



City of Saint Paul

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

City Council Meeting Minutes - Final

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

Thursday, January 2, 2014

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dai Thao, Councilmember Dave Thune and Councilmember Chris Tolbert

COMMUNICATIONS & RECEIVE/FILE

- 1 **CO 14-2** Letter from the Department of Safety and Inspections declaring 1000-1004 Bush Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)
Received and Filed

- 2 **AO 14-1** Moving Neighborhood STAR Year-Round Program funds into two specific project codes to reflect City Council action adopted via Resolutions 13-1855 and 13-1920.
Received and Filed

CONSENT AGENDA

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

Approval of the Consent Agenda (Items 3 - 10)

*Item 3 was removed from the Consent Agenda for separate consideration.
Councilmember Bostrom moved approval of the Consent Agenda as amended.*

Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

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| 4 | RES 14-5 | Approving the Mayor's appointment of Mary Puente to the Saint Paul Public Housing Agency.
Adopted |
| 5 | RES 14-6 | Approving the Mayor's reappointment of Liz McLoone Dybvig to the Saint Paul/Ramsey County Health Services Advisory Committee.
Adopted |
| 6 | Min 14-1 | Approving the minutes of the November 20, December 4, December 11, and December 18, 2013 City Council meetings.
Adopted |
| 7 | RES 14-9 | Amending Resolutions 10-1207, 12-737, and 13-1399 to accommodate staff changes in the Cable Franchise Renewal Committee.
Adopted |
| 8 | RES 14-24 | Approving the use of grant funds through the Neighborhood Star Year-Round Program for the West Seventh Fort Road Federation.
Adopted |
| 9 | RES 14-3 | Changing the rate of pay for the classification of Youth Services Coordinator, occupation code 453B, from Grade 008 to Grade 009 of EG 06, PEA.
Adopted |
| 10 | RES 14-10 | Authorizing the Department of Parks and Recreation to accept a cash donation of up to \$2,500 from HandsOn Twin Cities to reimburse Parks for tools, materials, and supplies purchased to support Make a Difference Day at Hidden Falls Regional Park.
Adopted |

FOR DISCUSSION

- 3 **RES 14-22** Amending Saint Paul's 2014 Capital Investment Bonding Priorities to Include the Dorothy Day ReVision.
- Councilmember Bostrom said he felt it was important to point out that there were other issues to be dealt with down by the police station. He moved approval of the resolution.*
- Councilmember Tolbert said he'd had the honor of working on the Mayor's committee studying the regional issue of overnight housing, and he fully supported bringing more dignified homeless housing to people from across the metro.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
-
- 11 **RLH VO 13-67** Appeal of Jonah Ogamien to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 506 SNELLING AVENUE NORTH.
- Legislative Hearing Officer Marcia Moermond asked for an amendment to change the deadline from January 27 to January 15, and to allow the Certificates of Occupancy for individual businesses to be issued separately as corrections were made.*
- Councilmember Stark moved approval of the resolution as amended.*
- Adopted as amended**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
- 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.

Third Reading, No Public Hearing

- 12 **Ord 13-64** Memorializing City Council action granting the application of Steven L and Jennifer E Virkus to rezone property at 814 Grand Avenue from B2 Community Business to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held November 6, 2013)
- Laid over to January 8 for final adoption**

Second Reading

- 13 **Ord 13-68** Memorializing City Council action granting the application of O'Reilly Automotive Stores Inc. to rezone property at 1653, 1655 and 1659 Huron Street from VP Vehicular Parking to B2 Community Business District, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held December 4, 2013)
Laid over to January 8 for third reading

First Reading

- 14 **Ord 14-2** Amending Chapter 409 of the Saint Paul Legislative Code pertaining to the definition of Off-Sale Brewery.
Laid over to January 8 for second reading

SUSPENSION ITEMS

Councilmember Bostrom moved suspension of the rules.

Rules suspended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

- RLH RR 14-1** Granting a 90-day extension for the rehabilitation or removal of 1565 SEVENTH STREET EAST.

Legislative Hearing Officer Marcia Moermond said the resolution added 90 days to the 180 days granted in June. She said she had consulted with the vacant building manager and felt confident the project could be competed with the additional 90 days.

Councilmember Bostrom moved approval of the resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

PUBLIC HEARINGS

The Council reconvened for public hearings at 5:31 p.m.

Present 5 - Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune and Councilmember Chris Tolbert

Absent 2 - Councilmember Dan Bostrom and Councilmember Dai Thao

Councilmember Thao arrived after roll call.

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

Absent 1 - Councilmember Dan Bostrom

15 RES PH 14-8

Approving the application of Veit and Company Inc. for a sound level variance in order to allow pile driving of beams for retaining wall shoring during Lowertown Ballpark building excavation at Fifth Street East and Broadway Street, for a period of two (2) to six (6) days between February 24, 2014 and March 28, 2014, working from 8:00 a.m. to 5:00 p.m., with no pile driving on Saturdays or Sundays.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

Councilmember Bostrom joined the meeting.

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dai Thao, Councilmember Dave Thune and Councilmember Chris Tolbert

16 RES PH 14-1

Ratifying the assessments for Replacement of Lead Water Service Line on private property from June to August 2013. (File No. 1304LDSRP, Assessment No. 134003)

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

18 RLH RR 13-60

Ordering the rehabilitation or razing and removal of the structures at 392 ARBOR STREET within fifteen (15) days after the January 2, 2014, City Council Public Hearing.

Legislative Hearing Officer Marcia Moermond asked that the matter be laid over to Legislative Hearings on January 14, and the Council public hearing be continued to February 5. She said she expected that a rehab plan was coming forward.

No one appeared in opposition; Councilmember Thune moved to continue the public hearing to February 5.

Referred to Legislative Hearings on January 14; Council public hearing continued to February 5

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

24 RLH RR 13-56

Ordering the rehabilitation or razing and removal of the structures at 438-442 BEACON AVENUE within fifteen (15) days after the January 2, 2014 City Council Public Hearing.

Legislative Hearing Officer Marcia Moermond said it had been a "no show" Legislative Hearing, but two attorneys were present representing Bayview and requesting additional time to access and assess the property. She said she would generally ask for sign of good faith in the form of payment of the performance bond and completion of the code compliance inspection, and she recommended laying the matter over to January 15 to allow time for those items to be submitted.

In opposition:

Christian Brandt (30 E. 7th Street, Suite 320), attorney representing Bayview, said Bayview was servicing the loan on behalf of Bank of America, and they had not received notices regarding the property in a timely fashion. He requested 60 or 90 days to give Bayview a chance to inspect the property and decide what action to take, but said they were amenable to Ms. Moermond's recommendation of a layover to January 15 if a longer extension was not possible.

Ben Rust (55 East Fifth Street, Suite 800), also representing Bayview, reviewed the ownership status of the property as it related to Bayview's ability to gain access.

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

Councilmember Stark said he appreciated the testimony and the attention to the property, but it had been a nuisance to the neighborhood for much longer and a 60 day extension was far too long. He said he was comfortable with a layover to January 15.

Public hearing held and closed; laid over to January 15 at 3:30 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

25 RLH RR 13-57

Ordering the rehabilitation or razing and removal of the structures at 444 BEACON AVENUE within fifteen (15) days after the December 18, 2013 City Council Public Hearing.

Legislative Hearing Officer Marcia Moermond asked that the item be withdrawn.

Withdrawn

30 RLH RR 13-38

Ordering the rehabilitation or razing and removal of the structures at 989 BURR STREET within fifteen (15) days after the August 21, 2013, City Council Public Hearing.

Legislative Hearing Officer Marcia Moermond said this had been a long term problem property, and the City had put a lot into it over the summer. She said the property was tax forfeit and the Legislative Hearing process had been slowed in the fall to give Ramsey County a chance to explore options. She said she had received a letter that day from Ramsey County regarding their plans for rehabilitation, and stating they would like to begin the project in May.

Councilmember Brendmoen re-emphasized the point made by Ms. Moermond that the City had put a lot of work into the property, and said the Council would not give a private owner that amount of time when the property had been a blight on the neighborhood for so long. She asked whether the City had the authority to reduce the amount of time to 6 months. Ms. Moermond said the Council could do what they pleased; she noted that the County had completed a hazardous waste assessment and were maintaining the property.

Council President Lantry suggested granting 180 days to give a sense of urgency, and the County could come back and ask for more time if it was necessary.

*Councilmember Brendmoen moved the amendment to grant 180 days.
Yeas - 7 Nays - 0*

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

Adopted as amended (180 days to rehabilitate the property)

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

49 RLH VO 13-68

Appeal of John Maranda to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 2233 and 2235 GLENRIDGE AVENUE.

Legislative Hearing Officer Marcia Moermond said the Certificate of Occupancy had been revoked due to long term noncompliance following an inspection cycle that began with a leaking ceiling. She recommended ordering compliance or vacation by January 6.

In opposition:

Property owner John Maranda said the permits had been pulled and the work begun, but he needed more time to complete the work and do a good job. He said the extension already granted was appreciated but was not long enough. He reviewed the items that had been completed and those that remained, and listed reasons he'd been unable to complete the list. He said the inspector showed up before the extension had elapsed, and had verbally called out additional items and told the tenants to save their money because they'd be moving soon. He said he felt this was an overstep which had prevented him from being able to collect rent or perform his

duties as a landlord, and he asked that a different inspector be assigned.

In response to a question from Council President Lantry, Mr. Maranda said he could complete the work by the end of the month.

Council President Lantry moved to grant an extension to January 30. She said a reinspection would be scheduled for January 31, and while the Council didn't have the authority to reassign the inspector, the message would be passed along that a new inspector had been requested. Ms. Moermond noted that the inspector's supervisor had been present at the Legislative Hearing and was aware of Mr. Maranda's concerns.

Adopted as amended (appeal denied and extension granted to January 30 for compliance)

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

102 RLH FCO
13-239

Appeal of Brian D. Alton, attorney, on behalf of Jason Twombly, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 1747 SELBY AVENUE.

Legislative Hearing Officer Marcia Moermond said the only issue was whether or not the property should be considered student housing, which was not something she could address in Legislative Hearings. She said the inspector had made a determination that it was student housing, based primarily on a phone conversation in which the property owner stated that it was. In response to questions from Council President Lantry, she said the relevant portion of the zoning code had to do with the distance between student housing properties, and the appropriate action would be for the property owners to appeal to the BZA for a variance to the student zoning overlay.

Brian Alton, attorney representing the property owner, said the property owner had resided at the property when he was a student and continued to rent the property to students after he graduated. He said the property owner obtained a provisional Certificate of Occupancy in December 2012, and when an inspection was made at the request of the owner in September 2013, the inspector made the determination that the property was illegal student housing. Mr. Alton said that the owner didn't dispute that the property was student housing, but had missed the opportunity in late 2012 to apply for it to be legal student housing. He asked that the deficiency of illegal student housing be removed to allow the Certificate of Occupancy to be issued, and that the finding be made that it was permissible student housing. He said the other deficiencies had been addressed, and tenants had leases through the middle of the year. He noted that the student housing ordinance was intended to preserve traditional neighborhoods, and this property was zoned B2 and was in a mostly multifamily and commercial area.

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

Ms. Moermond suggested that the Council could stay enforcement of the vacate order pending a BZA hearing, if a variance application was made within one week.

Council President Lantry said Assistant City Attorney Rachel Tierney had pointed out to her that the student housing ordinance set out procedures for applying for a variance.

Councilmember Stark moved to adopt Ms. Moermond's suggestion, which he said he felt was correct in terms of process. He said the proper place to argue the zoning issue was with the BZA.

Council President Lantry said the other Certificate of Occupancy deficiencies would also need to be checked for compliance.

Councilmember Tolbert asked whether the City would have the burden of proving that a property was student housing if the property owner was not forthcoming.

Ms. Tierney stated the City's burden was to enforce the code in a uniform way. She said if the City were to issue a tag for a violation of the zoning code, the burden would be on the City to determine whether the property was in violation. Councilmember Brendmoen said she had also wondered how determinations would be made as to whether properties were in compliance with the student housing ordinance.

Ms. Moermond said this particular case was a dual issue enforcement-wise involving both Fire C of O, and zoning, and the question could perhaps be addressed by the attorneys that worked in those areas. Ms. Tierney said she would follow up.

Councilmember Stark restated his motion to deny the appeal but stay enforcement of student housing issue pending a BZA hearing, if a variance application was made within one week.

Adopted as amended (enforcement of vacation order stayed pending BZA determination if zoning variance application is submitted within one week)

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

116 RLH TA 13-616

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 311 WALNUT STREET. (To be deleted)

Councilmember Thune said it was discovered late that there were two building permits and one remained open unbeknownst to the developer and owner. He said the other was closed and satisfied, and the building was almost was ready for occupancy, and he moved to delete the vacant building fee.

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

Adopted as amended (assessment deleted)

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

39 RLH TA 13-557

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A3, Assessment No. 148512 at 1039 DESOTO STREET.

Legislative Hearing Officer Marcia Moermond said this had been a "no-show" Legislative hearing, but the owner had been present earlier at the public hearing.

She asked that the matter be referred back to Legislative Hearings on January 14 and the public hearing be continued to February 5.

No one appeared in opposition; Councilmember Brendmoen moved to continue the public hearing to February 5.

(The Legislative Hearing date was later changed to January 21.)

Referred to Legislative Hearings on January 21; Council public hearing continued to February 5

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

44 RLH TA 13-653

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148501 at 1138 FOREST STREET. (Amended to File No. VB1402A, Assessment No. 148809)

Legislative Hearing Officer Marcia Moermond said she had hoped to use the possibility of a prorated vacant building registration fee as a carrot to encourage completion of the rehabilitation, but the deadlines had not been met and her recommendation was approval of the full assessment.

In opposition:

Property owner Say asked for more time to finish the project. He said there had been problems with the installation of the furnaces and the inspector hadn't approved them. He said there were further delays due to back and forth communications with the contractor and because of the holidays, but a new contractor had been hired, another inspection was scheduled for the next week.

Councilmember Bostrom moved to close the public hearing and lay the matter over for 30 days.

Public hearing held and closed; laid over to February 5 at 3:30 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

66 RLH TA 13-562

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1084 LEXINGTON PARKWAY NORTH. (Amended to File No. J1401A2, Assessment No. 148507)

Legislative Hearing Officer Marcia Moermond said the issue was a tax assessment for trimming brush and trees hanging over the sidewalk. She said the property owner questioned whether should be expected to maintain the trees and whether it was his even property. She said she had consulted with the City Attorney's office and believed the area was part of Mr. Boyd's property in the same way the sidewalk was. She recommended approving the assessment.

Council President Lantry clarified that the expectation was only that the trees be cleared enough that they cleared the sidewalk.

In opposition:

Property owner Charles Boyd said he had lived there for 17 years and had never had to trim the bushes or grass, or do snow removal before. He said it was steep and difficult to access. He said he was not opposed to maintaining public property and in fact helped maintain and mow the Jessamine easement south of his house.

Councilmember Brendmoen asked who shoveled the walk. Mr. Boyd said it was cleared with a Bobcat, and he believed it was the Parks department. Councilmember Brendmoen said she understood the ambiguity of situation. Council President Lantry said Mr. Boyd had received orders to trim the bushes, and those orders could have been appealed. Mr. Boyd reiterated that the area would be very difficult to access.

Councilmember Bostrom asked if it could be determined how far the Parkway right-of-way extended on the east side of Lexington. Ms. Moermond showed an aerial view indication that the trees were on Mr. Boyd's property.

In response to question from Council President Lantry, Ms. Moermond said the assessment was \$448.

Councilmember Brendmoen confirmed with Mr. Boyd that he had received written orders.

Councilmember Stark said it didn't seem unreasonable to have to trim the trees every year or two to clear the sidewalk.

Councilmember Brendmoen said she believed Mr. Boyd had received notice and owed the money, but that she would like to look into it a little bit and follow up with Mr. Boyd, and vote in two weeks.

Councilmember Thune suggested that if Mr. Boyd was mowing City property maybe there could be a memo between them whereby the City would trim the trees. Councilmember Brendmoen said the property Mr. Boyd was mowing was railroad property.

Councilmember Brendmoen moved to close the public hearing and lay the matter over for two weeks.

Public hearing held and closed; laid over to January 15 at 3:30 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

80 RLH TA 13-637

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 992 OMABAN STREET.

Legislative Hearing Officer Marcia Moermond said the assessment was for a cleanup. She said the fee amount was \$476, and she recommended approving the assessment. She said the property owner stated in Legislative Hearings that she had received the notice about garbage service but had set the summary abatement notice aside and not seen it until later. She said the renter stated she had not received a letter, but she (Ms. Moermond) added that the property owner was ultimately responsible.

In opposition:

Property owner Jiayang Ma and property manager Qing Fang appeared. Ms. Fang

said she ordered trash service and the tenant was responsible for paying the provider directly, but the tenant didn't pay and the service was stopped without the owner being notified. She said now the fee was being paid by owner and the cost passed on to the tenant. She said the notice for clean-up was set aside and not opened until after the deadline, and they were asking for a reduction. She said \$476 was very high, and \$200 would be better.

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

Councilmember Bostrom confirmed with Ms. Moermond that the City had conducted the clean-up and there had been a complaint involving health concerns related to the accumulated trash. He said he appreciated that there had been a breakdown in communications, but the City had performed the work and the property owner was ultimately responsible. He moved to approve the assessment and spread payments over five years.

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

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

78 RLH TA 13-587

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 1160 MONTREAL AVENUE. (Amended to File No. VB1401A, Assessment No. 148808)

Legislative Hearing Officer Marcia Moermond said this was a tax assessment for a vacant building fee. She said she had tried to create an incentive by offering to prorate the fee if the work was finished by a certain date. She said the work was not complete, and it didn't look like the Certificate of Code Compliance would be issued in the near future. She recommended approving the full assessment.

In opposition:

Property owner Luther Johnson reviewed the circumstances leading to the revocation of the Certificate of Occupancy. He said he didn't have the money to do the code work now, and he asked for additional time and a review of some of the items on the Code Compliance inspection. He said the property was in good shape.

In response to a question from Councilmember Tolbert, Ms. Moermond clarified that what was before the Council was the \$1595 vacant building fee for the period June 2013 to June 2014. She said it was a difficult situation since there wasn't an end game for the rehabilitation. She said it was possible to spread the payments over 5 years.

Councilmember Thune asked whether the requirement was to bring the building up to new building code since it had been declared a vacant property, and he expressed concern about the effect of affirming the vacant building status. Council President Lantry said if the City was providing the service, the fee should be charged, but if the building wasn't vacant, the City should stop monitoring. She said the issue was whether it was a vacant building, and it obviously was.

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

Councilmember Tolbert moved a two week layover.

Public hearing held and closed; laid over to January 15 at 3:30 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Councilmember Thune reviewed the status at 929 West Seventh Street (Item 104) and asked that Ms. Moermond make sure the Fire Marshal was aware that it was a safe structure. Ms. Moermond said the information had been passed along to the appropriate parties.

LEGISLATIVE HEARING CONSENT AGENDA

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

Approval of the Consent Agenda (Items 17 - 136)

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

Public hearing held and closed; Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

17 RLH TA 13-590 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 915 AGATE STREET.

Adopted

19 RLH TA 13-593 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 621 ARLINGTON AVENUE EAST.

Adopted

20 RLH TA 13-613 Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 143 ARUNDEL STREET, UNIT 2.

Adopted

21 RLH TA 13-630 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1095 ARUNDEL STREET.

Adopted

22 RLH TA 13-555 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 212 BAKER STREET EAST.

Adopted

- 23 **RLH TA 13-631** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 204 BATES AVENUE.
Adopted
- 26 **RLH TA 13-605** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401B, Assessment No. 148100 at 135 BIGLOW LANE #A.
Adopted
- 27 **RLH TA 13-625** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 226 BLAIR AVENUE (correct address is 556 BLAIR AVENUE).
Adopted
- 28 **RLH TA 13-600** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 810 BUFFALO STREET.
Adopted
- 29 **RLH TA 13-714** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 810 BUFFALO STREET.
Adopted
- 31 **RLH TA 13-606** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401B, Assessment No. 148100 at 784 CAPITOL HEIGHTS.
Adopted
- 32 **RLH TA 13-589** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1401 Assessment No. 148800 at 16 CITY VIEW LANE.
Adopted
- 33 **RLH TA 13-544** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 2282 COMO AVENUE.
Adopted
- 34 **RLH TA 13-569** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 1512 CONCORDIA AVENUE.
Adopted
- 35 **RLH TA 13-632** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 973 CONWAY STREET.
Adopted
- 36 **RLH TA 13-718** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 41 COOK AVENUE WEST.
Adopted

- 37 **RLH TA 13-580** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1245 COOK AVENUE EAST.
Adopted
- 38 **RLH TA 13-546** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1240 DALE STREET NORTH.
Adopted
- 40 **RLH TA 13-650** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1146 DULUTH STREET.
Adopted
- 41 **RLH TA 13-582** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 987 EDGERTON STREET.
Adopted
- 42 **RLH TA 13-585** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 25 EMPIRE DRIVE.
Adopted
- 43 **RLH TA 13-648** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 1023 FARRINGTON STREET. (Assessment Roll under 1019 FARRINGTON STREET)
Adopted
- 45 **RLH TA 13-611** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1401T, Assessment No. 149000 at 908 FREMONT AVENUE.
Adopted
- 46 **RLH TA 13-652** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 757 FULLER AVENUE.
Adopted as amended (assessment reduced from \$476 to \$376 and payable over two years)
- 47 **RLH TA 13-651** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1133 GALTIER STREET.
Adopted
- 48 **RLH TA 13-618** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A Assessment No. 148501 at 790 GERANIUM AVENUE EAST.
Adopted

- 50 **RLH TA 13-647** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 97 HATCH AVENUE.
Adopted
- 51 **RLH TA 13-634** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 394 HOPE STREET.
Adopted
- 52 **RLH TA 13-559** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1039 HUDSON ROAD.
Adopted
- 53 **RLH TA 13-558** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 518 IDAHO AVENUE EAST.
Adopted
- 54 **RLH AR 13-92** Ratifying the assessments for Demolition Services during July 2013 at 466 IGLEHART AVENUE. (File No. J1401C, Assessment No. 142000)
Adopted
- 55 **RLH TA 13-560** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 890 IGLEHART AVENUE.
Adopted
- 56 **RLH TA 13-578** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 651 IVY AVENUE EAST.
Adopted
- 57 **RLH TA 13-553** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1884 IVY AVENUE EAST.
Adopted
- 58 **RLH TA 13-644** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 1890 IVY AVENUE EAST.
Adopted
- 59 **RLH TA 13-635** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 733 JENKS AVENUE EAST.
Adopted
- 60 **RLH TA 13-649** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 503 KENNY ROAD.
Adopted

- 61 **RLH TA 13-627** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 506 KENNY ROAD.
Adopted
- 62 **RLH TA 13-577** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1887 LACROSSE AVENUE.
Adopted
- 63 **RLH TA 13-588** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 423 LAFOND AVENUE.
Adopted
- 64 **RLH TA 13-561** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 309 LAWSON AVENUE EAST.
Adopted
- 65 **RLH TA 13-592** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 486 LAWSON AVENUE WEST.
Adopted
- 67 **RLH TA 13-563** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1040 MACKUBIN STREET.
Adopted
- 68 **RLH TA 13-617** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 1279 MACKUBIN STREET.
Adopted
- 69 **RLH TA 13-564** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 823 MARGARET STREET.
Adopted
- 70 **RLH TA 13-636** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 851 MARION STREET.
Adopted
- 71 **RLH TA 13-735** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 189 MARYLAND AVENUE WEST. (To be deleted)
Adopted as amended (assessment deleted)

- 72 **RLH TA 13-643** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1252 MCLEAN AVENUE.
Adopted
- 73 **RLH TA 13-568** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 1554 MIDWAY PARKWAY.
Adopted
- 74 **RLH TA 13-641** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 559 MINNEHAHA AVENUE EAST.
Adopted
- 75 **RLH TA 13-645** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 615 MINNEHAHA AVENUE EAST.
Adopted
- 76 **RLH TA 13-576** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1882 MINNEHAHA AVENUE EAST.
Adopted
- 77 **RLH TA 13-615** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. VB1402 at 1964 MONTANA AVENUE EAST.
Adopted
- 79 **RLH TA 13-575** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 147 MORTON STREET WEST.
Adopted
- 81 **RLH TA 13-609** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 685 ORANGE AVENUE EAST.
Adopted
- 82 **RLH TA 13-596** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1886 ORANGE AVENUE EAST.
Adopted

- 83 **RLH TA 13-638** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 591 ORLEANS STREET.
Adopted
- 84 **RLH TA 13-550** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 187 OXFORD STREET SOUTH.
Adopted
- 85 **RLH FCO
13-262** Appeal of L Robert Ostlund, DDS to a Fire Inspection Correction Notice at 1043 PAYNE AVENUE.
Adopted
- 86 **RLH TA 13-646** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 1120 PAYNE AVENUE.
Adopted
- 87 **RLH TA 13-626** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 87 PRIOR AVENUE NORTH.
Adopted
- 88 **RLH TA 13-545** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 440 PRIOR AVENUE NORTH.
Adopted
- 89 **RLH VO 13-66** Appeal of Jaren Johnson, attorney for Brett King, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 586 REANEY AVENUE.
Public hearing continued to January 15
- 90 **RLH TA 13-598** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1230 REANEY AVENUE.
Adopted
- 91 **RLH TA 13-586** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 1361 REANEY AVENUE.
Adopted
- 92 **RLH TA 13-624** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No.148201 at 173 ROBERT STREET SOUTH.
Adopted

- 93 **RLH TA 13-573** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 187 ROBIE STREET WEST.
Adopted
- 94 **RLH TA 13-599** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 909 ROSE AVENUE EAST.
Adopted
- 95 **RLH RR 13-61** Ordering the rehabilitation or razing and removal of the structures at 1649 ROSS AVENUE within fifteen (15) days after the January 2, 2014, City Council Public Hearing.
Adopted
- 96 **RLH VO 13-71** Appeal of Marcia Lowry to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1859 SAINT CLAIR AVENUE.
Adopted
- 97 **RLH TA 13-591** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 2000 SAINT CLAIR AVENUE.
Adopted
- 98 **RLH TA 13-574** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1130 ST. PAUL AVENUE.
Adopted
- 99 **RLH TA 13-581** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 113 SARATOGA STREET NORTH.
Adopted
- 100 **RLH TA 13-639** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1347 SEARLE STREET.
Adopted
- 101 **RLH TA 13-614** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 1465 SELBY AVENUE.
Adopted
- 103 **RLH TA 13-551** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 414 SEVENTH STREET WEST.
Adopted

- 104 **RLH RR 13-62** Ordering the rehabilitation or razing and removal of the structures at 929 SEVENTH STREET WEST within fifteen (15) days after the January 2, 2014, City Council Public Hearing.
Referred to Legislative Hearings on January 14; Council public hearing continued to February 5
- 105 **RLH TA 13-629** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 650 SHERBURNE AVENUE.
Adopted
- 106 **RLH TA 13-571** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 968 SHERBURNE AVENUE.
Adopted
- 107 **RLH TA 13-640** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1120 SIXTH STREET EAST.
Adopted
- 108 **RLH VBR 13-64** Appeal of Ruzhao Cheng and Jun Xiao to a Fire Inspection Code Compliance Notice Registered Vacant Building - Category 2 at 568 - 570 SNELLING AVENUE / 1566 - 1574 EDMUND AVENUE. (Public hearing continued from December 18 and January 2)
Public hearing continued to January 15
- 109 **RLH TA 13-583** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 755 THIRD STREET EAST.
Adopted
- 110 **RLH TA 13-642** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 305 THOMAS AVENUE.
Adopted
- 111 **RLH FCO
13-260** Appeal of Steve Minor to a Fire Inspection Correction Notice at 652 THOMAS AVENUE.
Adopted
- 112 **RLH TA 13-547** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1171 THOMAS AVENUE.
Adopted
- 113 **RLH TA 13-554** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 1276 UNIVERSITY AVENUE WEST.
Adopted

- 114 **RLH TA 13-552** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 2389 UNIVERSITY AVENUE WEST.
Adopted
- 115 **RLH TA 13-567** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 445 WACOUTA STREET.
Adopted
- 117 **RLH TA 13-622** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 1253 WATSON AVENUE
Adopted
- 118 **RLH TA 13-570** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 601 WESTERN AVENUE NORTH.
Adopted
- 119 **RLH TA 13-603** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1087 WESTERN AVENUE NORTH.
Adopted
- 120 **RLH TA 13-565** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1050 WILSON AVENUE.
(Amended to File No. J1401A1, Assessment No. 148506)
Public hearing continued to February 5
- 121 **RLH TA 13-707** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 82 WINTER STREET.
Adopted
- 122 **RLH TA 13-566** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1748 YORKSHIRE AVENUE.
Adopted
- 123 **RLH AR 13-86** Ratifying the assessments for Collection of Certificate of Occupancy Fees billed March 21 to May 23, 2013. (File No. CRT1401, Assessment No. 148200)
Adopted

- 124 **RLH AR 13-87** Ratifying the assessments for Collection of Vacant Building Fees billed November 8, 2012 to May 17, 2013. (File No. VB1401, Assessment No. 148800)
Adopted
- 125 **RLH AR 13-88** Ratifying the assessments for Graffiti Removal Services from April 22 to July 10, 2013. (File No. J1401P, Assessment No. 148400)
Adopted
- 126 **RLH AR 13-89** Ratifying the assessments for Property Clean Up Services from June 28 to July 31, 2013. (File No. J1401A, Assessment No. 148500)
Adopted
- 127 **RLH AR 13-90** Ratifying the assessments for Trash Hauling Services from July 3 to 31, 2013. (File No. J1401G, Assessment No. 148700)
Adopted
- 128 **RLH AR 13-91** Ratifying the assessments for Collection of Certificate of Occupancy Fees billed May 27 to June 28, 2013. (File No. CRT1402, Assessment No. 148201)
Adopted
- 129 **RLH AR 13-93** Ratifying the assessments for Demolition Services during July 2013. (File No. J1402C, Assessment No. 142001)
Adopted
- 130 **RLH AR 13-94** Ratifying the assessments for Boarding and/or Securing Services during July 2013. (File No. J1401B, Assessment No. 148100)
Adopted
- 131 **RLH AR 13-95** Ratifying the assessments for Tree Removal Services during July and August 2013. (File No. 1401T, Assessment No. 149000)
Adopted
- 132 **RLH AR 13-100** Ratifying the assessments for Collection of Vacant Building Fees billed January 7 to June 21, 2013. (File No. VB1402, Assessment No. 148801)
Adopted
- 133 **RLH AR 13-102** Ratifying the assessments for Property Clean Up Services from August 1 to 29, 2013. (File No. J1402A, Assessment No. 148501)
Adopted

- 134 **RLH AR 13-103** Ratifying the assessments for Trash Hauling Services from August 7 to 28, 2013. (File No. J1402G, Assessment No. 148701)
Adopted
- 135 **RLH AR 13-104** Ratifying the assessments for Graffiti Removal Services from July 27 to August 15, 2013. (File No. J1402P, Assessment No. 148401)
Adopted
- 136 **RLH AR 13-135** Ratifying the assessments for Towing of Abandoned Vehicle Services from January to May 2013. (File No. J1401V, Assessment No. 148000)
Adopted

ADJOURNMENT

Councilmember Thao moved adjournment.

Meeting adjourned at 7:01 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

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