



City of Saint Paul

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

Minutes - Final

City Council

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

Wednesday, April 17, 2013

3:30 PM

Council Chambers - 3rd Floor

Public Hearings at 5:30 p.m.

ROLL CALL

The meeting was called to order by Council President Lantry at 3:33 p.m.

Present 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark and Councilmember Chris Tolbert

Absent 1 - Councilmember Dave Thune

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 13-11](#) Letters from the Department of Safety and Inspections declaring 978 Bayard Avenue, 69 Douglas Street, and 736 Earl Street as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

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 - 16)

Item 7 was removed from the Consent Agenda for separate consideration.

Councilmember Carter moved approval of the balance of the Consent Agenda.

Consent Agenda adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark and Councilmember Tolbert

Nay: 0

Absent: 1 - Councilmember Thune

Councilmember Thune arrived after the Consent Agenda vote.

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

- 2** [RES 13-574](#) Authorizing the City of Saint Paul to execute a grant contract amendment for a timeline extension with the State of Minnesota for the 2010 Urban Area Security Initiative (UASI) Grant.
- Adopted**
- 3** [RES 13-496](#) Approving the City's cost of providing Graffiti Removal services from February 5 to March 11, 2013, and setting date of Legislative Hearing for May 7, 2013 and City Council Public Hearing for June 19, 2013 to consider and levy the assessments against individual properties. (File No. J1308P, Assmt. No. 138407)
- Adopted**
- 4** [RES 13-497](#) Approving the City's cost of providing Boarding and/or Securing services during February 2013, and setting date of Legislative Hearing for May 7, 2013 and City Council Public Hearing for June 19, 2013 to consider and levy the assessments against individual properties. (File No. J1309B, Assmt. No. 138109)
- Adopted**
- 5** [RES 13-498](#) Approving the City's cost of providing Tree Removal services from January to February 2013, and setting date of Legislative Hearing for May 7, 2013 and City Council Public Hearing for June 19, 2013 to consider and levy the assessments against individual properties. (File No. 1305T, Assmt. No. 139005)
- Adopted**
- 6** [RES 13-507](#) Authorizing the Department of Parks and Recreation to accept a donation in the amount of \$16,000 from the Midway Men's Club for Parks and Recreation Centers and programs.
- Adopted**

- 7 [RES 13-577](#) Authorizing the Department of Parks and Recreation to enter into a Development Agreement with Frogtown Gardens.
- Councilmember Carter said this was a first step forward in taking advantage of a once-in-a-lifetime opportunity to transform a vacant piece of land into a citywide and regional amenity. He acknowledged partner organization Trust for Public Land. He moved approval.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 8 [RES 13-531](#) Authorizing Mayor Chris Coleman and the Department of Parks and Recreation to apply for and, if awarded, execute contracts and grant agreements for an Xcel Energy Renewable Development Fund Grant for the Lowertown Ballpark Project.
- Adopted**
- 9 [RES 13-562](#) Authorizing the Department of Parks and Recreation to accept the new initiative designation and accompanying financial award of \$1,000 from Minnesota Recreation & Park Foundation, and to sign a letter containing indemnification language.
- Adopted**
- 10 [RES 13-573](#) Authorizing the Department of Parks and Recreation to execute a web hosting agreement, including an indemnification clause, with Electric Citizen to make improvements to the Sprockets website.
- Adopted**
- 11 [RES 13-590](#) Authorizing the Police Department to purchase the QinetiQ Bobcat, and to enter into a purchase agreement including an indemnification clause.
- Adopted**
- 12 [RES 13-534](#) Authorizing the City to enter into a Master Partnership Contract with the Minnesota Department of Transportation.
- Adopted**

- 13 [RES 13-504](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add a Liquor Outdoor Service Area (Patio) license to the existing Restaurant (5) - 151 and over, Liquor On Sale - 181-290 Seats, Liquor On Sale - Sunday, Restaurant (D) Add-on (Bar Only), Entertainment (A), and Sidewalk Cafe licenses, for Lexington Hospitality Partners, Inc. (License #20110000059), d/b/a The Lexington at 1096 Grand Avenue.
- Adopted**
- 14 [RES 13-583](#) Memorializing City Council action taken on March 6, 2013 granting an appeal and approving the 6th Street Sidewalk Project in the Lowertown Heritage Preservation District.
- Adopted**
- 15 [Min 13-12](#) Approving the minutes of the March 6 and 13, 2013 City Council meetings.
- Adopted**
- 16 [RES 13-510](#) Thanking Peggy Lynch for her many years of dedicated service in support of parks and trails in Saint Paul and Ramsey County.
- Adopted**

FOR DISCUSSION**17** [RES 13-579](#) Honoring the recipients of the 2013 Sustainable Saint Paul Awards.

Council President Lantry spoke briefly about the awards, and acknowledged the Mayor's Environmental Policy Director Anne Hunt and the awards committee.

Mayor Coleman and the Council members presented awards to Health System Cooperative Laundries for Green Practices; Kinnell Tacket for Natural Resources Conservation; Ramsey County and District Energy St. Paul for Renewable Energy (Law Enforcement Center Solar Thermal Project); Pier Foundry & Pattern Shop for Energy Efficiency or Conservation; For Recycling on Grand (FROG) for Waste Reduction, Recycling or Composting - Commercial; Jukka Kukkonen for Transportation Options; Macalester Groveland Community Council for Waste Reduction, Recycling or Composting - Residential (Organics Recycling Program); St. Paul Department of Public Works for Sustainable City Staff (Hamline-Midway Pervious Alley Project); University of St. Thomas for Green Building Design - Institutional (Anderson Student Center); Great River School for Environmental Education or Awareness; Como Lake Neighborhood Network for Water Quality or Conservation; Kendall's Ace Hardware for Green Building Design - Commercial; Clara Stahlmann Roeder for Youth Leadership; and Peggy Lynch for Exceptional Environmental Steward.

Council President Lantry read the Consent Agenda resolution honoring Peggy Lynch on her retirement from Friends of the Parks and Trails. Ms. Lynch made brief comments.

Councilmember Stark moved approval of the Sustainable St. Paul Awards resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, 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

- 18 [Ord 13-17](#) Memorializing City Council action granting the application of Craig Thaemert and Maureen Herring for the rezoning of 1537 White Bear Avenue North from B2 Community Business to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held March 6, 2013)

Councilmember Bostrom moved approval.

Adopted

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

Nay: 0

Third Reading, No Public Hearing

- 19 [Ord 13-21](#) Memorializing City Council action granting the application of Keith W. Jacobson/Patricia A. Jacobson for the rezoning of 1836 Grand Avenue from B2 Community Business to BC Community Business (Converted), and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held March 20, 2013)

Laid over to April 24 for final adoption

Second Reading

- 20 [Ord 13-20](#) Memorializing City Council action granting the applications of Raymond Condominiums and Lakes and Plains, LLC for the rezoning of 854-856 Raymond Avenue, 842 Raymond Avenue, and 2330 Long Avenue from RM2 Medium-Density Multiple-Family Residential and VP Vehicular Parking to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. [Public hearing held March 20, 2013].

Laid over to April 24 for third reading

SUSPENSION ITEM

Councilmember Stark moved suspension of the rules.

Rules suspended

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

Nay: 0

[RES 13-620](#)

Approving the use of funds through the Neighborhood STAR Year-Round Program for the Chelsea Heights Playground Project.

Councilmember Stark moved approval.

Adopted

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

Nay: 0

The Council recessed at 4:20 p.m.

PUBLIC HEARINGS

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

Present 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dave Thune and Councilmember Chris Tolbert

Absent 1 - Councilmember Melvin Carter III

Councilmember Carter arrived after roll call.

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

21 [Ord 13-8](#)

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

Members of the Ramsey tobacco coalition spoke in support of the ordinance.

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

Public hearing held and closed; laid over to April 24 for final adoption

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

Nay: 0

- 22 [RES PH 13-61](#) Approving the application of Lunda Construction for a sound level variance for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from April 20, 2013 to May 3, 2013. (Public hearing continued from March 20)

*Councilmember Thune introduced an amendment adding the condition that Lunda provide neighbors with 48 notice prior to any sound event under the variance.
Yeas - 7 Nays - 0*

In opposition:

Theresa Flynn, Executive Director of Clouds and Water Zen Center (308 Prince Street) expressed concern about the effects of loud ongoing construction, especially May 1 - 5 when the center was hosting a special guest and holding special events. She said the event had been planned over a year ago, and disruption of the event would reflect badly on the center and the City. She also expressed concern about dust from the construction and about access to parking lots nearby.

Deneen Gannan, President of the Board of Directors of Tilsner Artists' Lofts, distributed a petition signed by residents of the Tilsner building and read a statement of opposition. She spoke about the effects of noise on residents who had already been affected by light rail construction and other development. She said they appreciated and were excited about development in the area, but the short term detrimental effects on quality of life and ability to sleep could not be understated. She said they questioned the timing corresponding with spring Art Crawl. She said they were not opposed to necessary construction but were requesting an alternate plan including daily overnight quiet hours.

Amy Bell (300 Broadway Street) said she believed the City was committed to the revitalization of downtown and to making it a desirable place to live as well as work. She suggested an alternate plan such as 16 hours a day for 18 days, ending at 10:00 p.m. each night.

Sam Chapirson (300 Broadway Street) pointed out how close the building was to the bridge, and said the building was old and not designed to dampen sounds. He said if construction went on all night no one would be able to sleep.

Councilmember Thune requested a response from staff to that concern.

John Maczko, Public Works, said no one from Lunda was present but the suggestions didn't sound unreasonable, and Public Works could work with the neighbors and contractor. He said they were able to adjust the light rail construction schedule and could do the same here. He noted that the contractor would not be hammering all the time.

Councilmember Thune said Public Works had been able to work on agreements between neighbors and contractors in the past. He moved to close the public hearing and adopt the resolution as amended.

Adopted as amended

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

Nay: 0

- 23** [RES PH 13-69](#) Approving the petition of Zachary David Ferrall to vacate the alley adjacent to 498 Brimhall Street.
- No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
-
- 24** [RES PH 13-79](#) Approving the petition of Robert Hemmingson to vacate the public walkway in Block 7, lying south of Falcon Avenue, all in Afton Heights Addition No. 2.
- No one appeared in opposition; Councilmember Thunet moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
-
- 25** [RES PH 13-78](#) Amending the financing and spending plans in the Mayor's Office in the amount of \$18,959.97 to accept a grant from the Minnesota Department of Employment and Economic Development to support work by the University Avenue Business Preparation Collaborative (U-7) to mitigate the impacts of transportation construction on small businesses.
- No one appeared in opposition; Councilmember Carter moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

- 26 [RES PH 13-77](#) Authorizing the Department of Parks and Recreation to amend its 2013 Financing and Spending Budgets in the Environmental Permits and Planning activity to reflect an increase of \$137,931 in available grant funding beyond that currently included in the 2013 Adopted Budget, as well as allowing for the increased spending budget, made available through the additional funding.

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

Adopted

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

Nay: 0

- 27 [RES PH 13-50](#) Final Order to acquire property rights and construct new roadways, lighting, boulevards, sidewalks, and trails for the Prince Street Project. (Public hearing held April 3; laid over from April 17)

Councilmember Thune said he had offered to convene a meeting with Parks, Public Works, and MnDot at the request of the district council and neighbors to discuss all of the plans and projects around the ball park site. He said he'd like to close the public hearing and vote on the item next week.

Councilmember Brendmoen said the item had already been laid over from April 3 to allow time for discussions with the district council. Councilmember Thune said a meeting had taken place but the district council was concerned that all of the various departments, divisions, and governmental agencies had not been included.

No one appeared in opposition; Councilmember Thune moved to close the public hearing and lay the matter over to April 24.

Public hearing held and closed; laid over to April 24

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

Nay: 0

- 28 [RES PH 13-60](#) Amending the financing and spending plans in the Department of Public Works in the amount of \$3,388,157.53 for the Prince Street Project, and closing old projects.

No one appeared in opposition; Councilmember Thune moved to close the public hearing and lay the matter over to April 24.

Public hearing held and closed; laid over to April 24

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

Nay: 0

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**LEGISLATIVE HEARING SUSPENSION ITEMS**

Council President Lantry said there were a couple of items that had been noticed for public hearings but omitted from the published agenda. She said they would be brought in under suspension and the public hearings continued.

Councilmember Stark moved suspension of the rules.

Rules suspended

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

Nay: 0

*Councilmember Stark moved to add RLH AR 13-20 to the agenda.
Yeas - 7 Nays - 0*

[RLH AR 13-20](#)

Ratifying the assessments for Property Clean Up services during December 2012. (File No. J1306A, Assessment No. 138505)

No one appeared in opposition; Councilmember Stark moved to continue the public hearing to May 1.

Public hearing continued to May 1

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

Nay: 0

Councilmember Thune moved suspension of the rules.

Rules suspended

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

Nay: 0

*Councilmember Thune moved to add RLH TA 13-240 to the agenda.
Yeas - 7 Nays - 0*

RLH TA 13-240 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A1, Assessment No. 138525 at 1094 ST. CLAIR AVENUE. (To be referred back to May 7, 2013 Legislative Hearing and June 5, 2013 City Council Public Hearing)

No one appeared in opposition; Councilmember Thune moved to continue the public hearing to June 5.

Public hearing continued to June 5

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

Nay: 0

40 [RLH OA 13-51](#) Re-examining the record for RLH RR 13-9 approved by the City Council on March 20, 2013, ordering the razing and removal of the structures located at 1054 CENTRAL AVENUE WEST within thirty (30) days.

Legislative Hearing Officer Marcia Moermond said correspondence from the appellant had not been made part of the record prior to the previous Council public hearing on the address, so the appeal was being brought back for consideration with that correspondence included.

In opposition:

Doug Moore (1360 University Avenue W.) said he held the note on the property, and would like to know whether the removal order was still place. He said he had sent letters to Ms. Moermond and several inspectors asking that the vacant building designation be removed so he could pull permits and do the work. He said if the demolition order was still in force he would like an extension of time to remove personal property.

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

Legislative Hearing Officer Marcia Moermond said the demolition was a long enough process that there would be time for Mr. Moore to remove personal property. She said she would also inform the demolition contractor.

Councilmember Carter moved approval of the resolution.

Adopted

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

Nay: 0

46 [RLH RR 13-15](#)

Ordering the rehabilitation or removal of the structures at 423 JESSAMINE AVENUE EAST within fifteen (15) days after the April 3, 2013 City Council Public Hearing. (Amended to remove only)

Legislative Hearing Officer Marcia Moermond said her recommendation was to order removal of the structure within 15 days with no option for repair, as the standard conditions for a granting of time were not met.

Gary Evers, attorney with Shapiro and Zielke, said the property was being foreclosed by an investment trust that hadn't received any notifications except through his firm and Chase. He said the process was slow, and the lender hadn't provided him with information regarding what they wanted to do with the property. He asked what would happen if the conditions were met within a week, and whether the Council's decision was set in stone.

In response to questions from Councilmember Brendmoen, Mr. Evers elaborated on the foreclosure process and the steps that had been completed by the lender. He expressed frustration that he had not been able to get more timely or complete information from the lender, but stressed that they could not legally access the property to make improvements until the foreclosure was complete.

Councilmember Brendmoen asked Mr. Evers to estimate a sale price for the property. Mr. Evers said he hadn't seen the property and didn't know.

In response to questions from Councilmember Brendmoen, Ms. Moermond reviewed the history of hearings on the property.

Mr. Evers said his question had not been answered. Council President Lantry said what was before the Council was whether the building constituted a nuisance and should be demolished, and if circumstances changed after the Council had made a decision, Mr. Evers could contact Councilmember Brendmoen's office.

Councilmember Carter said it was unfortunate that the lender had not sent a more proactive message with Mr. Evers.

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

Ms. Moermond noted that the order to abate a nuisance building was issued on January 9 and was sent to eight parties including Shapiro Zielke, and notice of hearings was sent on February 8 to a number of parties including both Chase and Shapiro Zielke.

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

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

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

Nay: 0

- 50** [RLH TA 13-147](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A2, Assessment No. 138527 at 860 LAWSON AVENUE EAST. (To be laid over to May 21, 2013 Legislative Hearing and June 5, 2013 City Council Public Hearing)
- Legislative Hearing Officer Marcia Moermond asked that the matter be referred for a May 21 Legislative Hearing, and the Council public hearing be continued to June 5.*
- No one appeared in opposition; Councilmember Bostrom moved to continue the public hearing to June 5.*
- Referred to Legislative Hearings on May 21; Council public hearing continued to June 5**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 55** [RLH TA 13-158](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306C1, Assessment No. 132011 at 576 MARYLAND AVENUE WEST (AKA 586 MARYLAND AVENUE WEST).
- This item was initially adopted under consent but was changed to a continuation of the public hearing at the appellant's request because he had been unable to attend the meeting.*
- Public hearing continued to May 1**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0
- 58** [RLH FCO 12-597](#) Appeal of Margaret Uriah, Mendota Properties LLC, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 602 MENDOTA STREET. (Public hearing held April 17 and May 1; laid over from May 1)
- Legislative Hearing Officer Marcia Moermond said the appellant was unable to attend the meeting and she asked that the public hearing be continued to May 1.*
- No one appeared in opposition; Council President Lantry moved to continue the public hearing to May 1.*
- Public hearing continued to May 1**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

- 74 [RLH RR 13-12](#) Ordering the razing and removal of the structures at 1220 VIRGINIA STREET within fifteen (15) days after the March 6, 2013 City Council Public Hearing. (Public hearing continued from March 6, April 3, and April 17)

Legislative Hearing Officer Marcia Moermond said this would be the last time she would come before the Council asking for a layover for this property. She said it appeared that Eh Pooled 211 Lp had sold the property without providing the actual deed. She said the buyer was unable to pull permits and complete the rehabilitation without the deed, and had already sunk a lot of money on past due taxes and new roofing and siding. She said the buyer had gotten the services of an attorney who she hoped could help with the ownership paperwork. She asked that the public hearing be continued to May 15.

Councilmember Brendmoen thanked Legislative Hearing Officer Marcia Moermond for her work. She expressed concerns about the ongoing problem of nuisance properties being sold to unsuspecting buyers.

Councilmember Bostrom asked how the owner had been able to obtain permits for the work done so far. Ms. Moermond said her guess was that the permit desk hadn't checked the ownership records.

No one appeared in opposition; Councilmember Brendmoen moved to continue the public hearing to May 15.

Public hearing continued to May 15

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

Nay: 0

LEGISLATIVE HEARING CONSENT AGENDA

Note: Items listed under the Consent Agenda will receive a combined public hearing and be enacted by one motion with no separate discussion. Items may be removed from the Consent Agenda for a separate public hearing and discussion if desired.

Approval of the Consent Agenda (Items 29 - 81)

No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

- 29 [RLH TA 13-156](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 1251 ALBEMARLE STREET.
Adopted
- 30 [RLH TA 13-170](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305P, Assessment No. 138404 817 ALDINE STREET NORTH
Adopted
- 31 [RLH TA 13-150](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 1620 AMES AVENUE.
Adopted
- 32 [RLH VBR 13-13](#) Appeal of Jason Martinetto, Archer Properties Group, to a Vacant Building Registration Notice and Summary Abatement Order at 988 ARGYLE STREET.
Adopted
- 33 [RLH FOW 13-6](#) Appeal of Christina Carlton to a Correction Notice-Foster Care Inspection at 1458 ARONA STREET.
Adopted
- 34 [RLH TA 13-153](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1306, Assessment No. 138805 at 419 BAY STREET.
Adopted
- 35 [RLH TA 13-224](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1306, Assessment No. 138805 at 533 BAY STREET.
Adopted
- 36 [RLH VBR 13-14](#) Appeal of Tim Wesbrook and Rodney Molholland to a Vacant Building Registration Notice at 846 CARROLL AVENUE.
Adopted
- 37 [RLH TA 13-155](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 594 CASE AVENUE.
Adopted
- 38 [RLH RR 13-16](#) Ordering the razing and removal of the structures at 612 CASE AVENUE within thirty (30) days after the April 17, 2013 City Council Public Hearing.
Adopted

- 39 [RLH RR 13-17](#) Ordering the rehabilitation or razing and removal of the structures at 616 CASE AVENUE within 180 days after the April 17, 2013 City Council Public Hearing.
Adopted
- 41 [RLH TA 13-229](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305B1, Assessment No. 138110 at 175 CHARLES AVENUE.
Adopted
- 42 [RLH TA 13-149](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305P, Assessment No. 138404 at 222 CONGRESS STREET EAST.
Adopted
- 43 [RLH TA 13-79](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305A1, Assessment No.138519 at 1084 EARL STREET.
Adopted
- 44 [RLH VO 13-13](#) Appeal of Sunday Olayinka, on behalf of African Christian Fellowship, to a Fire Certificate of Occupancy Revocation and Order to Vacate at 756 JACKSON STREET.
Adopted
- 45 [RLH FCO 13-76](#) Appeal of Samuel Riesgraf to a Fire Certificate of Occupancy Correction Notice - Complaint Inspection at 778 JENKS AVENUE.
Adopted
- 47 [RLH VBR 13-11](#) Appeal of Kevin Knudsen, on behalf of CP Real Estate LLC, to a Vacant Building Registration Renewal Notice at 1134 JULIET AVENUE.
Adopted
- 48 [RLH TA 13-262](#) Amending Council File RLH AR 11-134 to delete the assessment for Collection of Vacant Building Fees in September 2011 at 934 JUNO AVENUE. (File No. VB1202, Assessment No. 128801)
Adopted
- 49 [RLH TA 13-154](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1306, Assessment No. 138805 at 732 LAWSON AVENUE EAST.
Adopted

- 51 [RLH TA 13-171](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 1036 LAWSON AVENUE EAST.
Adopted
- 52 [RLH TA 13-161](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 374 LEXINGTON PARKWAY NORTH.
Adopted
- 53 [RLH TA 13-163](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 390 LEXINGTON PARKWAY NORTH.
Adopted
- 54 [RLH TA 13-169](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 874 MARION STREET.
Adopted
- 56 [RLH TA 13-160](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 1160 MARYLAND AVENUE EAST.
Adopted
- 57 [RLH TA 13-213](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1306, Assessment No. 138805 at 1648 MCLEAN AVENUE.
Adopted
- 59 [RLH FCO 13-60](#) Appeal of Nataliia Karia to a Fire Inspection Correction Notice at 751 MINNEHAHA AVENUE WEST.
Adopted
- 60 [RLH TA 13-242](#) Amending Council File RLH AR 12-144 to delete the assessment for Removal of Diseased and/or Dangerous Trees on Private Properties during October 2012 at 987 MINNEHAHA AVENUE EAST. (File No. 1303T, Assessment No. 139002)
Adopted
- 61 [RLH TA 13-94](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1302A, Assessment No. 138806 at 1160 MONTREAL AVENUE. (Public hearing continued from February 20)
Adopted

- 62 [RLH TA 13-151](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 286 PAGE STREET EAST.
Adopted
- 63 [RLH TA 13-164](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 778 PASCAL STREET NORTH.
Adopted
- 64 [RLH TA 13-165](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306G, Assessment No. 138707 at 778 PASCAL STREET NORTH.
Adopted
- 65 [RLH TA 13-159](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 628 PINE STREET.
Adopted
- 66 [RLH TA 13-148](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 904 ROSE AVENUE EAST.
Adopted
- 67 [RLH TA 13-172](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1306, Assessment No. 138805 at 872 SELBY AVENUE.
Adopted
- 68 [RLH TA 13-228](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1306, Assessment No. 138805 at 993 SHERBURNE AVENUE.
Adopted
- 69 [RLH FCO 13-62](#) Appeal of Michael Koch to a Fire Inspection Correction Notice at 1611 SPRUCE TREE DRIVE.
Adopted
- 70 [RLH TA 13-258](#) Amending Council File RLH AR 13-4 to delete the assessment for Property Clean Up services during November 2012 at 452 THOMAS AVENUE. (File No. J1305A, Assessment No. 138504).
Adopted

- 71 [RLH VO 13-12](#) Appeal of Tovah Flygare, SMRLS (Southern Minnesota Regional Legal Services), on behalf of Meghan Cody, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 839 THOMAS AVENUE.
Adopted
- 72 [RLH FCO 13-65](#) Appeal of Gilbert Marty to a Fire Certificate of Occupancy Correction Notice at 935 UNIVERSITY AVENUE WEST.
Adopted
- 73 [RLH TA 13-166](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 2386 VALENTINE AVENUE.
Adopted
- 75 [RLH FCO 13-58](#) Appeal of Isaac Erickson to a Fire Inspection Correction Notice at 556 WHEELLOCK PARKWAY EAST.
Adopted
- 76 [RLH SAO 13-9](#) Appeal of Toua Yang to a Summary Abatement Order at 35 WHITE BEAR AVENUE SOUTH.
Adopted
- 77 [RLH AR 13-17](#) Ratifying the assessments for Collection of Vacant Building Fees billed from March 28 to October 24, 2012. (File No. VB1306, Assessment No. 138805)
Adopted
- 78 [RLH AR 13-18](#) Ratifying the assessments for Boarding and/or Securing services during November 2012. (File No. J1306B, Assessment No. 138105)
Adopted
- 79 [RLH AR 13-19](#) Ratifying the assessments for Graffiti Removal services from November 29 to December 24, 2012. (File No. J1305P, Assessment No. 138404)
Adopted
- 80 [RLH AR 13-21](#) Ratifying the assessments for Trash Removal services during December 2012. (File No. J1306G, Assessment No. 138705)
Adopted

- 81 [RLH AR 13-22](#) Ratifying the assessments for Demolition Services from November 2012. (File No. J1306C, Assessment No. 132005)

Adopted

ADJOURNMENT

Councilmember Brendmoen moved adjournment.

The meeting was adjourned at 6:17 p.m.

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

Nay: 0

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