she believed a sales tax was needed.

Council President Brendmoen said the City's legislative agenda was coming before the Council the following week, she suggested the Council take some of the passion expressed and translate it to the work that needed to be done at the Capitol. She said she fully agreed with the spirit of the resolution and that they needed to explore other options for funding, but was concerned that the resolution had predetermined what their priorities were.

Councilmember Noecker moved approval of the resolution.

Adopted

Yea: 4 - Councilmember Thao, Councilmember Noecker, Councilmember Prince and Councilmember Yang

Nay: 3 - Councilmember Brendmoen, Councilmember Tolbert and Councilmember Jalali

33 [RLH OA 20-1](#)

Making recommendation to Ramsey County on the application of David Chavez for repurchase of tax forfeited property at 721 FOURTH STREET EAST. (Laid over from January 22)

Legislative Hearing Officer Marcia Moermond said the item had been laid over from the previous week to allow for more neighborhood conversation. Based on conversation, there was no change to the resolution.

Councilmember Prince moved approval of the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

ORDINANCES

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

No items

PUBLIC HEARINGS (3:30 p.m.)

- 34** [RES PH 20-17](#) Amending the City's 2020 Operating Budget to reflect an advance in the amount of up to \$500,000 from the internal borrowing fund and the use of fund equity of up to \$500,000 to finance the CHA Exterior Wall Restoration Project.

No one was present to testify. Councilmember Thao moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 35** [RES PH 20-21](#) Authorizing the Department of Human Rights and Equal Economic Opportunity to apply for and accept the Building Community Capacity grant of \$10,000 from the Saint Paul and Minnesota Foundation to support the work of the Saint Paul Police Civilian Internal Affairs Review Commission (PCIARC).

Julian Roby, coordinator for PCIARC in HREEO, was present to answer questions.

Councilmember Noecker asked what is the \$10,000 was going toward. Mr. Roby said community engagement wasn't a line item in the budget, and this external funding would pay for things like the annual summit, flyers, and radio promotions.

No one was present to testify. Councilmember Prince moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 36 [RES PH 20-23](#) Approving the application of Minnesota United FC & Allianz Field for a sound level variance for a DJ and amplified music on February 9, 2020 at 400 Snelling Avenue North for the Allianz Field Pre-Season Event.

Joel Carlson, representing MN United, thanked the Council for their support for the inaugural season, and said the season was a great success. He said they had been working with staff on getting the sound level variances in one batch. There had been zero complaints, and only two property owners who received notice and both were connected to the stadium itself.

Councilmember Thao said he appreciated the work and partnership so far.

Councilmember Jalali said she was thankful for the partnership and looked forward to continuing.

Councilmember Thao moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

37 [RLH TA 19-913](#) Ratifying the Appealed Special Tax Assessment for property at 969 ALBEMARLE STREET. (File No. CRT2004, Assessment No. 208203)

Legislative Hearing Officer Marcia Moermond gave a staff report on the assessment for a Certificate of Occupancy inspection fee and assessment processing fee. The bills went to Renters Warehouse, who was the Certificate of Occupancy responsible party, and that was the traditional manner that the billing occurred. When the bill was unpaid, it was proposed to be an assessment onto the property taxes. The property owners indicated that Renters Warehouse said they never received bills from the City. Ms. Moermond noted this was part of a group of assessments for Renters Warehouse where there were communication problems. She said, without having returned mail, she believed Renters Warehouse received the bills and did not pay them, and the assessment was legitimate and should be approved.

Council President Brendmoen asked whether there was any dispute about the address being correct. Ms. Moermond said the bill was sent to the address in file with the Fire Certificate of Occupancy program.

In opposition:

Property owner Anteneh Tefera said this rental property was managed by Renters Warehouse. He said he didn't receive the documents. He said he generally paid things on time. He said he contacted Renters Warehouse, and in this case they didn't receive any mail. He said now he saw the amount and didn't think it was fair.

Council President Brendmoen asked Mr. Tefera if he was disputing the Certificate of Occupancy charge. Mr. Tefera said he was not disputing the \$206, but was disputing the extra \$763. He said he contacted Renters Warehouse and they said they didn't receive any email.

Council President Brendmoen said it sounded like Mr. Tefera was disputing the charges incurred because the management company did not receive the bill. She asked Ms. Moermond for clarification of the amount of the bill. Ms. Moermond said the Fire Certificate of Occupancy for a single-family home was \$206, the service charge was \$157, for a total of \$363. She said the ask was to have the administrative fee removed. She said she believed the error was with Renters Warehouse and the issue was between the property owner and his management company.

In response to a question from Council President Brendmoen, Mr. Tefera said starting January 1, he had been managing the property himself.

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

Council President Brendmoen said the dispute was between the property owner and property management company, and not the fault of the City. She moved to adopt Ms. Moermond's recommendation.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

68 [RLH TA 19-939](#) Ratifying the Appealed Special Tax Assessment for property at 1802 ROSS AVENUE. (File No. J2008A, Assessment No. 208507)

Legislative Hearing Officer Marcia Moermond said there were two assessments coming forward for this property, and the one being considered today was for a property clean-up. They were heard at the same time in Legislative Hearings. The property had been a vacant building for ten years. The clean-up was for a brush pile between the house and fence, and a large tree limb in the yard. Staff reported this had been a problem property in the time it had been a registered vacant building with 25 complaints and 20 work orders since 2010. Her recommendation was to approve the \$506 assessment which included the minimum hourly fee plus disposal and administrative fees. The notice was sent to the owners of record at two addresses in California. The notices were dated September 24 with a compliance date of September 27; the City crew removed it on September 30. The testimony in Legislative Hearings was that the time period had been wet and the manager hadn't been out to mow the yard and hadn't known the items existed there. The manager hadn't heard from the property owners in California that this work needed to be done. Ms. Moermond showed the before and after videos of the clean-up. In response to a question from Council President Brendmoen, she reviewed the property complaint history of over 25 neighbor complaints and 20 work orders since 2010.

In opposition:

Quinton Carlson, Northwoods Property Services, said they took over property management in 2017. They had previously removed 25 garbage bags dumped on the property. The tree limb was dumped; there were no trees on the property. They were at the property on September 13, but were not there for two weeks because it had been raining non-stop in September. They received the notice after the work was done, but they were there bimonthly to take care of the property. A neighbor hated the property and liked to dump things there and then call and complain.

In response to a question from Councilmember Prince, Mr. Carlson said the work was done by the time the property owners got the notice. He said they (property management) had been added so notices were coming directly to them.

Mr. Carlson said the hearing on the vacancy status was coming. There was an inspection being done so they could get everything up to code. They would start as soon as they could get permits and work through that process with the City so it could be a viable rental property.

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

Councilmember Prince said she appreciated Mr. Carlson's testimony and the role they had in taking care of the property. She said a 10-year vacant building was tough for a neighborhood. She said she recognized they may be getting illegal dumping, but that was part of having an unoccupied house with nobody watching it on a regular basis. She said because the City did do the work, she felt they had to impose fees, otherwise the taxpayers would have to pick it up. She moved to adopt Ms. Moermond's recommendation.

Council President Brendmoen said she would support the motion. She noted that the City had a small rental rehab program that they could be connected to.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

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

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

Approval of the Consent Agenda (Items 37 - 84)

No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 38** [RLH TA 19-914](#) Deleting the Appealed Special Tax Assessment for property at 886 ARCADE STREET. (File No. J2003P, Assessment No. 208402)
Adopted
- 39** [RLH TA 19-909](#) Ratifying the Appealed Special Tax Assessment for property at 961 ARCADE STREET. (File No. J2004B, Assessment No. 208103)
Adopted
- 40** [RLH TA 20-9](#) Ratifying the Appealed Special Tax Assessment for property at 254 ARLINGTON AVENUE WEST. (File No. J2007A, Assessment No. 208506) (Amend to delete)
Public hearing continued to June 17
- 41** [RLH VBR 20-4](#) Appeal of Ariana Pierre to a Vacant Building Registration Notice at 846 ASHLAND AVENUE.
Adopted
- 42** [RLH TA 19-908](#) Ratifying the Appealed Special Tax Assessment for property at 41 ATWATER STREET. (File No. J2004E, Assessment No. 208303)
Adopted

- 43 [RLH TA 19-639](#) Ratifying the Appealed Special Tax Assessment for property at 1459 BIRMINGHAM STREET. (File No. J1911E, Assessment No. 198318) (Public hearing continued from September 18, 2019) (Amend to delete)
Adopted as amended (assessment deleted)
- 44 [RLH TA 19-929](#) Ratifying the Appealed Special Tax Assessment for property at 1240 BURR STREET. (File No. J2008A, Assessment No. 208507)
Adopted
- 45 [RLH TA 19-907](#) Deleting the Appealed Special Tax Assessment for property at 162 COLLEGE AVENUE WEST. (File No. J2003P, Assessment No. 208402)
Adopted
- 46 [RLH TA 19-906](#) Deleting the Appealed Special Tax Assessment for property at 1877 CONWAY STREET. (File No. J2001V, Assessment No. 208000)
Adopted
- 47 [RLH TA 19-915](#) Ratifying the Appealed Special Tax Assessment for property at 653 COTTAGE AVENUE EAST. (File No. J2001V, Assessment No. 208000) (Public hearing continued from February 5)
Public hearing continued to March 25
- 48 [RLH TA 19-903](#) Ratifying the Appealed Special Tax Assessment for property at 1940 FAIRMOUNT AVENUE. (File No. J2004E, Assessment No. 208303)
Public hearing continued to March 25
- 49 [RLH VO 20-8](#) Amending Council File RLH VO 19-58, adopted January 15, 2020, to grant Anthony Suero on behalf of Alina Cruz an additional extension for property at 1818 FIFTH STREET EAST.
Public hearing continued to February 12
- 50 [RLH OA 20-4](#) Appeal of Greg Houle, Flannery Construction, to a Fence Variance at 237 FOURTH STREET EAST.
Adopted
- 51 [RLH TA 19-640](#) Ratifying the Appealed Special Tax Assessment for property at 810 FOURTH STREET EAST. (File No. J1911E, Assessment No. 198318) (Public hearing continued from September 18, 2019)
Adopted as amended (assessment deleted)

- 52 [RLH TA 20-2](#) Ratifying the Appealed Special Tax Assessment for property at 1063 FRONT AVENUE. (File No. J2004E, Assessment No. 208303)
Adopted
- 53 [RLH TA 19-905](#) Ratifying the Appealed Special Tax Assessment for property at 1021 FULLER AVENUE. (File No. VB2004, Assessment No. 208803)
Adopted as amended (assessment ratified)
- 54 [RLH TA 19-932](#) Ratifying the Appealed Special Tax Assessment for property at 1418 GALTIER STREET. (File No. J2007A, Assessment No. 208506) (Public hearing continued from February 5)
Amended (assessment reduced); public hearing continued to August 5
- 55 [RLH RR 20-5](#) Making finding on the appealed substantial abatement ordered for 530 GERANIUM AVENUE EAST in Council File RLH RR 19-25.
Adopted
- 56 [RLH TA 20-12](#) Ratifying the Appealed Special Tax Assessment for property at 192 GRANITE STREET. (File No. J2007A, Assessment No. 208506) (Public hearing continued from February 5)
Public hearing continued to April 8
- 57 [RLH TA 19-618](#) Ratifying the Appealed Special Tax Assessment for property at 911 IDAHO AVENUE WEST. (File No. J1911E, Assessment No. 198318) (Public hearing continued from September 18, 2019) (Amend to delete)
Adopted as amended (assessment deleted)
- 58 [RLH RR 20-6](#) Making finding on the appealed substantial abatement ordered for 871 JESSAMINE AVENUE EAST in Council File RLH RR 19-21.
Adopted
- 59 [RLH TA 20-11](#) Ratifying the Appealed Special Tax Assessment for property at 1787 LAFOND AVENUE. (File No. J2007A, Assessment No. 208506) (Public hearing continued from February 5)
Public hearing continued to June 17
- 60 [RLH VBR 20-5](#) Appeal of Selena Peou to a Vacant Building Registration Renewal Notice at 885 MARGARET STREET.
Adopted

- 61 [RLH TA 20-87](#) Amending Council Files No. RLH TA 19-717 to delete the assessment for Property Clean Up services during June 14 to 28, 2019 at 949 MARSHALL AVENUE. (File No. J2002A, Assessment No. 208501)
Adopted
- 62 [RLH TA 20-3](#) Deleting the Appealed Special Tax Assessment for property at 1519 MARSHALL AVENUE. (File No. VB2004, Assessment No. 208803)
Adopted
- 63 [RLH TA 19-883](#) Deleting the Appealed Special Tax Assessment for property at 1530 MARYLAND AVENUE EAST. (File No. CRT2004, Assessment No. 208203)
Adopted
- 64 [RLH FCO 20-7](#) Appeal of Jay Mitchell, Danmark LLC, on behalf of Quality Residences, to a Correction Notice-Reinspection Complaint at 1191 MINNEHAHA AVENUE EAST.
Adopted
- 65 [RLH TA 19-931](#) Ratifying the Appealed Special Tax Assessment for property at 1357 MINNEHAHA AVENUE EAST. (File No. J2008A, Assessment No. 208507) (Public hearing continued from February 5)
Public hearing continued to July 8
- 66 [RLH TA 19-938](#) Deleting the Appealed Special Tax Assessment for property at 1014-1016 PAYNE AVENUE. (File No. J2003P, Assessment No. 208402)
Adopted
- 67 [RLH RR 20-12](#) Making finding on the appealed substantial abatement ordered for 957 PROSPERITY AVENUE in Council File RLH RR 19-19.
Adopted
- 69 [RLH TA 19-916](#) Ratifying the Appealed Special Tax Assessment for property at 1895 SAINT ANTHONY AVENUE. (File No. VB2004, Assessment No. 208803)
Adopted
- 70 [RLH VBR 20-2](#) Appeal of James Morelli to a Vacant Building Registration Renewal Notice at 421 SEVENTH STREET EAST.
Adopted

- 71 [RLH TA 20-86](#) Amending Council File RLH AR 19-108 to delete the assessment for Graffiti Removal services during May 30 to June 12, 2019 at 678 SEVENTH STREET WEST. (File No. J2001P, Assessment No. 208400)
Adopted
- 72 [RLH TA 19-904](#) Deleting the Appealed Special Tax Assessment for property at 1348 SIXTH STREET EAST. (File No. VB2004, Assessment No. 208803)
Adopted
- 73 [RLH FCO 20-2](#) Appeal of Kassim Busuri to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 474-476 UNIVERSITY AVENUE WEST.
Adopted
- 74 [RLH FCO 20-1](#) Appeal of Patrick McMahon to a Correction Notice-Complaint Inspection at 1478 VAN BUREN AVENUE.
Adopted
- 75 [RLH TA 19-894](#) Deleting the Appealed Special Tax Assessment for property at 80 WINIFRED STREET WEST. (File No. CRT2004, Assessment No. 208203)
Adopted
- 76 [RLH TA 20-1](#) Ratifying the Appealed Special Tax Assessment for property at 903 YORK AVENUE. (File No. J2004B, Assessment No. 208103)
Adopted
- 77 [RLH AR 19-147](#) Ratifying the assessments for Collection of Vacant Building Registration fees billed during May 7 to July 22, 2019. (File No. VB2004, Assessment No. 208803)
Adopted
- 78 [RLH AR 19-148](#) Ratifying the assessments for Boarding and/or Securing services during August 2019. (File No. J2004B, Assessment No. 208103)
Adopted
- 79 [RLH AR 19-149](#) Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during June 18 to July 13, 2019. (File No. CRT2004, Assessment No. 208203)
Adopted

- 80 [RLH AR 19-150](#) Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during June 24 to July 22, 2019. (File No. J2004E, Assessment No. 208303)
Adopted as amended (994 Carroll Avenue removed from the assessment roll for separate consideration)
- 81 [RLH AR 19-151](#) Ratifying the assessments for Graffiti Removal services billed during May 2 to August 13, 2019. (File No. J2003P, Assessment No. 208402)
Adopted
- 82 [RLH AR 19-152](#) Ratifying the assessments for Towing of Abandoned Vehicle services during January to June 2019. (File No. J2001V, Assessment No. 208000)
Adopted
- 83 [RLH AR 19-153](#) Ratifying the assessments for Property Clean Up services during September 3 to 12, 2019. (File No. J2007A, Assessment No. 208506)
Adopted
- 84 [RLH AR 19-154](#) Ratifying the assessments for Property Clean Up services during September 13 to 30, 2019. (File No. J2008A, Assessment No. 208507)
Adopted

Council members shared news about events in their wards.

The Council recessed at 4:34 p.m.

PUBLIC HEARINGS (5:30 p.m.)

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

Present 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Nelsie Yang

Absent 1 - Councilmember Chris Tolbert

Councilmember Tolbert arrived after roll call.

Present 7 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, Councilmember Rebecca Noecker, Councilmember Jane L. Prince, Councilmember Mitra Jalali and Councilmember Nelsie Yang

[RES 20-141](#)

Authorizing the Department of Parks and Recreation to add organizations to the List of Eligible Recipients for Charitable Gambling funds for 2020.

Councilmember Noecker moved to reconsider RES 20-141. Yeas - 6 Nays - 0

Councilmember Noecker said a little more digging into the list needed to happen. She moved a one-week layover.

Reconsidered; laid over to February 12

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

85 [RES PH 20-20](#)

Approving the 2020 water charges as recommended by the Board of Water Commissioners.

No one was present to testify. Councilmember Yang moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

86 [Ord 20-3](#)

Amending Chapter 164 of the Legislative Code to prohibit the sale of parking permits issued for residential parking permit areas.

No one was present to testify. Councilmember Jalali moved to close the public hearing.

Public hearing held and closed; laid over to February 12 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

87 [Ord 20-1](#)

Amending Chapter 414 of the Legislative Code regarding Massage and Bodywork Centers to add a solo massage center to the Class A license category.

No one was present to testify. Councilmember Noecker moved to close the public hearing.

Public hearing held and closed; laid over to February 12 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

88 [Ord 20-2](#)

Amending Chapter 412 of the Legislative Code regarding Massage and Bodywork Centers to add a solo massage center to the Class A license category.

No one was present to testify. Councilmember Noecker moved to close the public hearing.

Public hearing held and closed; laid over to February 12 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

89 [Ord 20-5](#)

Amending Chapter 310 of the Legislative Code, License Fees, to add a solo massage center to the Class A license category, defined as a location that is operated by a solo massage practitioner outside of the home.

No one was present to testify. Councilmember Noecker moved to close the public hearing.

Public hearing held and closed; laid over to February 12 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

90 [Ord 20-4](#)

Granting the application of Bonfe Properties LLP to rezone property at 337 7th Street West, 366 Smith Avenue North, and 372 Smith Ave North from T2 to T3 Traditional Neighborhood, and amending Chapter 60 of the Legislative Code pertaining to the Zoning Map. (Laid over from February 12)

No one was present to testify. Councilmember Noecker moved to close the public hearing.

Public hearing held and closed; laid over to February 12 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

91 [Ord 20-6](#)

Granting the application of Brad Graves to rezone property at 1035 Arkwright Street from RT2 Townhouse Residential to RM2 Multiple Family Residential, and amending Chapter 60 of the Legislative Code pertaining to the zoning map.

No one was present to testify. Councilmember Thao moved to close the public hearing.

Public hearing held and closed; laid over to February 12 for final adoption

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

92 [RES PH 20-12](#)

Considering and adopting the Recommendation and Order on Cross Motions for Summary Disposition submitted by the Administrative Law Judge concerning all licenses held by the University Club of St. Paul, d/b/a The Commodore at 79 Western Avenue North.

Therese Skarda, Assistant City Attorney representing the Department of Safety and Inspections (DSI), gave a staff report on the notice of violation that the area known of the Western Dining Area was being used without a Certificate of Occupancy. In the notice of violation, the department alleged seven separate bases on which the adverse action was appropriate, and was asking for a first-time matrix penalty and the imposition of license conditions which were aimed at stopping the respondent from using the Western Dining Area. The licensee requested a hearing before the Administrative Law Judge (ALJ), and also requested a number of depositions. After hearings and briefs on the matter, the of ALJ issued the Recommendation and Order that was before the Council for consideration and adoption. The department was asking that the Council consider and adopt the Recommendation and Order, and was also asking the Council to impose a first-time matrix penalty, license conditions as laid out in the resolution, and the costs of the hearing and deposition fees.

Councilmember Prince said the Council recently discussed the issue of imposing costs. She asked for the rationale in this case. Ms. Skarda said the rationale was laid out in detail in the resolution. Specifically, the department was looking at the fact that this was a summary disposition from the judge. On five of the seven bases there was no issue as to the material facts; it was summarily moved forward. The ALJ recommended imposition of the fine and reasonable license condition. Ms. Skarda read from the ALJ's order, which was attached to the record. She noted that, under the Legislative Code, the department's request could also include staff time, and those were not before the Council. The department was asking for the hard costs, including the cost of the hearing and the deposition copy costs.

In response to questions from Councilmember Thao and Council President Brendmoen, Ms. Skarda said the first-time matrix penalty was \$500, the cost of the Administrative Hearing was \$21,907, and the cost for copies of depositions was \$2552.51.

Licensee:

John Rupp (366 Summit Avenue) said he had owned Commodore since 1984, and the room in question since 2000. He said he would like to have construction manager comment on the allegations made about the way they treated the project.

Council President Brendmoen asked Assistant City Attorney Virginia Palmer to clarify what was before the Council and what was being decided. She said the Council was not re-trying the case. Ms. Palmer said what was before the Council was the report of the ALJ, based on the cross motions and the order she issued. Any testimony that was given at the hearing, if they wished to discuss and identify a way in which they believed the findings weren't supported by the evidence in the record, that was before the Council tonight. The licensee couldn't supplement the record in any way, so there could be no additional testimony regarding what happened at the hearing. They were restricted to the record before the ALJ. The Council was deciding whether they were accepting the recommendation of the ALJ, and whether costs for the hearing were appropriate.

Donald Jones, Capital Carpentry LLC. distributed pictures of the room in question. He

said the room they were accused of hiding or not showing had many inspections. As they were getting closer to the end of the project there seemed to be some confusion or something going on. Council President Brendmoen asked Mr. Jones whether there was a particular finding being contested with the information he was giving. Mr. Jones said the room in question was included in the permits applied for and granted. The project was inspected, the Certificate of Occupancy was granted, and they opened. A few days later they found out they couldn't open. He said he didn't know much about what had happened since then, but they were allowed to open. He had fire marshals in there, they had to make sure their egress was proper, there were so many hoops they had to jump through to get this thing open, and they did. (Building inspector) Steve Ubl was there at the opening, when they had their final inspection and there was nothing said about anything else. The City let them open. They were accused of hiding the room, but they didn't do that. He said he wouldn't do that; he would lose his license.

Mr. Rupp said the two issues before the Council were whether he acted in a way that was frivolous, arbitrary or capricious, which the Council would have to find in order to assess the administrative costs; and should he be required to seal off the room in a way he worried could compromise the mechanical system and have requirements on excess of what was necessary to prevent the room from being used. He said he had informed the City that he would stop using the room until he had the legal right to use it, which would be decided in a different forum. He said he wanted focus in on the fee. He provided some background facts, which he said were in the administrative hearing and in the record. He said he purchased the Commodore bar and restaurant complex and the liquor license in 1984. The license covered the entire building and an adjacent building which included the West Dining Room in question, and was valid to serve liquor in that room continuously from 1976 until today. The license had never been revoked. Mr. Rupp said in 2000 he became the owner of West Dining Room, which had been built as a dining room in 1976 and had a valid liquor license. The record included a determination by zoning administrator Wendy Lane that the room in question was built as a dining room, and the licensing department confirmed it had been continuously licensed for liquor service. There had been no other permitted use by the Planning Commission. Mr. Rupp said he used the dining room from 2000 to 2012, then applied for a building permit to make some decorative improvements, and continued to use the dining room until 2015. In 2015, after three years of having a succession City inspectors look at the work in the room without ever raising the question of whether there was a valid permit, he called for a final inspection. At a meeting three or four days before they opened, there were a series of steps he needed to take to make sure he could use the entire facility along with the West Dining Room. One of those was to make sure there was a secondary exit out of the dining room, in addition to making sure all of the exit doors were working, there were fire extinguishers, and emergency lighting was installed. They spent several days preparing, and then they opened. Mr. Rupp spoke about the opening event and said he won an award for the design of the restaurant. Within a couple of days after opening they were told they had to close because they didn't have a valid building permit. Mr. Rupp said the City lost the building permit; they couldn't find it. About six months before they opened, he and Mr. Jones went down to see about the confusion on the project, and the City was unable to produce a copy of the building permit. Mr. Rupp said the real issue was that the principle order he was supposed to comply with was that the City had made the determination that there had been a change of use, citing that at some point - he noted he had been operating it with a liquor license for 15 years - before he owned the West Dining Room, there was fitness equipment in there, and therefore there had been a change of use. He said the letter which he received and admittedly ignored, he was threatened with criminal prosecution, said he was illegally occupying the room, and was required to install a fire suppression system. Installing a fire suppression would cost in

over \$200,000 and require closing the restaurant and redoing all of the remodeling to hide the fire suppression system which would cost another \$200,000. It would bankrupt the place. He said the fundamental determination that (building inspector) Steve Ubl made that there was a change in use was not supported by the record. At the ALJ hearing there was a discussion about the difference between a Building Certificate of Occupancy and a Certificate of Occupancy. He displayed a page from the City's website and read information about the Fire Certificate of Occupancy. He said the City changed its strategy about three years into the litigation and said he was required to have a Building Certificate of Occupancy. He said, at the ALJ hearing, Ms. Skarda acknowledged that he had a Fire Certificate of Occupancy. He said there was told by DSI that they didn't have Building Certificates of Occupancy because their database wasn't deep enough, and all he had to rely on was the Fire Certificate of Occupancy. He said what could have happened to solve this, would have been for DSI to say there was some confusion about the permitting. Instead they threatened him with criminal violations and in a sense made him open against their express order, in order to protect the business. He said he thought the standard was met. He had been trying to stop these people in the City DSI department from closing the business down for four years. There was nothing frivolous about it.

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

Councilmember Thao thanked Mr. Rupp and staff for their efforts in trying to find the facts. He said he was hoping to hear from the appellant where the ALJ erred, and based on the evidence before them, he was going to move to support the recommendation of the ALJ and apply the penalty as recommended by the ALJ.

Councilmember Prince said she was confused about the testimony and how they considered that in relation to the recommendation of the ALJ. Ms. Palmer said it appeared that Mr. Rupp re-argued the basic hearing facts; she didn't see him identify specific reasons why those were wrong. What the Council heard appeared to have been primarily a recitation of things already heard by the ALJ, and also complaints about the department, and a way he wished it had been resolved. The Council's job was to determine whether or not there were errors in the ALJ report, and, if so, to identify those. Councilmember Prince said they were also deciding whether or not they supported assessing the costs. Ms. Palmer said she believed the ALJ recommended the matrix penalty and imposition of conditions, and it was the request of the department for costs of the hearing based upon the provision Mr. Rupp referenced.

In response to a question from Council President Brendmoen, Ms. Palmer said she believed the department was asking for hard costs primarily because the ALJ summarily found in favor of the City on five of the seven matters.

Councilmember Prince asked if Mr. Rupp was correct that in the assessment of the ALJ fees, the Council needed to determine that Mr. Rupp's arguments were arbitrary and capricious. Ms. Palmer said it was correct that under the ordinance, in order to impose the costs, the hearing has to be frivolous or that the arguments were arbitrary and capricious, and whether or not the arguments made were based in fact and law.

Council President Brendmoen said there was a motion from Mr. Thao. Ms. Palmer asked for clarification of whether the motion was to adopt the resolution as a whole. Councilmember Thao said that was correct.

Councilmember Noecker asked whether there was a definition for arbitrary and capricious. Ms. Skarda said the basis in this matter for the request for hard costs was

the fact that this was ruled on by the ALJ summarily. There was no issue of material fact in dispute. The department told Mr. Rupp he didn't have a Certificate of Occupancy, they told him before he opened, and he opened anyway. This went on for a number of years, and he asked for depositions and other things. She noted that the ALJ devoted a number of pages to the questions related to Fire Certificate of Occupancy and Certificate of Occupancy.

Council President Brendmoen said there was a motion from Councilmember Thao. She said it sounded like there was some concern but it seemed like it was concern because people weren't fully up to speed on the content of the attachments to the item. She said she wanted to make sure questions were answered, but there was a motion. She said the Council spoke often about hard costs, and if they weren't borne as to Councilmember Thao's recommendation, the rest of the taxpayers in the city would pay for them.

In response to a question from Councilmember Yang, Ms. Palmer clarified what the Council was deciding. Ms. Palmer said the determination of imposition of costs was determined on a case by case basis, based on whether the hearing was held because there were facts at issue. That was the standard in the ordinance for imposing costs. It was not a matter of who won, but whether there was a real need for everything to be argued at the hearing.

Council President Brendmoen summarized.

Councilmember Prince asked additional questions of Ms. Palmer, and Ms. Palmer provided clarification. Councilmember Prince said she couldn't get to the assessment of costs.

Councilmember Tolbert spoke in support of the motion for the penalty.

Councilmember Noecker said she was not comfortable basing costs on them being ruled against. They could just be wrong and not frivolous.

Council President Brendmoen asked for a vote on the motion.

Adopted

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Jalali and Councilmember Yang

Nay: 2 - Councilmember Noecker and Councilmember Prince

93 [RES PH 20-22](#)

Approving the petition of Mihailo Temali and Ben Johnson to vacate a portion of the alley in Block 1, Syndicate No. 1 Addition.

No one was present to testify. Councilmember Thao moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 94 [RES PH 20-25](#) Reciting a proposal for a Housing Finance Program for a multifamily rental housing development; giving preliminary approval to the project and the program; authorizing the Housing and Redevelopment Authority to issue conduit multifamily housing revenue obligations; and authorizing the preparation of necessary documents and materials in connection with the West Side Flats Phase III B Apartment Project (District 3, Ward 2).

Marie Franchette, Planning and Economic Development, gave a staff report.

No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 95 [RES PH 20-18](#) Denying the application submitted by Tom Dillon of Madison Equities for an exception to the general hours of operation for pedestrian skyway bridges #33, #43, and #46, which serve the Degree of Honor Building.

No one was present to testify. Councilmember Thao moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 96 [RES PH 20-19](#) Denying the application submitted by Calsey Smith of 333 on the Park for an exception to the general hours of operation for pedestrian skyway bridges #26 and #36, which serve Timberland Partners. (Amended to approve the application)

Councilmember Noecker moved to continue the public hearing to February 19 so the applicant could be present.

No one was present to testify.

Public hearing continued to February 19

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 97 [RES PH 20-5](#) Ratifying the assessment for installation of a fire protection system, as requested by Rebound Exchange LLC, for 26 Exchange Street East. (File No. FP2019-01, Assessment No. 197100)

No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.

Adopted

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

- 98 [APC 19-4](#) Public hearing to consider the appeal of St. Anthony Park Community Council to a decision of the Planning Commission denying the appeal and approving a conditionally approved site plan for improvement of a vacant lot for outdoor storage at 2495 Kasota Avenue.

No one was present to testify. Councilmember Jalali moved to continue the public hearing to March 4.

Public hearing continued to March 4

Yea: 7 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember Prince, Councilmember Jalali and Councilmember Yang

Nay: 0

ADJOURNMENT

Council President Brendmoen adjourned the meeting.

Meeting adjourned at 6:27 p.m.

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