



City of Saint Paul

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

Minutes - Final

Katie Burger, Executive
Assistant, 651-266-8560

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

Wednesday, August 3, 2016

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 3:35 p.m.

Councilmember Bostrom excused

Present 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao,
Councilmember Chris Tolbert, City Council President Russ Stark,
Councilmember Rebecca Noecker and Councilmember Jane L. Prince

Absent 1 - Councilmember Dan Bostrom

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 16-57](#) Establishing two new Neighborhood STAR Year-Round project codes and returning unused Year-Round STAR funds to the Neighborhood STAR Year-Round Program.

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 - 27)

Item 18 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: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 2** [RES 16-1097](#) Authorizing the transfer of budgeted funds supporting the Sprockets out-of-school-time network from the Parks and Recreation Department to the Saint Paul Public Library Agency to recognize alignment and use of Sprocket services with Library programs.
Adopted
- 3** [RES 16-1274](#) Approving the City's cost of providing Excessive Use of Inspection/Abatement services billed during March 31 to May 6, 2016, and setting date of Legislative Hearing for September 6, 2016 and City Council public hearing for October 5, 2016 to consider and levy the assessments against individual properties. (File No. J1612E, Assessment No. 168322)
Adopted
- 4** [RES 16-1275](#) Approving the City's cost of providing Property Clean Up services during June 2 to July 1, 2016, and setting date of Legislative Hearing for September 6, 2016 and City Council public hearing for October 5, 2016 to consider and levy the assessments against individual properties. (File No. J1614A, Assessment No. 168537)
Adopted
- 5** [RES 16-1276](#) Approving the City's cost of providing Trash Hauling services during June 1 to 29, 2016, and setting date of Legislative Hearing for September 6, 2016 and City Council public hearing for October 5, 2016 to consider and levy the assessments against individual properties. (File No. J1613G, Assessment No. 168713)
Adopted

- 6 [RES 16-1278](#) Approving the City's cost of providing Boarding and/or Securing services during May 2016, and setting date of Legislative Hearing for September 6, 2016 and City Council public hearing for October 5, 2016 to consider and levy the assessments against individual properties. (File No. J1612B, Assessment No. 168112)
Adopted
- 7 [RES 16-1291](#) Approving the City's cost of providing Towing of Abandoned Vehicle services during April 2015 to March 2016, and setting date of Legislative Hearing for September 6, 2016 and City Council public hearing for October 5, 2016 to consider and levy the assessments against individual properties. (File No. J1602V, Assessment No. 168001)
Adopted
- 8 [RES 16-1254](#) Authorizing the Fire Department to enter into a joint powers agreement with Century College to provide Firefighting Skills Refresher training August 22 through October 3, 2016.
Adopted
- 9 [RES 16-1257](#) Authorizing the Fire Department to enter into a joint powers agreement with Century College to provide Live Fire Attack Refresher training for firefighters September 28 through November 14, 2016.
Adopted
- 10 [RES 16-1258](#) Authorizing the Fire Department to enter into a joint powers agreement with Century College to provide Driver/Operator Part 1 training for firefighters August 13 through October 2, 2016.
Adopted
- 11 [RES 16-1260](#) Authorizing the Fire Department to enter a joint powers agreement with Century College to provide Driver/Operator Part 2 training for firefighters October 8 through December 1, 2016.
Adopted
- 12 [RES 16-1227](#) Approving the Maintenance Labor Agreement (May 1, 2016 - April 30, 2019) between the City of Saint Paul and Bricklayers & Allied Craftworkers Local Union 1 Minnesota/North Dakota.
Laid over to August 10 for adoption
- 13 [RES 16-1298](#) Changing the rate of pay for the classification of Zoning Manager, Job Code700120, from Grade 023 to Grade 024, in EG 09, SPSO.
Adopted

- 14 [RES 16-1302](#) Establishing the rate of pay for the new classification of Recycling Programs Specialist in Grade 008 of EG 06, PEA.
Adopted
- 15 [RES 16-1303](#) Establishing the rate of pay for the new classification of Recycling Programs Supervisor, Job Code 700420, in Grade 013, EG 09, SPSO.
Adopted
- 16 [RES 16-1314](#) Appointing outside counsel for the Department of Human Resources for ongoing legal advice.
Adopted
- 17 [RES 16-1325](#) Correcting term expiration dates for citizen members of the Board of Water Commissioners.
Adopted
- 19 [RES 16-1322](#) Approving the Mayor's appointment of Tom Zangs to serve on the Plumbing Board of Examiners.
Adopted
- 20 [RES 16-1347](#) Approving the Mayor's Appointments of Amanda Karls, Lebohang Moore and Lane Rapp and Reappointment of Metric Giles to Serve on the Saint Paul-Ramsey County Food and Nutrition Commission
Adopted
- 21 [RES 16-1348](#) Approving the Mayor's Reappointments of Butch Howard, Sheila Olson, Judy Donohue and Larry Gilbertson to Serve on the Workforce Innovation Board (WIB) of Ramsey County
Adopted
- 22 [RES 16-1293](#) Authorizing Red River Kitchen to use the Department of Parks and Recreation's Liquor licenses for City House.
Adopted
- 23 [RES 16-1205](#) Authorizing the Department of Parks and Recreation, Como Park Zoo and Conservatory, to accept a grant from the National Network for Ocean and Climate Change Interpretation to be used for flight , transportation and food costs for participants to Fall Study Circle program.
Adopted

- 24 [RES 16-1299](#) Approving the FY2016 Neighborhood Sales Tax Revitalization (STAR) Loan and Grant awards.

Adopted

- 25 [RES 16-1324](#) Authorizing the Department of Planning and Economic Development to submit an application to the Department of Employment and Economic Development for a Redevelopment Grant for the Sanctuary at Vandalia site.

Adopted

- 26 [RES 16-1323](#) Authorizing the Police Department to enter into an agreement with the United States Department of Justice, Drug Enforcement Administration (DEA).

Adopted

- 27 [RES 16-1236](#) Approving a waiver of the 45-day waiting period in order to issue a Liquor On Sale - 291 or more seats, and a Liquor On Sale -Sunday license for the "City House" located at 258 Mill Street.

Adopted

FOR DISCUSSION

- 18 [RES 16-1321](#) Approving the Mayor's appointments of Stephanie Forsland and Kris Fredson, and reappointments of Anne DeJoy, Gene Gelgelu, Kyle Makarios, and Paula Merrigan to serve on the Planning Commission.

Council President Stark moved an amendment to remove Stephanie Forsland's name from the list at the request of the Mayor, due to scheduling conflicts. He moved approval of the resolution as amended.

Adopted as amended

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

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

- 28 [Ord 16-27](#) Amending Chapter 153 of the Legislative Code regarding Traffic Code - Various Offenses to add a prohibition against the use of engine braking by drivers on Interstate 94.
- Laid over to August 10 for second reading**
- 29 [Ord 16-29](#) Amending Legislative Code Title XXIII, reserved Chapter 233, pertaining to Public Health, Safety and Welfare by adopting language requiring Saint Paul employers to provide earned safe and sick time for their workers in Saint Paul.
- Councilmember Tolbert introduced an amendment with changes he said put it in a more complete form; he reviewed the changes.*
- Councilmember Prince said she opposed one of the changes related to the private right of action, and asked whether a motion could be made to restore that. Deputy City Attorney Gerald Hendrickson said a motion could be made to amend the amendment.*
- Councilmember Prince moved to amend Version 2 to restore the section related to private right of action.*
- Councilmember Thao spoke in support of Councilmember Prince's motion.*
- Councilmember Tolbert said good points had been made by Council members Prince and Thao, but spoke against Councilmember Prince's amendment.*
- Councilmember Noecker and Council President Stark spoke against Councilmember Prince's amendment.*
- After continued discussion, a vote was taken on the amendment: Yeas - 2 Nays - 4 (Noecker, Tolbert, Brendmoen, Stark)*
- After additional discussion a vote was taken on Councilmember Tolbert's amendments.*
- Amended; laid over to August 10 for second reading**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom

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

- 30** [RES PH 16-212](#) Amending the 2014 Capital Improvement Budget by adding \$50,000 from the Neighborhood STAR Year-Round Program Funds (STAR Tracking Number 15-320, Project Code 212-10545) for Dickerman Park Improvements.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 31** [RES PH 16-254](#) Authorizing the acceptance of two grants from the Minnesota Historical Society to complete a Cultural Resources Survey of the Hamline Midway Neighborhood, District 11.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 32** [RES PH 16-237](#) Accepting a Leadership in Community Resilience grant from the National League of Cities.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

PUBLIC HEARINGS

- 33** [RES PH 16-238](#) Approving the application of Erin Cooper, Irish Fair of Minnesota, for a sound level variance in order to provide amplified music and the use of a sound system on Thursday, August 11; Friday, August 12; Saturday, August 13; and Sunday, August 14, 2016 during the Irish Fair of MN at Harriet Island.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 34** [RES PH 16-236](#) Approving the application of Summer Winter Studios LLC for a sound level variance in order to present a live concert with amplified music on Saturday, August 6, 2016 during the Summer Winter Summer Blowout at Vandalia Tower Plaza, 550 Vandalia Street.

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 35** [RES PH 16-247](#) Approving the application of Target Corporation, represented by Stacey Hartung, Construction Project Manager, for a sound level variance in order to demolish existing pavement surfaces and remove trees in preparation for a new playground installation project at the American Indian Magnet School at 1075 Third Street East, from August 4, to August 12, 2016.

*In opposition:
Clarence Seidell (1167 Hancock Street)*

Councilmember Prince moved to close the public hearing and approve the resolution.

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 36** [RES PH 16-228](#) Approving adverse action against the Solid Waste Hauler & Vehicle and Solid Waste Hauler (Each Additional Vehicle) licenses held by Coolidge Trucking Systems, Inc. d/b/a Coolidge Trucking Systems, Inc. located at 829 Central Avenue West in Saint Paul. (Public hearing continued from July 20)

Council President Stark said the item was being withdrawn at the request of the Department of Safety and Inspections.

Withdrawn

- 37** [ABZA 16-3](#) Public hearing to consider the appeal of Patrick Lindmark to a decision of Board of Zoning Appeals (BZA) denying a rear yard setback variance needed to remove an existing three-car detached garage in the rear yard, and construct a new, three-car garage addition connected to the rear of the house by an enclosed breezeway, at 975 Lincoln Avenue.

Yaya Diatta, Department of Safety and Inspections (DSI), Zoning, gave a staff report on the application and appeal, and answered questions from Council members Noecker and Tolbert.

Councilmember Tolbert noted that the impetus for the variance request was accessibility issues, and he asked whether the code allowed for accessibility issues. Deputy City Attorney Gerald Hendrickson said there was a separate process in the case of disability, and that option was offered to the applicant but they chose not to pursue it.

Patrick Lindmark (100 S. 5th Street) appeared representing the homeowners at 975 Lincoln Avenue. He described the circumstances, and the ways in which they felt the BZA had erred. He answered question from Council members.

In opposition:

Lori Brostrom (710 Summit Avenue), Summit Hill Association zoning and land use committee, spoke in opposition to the variance.

Councilmember Noecker moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Noecker thanked everyone for their testimony. She said these were complicated issues and it was important to allow people to age in place, but overturning a decision of the BZA required finding error. She moved to support the BZA's decision and deny the appeal.

Council President Stark spoke in favor of the motion. Council members Tolbert and Prince spoke in opposition.

Motion of Intent - Appeal denied

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, City Council President Stark and Councilmember Noecker

Nay: 2 - Councilmember Tolbert and Councilmember Prince

Absent: 1 - Councilmember Bostrom

38 [Ord 16-14](#)

Amending Chapter 229 of the Legislative Code setting curfew times for children. (To be withdrawn.)

No one was present to testify. Councilmember Noecker moved to continue the public hearing to September 7.

Public hearing continued to September 7

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

39 [Ord 16-25](#)

Amending Chapters 65 and 66 of the Legislative Code pertaining to outdoor sports and entertainment.

Kady Dadlez, Planning and Economic Development, gave a staff report on the zoning clarification ordinance, and answered questions from Council members.

Council President Stark said this item would be laid over to the following week for possible final adoption, and the next three companion items would be laid over as well.

In opposition:

Tom Goldstein (1399 Sherburne Avenue)

Justin Busch (308 Prince Street)

Councilmember Thao moved to close the public hearing. Yeas - 6 Nays - 0

Following item 51, Councilmember Tolbert moved to reconsider and lay the matter over for two weeks instead of one.

Public hearing held and closed; laid over to August 10 for final adoption (additional action was taken on this item following Item 51)

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 40 [RES PH 16-239](#) Approving the Snelling-Midway Redevelopment Site Master Plan and Design Guidelines pursuant to Leg.Code §66.344(b). (Public hearing held August 3)

Council President Stark said there would be an extended staff report and combined public hearing for items 40-42.

Kady Dadlez, Planning and Economic Development, gave a staff report on the Master Plan and preliminary plat. Larry Zangs, Department of Safety and Inspections, gave a report on the site plan review process. Wes Saunders-Pierce, Water Resource Coordinator, Parks and Recreation, gave a report on drainage and stormwater management. Mr. Zangs made final comments on the site plan.

Councilmember Thao introduced an amendment asking that conduit be installed in public streets so they were ready for optic cable. He said additional Planning Commission recommendations would be addressed in a community benefit agreement that was being prepared for the following week. Councilmember Thao answered questions from Councilmember Tolbert Councilmember Prince made a friendly amendment to replace the word "street" with "right-of-way." Yeas - 6 Nays - 0

Council President Stark moved an amendment to Item 42 removing the reference to a five-lane roadway for Pascal Avenue, while acknowledging the needs for the right-of-way for transit and bicycle facilities. Yeas - 6 Nays - 0

In opposition:

Dennis Hill (76 Front Street)

John Krenik (1270 Cleveland Ave. S.)

Tom Goldstein (1399 Sherburne Avenue)

Justin Busch (308 Prince Street)

Anna Eleria (1419 Energy Park Drive)

In support:

Rick Birdoff, RK Midway, spoke in support and answered Council member questions.

Donald Mullin, Executive Secretary of St. Paul Building and Construction Trades Council

Bill McGuire, Minnesota United FC Soccer

Council President Stark moved to close the public hearing. Yeas - 6 Nays - 0

Council President Stark addressed comments made during public testimony.

Councilmember Prince said she felt there was insufficient information to commit to the optimistic projections tied to the project through the Master Plan, but she wanted to thank planning and zoning staff for the amazing work they'd done.

Councilmember Noecker said she felt the leap of faith was a bit of a big leap for her. She asked whether an accounting or report could be provided of the types and sizes of developments that had been proposed for the site.

Planning and Economic Development Director Jonathan Sage-Martinson said information could be provided on the kinds of initial inquiries they'd been receiving.

Councilmember Tolbert thanked staff and others who had spent hours upon hours on the project. He expressed support for the plan and excitement for the future of the neighborhood.

Councilmember Thao said this was a difficult decision for him to make because there was a lot of uncertainty, but he felt it was a defining moment for the City to analyze the risk and take this step to take advantage of this catalytic opportunity.

Councilmember Thao moved a one week layover.

Following item 51, Councilmember Tolbert moved to reconsider and lay the matter over for two weeks instead of one.

Public hearing held and closed; laid over to August 10 for adoption (additional action was taken on this item following Item 51)

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 41** [RES PH 16-240](#) Approving the Snelling-Midway Redevelopment Site Stadium Site Plan for Minnesota United FC. (Public hearing held August 3)

(See minutes for item 40)

Councilmember Thao moved a one week layover.

Following item 51, Councilmember Tolbert moved to reconsider and lay the matter over for two weeks instead of one.

Public hearing held and closed; laid over to August 10 for adoption (additional action was taken on this item following Item 51)

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 42** [RES PH 16-252](#) Approving the preliminary plat for the Snelling-Midway Redevelopment Site. (Public hearing held August 3)

(See minutes for item 40)

Councilmember Thao moved a one week layover.

Following item 51, Councilmember Tolbert moved to reconsider and lay the matter over for two weeks instead of one.

Public hearing held and closed; laid over to August 10 for adoption (additional action was taken on this item following Item 51)

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 43** [RES PH 16-186](#) Ratifying the assessment for completion of the city sidewalk on the north side of St. Anthony Avenue between North Western Avenue and Ravoux Street. (Project No. S1503, Assessment No. 155303)

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 44** [RES PH 16-184](#) Ratifying the assessment for benefits, costs, and expenses for the Seventh Place Mall operation and maintenance costs for 2015. (File No. 18428-16, Assessment No. 167200)

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 45** [RES PH 16-187](#) Ratifying the assessment for a new sidewalk improvement along the west side of Davern Street from Saint Paul Avenue to Colvin Avenue. (Project No. S1402, Assessment No. 145302)

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

Adopted

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 46** [RES PH 16-188](#) Ratifying the assessment for the improvements on Randolph Avenue from Brimhall to Syndicate. (File No. 19172, Assessment No. 155400)
- No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
-
- 47** [RES PH 16-185](#) Ratifying the assessments for benefits, costs, and expenses for the Arcade/Case and the Grand/Snelling parking lots operation and maintenance costs for 2017. (File No. 18744-16 and 18746-16, Assessment No. 167201 and 167202)
- No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
-
- 48** [RES PH 16-194](#) Ratifying the assessment for a water main and connection at 1296 Point Douglas Road South. (File No. 18982B2, Assessment No. 166101)
- No one was present to testify. Councilmember Prince moved to close the public hearing. She asked a question of staff. Lynn Moser, Real Estate, made a clarification.*
- Councilmember Prince moved approval of the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom

- 49** [RES PH 16-190](#) Final Order approving the Seventh Place Mall operation and maintenance for 2016. (File No. 18428-17, Assessment No. 177200)
- No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
-
- 50** [RES PH 16-211](#) Final Order approving construction along Wall Street between 5th Street and 7th Street with above standard street lighting, and approving the annual operation and maintenance costs for said lighting, to be assessed to benefited properties via the Right-of-Way program. (File No. 19220, Assessment No. 175100)
- No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
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- 51** [RES PH 16-189](#) Final Order approving the Places to Park operation and maintenance costs for 2018. (File No. 18744-17 and 18746-17, Assessment No. 177201 and 177202)
- No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom

Councilmember Tolbert asked to reconsider the decisions made on items 39 - 42 in order to lay them over for two weeks instead of one. The items were reconsidered and voted on individually.

Councilmember Tolbert said since there were only going to be four Council members present the following week they should wait for final adoption until there was a full quorum. Councilmember Brendmoen spoke in support.

[Ord 16-25](#)

Amending Chapters 65 and 66 of the Legislative Code pertaining to outdoor sports and entertainment.

Reconsidered; laid over to August 17 for final adoption

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

[RES PH 16-239](#)

Approving the Snelling-Midway Redevelopment Site Master Plan and Design Guidelines pursuant to Leg.Code §66.344(b). (Public hearing held August 3)

Reconsidered; laid over to August 17 for adoption

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

[RES PH 16-240](#)

Approving the Snelling-Midway Redevelopment Site Stadium Site Plan for Minnesota United FC. (Public hearing held August 3)

Reconsidered; laid over to August 17 for adoption

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

[RES PH 16-252](#)

Approving the preliminary plat for the Snelling-Midway Redevelopment Site. (Public hearing held August 3)

Reconsidered; laid over to August 17 for adoption

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 53** [RLH FCO 16-94](#) Appeal of Vatou Her to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 991 BEECH STREET.

Legislative Hearing Officer Marcia Moermond gave a staff report. She said she was amending her recommendation to that the appellant be allowed and required to maintain the hard-wired smoke detectors in the hallway outside the sleeping areas, as well as the other required smoke and CO detectors.

Appellant Vatou Her said he was okay with Ms. Moermond's recommendation.

Councilmember Prince moved to close the public hearing and adopt Ms. Moermond's recommendation.

Adopted as amended (appeal granted with conditions)

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

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 52 - 91)

No one was present to testify. Councilmember Prince moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

- 52 [RLH TA 16-306](#) Ratifying the Appealed Special Tax Assessment for Property at 1325 ARKWRIGHT STREET. (File No. J1609B, Assessment No. 168109)
Adopted
- 54 [RLH FCO 16-99](#) Appeal of Vatou Her to a Correction Notice - Re-Inspection Complaint at 1111 BUSH AVENUE.
Adopted
- 55 [RLH VO 16-27](#) Appeal of Sam Manning, Southern Minnesota Regional Legal Services, representing Gordon Anderson, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate plus Summary Abatement Order at 134 CASE AVENUE.
Adopted as amended (additional time granted)
- 56 [RLH RR 16-23](#) Ordering the razing and removal of the structures at 953 CHARLES AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing.
Adopted
- 57 [RLH TA 16-351](#) Ratifying the Appealed Special Tax Assessment for Property at 1400 CHARLES AVENUE. (File No. J1610E, Assessment No.168318)
Adopted
- 58 [RLH FCO 16-104](#) Appeal of Gail Koslowski to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1692-1694 EDMUND AVENUE.
Adopted
- 59 [RLH CO 16-28](#) Appeal of Katherine J. Werner to a Correction Notice at 2177 FAIRMOUNT AVENUE.
Adopted
- 60 [RLH FCO 16-102](#) Appeal of Randy Moua to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1055 FULLER AVENUE.
Adopted
- 61 [RLH TA 16-299](#) Deleting the Appealed Special Tax Assessment for Property at 250 GERANIUM AVENUE WEST (File No. J1610E, Assessment No. 168318).
Adopted

- 62 [RLH RR 16-24](#) Ordering the rehabilitation or razing and removal of the structures at 956 GERANIUM AVENUE EAST within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Amend to grant 90 days)
Public hearing continued to August 17
- 63 [RLH TA 16-304](#) Deleting the Appealed Special Tax Assessment for Property at 365 GRAND AVENUE (File No. J1610E, Assessment No. 168318).
Adopted
- 64 [RLH TA 16-298](#) Ratifying the Appealed Special Tax Assessment for Property at 308 HAZELWOOD STREET. (File No. J1610E, Assessment No. 368318)
Adopted
- 65 [RLH CO 16-16](#) Appeal of Shoua T. Khang to a Correction Notice at 861 HUDSON ROAD.
Adopted
- 66 [RLH TA 16-310](#) Ratifying the Appealed Special Tax Assessment for Property at 595 JESSAMINE AVENUE EAST. (File No. VB1610A, Assessment No. 168823)
Adopted
- 67 [RLH RR 16-38](#) Denying request for a stay of enforcement of Council File RLH RR 16-8 ordering the rehabilitation or razing and the demolition of the structures at 595 JESSAMINE AVENUE EAST within 15 days after the June 1, 2016 City Council Public Hearing.
Adopted
- 68 [RLH FCO
16-100](#) Appeal of Jason MacDonald to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 506 LEXINGTON PARKWAY NORTH.
Adopted
- 69 [RLH TA 16-302](#) Ratifying the Appealed Special Tax Assessment for Property at 1608 MARGARET STREET. (File No. CRT1610, Assessment No. 168211)
Adopted
- 70 [RLH FCO
16-105](#) Appeal of Barry Star to a Fire Inspection Correction Notice at 881 MARYLAND AVENUE EAST.
Adopted as amended (appeal denied and extensions granted)

- 71 [RLH FCO 16-101](#) Appeal of George Stone to a Fire Certificate of Occupancy with Deficiencies at 1079 MARYLAND AVENUE EAST.
Adopted
- 72 [RLH VO 16-22](#) Appeal of Janice L. Van Allen Wilson to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 680 OTSEGO STREET.
Adopted
- 73 [RLH CO 16-14](#) Appeal of Quintin L. & Robyn Koger Kidd to a Correction Notice at 1064 PACIFIC STREET.
Public hearing continued to August 17
- 74 [RLH CO 16-13](#) Appeal of Cynthia M. Perron to a Correction Notice at 726 PLUM STREET.
Adopted
- 75 [RLH RR 16-25](#) Ordering the razing and removal of the structures at 1094 REANEY AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Public hearing continued from September 21)
Public hearing continued to August 17
- 76 [RLH VBR 16-44](#) Appeal of Terry McDonough to a Vacant Building Registration Notice at 908 RUSSELL STREET.
Adopted
- 77 [RLH TA 16-305](#) Deleting the Appealed Special Tax Assessment for Property at 1759 SAINT ANTHONY AVENUE WEST (File No. J1609B, Assessment No. 168109).
Adopted
- 78 [RLH TA 16-297](#) Deleting the Appealed Special Tax Assessment for Property at 1161 SAINT CLAIR AVENUE (File No. J1609P, Assessment No. 168409).
Adopted
- 79 [RLH TA 16-309](#) Ratifying the Appealed Special Tax Assessment for Property at 1618 SELBY AVENUE. (File No. J1610E, Assessment No. 168318)
Adopted

- 80 [RLH AR 16-56](#) Ratifying the assessments for Property Clean Up service on February 10, 2016 at 1 SEVENTH PLACE WEST. (File No. J1609A1, Assessment No. 168532)
Adopted
- 81 [RLH FCO 16-98](#) Appeal of Patti Sharet to a Fire Inspection Correction Notice at 1706-1708 SEVENTH STREET EAST, APT 3.
Adopted
- 82 [RLH RR 16-22](#) Ordering the razing and removal of the structures at 910 SIXTH STREET EAST within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Public hearing continued from August 3) (Amended to remove to repair the building within 30 days after September 21, 2016)
Referred to Legislative Hearings on September 13; Council public hearing continued to September 21
- 83 [RLH TA 16-350](#) Amending Council File RLH TA 16-165, adopted May 18, 2016, to grant Sharon Anderson, on an additional extension for property at 854 TATUM STREET.
Adopted
- 84 [RLH TA 15-610](#) Ratifying the Appealed Special Tax Assessment for Property at 572 VAN BUREN AVENUE. (File No. VB1604, Assessment No. 168803; amended to File No. VB1604A, Assessment No. 168809) (Public hearing continued from February 3)
Adopted
- 85 [RLH FCO 16-86](#) Appeal of Allison Klis to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 984 VAN BUREN AVENUE.
Adopted
- 86 [RLH VBR 15-93](#) Appeal of Marcus Landrum to a Vacant Building Registration Renewal Notice at 1308 VICTORIA STREET NORTH.
Adopted
- 87 [RLH TA 16-289](#) Ratifying the Appealed Special Tax Assessment for Property at 647 YORK AVENUE. (File No. VB1608A, Assessment No. 168820) (Public hearing continued from June 15)
Adopted as amended (assessment approved)

- 88 [RLH AR 16-44](#) Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during January 13 to February 11, 2016. (File No. CRT1610, Assessment No. 168211)
Adopted
- 89 [RLH AR 16-45](#) Ratifying the assessments for Excessive Inspection/Abatement services billed during January 25 to February 24, 2016. (File No. J1610E, Assessment No. 168318)
Adopted
- 90 [RLH AR 16-46](#) Ratifying the assessments for Graffiti Removal services during March 10 to April 6, 2016. (File No. J1609P, Assessment No. 168409)
Adopted
- 91 [RLH AR 16-47](#) Ratifying special assessments for Boarding and/or Securing services during February 2016. (File No. J1609B, Assessment No. 168109)
Adopted

ADJOURNMENT

Councilmember Brendmoen moved adjournment.

Meeting adjourned at 8:42 p.m.

Yea: 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Absent: 1 - Councilmember Bostrom

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