



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*

Wednesday, January 15, 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 **AO 14-2** Authorizing the Police Department to purchase alcoholic beverages, water, and food for the 2013-2 Recruit Academy Standard Field Sobriety Test.

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 2 - 12)

*Item 2 was removed from the Consent Agenda for separate consideration.
Councilmember Tolbert 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

- 3 **RES 14-79** Approving the appointment of Katie Knutson to serve as Assistant to the Mayor II, effective January 13, 2014.
Adopted
- 4 **Min 14-4** Approving the minutes of the January 2 and 8, 2014 City Council meetings.
Adopted
- 5 **RES 14-35** Authorizing the Fire Department to accept the donation of \$500 from Saint Patrick's Association.
Adopted
- 6 **RES 14-13** Approving the Collective Bargaining Agreement (January 1, 2013 - December 31, 2015) between the City of Saint Paul and AFSCME-Legal, Local 3757.
Adopted
- 7 **RES 14-12** Approving submission of a Fiscal Year 2014 Clean Water Fund Grant application through the Board of Soil and Water Resources for the Trout Brook Nature Sanctuary stream lift station.
Adopted
- 8 **RES 14-38** Granting approval to submit grants for Clean Water, Land and Legacy Amendment funds through the Parks and Trails program for state fiscal years 2014 and 2015.
Adopted
- 9 **RES 14-52** Authorizing the Police Department to enter into an agreement with Ramsey County, Emergency Communications Center, establishing procedures for actions related to the CJIS (Criminal Justice Information Services) and NCIC (National Criminal Information Center) hot file policy.
Adopted
- 10 **RES 14-54** Authorizing the Police Department to enter into an amendment to the Joint Powers Agreement with Ramsey County, Community Corrections, for wireless network and support services for their mobile CAD system.
Adopted
- 11 **RES 14-63** Authorizing the Police Department to accept and enter into the grant agreement with the State of Minnesota, Department of Public Safety, for their 2013 State Homeland Security Program grant.
Adopted

12 **RES 14-74** Establishing a stay in implementation of Council File Numbers RLH RR 13-10 and RLH OA 13-48 (an order to remove or repair 758 Maryland Avenue East, and an order to reexamine the record and affirm the determination).

Adopted

FOR DISCUSSION

2 **RES 14-91** Approving the Mayor's appointments of Wendy Underwood and Anne DeJoy; and the reappointments of Christopher Ochs, Trevor Oliver, Julie Perrus, Elizabeth (Betsy) Reveal, Bob Spaulding, Daniel O. Ward II, Barbara A. Wencil, and David Wickiser to serve on the Planning Commission.

Council President Lantry moved an amended version. Yeas - 7 Nays - 0

Councilmember Tolbert moved a one-week layover.

Amended; laid over to January 22

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

Nay: 0

13 **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) (Public hearing held January 2)

Legislative Hearing Officer Marcia Moermond asked for a one-month layover to allow the building official to look at the property and review the Code Compliance report with the property owner.

Councilmember Tolbert moved a one-month layover.

Laid over to February 19

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

Nay: 0

14 **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. (Public hearing held January 2)

Legislative Hearing Officer Marcia Moermond asked that the item be referred to Legislative Hearings on January 28 and come back before Council on February 5. She said she had clearly communicated the expectation that the Code Compliance inspection be applied for, and the \$5000 performance bond, proof of financing, and a work plan be submitted by January 28.

Councilmember Stark moved to lay the matter over to February 5.

Laid over to February 5

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

Nay: 0

- 15 **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)

Laid over to January 22

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.

Final Adoption

- 16 **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)

Councilmember Brendmoen moved approval.

Adopted

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

Nay: 0

Second Reading

- 17 **Ord 13-62** Amending Chapter 366 of the Saint Paul Legislative Code to require recycling at all community festivals.

Councilmember Tolbert moved to lay second reading over to January 22.

Second reading continued to January 22

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

Nay: 0

18 **Ord 13-63**

Amending Chapter 366A of the Saint Paul Legislative Code to require recycling at all parades, races or assemblies.

Councilmember Tolbert moved to lay second reading over to January 22.

Second reading continued to January 22

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

Nay: 0

19 **Ord 14-5**

Memorializing City Council action granting the application of the Franciscan Sisters of St. Paul to rezone property at 1388 Prior Avenue South from R3 One Family Residential to RM2 Multi Family Residential, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held December 18, 2013)

Laid over to January 22 for third reading

First Reading

20 **Ord 14-3**

Amending Chapters 60 and 65 of the Legislative Code regarding source-separated organics.

Laid over to January 22 for second reading

21 **Ord 14-6**

Amending section 24.03(B) of the Saint Paul Administrative Code regarding statements of economic interest.

Laid over to January 22 for second reading

SUSPENSION ITEMS

Councilmember Stark 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

First Reading

Ord 14-8

Authorizing the issuance of general obligation library bonds, in one or more series, of the Saint Paul Public Library Agency pursuant to Laws of Minnesota 2002, Chapter 390, Sections 36 through 38, and Minnesota Statutes, Chapter 475, as amended.

Councilmember Stark introduced the first reading. Yeas - 7 Nays - 0

First reading introduced under suspension; laid over to January 22 for second reading

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

Nay: 0

Council President Lantry acknowledged students participating in St. Paul Youth Services Local Lobby Day.

Council members shared information about upcoming events in their wards.

The Council recessed at 3:48 p.m.

PUBLIC HEARINGS

The Council reconvened for public hearings at 5:31 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

22 Ord 14-2

Amending Chapter 409 of the Saint Paul Legislative Code pertaining to the definition of Off-Sale Brewery.

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

Public hearing held and closed; laid over to January 22 for final adoption

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

Nay: 0

23 RES PH 14-10

Approving the application of Hangman Productions, Inc. for a sound level variance in order to allow 24/7 operation of chillers and generators from Monday, January 27, 2014 through Monday, March 3, 2014; and the use of an amplified sound system for the Red Bull Crashed Ice International Ice Cross event, to be held Wednesday, February 19, 2014 through Saturday, February 22, 2014 between 4:00 PM and 10:00 PM.

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approve the resolution. He said there were some concerns about the generators, but Red Bull was working to address them.

Adopted

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

Nay: 0

24 RES PH 14-4

Final Order approving the construction of the 2014 Residential Street Vitality Projects (2014 RSVP).

In opposition:

Brian Pergament, representing Marquette Apartments, LLC, owner of 219 Virginia Street, said he didn't have record of having received notice of the October meeting, and this was the first opportunity he'd had to comment on the project. He said the \$19,000 assessment would be spread between the tenants of the 10 one-bedroom apartments with rents ranging from \$600 to \$750. He said they were in favor of preserving the historic fabric of the neighborhood but the one-block section of pavers, which was in poor repair, was a singularity and connected to asphalt streets. He said property owners to the south had been having meetings about their project for over a year, but he had not received notice of meetings regarding Virginia. He noted the economic disparity between the property owners on Summit and the renters on Virginia, and he asked that the Council table the item so residents could provide more input on the Virginia Street portion.

Sarah Conley (329 Summit Avenue), Virginia Street property owner, said she didn't receive notice of the October meeting either, and would like Virginia Street to be tabled and re-evaluated. She said she also owned a home on Maiden Lane and very much wanted that project to go forward.

Brent Larson (635 California Avenue East) said his property value had been decreasing in the ten years since he'd purchased it, and this extra \$6300 assessment represented a hardship. He respectfully asked that the project not be done.

Wade Burgess (341 Dayton Avenue) said Virginia needed repair but he questioned rather it needed to be pavers. He said the \$19,000 assessment for his single family home could not be spread among apartments, and was more than he could afford. He asked that the Virginia Street project be tabled for further consideration, or that it be done as a normal asphalt street.

Tom Scheff (544 California Avenue East) asked the Council to consider not doing the ash tree removal. He said the cost of removing the trees outweighed the benefits, and taking mature healthy trees down would diminished aesthetics and property values. He said the trees were currently healthy, and the Gateway Trail would provide an avenue for emerald ash borer transmission even if the neighborhood trees were removed. He noted recent reports stating that the cold harsh weather had decreased the emerald ash borer population.

In support:

Brett Lillemoe (392 Mississippi River Boulevard North), representing the Riley Row Townhome Association, said they were very much in favor of the project on Maiden Lane.

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

Councilmember Thao thanked the people who had come to testify. He moved to amend the resolution to remove the Virginia project and lay it over for three weeks for further discussion, while adopting the remainder.

Councilmember Stark requested an update from staff on the ash tree plan given news about the cold weather reducing the larva population. Council President Lantry said she had gotten an email on the subject from Parks and she would share it with the other Council members.

Dan Haak, Public Works, said it was his understanding that about 80% of the emerald ash borer larvae had died. He said he had spoken with Zach Jorgensen from Forestry and been told that healthy ash trees 12" in diameter or larger were being left in place. He said he believed there had been some blocks where they had opted to keep all of the ash trees.

Adopted as amended (Virginia Street removed for separate consideration on February 5)

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

Nay: 0

25 ABZA 14-1

Public hearing to consider the appeal of Bill Bergmann of a decision by the Board of Zoning Appeals to deny a request for variances of the parking and rear yard setback requirements to convert attic space in an existing detached garage into a dwelling unit, which would result in two principal single-family buildings on the same zoning lot at 576 Lincoln Avenue.

Yaya Diatta, Department of Safety and Inspections, gave a staff report on the variance requests and appeal.

Appellant:

Appellant Bill Bergmann (2757 York Avenue South, Minneapolis), contractor for the property owners, said the BZA decision was unfair because it was based on a BZA staff report that failed to interpret the findings addressing the intent and purpose of the zoning code and how variances are applied, exploring the conditions pertaining to the existing structure, and asking whether the physical features of the variance were part of the essential character of the neighborhood. He said the proposed use required a variance because it was nonconforming, so it didn't make sense to make a finding based on the nonconforming use. He also noted that the stated intent of the zoning ordinance to eliminate nonconforming use of land was inconsistent with the section of the Comprehensive City Plan which encouraged uses of accessory units in existing neighborhoods that provided for changing demographics. He said the current zoning of the garage and need for the variances was a circumstance not created by the present owners and was unique to the property at the time they purchased it. He said there were exterior staircases in the immediate area leading to dwelling units, and there were other multi-unit buildings very close to the alley on their block. He displayed photographs. He noted that the surrounding area was multifamily, and that there was a newly built dwelling unit above a garage, a block away on Grand Hill. He also noted that the property was in an RM2 zoning district allowing mixed, multifamily housing. He asked that the Council consider that staff notes related to a similar variance request submitted in 2000 by the previous owner indicated it probably would have been approved had it not been withdrawn, and that the BZA granted a nearly identical variance to the homeowners on Grand Hill.

Tisha Colton (576 Lincoln) said they would like to convert the garage attic to a dwelling space for her mother-in-law, which would give her better access to public transportation and allow her to age in place. She said the structure was already in place and they were only proposing to make it more usable. She said the essential character of the neighborhood was that it was a densely populated multi-family area, and converting the space above garage would not alter that. She said they had the support of the Summit Hill Association and neighbors. She said one neighbor had raised concerns about parking, and that neighbor had a two-car garage they hardly ever used. She also noted the similar but larger structure on Grand Hill for which larger variances were granted and the potential for rental use by a future owner was the same. She said they were not proposing a new structure except for the exterior staircase, which would be designed beautifully.

Bill Strusinski (11 Crocus Hill) said he had lived there since 1977 and parking was not an issue.

In opposition:

Beth Andrews (10 Crocus Hill) said there were specific setback requirements for dwelling spaces, and maintaining the setbacks was important in regulating density and protecting the character of Crocus Hill. She asked that the Council take the long view, and said there were no other dwelling units above garages along the alley. She noted that the proposed addition would not be handicapped accessible, and therefore not suited for an aging parent. She said the similar structure on Grand Hill had required a smaller variance and had an interior elevator. She expressed concerns about future uses of the structure, and said the property owners knew the situation when they purchased the property. She said the purpose of the zoning code was to maintain a balance.

Jeff Rank (10 Crocus Hill) said the garage was four feet off the alley and looked right into his back yard. He asked what would prevent adding a dwelling unit to every structure on the alley. He expressed concerns about the effects of the addition on the character of the neighborhood and on parking, and about the difficulty in regulating future uses of the dwelling unit.

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

Councilmember Thune said he didn't take overturning a BZA decision lightly but in this case he felt they had erred in their decision. He said requiring a 25-foot setback would be out of character for the neighborhood, the Coltons did not create the situation leading to the need for a variance, it was common in that area for carriage houses to be used in that way, and the neighbors and District Council were generally supportive. He moved to grant the appeal.

Motion of intent - Appeal granted

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

Nay: 0

26 PH 14-1

Public hearing to consider the application of D & J Slomkowski for preliminary and final plat approval for Slomkowski Addition to create two I1 Light Industrial parcels, and for a variance of the parkland dedication fee. (Zoning File # 12-214-990)

No one appeared in opposition; Councilmember Thao moved to close the public hearing and grant the application.

Motion of intent - Application granted

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

Nay: 0

27 RES PH 14-2

Final Order approving the alley improvements in Hazel Park Plat A, Block 2, Lots 1-4 (bounded by Rose, Maryland, White Bear and Van Dyke). (File No. 19156, Assessment No. 145000)

No one appeared in opposition; Councilmember Bostrom 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

28 RES PH 13-324

Authorizing license and parkland diversion for Arvig Enterprises within the parkway at Edgcumbe Road.

No one appeared in opposition; Councilmember Tolbert 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

29 RES PH 14-11

Extending the cable franchise held by Comcast of St. Paul, Inc to July 31, 2014.

No one appeared in opposition; Councilmember Tolbert 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

47 RLH TA 13-725

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1403, Assessment No. 148802 at 707 EDMUND AVENUE. (Amended to File No. VB1403A, Assessment No. 148811)

Legislative Hearing Officer Marcia Moermond said her recommendation was approval of the full vacant building fee because the permits were not all finalled.

Steve Flanders (705 Edmund) asked for a reduction of the fee. He said all of the work was completed and all inspections had been done, and he was told by the inspector that the Certificate of Occupancy would be issued as soon as all of the permits were finalled. He said the only remaining issues for the permits were inspection of deck footings, which couldn't be done until spring, and confirmation that fire retardant caulking had been used as required. He said he'd used \$20,000 against his retirement account to get the work done, and he asked that the fee be prorated.

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

In response to questions from Councilmember Thao, Ms. Moermond and Mr. Flanders clarified the work that remained.

Councilmember Thao moved a layover to confirm that permits had been approved.

Ms. Moermond recommended a three week layover to confirm the plumbing permit. She said if the plumbing permit was finalled, a temporary Certificate of Occupancy could be issued pending the final inspection on the deck footings, and she would recommend a reduction in the assessment.

Public hearing held and closed; laid over to February 12

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

Nay: 0

70 RLH CO 13-34 Appeal of Robin Magee to a Correction Notice at 466 MARSHALL AVENUE.

Withdrawn

79 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.

Legislative Hearing Officer Marcia Moermond said the issue involved two adjacent parcels. She said the fire inspection for the apartment on one parcel included a write-up on the use of the adjacent vacant parcel for parking. She recommended granting the appeal and removing the issue from the apartment inspection. She said zoning would address the parking on the vacant parcel if it continued.

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

Adopted as amended (appeal granted as it pertains to adjacent property; orders for 590 Reaney forthcoming from Zoning)

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

Nay: 0

- 92 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)
- Legislative Hearing Officer Marcia Moermond said she and the building official had been working with the property owners to allow portions of building to be certified for rental to generate additional funds for repairs, as long as there was a single building permit and a work plan to outline how the repairs would be staged. She said permit staff would also be looking at items such as fire separations in the basement and electrical and mechanical issues which were building-wide. She said the building official and representatives of the property owners were comfortable with the language in the resolution.*
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution as amended.*
- Adopted as amended (partial Certificate of Occupancy may be issued if conditions are met)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 110 RLH AR 13-105** Ratifying the assessments for Excessive Use of Inspection Services billed April 8 to July 26, 2013. (File No. J1401E, Assessment No. 148300)
- Legislative Hearing Officer Marcia Moermond asked that 749 Maryland Avenue East be removed from the assessment roll and sent back to Legislative Hearings.*
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution as amended.*
- Adopted as amended (749 Maryland Avenue East removed from the assessment roll for separate consideration)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 66 RLH TA 13-666** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1035 MAGNOLIA AVENUE EAST.
- Legislative Hearing Officer Marcia Moermond said the issue was an assessment for excessive consumption of code enforcement services, and the charge was for an inspector visit. She said the summary abatement order hadn't been complied with at the time of the reinspection but had been addressed when the work crew came. She said the amount of the assessment was \$135, and there was some history at property. She noted that there was a possible dumping concern at the property.*
- In opposition:
Property owner Eng Ng (1035 Magnolia East) said the City's web site showed two*

summary abatements at the property, one in April and one in June. He said he thought the inspector was mad at him at the first time there were materials that had not been disposed of, but the materials were coming from a neighbor and not his tenants. He said 1033 Magnolia was a Category 1 vacant building and did not have garbage service. He said he monitored the property weekly.

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

Councilmember Bostrom moved to reduce the assessment to \$60.

Adopted as amended (assessment reduced to \$60)

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, 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 30 - 119)

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, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

30 RLH TA 13-681 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1403, Assessment No. 148202 at 168 ACKER STREET EAST.

Adopted

31 RLH TA 13-686 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 974 ARCADE STREET.

Adopted

32 RLH FCO 13-261 Appeal of William Wilson to a Correction Notice - Complaint Inspection at 801 ARMSTRONG AVENUE.

Adopted

33 RLH TA 13-690 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1087 ARUNDEL STREET.

Adopted

- 34 **RLH TA 13-678** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 706 BLAIR AVENUE.
Adopted
- 35 **RLH TA 13-715** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 810 BUFFALO STREET.
Adopted
- 36 **RLH TA 13-711** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1403, Assessment No. 148202 at 2179 BUSH AVENUE.
Adopted
- 37 **RLH TA 13-661** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1081 CASE AVENUE.
Adopted
- 38 **RLH TA 13-691** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 402 CLEVELAND AVENUE NORTH.
Adopted
- 39 **RLH VO 14-1** Appeal of David Leventhal, Cecil's Delicatessen, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 651 CLEVELAND AVENUE SOUTH.
Adopted
- 40 **RLH TA 13-716** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 59 CONGRESS STREET EAST.
Adopted
- 41 **RLH TA 13-717** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402B, Assessment No. 148101 at 1585 CONWAY STREET.
Adopted
- 42 **RLH TA 13-662** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 373 COOK AVENUE EAST.
Adopted
- 43 **RLH TA 13-683** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 340 DALY STREET.
Adopted

- 44 **RLH TA 13-692** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1146 DULUTH STREET.
Adopted
- 45 **RLH RR 13-48** Ordering the razing and removal of the structures at 521 EDMUND AVENUE within fifteen (15) days after the December 4, 2013, City Council Public Hearing.
Adopted
- 46 **RLH TA 13-706** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 521 EDMUND AVENUE.
Referred to Legislative Hearings on February 11; Council public hearing continued to February 19
- 48 **RLH TA 13-713** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1403, Assessment No. 148202 at 663 FIFTH STREET EAST, UNITS A & B.
Adopted
- 49 **RLH TA 13-663** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1110 FOREST STREET.
Adopted
- 50 **RLH TA 13-682** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1403, Assessment No. 148202 at 214 FOURTH STREET EAST.
Adopted
- 51 **RLH TA 13-664** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1048 FOURTH STREET EAST.
Adopted
- 52 **RLH TA 13-693** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 891 FREMONT AVENUE.
Adopted
- 53 **RLH TA 13-656** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 340 FULLER AVENUE.
Adopted
- 54 **RLH TA 14-3** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 99 GERANIUM AVENUE WEST.
Adopted

- 55 **RLH TA 13-694** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 2209 GLENRIDGE AVENUE.
Adopted
- 56 **RLH TA 13-695** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 2020 GOODRICH AVENUE.
Adopted
- 57 **RLH TA 13-687** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1858 GRAND AVENUE.
(Amended to Assessment No. J1401E1, Assessment No. 148302)
Referred to Legislative Hearings on April 1; Council public hearing continued to April 16
- 58 **RLH TA 13-688** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 80 GROTTO STREET SOUTH.
Adopted
- 59 **RLH TA 13-660** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 570 HALL AVENUE.
Adopted
- 60 **RLH TA 13-665** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1147 HAWTHORNE AVENUE EAST.
Adopted
- 61 **RLH TA 13-696** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 2016 IDAHO AVENUE EAST.
Adopted
- 62 **RLH TA 13-679** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 861 IVY AVENUE EAST.
Adopted
- 63 **RLH TA 13-726** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1403, Assessment No. 148802 at 673 JESSAMINE AVENUE EAST.
Adopted
- 64 **RLH TA 13-710** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403G, Assessment No. 148702 at 1069 LAFOND AVENUE.
Adopted

- 65 **RLH TA 13-722** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403B, Assessment No. 148102 at 924 LAWSON AVENUE EAST.
Adopted
- 67 **RLH TA 13-667** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 327 MAPLE STREET.
Adopted
- 68 **RLH TA 13-724** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1403, Assessment No. 148802 at 860 MARGARET STREET.
Adopted
- 69 **RLH TA 13-697** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1633 MARGARET STREET.
Adopted
- 71 **RLH TA 13-676** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 675 MARYLAND AVENUE EAST.
Adopted
- 72 **RLH TA 13-680** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1087 MARYLAND AVENUE EAST.
Adopted
- 73 **RLH TA 12-164** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207A1, Assessment No. 128520 at 559 MCKNIGHT ROAD SOUTH. (Public hearing continued from January 16, 2013)
Referred to Legislative Hearings on March 18; Council public hearing continued to April 2
- 74 **RLH TA 13-677** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No.148300 at 65 MONTANA AVENUE WEST.
Adopted
- 75 **RLH TA 13-668** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1865 MORGAN AVENUE.
Adopted
- 76 **RLH TA 13-705** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 719 PAYNE AVENUE.
Adopted

- 77 **RLH TA 13-669** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 886 PAYNE AVENUE.
Adopted
- 78 **RLH TA 13-685** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1558 POINT DOUGLAS ROAD SOUTH.
Adopted
- 80 **RLH TA 13-670** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1745 REANEY AVENUE.
Adopted
- 81 **RLH TA 13-727** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1403, Assessment No. 148802 at 711 ROSE AVENUE EAST.
Adopted
- 82 **RLH TA 13-709** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 526 ST. ALBANS STREET NORTH.
Adopted
- 83 **RLH TA 13-699** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 919 ST. ANTHONY AVENUE.
Adopted
- 84 **RLH TA 13-719** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1169 ST. PAUL AVENUE.
Adopted
- 85 **RLH TA 13-720** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A1, Assessment No. 148513 (amended from File No. J1403A, Assessment No. 148502) at 1173 ST. PAUL AVENUE.
Public hearing continued to August 6
- 86 **RLH TA 13-671** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1844 SELBY AVENUE.
Adopted
- 87 **RLH TA 13-721** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403P, Assessment No.148402 at 414 SEVENTH STREET WEST.
Adopted

- 88 **RLH TA 13-657** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1490 SEVENTH STREET EAST.
 Adopted
- 89 **RLH TA 13-672** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1700 SEVENTH STREET EAST.
 Adopted
- 90 **RLH TA 13-739** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 683 SHERBURNE AVENUE.
 Adopted
- 91 **RLH TA 13-698** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 786 SHERBURNE AVENUE.
 Adopted
- 93 **RLH TA 13-655** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402B, Assessment No. 148101 at 1820 STILLWATER AVENUE.
 Adopted
- 94 **RLH TA 13-673** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 623 STRYKER AVENUE.
 Adopted
- 95 **RLH TA 13-674** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 312 SUPERIOR STREET.
 Adopted
- 96 **RLH TA 13-700** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 2072 THIRD STREET EAST.
 Adopted
- 97 **RLH TA 13-675** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1763 THOMAS AVENUE.
 Adopted
- 98 **RLH TA 13-654** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 958 UNIVERSITY AVENUE WEST.
 Adopted

- 99 **RLH TA 13-712** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1660 UNIVERSITY AVENUE WEST.
Adopted
- 100 **RLH FCO**
 13-269 Appeal of Blake Lehane to a Fire Inspection Correction Notice at 694 VAN BUREN AVENUE.
Adopted
- 101 **RLH TA 13-684** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 640 VICTORIA STREET SOUTH.
Adopted
- 102 **RLH TA 13-658** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 718 WATSON AVENUE.
Adopted
- 103 **RLH TA 13-736** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1403, Assessment No. 148802 at 676 WELLS STREET.
Adopted
- 104 **RLH TA 13-737** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403B, Assessment No. 148102 at 676 WELLS STREET.
Adopted
- 105 **RLH TA 13-701** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1337 WINCHELL STREET.
Adopted
- 106 **RLH TA 13-702** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1203 WOODBRIDGE STREET.
Adopted
- 107 **RLH TA 13-703** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1231 WOODBRIDGE STREET.
Adopted
- 108 **RLH TA 13-704** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1033 YORK AVENUE.
Adopted

- 109 **RLH TA 13-659** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1748 YORK AVENUE.
Adopted
- 111 **RLH AR 13-106** Ratifying the assessments for Demolition Services during August 2013. (File No. J1403C, Assessment No. 142002)
Adopted
- 112 **RLH AR 13-107** Ratifying the assessments for Tree Removal Services during September 2013. (File No. 1402T, Assessment No. 149001)
Adopted
- 113 **RLH AR 13-108** Ratifying the assessments for Boarding and/or Securing Services during August 2013. (File No. J1402B, Assessment No. 148101)
Adopted
- 114 **RLH AR 13-113** Ratifying the assessments for Collection of Certificate of Occupancy Fees billed July 4 to August 1, 2013. (File No. CRT1403, Assessment No. 148202)
Adopted
- 115 **RLH AR 13-114** Ratifying the assessments for Property Clean Up Services from August 30 to September 30, 2013. (File No. J1403A, Assessment No. 148502)
Adopted
- 116 **RLH AR 13-115** Ratifying the assessments for Trashing Hauling Services during September 2013. (File No. J1403G, Assessment No. 148702)
Adopted
- 117 **RLH AR 13-116** Ratifying the assessments for Collection of Vacant Building Fees billed February 25 to July 17, 2013. (File No. VB1403, Assessment No. 148802)
Adopted
- 118 **RLH AR 13-117** Ratifying the assessments for Graffiti Removal Services from August 19 to September 16, 2013. (File No. J1403P, Assessment No. 148402)
Adopted
- 119 **RLH AR 13-118** Ratifying the assessments for Boarding and/or Securing Services during September 2013. (File No. J1403B, Assessment No. 148102)
Adopted

Councilmember Thao noted that there would be a march to honor Martin Luther King Jr., from the Cathedral of St. Paul to the Minnesota History Center on Martin Luther King Day.

ADJOURNMENT

Councilmember Thao moved adjournment.

Meeting adjourned at 6:44 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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