



# 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 Melvin Carter III*  
*Councilmember Pat Harris*  
*Councilmember Lee Helgen*  
*Councilmember Russ Stark*  
*Councilmember Dave Thune*

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Wednesday, November 16, 2011

3:30 PM

Council Chambers - 3rd Floor

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### Public hearings at 5:30 p.m.

#### ROLL CALL

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

#### **Councilmember Bostrom excused**

**Present** 6 - Councilmember Melvin Carter III, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark

**Absent** 1 - Councilmember Dan Bostrom

#### 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

*Councilmember Thune moved approval of the Consent Agenda.*

#### **Consent Agenda adopted**

**Yea:** 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 1      [RES 11-2300](#)      Accepting the gift of all travel, lodging and conference expenses, not to exceed \$899, for Mayor's education staff member Jane Eastwood to attend the Good Schools Seminar on November 16 and 17, 2011 in Washington, D.C.

**Adopted**

- 2      [RES 11-2303](#)      Authorizing the Police Department to accept a donation from the Saint Paul Police Foundation in the amount of \$78,110 to assist with the department's training to excellence program.
- Adopted**
- 3      [RES 11-2242](#)      Authorizing the Fire Department to enter into a hazardous materials emergency response contract amendment with the State of Minnesota, Department of Public Safety for the time period of July 1, 2011 through June 30, 2012.
- Adopted**
- 4      [RES 11-2244](#)      Authorizing the Fire Department to enter into a joint powers agreement with Hennepin Technical College to allow them to use Fire Department training facilities in exchange for credit for apprenticeship classes, customized classes, fire training mobile prop rental, and promotional testing.
- Adopted**
- 5      [RES 11-2277](#)      Authorizing the Department of Parks and Recreation to enter into a one year agreement with the Regents of the University of Minnesota through the College of Veterinary Medicine on behalf of Como Park Zoo and Conservatory.
- Adopted**
- 6      [RES 11-2289](#)      Memorializing City Council action taken on October 5, 2011, granting the appeal of the Union Park District Council of a site plan approval for the property commonly known as 650 Pelham Boulevard.
- Adopted**
- 7      [RES 11-2299](#)      Preliminary Order setting the date of Public Hearing for December 21, 2011 to consider approval to reconstruct above standard decorative sidewalk on both sides of Ford Parkway from Mississippi River Boulevard South to Finn Street South, both sides of Cleveland Avenue South from Kenneth Street to Howell Street, and both sides of Cleveland Avenue South from Pinehurst Avenue to Bayard Avenue. (File No. S1201, Assessment No. 125303)
- Adopted**
- 8      [RES 11-2181](#)      Releasing utility easements in the vacated alley on Project for Pride in Living property near Springfield Street and West Seventh Street.
- Adopted**
- 9      [RES 11-2311](#)      Appointing Adam S. Lovelady and Daniel K. Sloan of McGuire Woods LLP as special counsel.
- Adopted**
- 10     [RES 11-2069](#)      Approving funding for Round Two of Cycle 17 (2011) of the Cultural STAR Program.
- Adopted**

**FOR DISCUSSION**

- 11      [RES 11-2316](#)      Declaring Thursday, November 24, 2011, to be Thanksgiving Meals on Wheels Day.
- Councilmember Harris congratulated William Foussard, co-founder, with Barb Olson, of Thanksgiving Meals on Wheels. The program is in its 42nd year and will serve 17,000 meals this year.*
- Mr. Foussard made brief comments.*
- Adopted**
- Yea:** 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
- 12      [RES 11-2283](#)      Canvassing the returns and declaring the results of the City General Election held November 8, 2011.
- Councilmember Harris introduced an amendment with the results of the election. There was a vote of six in favor, none opposed. Councilmember Helgen moved approval as amended.*
- Councilmember Helgen commended Ramsey County Elections Manager Joe Mansky and the elections team on the accuracy of the election and integrity of the process. He offered his congratulations to incoming Ward 5 Councilmember Amy Brendmoen.*
- Adopted as amended**
- Yea:** 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom
- 13      [RES 11-77](#)      Ordering the rehabilitation or razing and removal of the structures at 686 BRADLEY STREET within fifteen (15) days after the February 16, 2011 City Council Public Hearing. (Public hearing held August 17, 2011; laid over from November 16)
- Councilmember Thune moved to lay the matter over to January 18.*
- Laid over to January 18, 2012**
- Yea:** 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom

- 14     [RES PH 11-1071](#)    Approving adverse action against the Animal Boarding (Commercial) license application submitted by Sandra Belisle, d/b/a Sandy's Professional Dog & Cat Grooming, 360 Clifton Street. (Public hearing held September 21, 2011; laid over from February 8, 2012)

*Councilmember Thune moved to lay the matter over to December 14.*

**Laid over to December 14, 2011**

**Yea:** 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

**SUSPENSION ITEM**

*Councilmember Thune moved suspension of the rules.*

**Rules suspended**

**Yea:** 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- [RES 11-2344](#)    Granting a stay of imposition of the revocation of all licenses held by Mazatlan LLC, d/b/a Mazatlan, 567 Stryker Avenue.

*Councilmember Thune moved approval.*

**Adopted**

**Yea:** 6 - Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

**ORDINANCES**

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

**Third Reading, No Public Hearing**

- 15      [Ord 11-109](#)      Memorializing City Council action granting the application of Mississippi Market for the rezoning of 633 Hague Avenue from RM2 Medium Density Multiple-Family Residential to B2 Community Business, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.  
  
                         **Laid over to November 23 for final adoption**

**Second Reading**

- 16      [Ord 11-113](#)      Amending Chapter 160 of the Saint Paul Legislative Code, Traffic Code - Parking Meter Zones, to revise hours of enforcement.  
  
                         **Laid over to December 7 for third reading/public hearing**

**First Reading**

- 17      [Ord 11-112](#)      Amending Chapter 33.04 of the Saint Paul Legislative Code to create permit fees governing fire alarm systems, smoke control systems, and water flow testing; and amending the permit fee for standpipe, sprinklers, and fire pumps.  
  
                         **Laid over to November 23 for second reading**

*The meeting was recessed at 3:42 p.m and reconvened for public hearings at 5:31 p.m.*

**PUBLIC HEARINGS**

- Present**    6 -    Councilmember Dan Bostrom, Councilmember Pat Harris, Councilmember Lee Helgen, City Council President Kathy Lantry, Councilmember Dave Thune and Councilmember Russ Stark
- Absent**    1 -    Councilmember Melvin Carter III

- 18      [RES PH 11-1147](#)      Setting the 2012 Sanitary Sewer and Storm Sewer rates.

*No one appeared in opposition; Councilmember Thune moved to close the public hearing and lay the matter over to December 14.*

**Public hearing held and closed; laid over to December 14**

- 19      [Ord 11-32](#)      An ordinance amending Chapter 64, Signs, of the Zoning Code. (Public hearing continued from December 7)
- No one appeared in opposition; Councilmember Thune moved to continue the public hearing to December 7.*
- Public hearing continued to December 7**
- Yea:** 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- Absent:** 1 - Councilmember Carter III
- 20      [Ord 11-62](#)      Creating Chapter 375 of the Legislative Code to establish a license for Pedicabs. (Public hearing continued from November 16)
- No one appeared in opposition; Councilmember Thune moved to continue the public hearing to January 18, 2012.*
- Public hearing continued to January 18, 2012**
- Yea:** 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- Absent:** 1 - Councilmember Carter III
- 21      [Ord 11-63](#)      Amending Chapter 310 of the Legislative Code to impose licensure fees for pedicab vehicles and drivers. (Public hearing continued from November 16)
- No one appeared in opposition; Councilmember Thune moved to continue the public hearing to January 18, 2012.*
- Public hearing continued to January 18, 2012**
- Yea:** 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0
- Absent:** 1 - Councilmember Carter III
- 22      [Ord 11-110](#)      Amending Chapter 92 of the Saint Paul Legislative Code pertaining to plumbing permit fees.
- No one appeared in opposition; Councilmember Harris moved to close the public hearing.*
- Public hearing held and closed; laid over to November 23 for final adoption**
- Yea:** 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark
- Nay:** 0

**Absent:** 1 - Councilmember Carter III

- 23      [RES PH 11-1169](#) Approving the application of Metropolitan Council for a sound level variance in order to allow Central Corridor Light Rail and Skyway construction between 10:00 PM and 7:00 AM, from November 16, 2011 to November 30, 2011, on Cedar Street between Seventh and Fourth Streets.

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

**Adopted**

**Yea:** 6 - Councilmember Bostrom, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**Absent:** 1 - Councilmember Carter III

- 24      [RES PH 11-1148](#) Approving adverse action against all licenses held by Taher Acquisitions Corp., d/b/a Signature Dining, 520 Lafayette Road.

*Kyle Lundgren, Assistant City Attorney representing the Department of Safety and Inspections (DSI), described the violations. He said DSI's recommendation was a matrix penalty of a \$150 fine and a license suspension until compliance is verified. He said that penalty was not an upward departure, and the prior license history was one prior violation of the same nature in 2008.*

*(Councilmember Carter joined the meeting at this time.)*

*Bob Alt, TAHER, Inc director of purchasing, said they didn't question the violations. He described the circumstances at each of the two inspections and corrective actions taken since. He said they took this very seriously.*

*Council President Lantry asked whether they were asking to not have to pay the fine. Mr. Alt said his concern was their reputation and not the fine. He said they were trained and took care of their issues. He said he would like to have the inspector come back out to inspect and was surprised there hadn't been follow up.*

*Sarah Van Scoy, food service director, described the corrective actions and training she had instituted since the initial violation. She said TAHER had their own Critical Control person who conducted training and inspections.*

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

*Mr. Lundgren clarified that the notice of violation said that TAHER could call and schedule a reinspection at any time.*

*Councilmember Thune said he was glad they had come in for the public hearing because it underscored their years in business and good track record. He said they could schedule a reinspection before the resolution took effect and not lose any business, and the \$150 penalty wasn't that big a deal. He moved to adopt the recommendation of DSI.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 25      [RES PH 11-1163](#) Approving the petition of Brett Horttor to vacate Sixth Street between 637 Hazel Avenue and 623 Hazel Avenue.

*No one appeared in opposition; Council President Lantry moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 26      [RES PH 11-1166](#) Approving the petition of Doug Wilson to vacate the alley between 1372 Hazel Avenue and 1918 Cottage Avenue.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 27      [PH 11-29](#) Public hearing to consider the application of Wulff Funeral Home to rezone property at 1755 Nevada Avenue East and 1756 Nebraska Avenue East from R4 to VP. (Public hearing to be continued to December 21)

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

**Motion of Intent - Application granted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 28      [RES PH 11-1154](#) Amending parking meter rates, time limits and zones.

*No one appeared in opposition; Councilmember Thune moved to close the public hearing and approve the resolution. He thanked the Chamber of Commerce, Capitol River Council and numerous citizens who had worked together on the item.*

*Councilmember Harris said he was not going to support the item. He said he didn't think it was wise to raise rates given the current economy.*

**Adopted**



**Yea:** 6 - Councilmember Bostrom, Councilmember Carter III, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 1 - Councilmember Harris

- 29      [RES PH 11-1151](#) Authorizing the Department of Parks and Recreation and the appropriate City officials to accept and execute a multi-year Legacy Grant from the State of Minnesota for \$396,000, and to amend the financing and spending plans of the 2011 Como Campus Grant Fund budget for the estimated 2011 portion of \$99,000.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 30      [RES PH 11-1165](#) Authorizing Parks and Recreation to establish two additional budgets in 2011 for a total of \$18,500 in the Grant & Aid Fund, to operate the Sprockets Out-of-School Time Network: one to provide tracking for the Saint Paul Foundation Grant and the other to track the Mardag Foundation Grant.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 31      [RES PH 11-1173](#) Establishing the financing and spending plans in the Department of Parks and Recreation in the amount of \$75,000 to recognize funding from the FY 2012 Parks and Trails Legacy Fund Allocation to continue the Park Shuttle Operations Program, and authorizing the appropriate City officials to enter into an agreement to accept this funding.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 32      [RES PH 11-1180](#)      Accepting a grant from the Metropolitan Council for a Stormwater Master Plan for the Prior-University Redevelopment Area.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 33      [RES PH 11-1181](#)      Amending the budget in the Fire Department to establish the financing and spending plan for the Minnesota Task Force One grant reimbursement from the City of Bloomington in the amount of \$9,389.97.

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

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 34      [RES PH 11-1182](#)      Authorizing City staff to enter into a lease for RiverPrint in the Jackson West Building at 375 Jackson Street.

*No one appeared in opposition; Councilmember Thune moved to close the public hearing and approve the resolution. He thanked RiverPrint and the property owner; he said they were going to be keeping the skyway open 24 hours.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**

- 46      [RLH FOW](#)      Appeal of Chao Yang to a Fire Certificate of Occupancy Inspection Correction Notice  
[11-200](#)      at 1075 CASE AVENUE.

*Legislative Hearing Officer Marcia Moermond said there was a simple amendment to grant an additional extension.*

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

**Adopted as amended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 57      [RLH RR 11-80](#)      Ordering the razing and removal of the structure(s) at 910 EDMUND AVENUE within fifteen (15) days after the November 16, 2011 City Council Public Hearing. (Public hearing continued from November 16, 2011)

*Legislative Hearing Officer Marcia Moermond said there had been two "no-show" Legislative Hearings on the property. She said it had been renoticed because it had historic interest and integrity, but it was currently completely abandoned and in nuisance condition.*

*In opposition:*

*David Stye (915 Edmund), neighbor, said it was a great property and it would be great if someone could rehab it, but otherwise he would like to see it taken down.*

*Councilmember Carter moved to continue the public hearing to January 4, 2012 to allow time to attempt to make contact with the property owner.*

**Referred back for Legislative Hearing on December 13; Council public hearing continued to January 4, 2012**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 68      [RLH FCO 11-66](#)      Appeal of Brett J. Horttor to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 637 HAZEL STREET NORTH.

*Legislative Hearing Officer Marcia Moermond recommended granting an extension for putting in a parking surface on the land vacated earlier in the meeting.*

*No one appeared in opposition; Council President Lantry moved to close the public hearing and approve the resolution as amended.*

**Adopted as amended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 82      [RLH RR 11-61](#)      Ordering the razing and removal of the structures at 499 LYNNHURST AVENUE WEST within fifteen (15) days after the October 5, 2011 City Council public hearing. (Public hearing continued from January 18)

*No one appeared in opposition; Councilmember Stark moved to continue the public hearing to December 21.*

**Referred back for Legislative Hearing on December 13; Council public hearing continued to December 21**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 95      [RLH RR 11-79](#)      Ordering the rehabilitation or razing and removal of the structures at 778 SMITH AVENUE SOUTH within fifteen (15) days after the November 16, 2011 City Council Public Hearing.

*Legislative Hearing Officer Marcia Moermond said there was a retaining wall, fence and other site alterations resulting from incomplete construction, but no real structure at the property. She said the items present were in bad condition, and the conditions set at the Legislative Hearing had not been met. She recommended ordering that the structures and site alterations be removed and the site cleared.*

*In opposition*

*Jim Sullivan (1863 Duck Pond Drive, West St. Paul) said his daughter lived adjacent to the south property line and had put up with almost two years of non-compliance. He said he wanted to make sure that the things were gotten out of there and the fence and retaining wall were taken care of. He distributed photographs.*

*Mark Klicka (774 Smith Avenue), neighbor, said the things there were badly done and a mess, and it was amazing they had gotten away with doing it so badly.*

*Councilmember Thune moved to close the public hearing and adopt the recommendation of the Legislative Hearing Officer.*

*Councilmember Thune asked for confirmation that the retaining wall would be taken out properly. Ms. Moermond said she would make sure DSI staff had specific instructions for the demolition contractor.*

**Adopted as amended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

**SUSPENSION ITEM**

*Councilmember Helgen moved suspension of the rules.*

**Rules suspended**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

RLH FCO  
11-502

Appeal of Mohamed Sewidan to a Deficiency List at 290 STINSON STREET.

*Legislative Hearing Officer Marcia Moermond said the appeal was of orders related to a flat basement ceiling which was 6'4" in height. She said that was substantially short of the required 7' over 50% of the space, and her recommendation was to deny the appeal. She said the item was being brought in under suspension because there was a prospective tenant who would need to find other living arrangements if the appeal was denied.*

*In opposition:*

*Mohamed Sewidan (1373 Simpson) said he had bought the house in 2004 in its current condition and had lived there before renting it out two years ago. He said he believed the ceiling regulation had taken effect in 2006 and might not apply to his property. He said the last tenant had moved out in July, and he couldn't afford both mortgages. He said the ceiling height was 6'4", there were three egress windows, and a door to back yard providing plenty of egress. He asked for generosity from the Council.*

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

*Ms. Moermond said adequate egress not the issue in this case, but the concern was operating within the room with the extremely short ceiling.*

*Councilmember Helgen said that as someone who was 6'4" tall he thought the ceiling was too short. He moved to deny the appeal.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**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**

*No one appeared in opposition; Councilmember Harris 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 Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

- 35     [RLH FOW  
11-213](#)     Appeal of Zaw Wai to a Fire Certificate of Occupancy Correction Notice at 933 FIFTH STREET EAST.  
  
          **Adopted**
- 36     [RLH VBR 11-82](#)     Appeal of Orthodox Church of the Resurrection of Christ, Inc. to a Vacant Building Registration Requirement at 758 SIXTH STREET EAST.  
  
          **Adopted**
- 37     [RLH VO 11-88](#)     Appeal of Stewart Mednick to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1260 SEVENTH STREET EAST (appealing windows, exterior walls, tanks, dryer exhaust duct).  
  
          **Adopted**
- 38     [RLH VO 11-96](#)     Appeal of Albert Miller to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1980 ASHLAND AVENUE.  
  
          **Adopted**
- 39     [RLH FCO  
11-482](#)     Appeal of Todd Harrington, Marpe Holdings, LLC., to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 632 AURORA AVENUE.  
  
          **Adopted**
- 40     [RLH VO 11-98](#)     Appeal of Todd Harrington to a Fire Certificate of Occupancy Revocation and Order to Vacate 632/634 AURORA AVENUE.  
  
          **Adopted**
- 41     [RLH FOW  
11-189](#)     Appeal of KBD Investments to a Fire Certificate of Occupancy Inspection Correction Notice at 713 BEDFORD STREET.  
  
          **Adopted**
- 42     [RLH FOW  
11-226](#)     Appeal of Ronald D. Juelfs to a Fire Certificate of Occupancy Correction Notice at 1227 BEECH STREET.  
  
          **Adopted**
- 43     [RLH FOW  
11-181](#)     Appeal of Gretchen Iwen to a Fire Certificate of Occupancy Inspection Correction Notice at 1899 BEECHWOOD AVENUE.  
  
          **Adopted**
- 44     [RLH FOW  
11-199](#)     Appeal of Jennifer Holden to a Fire Certificate of Occupancy Correction Notice at 486 BIRMINGHAM STREET.  
  
          **Adopted**
- 45     [RLH VO 11-95](#)     Appeal of Aundranita J. Morris to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1004 CARROLL AVENUE.  
  
          **Adopted**

- 47     [RLH FCO  
11-446](#)     Appeal of Abera Mulugeta to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 172 CHARLES AVENUE.  
  
          **Adopted**
- 48     [RLH VO 11-91](#)     Appeal of David Busch, DRB #24 LLC, to a Fire Certificate of Occupancy Inspection Correction Notice at 727 CHARLES AVENUE (appealing condemnation of upper unit).  
  
          **Adopted**
- 49     [RLH WP 11-88](#)     Appeal of the Department of Public Health, on behalf of Kelly Dehn, to an Egress Window Non-Compliance Determination at 300 CLARENCE AVENUE.  
  
          **Adopted**
- 50     [RLH FOW  
11-201](#)     Appeal of Charles Nosie to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 970 CONWAY STREET.  
  
          **Adopted**
- 51     [RLH FOW  
11-194](#)     Appeal of Michael J. Mazzara to a Deficiency List for Fire Certificate of Occupancy Inspection at 1076 CONWAY STREET.  
  
          **Adopted**
- 52     [RLH FCO  
11-435](#)     Appeal of Rebecca Rand to a Fire Certificate of Occupancy Inspection Correction Notice at 131 CRETIN AVENUE NORTH.  
  
          **Adopted**
- 53     [RLH WP 11-92](#)     Appeal of the Department of Public Health, on behalf of Mohamed Osman, to an Egress Window Non-Compliance Determination at 1171 DALE STREET.  
  
          **Adopted**
- 54     [RLH VBR 11-80](#)     Appeal of Michael A. Lee to a Vacant Building Registration Requirement at 110 DOUGLAS STREET.  
  
          **Adopted**
- 55     [RLH FOW  
11-209](#)     Appeal of Cal Xiong to a Fire Certificate of Occupancy Correction Notice at 1108 EDGERTON STREET.  
  
          **Adopted**
- 56     [RLH RR 11-78](#)     Ordering the razing and removal of the structures at 228 EDMUND AVENUE within fifteen (15) days after the November 16, 2011 City Council Public Hearing.  
  
          **Adopted**
- 58     [RLH FOW  
11-204](#)     Appeal of George Deuth to a Fire Certificate of Occupancy Correction Notice at 584 FARRINGTON STREET.  
  
          **Adopted**

- 59     [RLH FCO](#)  
          [11-443](#)     Appeal of Brian and Carole Conway to a Fire Certificate of Occupancy Inspection Correction Notice at 65 FLANDRAU PLACE.  
  
          **Adopted**
- 60     [RLH WP 11-94](#)     Appeal of Window World (Esther Dahl), on behalf of Chuck Yang, to an Egress Window Non-Compliance Determination at 1468 FREMONT AVENUE.  
  
          **Adopted**
- 61     [RLH FCO](#)  
          [11-471](#)     Appeal of Les Daughterty to a Fire Certificate of Occupancy Correction Notice at 991 GALTIER STREET.  
  
          **Adopted**
- 62     [RLH FCO](#)  
          [11-449](#)     Appeal of Va Tou Her to a Correction Notice-Reinspection Complaint at 2153 GLENRIDGE AVENUE.  
  
          **Adopted**
- 63     [RLH FOW](#)  
          [11-195](#)     Appeal of Victor Hanson to a Fire Certificate of Occupancy Correction Notice at 1538 GRANTHAM STREET.  
  
          **Adopted**
- 64     [RLH FCO](#)  
          [11-457](#)     Appeal of Charnitta Ellis to a Fire Certificate of Occupancy Inspection Correction Notice at 735 HAGUE AVENUE.  
  
          **Adopted**
- 65     [RLH FCO](#)  
          [11-434](#)     Appeal of 33rd Company, on behalf of Nilka Dulan, to a Fire Certificate of Occupancy Inspection Correction Notice at 957 HAGUE AVENUE.  
  
          **Adopted**
- 66     [RLH FCO](#)  
          [11-458](#)     Appeal of LaRayne Kuehl to a Fire Certificate of Occupancy Inspection Correction Notice at 1050 HAGUE AVENUE.  
  
          **Adopted**
- 67     [RLH WP 11-96](#)     Appeal of Lucas Salzwedel, Pella Windows, on behalf of Ron Hook, to an Egress Window Non-Compliance Determination at 955 HAWTHORNE AVENUE EAST.  
  
          **Adopted**
- 69     [RLH FOW](#)  
          [11-202](#)     Appeal of Janet Hasbargen to a Fire Certificate of Occupancy Correction Notice at 1391 HAZEL STREET NORTH.  
  
          **Adopted**
- 70     [RLH FOW](#)  
          [11-208](#)     Appeal of Pat Kirkwold to a Fire Certificate of Occupancy Correction Notice at 415 HOYT AVENUE EAST.  
  
          **Adopted**



- 71     [RLH FOW  
11-197](#)     Appeal of Nick Houle/Gerald J. Houle to a Fire Certificate of Occupancy Correction Notice at 504 HOYT AVENUE EAST.  
  
          **Adopted**
- 72     [RLH WP 11-84](#)     Appeal of Bryan Voyda to two Egress Window Non-Compliance Determinations at 859 HOYT AVENUE WEST.  
  
          **Adopted**
- 73     [RLH WP 11-93](#)     Appeal of Larry Columbus, Columbus Exteriors, to an Egress Window Non-Compliance Determination at 570 IGLEHART AVENUE.  
  
          **Adopted**
- 74     [RLH WP 11-87](#)     Appeal of Renewal by Andersen to two Egress Window Non-Compliance Determinations at 2053 IOWA AVENUE EAST.  
  
          **Adopted**
- 75     [RLH FOW  
11-186](#)     Appeal of Ying Khang to a Fire Certificate of Occupancy Correction Notice at 540 and 542 IVY AVENUE EAST.  
  
          **Adopted**
- 76     [RLH FOW  
11-222](#)     Appeal of Delores Flynn to a Fire Certificate of Occupancy Correction Notice at 1439 JEFFERSON AVENUE.  
  
          **Adopted**
- 77     [RLH WP 11-89](#)     Appeal of Pella Windows, on behalf of Jennifer Conroy, to a Fire Certificate of Occupancy Correction Notice at 2175 JEFFERSON AVENUE.  
  
          **Adopted**
- 78     [RLH FCO  
11-431](#)     Appeal of Paul J. Benassi to a Correction Notice and Inspection Appointment at 1130 JESSIE STREET.  
  
          **Adopted**
- 79     [RLH FOW  
11-183](#)     Appeal of Joseph Huttie and Lynette Sroka to a Fire Certificate of Occupancy Inspection Correction Notice at 841 LAUREL AVENUE.  
  
          **Adopted**
- 80     [RLH FCO  
11-463](#)     Appeal of Joel Stephens to a Fire Certificate of Occupancy Correction Notice at 1135 LAWSON AVENUE EAST.  
  
          **Adopted**
- 81     [RLH WP 11-86](#)     Appeal of Clarence A. Chaplin to an Egress Window Non-Compliance Determination at 1921 LINCOLN AVENUE.  
  
          **Adopted**

- 83     [RLH WP 11-91](#)     Appeal of St. Paul-Ramsey County Department of Public Health to two Egress Window Non-Compliance Determinations at 674 MAGNOLIA AVENUE EAST.  
**Adopted**
- 84     [RLH FOW 11-192](#)     Appeal of Richard Kedrowski to a Fire Certificate of Occupancy Correction Notice at 1190 MAGNOLIA AVENUE EAST.  
**Adopted**
- 85     [RLH FOW 11-191](#)     Appeal of David McKee to a Fire Certificate of Occupancy Correction Notice at 1888 MARGARET STREET.  
**Adopted**
- 86     [RLH VO 11-92](#)     Appeal of James Swartwood to a Condemnation and Order to Vacate at 931 MARION STREET.  
**Adopted**
- 87     [RLH FOW 11-190](#)     Appeal of Tony Swanson, Public Housing Agency, to a Fire Certificate of Occupancy Inspection Correction Notice at 260 POINT DOUGLAS ROAD NORTH.  
**Adopted**
- 88     [RLH FCO 11-389](#)     Appeal of Bridgitte Bachmeier, WA Dorsey House Condo Associations, to a Reinspection Fire Certificate of Occupancy with Deficiencies at 457-459 PORTLAND AVENUE.  
**Adopted**
- 89     [RLH FOW 11-218](#)     Appeal of Daniel R. Fowlds to a Fire Certificate of Occupancy Correction Notice at 2007 PORTLAND AVENUE.  
**Adopted**
- 90     [RLH WP 11-95](#)     Appeal of Mark J. Pierce, MP Systems Inc., to an Egress Window Non-Compliance Determination at 1338 REANEY AVENUE EAST.  
**Adopted**
- 91     [RLH FOW 11-214](#)     Appeal of Yeng A. Lee-Xiong to a Fire Certificate of Occupancy Correction Notice at 1510 REANEY AVENUE EAST.  
**Adopted**
- 92     [RLH FOW 11-215](#)     Appeal of Katherine Soderberg on behalf of Sibley Manor, Inc. to a Fire Certificate of Occupancy Correction Notice at 2318 ROCKWOOD AVENUE.  
**Adopted**
- 93     [RLH FCO 11-422](#)     Appeal of Dorothy Irvin to a Correction Notice - Re-Inspection Complaint at 1615 SAINT ANTHONY AVENUE.  
**Adopted**

- 94     [RLH FOW](#)           Appeal of Janet K. Erickson to a Fire Certificate of Occupancy Correction Notice at  
          [11-205](#)                   1005-1007 ST. CLAIR AVENUE.  
  
          **Adopted**
- 96     [RLH FCO](#)           Appeal of Sean Maynard on behalf of AAA North Properties LLC to a Fire Certificate  
          [11-486](#)                   of Occupancy Correction Notice at 342 SNELLING AVENUE SOUTH.  
  
          **Adopted**
- 97     [RLH FOW](#)           Appeal of James Mayer to a Fire Certificate of Occupancy Correction Notice at 720  
          [11-203](#)                   SUMMIT AVENUE.  
  
          **Adopted**
- 98     [RLH FCO](#)           Appeal of Robert J. Polski, Jr. to a Fire Certificate of Occupancy Correction Notice at  
          [11-472](#)                   1068 SUMMIT AVENUE.  
  
          **Adopted**
- 99     [RLH FOW](#)           Appeal of Kimberly A. Jones to a Fire Certificate of Occupancy Correction Notice at  
          [11-212](#)                   659 SURREY AVENUE.  
  
          **Adopted**
- 100    [RLH FCO](#)           Appeal of Todd Harrington, Marpe Holdings LLC, to a Correction Notice-Complaint  
          [11-481](#)                   Inspection and Inspection Appointment at 527 TEDESCO STREET.  
  
          **Adopted**
- 101    [RLH OA 11-24](#)       Amending the Resolution to grant Lang Chu additional extension for property at 565  
                                  THOMAS AVENUE.  
  
          **Adopted**
- 102    [RLH FOW](#)           Appeal of Phil DeBruzzi to a Fire Certificate of Occupancy Correction Notice at 417  
          [11-216](#)                   VAN DYKE STREET.  
  
          **Adopted**
- 103    [RLH FCO](#)           Appeal of John Wengler to a Fire Certificate of Occupancy Inspection Correction  
          [11-444](#)                   Notice at 26-28 VICTORIA STREET SOUTH.  
  
          **Adopted**
- 104    [RLH FCO](#)           Appeal of Randy Schichel to a Fire Certificate of Occupancy Inspection Correction  
          [11-408](#)                   Notice at 1079 WESTERN AVENUE NORTH.  
  
          **Adopted**
- 105    [RLH FOW](#)           Appeal of Daniel Schmidt, Saint Paul Ramsey County Department of Public Health,  
          [11-221](#)                   to an Egress Window Non-Compliance Determination at 240 WYOMING STREET  
                                  EAST.  
  
          **Adopted**

- 106 [RLH FOW](#)  
[11-198](#) Appeal of Relando Aguilar to a Fire Certificate of Occupancy Correction Notice at 833 YORK AVENUE.

**Adopted**

*Councilmember Carter acknowledged the passing of long-time City employee Angela Burkhalter.*

#### **ADJOURNMENT**

*Councilmember Thune moved to adjourn the meeting at 6:10 p.m.*

#### **Meeting adjourned**

**Yea:** 7 - Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune and Councilmember Stark

**Nay:** 0

#### **Council Meeting Information**

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