



# City of Saint Paul

## Minutes - Final

### City Council

*Council President Russ Stark  
Councilmember Dan Bostrom  
Councilmember Amy Brendmoen  
Councilmember Rebecca Noecker  
Councilmember Jane L. Prince  
Councilmember Dai Thao  
Councilmember Chris Tolbert*

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

Katie Burger, Executive  
Assistant, 651-266-8560

Wednesday, January 18, 2017

3:30 PM

Council Chambers - 3rd Floor

**Budget Amendment Public Hearings at 3:30 p.m.  
Public Hearings at 5:30 p.m.**

### ROLL CALL

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

**Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

### COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 17-6](#) Letter from the Department of Safety and Inspections declaring 418 Sherburne Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)  
**Received and filed**
- 2 [AO 17-6](#) Amending the 2016 general fund budget for the Fire Department to more accurately record expenditures.  
**Received and filed**
- 3 [AO 17-7](#) Recording Public Art budget amounts into the appropriate project or program, to more easily identify which projects are completed and which projects are not completed.  
**Received and filed**
- 4 [AO 17-8](#) Amending the 2016 spending budget for the Office of Financial Services.  
**Received and filed**

5 [AO 17-9](#) Amending the 2017 Capital Improvement Budget to allocate funding for capital maintenance projects to the appropriate departments, as recommended by the Capital Improvement Budget Committee.

**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 6 - 18)**

*Councilmember Bostrom moved approval of the Consent Agenda.*

**Consent Agenda adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

6 [RES 17-108](#) Approving the use of grant funds through the Neighborhood Star Year-Round Program for the 378 Maria/Strip Club Building.

**Adopted**

7 [RES 17-64](#) Approving the 2016 Urban Area Security Initiative Grant for \$977,400 in the Department of Emergency Management.

**Adopted**

8 [RES 17-85](#) Accepting a donation from the MN Chapter of National Public Employees Labor Relations Association (NPELRA) in the amount of \$2,500 to cover the expenses for Jason Schmidt, Labor Relations Manager, to attend the NPELRA training conference, April 23 - 27 in Long Beach, California.

**Adopted**

9 [RES 17-90](#) Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during April 27 to September 23, 2016, and setting date of Legislative Hearing for February 21, 2017 and City Council public hearing for April 5, 2017 to consider and levy the assessments against individual properties. (File No. VB1705, Assessment No. 178805)

**Adopted**

10 [RES 17-91](#) Approving the City's cost of providing Boarding and/or Securing services during September 2016, and setting date of Legislative Hearing for February 21, 2017 and City Council public hearing for April 5, 2017 to consider and levy the assessments against individual properties. (File No. J1704B, Assessment No. 178103)  
**Adopted**

11 [RES 17-92](#) Approving the City's cost of providing Excessive Use of Inspection/Abatement services billed during September 26 to October 21, 2016, and setting date of Legislative Hearing for February 21, 2017 and City Council public hearing for April 5, 2017 to consider and levy the assessments against individual properties. (File No. J1705E, Assessment No. 178304)  
**Adopted**

12 [RES 17-93](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during September 12 to October 6, 2016, and setting date of Legislative Hearing for February 21, 2017 and City Council public hearing for April 5, 2017 to consider and levy the assessments against individual properties. (File No. CRT1706, Assessment No. 178205)  
**Adopted**

13 [RES 17-94](#) Approving the City's cost of providing Graffiti Removal services during November 10 to December 24, 2016, and setting date of Legislative Hearing for February 21, 2017 and City Council public hearing for April 5, 2017 to consider and levy the assessments against individual properties. (File No. J1706P, Assessment No. 178405)  
**Adopted**

14 [RES 17-112](#) Granting preliminary approval to the issuance of certain general obligation and revenue bonds as approved in the 2017 budget of the City of Saint Paul; expressing the intent of the City of Saint Paul to reimburse itself from the proceeds of such tax-exempt bonds; and authorizing City finance staff and advisors to take certain actions with respect to the sale of such bonds.  
**Adopted**

15 [RES 17-111](#) Establishing the rate of pay for the new classification of Emergency Planning and Security Supervisor in EG 09, SPSO, Grade 010.  
**Adopted**

16 [RES 17-83](#) Approving the Mayor's reappointments of Trude Harmon and Michelle Furrer to serve on the Our Fair Carousel Board of Directors.

**Adopted**

17 [RES 17-115](#) Approving the Mayor's appointments of Tom McCarthy, John Kennedy, Frank Richie, Rebecah Spinler, and Justin Reuter, and the reappointment of Man Huynh to serve on the Truth in Sale of Housing Board.

**Adopted**

18 [RES 17-96](#) Authorizing the Police Department to accept a grant totaling \$5,200 from the Saint Paul Police Foundation.

**Adopted**

#### FOR DISCUSSION

19 [RES 17-58](#) Supporting early voting by absentee ballot in City owned buildings.

*Councilmember Brendmoen moved an amended version with minor adjustments made after further conversations with Parks and Libraries. She said this was an effort to extend early voting to other parts of the City.*

*Councilmember Noecker thanked Joe Mansky (Ramsey County Elections) for suggesting the change, and Parks and Libraries for working with the Council. She said it was important to make early voting available in every location possible.*

*Councilmember Brendmoen said three of the four lowest voting districts in Minnesota were in St. Paul.*

*Council President Stark and Councilmember Thao thanked Mr. Mansky and Council members Brendmoen and Noecker.*

*Councilmember Brendmoen moved approval of the resolution as amended.*

**Adopted as amended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

20 [RLH RR 16-52](#) Ordering the rehabilitation or razing and removal of the structures at 1150 REANEY AVENUE within fifteen (15) days after the December 21, 2016, City Council public hearing. (Amend to grant 180 days)

*Legislative Hearing Officer Marcia Moermond asked for an amendment to grant 180 days for the rehabilitation or removal of the structure.*

*Councilmember Prince moved approval of the recommendation.*

**Adopted as amended (180 days to remove or repair)**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

#### **ORDINANCES**

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

**No items**

#### **BUDGET AMENDMENT PUBLIC HEARINGS (held during the 3:30 portion of the meeting)**

21 [RES PH 17-9](#) Amending the financing and spending plans in the Fire Department for the \$1,000 grant received from Walmart.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

22 [RES PH 17-7](#) Approving the use of Neighborhood STAR Year-Round Program grant funds for the Saint Paul - Changsha China Friendship Garden Phase 1 project in Phalen Regional Park, and amending the financing and spending budget in the Department of Parks and Recreation in the amount of \$16,700 for the project.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**23** [RES PH 17-13](#) Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$125,000 to reflect 2017 funding expected from Como Friends.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**24** [RES PH 17-15](#) Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$35,000 to reflect additional expected funding received in 2017 from Right Track and Youthprise contributions and donations.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**25** [RES PH 17-12](#) Authorizing Police Department to accept a sub-grant in the amount of \$294,437 from the Saint Paul and Ramsey County Domestic Abuse Intervention Project for the BLAZE grant.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**26** [RES PH 17-14](#) Authorizing the Police Department to accept a grant in the amount of \$6,378 from State of Minnesota, Department of Public Safety for forensic sciences improvement.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**27 RES PH 17-17** Authorizing the Police Department to accept the extension of the 2015 State Homeland Security Program grant from the State of Minnesota and to amend the 2017 budget.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

*Council members shared good news about events in their wards.*

*The Council recessed at 3:41 p.m.*

**PUBLIC HEARINGS (Public hearings at 5:30 p.m.)**

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

**28 Ord 17-1** Amending Chapters 65 and 66 of the Saint Paul Legislative Code pertaining to outdoor commercial uses.

*In support:*

*Tina Volpe, Union Depot, read a statement in support.*

*Councilmember Noecker moved to close the public hearing.*

**Public hearing held and closed; laid over to January 25 for final adoption**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**29 Ord 17-2** Amending Chapter 338 of the Saint Paul Legislative Code pertaining to the House Sewer Property Owner Requirements and Contractor License.

*No one was present to testify. Council President Stark moved to close the public hearing and lay the ordinance over to January 25 for final adoption.*

**Public hearing held and closed; laid over to January 25 for final adoption**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**30 ABZA 17-2**

Public hearing to consider the appeal of Gnia Dua Kong to a decision of Board of Zoning Appeals (BZA) denying a variance request to allow an existing illegal parking space in the front yard at 312 Wheelock Parkway East. (Public hearing continued from January 18; to be continued to March 1)

*Council President Stark said the item was noticed for February 1 and was on the agenda in error.*

*No one was present to testify. Councilmember Brendmoen moved to continue the public hearing to February 1.*

**Public hearing continued to February 1**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**31 RES PH 17-5**

Authorizing the use of a Project Labor Agreement for a city project to construct a new Police Communication Services & Maintenance operations facility at 1675 Energy Park Drive.

*No one was present to testify. Council President Stark moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**32 RES PH 17-16**

Reciting a proposal for a Housing Finance Program for a multi-family rental housing development; giving preliminary approval to the project and the program pursuant to Minnesota Statutes, Chapter 462C; authorizing the Housing and Redevelopment Authority to issue conduit multifamily housing revenue bonds; and authorizing the preparation of necessary documents and materials in connection with said project and program, 408 North Farrington Street (Hanover Townhomes Project District 8, Ward 1).

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**LEGISLATIVE HEARING ITEMS FOR DISCUSSION**

53 [RLH TA 16-564](#)

Ratifying the Appealed Special Tax Assessment for Property at 302 COTTAGE AVENUE WEST. (File No. VB1704, Assessment No. 178804)

*Legislative Hearing Officer Marcia Moermond gave a staff report on the vacant building fee assessment. She said the sale review was approved on October 11, 2016 and the bill was for the period June 2016-2017. She said there may or may not have been adequate disclosure of the fee at the time of sale. She said in the legislative hearing it was clear it would be six or seven months into the billing period by the time the building was done, and her practice was to recommend approval of the assessment in its entirety when that much of the billing cycle was in the vacant building program.*

*In opposition:*

*Property owner Juan Castellanos said they had closed on the purchase of the house from Freddie Mae on June 29. He said Freddie Mae had sent a check to the City and the City sent it back, and he was told it had been paid. He said he was working on the house but it was taking a little bit longer since it was a Category 2. He said they'd been investing a lot of money to get it up to code and it took a little bit longer because there were a lot of inspections required. Council President Stark asked Mr. Castellanos if he was arguing against having to pay the fee. Mr. Castellanos said yes; he said since they were there working on it it wasn't technically vacant.*

*Ms. Brendmoen asked Mr. Castellanos if the your intent was to rent out the property. Mr. Castellanos said it was going to be sold. He said they were about a week from being done. Councilmember Brendmoen asked Mr. Castellanos to clarify whether he was contesting the fee because he wasn't aware of it or because it wasn't a vacant building at the time of purchase. Mr. Castellanos he was contesting because he wasn't aware of it. He said Freddie Mae sent a check at the beginning of July and the City sent it back to them.*

*Council President Stark asked if there was evidence of that. Ms. Moermond the bank paid the 2015-2016 bill, but there was no record of payment in terms of a check having been sent back to the title company.*

*Councilmember Brendmoen said Mr. Castellanos's recourse might be with the realtor or Freddie Mac, but it didn't seem like this was the City's responsibility, based on what Ms. Moermond was saying. Ms. Moermond said it was a June-June billing cycle and a June closing, so it made sense that the bank would have made sure the old bill was paid prior to closing, although she didn't know that for sure. She said the 2016-2017 bill had not been paid.*

*Councilmember Brendmoen said the building was technically vacant even though Mr. Castellanos was there working.*

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

*Councilmember Brendmoen said her instinct was to go with Ms. Moermond's recommendation but was open to input from her colleagues. She said this was an investment property that they were flipping and she didn't know what their recourse was. Council President Stark said he wasn't sure there was any recourse or should be, because they owned the property from the start of the billing cycle. He said normal practice was if it (the property) was in for more than half of the year, and it looked like it would only be slightly more than half of the year, but it wasn't done.*

*Councilmember Brendmoen moved to adopt Ms. Moermond's recommendation.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

57 [RLH RR 16-51](#)

Ordering the razing and removal of the structures at 1062 FRONT AVENUE within fifteen (15) days after the December 21, 2016, City Council public hearing. (Public hearing continued from December 21, 2016)

*Legislative Hearing Officer Marcia Moermond said testimony was received at a public hearing in December and the matter was laid over because of notification error from her office. She reviewed the history and clarified a couple of issues with the file, and listed the items still outstanding. She said and there had been quite a few summary abatement orders over the years, and the City had done a lot of maintenance on the property, but the property had been maintained since the legislative hearing. She said she had not seen a work plan or financials, and there had been a request from the appellant for a layover to allow additional time to bring those items forward. She said this had been in play for weeks and months and years, and she didn't feel a layover would change anything. She recommended ordering removal with 15 days. In response to a question from Councilmember Thao noted that the property had been vacant for 11 years and asked Ms. Moermond whether the property owner had other properties in St. Paul. Ms. Moermond said she didn't believe so but the property owner could answer that. Councilmember Thao asked why the property had not been repaired over the last 11 years. Ms. Moermond said she thought he was overwhelmed with the circumstance and unable to manage it.*

*Council President Stark said he was amazed it had sat there so long; he said it was an unusual circumstance.*

*In opposition:*

*Property owner Richard Einan said he was asking for more time and it would take place. He said one complication was that he just had hip surgery on December 22 and was laid up before and after, but he was capable of getting the property fixed. He said the property was rehabbed on the inside after the fire, and if not for the vandalism, the property wouldn't be noticed as a problem in the neighborhood. He said the fire was a traumatic event and he had been in a funk since then, but was intent on getting the property fixed up. He said he thought think the estimates were high. He said his hip surgery delayed the code compliance report, but he had made progress since then. He said he had an HVAC person coming the next day and have sent the report to an electrician and a building contractor, and would like some time to get that done.*

*Councilmember Thao asked Mr. Einan where he currently resided. Mr. Einan said he lived in 5432 Lake Avenue in Shoreview. Councilmember Thao said 11 years was a long time, and he asked how Mr. Einan would feel if he lived next door to a problem property for 11 years. Mr. Einan said he would feel bad about that. Councilmember Thao asked Mr. Einan how much time he was asking for. Mr. Einan said he'd get contractors out there as soon as possible. Councilmember Thao asked whether two weeks as enough. Mr. Einan said it was. Councilmember Thao said this was a serious problem but he would give Mr. Einan two weeks because he believed Mr. Einan was a man of his word.*

*Councilmember Brendmoen said someone else was present to testify; she suggested waiting to make a decision.*

*Andrew Johnson (1070 Front Avenue) said he'd been a neighbor since 2009, and not seen a ton of action during that time. He said apparently they had fixed doors and turned the power on and had the inspections done, but nothing had happened since the first hearing in November. He said Mr. Einan didn't need to be present for the*

*work to get done, and he asked that it be kept on a schedule. He said he felt like the will and means were there, but action wasn't happening and there needed to be some kind of fire under the feet.*

*Councilmember Bostrom said if Councilmember Thao wanted to give a little more time he could give 30 days for the remove or repair, and if they made significant progress the matter could be reconsidered.*

*Councilmember Thao thanked Mr. Johnson for being a good neighbor. He said he wouldn't want the house on his street and he sensed Mr. Johnson's frustration but also his patience. He said he was open to Councilmember Bostrom's suggestion and was also looking for Ms. Moermond's thoughts and input from the other Council members.*

*At Ms. Moermond's request, Councilmember Bostrom clarified his suggestion. Ms. Moermond said the other puzzle piece in the matter was the financing to do the work, which could be used as an intermediate step if the Council chose to do a layover.*

*Councilmember Noecker said she would defer to Councilmember Thao but was moved to take a little harder line. She said there were more items on the code compliance list than there were nine years ago and there had been plenty of time and plenty of extensions given. She said she would also be comfortable going with Ms. Moermond's recommendation to raze and remove within 15 days. Council President Stark noted that Ms. Moermond's recommendation was to order the building to be razed within 15 days with no option to rehab. He said he would lean in that direction too. He said there was always the possibility, as Councilmember Bostrom said, that within the 15 days they could come up with everything needed to prove they could rehab the property, but having that real deadline was necessary sometimes. He said he felt either 15 or 30 days was reasonable.*

*Councilmember Thao said he appreciated the input. He said within two weeks he would like to see the plan and proof of financial means, otherwise he would move forward with the removal of the structure.*

*Council President Stark and whether Mr. Thao wanted to lay the matter over for two weeks, or give 30 days as suggested by Councilmember Bostrom. Councilmember Thao said he felt if he gave 30 days, the 30 days would get used up, and he felt a hard deadline was the right thing to do right now.*

*Council President Stark asked for clarification of the motion. Councilmember Brendmoen said the recommendation was ordering razing and removal within 15 days and if Mr. Einan came forward with a plan within those 15 days the matter could be revisited. Ms. Moermond said that was the way it had been done in the past, and a stay of demolition could be granted if those items were submitted.*

*Councilmember Stark moved to adopt Ms. Moermond's recommendation.*

*Councilmember Brendmoen said to Mr. Einan and Mr. Johnson that a 15 day raze and remove didn't mean they should expect bulldozers to show up in 15 days, but that the property was placed on a list and the clock started ticking.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

67 [RLH SAO 16-55](#) Appeal of Paul Belmonte to a Summary Abatement Order at 632 LEXINGTON PARKWAY NORTH.

*Legislative Hearing Officer Marcia Moermond said the property had been in front of the Council in the past on a couple of occasions. She said it began with Fire Certificate of Occupancy orders and an order to vacate. She said a small extension granted by Council wasn't met and the property was put in the vacant building program, and that was appealed. She said there vehicle abatement and summary abatement orders followed. The Fire orders issued on February 1 were not the best crafted orders, and one of six items was to remove a vehicle from an underground garage. She displayed a photograph of the building and said the real issue was that the one-hour fire separation between the living spaces and garage needed to be restored. She said the owner was under the impression that removing the vehicle would address the issue, but the entire building needed to be returned to code compliant condition. She said there had been many reports of the building being occupied by the appellant and his sister. She said the Council heard the appeal of the vacant building status in June 2016, and the appeal was denied and the fee waived for 90 days. She said the fire separation issue was key but not the only code problems to be addressed, and the building needed to be secure from entry. She said Steve Magner and Matt Dornfeld had gone to the site and reviewed with conditions and explained to the appellant what needed to be done, but the appellant didn't agree and felt there was another path. She said all that was in front of the Council now was the summary abatement order to secure the building. She said Mr. Belmonte left the legislative hearing abruptly and they weren't able to set a compliance date. She said her recommendation was to deny the appeal; she said the Council might want to add in a date.*

*Councilmember Thao asked whether the recommendation was to board immediately. Ms. Moermond said her recommendation was to deny, and DSI would schedule, usually in 24-48 hours.*

*In opposition:*

*Paul Belmonte (632 N. Lexington) said the letter he had stated four things to do, and the main thing they were talking about was removing the vehicle, and he had done that. He said he still planned to do the work and had the fire-rated insulation, sheet rock, and fire doors and was still working on it. He said they told him to remove his car and he did, and he didn't understand why he was still there (at the hearings). He said if he didn't agree with the outcome that day he would take it to appellate court. He reviewed the work done since he was granted a Certificate of Occupancy in 2012. He said he had eye surgery in February and was limited for 6 months, and was diagnosed with prostate cancer in December. He said on December 3 he offered to supply a letter stating everything that happened in 2015 and that he would have everything done in six months, but ? wouldn't even take the letter and read it. He said he was working on the basement and had everything he needed for the fire separation, and was doing it now because he wanted to and not because he had to, because he removed the car. He asked if someone would read the letter and explain it to him because he couldn't find anyone to explain the letter to him.*

*Council President Stark said people have already been out to explain, and the only thing in front of the Council was the appeal of the order for boarding. Mr. Belmonte said he could appeal the Council's to appellate court. He said he knew of a lot of vacant buildings that weren't boarded up, and didn't know why people weren't treated equally. He asked whether they wanted him to provide a list for the Council. Council President Stark said yes.*

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

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*Councilmember Thao said he had put a lot of time and energy in 2016 working with Mr. Belmonte, giving him many chances to comply. He moved to adopt Ms. Moermond's recommendation to deny the appeal.*

**Adopted (appeal denied)**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**74      RLH TA 16-555** Ratifying the Appealed Special Tax Assessment for Property at 1839 MONTANA AVENUE EAST. (File No. J1703A, Assessment No. 178502)

*Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of a summary abatement assessment. She said the landlord appeared at the legislative hearing and tenant was present tonight. She said the landlord indicated she was out of town, and didn't see the bags when she returned to town and received the notice. She said there were also orders to provide garbage service, but that case had been resolved. She said the orders went to the owner and to the occupant. She said she believed the owner went to the property intending to pick up the trash, and it was a generous show to consider that a good faith effort. She said she was making that generous show and recommending a moderate reduction in the assessment. She said she hadn't talked to tenant previously and didn't know what concerns she was bringing. She clarified that the assessment attached to the property and not to the landlord or tenant.*

*In opposition:*

*Jennifer Culver (1839 Montana Avenue) said she was appearing on the landlord's behalf. She said she didn't recall getting the letters and had attempted to rectify and clarify the situation. She said was in and out of town and didn't see the garbage. She said the neighbors were remodeling and may have left the garbage there. She said she did have garage service and may have been switching around that time. She said they also got letters with regards to some lawn care and that was completed.*

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

*Councilmember Bostrom confirmed with Ms. Moermond that the City had inspected, re-inspected, and picked up the trash, and she was generously recommending a reduction. He moved to adopt Ms. Moermond's recommendation.*

*Councilmember Bostrom move recommendation*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**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 33 - 108)**

*No one was present to testify. Councilmember Thao 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 Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

33 [RLH TA 16-535](#) Ratifying the Appealed Special Tax Assessment for Property at 1325 ARKWRIGHT STREET. (File No. J1702A, Assessment No. 178501)  
**Adopted**

34 [RLH TA 16-561](#) Ratifying the Appealed Special Tax Assessment for Property at 670 ARMSTRONG AVENUE. (File No. VB1704, Assessment No. 178804)  
**Adopted**

35 [RLH TA 16-565](#) Ratifying the Appealed Special Tax Assessment for Property at 992 ARMSTRONG AVENUE. (File No. VB1704, Assessment No. 178804; amended to File No. VB1704A, Assessment No. 178811) (Public hearing continued from January 18)  
**Referred to Legislative Hearings on February 21**

36 [RLH TA 16-526](#) Ratifying the Appealed Special Tax Assessment for Property at 459 AURORA AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

37 [RLH TA 16-536](#) Ratifying the Appealed Special Tax Assessment for Property at 915 BEECH STREET. (File No. J1702G, Assessment No. 178701)  
**Adopted**

38 [RLH TA 16-537](#) Ratifying the Appealed Special Tax Assessment for Property at 915 BEECH STREET. (File No. J1702A, Assessment No. 178501)  
**Adopted**

39    [RLH TA 16-547](#)    Ratifying the Appealed Special Tax Assessment for Property at 1034 BEECH STREET. (File No. J1703A, Assessment No. 178502)  
**Adopted**

40    [RLH TA 16-548](#)    Ratifying the Appealed Special Tax Assessment for Property at 1034 BEECH STREET. (File No. J1703G, Assessment No. 178702)  
**Adopted**

41    [RLH TA 16-556](#)    Deleting the Appealed Special Tax Assessment for Property at 1350 BEECH STREET. (File No. J1703A, Assessment No. 178502)  
**Adopted**

42    [RLH TA 16-532](#)    Ratifying the Appealed Special Tax Assessment for Property at 639 BLAIR AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

43    [RLH TA 16-520](#)    Ratifying the Appealed Special Tax Assessment for Property at 959 BURR STREET. (File No. J1702A, Assessment No. 178501)  
**Adopted**

44    [RLH TA 16-538](#)    Ratifying the Appealed Special Tax Assessment for Property at 1289 BURR STREET. (File No. J1702G, Assessment No. 178701)  
**Adopted**

45    [RLH TA 16-539](#)    Ratifying the Appealed Special Tax Assessment for Property at 1289 BURR STREET. (File No. J1702A, Assessment No. 178501)  
**Adopted**

46    [RLH TA 16-569](#)    Deleting the Appealed Special Tax Assessment for Property at 1183 BUSH AVENUE. (File No. VB1704, Assessment No. 178804)  
**Adopted**

47    [RLH FCO 17-1](#)    Amending Council File RLH FCO 16-62, adopted July 6, 2016, to grant Heather and Steve O'Malley, d/b/a Milton Investment, an additional extension for property at 2228 CARTER AVENUE.  
**Adopted**

48    [RLH TA 16-568](#)    Ratifying the Appealed Special Tax Assessment for Property at 1789 CASE AVENUE. (File No. J1703A, Assessment No. 178502)  
**Adopted**

49 [RLH VBR 16-70](#) Appeal of Kenneth Cobb to a Vacant Building Registration Fee at 512 CENTRAL AVENUE WEST.  
**Adopted**

50 [RLH TA 16-528](#) Ratifying the Appealed Special Tax Assessment for Property at 194 CESAR CHAVEZ STREET. (File No. J1702A, Assessment No. 178501)  
**Adopted**

51 [RLH CO 16-43](#) Appeal of Mackonnen Hidru to a Correction Notice - Complaint Inspection at 242 CONGRESS STREET EAST/469 ANITA STREET.  
**Adopted**

52 [RLH VO 16-53](#) Appeal of Lisa Hollingsworth, SMRLS, o/b/o Khadijia Green, tenant, to a Fire Certificate of Occupancy Revocation and Order to Vacate at 925 COOK AVENUE EAST.  
**Adopted**

54 [RLH TA 16-566](#) Ratifying the Appealed Special Tax Assessment for Property at 910 COTTAGE AVENUE EAST. (File No. J1703A, Assessment No. 178502)  
**Adopted**

55 [RLH TA 17-2](#) Deleting the Appealed Special Tax Assessment for Property at 1319-1321 DAYTON AVENUE. (File No. VB1704, Assessment No. 178804)  
**Adopted**

56 [RLH TA 16-533](#) Ratifying the Appealed Special Tax Assessment for Property at 1149 FOREST STREET. (File No. J1702A, Assessment No. 178501)  
**Adopted**

58 [RLH TA 16-550](#) Ratifying the Appealed Special Tax Assessment for Property at 725 FULLER AVENUE. (File No. J1703E, Assessment No. 178302)  
**Adopted**

60 [RLH TA 16-540](#) Ratifying the Appealed Special Tax Assessment for Property at 2059 IDAHO AVENUE EAST. (File No. J1702A, Assessment No. 178501)  
**Adopted**

61 [RLH TA 16-549](#) Deleting theAppealed Special Tax Assessment for Property at 964  
IGLEHART AVENUE. (File No. J1703E, Assessment No. 178302)  
**Adopted**

62 [RLH TA 16-541](#) Ratifying theAppealed Special Tax Assessment for Property at 1016  
IGLEHART AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

63 [RLH TA 16-516](#) Ratifying theAppealed Special Tax Assessment for Property at 840  
JESSAMINE AVENUE EAST. (File No. J1702A, Assessment No.  
178501)  
**Adopted**

64 [RLH CO 17-1](#) Appeal of Eric Thompson to a Correction Notice at 956 KENNARD  
STREET.  
**Adopted**

65 [RLH VBR 16-74](#) Appeal of Greg VanWert to a Fire Inspection Correction Notice and  
Vacant Building Registration Notice at 295 LARCH STREET.  
**Adopted**

66 [RLH TA 16-557](#) Ratifying theAppealed Special Tax Assessment for Property at 695  
LAWSON AVENUE EAST. (File No. J1703E, Assessment No.  
178302)  
**Adopted**

68 [RLH TA 16-517](#) Deleting theAppealed Special Tax Assessment for Property at 890  
MARGARET STREET. (File No. J1702A , Assessment No. 178501)  
**Adopted**

69 [RLH TA 16-574](#) Deleting theAppealed Special Tax Assessment for Property at 51  
MCKNIGHT ROAD NORTH. (File No. J1703E, Assessment No.  
178302)  
**Adopted**

70 [RLH TA 16-552](#) Ratifying theAppealed Special Tax Assessment for Property at 547  
MICHIGAN STREET. (File No. J1703A, Assessment No. 178502)  
**Adopted**

71 [RLH TA 17-20](#) Ratifying the Appealed Special Tax Assessment for Property at 544 MINNEHAHA AVENUE WEST. (File No. J1703A, Assessment No. 178502)  
**Adopted**

72 [RLH TA 16-579](#) Ratifying the Appealed Special Tax Assessment for Property at 550 MINNEHAHA AVENUE WEST. (File No. J1703A, Assessment No. 178502)  
**Adopted**

73 [RLH TA 16-518](#) Ratifying the Appealed Special Tax Assessment for Property at 1882 MINNEHAHA AVENUE EAST. (File No. J1702A, Assessment No. 178501)  
**Adopted**

75 [RLH TA 16-522](#) Deleting the Appealed Special Tax Assessment for Property at 1100 PAYNE AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

76 [RLH TA 16-553](#) Ratifying the Appealed Special Tax Assessment for Property at 846 PIERCE BUTLER ROUTE. (File No. J1703A, Assessment No. 178502)  
**Adopted**

77 [RLH SAO 17-2](#) Appeal of William Uhlenkott to a Summary Abatement Order at 529 PORTLAND AVENUE.  
**Adopted**

78 [RLH VBR 16-92](#) Appeal of Lois YellowThunder to a Vacant Building Notice at 1395 RANDOLPH AVENUE.  
**Adopted**

79 [RLH TA 16-523](#) Ratifying the Appealed Special Tax Assessment for Property at 1185 REANEY AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

80 [RLH TA 16-525](#) Ratifying the Appealed Special Tax Assessment for Property at 714 ROSE AVENUE EAST. (File No. J1702A, Assessment No. 178501)  
**Adopted**

81    [RLH TA 16-519](#)    Ratifying the Appealed Special Tax Assessment for Property at 1127 ROSS AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

82    [RLH TA 16-551](#)    Ratifying the Appealed Special Tax Assessment for Property at 1532 ST ALBANS STREET NORTH. (File No. J1703E, Assessment No. 178302)  
**Adopted**

83    [RLH TA 16-559](#)    Ratifying the Appealed Special Tax Assessment for Property at 1235 SCHEFFER AVENUE. (File No. J1703A, Assessment No. 178502)  
**Adopted**

84    [RLH VBR 16-91](#)    Appeal of Dorothy Gherity to a Condemnation and Order to Vacate, Vehicle Abatement Order, Summary Abatement Order and Vacant Building Registration Notice at 418 SHERBURNE AVENUE.  
**Adopted**

85    [RLH TA 16-573](#)    Ratifying the Appealed Special Tax Assessment for Property at 474 SHERBURNE AVENUE. (File No. J1703E, Assessment No. 178302)  
(Amended to File No. J1703E1, Assessment No. 178306 and to delete the assessment)  
**Referred to Legislative Hearings on March 21**

86    [RLH TA 16-529](#)    Ratifying the Appealed Special Tax Assessment for Property at 710 SHERBURNE AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

87    [RLH TA 16-558](#)    Ratifying the Appealed Special Tax Assessment for Property at 54 SIDNEY STREET EAST. (File No. J1703E, Assessment No. 178302)  
**Adopted**

88    [RLH TA 16-554](#)    Ratifying the Appealed Special Tax Assessment for Property at 1002 SIXTH STREET EAST. (File No. J1703A, Assessment No. 178502)  
**Adopted**

89    [RLH FCO 16-215](#)    Appeal of Leo H. Reck to a Correction Notice - Complaint Inspection at 1119 SIXTH STREET EAST.  
**Adopted**

90    [RLH TA 16-521](#)    Deleting theAppealed Special Tax Assessment for Property at 612 SMITH AVENUE SOUTH. (File No. J1702P, Assessment No. 178401)  
**Adopted**

91    [RLH TA 16-546](#)    Ratifying theAppealed Special Tax Assessment for Property at 738 THIRD STREET EAST. (File No. J1703A, Assessment No. 178502)  
**Adopted**

92    [RLH TA 16-530](#)    Ratifying theAppealed Special Tax Assessment for Property at 391 THOMAS AVENUE. (File No. J1702A, Assessment No. 178501)  
**Adopted**

93    [RLH TA 16-560](#)    Ratifying theAppealed Special Tax Assessment for Property at 1146 THOMAS AVENUE. (File No. J1703E, Assessment No. 178302)  
**Adopted**

94    [RLH TA 16-527](#)    Ratifying theAppealed Special Tax Assessment for Property at 544 UNIVERSITY AVENUE WEST. (File No. J1702A, Assessment No. 178501)  
**Adopted**

95    [RLH TA 16-515](#)    Deleting theAppealed Special Tax Assessment for Property at 811 UNIVERSITY AVENUE WEST. (File No. J1702P, Assessment No. 178401)  
**Adopted**

96    [RLH TA 16-534](#)    Ratifying theAppealed Special Tax Assessment for Property at 1360 UNIVERSITY AVENUE WEST. (File No. J1702B, Assessment No. 178101)  
**Adopted**

97    [RLH TA 16-570](#)    Deleting theAppealed Special Tax Assessment for Property at 1374 VAN BUREN AVENUE. (File No. J1703E, Assessment No. 178302)  
**Adopted**

98    [RLH TA 16-572](#)    Ratifying theAppealed Special Tax Assessment for Property at 1466 VAN BUREN AVENUE. (File No. J1703G, Assessment No. 178702; amended to File No. J1703G1, Assessment No. 178706)  
**Public hearing continued to February 1**

99 [RLH TA 16-531](#) Ratifying the Appealed Special Tax Assessment for Property at 1030 WALSH STREET. (File No. J1702A, Assessment No. 178501)  
**Adopted**

100 [RLH TA 16-567](#) Ratifying the Appealed Special Tax Assessment for Property at 601 WESTERN AVENUE NORTH. (File No. J1703A, Assessment No. 178502)  
**Adopted**

101 [RLH AR 16-86](#) Ratifying the assessments for Boarding and/or Securing services during July 2016. (File No. J1702B, Assessment No. 178101)  
**Adopted**

102 [RLH AR 16-87](#) Ratifying the assessments for Property Clean Up services during August 1 to 31, 2016. (File No. J1702A, Assessment No. 178501)  
**Adopted**

103 [RLH AR 16-88](#) Ratifying the assessments for Trash Hauling services during August 3 to 31, 2016. (File No. J1702G, Assessment No. 178501)  
**Adopted**

104 [RLH AR 16-89](#) Ratifying the assessments for Graffiti Removal services during August 7 to 16, 2016. (File No. J1702P, Assessment No. 178401)  
**Adopted**

105 [RLH AR 16-94](#) Ratifying the assessments for Excessive Use of Inspection/Abatement services billed during June 23 to August 12, 2016. (File No. J1703E, Assessment No. 178302)  
**Adopted**

106 [RLH AR 16-95](#) Ratifying the assessments for Property Clean Up services during September 2 to 30, 2016. (File No. J1703A, Assessment No. 178502)  
**Adopted**

107 [RLH AR 16-96](#) Ratifying the assessments for Trash Hauling services during September 7 to 28, 2016. (File No. J1703G, Assessment No. 178702)  
**Adopted**

108 [RLH AR 16-97](#) Ratifying the assessments for Collection of Vacant Building Registration Fees billed during May 13 to August 19, 2016. (File No. VB1704, Assessment No. 178804)  
**Adopted**

**ADJOURNMENT**

*Councilmember Bostrom moved adjournment.*

**Meeting adjourned at 6:24 p.m.**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

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