



City of Saint Paul

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

Minutes - Final

City Council

Council President Russ Stark
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Bill Finney
Councilmember Dai Thao
Councilmember Dave Thune
Councilmember Chris Tolbert

Wednesday, July 15, 2015

3:30 PM

Council Chambers - 3rd Floor

Public Hearings at 5:30 p.m.

Council Voting

The reader calls the names of all Councilmembers. A vote in favor is cast by remaining silent, and a vote against is cast by saying no or nay. When the voting is complete, the reader will state whether the motion passed or failed.

ROLL CALL

Present 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Dave Thune, Councilmember Chris Tolbert and Councilmember Bill Finney

Absent 1 - City Council President Russ Stark

COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 15-36](#) Letter from the Department of Safety and Inspections declaring 2227 Beech Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Attachments: [2227 Beech St.OTA 7-1-15](#)

Received and Filed

- 2 [AO 15-63](#) Amending the 2015 spending budget for the Office of Technology and Communications.

Attachments: [OTC Financial Analysis AO 15-63](#)

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**Consent Agenda Adopted**

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

- 3** [RES 15-1188](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during March 17 to April 14, 2015 and setting date of Legislative Hearing for August 18, 2015 and City Council Public Hearing for October 7, 2015 to consider and levy the assessments against individual properties. (File No. CRT1512, Assessment No. 158212)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 4** [RES 15-1189](#) Approving the City's cost of providing Excessive Use of Inspection or Abatement services during February 18 to April 23, 2015 and setting date of Legislative Hearing for August 18, 2015 and City Council Public Hearing for October 7, 2015 to consider and levy the assessments against individual properties. (File No. J1508E, Assessment No. 158310)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 5** [RES 15-1190](#) Approving the City's cost of providing Boarding and/or Securing services during May 2015 and setting date of Legislative Hearing for August 18, 2015 and City Council Public Hearing for October 7, 2015 to consider and levy the assessments against individual properties. (File No. J1511B, Assessment No. 158111)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 6 [RES 15-1191](#) Approving the City's cost of providing Towing of Abandoned Vehicle services during January to March 2015 and setting date of Legislative Hearing for August 18, 2015 and City Council Public Hearing for October 7, 2015 to consider and levy the assessments against individual properties. (File No. J1503V, Assessment No. 158003)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 7 [RES 15-1192](#) Approving the City's cost of providing Demolition services from June 2015 and setting date of Legislative Hearing for August 18, 2015 and City Council Public Hearing for October 7, 2015 to consider and levy the assessments against individual properties. (File No. J1506C, Assessment No. 152006)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 8 [RES 15-1193](#) Approving the City's cost of providing Demolition services from March to June 2015 and setting date of Legislative Hearing for August 18, 2015 and City Council Public Hearing for October 7, 2015 to consider and levy the assessments against individual properties. (File No. J1507C, Assessment No. 152007)

Attachments: [Report of Completion](#)
 [Assessment Roll](#)

Adopted

- 9 [RES 15-1214](#) Identifying the need for Livable Communities Demonstration Account funding and authorizing applications for grant funds.

Adopted

- 10 [RES 15-1222](#) Identifying the need for Livable Communities Transit-Oriented development funding and authorizing applications for grant funds.

Adopted

- 11 [RES 15-1224](#) Approving the FY2015 Neighborhood STAR Loan and Grant Awards.

Attachments: [Neighborhood STAR Program Financial Analysis RES #15-1224](#)

Adopted

- 12 [RES 15-1255](#) Authorizing the Fire Department to accept a donation of \$300 from the Saint Paul Fire Supervisory Association for Safety Camp.

Adopted

- 13 [RES 15-1257](#) Authorization to enter into an agreement with the Minnesota State Agricultural Society (State Fair) to provide services and equipment.

Attachments: [Minnesota State Agricultural Society \(State Fair\) Contract](#)
[Financial Analysis](#)

Adopted

- 14 [RES 15-1259](#) Authorization to accept the \$6,833.80 grant from the Saint Paul Police Foundation for the Motors Unit.

Attachments: [Saint Paul Police Foundation Motors Unit Grant](#)
[Financial Analysis](#)

Adopted

- 15 [RES 15-1261](#) Authorizing Police Department to accept a grant in the amount of \$564,632.60 from the State of Minnesota, Department of Commerce for the Auto Theft Prevention program.

Attachments: [State of Minnesota Auto Theft Prevention Grant](#)
[Financial Analysis](#)

Adopted

- 16 [RES 15-1276](#) Authorizing City staff to apply for a Minnesota Pollution Control Agency (MPCA) Minnesota GreenCorps member.

Adopted

- 17 [RES 15-1278](#) Approving adverse action against the Sidewalk Contractor license held by Clausen Construction, Inc. d/b/a Clausen Construction, Inc. for the City of Saint Paul.

Attachments: [Notice of Intent to Suspend License with Affidavit of Service.pdf](#)
[SPLC 310.05\(m\)](#)

Withdrawn

- 18 [RES 15-1289](#) Supporting the implementation of President Obama's executive action on immigration.

Adopted

- 19 [RES 15-1295](#) Approving a Liquor Outdoor Service Area (Patio) license with conditions to Bad Weather Brewing Company, LLC d/b/a Bad Weather Brewery (License ID #20150000267) for the premises located at 414 - 7th Street West in Saint Paul.

Attachments: [Bad Weather Brewery - Signed license condtions dated May 22nd 2015](#)
 [Bad Weather Brewery - Good Faith letter](#)
 [Bad Weather Brewery - Email indicating petition percentage](#)

Adopted

- 20 [RES 15-1296](#) Approving the Settlement Agreement and Release between the City of Saint Paul and James Cannon and his attorney, William Walker.

Attachments: [Settlement Agreement \(Faxed Copy\).pdf](#)
 [Financial Analysis.xls](#)
 [Administrative Code 3.02.pdf](#)

Adopted**FOR DISCUSSION**

- 21 [RLH VO 15-32](#) Appeal of Alan Peterson, Syndic Group I, LLC, to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 201 FOURTH STREET EAST. (Laid over from July 1)

Attachments: [201 Fourth St. E.appeal.6-3-15](#)
 [201 4th St E.Photos#1.5-26-15](#)
 [201 4th St E.Photos#2.5-26-15](#)
 [201 Fourth St E.Peterson Ltr.6-11-15](#)
 [201 Fourth St E.Viking Automatic Sprinkler Co Invoice.3-3-15](#)
 [201 Fourth St E.Inspector Notes.6-9-15](#)
 [201 Fourth St E.Chain Emails.Variou Dates](#)
 [201 Fourth St.E.Peterson Email.7-13-15](#)

Marcia Moermond said that last week, the City Council asked for a two week layover. She has revised her recommendation based on the substantial progress made. Sprinkler system has been fixed. Locked area has been fixed under permit. Some building corrections need to be made. Furnace is still in need of repair. There hasn't been a structural analysis of the foundation and the roof. Roof and structural foundation are the biggest ticket items. There was a request to extend the compliance dates, but Moermond feels a speciific time needs to be set. Appellants do not know much about the structural analysis. She is recommending the following: by August 15 an analysis, by January 1 the work completed unless the analysis indicates it can go longer, furnace and boiler system must be corrected and in place

by September 15, and roof by January 1.

Councilmember Thune asked has she heard from them. Moermond responded this is based on the e-mail received on Monday. She reiterated her recommendation: complying with the inspectors orders by August 15, also getting an engineering analysis by then, January 1 stabilizing the foundation, September 15 repair of furnace system, January 1 roof. They asked for an indefinite time period, so this is different.

Councilmember Finney asked about January 1 for Item 3 and asked if that should be 2015. Moermond responded she would make that correction.

Thune moved approval with date amendments.
6 in favor, none opposed

Adopted as amended

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

22 [RES 15-1301](#)

Formalizing a Sister City agreement between the City of Djibouti City and City of Saint Paul.

Councilmember Thao read the resolution. It was presented to the Mayor of Djibouti.

The Mayor of Djibouti read his speech in French.

The president of the International Sister City spoke.

Thao announced there is a reception downstairs.

*Thao moved approval,
6 in favor, none opposed*

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

SUSPENSION ITEM

[RES 15-1203](#)

Approving the Memorandum of Agreement between the City of Saint Paul and the International Association of Sheet Metal, Air, Rail and Transportation Workers, Local 10 for the 2015 Wage and Fringe Adjustment. (Laid over from July 8)

Attachments: [Sheet Metal Workers 2015 WageFringe Adjustment MOA](#)

*Councilmember Finney moved approval.
6 in favor, none opposed*

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

PUBLIC HEARINGS

23 [RES PH 15-191](#)

Approving the petition of the Saint Paul Parks and Recreation Department to vacate platted right-of-way within the Palace Recreation Center field space.

Attachments: [Palace Field Vacation - Area Map](#)
 [Exhibit A - Survey Map - Palace Rec Vacation Area](#)

(No one appeared in opposition.)

*Councilmember Thune moved to close the public hearing and approve.
6 In favor, none opposed
Public hearing is closed*

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

24 [RES PH 15-192](#)

Approving the petition of Peter Jandric to vacate that part of the alley in Block 21 of Lane's Highland Park.

Attachments: [1721 Saunders - Area Map](#)
 [Exhibit A - 1721 Saunders](#)
 [Exhibit B - 1721 Saunders - Turnaround Easement](#)

(No one appeared in opposition.)

*Councilmember Bostrom moved to close the public hearing and approve the resolution.
6 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

- 25** [RES PH 15-204](#) Approving the petition of Twin City Concrete Products Company to vacate that part of Beech Street and alley between Hazelwood Street and Birmingham Street.

Attachments: [Aerial Map](#)

No one wished to speak in opposition

Councilmember Finney moved to close the public hearing and approve

6 in favor, none opposed

Public hearing is closed.

Resolution adopted

Adopted

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

- 26** [APC 15-7](#) Public Hearing to consider the appeal of Salina Amey et al of a Planning Commission decision to grant a conditional use permit to Hawkins, Inc. for elevation of structures in the floodplain on an alternative to fill at 701 Barge Channel Road. (Public hearing continued from June 17 and July 1)

Attachments: [APPEAL - application](#)
[APPEAL - letter and attachments](#)
[PC Resolution](#)
[PC minutes \(page 2\)](#)
[ZC minutes](#)
[Staff report packet](#)
[Hawkins letter to WSCO](#)
[SPACC Support of 701 Barge Channel Road CUP](#)
[Larkin Hoffman letter supporting Barge Channel Rd CUP](#)
[Griffith ltr in response to Appeal of Smey & Larson](#)
[Port Authority Letter](#)
[WSCO Environmental position letter](#)
[Staff presentation for public hearing on appeal of CUP at 701 Barge Channel Road](#)
[Larkin Hoffman letter to Environmental Quality Board MPCA](#)
[6-24 Larkin Hoffman letter re Hawkins](#)
[Hawkins Forum Powerpoint](#)
[Hawkins West Side Community Forum 7-8](#)
[Young Kimball email](#)
[MPCA Letters dated 7-15-15](#)
[Tom Dimond letter submitted 7-15-15](#)

Councilmember Thune said he got a letter from Minnesota Pollution Control Agency. Is there anyone here from MPCA? (No one came forward.) Thune read some of the letter. He said the Council should have a copy of the letter being referred to in the MPCA (Minnesota Pollution Control Agency) letter.

Gilert Delao, 277 Cesar Chavez, appeared and spoke about environmental racism. It is the placement of minority communities in the proximity of environmental hazards. The Council should see first hand the long truck traffic while waiting for the train tracks and the smell and pollution.

Selina Amey, 283 Curtice Street East, appeared and stated that due to the clerical error made by a staff person in not getting in writing the verbal agreement between the City of Saint Paul and Hawkins, the City Attorney's Office has determined they are required to grant a permit to Hawkins Chemical. Amey is appealing to make a condition on the permit. Hawkins representatives made a generous and gracious offer that certain chemicals would not be stored on site. She is asking that the Council put conditions in writing that those items would not be stored there. They are also asking them not to apply for permit for additional tanks.

Brother Jim Krause, 401 Concord Street, pastoral associate at Our Lady of Guadalupe Church, 3 blocks from the Hawkins site, appeared and stated they use the church all week long: standing room only masses on Sunday, classes through the week, funerals, weddings. The church is heavily used. The City did a study of 17 sites, and put a unit on the church to test air quality. The church was at the bottom. The idling trucks are bad for them. They are not sure about increased truck traffic. Hawkins assured it would not be a problem, but Krause is asking that someone do a

thorough checking of it.

Tom Murphy, 15 Baker Street West, 55107, appeared and stated he is also a staff member at Guadalupe GAP school. Hawkins is not a friend to the West Side. Train traffic and truck traffic. He is concerned about an emergency situation developing and evacuation.

Michelle Hoffman, 1412 Fairmount Avenue, appeared and said activities in the park effected her everyday. Fires started that the Fire Department could not put out, run off in the river. She made a short video. She knocked on doors. People are suffering but never show up. She moved to Mac Grove. She was concerned about her health.

Doug Ruiz, 516 Smith Avenue, business owner and Mexican. The church is the backyard of the tank. They have been the dumping ground of many things. It is time for a change. Ruiz does know much about the plant. At some point everyone is tired of it being a dumping ground. They do not need tanks in the backyard.

Rebecca Noecker, 14 Robie Street West, Planning Commission, said she is very concerned about the hazardous waste. She asks for a condition put on that no HCL be stored there.

Kathy Larson, 339 Winifred Street, appeared and stated they do not think Hawkins is a bad company. They are happy that they have agreed to not store HSF and HCL at that site. She is hoping they will send this back to the Planning Commission to have it put in. They only want 8. The plans says a lot more.

(The following spoke in favor.)

Rich Ersted, Hawkins, Vice President and General Council of Hawkins, and a resident of Saint Paul at 1660 Laurel Avenue, appeared and stated they started this process and did not know there was so much passion in the community. He went to a public forum. They have a lot of long standing employees. They are not contributing to the chemicals. That site has been operational with chemical tanks for 50 years. He cannot say they will never have any more tanks. They have 8 and do not need more. They removed one tank that was obsolete and replaced it with smaller tanks. They are reducing the products stored on the site. HFC tank was obsolete, taken out, and will no longer be stored there. (He mentioned products stored on site and how they are stored.) They do not fume, go airborne, do not explode, do not burn. They could put out a fire because there is more water than anything else. They derive from salt. They will have coated concrete containment. Nothing could get out. If leaks happen, they will be captured and kept from getting into the environment. Worker safety is important. They are outside and exposed. New Project will have better stairs. They have 34 employees that have been there for 40 years. The covered loading area is protected from snow and ice. It will have better security. The old site did not have a perimeter fence. They will have full perimeter fencing. They have been operating there for 34 years. The company has been serving this community for 77 years. They ask for the Council's support.

Bill Griffith, 107 Virginia Street, representing Hawkins, appeared and stated land use is a permitted use. Storage is not up for question. The conditional use permit is there if they meet the technical requirement for flood protection. The conditions approved by Planning Commission is narrowly tailored. There will be public notice at pollution control and the City. It is required by law.

Thune asked about the MPCA letter and their findings with community concerns. He

has not seen it. Griffin responded it is a series of suggestions about community engagement. It was not conditions or mandatory requirements. If there are issues in the future, there should be more community engagement.

Donald Mullin, represent building and construction trades, appeared and stated upgrades for this facility means better security and a safer way to load and unload the projects.

Thune moved to close the public hearing.
6 in favor, none opposed
Public hearing is closed.

Thune said they are not planning to store HCL and HCF and really only have plans for 8 storage units. Plans can change, but the MPCA and both sides feel there should be public notice if there are changes. We can't put literal conditions on the site plan.

Rachel Tierney said the conditions are beyond the authority of the City.

Thune would request that Planning and Economic Development take a good look at this area. Find out what we can do to change it. Level of pollution in the ground and air is higher than anywhere else in the City. This is more than Hawkins. There needs to be physical infrastructure changes. There is no other option except to pass the site plan. He will call a meeting.

Thune moved to deny the appeal
6 in favor, none opposed
Motion of intent

Motion of Intent - Appeal denied

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 1 - City Council President Stark

27 [PH 15-11](#)

Public hearing to consider the application of New Plan Learning to rezone property at 169 Jenks Avenue from I1 Light Industrial, I2 General Industrial, and VP Vehicular Parking to T1 Traditional Neighborhood.

Attachments: [Zoning Committee Staff Report \(revised\)](#)
 [Supplement Site Information](#)
 [Zoning Committee Minutes 5-28-2015](#)
 [Zoning Committee Minutes 6-11-2015 \(draft\)](#)
 [Planning Commission Action Minutes 6-19-2015](#)
 [Planning Commission Resolution](#)
 [60-day letter](#)
 [Rezoning area](#)

Jamie Radel, PED, appeared and said this is a charter school. The site is split zoned. The applicant would like to place a gym on the property. The only use that is

allowed is parking. To allow her use, the applicant has requested to zone it as T-1.

Kerry Antrim, District 6 Planning Council, 171 Front Avenue, appeared and said the site has two other parking lots. District 6 recommended to approve the rezoning and to stabilize the zoning. They found out the school was staging and unloading the buses off the City street. She talked to PED staff and found any conditions for unloading the buses is not part of the site plan. As of July 14, the school has not contacted Public Works and the streets. The school may be expanded to 700 students. The district council is requesting it be laid over, relooked at to see what they are doing with the streets and the unloading of the buses. They would like a full site review, parking spaces. Until an agreement is reached, they have asked that the rezoning be denied, and they can reapply. They would like everyone to be in harmony.

(The following spoke in favor)

Ken Rivera, 775 Fairmount Avenue, appeared and stated he was the architect who worked on first phase of project, They propose unloading of buses and staging on Jenks Avenue.

Brendmoen moved to close the public hearing
4 in favor, no one opposed (Bostrom, Stark, Thune gone)
Public hearing is closed.

Councilmember Brendmoen stated they cannot put conditions on a rezoning. The school will be seeking a variance. It is personal. I know all about bus unloading. She will move forward with a rezoning with the concerns that will be forthcoming

Brendmoen moved approval
4 in favor, motion of intent, application granted

Motion of Intent - Application granted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Thune and City Council President Stark

- 28** [RES PH 15-197](#) Approving the application of Podium Sports Marketing's request for a sound level variance, in order to present amplified music and announcements at the Southwest End of the Median on Shepard Road at Randolph Avenue, for the Minnesota Half Marathon on Saturday, August 1, 2015 from 7:30 a.m. to 11:00 a.m.

Attachments: [Application](#)
 [Map](#)
 [ENS](#)
 [Notice to District Council](#)
 [Notice to Property Owners](#)
 [List of Property Owners](#)
 [Letter to Applicant](#)

(No one appeared in opposition.)

*Councilmember Brendmoen moved to close the public hearing and approval
4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Thune and City Council President Stark

- 29** [RES PH 15-198](#) Approving the application of Podium Sports Marketing's request for a sound level variance, in order to present amplified music and announcements at Shepard Road and the 35 E Ramp area, for the Minnesota Half Marathon on Saturday, August 1, 2015 from 7:45 a.m. to 10:30 a.m.

Attachments: [Application](#)
 [Map](#)
 [ENS](#)
 [Notice to District Council](#)
 [Notice to Property Owners](#)
 [List of Property Owners](#)
 [Letter to Applicant](#)

(No one appeared in opposition)

*Councilmember Brendmoen moved to close the public hearing and approval
4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Thune and City Council President Stark

- 30** [RES PH 15-199](#) Approving Podium Sports Marketing's request for a sound level variance, in order to present amplified music and announcements at the Start at the East End of Upper Landing Park and Finish at Shepard Road and Sherman, for the Minnesota Half Marathon on Saturday, August 1, 2015 from 6:45 a.m. to 12:00 p.m., with a pre-event sound check from 6:45 a.m. until 7:00 a.m.

Attachments: [Application](#)
 [Maps](#)
 [ENS](#)
 [Notice to District Council](#)
 [Notice to Property Owners](#)
 [List of Property Owners](#)
 [Letter to Applicant](#)
 [Gillats Letter](#)

(No one appeared in opposition.)

Councilmember Thao moved to close the public hearing and approval.

*4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Thune and City Council President Stark

- 31** [RES PH 15-202](#) Approving the application of Colleen Healy, Irish Fair of Minnesota, for a sound level variance in order to provide amplified music and the use of a sound system from 6:00 p.m. until 10:00 p.m. on Thursday, August 6, 2015, from 2:00 p.m. to 11:00 p.m. on Friday, August 7, 2015, from 9:00 a.m. to 11:00 p.m. on Saturday, August 8, 2015, and from 9:00 a.m. to 8:00 p.m. on Sunday, August 9, 2015 during the Irish Fair of MN at Harriet Island.

Attachments: [Application](#)
 [Map](#)
 [ENS](#)
 [Notice to District Council](#)
 [Notice to Property Owners](#)
 [Prop Owner List](#)
 [Letter to Applicant](#)

(No one appeared in opposition.)

*Councilmember Thao moved to close the public hearing and approval.
4 in favor, none opposed
Public Hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Thune and City Council President Stark

- 32** [RES PH 15-201](#) Approving the application of Xcel Energy for a sound level variance for construction work related to the 2015 East Metro Pipeline Replacement Project, with the sound source at the intersection of St. Albans Street and Central Avenue, Monday through Saturday only, from July 31, 2015 to August 22, 2015.

Attachments: [Application](#)
 [Map](#)
 [ENS](#)
 [Notice to District Council](#)
 [Notice to Property Owners](#)
 [List of Property Owners](#)
 [Letter to Applicant](#)
 [Email from Frelix-Gray](#)

(No one appeared in opposition.)

*Councilmember Finney moved to close the public hearing and approval.
4 in favor, none opposed
Public hearing is closed*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert and Councilmember Finney

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Thune and City Council President Stark

- 33** [AHPC 15-1](#) Public hearing to consider the appeal of the property owners, Tina and Joe Shaffer, to a condition of approval by the Heritage Preservation Commission regarding roof color at 1373 Summit Avenue.

Attachments: [Appeal letter](#)
[Decision letter](#)
[Staff report](#)
[HPC presentation \(excerpt\)](#)
[Application materials and plans](#)
[Heritage Preservation Commission Minutes 06-25-15](#)
[RE Roof shingle 1373 summit avenue](#)

Withdrawn

- 34** [Ord 15-32](#) Amending Legislative Code Chapters 60, 61, 62, 63, 65 & 69 to correct errors, and update and clarify language.

Attachments: [MinorTextAmendmentsPCResolutionFeb2015](#)
[Ch 60-63 65 & 69 related Minor Text Amendments FOR COUNCIL](#)
[Ch 60-63 65 & 69 related Minor Text Amendments NPC to PC memo 02062015](#)

(No one appeared in opposition)

Councilmember Tolbert moved to close the public hearing

4 in favor, none opposed

Public hearing is closed and laid over to July 22 for final adoption.

Public hearing closed; laid over to July 22 for final adoption

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 35** [Ord 15-27](#) Amending Chapters 61, 63, and 69 of the Saint Paul Legislative Code pertaining to Parkland Dedication.

Attachments: [Planning Commission Resolution - Parkland Dedication](#)
[Action Minutes](#)
[Comp Plan Comm Report](#)
[Staff memo amending Parkland Dedication](#)
[Recommended Amendments - Parkland Dedication](#)
[Planning Commission Public Hearing Written Comments](#)
[Mannillo re Parkland Dedication Ordinance](#)
[Erstad re Parkland Dedication](#)
[Ruby Hunt re Parkland Dedication](#)
[SPACC re Parkland Dedication](#)
[Executive Summary Revised 07-09-2015](#)
[Schwarz email 8.10.15](#)
[Parkland Dedication- August 2015](#)
[Parkland Dedication Memo back to Council on Public Hearing \(revised\)](#)
[McCarty Parkland Dedication Amendments email](#)
[Mccarty email2 re Parkland Dedication](#)
[Zumach email re Parkland Dedication](#)
[Davis email re Parkland Dedication](#)
[Goldstein email re Parkland Dedication](#)
[Martinson email re Parkland Dedication](#)
[Ord 15-27 - Parkland Dedication Ordinance Overview](#)

Jamie Rade, PED gave a Powerpoint presentation.

Mike Hahm, Parks and Rec Director, stated these changes are good and strengthen the parkland ordinance. The report highlights the key provisions. State statute is important in this. This increases the funds available towards projects. It also simplifies language and makes processes more clear that when they went through this the first time. This will make it more beneficial to the community and easier for us to administer and deliver quality projects. He appreciates the work from PED staff. Parkland Dedication is important. It is a big year for parks. We are a nationally accredited parks agency and the #1 parks organization in the U.S.

Councilmember Thune asked would this result in a net increase. Hahm responded yes; looking back it would provide for a net increase and looking forward developments will result in an increase.

Thune asks what is done with the money. Hahm responded he would be happy to report back on the specifics. As projects advance, money is deposited into accounts. When funds were appropriated for that project, resolutions came before the City Council moving from those accounts to that project account.

Brendmoen asked is there potential for maintenance for the Parks project. Hahm responded the ordinance is clear on what are allowable uses. It is not allowable for general operating maintenance. Radel added state statute prohibits the use of parkland dedication for general maintenance in Parks.

Thao said you would think it would help more than 4%. He asked how this compares to Minneapolis. Radel stated Mpls. does not have a cap on parkland dedication. They take a different approach.

Shirley Ersted, Friends of the Park and Trails and a St. Paul resident, 1660 Laurel Avenue, appeared and stated this is a long and complicated process. Last month, Minnesota was named the best state of business by CNBC. Last month, Washington Post posted a scientific study that living near trees improves health. Parks are a good economic, environmental, and mental health investment. This ordinance is a way to diversify the system. Minneapolis has 10% parkland dedication. Boston and Seattle are expanding their parkland. They are luring people back into the cities. The ordinance needs some adjustments. If this ordinance is not amended, Friends of Parks cannot support it. The current ordinance is ineffective. It will take Saint Paul eight years to collect with other cities collect in one year alone. Remove the exemptions. Keep it simple.

Tom Dimond, 2119 Skyway Drive, appeared and stated if there is anything that he can leave them with is that this ordinance reduces what we get today. If you vote for it, you will get less parkland dedication. The Council should retain the requirement for parkland dedication. How people can say this will increase the amount of park dedication, they do not know the details or are not being straight forward. Also, some building are exempt from the calculation.

Tom Goldstein, 1399 Sherburne Avenue, appeared and asked what is trying to be accomplished by this change and why don't we want to create as much parkland as is feasible. It seems it is set to spur development. People don't move to Cities because there are a lot of buildings. Here we are looking to cut the amount of land we have when we have a chance to add it when developers are doing something. We should not be reducing the amount that is available. It is not ready to be voted on. This is not a good step forward for the City. There is no urgency to get it done tonight.

Janie Weig, 1647 Laurel Avenue, appeared and said they are aiming too low. She supports the proposal to take the time to get it right and get resources for the park system.

(The following spoke in favor.)

Laurie Louder, Senior Vice President at Port Authority, said they believe the staff report has been carefully done, shows careful thought, comprehensive analysis. The importance of a business friendly Saint Paul regarding development regulations cannot be over-emphasized. Reasonable and fair regulations help provide for a economic vibrant City, fiscal health, good wages, growing tax base, low level of City services required, and economic growth that the City relies on for the competitive edge. The staff report reaches a balance between encouraging business growth and providing reasonable parkland dedication requirements. There is a significant amount of parkland. Over 20% of Saint Paul's land is parks and natural areas. The trust of public land has made St. Paul number 2 in the nation. They urge the City Council not to increase any dedication requirement nor fees. The report is fine the way it is. Also, the Council should approve the Planning Commission recommendation and the staff report.

*Thune moved to close the public hearing.
4 in favor, none opposed
Public hearing is closed.*

Thune is troubled by the suggestion and would like clarity. He would like to see the comparisons in dollars and cents. He is troubled by the comparison that others are requesting more money than we are asking. He would like staff to look back at this, take some of the testimony, relook at it, and folding it into a comparison. He would like to lay it over for 4 weeks.

Brendmoen stated she isn't comfortable pushing for a vote when there is conflicting information. She wants to know how much money we are talking about. She would like comparisons with cities that are like Saint Paul. Comparing Minneapolis and Bloomington to Saint Paul are not fair comparisons.

Thao said parkland is something we all enjoy. From an economic standpoint, commercial developers can contribute more.

Tolbert said staff could follow up with council members.

*Thune moved to August 12 meeting.
4 in favor, none opposed*

Public hearing closed; laid over to August 12 for final adoption

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

36 [Ord 15-33](#)

Amending sections of Chapter 62, Nonconforming Lots, Uses & Structures, Chapter 63, Regulations of General Applicability, and Chapter 66, Zoning District Uses, Density and Dimensional Standards of the Saint Paul Legislative Code pertaining to residential zoning standards.

Attachments: [Table 66231](#)

[Ord15-33 FULL TEXT Amendment Language](#)

[Residential Standards PC Memo 5_27_15_FINAL_CC](#)

[Memo Attachment 1 Public Comment](#)

[Memo Attachment 2 Maps](#)

[PC Approved Minutes 050815](#)

[PC Resolution 6-5-2015 Revised Post PC](#)

[Tom Dodder Comment](#)

*Tolbert moved the amendment.
4 in favor, none opposed
Amendment is approved.*

Mike Richardson, City Planner from PED, appeared and stated that last August, the Council requested to address concerns that new construction was out of character. The comprehensive plan says new housing fits the pattern and should maintain the character. (He showed slides to Council.)

Thune asked why it would not be based on surrounding properties. Richardson said someone would build something different. The contrast is reduced. If every application would go through the process where every property would be looked at

could be costly.

Richardson said there were times the City was making city-wide judgements. (He discussed the slides.)

Karen Jeffods-Brown, 1928 Berkeley Avenue, appeared and talked about her home and her sister's neighborhood in Houston, which is similar to Highland. Her sister has seen a lot of the houses torn down and larger ones put in their place. Brown said there are a few blocks in Highland on the tipping point. The little house next door to her sold within 5 days. A block away a large suburban house was built in place of a bungalow. They want to change the financial incentives to jam the largest home on the smallest lot. She is in favor of the zoning changes. There will always be homes that need to be torn down and homes built. Zoning changes are a step in the right direction. Urge you to adopt the zoning changes.

Tom Goldstein, 1399 Sherburne Avenue, appeared again and said he is co-founder of historic family village. They seek to preserve the character of the neighborhood. The former president's home was torn down. The University felt the home did not have a purpose. They got a demolition permit and that was the end of it. The only thing the Council needs to ask is what will you do to stop the tear downs in Saint Paul. He asked is the City code designed to aid developers or is it designed to protect neighborhoods. Saint Paul prides itself on neighborhoods. The boom in demolitions in Ward 3 and other parts of the City are really tearing at the fabric of that. The character of the neighborhood is a benefit to them. That is what draws students there. By purchasing properties and letting them deteriorate and practicing demolition by neglect, this hurts the rest of the community.

Lou Sudheimer, owner of Historic Hill Homes, said he was not expecting to testify on this matter. He would like to speak on common sense. There are egregious example of developers abusing the rules. Some of the new developers are starting to build cities, alleys, detached garages, front porches. They are starting to do little developments like Saint Paul has. We should protect what we have. It should not be destroyed for plain profit.

Tolbert moved to close the public hearing
4 in favor, none opposed
Public hearing is closed

Laid over to July 22 for final adoption
Brendmoen thanked staff. She is hearing from neighbors that are having a hard time finding a house to raise two kids.

Tolbert thanked Mike Richardson. Hard to get a handle on this. City has been built in decades. Saint Paul has diversity in houses.

Amended, Public hearing closed, laid over to July 22 for final adoption

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 37** [RES PH 15-161](#) Amending the financing and spending budgets in the Department of Public Works in the amount of \$570,699 by adding SPRWS and Sewer financing to

the Third Street SPSVP Project; to cancel the East 7th Streetscape Improvements Project and identify a lapse of appropriation in the amount of \$386,000; and to transfer \$97,000 of CIB into the 2015 Signalized Intersection Safety Improvements Program in order to fund the traffic signal work being done under the Third Street SPSVP project.

Attachments: [RES PH 15-161 FINANCIAL ANALYSIS](#)

(No one appeared in opposition.)

*Councilmember Brendmoen moved to close the public hearing and approve.
4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 38** [RES PH 15-170](#) Amending the financing and spending budgets in the Department of Public Works by adding assessment financing of \$177,332 to the Randolph Avenue Reconstruction Project; transferring \$710,000 of appropriations in order to consolidate the 2014 and 2015 Randolph Avenue Reconstruction budgets into one project; and transferring \$625,000 of available MSA financing from the Randolph Project into 2015 MSA Contingency.

Attachments: [RES PH 15-170 RANDOLPH FINANCIAL ANALYSIS](#)

(No one appeared in opposition.)

*Councilmember Brendmoen moved to close the public hearing and approve.
4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 39** [RES PH 15-171](#) Amending the financing and spending budgets in the Department of Public Works by adding assessment financing of \$277,088 to the Ford Parkway Reconstruction Project; transferring \$59,000 of appropriations in order to consolidate the 2014 and 2015 Ford Parkway Reconstruction Project budgets into one project; and transferring \$460,000 of available MSA financing from the Ford Project into 2015 MSA Contingency.

Attachments: [RES PH 15-171 FORD PKWY FINANCIAL ANALYSIS](#)

(No one appeared in opposition.)

Councilmember Thao moved to close the public hearing and approval.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 40** [RES PH 15-172](#) Amending the financing and spending budgets in the Department of Public Works in order to close out capital projects by adding Sewer, SPRWS and MSA financing to various projects and transferring any remaining budget into the appropriate contingency accounts.

Attachments: [RES PH 15-172 FINANCIAL ANALYSIS](#)

(No one in opposition.)

Thune moved to close the public hearing and approve.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 41** [RES PH 15-185](#) Amending the financing and spending budgets in the Department of Public Works by adding \$140,000 from MSA Contingency into the Montreal Avenue Reconstruction Project in order to fully fund and complete the project.

Attachments: [RES PH 15-185 MONTREAL FINANCIAL ANALYSIS](#)

(No one in opposition)

Thune moved to close the public hearing and approve.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 42** [RES PH 15-186](#) Amending the financing and spending budgets in the Department of Public Works by adding \$57,500 of STAR Grant financing into the 2014 Pedestrian, Bicycle and Traffic Safety Program in order to fully fund the Marshall Avenue Medians.

Attachments: [RES PH 15-186 MARSHALL MEDIANS FINANCIAL ANALYSIS](#)
 [Benita Warns - Marshall Median Opposition](#)

(No one appeared in opposition.)

*Thao moved to close the public hearing and approve.
4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 43** [RES PH 15-207](#) Amending the financing and spending budgets in the Department of Public Works by transferring \$150,000 of MSA financing from the Raymond Avenue Reconstruction (Ph. II) Project into the 2015 MSA Contingency.

Attachments: [RES PH 15-207 RAYMOND FINANCIAL ANALYSIS](#)

(No one appeared in opposition.)

*Councilmember Brendmoen moved to close the public hearing and approve.
4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 44** [RES PH 15-208](#) Amending the financing and spending budgets in the Department of Public Works by adding Sewer, SPRWS and MSA budget to the 2014 RSVP Program in order to complete construction of the four project areas designed under the 2014 RSVP Program.

Attachments: [RES PH 15-208 2014 RSVP FINANCIAL ANALYSIS](#)

(No one appeared in opposition.)

Councilmember Thune moved to close the public hearing and approve.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 45** [RES PH 15-212](#) Establishing a 2015 project and budget in the Department of Public Works for the construction of new sidewalks along various street segments throughout the City.

Attachments: [RES PH 15-212 NEW SIDEWALK PROJECTS](#)

(No one appeared in opposition.)

Councilmember Brendmoen moved to close the public hearing and approve.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 46** [RES PH 15-187](#) Authorizing an increase in the Parks and Recreation 2015 Right of Way Beautification Budget to reflect \$200,000 in funding from the Public Works Capital Maintenance Fund to provide maintenance for the Green Line LRT on the Central Corridor.

Attachments: [RES PH 15-187 - Parks-CIB \\$ for LRT median maint](#)

(No one appeared in opposition.)

Councilmember Brendmoen moved to close the public hearing and approve.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 47** [RES PH 15-211](#) Authorizing the Department of Parks and Recreation to accept a donation in the amount of \$19,500 from the Midway Men's Club for Parks and Recreation Centers and programs.

Attachments: [Midway Mens Club 2015-accept donation](#)

(No one appeared in opposition.)

Thao moved to close the public hearing and approve.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 48** [RES PH 15-209](#)

Amending the 2015 budget in the amount of \$6,000,000 to accept a grant from the State of Minnesota for the construction of the Dorothy Day Center, and approving and authorizing execution of State Grant Agreement, Ground Lease, Lease/Use Agreement and related documents. (Ward 2, District 17)

Attachments: [RES PH 15-209 Attachment A Dorothy Day State Bonding Grant](#)

(No one appeared in opposition.)

Councilmember Thao moved to close the public hearing and approve.

4 in favor, none opposed

Public hearing is closed.

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

- 49** [RES PH 15-190](#) Approving the FY2015 Neighborhood STAR Loan and Grant Program Awards Including Business Subsidy Requirements

Attachments: [Neighborhood STAR Financial Analysis BUSINESS SUBSIDY Res #PH15-190](#)

(No one appeared in opposition.)

*Councilmember Brendmoen moved to close the public hearing and approve.
4 in favor, none opposed
Public hearing is closed.*

Adopted

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

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.

- 50** [RLH TA 15-304](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 640 AURORA AVENUE.

Attachments: [640 Aurora Ave.SA 2-18-15](#)
 [640 Aurora Ave.Photos 3-3-15](#)

Adopted

- 51** [RLH TA 15-323](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 400 BATES AVENUE. (To be laid over to September 15 Legislative Hearing and October 7 Public Hearing)

Attachments: [400 Bates Ave.Documents from Attorney General.6-25-15](#)
 [400 Bates Ave.Code Compl Cert.9-25-15](#)

Laid over to September 15 Legislative Hearing and October 7 City Council Public Hearing

- 52** [RLH TA 15-320](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 1020 CARROLL AVENUE. (To be laid over to September 16, 2015 Public Hearing)

Laid over to September 16 City Council Public Hearing

- 53** [RLH TA 15-303](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 911 CHARLES AVENUE.

Adopted

- 54** [RLH TA 15-328](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1506T, Assessment No. 159005 at 1138 CHARLES AVENUE.

Attachments: [1138 Charles Ave.Photo.3-4-15](#)
[1138 Charles Ave.Tree Letter.2-3-15](#)
[1138 Charles Ave.Public Hearing Notice.6-16-15](#)
[1138 Charles Ave.Tree Inspection Notice.2-2-15](#)

Adopted

- 55** [RLH RR 15-22](#) Ordering the rehabilitation or razing and removal of the structures at 812 COOK AVENUE EAST within fifteen (15) days after the July 15, 2015, City Council Public Hearing. (Legislative Hearing July 14, 2015)

Attachments: [812 Cook Ave E.PH 6-5-15](#)
[812 Cook Ave E.OTA 5-20-15](#)
[812 Cook Ave E.Fire Report 4-29-15](#)
[812 Cook Ave E.Fire Photos 4-29-15](#)
[812 Cook Ave E.SHPO Form 6-3-15](#)
[812 Cook Ave E.Photos.4-30-15](#)
[812 Cook Ave E.Photos.5-15-15](#)
[812 Cook Ave E.Code Compliance Report.12-11-14](#)
[812 Cook Ave E.C of O Revocation.7-2-14](#)
[812 Cook Ave E.Gelhar Ltr.6-21-15](#)
[812 Cook Ave E.Owner Photos.6-23-15](#)
[812 Cook Ave E.Owner Photos #2.6-23-15](#)
[812 Cook Ave E.Fire Report Disclosure to Nolan.5-21-15](#)
[812 Cook Ave E.Joe Home Repair & Remodeling Ltr Testing Report.5-13-15](#)
[812 Cook Ave E.Joe Home Repair & Remodeling Ltr to Hearing Officer.6-21-15](#)
[812 Cook Ave E.Neighbor Letters of Concern to Hearing Officer.6-23-15](#)
[812 Cook Ave E.Nolan Letter to Hearing Officer.6-23-15](#)
[812 Cook Ave E.Scope of Work by US Props, LLC.6-23-15](#)
[812 Cook Ave E.Reiff Ltr.6-24-15](#)
[812 Cook Ave E.Code Compliance Inspection Addendum.6-29-15](#)
[812 Cook Ave E.Owner Photos.7-14-15](#)
[812 Cook Ave E.Angstrom Analytical Analysis.6-25-15](#)
[812 Cook Ave E.Angstrom Analytical Report.7-7-15](#)
[812 Cook Ave E.Fire Report.6-29-15](#)
[812 Cook Ave E.Scope of Work.7-14-15](#)
[812 Cook Ave E.Reiff Ltr.7-15-15](#)
[812 Cook Ave E.Work Plan Timelines.7-15-15](#)

Marcia Moermond said there are two interested parties. The neighbor has had

ongoing problem. It became a registered vacant building in May. There was a fire, which did a fair bit of damage. Three weeks after fire, the city issued an order. It was not addressed. The primary concern was the soil had high levels of asbestos. It harmed Nolan's service dog. Moermond asked for the orders to provide soil samples for their property. Nolan's insurance company said they would not pay for it. Nolan's property indicates there is contamination. Another test says it does not. They have a solid work plan, bond paid, there are 2 different resolutions. One is crime free addendum. Another is a hazardous abatement. Moermond thinks she said 3 weeks from July 25.

Daniel Rife, attorney, said there is no asbestos on the inside; it is on the outside. Everything is set to go. They have a crime free addendum. They will sell the property to an owner/occupant. There is a screening process for tenants.

(Sign language interpreter helped Tanika Nolan understand what the Council said.)

Tanika Nolan, 1045 Arcade, is here representing her and her husband. Problems occurred. Tenants did not have regard for the property nor the communication: loud and late night gatherings, cars coming and going, fighting, mice, cockroaches, a dog swung around, rude passerbys on the sidewalk, lighting a barbecue grill right by their house. There is an issue of absent landlords. Day before Thanksgiving, water came flooding out of the property. They were able to divert the water. No one was able to reach the landlord. Water department was able to turn the water off. In April, a fire occurred, and her husband called 911. Without the quick response from them, all the buildings would have been hurt. They did not know there was asbestos siding. Their dog was chemically burnt. Prior to 812 Cook, they cannot open the windows to the contaminants. The bldg. is falling apart. Ten years is long enough and evident the property is a blight to the neighborhood. They should immediately fix the building or remove it. Nolan is asking for the house to be torn down.

(She showed the Council pictures.)

Kerry Antrim, District 6, appeared again and said if it is cost prohibitive to fix the property, it should be torn down.

Councilmember Thao moved to close the public hearing
4 in favor, none opposed (Finney, Stark, Bostrom gone)
Public hearing is closed.

Councilmember Tolbert moved the recommendation of the hearing officer
4 in favor, none opposed

Adopted as amended

Yea: 4 - Councilmember Brendmoen, Councilmember Thao, Councilmember Thune and Councilmember Tolbert

Nay: 0

Absent: 3 - Councilmember Bostrom, Councilmember Finney and City Council President Stark

56 [RLH RR 15-23](#)

Ordering the razing and removal of the structures at 605 DALE STREET NORTH within fifteen (15) days after the July 15, 2015, City Council Public Hearing.

Attachments: [605 Dale St N.OTA 5-20-15](#)
[605 Dale St N.PH 6-5-15](#)
[605 Dale St N.Photo 5-11-15](#)
[605 Dale St N.SHPO Form 6-3-15](#)
[605 Dale St N.Photos Doc 1.5-8-15](#)
[605 Dale St N.Photos Doc 2.5-8-15](#)
[605 Dale St N.Photos Doc 3.5-8-15](#)
[605 Dale St N.Photos.4-30-15](#)
[605 Dale St N.Lansing Ltr.6-24-15](#)

Adopted

- 57 [RLH TA 15-324](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509G, Assessment No. 158410 at 2135 FIFTH STREET EAST.

Attachments: [2135 5th St E.Order to Provide Garbage Service 2-26-15](#)
[2135 5th St E.Garbage Hauling Letter 3-6-15](#)
[2135 Fifth St E.Photos.3-5-15](#)

Adopted

- 58 [RLH TA 15-295](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 95 FRONT AVENUE.

Adopted

- 59 [RLH RR 15-13](#) Ordering the rehabilitation or razing and removal of the structures at 870 FULLER AVENUE within fifteen (15) days after the June 3, 2015, City Council Public Hearing. (Legislative Hearing July 14, 2015)

Attachments: [870 Fuller Ave.OTA 3-6-15](#)
[870 Fuller Ave.PH 4-10-15](#)
[870 Fuller Ave.Photo.6-20-14](#)
[870 Fuller Ave.Photo Doc 1.3-6-15](#)
[870 Fuller Ave.Photo Doc 2.3-5-15](#)
[870 Fuller Ave.Photo Doc 3.3-5-15](#)
[870 Fuller Ave.SHPO Form 4-16-15](#)
[870 Fuller Ave.Email.4-20-15](#)
[870 Fuller Ave.email updating PO contact info](#)
[870 Fuller Ave.Historic Sites Survey](#)
[870 Fuller Ave.Smith Ltr.5-14-15](#)
[870 Fuller Ave.Chain Emails.5-29-15](#)
[870 Fuller Ave.Barnett Email.6-10-15](#)
[870 Fuller Ave.Vang-Barnett Email.6-11-15](#)
[870 Fuller Ave.Barnett-Vang Chain Email.6-11-15](#)
[870 Fuller.Code Compliance Inspection Report.6-22-15](#)
[870 Fuller Ave.Photos.6-20-14](#)
[870 Fuller Ave.Smith Ltr.6-24-15](#)
[870 Fuller Ave.Title Report.7-14-15](#)
[870 Fuller.Barnett-Finzell Email Chain.7-10-15](#)
[870 Fuller Ave.Barnett Ltr.7-15-15](#)
[870 Fuller Ave.Satisfaction of Mortgage.Western Bank](#)
[870 Fuller Ave.Smith Ltr.7-29-15](#)
[870 Fuller Ave.Smith Ltr.9-24-15](#)
[870 Fuller Ave.Chain emails.10-2-15](#)
[870 Fuller Ave.Barnett R-R Ltr.10-28-15](#)

Laid over to July 28 Legislative Hearing and August 5 City Council Public Hearing

- 60** [RLH TA 15-325](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 701 GERANIUM AVENUE EAST.

Attachments: [701 Geranium Ave E.SA 3-13-15](#)
 [701 Geranium Ave E.Photos 3-13-15](#)
 [701 Geranium Ave E.Photos 3-18-15](#)
 [701 Geranium Ave E.Photos 3-19-15](#)

Adopted

- 61** [RLH TA 15-326](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 830 GERANIUM AVENUE EAST.

Attachments: [830 Geranium Ave E.SA.3-6-15](#)
[830 Geranium Ave E.Photos.3-11-15](#)

Adopted

- 62 [RLH VBR 15-48](#) Appeal of Daniel Veesenmeyer to a Vacant Building Registration Notice at 171 GRANITE STREET.

Attachments: [171 Granite St.appeal.6-19-15](#)
[171 Granite St.photos.11-26-15\(2\)](#)
[171 Granite St.photos.11-26-15](#)
[171 Granite St.Veesenmeyer Ltr.6-25-15](#)

Adopted as amended

- 63 [RLH TA 15-321](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 1860 IDAHO AVENUE.

Adopted

- 64 [RLH TA 15-296](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 786 IGLEHART AVENUE.

Attachments: [786 Iglehart Ave.Summary Abatement Order.3-3-15](#)
[786 Iglehart Ave.Photos.3-3-15](#)
[786 Iglehart Ave.Photos.3-10-15](#)

Adopted

- 65 [RLH TA 15-298](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509G, Assessment No. 158710 at 405 JESSAMINE AVENUE EAST.

Attachments: [405 Jessamine Ave.Hauler Order.1-12-15](#)

Adopted

- 66 [RLH TA 15-329](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 752 JESSIE STREET.

Attachments: [752 Jessie St.SA 3-19-15](#)
[752 Jessie St.Photos.3-30-15](#)

Adopted

- 67 [RLH TA 15-318](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 897 JESSIE STREET.

Adopted

- 68 [RLH VBR 15-47](#) Appeal of Wa Moua Lee to a Vacant Building Registration Fee at 1159 KENNARD STREET.

Attachments: [1159 Kennard St.appeal.6-19-15](#)

[1159 Kennard St.Lee Ltr.6-25-15](#)

Adopted

- 69 [RLH SAO 15-44](#) Appeal of Victor Callahan to a Summary Abatement Order at 1818 LAFOND AVENUE.

Attachments: [1818 Lafond Ave.appeal.6-10-15](#)

[1818 Lafond Ave.Photos.6-11-15](#)

[1818 Lafond Ave.Photos.6-16-15](#)

[1818 Lafond Ave.Callahan Ltr.6-25-15](#)

Adopted

- 70 [RLH TA 15-305](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 112 LARPENTEUR AVENUE WEST.

Attachments: [112 Larpenteur Ave W.SA 3-2-15](#)

[112 Larpenteur Ave W.Photo 3-9-15](#)

Adopted

- 71 [RLH TA 15-306](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 595 LAWSON AVENUE EAST.

Attachments: [595 Lawson Ave E.SA 3-13-15](#)

[595 Lawson Ave E.Photo 3-13-15](#)

Adopted

- 72 [RLH TA 15-317](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 920 LINCOLN AVENUE.

Adopted

- 73 [RLH TA 15-307](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 110 LITCHFIELD STREET.

Attachments: [110 Litchfield St.SA 3-23-15](#)

[110 Litchfield St.Photo 3-30-15](#)

Adopted

- 74 [RLH TA 15-299](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509G, Assessment No. 158710 at 681 MAGNOLIA AVENUE EAST.

Attachments: [681 Magnolia Ave E.Summary Abatement Order.2-25-15](#)

[681 Magnolia Ave E.Hauler Order.2-25-15](#)

[681 Magnolia Ave E.Photo.2-25-15](#)

Adopted

- 75 [RLH FCO 15-75](#) Appeal of Will Anderson, for MFCA, to a Fire Inspection Correction Notice at 374/376 MARIA AVENUE.

Attachments: [376 Maria Ave.appeal.5-6-15](#)
[374 Maria Ave.Photos.5-1-15](#)
[374-376 Maria Ave.Anderson Ltr.5-14-15](#)
[374 Maria Ave.Correction letter.6-5-15](#)
[374-376 Maria Ave.HPC conversation log](#)
[374-376 Maria Ave.HPC Plan for Maria Pops.6-9-15](#)
[374-376 Maria Ave.Anderson Ltr.5-14-15](#)
[374-376 Maria Ave.Anderson Ltr.6-11-15](#)
[374-376 Maria Ave.Chain Emails.6-16-15](#)
[374-376 Maria Ave.Chain Emails #2.6-16-15](#)
[374-376 Maria Ave.Permit Types](#)
[374-376 Maria Ave.Niemeyer Email and Open Permits Spreadsheet.6-19-15](#)
[374-376 Maria Ave.Anderson Ltr.6-19-15](#)
[374-376 Maria.Anderson Ltr to Moermond.6-29-15](#)
[374-376 Maria.Ubl Response to Anderson Email.6-30-15](#)
[374 Maria Ave.Photos.6-4-15](#)
[374 Maria Ave.Fire Orders.6-5-15](#)
[374-376 Maria.Anderson Reply to Ubl Email.6-30-15](#)
[374-376 Maria.Johnson Ltr to Moermond.7-8-15](#)
[374-376 Maria.Moermond Email to Anderson.7-31-15](#)
[374-376 Maria Ave.Anderson-Boulware Email.7-31-15](#)
[378 Maria Spiral Stairs and Mezzanine-Balcony](#)
[374 Maria Ave.DSI Archive](#)
[Eric Foster re Strip Club](#)
[374-378 Maria Ave.Ubl Memo.8-22-15](#)
[378 Maria Ave.Floor Plan.August 2015](#)
[374-378 Maria Ave.Email Chain.8-26-15](#)
[374-378 Maria Ave.Email Chain.9-1-15](#)
[374-378Maria Ave.Staff Report.8-5-15](#)
[374-378 Maria Ave.Anderson-Skarda Emails.10-7-15](#)
[374-378 Maria Ave.Anderson-Moermond-Boulware Emails.10-7-15](#)
[374-378 Maria Ave.Anderson-Ubl Email Chain.9-30-15](#)
[374-378 Maria Ave.Anderson-Moermond Email Chain.9-30-15](#)
[374-378 Maria Ave.Niver Email.10-5-15](#)
[374-378 Maria Ave.Anderson-Vang Email.10-6-15](#)
[374-378 Maria Ave.Ubl Moermond Cervantes Email.10-5-15](#)

Laid over to August 5 City Council Public Hearing

J1510A, Assessment No. 158521 at 1501 ROSE AVENUE EAST.

Attachments: [1501 Rose Ave E.SA 2-23-15](#)
 [1501 Rose Ave E.Photos 3-2-15](#)

Adopted

- 84** [RLH SAO 15-45](#) Appeal of Henry Miller to a Summary Abatement Order at 1283 SAINT CLAIR AVENUE.

Attachments: [1283 Saint Clair Ave.appeal.6-12-15](#)
 [1283 St Clair.Photos.6-4-15](#)
 [1283 St Clair Ave.Aerial Photo.2012](#)
 [1283 St Clair Ave.Miller Ltr.6-25-15](#)

Marcia Moermond said it was supposed to be cleaned by June 15. She is asking for more time. This has been an issue for many years in the yard. There is extreme clutter. House Calls Program has assistance.

(Moermond showed pictures.)

Henry Miller, 1283 St. Clair Avenue, appeared and said he is retired and has taken years to accumulate these items. He has hauled away four large trailers of items. With the construction, it hinders his removal of some of the items. They are going to resurface and tie up the traffic even more. It is getting better. He is here to request additional time. These are items he thought had some value with the intent of making money to supplement his retirement. He is against someone else doing it. He is asking for additional time to September 7, and it will be done. The City has offered a free dumpster. He is trying to not pass his cost onto the City. There is metal, copper, some of the wood is recyclable. He is having difficulty finding outlets. He promises it will be done.

Councilmember Tolbert asked when Miller was first told to remove the items. Moermond responded she does not know about previous owners, but this was issued in June.

Tolbert asked how many truck loads he has left. Miller responded 6 or 7.

*Tolbert moved to close the public hearing.
 4 in favor, none opposed
 Public hearing is closed*

Tolbert said most of it is near the alley. He can do 6 more trailers in four weeks. Miller responded they plan to resurface.

*Tolbert said he will moved the recommendation of the Legislative Hearing Officer with an amendment to August 14.
 4 in favor, none opposed*

Adopted as amended

- 85** [RLH OA 15-7](#) Appeal of Mark Mason to a Code Compliance Requirement at 1177-1179 SAINT PAUL AVENUE.

Attachments: [1177-1179 Saint Paul Ave.appeal.6-19-15](#)
[1177-1179 Saint Paul Ave.Photos.11-13-13](#)
[1177-1179 St Paul Ave.Scope of Work.6-23-15](#)
[1177-1179 St Paul Ave.Mason Ltr.6-25-15](#)

Adopted

- 86** [RLH AR 15-39](#) Ratifying Boarding and/or Securing service during September 2014 at 928 SEVENTH STREET WEST. (File No. J1503B1, Assessment No. 158108)

Attachments: [Assessment Roll](#)

Adopted

- 87** [RLH TA 15-312](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 1062 SHERBURNE AVENUE.

Attachments: [1062 Sherburne Ave.SA 2-25-15](#)
[1062 Sherburne Ave.Photo 3-3-15](#)

Adopted

- 88** [RLH TA 15-230](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1507, Assessment No. 158807 at 755 THIRD STREET EAST. (Public hearing continued from May 20) (Amended to File No. VB1507A, Assessment No. 158823)

Attachments: [755 Third St E.VB Reg.12-15-14](#)

Laid over to August 5 City Council Public Hearing

- 89** [RLH TA 15-342](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509A3, Assessment No. 158531 at 578 THOMAS AVENUE.

Attachments: [578 Thomas Ave.Summary Abatement Order.2-10-15](#)
[578 Thomas Ave.Photos.2-17-15](#)

Adopted

- 90** [RLH TA 15-316](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 669 THOMAS AVENUE.

Adopted

- 91** [RLH FCO 15-93](#) Appeal of Nikolai Alenov to a Fire Inspection Correction Notice at 1756 UNIVERSITY AVENUE WEST.

Attachments: [1756 University Ave. W.appeal.5-18-15](#)
[1756 University Ave W.RLH FCO 13-105 Master Report](#)
[1756 University Ave W.Owner Letter.5-26-15](#)
[1756-1758 University Ave W.Alenov Ltr.5-28-15](#)
[1756-1758 University Ave W.Alenov Ltr.6-25-15](#)

Adopted

- 92** [RLH RR 15-21](#) Ordering the razing and removal of the structures at 1059 VAN SLYKE AVENUE within fifteen (15) days after the July 15, 2015, City Council Public Hearing.

Attachments: [1059 Van Slyke Ave.OTA 4-16-15](#)
[1059 Van Slyke Ave.PH 5-22-15](#)
[1059 Van Slyke Ave.Expired Code Compliance 3-8-13](#)
[1059 Van Slyke Ave.SHPO Letter 5-21-15](#)
[1059 Van Slyke Ave.Photos Doc 1.4-9-15](#)
[1059 Van Slyke Ave.Photos Doc 2.4-9-15](#)
[1059 Van Slyke Ave.HPC Report.5-21-15](#)
[1059 Van Slyke.Keeler Ltr.6-24-15](#)

Withdrawn

- 93** [RLH RR 15-15](#) Ordering the rehabilitation or razing and removal of the structures at 155 WHEELLOCK PARKWAY EAST within fifteen (15) days after the June 3, 2015, City Council Public Hearing. (Public hearing continued from June 3) (Amended to grant 120 days)

Attachments: [155 Wheelock Pkwy E.OTA 3-6-15](#)
[155 Wheelock Pkwy E.PH 4-10-15](#)
[155 Wheelock Pkwy E.SHPO Form 3-3-15](#)
[155 Wheelock Pkwy E.Photos.2-20-14](#)
[155 Wheelock Pkwy E.Photos #1.2-19-15](#)
[155 Wheelock Pkwy E.Photos #2.2-19-15](#)
[155 Wheelock Pkwy E.Dockry Ltr.5-15-15](#)
[155 Wheelock Pkwy E.Dockry Ltr.6-24-15](#)
[155 Wheelock Pkwy E.Affidavit of Funds.6-3-15](#)
[155 Wheelock Pkwy E.Homemasters WorkPlan.6-19-15](#)
[155 Wheelock Pkwy.Code Compliance Report.7-10-15](#)
[155 Wheelock Pkwy E.Sworn Construction Statement.7-30-15](#)
[155 Wheelock Pkwy E.Dockry Email.7-30-15](#)
[155 Wheelock Pkwy E.Code Compliance Report Bids.7-27-15](#)

Laid over to the August 5 City Council Public Hearing

- 94 [RLH TA 15-313](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 127 YORK AVENUE.

Attachments: [127 York Ave.SA 3-20-15](#)
[127 York Ave.Photo 3-27-15](#)

Adopted

- 95 [RLH TA 15-290](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1508, Assessment No. 158812 at 647 YORK AVENUE. (Amended to Project No. VB1508A, Assessment No. 158825)

Adopted

- 96 [RLH AR 15-40](#) Ratifying Collection of Vacant Building fees billed September 30, 2014 to February 18, 2015. (File No. VB1509, Assessment No. 158816)

Attachments: [Assessment Roll](#)

Adopted

- 97 [RLH AR 15-41](#) Ratifying Property Clean Up services during February 27 to March 31, 2015. (File No. J1510A, Assessment No. 158521)

Attachments: [Assessment Roll](#)

Adopted as amended (979 Marion Street referred to July 21 Legislative Hearing and August 5 City Council Public Hearing)

- 98 [RLH AR 15-42](#) Ratifying Trash Hauling services during March 4 to 25, 2015. (File No. J1509G, Assessment No. 158710)

Attachments: [Assessment Roll](#)

Adopted

- 99 [RLH AR 15-43](#) Ratifying Tree Removal services from March 2015. (File No. 1506T, Assessment No. 159005)

Attachments: [Assessment Roll](#)

Adopted

ADJOURNMENT

The meeting was adjourned at 8:18 p.m.

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