



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, March 4, 2015

3:30 PM

Council Chambers - 3rd Floor

Public Hearings at 5:30 p.m.

ROLL CALL

Bill Finney was sworn in as Ward 7 Council member just prior to roll call.

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

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Dave Thune, Councilmember Chris Tolbert, Councilmember Bill Finney and City Council President Russ Stark

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 15-26](#) Amending the budget of the Public Works Solid Waste and Energy Fund.
Received and Filed

CONSENT AGENDA

Note: Items listed under the Consent Agenda will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the Consent Agenda for separate consideration.

Approval of the Consent Agenda (Items 2 - 23)

Item 8 was removed from the Consent Agenda for separate consideration.

Councilmember Brendmoen moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 2 [RES 15-417](#) Approving the Mayor's appointment of Bill Finney to serve on the Red Rock Corridor Commission.
Adopted
- 3 [RES 15-418](#) Approving the Mayor's appointment of Bill Finney to serve on the Ramsey County Dispatch Policy Committee.
Adopted
- 4 [RES 15-421](#) Approving the Mayor's appointment of Russ Stark to serve on the Board of Water Commissioners.
Adopted
- 5 [RES 15-422](#) Approving the Mayor's appointment of Amy Brendmoen to the Joint Property Tax Advisory Committee.
Adopted
- 6 [RES 15-424](#) Approving the Mayor's appointment of Chris Tolbert to the Visit Saint Paul Board of Directors (previously known as RiverCenter Visitor's Authority).
Adopted
- 7 [RES 15-426](#) Approving the Mayor's appointment of Dai Thao to the Saint Paul Port Authority.
Adopted
- 9 [RES 15-437](#) Approving the use of grant funds through the Neighborhood STAR Year-Round Program for the Independent Filmmaker Project Minnesota Media Arts Center.
Adopted
- 10 [Min 15-18](#) Approving the minutes of the January 21 and 28, 2015 City Council meetings.
Adopted
- 11 [RES 15-413](#) Approving the FY2015 Innovation Fund allocation.
Adopted

- 12 [RES 15-326](#) Approving the City's cost of providing Towing of Abandoned Vehicle services during June to November 2014, and setting date of Legislative Hearing for April 7, 2015 and City Council Public Hearing for May 20, 2015 to consider and levy the assessments against individual properties. (File No. J1502V, Assessment No. 158001)
Adopted
- 13 [RES 15-327](#) Approving the City's cost of providing Collection of Vacant Building Fees billed September 4 to December 18, 2014, and setting date of Legislative Hearing for April 7, 2015 and City Council Public Hearing for May 20, 2015 to consider and levy the assessments against individual properties. (File No. VB1507, Assessment No. 158807)
Adopted
- 14 [RES 15-331](#) Approving the City's cost of providing Property Clean Up services from January 2 to 29, 2015, and setting date of Legislative Hearing for April 7, 2015 and City Council Public Hearing for May 20, 2015 to consider and levy the assessments against individual properties. (File No. J1508A, Assessment No. 158514)
Adopted
- 15 [RES 15-332](#) Approving the City's cost of providing Trash Hauling services from January 7 to 28, 2015, and setting date of Legislative Hearing for April 7, 2015 and City Council Public Hearing for May 20, 2015 to consider and levy the assessments against individual properties. (File No. J1507G, Assessment No. 158707)
Adopted
- 16 [RES 15-328](#) Approving assessment costs and setting date of City Council Public Hearing to ratify the assessment for the improvement of the westernmost 190 feet of the alley in Finch's Addition, Block 5 (bounded by Watson Avenue, Armstrong Avenue, Bay Street, and Osceola Avenue). (File No. 19159, Assessment No. 145001)
Adopted
- 17 [RES 15-344](#) Approving assessment costs and setting date of City Council Public Hearing to ratify the assessment for the safety improvement of the sidewalk at 9 Seventh Place West (Seventh Place Associates LLC) by filling in the areaway. (File No. S1501, Assessment No. 155301)
Adopted
- 18 [RES 15-353](#) Authorizing the Fire Department to apply for the FY2014 Staffing for Adequate Fire and Emergency Response (SAFER) Grant.
Adopted

- 19 [RES 15-164](#) Amending Civil Service Rule 14 to reflect the changes negotiated in collective bargaining to remove Promotion Rights to any position within the Classified Confidential Employees Association, Professional Employees Association, Operating Engineers Local 70, Machinists, Manual and Maintenance Supervisors Association, Saint Paul Supervisors Organization, and Tri-Council.

Adopted

- 20 [RES 15-428](#) Approving the Memorandum of Agreement between the City of Saint Paul and Tri-Council: Operating Engineers, Local 49; Teamsters-Drivers, Local 120; LIUNA-Laborers, Local 363 for the purpose of changing the applicability of promotion rights following the Commissioner of Veteran's Affairs Order in case # 68-3100-31036.

Laid over to March 11 for adoption

- 21 [RES 15-323](#) Authorizing the appropriate city officials to enter into the necessary contracts for participation in the Houston-Galveston Area Council HGACBuy program.

Adopted

- 22 [RES 15-432](#) Authorizing the Police Department to enter into Custom Training Income Contracts with the State of Minnesota, Dakota County Technical Colleges which include an indemnification clause.

Adopted

- 23 [RES 15-371](#) Authorizing the City to enter into MnDOT Agreement No. 07491 with State of Minnesota, Department of Transportation, to allow use of St. Paul roadways as a detour route for Trunk Highway 51 (Snelling Avenue) Construction.

Adopted

FOR DISCUSSION

- 8 [RES 15-436](#) Supporting dedicated state funding for multi-modal transit and city streets.

Councilmember Tolbert said the City had been intimately involved at the Legislature trying to raise the issue of a dedicated funding source for infrastructure and transportation at the city level. He said the Minnesota League of Cities had adopted a policy to lobby for dedicated funding similar to what the counties had received recently, and cities across the state were passing similar resolutions. He said it was something St. Paul really needed as the infrastructure aged. He moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

ORDINANCES

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

Second Reading

- 24 [Ord 15-8](#) Memorializing City Council action taken January 21, 2015 granting the application of Frank and Mary O'Gorman to rezone the property at 550 Como Avenue from IT Transitional Industrial to B3 General Business, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to zoning for the City of Saint Paul and the zoning maps thereof. (Public hearing held on January 21, 2015.)

Laid over to March 11 for third reading

- 25 [Ord 15-9](#) Memorializing City Council action granting the application of August Ventures, LLC to rezone the property at 999 -1003 Hudson Road, from RT1 Two-Family Residential to B1 Local Business, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held January 7, 2015)

Laid over to March 11 for third reading

First Reading

- 26 [Ord 15-11](#) Amending Chapter 11 of the Saint Paul Administrative Code pertaining to the reappointment of the HREEO Director.

Laid over to March 11 for second reading

SUSPENSION ITEMS

Councilmember Tolbert moved suspension of the rules.

Rules suspended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

[RES 15-475](#)

Accepting the gift of travel expenses from the Visit Saint Paul Foundation for eight city employees to travel to Germany, Denmark and Sweden for the purposes of the Ford Study Tour.

Councilmember Tolbert moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

Council members shared information about upcoming events in their wards.

The Council recessed at 3:43 p.m.

PUBLIC HEARINGS

The Council reconvened for Public Hearings at 5:30 p.m.

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Dave Thune, Councilmember Chris Tolbert, Councilmember Bill Finney and City Council President Russ Stark

27 [Ord 15-10](#)

Granting a franchise for an additional ten-year period to Comcast of St. Paul, Inc.

Todd Hurley, Director of the Office of Financial Services, gave a staff report on the negotiation process and franchise. Councilmember Bostrom said the issue of customer service was one that was heard about frequently; he asked whether there were changes in the franchise to address that. Mr. Hurley said it had been an issue, and they had been able to maintain the customer service and reporting standards from the existing franchise. He noted that a representative from Comcast was present and could take additional questions related to customer service. Councilmember Bostrom asked whether the agreement reached with Comcast would remain in force with the new franchisee if Comcast divested. Mr. Hurley said that was considered in the negotiation process and the City was careful to make sure that customer standards carried forward to any replacement for Comcast. Councilmember Bostrom asked whether the franchise conditions could be discussed with the new franchisee. Trudy Moloney, City Council Director, said the new franchisee would be expected to abide by the 20 customer service and reporting standards in the agreement, and action would be taken in the event of non-compliance. Councilmember Thune confirmed with Mr. Hurley that Comcast was required to have a customer service center within the City of St. Paul. Council President Stark asked what had been done in the past when there were instances of noncompliance with customer service standards. Ms. Moloney said settlement agreements were undertaken in the case of noncompliance. Council President Stark confirmed with Mr. Hurley that this franchise was strictly for cable television and not internet.

In opposition:

Tom Goldstein (1399 Sherburne Avenue) said Comcast, nationally, had a horrible reputation for customer service and for customer and employee loyalty. He said he had testified three years before expressing disappointment about the lack of public process leading to the stadium agreement, and this process was similarly conducted without public input. He said it was deplorable that a contract of this magnitude was given the same level of public input as a noise level variance. He said Mr. Hurley's statement that customer service wasn't going to change was saying that a really bad level of customer service was acceptable. He expressed frustration with customer service he'd received, and said Comcast had made a deliberate decision to save money by shunting customer service operations overseas. He said Comcast had a monopoly and didn't have to worry about losing customers over poor customer service. He said he shared that complaint a year ago and attended the few focus groups, and was told the City couldn't regulate prices but could leverage customer service. He said that hadn't been done, and reporting and settlements didn't do anything for the customers. He said there were many people in the city with no or minimal internet access, and nothing was being done to address that equity issue. He said there was fiber running under University Avenue that could be fired up to offer service to businesses and homeowners to create a high tech corridor, but there had been no discussion of that. He said there were no policies mandating that fiber be laid whenever a street or bridge was opened in St. Paul, so the City could offer fiber services at some point. He said he found it disturbing that the City was going to leverage a state-of-the-art network for City buildings but the public would get nothing. He said in an era when technology was changing rapidly, to have a 10-year agreement with a company with a poor record would make it hard for St. Paul to improve equity and attract businesses. He said other cities had fiber optic networks, and he felt St. Paul was missing an opportunity and he didn't know why.

Councilmember Stark said he appreciated the testimony. He agreed that this was an important issue and the franchise was an important item. He said this was a cable

television franchise agreement, the basis of which was that Comcast needed to operate in the City's right-of-way, and there were some things the City was not able to address, specifically internet access. He stressed that Comcast was not a monopoly, and said while they might have a large market share, they did not have an exclusive franchise.

Councilmember Thune said this was a negotiation, and the City had not come ill-prepared, using consultants and City staff, and some things couldn't be negotiated. He said he felt it was a good agreement within the range of things that could be negotiated. He said the customer services issues were anecdotal, and he had experienced good customer service. He noted items in the franchise that were to the City's advantage, including the addition of a local service center, and money dedicated to SPNN. He moved to close the public hearing.

Mr. Goldstein asked why public hearings weren't held, and why the City didn't insist on local customer representatives and standards that could be enforced. He asked why the City wasn't fighting for the residents.

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

Ms. Moloney noted that there had been four public hearings since 2013 on extensions of the franchise agreement.

Public hearing held and closed; laid over to March 11 for final adoption

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

28 [RES PH 15-55](#)

Approving the application of O'Gara's Bar and Grill Inc. for a sound level variance in order to present amplified music in an enclosed tent from 8:00 p.m. until 10:30 p.m. on Saturday, March 14, 2015 and from 3:00 p.m. until 10:00 p.m. on Tuesday, March 17, 2015 at 164 Snelling Avenue North.

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

Councilmember Thao acknowledged visiting Boy Scout Troop 60, who were present to earn a Citizenship and Community merit badge.

Councilmember Thao moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 29 [RES PH 15-52](#) Approving Team Ortho Foundation's request for a sound level variance in order to use a sound system for the Get Lucky Run Pre-Race Announcements on Saturday, March 14, 2015 from 8:00 a.m. to 8:45 a.m. at the Kellogg Boulevard and Wacouta Street Start.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 30 [RES PH 15-53](#) Approving Team Ortho Foundation's request for a sound level variance in order to use a sound system for the Get Lucky Run Post-Race Announcements on Saturday, March 14, 2015 from 9:30 a.m. to 12:00 noon at the Shepard Road and Jackson Street Finish.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 31 [RES PH 15-54](#) Approving the application of Patrick McGovern's for a sound level variance in order to present amplified music in an enclosed tent from 3:00 p.m. until 10:30 p.m. on Saturday, March 14, 2015 and from 3:00 p.m. until 10:00 p.m. on Tuesday, March 17, 2015 at 225 Seventh Street West.

Adam Johnson, Vice President of Marketing with Visit St. Paul, appeared representing Patrick McGovern's as one of the primary funders of the St. Patrick's Day party on April 14. He asked that the sound level variance with some restrictions be allowed to continue to midnight. Related to the event on April 17, he said McGovern's had had music until midnight for 10 years and there had never been complaints, and they would like to continue to midnight this year as well.

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

Councilmember Thune said they were going with consistency for this event and the following three. He said there was nothing preventing music after 10:00 or 10:30 as long as the volume did not exceed that allowed without a variance. He said this wasn't just about bar owners but about home owners. He said licensing would have a decibel meter and try to monitor this very closely. He moved approval.

Councilmember Bostrom noted that this was in the hospital district, and said he was glad Councilmember Thune was going to listen and judge the carryover to Smith Avenue.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 32 [RES PH 15-56](#) Approving the application of Emerald Society of MN and L&J Event LLC for a sound level variance in order to present amplified music in an enclosed tent from 12:00 noon until 10:30 p.m. on Saturday, March 14, 2015 and from 12:00 noon until 10:00 p.m. on Tuesday, March 17, 2015 at 205 Seventh Street West.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 33 [RES PH 15-58](#) Approving the application of Sandy Schwarz, manager of Wild Tymes, for a sound level variance in order to present live music on stage under a three-sided tent from 4:00 p.m. until 8:00 p.m. on March 14, 2015 and from 2:00 p.m. until 8:00 p.m. on March 17, 2015 on the patio at 33 Seventh Place West.

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

Councilmember Thune said this situation was a little bit different because it was a three-sided tent and in the middle of a residential area downtown. He said Wild Tymes had responsibly agreed to limit the time and decibel level. He moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 34 [RES PH 15-59](#) Approving the application of Visit Saint Paul Saint Patrick's Day Street Festival for a sound level variance in order to present live music in the street on a mobile stage in front of Eagle Street Grille, 174 Seventh Street West; use of a DJ stage in front of Cossetta's, 211 Seventh Street West; and use of a DJ Booth in front of Tom Reid's, 258 Seventh Street West; during the Saint Patrick's Day Street Festival from 2:00 p.m. until 10:30 p.m. on March 14, 2015.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 35 [RES PH 15-60](#) Approving the application of Bennett Restaurant Co. LLC for a sound level variance in order to present live music in an enclosed tent from 5:00 p.m. until 10:30 p.m. on Friday, March 13, 2015 and Saturday, March 14, 2015 at 1305 Seventh Street West.

Councilmember Thune moved an amendment for an 85 dBA rather than 90 dBA limit. He said it was in a residential area, and there had been complaints in the past. Yeas - 7 Nays - 0

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

Adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

36 [RES PH 15-70](#)

Approving the petition of James Waldo to vacate part of platted Phalen Avenue adjacent to 1444 East Shore Drive, and to purchase a parcel of adjacent city parkland to be diverted for private use.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

37 [RES PH 15-21](#)

Final Order approving the improvements on Randolph Avenue from Brimhall Street to Syndicate Street. (File No. 19172, Assessment No. 155400)

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

38 [RES PH 15-23](#)

Final Order approving the improvements on Ford Parkway from 350 feet west of Howell Street to Snelling Avenue. (File No. 19100, Assessment No. 155401)

In opposition:

Robert Ellis Dye (1941 Ford Parkway) said members of his condominium association were concerned about water pressure at their property, and he asked for a clarification of the size of the water lines being projected. Dan Haak, Public Works, said he would check with the water utility and follow up with Dr. Ellis. Dr. Ellis requested that an 8" pipe, if there was going to be one, extend far enough west connect with the 8" pipe serving their property.

Roxanne John (1857 Ford Parkway) said she was a senior like many other area residents, and on fixed income. She thanked staff for being available to answer questions. She asked whether apartment buildings could be assessed more, so the amounts could be reduced for the seniors. She said she knew payments could be spread out over 20 years, and she asked whether the City could help with the cost of the assessing the condition of the sewer line serving her property. She said she knew the business association had been assessed heavily for beautification of Highland Park, but most traffic was going to the business district of Highland Parkway, and she asked whether they could pay more of their share.

Councilmember Stark said commercial properties did pay a higher rate. Lynn Moser, Real Estate, said everyone paid at the same rate for this project. Councilmember Tolbert clarified that the County was paying for a road construction portion of the project, and the City was assessing only for the above standard sidewalk portion.

Ms. John asked what the Highland businesses would be paying towards the project. Councilmember Stark said only the immediately abutting property owners were assessed on City projects, and the Highland businesses were assessed for an earlier project. He noted that commercial properties were assessed at a higher rate for maintenance. Councilmember Tolbert said the City couldn't legally assess other areas.

Ms. John asked why apartments weren't apartments assessed more, and asked whether there was any help for seniors to provide a camera to go down the sewer line. Mr. Haak said he would check.

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

Councilmember Tolbert said he hoped the residents' questions could be answered, and he knew there would be more along the way. He said Public Works was always very good about following up. He said some important policy issues had been raised, and this was a project that sorely needed to be done. He reiterated that residents were just being assessed for the above standard components. He moved approval.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 39** [RES PH 15-24](#) Ratifying the assessment for construction of sanitary sewer service connections as requested by the property owners in connection with the Montreal Avenue construction project. (File No. 19111C, Assessment No. 156002)
- No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- 40** [RES PH 15-25](#) Ratifying the assessment for construction of sanitary sewer service connections as requested by the property owners in connection with the Fairview/Bohland RSVP. (File No. 19146C, Assessment No. 156001)
- No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- 41** [RES PH 15-57](#) Amending the financing and spending plans in the Department of Public Works City Grants Fund in the amount of \$44,526 for grant funds award in 2014 and an in-kind match.
- No one appeared in opposition; Councilmember Thao moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
- Nay:** 0
- 42** [RES PH 15-28](#) Ratifying the assessment for replacement of sanitary sewer services within the right-of-way as part of the Maryland Avenue at Payne Avenue reconstruction project. (File No. 19178C, Assessment No. 156004)
- No one appeared in opposition; Councilmember Brendmoen moved to close the public hearing and approve the resolution.*
- Adopted**

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

43 [RES PH 15-26](#)

Ratifying the assessment for construction of sanitary sewer service connections as requested by the property owners in connection with the Montana/Greenbrier RSVP. (File No. 19147C, Assessment No. 156000)

Councilmember Bostrom pointed out a typographical error in the text of the resolution.

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 Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

Councilmember Brendmoen noted that seniors could defer payment of assessments until the sale of the property.

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

61 [RLH FCO 15-18](#)

Appeal of Timothy McCormick to a Fire Inspection Correction Notice at 1191 REANEY AVENUE.

Legislative Hearing Officer Marcia Moermond said there was an inconsistency between the correspondence from her office and the resolution itself. She asked that the public hearing be continued to March 18.

No one appeared in opposition; Councilmember Finney moved to continue public hearing to March 18.

Public hearing continued to March 18

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President 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 (Items 44 - 74)

No one appeared in opposition; Councilmember Thune moved approval of the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 44** [RLH TA 15-34](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1503, Assessment No. 158802 at 1561 ALBANY AVENUE. (Project No. amended to VB1503A, Assessment No. 158809)
Adopted
- 45** [RLH TA 15-112](#) Amending Council File RLH AR 14-77 to delete the assessment for Property Clean Up services from August 1 to 29, 2014 at 334 ALBERT STREET SOUTH. (File No. J1502A, Assessment No. 158501)
Adopted
- 46** [RLH FCO 15-20](#) Appeal of David Funck for Homestead Holdings to a Fire Inspection Correction Notice at 2128 ARLINGTON AVENUE EAST.
Adopted
- 47** [RLH TA 15-113](#) Amending Council File RLH AR 14-77 to delete the assessment for Property Clean Up services from August 1 to 29, 2014 at 44 BATES AVENUE. (File No. J1502A, Assessment No. 158501)
Adopted
- 48** [RLH FCO 15-12](#) Appeal of Julie Wearn to a Fire Inspection Correction Notice at 2075 CLEAR AVENUE.
Adopted
- 49** [RLH SAO 15-14](#) Appeal of Phill Spiker to a Vehicle Abatement Order at 163 CLEVELAND AVENUE NORTH.
Adopted

- 50 [RLH RR 15-5](#) Ordering the rehabilitation or razing and removal of the structures at 668-670 CONWAY STREET within fifteen (15) days after the March 4, 2015, City Council Public Hearing.

 Referred to Legislative Hearings on March 10; Council public hearing continued to March 18
- 51 [RLH TA 14-711](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1503E, Assessment No. 158302 at 1205 EDGERTON STREET. (Amended to File No. J1503E2, Assessment No. 158305)

 Adopted as amended (assessment deleted)
- 52 [RLH TA 15-51](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1505, Assessment No. 158204 at 2055 FAIRMOUNT AVENUE.

 Adopted
- 53 [RLH TA 15-55](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1505, Assessment No. 158204 at 786 FRANK STREET.

 Adopted
- 54 [RLH VBR 15-8](#) Appeal of Denise Kriesel to a Vacant Building Registration Fee Warning Letter at 1276 FREMONT AVENUE.

 Adopted
- 55 [RLH TA 15-53](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504B, Assessment No. 158103 at 856 GALTIER STREET.

 Adopted
- 56 [RLH VBR 15-9](#) Appeal of Sunday Olayinka for African Christian Fellowship to a Vacant Building Registration Notice at 756 JACKSON STREET.

 Adopted
- 57 [RLH TA 15-56](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1503P, Assessment No. 158402 at 1040 MACKUBIN STREET.

 Adopted
- 58 [RLH SAO 15-8](#) Appeal of Robert L. Leslie to a Summary Abatement Order and Vehicle Abatement Order at 1092 MAGNOLIA AVENUE EAST.

 Adopted

- 59 [RLH TA 15-52](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1503P, Assessment No. 158402 at 1657 MINNEHAHA AVENUE EAST.
Adopted
- 60 [RLH SAO 15-6](#) Appeal of Sharon K. Moore to a Vehicle Abatement Order at 883 PALACE AVENUE.
Adopted
- 62 [RLH TA 15-139](#) Amending Council File RLH AR 14-74 to delete the service charge assessment for Excessive Use of Inspection services billed May 22 to June 20, 2014 at 648 ROBERT STREET SOUTH. (File No. J1502E, Assessment No. 158301)
Adopted
- 63 [RLH VBR 15-10](#) Appeal of Garret Plumley to the requirement for a code compliance inspection at 1180 SELBY AVENUE.
Adopted
- 64 [RLH FCO 15-19](#) Appeal of Bruce and Rose Olson to a Fire Inspection Correction Notice at 1361 SEVENTH STREET EAST.
Adopted
- 65 [RLH RR 15-6](#) Ordering the rehabilitation or removal of the structures at 684 SIMS AVENUE within fifteen (15) days after the March 4, 2015, City Council Public Hearing.
Referred to Legislative Hearings on March 10; Council public hearing continued to March 18
- 66 [RLH RR 15-7](#) Ordering the rehabilitation or razing and removal of the structures at 688 SIXTH STREET EAST within fifteen (15) days after the March 4, 2015, City Council Public Hearing.
Referred to Legislative Hearings on March 10; Council public hearing continued to March 18
- 67 [RLH TA 15-97](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1503P, Assessment No. 158402 at 2459 UNIVERSITY AVENUE WEST.
Adopted

- 68 [RLH VO 15-7](#) Appeal of Sonya Martinez and Adam Krueger to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1625 UPPER AFTON ROAD, UNIT A.
Adopted as amended
- 69 [RLH RR 14-28](#) Ordering the rehabilitation or razing and removal of the structures at 353 WHEELOCK PARKWAY WEST within fifteen (15) days after the February 4, 2015, City Council Public Hearing.
Referred to Legislative Hearings on March 10; Council public hearing continued to March 18
- 70 [RLH SAO 15-7](#) Appeal of Don Frable for Selable Purchasing, LLC to an Order to Provide Garbage Service at 1187 WOODBRIDGE STREET.
Adopted
- 71 [RLH AR 14-97](#) Ratifying the assessments for Collection of Certificate of Occupancy Fees from August 18 to September 12, 2014. (File No. CRT1505, Assessment No. 158204)
Adopted
- 72 [RLH AR 14-98](#) Ratifying the assessments for Boarding and/or Securing services during October 2014. (File No. J1504B, Assessment No. 158103)
Adopted
- 73 [RLH AR 14-99](#) Ratifying the assessments for Graffiti Removal services from September 22 to October 30, 2014. (File No. J1503P, Assessment No. 158402)
Adopted
- 74 [RLH AR 14-100](#) Ratifying the assessments for Emergency Abatement services from June through August 2014. (File No. J1503A, Assessment No. 158502)
Adopted

ADJOURNMENT

Councilmember Finney moved adjournment.

Meeting adjourned at 6:36 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

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