



City of Saint Paul

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

Minutes - Final

City Council

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

Wednesday, November 3, 2010

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

CONSENT AGENDA

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

Approval of the Consent Agenda (Items 1 - 14)

Councilmember Stark moved approval of the Consent Agenda.

Consent Agenda Adopted

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

Nay: 0

- 1 [RES 10-1131](#) Approving and ratifying Labor Agreements between the Independent School District #625 and the International Union of Painters and Allied Trades, District Council 82 (May 1, 2010 - April 30, 2013) and the Professional Employees Association, Inc. (January 1, 2010 - December 31, 2011). (To be laid over from November 3 to November 10 for adoption)

Sponsors: Lantry

Laid over to November 10 for Adoption

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

Nay: 0

- 2 [RES 10-1132](#) Approving the Maintenance Labor Agreement between City of Saint Paul and Operative Plasterers and Cement Masons International Association, Local 633 (May 1, 2010 - April 30, 2010 (To be laid over from November 3 to November 10 for adoption)

Sponsors: Lantry

Laid over to November 10 for Adoption

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

Nay: 0

- 3 [RES 10-1092](#) Accepting the gift of airfare and hotel from Brookings to reimburse costs incurred by Mayor Coleman and Cecile Bedor at the Global Metro Summit 2010.

Sponsors: Lantry

Adopted

- 4 [RES 10-1160](#) Authorizing Councilmember Carter to accept a gift of travel, lodging, and miscellaneous travel expenses to participate in a delegation led by the Wilder Foundation in regards to the Promise Neighborhood grant.

Sponsors: Carter III

Adopted

- 5 [RES 10-1156](#) Authorizing the City of Saint Paul to seek funds from the Minnesota Pollution Control Agency from the Environmental Assistance Grant Program

Sponsors: Lantry

Adopted

- 6 [RES 10-1088](#) Designating targeted communities that meet the census tract criteria outlined in Minn Stat. 469.201, subd. 10 and 469.202.

Sponsors: Lantry

Adopted

- 7 [RES 10-1028](#) Approving the use of assessment financing in accordance with City policy for the installation of a fire protection system at Hamernick Decorating located at 1381 N. Rice St. (File No. FP2010-04)

Sponsors: Helgen

Adopted

- 8 [RES 10-1066](#) Authorizing the Department of Parks and Recreation to enter into an agreement with Culture Inc. to provide and promote a refrigerated ice rink in downtown St. Paul for the "Winter Skate" Program and provide and install decorative lights in downtown St. Paul parks over the winter of 2010-2011.
- Sponsors: Thune and Lantry
- Adopted**
- 9 [RES 10-1069](#) Authorizing The City of Saint Paul to enter into an agreement with Ramsey County to accept recycling containers for use in public spaces.
- Sponsors: Lantry
- Adopted**
- 10 [RES 10-1082](#) Resolution approving assessment in the matter of the assessment of benefits, cost, and expenses for Collection of Certificate of Occupancy Fees (re-invoiced) August, 2010. File No. CRT1101, and setting date of Legislative Hearing for December 07, 2010 and City Council public hearing for January 19, 2011.
- Sponsors: Lantry
- Adopted**
- 11 [RES 10-1084](#) Resolution approving assessment in the matter of the assessment of benefits, cost, and expenses for Emergency Clean Up on Private Property during September, 2010 at 599 McKnight Rd S. File No. J1105A, and setting date of Legislative Hearing for December 07, 2010 and City Council public hearing for January 19, 2011.
- Sponsors: Lantry
- Adopted**
- 12 [RES 10-1085](#) Resolution approving assessment in the matter of the assessment of benefits, cost, and expenses for Property Clean Up on Private Properties during the time period of September 20 to September 29, 2010. File No. J1106A, and setting date of Legislative Hearing for December 07, 2010 and City Council public hearing for January 19, 2011.
- Sponsors: Lantry
- Adopted**
- 13 [RES 10-1086](#) Resolution approving assessment in the matter of the assessment of benefits, cost, and expenses for Providing weekly Trash Hauling on Private Properties during the time period of September 01, to September 29, 2010. File No. J1103G, and setting date of Legislative Hearing for December 07, 2010 and City Council public hearing for January 19, 2011.
- Sponsors: Lantry
- Adopted**

- 14 [RES 10-1087](#) Resolution approving assessment in the matter of the assessment of benefits, cost, and expenses for Graffiti Removal on Private Properties during the time period of August 15, to September 09, 2010. File No. J1105P, and setting date of Legislative Hearing for December, 07, 2010 and City Council public hearing for January 19, 2011.

Sponsors: Lantry

Adopted

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.

First Reading

- 15 [Ord 10-54](#) An Ordinance amending Chapter 106 of the Saint Paul Legislative Code to clarify requirements for sidewalk cafés and sidewalk sales displays.

Sponsors: Thune

Laid Over to November 10 for Second Reading

SUSPENSION ITEMS

Councilmember Carter moved suspension of the rules to introduce the following items:

Yeas - 7 Nays - 0

- 41 [RES 10-1117](#) Resolution ordering the rehabilitation or wrecking and removal of the structures at 555 CHARLES AVE within fifteen (15) days after the October 20, 2010, City Council Public Hearing.

Sponsors: Carter III

Legislative Hearing Officer Marcia Moermond recommended that the Council grant 180 days for the rehabilitation of the structure; she said all of the usual conditions had been met. Councilmember Carter reviewed the conditions and moved to adopt the recommendation of the Legislative Hearing Officer.

Adopted as amended (grant 180 days for the rehabilitation of the structure)

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

Nay: 0

- 43 [ALH 10-121](#) Appeal of Steve Truen to a Vacant Building Registration, Code Compliance Inspection and Fire Certificate of Occupancy Deficiency Letter at 1064 Stinson Street.

Sponsors: Carter III

Legislative Hearing Officer Marcia Moermond said the outstanding issue was whether a plumbing permit needed to be pulled for recent plumbing changes or whether they would be covered under an old permit. She said she had consulted with the Department of Safety and Inspections, and determined a new permit should be pulled. Councilmember Carter asked how old the old permit was. Ms. Moermond said she believed it was 15 years old.

Councilmember Carter moved to adopt the recommendation of the Legislative Hearing Officer.

Appeal Denied

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

Nay: 0

The meeting was recessed at 3:35 p.m.

Council President Lantry reconvened the meeting at 5:30 p.m.

PUBLIC HEARINGS

Present 7 - Councilmember Dan Bostrom, Councilmember Melvin Carter III, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark

16 [RES 10-1120](#) Authorizing Right-of-Way Maintenance for 2011.

Sponsors: Lantry

Public Works Director Rich Lallier gave a brief staff report. He reviewed efficiencies that had been instituted and said the only rate increase was a 2% increase related to the loss of a state grant for the Emerald Ash Borer. He asked that the rates be adopted.

Council President Lantry explained that Items 16, 17, 18, 19 and 20 would be laid over to December 15.

The following appeared to testify:

Matt Anfang, St. Paul Business Owners and Managers Association (BOMA), said that as part of the 2012 budget process, BOMA would like to continue the conversation with Public Works about partnering with the City on building maintenance, keeping end-of-year surpluses in the class from which they were collected, and justifying cost increases by class. He expressed appreciation for Public Works' cooperation, especially Rich Lallier and John Maczko.

Wa Xiong spoke on behalf of Ying Yang, property owner at 1985 Idaho. Long Vee provided Hmong interpretation. Mr. Xiong said Ms. Yang's property value had dropped since she bought the home but she continued to pay the same property tax rate. He said Ms. Yang was a single mother struggling to support her family and put a child through college, and he asked that the Council be mindful of situations such as Ms. Yang's.

Mike Schumann, Traditions Classic Home Furnishings at Grand and Oxford, reiterated his concerns (from the October 6 public hearing on the ratification of the ROW maintenance program) about the inequity and inconsistencies in assessments for commercial property owners on corner lots. He proposed that the City change the rules so that commercial properties are assessed the same way residential properties are.

Tony Voh, representing the business owner at 542 Stryker Avenue, said he'd been astounded when he'd learned recently of the method for calculating ROW charges for commercial properties on corner lots, and said he would like to see a change to a more equitable system.

Lynn Birawer, owner of an fourplex on a corner lot, asked for a more equitable system, and said if the City was going to charge the rates it did, it should perform the ROW maintenance work.

Council President Lantry said 2011 rates would be ratified in October 2012, and there was a commitment from OFS to do a study and report back to the Council in the meantime on options for assessing ROW charges.

Councilmember Stark moved to close the public hearing and lay the matter over to December 15.

Councilmember Stark said he appreciated the testimony, recognized the common theme, and felt it should be addressed. Councilmember Carter echoed Councilmember Stark's comments.

Public hearing held and closed; laid over to December 15

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

Nay: 0

- 17 [RES 10-1043](#) Setting the 2011 Sanitary Sewer and Storm Sewer Rates.

Sponsors: Lantry

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and lay the matter over to December 15.

Public hearing held and closed; laid over to December 15

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

Nay: 0

- 18 [RES 10-1115](#) Setting the recycling service fee for 2011 and allowing Public Works to request \$597,750 in SCORE grant funds from Ramsey County to support the curbside recycling program under contract with Eureka Recycling.

Sponsors: Lantry

No one appeared in opposition; Councilmember Helgen moved to close the public hearing and lay the matter over to December 15.

Councilmember Helgen said that in the intervening time he hoped there would be a better understanding of any changes with Eureka. He said he thought it would also be useful to begin to look more closely at the organics policy and begin to plan for that.

Public hearing held and closed; laid over to December 15

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

Nay: 0

- 19 [RES 10-1126](#) Establishing the 2011 Residential Street Vitality Program Assessment Rates.

Sponsors: Lantry

No one appeared in opposition; Councilmember Thune moved to close the public hearing and lay the matter over to December 15.

Public hearing held and closed; laid over to December 15

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

Nay: 0

- 20 [RES 10-1108](#) Establishing the Water Rates for 2011.

Sponsors: Harris

No one appeared in opposition; Councilmember Harris moved to close the public hearing and lay the matter over to December 15.

Councilmember Harris acknowledged Water Board staff and commissioners present.

Councilmember Helgen said the current rate structure was driven by the need to sell water rather than to encourage conservation; he suggested that the Council consider establishing a base rate based on the cost of maintaining the infrastructure and providing high quality water, and charge for additional usage.

Public hearing held and closed; laid over to December 15

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

Nay: 0

- 21 [RES 10-1109](#) Establishing charges for cut-off of water service connections.

Sponsors: Harris

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

Adopted

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

Nay: 0

- 22 [RES 10-1116](#) Amending the budget in the Department of Planning and Economic Development by adding \$60,000.00 to the Financing and Spending plans for a grant received from the Saint Paul Foundation to fund the Central Corridor Emergency Working Capital Loan Fund.

Sponsors: Thune

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

Adopted

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

Nay: 0

- 23 [RES 10-1041](#) Accepting the First Light, Accountability, Response and Enforcement (FLARE-UP) grant and amending the financing and spending plans in the Police Department in the amount of \$56,125. (Laid over from October 27)

Sponsors: Lantry

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

Adopted

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

Nay: 0

- 24 [RES 10-1173](#) Amending the budget in the Department of Parks and Recreation by establishing Financing and Spending Plans for a grant received from the development of the Cherokee Regional Park Trail project in the amount of \$250,000 for the Cherokee Regional Park Trail project.

Sponsors: Thune and Lantry

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

Adopted

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

Nay: 0

- 25 [RES 10-997](#) Amending the budget in the Department of Parks and Recreation by adding a \$218,000.00 Financing and Spending Plan for a Minnesota Legislative-Citizen Commission on Minnesota Resources (LCCMR) grant for development of the Como Woodland Classroom.

Sponsors: Helgen and Stark

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

Adopted

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

Nay: 0

- 26 [RES 10-1046](#) Amending the budget in the Police Department by adding \$125,000.00 for a Financing and Spending Plan for a grant received from the State of Minnesota Department of Public Safety for the Ramsey County Violent Crime Enforcement Team (VCET).

Sponsors: Lantry

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Stark

- 27 [RES 10-1058](#) Amending the budget in the Department of Emergency Management by establishing Financing and Spending plans for state and federal reimbursement received in the amount of \$484,558.00 for the Spring 2010 flood budget.

Sponsors: Lantry

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Stark

- 28 [RES 10-1095](#) Amending the budget in the Department of Public Works by establishing a Financing and Spending Plan for an OSHA Safety Grant in the amount of \$8,500.00.

Sponsors: Lantry

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Stark

- 29 [RES 10-998](#) Amending the Capital Improvement Budget in the Department of Parks and Recreation by adding \$150,000.00 to the Financing and Spending Plans for a Solar Energy Legacy Grant received for the Como Pool project.

Sponsors: Helgen and Stark

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Stark

30 [APC 10-3](#)

Public hearing to consider the appeal of Sandra Belisle to a decision of the Planning Commission denying a change of nonconforming use permit to add pet boarding and pet day care to her existing pet grooming business at 360 Clifton Street.

Sponsors: Thune

Patricia James, Planning and Economic Development, gave a staff report. She said in 2006 the applicant had obtained a reestablishment of nonconforming use permit for a pet grooming business, and subsequently had applied to add dog daycare and boarding to the business. The staff recommendation was to deny the request, District 9 did not make a recommendation, the Zoning Committee recommended denial on a vote of 4 to 1, and the Planning Commission recommended denial on a vote of 13 to 3.

Jane Prince (111 E. Kellogg Boulevard, Suite 300) appeared representing the appellant. She distributed packets including her legal memo and a petition of support. She asked that appeal be granted for the following reasons: 70% of the neighbors had signed the zoning petition to allow Ms. Belisle to operate her grooming and boarding business at the present location; the nonconforming use permit in 2006 was for the same boarding and grooming business; and the zoning code was silent on the issue. Ms. Prince said the Planning Commission erred by basing its denial on the staff recommendation requiring that the applicant apply for a new zoning permit; she said the 2006 nonconforming use permit was legally sufficient. She said boarding and daycare met the zoning requirement for an accessory use, and were not more intensive than grooming. She said the Planning Commission also erred by basing its denial on two staff reports in which staff did not know whether the manner in which the applicant was running her business required a change or expansion of its nonconforming use. She said the Planning Commission also erred in basing its denial on staff reports that included incomplete, incorrect or misleading statements of fact. She noted that the Ramsey County Animal Control and Humane Society facilities were both in residential areas. She said the applicant's business met all state requirements for animal handling. She reviewed procedural errors which she believed provided grounds for automatically overturning the Planning Commission decision.

Sandra Belisle (360 Clifton Street), business owner, said Council's decision was critical to the survival of her business, which had paid taxes and employed people since 1976.

Hilary Major (364 Clinton Street), next-door neighbor to the business, expressed her support and said the business was more of an asset than a liability. She said business traffic was negligible, and Ms. Belisle and her customers were considerate of neighbors. She said Ms. Belisle was generous with help regarding pets, and the business provided important employment opportunities, especially for first-time workers.

Mary Bett (712 Roundhill Road, Mendota Heights), long-time employee, said the business had hundreds of loyal customers. She said Ms. Belisle had served as a mentor for her in starting her own business.

David Kelly (44 Kenwood Parkway), customer, said it was important to have pet boarding businesses in St. Paul, and Ms. Belisle's was a good one.

Betsy Kelly (44 Kenwood Parkway) said she would hate to see Ms. Belisle lose her business.

Carol Johnson (8401 Monroe, Spring Lake Park), customer since the 70s, said there was no noticeable animal noise at the business and Ms. Belisle was very good with the animals.

Brenda Sugii (13701 Courthouse Boulevard) said Ms. Belisle had taught her to groom animals 25 years ago. She said she had her own grooming and boarding business, and boarding was a natural extension of grooming because of the trust and confidence built.

No one appeared in opposition; Councilmember Thune moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Thune said he was inclined to grant the appeal for the following reasons:

The use was not more intensive than grooming; the code was silent on boarding in 2006; and pet boarding was allowed in certain residential areas in other cities. He suggested that staff check that out and consider adding it to St. Paul's zoning code. Councilmember Thune asked that the following conditions be imposed: The conditions from the 2006 decision remain in effect; up to two additional employees or independent contractors may be added for the boarding and daycare business; boarding be limited to a maximum of six dogs or a number determined safe and acceptable by animal control; all applicable statutes and licensing requirements be met; and dogs not be left unattended outdoors when the grooming business is closed. He noted that Ms. Belisle had a pet shop license but was limited to selling one litter per year of offspring from the owner's own pets.

Appeal Granted with Conditions

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

Nay: 0

Absent: 1 - Councilmember Stark

31 [RES 10-1172](#)

Resolution ordering the rehabilitation or wrecking and removal of the structures at 927 JORDAN AVE within fifteen (15) days after the November 3, 2010, City Council Public Hearing.

Sponsors: Bostrom

Legislative Hearing Officer Marcia Moermond said the County 4R program would like the opportunity to bid the deconstruction; she recommended that the Council order demolition within sixty (60) days with no option for rehabilitation.

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.

Adopted as amended (remove within 60 days with no option for rehabilitation)

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

Nay: 0

Absent: 1 - Councilmember Stark

32 [RES 10-1174](#) Resolution ordering the rehabilitation or wrecking and removal of the structures at 968 JACKSON ST within fifteen (15) days after the November 3, 2010, City Council Public Hearing.

Sponsors: Helgen

Legislative Hearing Officer Marcia Moermond recommended that the Council order removal of the structure within fifteen (15) days with no option for repair.

No one appeared in opposition; Councilmember Helgen moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.

Adopted as amended (remove within 15 days with no option for rehabilitation)

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

Nay: 0

Absent: 1 - Councilmember Stark

- 33 [RES 10-1180](#) Final version adopted 12/1/2010
Ordering the rehabilitation or razing and removal of the structures at 1456
COHANSEY STREET within one hundred eighty (180) days after the November 17,
2010, City Council Public Hearing.
- Sponsors:** Bostrom
- Legislative Hearing Officer Marcia Moermond asked that the Council continue the
public hearing to December 1. She said the owner had been asked to provide a work
plan by November 19, and other conditions were being met.*
- No one appeared in opposition; Councilmember Helgen moved to continue the public
hearing to December 1.*
- Continue Public Hearing to December 1**
- Yea:** 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember
Harris, Councilmember Helgen, City Council President Lantry and
Councilmember Thune
- Nay:** 0
- Absent:** 1 - Councilmember Stark
- 34 [RES 10-1182](#) Ordering the rehabilitation or razing and removal of the structures at 578 THOMAS
AVE within fifteen (15) days after the November 3, 2010, City Council Public Hearing.
- Sponsors:** Carter III
- Legislative Hearing Officer Marcia Moermond asked that the public hearing be
continued to December 15.*
- No one appeared in opposition; Councilmember Carter moved to continue the public
hearing to December 15.*
- Continue Public Hearing to December 15**
- Yea:** 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember
Harris, Councilmember Helgen, City Council President Lantry and
Councilmember Thune
- Nay:** 0
- Absent:** 1 - Councilmember Stark
- 35 [RES 10-867](#) Resolution ordering the rehabilitation or wrecking and removal of the structures at
1173 BRADLEY STREET within fifteen (15) days after the November 3, 2010, City
Council Public Hearing. (Ward 5)
- Sponsors:** Helgen
- Legislative Hearing Officer Marcia Moermond recommended that the Council order
the structure removed within fifteen (15) days with no option for repair.*
- No one appeared in opposition; Councilmember Helgen moved to close the public
hearing and adopt the recommendation of the Legislative Hearing Officer.*
- Adopted As Amended (remove within 15 days with no option for rehabilitation)**

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

Nay: 0

Absent: 1 - Councilmember Stark

- 36 [RES 10-1027](#) Resolution ordering the rehabilitation or wrecking and removal of the structures at 947 Earl Street within fifteen (15) days after the City Council Public Hearing. [Laid over from September 15] (Ward 6)

Sponsors: Bostrom

Legislative Hearing Officer Marcia Moermond said the property was in the County's 4 R program but the Council had already laid it over for a couple of months. She recommended that the Council proceed with an order to remove the property within fifteen (15) days.

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Stark

- 37 [ALH 10-114](#) Appeal of William Wengler to a Fire Certificate of Occupancy Correction Notice at 857 GRAND AVENUE.

Sponsors: Thune

Legislative Hearing Officer Marcia Moermond asked that the public hearing be continued to December 15.

No one appeared in opposition; Councilmember Thune moved to continue the public hearing to December 15.

Continue Public Hearing to December 15

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

Nay: 0

Absent: 1 - Councilmember Stark

- 38 [ALH 10-149](#) Appeal of Yolanda Menchaca to an Order to Vacate and Vacant Building Registration Notice at 480 Lawson Avenue West.

Sponsors: Helgen

Legislative Hearing Officer Marcia Moermond said the conditions leading to the vacant building registration no longer existed. She recommended that the appeal be granted.

No one appeared in opposition; Councilmember Helgen moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.

Appeal Granted

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

Nay: 0

Absent: 1 - Councilmember Stark

- 39 [ALH 10-207](#) Appeal of Ahti Hujanen to a Fire Certificate of Occupancy Correction Order at 971 Case Avenue. (Ward 6)

Sponsors: Bostrom

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.

Appeal Denied

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

Nay: 0

Absent: 1 - Councilmember Stark

- 40 [ALH 10-86](#) Appeal of Pro Realty Services, represented by Leah Frenning, to a Fire Inspection Correction Notice at 1648 Fourth Street East.

Sponsors: Lantry

No one appeared in opposition; Councilmember Thune moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.

Appeal Denied

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

Nay: 0

Absent: 1 - Councilmember Stark

SUSPENSION ITEMS

Council President Lantry moved suspension of the rules to introduce the following item:

Yeas - 6 Nays - 0 (Stark not present for vote)

- 42 [ALH 10-176](#) Appeal of Robert Wicker, Deerbrook Holdings, Inc. to a Summary Abatement Order at 702 Wilson Avenue. (Ward 7)

Sponsors: Lantry

No one appeared in opposition; Councilmember Thune moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.

Appeal Denied

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

Nay: 0

Absent: 1 - Councilmember Stark

ADJOURNMENT

Meeting adjourned at 6:33 p.m.

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

Nay: 0

Absent: 1 - Councilmember Stark

Council Meeting Information**Web**

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Cable

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