



City of Saint Paul

Minutes - Final

City Council

*Council President Russ Stark
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert*

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
Katie Burger, Executive
Assistant, 651-266-8560

Wednesday, October 19, 2016

3:30 PM

Council Chambers - 3rd Floor

ROLL CALL

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

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 16-83** Authorizing the Department of Parks and Recreation to reallocate a total of \$302,107 within its various accounting units in the 2016 adopted budget to most accurately reflect the projected actual spending in each accounting unit, while providing the appropriate levels of spending authority.

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 8 and 11 were removed from the Consent Agenda for separate consideration.

Councilmember Bostrom moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 2 **RES 16-1798** Approving the Settlement Agreement and Release between the City of St. Paul and Delmer V. Fladwood and Roxanne Fladwood and their attorney Elliot L. Olsen.

Adopted

- 3 **RES 16-1694** Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during June 24 to July 8, 2016, and setting date of Legislative Hearing for November 22, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. CRT1703, Assessment No. 178202)

Adopted

- 4 **RES 16-1695** Approving the City's cost of providing Graffiti Removal services during August 23 to September 1, 2016, and setting date of Legislative Hearing for November 22, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. J1703P, Assessment No. 178402)

Adopted

- 5 **RES 16-1696** Approving the City's cost of providing Excessive Use of Inspection/Abatement services billed during May 23 to June 22, 2016, and setting date of Legislative Hearing for November 22, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. J1702E, Assessment No. 178301)

Adopted

- 6 **RES 16-1697** Approving the City's cost of providing Tree Removal services from August 2016, and setting date of Legislative Hearing for November 22, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. 1701T, Assessment No. 179000)
Adopted
- 7 **RES 16-1850** Authorizing the execution and delivery of a First Amendment to Continuing Covenant Agreement relating to the City of Saint Paul General Obligation Variable Rate Street Improvement Special Assessment Bonds, Series 2015C issued to finance the 2015 Saint Paul Street Vitality Program and refinance certain prior general obligations of the City.
Adopted
- 9 **RES 16-1858** Authorizing the Fire Department to accept the donation of one BackSafe system valued at \$2,400.
Adopted
- 10 **RES 16-1732** Approving the Labor Agreement (May 1, 2016 - April 30, 2019) between the City of Saint Paul and the North Central States Regional Council of Carpenters.
Adopted
- 12 **RES 16-1719** Authorizing the Department of Planning and Economic Development to submit applications to the Department of Employment and Economic Development for Contamination Cleanup and Investigation Grants, and to the Metropolitan Council for Tax Base Revitalization Account Program, for the 428 Minnesota Street, RiverEast School, Selby-Milton-Victoria, Empire Building, Degree of Honor Building, Hamm's Brewery, Karibu Grocery and Deli, and Lexington LibraryRay Apartments sites.
Adopted
- 13 **RES 16-1742** Approving the application with conditions, per the Deputy Legislative Hearing Officer, to add a Gambling Location license to the existing Liquor On Sale - 101-180 Seats, Liquor On Sale - Sunday, and Shared Parking Agreement licenses, for Santos Corporation (I.D. #0016383), d/b/a La Cucaracha Restaurant at 36 Dale Street South.
Adopted

- 14 RES 16-1859 Approving the application with conditions, per the Deputy Legislative Hearing Officer, for Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Liquor - Outdoor Service Area (Sidewalk) licenses for Augustine's Inc. (I.D. #20160002116), d/b/a Augustine's at 1668 Selby Avenue.

Adopted

FOR DISCUSSION

- 8 RES 16-1807 Authorizing the City to grant temporary construction easements and a corrective sewer easement to the Metropolitan Council to repair sanitary sewer interceptor pipes located beneath the city-owned Phalen Golf Course, Phalen Recreation Center, and Phalen Park.

Councilmember Bostrom said the project would mess up Phalen Drive between Arcade to Johnson Parkway, and he wanted to be on the record as requesting that the Met Council work with Public Works to keep access to the park open. He moved approval of the resolution.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 11 RES 16-1819 Approving the Mayor's appointments of Taquee Khaled, and Kathy Mouacheupao, and John Reich to serve on the Saint Paul Planning Commission. (Amended to remove John Reich)

Councilmember Noecker moved an amendment removing John Reich as an appointee. She said she had nothing against Mr. Reich but felt the Council needed to be accountable to the public and the applicants to the Planning Commission whom were told very specifically in August that appointments were being delayed until a more diverse set of candidates could be recruited. She said based on the background information she'd received, Taquee Khaled and Kathy Mouacheupao were representative of the full diversity of the community but she couldn't find the same evidence for John. She said the Planning Commission had 14 people who were white and just four people of color. She suggested approving the appointments of Taquee and Kathy and hold off on filling the third seat. She said there were still two additional seats to be filled and this seat could be filled at that time from the more diverse group of recent applicants.

Councilmember Tolbert said he was surprised by the amendment and wished he had seen it beforehand. He said Mr. Reich was an outstanding candidate and would be an outstanding Planning Commissioner. He urged Council members to vote against the resolution, and said there were other seats available and more opening soon.

Councilmember Prince said she shared Councilmember Noecker's concern, and felt the process of filling positions was not sufficiently transparent. She said boards and commissions should be turning over more regularly to comply with term limits set by City Charter, and to reflect the community geographically and ethnically. She said she would support the motion, not because she had any issue with Mr. Reich, whose appointment could come at a later time, but she felt more of an explanation was needed from the administration about why vacancies had continued for so long. She

said the administration had been in place for 11 years, and delaying appointments because they couldn't find adequate diversity to fill boards and commissions was inexcusable.

Councilmember Thao said he would also vote in support of the amendment. He said as the only person of color on the Council, he experienced the importance of having that voice on the Council and felt it was of the same importance on the Planning Commission. He said this was not a knock on Mr. Reich, but the Council needed to be intentional about creating diversity and inclusion on the Planning Commission because it should reflect the community and residents of the City. he said if they were going to invest and mine resources from the community, the Planning Commission should reflect that. He said the administration had championed diversity, equity and inclusion in the City, and the Council's actions should reflect those values.

Councilmember Brendmoen said she would support the amendment, and she noted that the 21 appointments were not equitably distributed around the city. She said she would like to see a full complement of appointees from wards 5, 6, and 4 before some of the other wards got more than three.

Councilmember Bostrom said he was in opposition to the amendment because Mr. Reich was on the agenda and had been fully vetted. He said this should have been done before this point and wasn't fair to the applicant.

Council President Stark spoke in support of the amendment. He said there was time to figure out the best way to find people for the positions moving forward, and Mr. Reich might be one of those people as positions became available, but the Planning Commission was lacking in racial and geographical diversity, including from his ward.

He said he hoped, moving forward, there could be a better process overall it didn't get to the point of these questions being raised.

Councilmember Tolbert said he agreed with the points made about the need for diversity, and if this were the last spot on the Planning Commission it would be a fair argument. He said there were multiple opening and multiple people, including one from Ward 3, who had termed out and would go off of the Commission once the vacancies were filled. He said they could recruit more candidates and diversify the Planning Commission without holding up the appointment of a great candidate. He said he hoped Council members would reconsider given that there were multiple vacancies on the Planning Commission.

Councilmember Noecker reiterated that it was not a personal thing against Mr. Reich. She said as to the question of fairness raised by Councilmember Bostrom, people had been waiting on hold since April and were told in August that more diverse candidates were being sought, and, as Councilmember Thao had said, they needed to follow up words with actions.

Councilmember Noecker moved the amended resolution.

Adopted as amended

Yea: 5 - Councilmember Brendmoen, Councilmember Thao, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 2 - Councilmember Bostrom and Councilmember Tolbert

- 15 **RES 16-1533** Approving the application with conditions, per the Deputy Legislative Hearing Officer, for a Second Hand Dealer - Motor Vehicle license, for Camauto Sales, LLC (I.D. #20160000413), d/b/a Camauto Sales, 1265 Arcade Street. (Laid over from September 21 and October 5)
- Councilmember Bostrom said he'd had his questions answered. He moved approval of the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0

- 16 **RES PH 16-248** Ratifying the assessment for improvements along Wheelock Parkway from Rice Street to Edgerton Street-Phase I, Part A. (File No. 19175B, Assessment No. 165201) (Public hearing held October 5; laid over from October 19)
- Councilmember Brendmoen asked for a one-week layover. She said she was working with the Office of Financial Services and the Mayor on a satisfactory solution, and they weren't quite there yet.*
- Laid over to October 26**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- 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.

First Reading

- 17 **Ord 16-43** Granting authority to the Port Authority of the City of Saint Paul to issue and sell general obligation bonds to which the Port Authority pledges the full faith and credit of the City under Minnesota Statutes, Section 469.060.
- Laid over to October 26 for second reading**

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

- 18 **RES PH 16-322** Amending the financing and spending plans in the Fire Department in the amount of \$250,000 for a contribution received from the Minnesota Board of Firefighter Training and Education to pay for training and equipment for the Minnesota Aviation Rescue Team and helicopter training with the Minnesota State Patrol.
- No one appeared in opposition; Councilmember Prince moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 19 **RES PH 16-318** Amending the financing and spending budget plans in the Department of Parks and Recreation by adding a \$50,000 grant from the Ramsey County Soccer Partners Program and \$25,000 from the Local Initiatives Support Corporation (LISC), for a total of \$75,000, for the El Rio Vista Field Improvements project at the Paul and Sheila Wellstone Center/El Rio Vista Recreation Center.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 20 **RES PH 16-325** Moving 2016 Parks and Library Capital Asset Revitalization Program funds to the Library Agency's 2015 Capital Maintenance program to upgrade the George Latimer Central Library's fire safety system.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 21 **RES PH 16-383** Amending the City of Saint Paul's 2016 Park's Special Service Fund to pay off the outstanding balance of its Recreational Facilities Gross Revenue Bonds, Series 2005 (Highland National Project).

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 Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 22 **RES PH 16-319** Amending the financing and spending plans in the Police Department grant fund for the Body Worn Camera grant.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 23 **RES PH 16-320** Amending the financing and spending plans in the Police Department grant fund to more accurately reflect the Auto Theft grant expenditures for the year.

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 Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 24 **RES PH 16-324** Authorizing Police Department to accept the 2016 JAG grant in the amount of \$260,540 from the U.S Department of Justice and amend the 2016 grant fund budget for this grant.

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 Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 25 **RES PH 16-349** Authorizing the Police Department to enter into an Annual Plan Agreement with the State of Minnesota for the Standardized Field Sobriety Test grant program.

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 Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Council members shared good news from their wards.

The Council recessed at 3:53 p.m.

PUBLIC HEARINGS

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

Present 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

26 RES PH 16-329 Adding 108 Cleveland Avenue South to Residential Permit Parking Area 21.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

Council President Stark said anyone present to testify about the Team Ortho Monster Dash should do so on Item 27.

27 RES PH 16-336 Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 on Summit Avenue between Nina Street and Selby Avenue, and Summit Avenue and Cathedral Hill Park.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 28 **RES PH 16-338** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 by Shepard Road between Homer and Elway Streets.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 29 **RES PH 16-339** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 on Shepard Road at Otto Avenue.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 30 **RES PH 16-344** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 on Shepard Road and Randolph Avenue.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 31 **RES PH 16-345** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 on Shepard Road under the Smith Avenue Bridge.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0

- 32 **RES PH 16-346** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 at Shepard Road Washington to Eagle Street.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 33 **RES PH 16-347** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance in order to present outdoor amplified music and announcements on Saturday, October 29, 2016 at Upper Landing Park.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 34 **RES PH 16-348** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 at Lower Landing Park.
- No one appeared in opposition; Councilmember Noecker moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- 35 **RES PH 16-337** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 on Mississippi River Boulevard and the Old Ford Plant.
- 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 Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 36 **RES PH 16-350** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 on Shepard Road and Gannon Road.

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 Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 37 **RES PH 16-343** Approving the application of Team Ortho Foundation - Monster Dash for a sound level variance on Saturday, October 29, 2016 at Mississippi River Boulevard and Summit Avenue.

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

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

- 38 **RES PH 16-321** Approving the application of Final Stretch Inc. for a sound level variance in order to present outdoor music and announcements for the Unleash the SHE 5K/10K Event on Sunday, October 23, 2016 at Lake Phalen Park.

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 Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

LEGISLATIVE HEARING ITEMS FOR DISCUSSION

- 44 **RLH TA 16-499** Ratifying the Appealed Special Tax Assessment for Property at 1455 EDMUND AVENUE. (File No. J1614A2, Assessment No. 168552)

Legislative Hearing Officer Marcia Moermond gave a staff report. She said the item was heard the previous day in legislative hearings, and due to scheduling concerns for the appellant, the staff report was given and the recommendation developed at that time, and testimony from the appellant would be considered at the public hearing. She said the issue was a tall grass and weeds letter. She referred to photographs in the file and reviewed dates related to the orders. She said the total assessment was \$320. She showed the video that was shown in legislative hearings. She said the City did the work, it was noticed, and there was no returned mail. She recommended approval of the assessment.

Council President Stark asked whether the person present to testify was the property owner or tenant. Ms. Moermond said the property owner was Adam Hashim Abbajifar, who was present. Councilmember Tolbert asked how much time passed between the notice and the City doing the work. He said the grass didn't look particularly long. Moermond said photos for grass and for snow were deceptive, but one photo included a ruler showing the grass was a foot tall. She said the first tall grass notice was June 15 with a deadline of June 19, and a summary abatement to cut the grass went out June 22 with a compliance date of June 27.

Mr. Abbajifar appeared and testified via an interpreter. He said he realized it was his fault but the machine he used to mow the weeds was broken and he didn't have the money to fix it. He said he only worked part time, and paid a mortgage and child support. He apologized and said the grass has not been as deep as shown in the photograph.

Councilmember Brendmoen asked whether it was a rental property. Mr. Abbajifar said he lived at the property. Ms. Moermond said there was a note in STAMP by staff that it was a Category 1 vacant building, which could be resolved by someone moving in. Mr. Abbajifar said he still lived there but was planning to sell.

Council President Stark moved to close the public hearing. Yeas - 7 Nays - 0

Council President Stark said these cases were difficult and he was sympathetic to the circumstances, but the costs to the City were real, and if Mr. Abbajifar didn't pay for it then the other taxpayers in St. Paul would pay. He said he was sympathetic but would move Ms. Moermond's recommendation. He wished Mr. Abbajifar the best of luck moving forward.

Mr. Abbajifar said he would pay when he sold the house but didn't have the money now. Council President Stark said if he didn't pay it would be assessed to property taxes.

Adopted

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

60 RLH RR 16-50

Granting request for stay enforcement for 180 days of City Council File RLH RR 13-62 which ordered the rehabilitation or razing and the demolition of the structures at 929 SEVENTH STREET WEST within 180 days after the March 5, 2014 City Council Public Hearing. (Public hearing held October 19)

Legislative Hearing Officer Marcia Moermond said she was missing one item in the list that was needed to grant the 180 days. She asked that the Council make the

amendment and go forward with the resolution to grant 180 days. She said the item she was waiting for was a revised work plan, and she had told the property owner she would ask the Council to close the public hearing and lay the matter over for a week so it could be provided.

No one appeared in opposition; Councilmember Noecker moved to close the public hearing and lay the matter over to October 26.

Public hearing held and closed; laid over to October 26

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

40 RLH TA 16-387

Ratifying the Appealed Special Tax Assessment for Property at 598 CASE AVENUE. (File No. VB1615, Assessment No. 168822, Amended to File No. VB1615A, Assessment No. 168826) (Public hearing continued from October 5)

Legislative Hearing Officer Marcia Moermond said the assessment was for a vacant building fee. She said the matter was laid over to this public hearing, the five month point, and if the project had been complete she would have recommended reducing the assessment by half. She said there were still open permits and her recommendation now was to approve the assessment.

Property owner Todd Brazman said he'd thought the bank was going to pay the fee for a year, but he signed the papers and was responsible. He said two of four permits were finalled. He said he had insurance on the building, and asked whether there had been any calls on the building or anyone going to the building to make sure it was secure. He said he'd been trying like the dickens but fell short, and the fee seemed like an exorbitant amount of money. He said he would be moving in, and wasn't going to rent the property.

Council President Stark explained what the vacant building fee paid for.

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

Councilmember Bostrom asked Ms. Moermond where things stood as far as completion. Ms. Moermond said two permits were finalled and two open. She said they didn't have notes as they would for a Category 3 building, but it was more than half completed.

Councilmember Bostrom asked Mr. Brazman how long he needed. Mr. Brazman said a couple of weeks. Councilmember Bostrom moved to grant 30 days and reduce the assessment by half if the work was completed at that time.

Councilmember Brendmoen thanked Mr. Brazman for purchasing and improving the property and investing in the neighborhood.

Ms. Moermond asked for clarification as to whether the item was being laid over.

Councilmember Bostrom moved to lay the matter over to November 16.

Public hearing held and closed; laid over to November 16

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

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 Prince moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.

Legislative Hearing Consent Agenda adopted as amended

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

39 RLH TA 16-293 Ratifying the Appealed Special Tax Assessment for Property at 1016 AURORA AVENUE. (File No. J1610A, Assessment No. 168526; amended to File No. J1610A1, Assessment No. 168538 and to delete the assessment)

Adopted as amended (assessment deleted)

41 RLH TA 16-275 Ratifying the Appealed Special Tax Assessment for Property at 457 CLINTON AVENUE. (File No. J1610A, Assessment No. 168526; amended to File No. J1610A3, Assessment No. 168541 and to delete the assessment) (Public hearing continued from July 20)

Adopted as amended (assessment deleted)

42 RLH TA 16-358 Ratifying the Appealed Special Tax Assessment for Property at 715 EDGERTON STREET. (File No. J1612A, Assessment No. 168530; amended File No. J1612A1, Assessment No. 168548) (Public hearing continued from September 21)

Adopted

43 RLH FCO 16-128 Appeal of Casey A. Swaim to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 886 EDMUND AVENUE.

Adopted

45 RLH FCO 16-155 Appeal of Simmara Smith to a Correction Notice - Re-Inspection Complaint at 521 FOREST STREET.

Adopted

- 46 **RLH TA 16-493** Amending Council Files No. RLH AR 16-60 to delete the assessment for Property Clean Up services during May 4 to 31, 2016 at 956 GERANIUM AVENUE EAST. (File No. J1612A, Assessment No. 168530)
Adopted
- 47 **RLH TA 16-494** Deleting the Appealed Special Tax Assessment for Property at 956 GERANIUM AVENUE EAST. (File No. J1612B1, Assessment No. 168113)
Adopted
- 48 **RLH TA 16-327** Ratifying the Appealed Special Tax Assessment for Property at 179 GRANITE STREET. (File No. J1611G, Assessment No. 168711; amended to File No. J1611G1, Assessment No. 168714 and to delete the assessment) (Public hearing continued from August 17)
Adopted as amended (assessment deleted)
- 49 **RLH TA 16-503** Amending Council File RLH CO 16-34, adopted October 5, 2016, to grant Douglas Coppess an additional extension for compliance with orders for property at 1016 IGLEHART AVENUE.
Adopted
- 50 **RLH TA 16-324** Ratifying the Appealed Special Tax Assessment for Property at 892 LAFOND AVENUE. (File No. J1611A, Assessment No. 168527; amended to File No. J1611A1, Assessment No. 168544) (Public hearing continued from August 17)
Adopted as amended (assessment reduced and payments spread over 2 years)
- 51 **RLH SAO 16-37** Appeal of Loretta Flemino to a Summary Abatement Order at 1069 LAFOND AVENUE.
Adopted
- 52 **RLH TA 16-411** Ratifying the Appealed Special Tax Assessment for Property at 665 MAGNOLIA AVENUE EAST. (File No. J1614A, Assessment No. 168537; Amended to File No. J1614A1, Assessment No. 168551) (Public hearing continued from October 5; Legislative Hearing on October 18)
Adopted as amended (assessment approved and payments spread over 2 years)
- 53 **RLH TA 16-274** Ratifying the Appealed Special Tax Assessment for Property at 302 MORNINGSIDE CIRCLE. (File No. J1610A, Assessment No. 168526; amended to File No. J1610A4, Assessment No. 168542) (Public hearing continued from August 17)
Adopted as amended (assessment reduced and payments spread over 3 years)

- 54 **RLH VO 16-42** Appeal of Craig DeZiel to a Correction Notice-Reinspection Complaint at 126 NINTH STREET EAST (also known as 484 Robert Street North).
Adopted
- 55 **RLH VBR 16-64** Appeal of Alexander Basseby-Black to a Vacant Building Registration Renewal Notice at 2137 NORTONIA AVENUE.
Adopted
- 56 **RLH TA 16-385** Ratifying the Appealed Special Tax Assessment for Property at 661 ORANGE AVENUE WEST. (File No. VB1615, Assessment No.168822; amended to File No. VB1615B, Assessment No. 168827) (Public hearing continued from October 5)
Adopted as amended (assessment reduced by half)
- 57 **RLH VBR 16-62** Appeal of Noela Suhfor to a Vacant Building Registration Requirement and Fire Inspection Correction Notice at 1007 OXFORD STREET NORTH.
Adopted
- 58 **RLH FCO**
16-157 Appeal of Erick Simola to a Correction Notice - Complaint Inspection at 806 PARKWAY DRIVE.
Adopted
- 59 **RLH RR 16-25** Ordering the razing and removal of the structures at 1094 REANEY AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Public hearing continued from September 21)
Adopted
- 61 **RLH VO 16-43** Appeal of Colleen Walbran, SMRLS, on behalf of Nou Yang to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1232 SEVENTH STREET EAST.
Adopted
- 62 **RLH TA 16-312** Ratifying the Appealed Special Tax Assessment for Property at 1232 SEVENTH STREET EAST. (File No. J1611A, Assessment No. 168527; amended to File No. J1611A3, Assessment No. 168547 and to delete the assessment) (Public hearing continued from August 17)
Adopted as amended (assessment deleted)
- 63 **RLH FCO**
16-158 Appeal of Anthony Strouth to a Fire Inspection Correction Notice at 1291 SHERBURNE AVENUE.
Adopted

- 64 **RLH TA 16-319** Ratifying the Appealed Special Tax Assessment for Property at 1504 SHERBURNE AVENUE. (File No. J1611A, Assessment No. 168527; amended to File No. J1611A2, Assessment No. 168545 and to delete the assessment) (Public hearing continued from August 17)
Adopted as amended (assessment deleted)
- 65 **RLH TA 16-339** Ratifying the Appealed Special Tax Assessment for Property at 979 UNIVERSITY AVENUE WEST. (File No. CRT1611, Assessment No. 168212) (Public hearing continued from October 5)
Public hearing continued to November 16
- 66 **RLH FCO**
16-156 Appeal of Dominique Wells to a Correction Notice - Complaint Inspection at 1451-1455 UNIVERSITY AVENUE WEST.
Adopted
- 67 **RLH VBR 16-63** Appeal of Douglas Henneman to a Vacant Building Registration Notice at 1536 VAN BUREN AVENUE.
Adopted
- 68 **RLH FCO**
16-131 Appeal of Leo Cassady to a Fire Safety Inspection Appointment at 628 WESTERN AVENUE NORTH.
Adopted

ADJOURNMENT

Meeting adjourned at 6:02 p.m.

Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

Nay: 0

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