



# City of Saint Paul

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

## Minutes - Final

### City Council

*Council President Kathy Lantry*  
*Councilmember Dan Bostrom*  
*Councilmember Amy Brendmoen*  
*Councilmember Melvin Carter III*  
*Councilmember Russ Stark*  
*Councilmember Dave Thune*  
*Councilmember Chris Tolbert*

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Wednesday, February 20, 2013

3:30 PM

Council Chambers - 3rd Floor

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### Public Hearings at 5:30 p.m.

#### ROLL CALL

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

**Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune and Councilmember Chris Tolbert

*The Council observed a moment of silence for Officer Josh Lynaugh who died in the line of duty the previous week.*

*Councilmember Brendmoen moved suspension of the rules to add Res 13-199 to the beginning of the Public Hearing agenda.*

#### **Rules suspended**

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

**Nay:** 0

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 13-4](#) Letter from the Department of Safety and Inspections declaring 586 Rice Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

**Received and Filed**

- 2      [AO 13-5](#)            Authorizing the Saint Paul Public Library Agency to hold volunteer recognition events.

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 - 25)**

*Councilmember Thune moved approval of the Consent Agenda.*

**Consent Agenda adopted**

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

**Nay:** 0

- 3      [RES 13-250](#)        Approving the contract with Saint Paul Independent School District 625 for implementing the Parent Academy.

**Adopted**

- 4      [RES 13-298](#)        Approving the Mayor's appointment of Thomas Saylor to serve on the Board of Zoning Appeals.

**Adopted**

- 5      [RES 13-255](#)        Approving the lobbying contract for Ward Einess to assist the city in lobbying for the city's tax policy positions at the state legislature during this legislative session.

**Adopted**

- 6      [RES 13-241](#)        Approving the City's cost of providing Collection of Certificate of Occupancy Fees Services billed October 4 to 26, 2012, and setting date of Legislative Hearing for March 19, 2013 and City Council Public Hearing for May 1, 2013 to consider and levy the assessments against individual properties. (File No. CRT1306, Asmt No. 138205)

**Adopted**

- 7      [RES 13-242](#)      Approving the City's cost of providing Demolition Services during December 2012 at 315 Larch Street, and setting date of Legislative Hearing for March 19, 2013 and City Council Public Hearing for May 1, 2013 to consider and levy the assessments. (File No. J1307C, Asmt No. 132006)
- Adopted**
- 8      [RES 13-243](#)      Approving the City's cost of providing Boarding and/or Securing Services during December 2012, and setting date of Legislative Hearing for March 19, 2013 and City Council Public Hearing for May 1, 2013 to consider and levy the assessments against individual properties. (File No. J1307B, Asmt No. 138106)
- Adopted**
- 9      [RES 13-244](#)      Approving the City's cost of providing Property Cleanup Services from January 2 to 31, 2013, and setting date of Legislative Hearing for March 19, 2013 and City Council Public Hearing for May 1, 2013 to consider and levy the assessments against individual properties. (File No. J1307A, Asmt No. 138511)
- Adopted**
- 10     [RES 13-245](#)      Approving the City's cost of providing Trash Hauling Services from January 1 to 31, 2013, and setting date of Legislative Hearing for March 19, 2013 and City Council Public Hearing for May 1, 2013 to consider and levy the assessments against individual properties. (File No. J1307G, Asmt No. 138707)
- Adopted**
- 11     [RES 13-246](#)      Approving the City's cost of providing Tree Removal Services during November 2012, and setting date of Legislative Hearing for March 19, 2013 and City Council Public Hearing for May 1, 2013 to consider and levy the assessments against individual properties. (File No. 1304T, Asmt No. 139004)
- Adopted**
- 12     [RES 13-261](#)      Approving assessment costs and setting date of City Council Public Hearing to ratify the assessment for the sidewalk reconstruction on the north side of Kellogg Boulevard East between Jackson Street and Sibley Street and the east side of Jackson Street between Kellogg Boulevard and East 4th Street. (File No. S0802, Asmt. No. 090781)
- Adopted**

- 13     [RES 13-263](#)     Approving assessment costs and setting date of City Council Public Hearing to ratify the assessment for the sidewalk reconstruction on the north side of Kellogg Boulevard East between Cedar Street and Minnesota Street at 65 East Kellogg Boulevard. (File No. S0708, Asmt. No. 090778)
- Adopted**
- 14     [RES 13-289](#)     Amending Civil Service Rule 7 to extend Firefighter and Sergeant eligible lists.
- Adopted**
- 15     [RES 13-288](#)     Approving the change in the rate of pay for the classification of Executive Assistant to the Mayor, occ code 741, from Grade 037 to Grade 040, in the Non-Represented City Managers, Employee Group 17 Salary Schedule.
- Adopted**
- 16     [RES 13-174](#)     Authorizing the Department of Parks and Recreation to enter into a three-year lease agreement with District Council groups in various recreation centers.
- Adopted**
- 17     [RES 13-259](#)     Authorizing the Department of Parks and Recreation to accept a donation of 31 pairs of ski boots from Vail Resorts.
- Adopted**
- 18     [RES 13-266](#)     Reducing the speed limit on Water Street/Lilydale Road from Plato Boulevard to the eastern property boundary of the St. Paul Pool and Yacht Club, located south of the Dakota County/Ramsey County limits.
- Adopted**
- 19     [RES 13-258](#)     Waiving the three hundred (300) foot distance requirement for issuance of Liquor Off Sale, Retail Food (B) Grocery 101-1000 sq. ft, and Cigarette/Tobacco licenses to Plankton Holding, Inc., d/b/a The Liquor Vault (License ID #:20130000044) at 170 Tenth Street East.
- Adopted**
- 20     [RES 13-268](#)     Approving adverse action against the Solid Waste Hauler & Vehicle license held by Theodora Anderson, d/b/a Andy's Disposal Service at 781 Englewood Avenue.
- Adopted**

- 21     [RES 13-228](#)     Approving adverse action against the Massage Practitioner license held by Luke Putzler at 1801 St. Clair Avenue.  
**Adopted**
- 22     [RES 13-229](#)     Approving adverse action against the Massage Practitioner license held by Mariah B. Heck at 2301 Como Avenue, Suite 102.  
**Adopted**
- 23     [RES 13-271](#)     Approving adverse action against all licenses held by TSWJLAUG, Inc., d/b/a Rice Palace Asian Buffet at 1626 White Bear Avenue North.  
**Adopted**
- 24     [RES 13-269](#)     Approving adverse action against the Trade-Sign Contractor/Operator license held by James Cota, d/b/a J C Signs & Graphics.  
**Adopted**
- 25     [RES 13-270](#)     Approving adverse action against the City Contractor-Fence license held by Patrick D. Quinn, d/b/a Northland Fence.  
**Adopted**

**FOR DISCUSSION**

No discussion items

**ORDINANCES**

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

**Final Adoption**

- 26     [Ord 13-7](#)     Memorializing City Council action granting the application of Episcopal Corporation for the Elderly for the rezoning of 502 Lynnhurst Avenue East from RM2 Multi-Family Residential to T3 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held July 18, 2012)  
*Councilmember Stark moved approval.*  
**Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

*The Council recessed at 3:33 p.m.*

## PUBLIC HEARINGS

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

**Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune and Councilmember Chris Tolbert

## SUSPENSION ITEM

### [RES 13-199](#)

Granting municipal consent for the Minnesota Department of Transportation's I-35E MNPASS Project (S.P. 6280-367).

*Paul Kurtz, Public Works, introduced Wayne Norris and Jennie Read, MNDot project manager and engineer, respectively. He described the project, including the addition of the MNPASS Lane; the replacement of the Arlington, Wheelock and Larpenteur bridges; removal of the railroad bridge; rerouting of the Gateway Trail; and addition of noise walls. He said it was a design-build project and details would be worked out when the designer and contractor were on board, and MNDot was working with the Community Councils regarding lane restrictions during construction.*

*In response to questions from Councilmember Bostrom, Mr. Kurtz said the bridges would be removed and replaced one at a time, and Ms. Read said the Roselawn and County Road B bridges would remain open.*

*No one appeared in opposition; Councilmember Brendmoen moved approval.*

### **Adopted**

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

**Nay:** 0

27

### [Ord 13-8](#)

Amending Chapter 324 of the Saint Paul Legislative Code pertaining to electronic cigarettes.

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

*Councilmember Thune said he didn't think this was a good idea for the City or the State, and he felt electronic cigarettes were a good alternative for people trying to give up smoking. In response to a question from Councilmember Brendmoen, he clarified that the State had taken this action first and the City was following suit.*

**Public hearing held and closed; laid over to February 27 for final adoption**

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

**Nay:** 0

- 28**      [Ord 13-9](#)      Amending Chapter 376 of the Saint Paul Legislative Code pertaining to taxicab driving record standards.

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

**Public hearing held and closed; laid over to February 27 for final adoption**

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

**Nay:** 0

- 29**      [Ord 13-10](#)      Amending Chapter 4.04 of the Saint Paul Charter regarding business meetings of the City Council.

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

**Public hearing held and closed; laid over to February 27 for final adoption**

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

**Nay:** 0

- 30**      [RES PH 13-43](#)      Approving the application of Lunda Construction for a sound level variance for construction work related to the demolition of the Lafayette Bridge, for 24 hours a day, Monday through Saturday only, from March 4, 2013 to April 19, 2013.

*No one appeared in opposition. Councilmember Thune moved to continue the public hearing for two weeks to allow time to notify residents of the buildings nearby.*

**Public hearing continued to March 6**

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

**Nay:** 0

- 31**      [PH 13-8](#)      Public hearing to consider the report of the Administrative Law Judge concerning the Cigarette/Tobacco license held by Fa Khir, Inc., d/b/a Fa Khir at 2430 University Avenue West.
- Council President Lantry said the licensee had requested that the public hearing be continued to March 6 due to a family emergency.*
- No one appeared in opposition; Councilmember Stark moved to continue the public hearing to March 6.*
- Public hearing continued to March 6**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 
- 32**      [RES PH 13-42](#)      Approving adverse action against the Cigarette/Tobacco license held by Piazza Market, LLC, d/b/a Piazza Market at 512 Snelling Avenue North.
- Daphne Lundstrom, Assistant City Attorney representing the Department of Safety and Inspections, said the license holder had paid the penalty that day and the Department wished to withdraw the matter from the agenda.*
- Withdrawn**
- 
- 33**      [PH 13-7](#)      Public hearing to consider the application of the Parks and Recreation Department to rezone the property at 1564 Lafond Avenue from R4 (One-family Residential) to T2 (Traditional Neighborhood) to permit the business uses proposed by Mosaic on a Stick.
- Councilmember Stark said this was an exciting thing for the Midway neighborhood, making use of a great old building that had been vacant for a while. He thanked Parks and Recreation Department staff.*
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- Motion of intent - Application granted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0



- 34**      [RES PH](#)  
          [13-39](#)
- Authorizing acceptance of Livable Communities Demonstration Account Grants, Tax Base Revitalization Account Contamination Cleanup Program Grants, and Local Housing Incentives Account Grants from the Metropolitan Council in the total amount of \$5,907,321 and authorizing amendment of the 2012 Budget to accept those grants.

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

**Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**

38

[RLH FCO  
12-652](#)

Appeal of Matt Connelly to a Fire Inspection Correction Notice at 1966 BENSON AVENUE.

*Legislative Hearing Officer Marcia Moermond said the issue was storage of large rolls of paper to a height of 16 feet, four feet higher than allowed by code for a building that was not sprinklered. She said the issue had never been called out before and the owner was under the impression that there was an existing variance, but inspections staff hadn't been able to find anything. She recommended granting a two-foot variance to allow storage to a height of 14 feet.*

*In response to questions from Councilmember Thune, Ms. Moermond said storing paper to a height of 14 feet rather than 12 feet allowed for storage of 10% more paper, and an increase to 16 feet would allow an increase of 30%. She said the issues being addressed by the height limit were density of storage and access for firefighters.*

*Kip Peterson, attorney, appeared with business owner Mike Amidon. Mr. Peterson said the ability to acquire and store large volumes of paper was critical, and a reduction from 16 feet to 14 or 12 would have significant effect on business. He described the business and showed a schematic of property. He said in the record of the Legislative Hearing there was discussion of a letter sent to the City in 1997 when the storage building was being built, referring to an inability to comply with fire department regulations and a request for deferral of enforcement pending completion of construction. He said the understanding with the inspectors had been that 12-foot storage would not be enforced as long as storage did not exceed 16 feet, and over time that came to be interpreted as a variance. He said there had been annual inspections since 1999 and the issue hadn't been called out. He said there were plans to acquire additional equipment and expand production, but denial of the appeal would mean not moving forward, and instead using the expansion space for additional storage.*

*In response to a question from Councilmember Thune, Mr. Peterson said there was a 20% reduction in storage capacity in weight with a height reduction from 16 feet to 14 feet, and an additional 10% reduction in material with a height reduction to 12 feet.*

*Councilmember Thune said he didn't feel dropping two feet would make that much difference in terms of fire safety, and he moved to grant the appeal. He moved to close the public hearing. Yeas - 7 Nays - 0*

*Councilmember Tolbert asked Ms. Moermond for her response. Ms. Moermond said the additional height added a lot of material in volume and didn't leave much clearance between the storage and the ceiling, and the absence of a sprinkler system added risk.*

*Councilmember Thune said the proposed solution would not decrease the volume of paper being stored.*

*Councilmember Brendmoen noted that DSI was enforcing something after many years of not enforcing it, and said she understood the business owner's frustration.*

**Adopted as amended (appeal granted)**

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

**Nay:** 0

- 42**      [RLH RR 13-9](#)      Ordering the rehabilitation or razing and removal of the structures at 1054 CENTRAL AVENUE WEST within fifteen (15) days after the February 20, 2013 City Council Public Hearing. (Amend to raze or removal within 30 days)

*Legislative Hearing Officer Marcia Moermond said there was confusion about ownership of the property; she asked that the matter be referred back to Legislative Hearings on February 26 and that the Council public hearing be continued to March 20.*

*No one appeared in opposition; Councilmember Carter moved to continue the public hearing to March 20.*

**Referred for Legislative Hearing on February 26; Council Public Hearing continued to March 20**

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

**Nay:** 0

- 62**      [RLH TA 12-579](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1302A4, Assessment No. 138509 at 1443 HAZELWOOD STREET.

*Legislative Hearing Officer Marcia Moermond asked that the resolution be amended to delete the assessment.*

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

**Adopted as amended (assessment deleted)**

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

**Nay:** 0

64 [RLH FCO 13-32](#) Appeal of Ying Vang to a Fire Certificate of Occupancy Correction Notice at 842 JENKS AVENUE.

*Legislative Hearing Officer Marcia Moermond said a correction order had been issued for installation of a grounding jumper at the water meter by a licensed electrician. She said the property owner said there was a grounding jumper but it had been disconnected by the water heater contractor when the water heater was replaced.*

*Property owner Ying Vang (via interpreter) said the existing jumper for the heater was a little too short, and he would like to do the work himself and not hire someone.*

*Council President Lantry confirmed with Ms. Moermond that the work required a licensed electrician. Mr. Vang asked whether the existing one could just be replaced. He said it was not connected to anything electrical, and he had asked someone and been told an electrician was not required.*

*Councilmember Bostrom asked how this had come to the City's attention. Mr. Vang said someone came and checked as part of the Certificate of Occupancy inspection. He said this was the second time the inspector had come, and the issue was not called out the first time.*

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

*Councilmember Bostrom said he appreciated that these things could be expensive, but the property was a business with renters present, and it wasn't good to risk having electricity coming through the water line. He moved to deny the appeal.*

**Adopted (appeal denied)**

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

**Nay:** 0

70 [RLH TA 13-94](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1302A, Assessment No. 138806 at 1160 MONTREAL AVENUE.

*Legislative Hearing Officer Marcia Moermond asked that the public hearing be continued to April 17 so she could give credit if the work was completed within 90 days.*

*No one appeared in opposition; Councilmember Tolbert moved to continue the public hearing to April 17.*

**Public hearing continued to April 17**

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

**Nay:** 0

71 [RLH VBR](#)  
[13-9](#)

Appeal of Gholamreza Ashrafzadehkian to a Vacant Building Registration Requirement at 711 OAKDALE AVENUE.

*Legislative Hearing Officer Marcia Moermond said the issue was a Vacant Building registration and fee with an anniversary date in October. She said the appellant told her it would be more than 90 days before the rehabilitation was complete. She said that would be more than half of the year, and under those circumstances she would generally recommend denying the appeal. She said she had asked DSI to continue to issue permits so the rehabilitation could continue while the appeal was pending. She noted that there had been no recent permit activity. In response to a question from Council President Lantry, she said it was a Category 2 Vacant Building and the appellant had met the conditions to proceed with the rehabilitation.*

*Property owner Gholamreza Ashrafzadehkian said he had submitted a budget and work plan, but the project was behind schedule. He said Ms. Moermond had given him 30 days to pull permits, but DSI and Vacant Buildings were not allowing him to pull permits and were asking for a new Code Compliance inspection.*

*Ms. Moermond said there were notes in the file stating that permits should be allowed based on the Legislative Hearing, however, the Code Compliance inspection had expired on September 28. In response to a question from Council President Lantry, she said the most recent permits had been pulled in 2011. Mr. Ashrafzadehkian said he was not being allowed to pull permits and did not understand how he could comply with the orders.*

*Council President Lantry asked for Ms. Moermond's recommendation. Ms. Moermond said the building should be in the Vacant Buildings program, and the Code Compliance inspection should be re-done. She said nothing was preventing Mr. Ashrafzadehkian from ordering a Code Compliance inspection, and then pulling permits when that was done and the Vacant Building fee was paid.*

*Council President Lantry clarified that what was before the Council was whether the building should be in the Vacant Building program.*

*Mr. Ashrafzadehkian said the property was vacant, but it was maintained and had an owner who was a taxpayer. He said the goal was for the building to be occupied. He expressed frustration with the process.*

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

*Councilmember Thune moved to adopt the recommendation of the Legislative Hearing Officer.*

**Adopted (appeal denied)**

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

**Nay:** 0

75 [RLH VBR  
13-10](#)

Appeal of Gholamreza Ashrafzadehkian to a Vacant Building Registration Requirement at 1176 REANEY AVENUE.

*Legislative Hearing Officer Marcia Moermond said the issue was the Vacant Building registration and fee, and DSI had already granted a 90-day waiver in processing the fee. She recommended denying the appeal.*

*Property owner Gholamreza Ashrafzadehkian said he was asking for more time.*

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

*In response to a question from Councilmember Bostrom, Ms. Moermond said the property was condemned and placed in the Vacant Building program in July of 2011.*

*Councilmember Bostrom said he appreciated that Mr. Ashrafzadehkian was busy and the process was difficult, but the City was incurring expenses for monitoring the property. He moved to adopt the recommendation of the Legislative Hearing Officer.*

**Adopted (appeal denied)**

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

**Nay:** 0

87 [RLH AR 13-16](#)

Ratifying the assessments for Property Cleanup Services from September 4 to October 1, 2012. (File No. J1303A, Assessment No. 138502)

*Legislative Hearing Officer Marcia Moermond asked that the resolution be amended to delete 1383 Payne Avenue from the assessment roll for separate consideration.*

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

**Adopted as amended (1383 Payne Avenue removed from the assessment roll for separate consideration)**

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

**Nay:** 0

[RLH TA  
13-146](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1383 PAYNE AVENUE.

*Legislative Hearing Officer Marcia Moermond said the resolution reduced the assessment from \$551 to \$471.*

*No one appeared in opposition; Councilmember Bostrom moved to approve the resolution.*

**Adopted (assessment reduced from \$551 to \$471)**

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

**Nay:** 0

#### **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 35 - 92)**

*No one appeared in opposition; Councilmember Brendmoen 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 Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

**Nay:** 0

- 35**     [RLH TA 13-27](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1303P, Assessment No.138402 at 1165 ARCADE STREET.  
**Adopted**
- 36**     [RLH TA 13-112](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1302T, Assessment No. 139001 at 1741 ASHLAND AVENUE.  
**Adopted**
- 37**     [RLH FCO 13-37](#)     Appeal of John Moris to a Fire Certificate of Occupancy Correction Notice at 955 BARCLAY STREET.  
**Adopted**
- 39**     [RLH TA 13-114](#)     Amending Council File RLH AR 12-126 to delete the assessment for Property Cleanup Services from July 25 to August 31, 2012 at 287 BLAIR AVENUE. (File No. J1302A, Assessment No. 138501)  
**Adopted**
- 40**     [RLH TA 13-44](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 948 BRADLEY STREET.  
**Adopted**

- 41      [RLH TA 13-23](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1369 BRADLEY STREET.  
**Adopted**
- 43      [RLH TA 13-36](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No.138502 at 1555 and 1561 CHRISTIE PLACE.  
**Adopted**
- 44      [RLH TA 13-35](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1567 CHRISTIE PLACE.  
**Adopted**
- 45      [RLH TA 13-37](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1571 CHRISTIE PLACE.  
**Adopted**
- 46      [RLH TA 13-38](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1575 CHRISTIE PLACE.  
**Adopted**
- 47      [RLH TA 13-39](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1581 CHRISTIE PLACE.  
**Adopted**
- 48      [RLH TA 13-40](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1585 CHRISTIE PLACE.  
**Adopted**
- 49      [RLH TA 13-24](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No.VB1304, Assessment No. 138803 at 383 CLINTON AVENUE.  
**Adopted**
- 50      [RLH TA 13-43](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1171 DAYTON AVENUE.  
**Adopted**



- 51     [RLH TA  
13-109](#)     Amending Council File RLH AR 12-117 to delete the assessment for Property Cleanup Services from July 2 to July 25, 2012 at 1171 DAYTON AVENUE. (File No. J1301A, Assessment No. 138500)  
**Adopted**
- 52     [RLH TA 13-45](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1183 EDGERTON STREET.  
**Adopted**
- 53     [RLH TA 13-20](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1304, Assessment No.138803 at 970 EUCLID STREET.  
**Adopted**
- 54     [RLH TA 13-69](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1302A1, Assessment No. 138506 at 1589 EUCLID STREET. (Public hearing continued from January 16)  
**Adopted**
- 55     [RLH FCO  
13-4](#)     Appeal of Leonard Russo, on behalf of Heartland Food Holdings, LLC, to a Fire Correction Order at 289 FIFTH STREET EAST.  
**Adopted**
- 56     [RLH FCO  
13-36](#)     Appeal of Jeremy Hollingsworth to a Fire Certificate of Occupancy Correction Notice at 415 FINN STREET.  
**Adopted**
- 57     [RLH TA 13-5](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 415 FINN STREET NORTH.  
**Adopted**
- 58     [RLH TA 13-6](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303G, Assessment No. 138702 at 415 FINN STREET NORTH.  
**Adopted**
- 59     [RLH TA 13-41](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No.138502 at 863 FOURTH STREET EAST.  
**Adopted**

- 60     [RLH TA 13-63](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1302G1, Assessment No. 138706 at 1306 FOURTH STREET EAST. (Public hearing continued from January 16)  
**Adopted**
- 61     [RLH TA 13-64](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303G, Assessment No.138702 at 1306 FOURTH STREET EAST.  
**Adopted**
- 63     [RLH TA 13-7](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1304, Assessment No. 138803 at 993 JAMES AVENUE.  
**Adopted**
- 65     [RLH TA 13-9](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No.138502 at 998 JESSIE STREET.  
**Adopted**
- 66     [RLH TA 13-28](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1302T, Assessment No. 139001 at 940 JORDAN AVENUE.  
**Adopted**
- 67     [RLH TA 13-113](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1303P, Assessment No. 138402 at 374 LEXINGTON PARKWAY NORTH.  
**Adopted**
- 68     [RLH TA 13-8](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 101 MANITOBA AVENUE.  
**Adopted**
- 69     [RLH TA 13-30](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No.138502 at 346 MARIA AVENUE.  
**Adopted**
- 72     [RLH TA 13-11](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303G, Assessment No. 138702 at 778 PASCAL STREET.  
**Adopted**

- 73     [RLH TA 13-22](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 702 PREBLE STREET.  
**Adopted**
- 74     [RLH TA 13-25](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 1663 RANDOLPH AVENUE.  
**Adopted**
- 76     [RLH TA 13-34](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1303P, Assessment No 138402 at 603 SEVENTH STREET WEST.  
**Adopted**
- 77     [RLH TA 13-33](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 708 SIMON AVENUE.  
**Adopted**
- 78     [RLH FCO 13-46](#)     Amending Council File RLH FCO 12-588, adopted November 7, 2012, to grant Arlend Wilson an additional extension for property at 723 SIMS AVENUE.  
**Adopted**
- 79     [RLH TA 13-127](#)     Amending Council File RLH AR 12-122 to delete the assessment for Collection of Vacant Building Fees Services billed from March 23 to June 21, 2012 at 320 STINSON STREET. (File No. VB1302, Assessment No. 138801)  
**Adopted**
- 80     [RLH TA 13-107](#)     Amending Council File RLH AR 12-126 to delete the assessment for Property Cleanup Services from July 25 to August 31, 2012 at 391 THOMAS AVENUE. (File No. J1302A, Assessment No. 138501)  
**Adopted**
- 81     [RLH VBR 13-7](#)     Appeal of Jintu Wang to a Vacant Building Registration Notice at 506 THOMAS AVENUE.  
**Adopted**
- 82     [RLH VBR 13-5](#)     Appeal of Stephen A. Markoe to a Vacant Building Registration Requirement at 652 THOMAS AVENUE.  
**Adopted**

- 83     [RLH TA 13-32](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1304, Assessment No. 138803 at 440 UNIVERSITY AVENUE WEST.  
**Adopted**
- 84     [RLH TA 13-26](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 751 VAN BUREN AVENUE.  
**Adopted**
- 85     [RLH TA 13-42](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No. 138502 at 2254 WILLIAM TELL ROAD.  
**Adopted**
- 86     [RLH TA 13-96](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303A, Assessment No.138502 at 594 YORK AVENUE.  
**Adopted**
- 88     [RLH AR 13-15](#)     Ratifying the assessments for Trash Hauling Services from September 5 to 26, 2012. (File No. J1303G, Assessment No. 138702)  
**Adopted**
- 89     [RLH AR 13-14](#)     Ratifying the assessments for Collection of Vacant Building Fees Services billed from March 20 to August 7, 2012 (File No. VB1304, Assessment No. 138803).  
**Adopted**
- 90     [RLH AR 13-13](#)     Ratifying the assessments for Boarding and/or Securing Services during September 2012. (File No. J1304B, Assessment No. 138103)  
**Adopted**
- 91     [RLH AR 13-12](#)     Ratifying the assessments for Graffiti Removal Services from July 31 to September 30, 2012. (File No. J1303P, Assessment No. 138402)  
**Adopted**
- 92     [RLH AR 13-11](#)     Ratifying the assessments for Tree Removal Services during September 2012. (File No. 1302T, Assessment No. 139001)  
**Adopted**

**ADJOURNMENT**

The meeting was adjourned at 6:27 p.m.

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

**Nay:** 0

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