



# City of Saint Paul

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

## City Council Minutes - Final

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

Wednesday, April 18, 2012

3:30 PM

Council Chambers - 3rd Floor

### ROLL CALL

*The meeting was called to order by Council President Lantry at 3:31 p.m.*

**Present** 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Melvin Carter III, City Council President Kathy Lantry, Councilmember Russ Stark and Councilmember Chris Tolbert  
**Absent** 1 - Councilmember Dave Thune

### COMMUNICATIONS & RECEIVE/FILE

- 1 **AO 12-19** Authorizing the Saint Paul Public Library Agency to hold volunteer recognition events.  
**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 - 22)

*Items 21 and 22 were removed from the Consent Agenda for separate consideration. Councilmember Stark moved approval of the balance of the Consent Agenda.*

**Consent Agenda adopted as amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thune

- 2 RES 12-558** Approving the Collective Bargaining Agreement (January 1, 2011 - December 31, 2012) between the City of Saint Paul and The International Association of Fire Fighters, AFL-CIO, Local 21. (Laid over one week for adoption)  
**Adopted**
- 3 RES 12-700** Approving the Mayor's appointments of Betty Brownfield, Abdiqadir Hussein, and Justin Schramm; and the reappointments of Charles Ellis, Kaohly Her, and Altin Paulson to serve on the Human Rights and Equal Economic Opportunity Commission.  
**Adopted**
- 4 RES 12-599** Accepting the gift of Ordway Theater Tickets on behalf of the Saint Paul Public Library Agency.  
**Adopted**
- 5 RES 12-637** Authorizing the City of Saint Paul to execute a grant contract amendment for a third timeline extension with the State of Minnesota for the 2008 Urban Area Security Initiative (UASI) Grant.  
**Adopted**
- 6 RES 12-692** Approving an amendment to Lease Agreement PR/10 to extend the term through April 30, 2014 for land abutting and incorporated into the Cayuga Playground.  
**Adopted**
- 7 RES 12-533** Authorizing the Department of Parks and Recreation to apply for a DNR grant to improve canopy diversification, and if successful, enter into an agreement with the MN DNR Community Forest Bonding Grant program, requiring that the grantee sign a General Obligation of Bond Financed Property.  
**Adopted**

- 8      **RES 12-607**      Authorizing the Department of Parks and Recreation to accept a grant in the amount of \$143,000 from the Minnesota State Arts Board and indemnify and hold them harmless for the purpose of partnering with the East Side Arts Council, COMPAS, and Juxtaposition Arts to bring professional artists in as workshop instructors for recreation center programs.  
**Adopted**
- 9      **RES 12-708**      Authorizing the City to enter into the Delegated Contract Process (DCP) Agency Agreement with the Minnesota Department of Transportation (MnDOT).  
**Adopted**
- 10     **RES 12-600**      Amending the assessment for Sanitary Sewer Service Repair to reduce the assessment at 1171 LAFOND AVENUE. (File No. 19093C, Assessment No. 126004)  
**Adopted**
- 11     **RES 12-652**      Approving the City's cost of providing Collection of Vacant Building Fees Services from February 2012, and setting date of Legislative Hearing for May 15, 2012 and City Council Public Hearing for July 18, 2012 to consider and levy the assessments against individual properties. (File No. VB1207, Asmt No. 128807)  
**Adopted**
- 12     **RES 12-653**      Approving the City's cost of providing Graffiti Removal Services from February 27 to March 21, 2012, and setting date of Legislative Hearing for May 15, 2012 and City Council Public Hearing for July 18, 2012 to consider and levy the assessments against individual properties. (File No. J1208P, Asmt No. 128407)  
**Adopted**
- 13     **RES 12-654**      Approving the City's cost of providing Demolition Services from March 2012, and setting date of Legislative Hearing for May 15, 2012 and City Council Public Hearing for July 18, 2012 to consider and levy the assessments against individual properties. (File No. J1211C, Asmt No. 122012)  
**Adopted**
- 14     **RES 12-655**      Approving the City's cost of providing Excessive Use of Inspection Services from January 18 to February 17, 2012, and setting date of Legislative Hearing for May 15, 2012 and City Council Public Hearing for July 18, 2012 to consider and levy the assessments against individual properties. (File No. J1206E, Asmt No. 128308)  
**Adopted**

- 15      RES 12-494**    Preliminary Order setting the date of Public Hearing for May 16, 2012 to consider approval for reconstructing Ruth Street between Upper Afton Road and Burns Avenue. (File No. 19106 Assessment No. 125208)

**Adopted**
  
- 16      RES 12-689**    Approving the issuance of a Liquor Outdoor Service Area (Patio) license for Paul's Lounge LLC, d/b/a St. Paul Saloon, 1045 Hudson Road.

**Adopted**
  
- 17      RES 12-690**    Approving an extension of liquor service to the sidewalk (Sidewalk Cafe) for Great Waters Brewing Company, 426 St. Peter Street.

**Adopted**
  
- 18      RES 12-696**    Approving the Settlement Agreement and Release between Craig Johnson, Sr. and the City of Saint Paul.

**Adopted**
  
- 19      RES 12-709**    Approving the Settlement Agreement and Release between Anthony Michael Clark, Jr. and the City of St. Paul.

**Adopted**
  
- 20      RES 12-536**    Adopting the North End-South Como District 6 Plan as an amendment to the Saint Paul Comprehensive Plan.

**Adopted**
  
- 21      RES 12-715**    Proclaiming April 22, 2012 to be "Windows on Our Past - Looking to Our Future Day," in honor of Hamline Church United Methodist's placement on the National Register of Historic Places.

*Councilmember Stark wanted to recognize the significance of the placing of this great church on the national register of historic places.*

*Mary Batement, church historian, stated it will start with worship and an open house. There are beautiful windows, which may be the best in the U.S.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thune

**Councilmember Thune joined the meeting.**

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

- 22 RES 12-733** Recognizing Luz María Frías for her service to the citizens of Saint Paul as the first Director of the Department of Human Rights and Equal Economic Opportunity.

*Councilmember Carter asked Ms. Frías to the podium. She has been a director since 2009 and is departing from the City. (Carter read the resolution.)*

*Ms. Frías accepted the resolution and said a few words.*

*Councilmember Carter moved approval of the resolution.*

**Adopted**

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

**Nay:** 0

**FOR DISCUSSION**

- 23 RLH CO 11-2** Appeal of Richard H. Nicholson to a Correction Notice at 260 SUMMIT AVENUE. (Public hearing held August 3, 2011; laid over from April 18, 2012)

*Councilmember Thune said this is a continuing saga. This used to be a trail. James J. Hill technically owned it. There was an agreement about who will maintain it. The wall is collapsing and coming apart in pieces. Now there is a crisis about who is responsible and who pays for it. It is a historic district. The Nicholsons said they cannot fix it. It is the steps and the wall. Engineers looked at it. They decided to split the difference. Public Works said the Nicholsons should pay for the wall and the City the steps. The Nicholsons said they should pay for half of the wall and the City all the steps. Thune doesn't know if the wall is pulling from the steps or vice versa. His inclination is for this to go back and it be 50-50. Any ideas? There has to be a solution.*

*Councilmember Brendmoen stated it is a public thoroughfare. If we do it, she wondered if we are claiming it as our stairway.*

*Jerry Hendrickson stated the City gave them the land and they built a sidewalk. This is complicated. DSI is issuing orders. It is Public Works' responsibility. He suggests a layover. They have to figure out budgets.*

*Thune moved a layover for four weeks to May 16. Lantry stated there should be a quick call to Public Works Director Rich Lallier to tell him what 50-50 is.*

**Laid Over to May 16 for approval**

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

**Nay:** 0

## ORDINANCES

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

### Final Adoption

- 24 Ord 12-21** Memorializing City Council action taken on March 7, 2012 granting the application of the Port Authority for the rezoning of 900 Bush Avenue, 881 Bush Avenue, 847 Bush Avenue, 860 Bush Avenue, and 840 Reaney Avenue from I2 General Industrial to I1 Light Industrial, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map (ZF #12-004-413). (Public hearing held March 7, 2012)

*Councilmember Bostrom moved approval.*

### Adopted

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

**Nay:** 0

*The Council recessed at 3:46 p.m.*

## PUBLIC HEARINGS

*The meeting was reconvened for public hearings at 5:31 p.m.*

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

- 25 RES PH 12-113** Approving a budget amendment authorizing the 2012 debt service payments for the 2012 Three and Seven Year Capital Lease Agreement financing public safety and public works vehicles.

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

### Adopted

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

**Nay:** 0

- 26 RES 12-721** Authorizing 2012 tax-exempt capital lease financing and related documents under a master tax-exempt lease/purchase agreement, and naming U.S. Bancorp Government Leasing and Finance, Inc. as the lender for the purchase of public safety and public works vehicles and determining other matters in connection therewith. (This item is a companion to RES PH 12-113 and does not require a public hearing.)

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

**Adopted**

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

**Nay:** 0

- 27 Ord 11-62** Creating Chapter 375 of the Legislative Code to establish a license for Pedicabs.

*(Items 27 & 28 are discussed here.)*

*Julian Loscalzo, representing Twin Towns pedicabs, appeared. Hopefully, they will be operating in the next few months. It should enliven the Downtown and the neighborhoods.*

*No one else wished to be heard.*

*Thune moved to close the public hearing on Items 27 and 28. Yeas - 7 Nays - 0*

*Tolbert said he was concerned about people driving these pedicabs with passengers on. If there a way to put in the statute that we consider a pedicab driver a motor vehicle, so a DWI can be charged. Hendrickson said it would have to be done by the state. Without a state law, the police cannot pull them over. You could ask Licensing if anything can be done. To make it a crime, it has to be done at the state level.*

*Ms. Lantry asked can this be made a condition of the license. Ms. Kisch responded that is a good solution. Also, one section says a pedicab driver cannot consume an alcoholic beverage. The penalty is under the matrix. Hendrickson added it would be a license violation and not a criminal violation.*

*Tolbert stated he has concerns. This is someone driving passengers around in a very unsafe vehicle as compared to a car. If that person is drinking or drunk, there will be people injured.*

*Thune asked has this been talked about. He saw all sorts of them in Washington. Loscalzo responded pedicabs have been operated in Minneapolis for 3 to 4 years. They have complied with all the state statutes. The company is licensed and bonded. If a driver is drinking and operating a vehicle, his license can be revoked. Tolbert asked can it be automatically revoked.*

*Thune said they could continue on, look at this, and reopen the public hearing. Maybe some changes should be made.*

*Loscalzo stated they want to operate safely.*

*Mr. Hendrickson said he will ask Ms. Kisch to contact Councilmember Tolbert's office.*

**Public hearing held and closed; Laid over to April 25 for Final Adoption**

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

**Nay:** 0

- 28 Ord 11-63** Amending Chapter 310 of the Legislative Code to impose licensure fees for pedicab vehicles and drivers.

*(See minutes on Item 27)*

**Public hearing held and closed; Laid over to April 25 for Final Adoption**

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

**Nay:** 0

- 29 Ord 12-20** Amending the Zoning Map of Saint Paul as recommended in the North End-South Como District 6 Plan and 40-Acre Zoning Study.

*Councilmember Brendmoen stated a lot of work has been put in this plan. It warrants some description.*

*Penny Siminson, PED, stated she worked on this plan with District 6. They had a community based steering committee that worked on the industrial area to reduce the conflict between older housing and industrial sites. Also, there was a 40 acre study to resolve some of the zoning inconsistencies in that area. (She showed a map) This entire area is zoned for industrial. There were a number of houses in that area that were dating back to the 1920's, the teens, and 1930's. They were potentially in bad shape. The task force recommended finding a way to acquire these properties and expanding the industrial area. They look at blocks of houses that were going to remain residential. That is the thrust of the zoning study today.*

*No one wished to be heard; Councilmember Brendmoen moved to close the public hearing.*

**Public hearing held and closed; Laid over to April 25 for Final Adoption**

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

**Nay:** 0



**30 Ord 12-23** Amending Chapter 267 of the Saint Paul Legislative code pertaining to the definition of excessive police and nuisance enforcement services.

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

**Public hearing held and closed; Laid over to April 25 for Final Adoption**

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

**Nay:** 0

**31 PH 12-10** Public hearing to consider the application of Semple Crushing and Recycling LLC to approve an Interim Use Permit for site remediation and clean-up of existing onsite concrete and asphalt refuse. (Public hearing continued from April 18)

*Jim Semple, 91 Ridder, one of the brothers in the Semple family. They are looking for a permit to clean up the property and get in compliance with the City code.*

*Councilmember Thune asked have they seen the conditions. Mr. Semple responded he has not. They are in heavy construction. He is looking at working with the City to complete it as shortly as they can.*

*Thune read the conditions. All the crushing has to be done in 60 days. Semple stated he is wondering if he can extend it. Once they start crushing, it can be treated. Right now, he cannot bring a big piece of equipment in there because of the noise and the neighbors.*

*Thune said the crushed concrete cannot stay there for more than a year. Mr. Semple responded right.*

*Thune mentioned other conditions. He has 60 days to crush; anything else will have to be hauled away right away. Semple added that he has material that he uses on a day by day process with this company. He plans to eliminate 99% of it, but he is always going to have a certain stockpile of material in the yard. Thune responded it depends on the site plan.*

*Thune asked would they be storing anymore uncrushed rock. Semple responded no. If a truckload is trucked and dropped off there, it will be removed the following day. There will not be a stockpile of material on the site. He would like to sit down with someone at the City to figure out what he can store and what he cannot. Semple said he has another letter from another business on the west side.*

*Elena Gaarder, West Side Citizens Organization, stated the board made a decision to not support this request. The zoning code does not permit this in an I2. The business does not have a site plan in compliance. This issue has come before WSCO for a decade now.*

*Gjerry Berquist, 46 Prospect Boulevard, stated he does not have a financial standing, nor any grudge against the Semple family. There is little information for this item on the agenda. This was discussed in 2009. There was 72 pages. He believes some of this information is vital. In 1999, the Semple Trucking Company decided to get involved in asphalt and pavement. They purchased land at 91 Ridder Circle. The Semples applied on 2009. The Zoning Committee said no, WSCO (West Side*

Citizens Organization) said no, Planning Commission said no. Ward 2 Councilmember Coleman said the City has worked hard for years to reclaim the Riverfront. Coleman moved to deny the application. The Semples ignored this decision, and the Semples crushed for ten years in direct violation of what was permitted at that site. Denise Semple applied for a nonconforming use of the property. She checked the box and virtually admitted to crushing for ten years. Someone should not get awarded for doing something illegal just because they did not get caught for years. In trucking, it is about distance from A to B. If that distance is ten miles as opposed to one mile, it is going to be a lot more to transport that product. The Semples consistently underbid their competition. One of their competitors hired an attorney to observe Semple's illegal crushing. That pile (pictured) is because he made money because he got the bids done. Semples continued their quest to have a permit to crush the existing pile. They have claimed that if they were forced to move the pile, it would bankrupt them. Recently, Julie Semple eluded to a number of over \$300,000 to have their competition remove the site. She did not provide any documentation for that claim. But, Brown and Bigelow dropped their objection to that on-site pavement crushing. It is not in the best interest of the City to provide a get-out-of-jail card on something they should not have been doing for a while: not using their location for crushing. The Semples were scamming the City for illegally crushing at their site. They have violated the law and not been caught yet.

Thune moved to continue the public hearing. He agrees with Gjerry: they should not be rewarding someone for things they shouldn't have done. The City attorney said we cannot just throw someone in jail on a case like this. In the long run, they would like to get rid of the pile. They crafted some amendments to get rid of the existing pile in two months. The intent would be to have some material on the site, but that is new to him because he thought they were getting rid of all the stuff. The key thing is getting the site plan agreed to. The site plan is key to this. He didn't realize they were continuing to crush materials on the site. He will continue the public hearing for four weeks. He would like this to go to site plan. He would like to know how much is left. People drop off concrete in the middle of the night. He wonders how frequently that happens.

**Public Hearing continued to May 16**

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

**Nay:** 0

**32 RES PH  
12-83**

Amending the 2012 City Hall Annex budget to provide additional spending and financing for an Air Handling Unit replacement project, repainting of the 4th Street skyway bridge, and an upgrade and replacement of Energy Management System computers.

*Council President Lantry said there has been a request by the department to have this withdrawn.*

**Withdrawn**

**33 RES PH  
12-97**

Amending the financing and spending plans in the Fire Department in the amount of \$274,648.00 for the 2011 Metropolitan Medical Response System (MMRS) Grant.

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

**Adopted**

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

**Nay:** 0

**34 RES PH  
12-98**

Adopting the Greater Lowertown Master Plan Summary as an amendment to the Comprehensive Plan.

*Emily McPartlin, Chair of Greater Lowertown Master Plan Task Force, stated they raised \$200,000 from five funders to hire a consultant to create a plan. She thanked the volunteers and advisers, Lucy Thompson from PED, and those supporting the plan. (All these people stood.) They have all worked very hard. Lowertown is a pivotal part of Downtown Saint Paul. With all this change, we saw a real need to create a master plan to reflect the community's decision. There were three public meetings. Over 600 people involved as a whole to create a plan. The plan is a vital future for Lowertown.*

*Thune moved to close the public hearing and approve. There was an enormity of what they set out to do. This was a huge undertaking.*

*Lantry added that they asked Dayton's Bluff to be part of it. It is tremendous work.*

*Thune asked McPartlin to mention the funders, which she did.*

**Adopted**

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

**Nay:** 0

**35 RES 12-370**

Ratifying the assessments for Replacement of Lead Water Service Line on private property during November 2011 to January 2012. (File No. 1202LDSRP, Asmt No. 124001) (Public hearing continued from April 4)

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

**Adopted**

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

**Nay:** 0

**36 RES 12-371**

Ratifying the assessments for Sanitary Sewer Repair on private property during November 2011 to January 2012. (File No. SWRP1203, Assessment No. 123002) (Public hearing continued from April 4)

*Debbie Mazurkowicz appeared. Her property was marked for the bad sewer. She does not begrudge that. There are seven other houses with the same problem. They had not been informed yet. The sewer company said they were late in getting the notices out. She went to the sewer department 3 times, but now the neighbor found out they have the problem. They found out from a website and not from the City. She wonders why she got assessed and no one else. The sewers were built in 1890. They are old. She had to have it filmed from her property to the street. The assessor told her it was on her property so it is her problem. She asked why they didn't do all the houses. They are not advising anybody. She should not have to pay for it if no one else is getting charged. The company that flushed out the pipes worked all into the night. Everything is fixed. They were right in front of her house. They busted her pipes and they want her to pay for it. One house on every block has a hole in front of the street. You add \$10,000 and it stopped her from moving.*

*Richard, Public Works sewers, stated he first learned about this issue on April 4. If they knew she had an issue with the service, they would not have advised her to sign the assessment papers; instead, they would have given her claim forms so that it could be resolved through proper channels. At this time, they really would like her to file a claim in case it is discovered something is wrong.*

*Council President Lantry stated people are finding themselves on a list on the internet. She asked are we doing one house and one house there. Richard responded they identify the sewer mains that have problem. They then flag the ones that have a problem. In the case of Ms. Debra, we told them there is a problem and she does not have to fix them, but in case the service should fail, it will cost a lot more down the line. We don't necessary require them to fix it. That is what people are seeing on the internet. If they do contact the City, we can advise them there is something they should take a look at.*

*Lantry stated there was a problem on her end of the sewer that she didn't have to fix, but somehow she felt she did. Richard responded there is a break in the line where it connects to the main. She is not required to fix it but it will cost more if it fails.*

*Lantry asked about the claim. Richard responded they are 100% sure the sewer line did not do it, but that will give her a fair chance to have someone look at it so that she knows the cost is not caused by the contractor.*

*Brendmoen stated that is a high bill. She wondering if she waited to do the work and it broke further down the road, would it cost more. Richard stated the typical cost of repairing the sewer pipe given the method she chose, it would cost \$8,000 to \$9,000. There are other methods, but she chose this method.*

*Lantry asked what website people are referring to. Richard responded they are going to the County website.*

*Lantry stated no one understands they own the sewer line from the house to the middle of the street.*

*Brendmoen stated \$10,000 is a high bill. If she hadn't done it, what is an emergency repair. Richard responded 2% to 3% more. It is really her call to decide.*

*Bostrom said this is the information that is looked at when selling the property.*

*Brendmoen stated it is important to educate people at this point.*

*Stark said they give people the option when they are tearing up the street to replace their pipes during Central Corridor.*

*Bostrom said this is similar to the lead water replacement.*

*Jeff Study asked why they didn't pay for something at that time when the street was dug up.*

*Elder stated the primary purpose is to extend the life of this 100 year old sewer. As a courtesy they inform the property owners when there is a problem. They flagged it in STAMP. Most home buyers are not aware of the ownership issue out to the center of the street. The \$9,000 cost is not unusual. It is expensive work. They regret not having the letter sent out. The property owner became aware of it when she was getting a roofing permit.*

*Lantry asked was there an RSVP ten years ago. Elder responded he did not know the timing. They are not expressively inspecting the private connections. During the RSVP project, they like to make repairs while the streets are torn up. After three estimates, the City will pay the bill and owners pay it back over a 20 year time frame. This is private property and they are not authorized to go into these services, but they make an observation of the small part where it connects to the City sewer. They offer the property owners the opportunity to have their contractor to replace the portion in the right-of-way. They have the ability to hire a contractor to take it back to their home if they choose.*

*Stark asked do they notify people when they make this note in STAMP. Elder responded that is their practice; the notification was not sent out, which they regret, and they talked to the property owner about the voluntary nature of the repair. There are instances where these things are causing a settlement in the street or discharging sewage into the street; then it is not option, and it is a mandatory repair.*

*Stark stated that there should be notice put out in a timely way. Elder responded he agrees. They are in the process of sending out letters. There are thousands of property owners.*

*Bostrom moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

**Nay:** 0

**Absent:** 1 - Councilmember Carter III

**LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**

**39 RLH FCO** Appeal of Na Thao to a Re-Inspection Fire Certificate of Occupancy  
**12-182** With Deficiencies at 738 BURR STREET.

*Moermond said the interpreter from Betmar Services did not show. There is a standard for square width for a front porch. The front windows now open to an enclosed porch. (She did a drawing for the Council.) Typically, there are 2 kinds of solutions. They could open up the front porch. The next question is how long the City is recommending to bring this into compliance.*

*(Moermond showed photos)*

Lantry stated one of the bedrooms has to be to the outside. You have to go through other rooms to get out. She recommends giving them to June 1.

Na Thao appeared. (Mai Vang, City Council, interpreted.) He wanted to keep this room as a bedroom. He wanted to know what other kind of solutions he could do. Lantry said he could use it as any room but a bedroom.

Councilmember Brendmoen stated staff said something about opening a wall.

Thao wondered if opening it up halfway would be acceptable. Moermond responded she would like to know what halfway means. She would need to see a plan.

Mr. Thao said from the ground to the window, it is about as high as this table.

Moermond said compliance could be discontinuing this as a bedroom or adding another exit. Or, pulling a permit and opening the porch.

Lantry stated he had until June 1 to come up with a solution.

Moermond asked could they wait a few minutes on this one.

(This item was again discussed later in the meeting.)

Mr. Thao said that he could open up all the windows on the porch. If that is not acceptable, he wants to cut the windows lower down and then open up the porch. If that is not possible, he wanted more than the June 1 extension.

Lantry stated they are not building inspectors. The only thing before us is if he can sleep in that room. It is clear that he agrees that no one should be sleeping in that room. What happens next, the Council will know when he pulls a building permit.

Moermond recommended the appellant be given into July 1 to come into compliance by emptying the bedroom or by addressing the situation in another fashion.

Brendmoen denied the appeal and accept the original recommendation, which is compliance by June 1.

**Adopted as amended**

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

**Nay:** 0

**61 RLH TA  
12-236**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1207, Assessment No. 128208 at 947 MINNEHAHA AVENUE EAST.

*Withdrawn. Item was put in error to Agenda. See TA 12-258*

**Withdrawn**

**63 RLH TA 12-58**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1203B, Assessment No. 128809 at 2385 NOKOMIS AVENUE.

*Moermond said that if the work was completed by the time of this hearing, she would*

*recommend it be decreased by half. The work is complete, and she would like it decreased by half.*

*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 Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

**Nay:** 0

**68 RLH TA  
12-104**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1206T, Assessment No. 129005 at 284 RICHMOND STREET.

*Councilmember Thune said he would like this deleted. Bill has been paid already.*

*Moermond stated the assessment has been paid. Moermond stated that Real Estate would prefer a ratification and noting that it does not need to be paid because it has been paid.*

*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 Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert

**Nay:** 0

**46 RLH FCO  
12-163**

Appeal of Charles Nosie to a Fire Certificate of Occupancy Inspection Correction Notice at 1078 FIFTH STREET EAST. (Public hearing continued from May 2)

*Marcia Moermond stated the inspector called out incorrect venting. The senior trade folks said that wet venting is not appropriate. This part of the plumbing code would apply. This is a life safety issue because sewer gas could accumulate in the residence. If the Council is looking for more information, it can be laid over.*

*Lantry stated she does not know what wet venting is.*

*Charles Nosie appeared.*

*Lantry stated one of the contentions was that the house was built in 1915 or so and it should be grandfathered in. There is pvc pipe which is not original to the building. There is a dishwasher hookup that is not original to the building. At some point, someone did unpermitted repairs. Nosie responded you do not need a permit to put traps in the sink. You also do not need a permit to put cabinets in the kitchen.*

*Lantry asked was there any plumbing change beside the trap. There was no other plumbing change. Nosie responded to change the rest of the plumbing, you will have to rip out the walls, ceiling. That was the previous owner who did that work. He has talked to four contractors. All of them said it is ridiculous and not a life safety issues. The only way it can be a life safety issue is when you flush the toilet--in wet venting--it will pull the traps out of the sink. He challenged the plumbing inspector to show how that can be done and he would be happy to fix it.*

Lantry said the traps were changed. All the plumbing in the house is original; it is just the traps that were changed. Nosie responded yes.

Lantry said she does not know what they are expecting to be changed with this. Nosie responded they want the house to be brought up to modern day code. Moermond stated she heard the wet venting ventilation was legal and safe. She did not hear the whole house needs to be up to code. At this juncture, it is best for the plumbing inspector and her to go to the house and look at it.

Lantry said she will lay it over for two weeks. She will talk to some people. She does not know what wet venting is.

Nosie stated he offered to do that. She also wants to find out the extent to change out the plumbing. She will do a little bit of work on her end. If there is a reasonable solution to replumbing the whole house and a life safety issue, perhaps there is something no one has thought of yet.

Lantry moved to continue the public hearing to May 2.

**Public hearing continued to May 2, 2012**

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

**Nay:** 0

**64 RLH OA  
11-30**

**Appeal of Ron Staeheli to a Code Compliance Report at 633 PALACE AVENUE. (Public hearing continued from February 15)**

Moermond stated this is an appeal of a code compliance inspection. It was necessitated based on a condemnation of the building. It was vacated. By definition, it became a vacant building Category 2. The code compliance inspection has been conducted. Once condemned, does the property has to be minimally code compliant or simply reoccupied when some of the items on the list have been done? On the list were verbs. The orders themselves say repair, install, correct. They are confusing in the context. One case in point is there was a determination that the floor needed to be level in the basement. The order was to install a level floor. The modification is to repair the floor so it is level. A lot of this is a turn of phrase. Another example: install plinth block or should the house just be level. Anytime it says repair, it has to be in good repair.

(Tolbert left and came back; Bostrom left)

Ron Staeheli stated the house has been in his wife's family for 70 years. It is continually occupied and never vacant. He tried to make an improvement to that property. On September 16, it had a certificate of occupancy. He was in a transition between two tenants. The tenants came in and asked for a new furnace. Staeheli bought a new furnace, and put it in the garage. The next thing he knew, the tenants are installing the furnace. He told them not to do that and to pay the rent owed. They said they would not pay the rent because of the work he was doing. They thought the best thing to do was to call the City and say the furnace was installed without a permit. He was ordered to get a contractor in there or the property would be condemned. Staeheli was there with the contractor, but the tenants would not allow him in. Over the next week, there were five police calls where he is standing with the contractor trying to get in there to get the furnace fixed. He was finally told by the police that he was not allowed to be there. They had to leave by October 4. The police said he could get in there after that. At 10:00 a.m., the property was registered



as a vacant building. He cannot pull a permit because he has a registered vacant building. As soon as he got the code compliance inspection, the contractor got in there, and it was installed properly. What caused this property is a comedy of errors and a Catch-22: he had to fix it but the police would not let him in. As for the plumbing, there is a list of things that are wrong. The toilet is not properly vented; of course because the property was built in 1887. The authority they use is the new plumbing code. Of course the laundry tub is not vented. He is \$35,000 away from getting this property back up only because he wanted to get a furnace in there. The only way to get a level floor is a \$5,000 to \$10,000 pad. It is unreasonable that this should happen. Even if someone thinks he should be punished, he has lost seven months of rent and hundreds of dollars in inspection fees. It is unreasonable to ask for a full code compliance. There is not a single hazard on the list. It is reasonable to make it a Category 1 vacant building. He will deal with the fire department on any corrections going forward. This is the poster child for the nightmare with the vacant building program.

Lantry asked why he didn't appeal the vacant building status. Staeheli responded he did, and Moermond looked at the code. The code says specifically vacant and condemned, and she turned it down. In winter, he has to get his permit in. He did not want to stand before the Council and say the furnace is not installed properly, but here he is trying to appeal the vacant building status. The only thing to do it was to make it all go away, get a permit, and get the furnace fixed. There is a mechanical permit signed off on. Before that, he was not allowed to pull a permit. He ended up in an emergency room because he turned up with a contractor, the tenant flew down the hall, threw him against the door, and he had a minor concussion. He ended up with a contractor from Blaine because he ran out of contractors.

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

Thune asked was the furnace installed with a permit. Staeheli responded yes.

Thune stated this property should not be brought up to new house code list. He would be happy with making it safe and secure. He asked about putting it in Class 1. Moermond responded it would mean someone could move in tomorrow. She would advise against it. Some of the items would carry over to the fire inspector report.

Thune stated he would be satisfied with going with the fire inspector's report on it. It is an old house and should be brought up to safety codes as befits an old house.

Thune moved to make it a Class 1 subject to the C of O. Hendrickson responded he didn't know how he could do that. His choices are whether or not to uphold the appeal in challenging the code compliance, and a yea or nay to that. The rest of it would be instructions or requests of staff.

Thune moved to uphold the appeal and do what is needed to make it Category 1. There was a real issue of access. His biggest concern was getting the furnace in.

Stark asked why it became a Category 2 right away. Moermond responded it is a condemned structure. It was condemned on a number of criteria, and she does not have the condemnation in front of her. The Council heard the appeal and denied the appeal.

Thune explained what he wants is to get it worked on and get the inspection for rental property, flag safety hazard items, Things like level basement floor, that is not required of old houses. Plinth is another matter because it needs to hold up things.

Lantry stated it needs a paint job, too.

*Thune moved to adopt the resolution as amended (grant the appeal).*

*Thune said he would want a report back on a C of O. Moermond responded she will discuss the best strategy with Director Cervantes.*

**Adopted as amended**

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

**Nay:** 0

*Discussion of Item 39 was continued at this time (see notes above).*

**90 RLH FCO  
12-175**

**Appeal of Tim Copeland to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1501 YORK AVENUE.**

*Moermond stated this is a situation involving windows and the roof. The inspector had difficulty opening the window. The occupant and owner said it was a one time thing. It opened properly after that. There are other things that need repair. The roof is in bad shape and needs to be replaced. They discussed the possibility that the current owner would sign the property over to the elderly resident, then it would be omitted from the Fire C of O program. There has to be some difficulty with the fire C of O staff.*

*Tim Copeland stated he owns this property. He would like to get out of this fire inspection program. It is not suiting the needs of his tenants nor himself. Bostrom responded this is rental property and there is no way out.*

*Lantry stated it would need to be owner occupied. Copeland asks is that always the case, and Lantry responded yes.*

*Copeland said that if that is not always the case, would he get the same treatment as other people. Lantry responded the only thing before the Council is this. Copeland said he would like the same process as other people who have gone through the same process who are not residents of the home and name is not on the title. He is asking for nothing different.*

*Moermond stated there are some exceptions for the fire certificate of occupancy. If the property is held in trust. That is equivalent of owner occupied in her view. When a dependent, disabled relative is living in the property and the owner is nearby, that is a continued household. They invariably involve immediate family or dependent relationship between the owner and the occupant.*

*Copeland said his tenants has been there for 25 years, is 87 years old, and dependent on Mr. Copeland. Copeland spends a great deal of time making sure he is comfortable. The dependency relationship is here. If the Council has a few minutes, they can hear the legislative hearing where this exception was made a few weeks ago. Unless there is some other criteria he would have to meet, it is unequal justice to give these justices out to other people. The tenant is on Medicare, getting assistance; if Mr. Copeland gave him the house, he would no longer get that. The window is a nonissue. The roof and windows have all been agreed to be done. This is the first time he heard replacing the roof. He does not intend to replace the roof at this time. On the disk, there is a situation where the tenant was removed from the program without question and without a document.*

*Bostrom asked is it a nonhomestead property. Copeland responded yes it is. About the dryer vent, it was done without a permit. He is a contractor, he owns the house, and would like to put the vent in himself. Whatever law is preventing him from doing it, he would like to challenge that law. If the rationale is safety, he should be able to do what is safe for his tenant. This is the only city where he has encountered this kind of thing.*

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

*Bostrom stated there is an ordinance that all rental property have to have a code compliance. They have cut some slack in window openings and things like that. They are generally reasonable.*

**Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING CONSENT AGENDA**

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

**Approval of the Consent Agenda**

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

**Consent Agenda adopted as amended**

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

**Nay:** 0

- |           |                           |  |
|-----------|---------------------------|--|
| <b>37</b> | <b>RLH FOW<br/>12-98</b>  | Appeal of Susan Rosas, on behalf of Karl Koch, to a Fire Certificate of Occupancy Inspection Correction Notice at 1519 ALAMEDA STREET.<br><b>Adopted</b> |
| <b>38</b> | <b>RLH FOW<br/>12-79</b>  | Appeal of Pete Lehner to a Fire Certificate of Occupancy Inspection Correction Notice at 2040 ASHLAND AVENUE.<br><b>Adopted</b>                          |
| <b>40</b> | <b>RLH TA<br/>12-152</b>  | Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1205B, Assessment No. 128104 at 1359 BURR STREET.<br><b>Adopted</b>           |
| <b>41</b> | <b>RLH FCO<br/>12-171</b> | Appeal of Michael Opperman to a Correction Notice-Reinspection Complaint at 2343 CARTER AVENUE.<br><b>Adopted</b>  |

- 42     **RLH WP**           Appeal of Window Concepts of Minnesota, on behalf of Cathy  
12-27                   Azimian, to an Egress Window Non-Compliance Determination at  
                              1085 CASE AVENUE.  
                              **Adopted**
- 43     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
12-147                  Project No. J1204E, Assessment No.128303 at 926 CHARLES  
                              AVENUE.  
                              **Adopted**
- 44     **RLH FCO**          Appeal of Juley Viger Speed to a Re-Inspection Fire Certificate of  
12-172                  Occupancy With Deficiencies at 730 COMO AVENUE.  
                              **Adopted**
- 45     **RLH FOW**          Appeal of Murray Weiss to a Fire Certificate of Occupancy Inspection  
12-104                  Correction Notice at 2475 EDGCUMBE ROAD.  
                              **Adopted**
- 49     **RLH OA**           Appeal of Kristina Beedle to a Code Compliance Report at 23 ISABEL  
12-18                   STREET WEST.  
                              **Adopted**
- 47     **RLH FOW**          Appeal of Bruce Hoffmann to a Fire Certificate of Occupancy  
12-107                  Inspection Correction Notice at 1945 HAWTHORNE AVENUE EAST.  
                              **Adopted**
- 48     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
12-146                  Project No. J1204E, Assessment No.128303 at 658 IOWA AVE  
                              WEST.  
                              **Adopted**
- 50     **RLH TA**           Amending the assessment for Boarding and Securing Services during  
12-204                  December 2011 at 760 JESSAMINE AVENUE EAST. (File No.  
                              J1205B, Assessment No. 128104)  
                              **Adopted**
- 51     **RLH FOW**          Appeal of Chai Lee to a Fire Certificate of Occupancy Inspection  
12-99                   Correction Notice at 1184 JESSIE STREET.  
                              **Adopted**
- 52     **RLH FCO**          Appeal of Robert Neville, US Federal Credit Union, to a  
12-165                  Re-Inspection Fire Certificate of Occupancy With Deficiencies at 175  
                              LEXINGTON PARKWAY NORTH.  
                              **Adopted**

- 53     **RLH AR**            Amending the assessment for Collection of Vacant Building Services  
12-65                    from October, 2010 to delete the assessment at 1104 MAGNOLIA  
                              AVENUE EAST. (File No. VB1103, Assessment No. 118004)  
                              **Adopted**
- 54     **RLH TA**            Ratifying the Appealed Special Tax Assessment for Real Estate  
12-160                    Project No. J1204E, Assessment No. 128303 at 359 MARIA AVENUE.  
                              **Adopted**
- 55     **RLH FCO**            Appeal of Waymon O. Lolar to a Fire Certificate of Occupancy  
12-177                    Inspection Correction Notice at 593 MARSHALL AVENUE.  
                              **Adopted**
- 56     **RLH FOW**            Appeal of Terry Korbelt to a Fire Certificate of Occupancy Inspection  
12-101                    Correction Notice at 875 MARYLAND AVENUE EAST.  
                              **Adopted**
- 57     **RLH FOW**            Appeal of John Carrier to a Fire Certificate of Occupancy Approval  
12-105                    With Corrections at 1663 and 1665 MCAFEE STREET.  
                              **Adopted**
- 58     **RLH TA**            Amending the assessment for Tree Removal Services in October 2010  
12-235                    to delete the assessment at 1101 MCKNIGHT ROAD SOUTH. (File  
                              No. 1103T, Assessment Number 119090)  
                              **Adopted**
- 59     **RLH FCO**            Appeal of Joe Taylor to a Fire Certificate of Occupancy Inspection  
12-194                    Correction Notice at 1000 MCLEAN AVENUE.  
                              **Adopted**
- 62     **RLH FOW**            Appeal of R. David Reynolds to a Fire Certificate of Occupancy  
12-102                    Inspection Correction Notice at 921 MOUND STREET.  
                              **Adopted**
- 60     **RLH FOW**            Appeal of Terry Heim to a Fire Certificate of Occupancy Inspection  
12-100                    Correction Notice at 1374 MCLEAN AVENUE.  
                              **Adopted**
- 65     **RLH FCO**            Appeal of Sean Maynard to a Fire Certificate of Occupancy Inspection  
12-190                    Correction Notice at 279 PASCAL STREET SOUTH.  
                              **Adopted**

- 66     **RLH CO 12-8** Appeal of Andy Hybben to a Correction Notice at 1405 PAYNE AVENUE.  
**Adopted**
- 67     **RLH CO 12-9** Appeal of Thao Zin OO and Tin Tin Hlaing to a Correction Notice at 621 REANEY AVENUE.  
**Adopted**
- 69     **RLH TA 12-151** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1205, Assessment No. 128204 at 891 ROSE AVENUE EAST.  
**Adopted**
- 70     **RLH FCO 12-174** Appeal of Vang N. Yang to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1221 and 1223 ROSS AVENUE.  
**Adopted**
- 71     **RLH VO 12-19** Appeal of Michael Chaney to a Condemnation and Order to Vacate 1649 ROSS AVENUE.  
**Adopted**
- 72     **RLH FCO 12-164** Appeal of Bee Her to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1700 ROSS AVENUE.  
**Adopted**
- 73     **RLH TA 12-148** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204E, Assessment No. 128303 at 1237 SELBY AVENUE.  
**Adopted**
- 74     **RLH TA 12-145** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204E, Assessment No. 128303 at 746 SEVENTH STREET EAST.  
**Adopted**
- 75     **RLH FCO 12-176** Appeal of Robin Chuhel to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1239 SEVENTH STREET EAST.  
**Adopted**
- 76     **RLH FCO 12-178** Appeal of Pavel Zakharov to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1624 SEVENTH STREET EAST.  
**Adopted**

- 77     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
**12-170**               Project No. J1205B, Assessment No. 128104 at 774 SHERBURNE  
                              **Adopted**  
                              AVENUE.
- 78     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
**12-144**               Project No. J1204E, Assessment No. 128303 at 1041 SIXTH STREET  
                              **Adopted**  
                              EAST.
- 79     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
**12-179**               Project No. J1204E, Assessment No.128303 at 1101 SIXTH STREET  
                              **Adopted**  
                              EAST.
- 80     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
**12-177**               Project No. J1203E1, Assessment No.128306 at 1101 SIXTH  
                              **Adopted**  
                              STREET EAST.
- 81     **RLH WP**           Appeal of Daniel Schmidt, Ramsey County Public Health, to an Egress  
**12-26**               Window Non-Compliance Determination at 1108 SIXTH STREET  
                              **Adopted**  
                              EAST.
- 82     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
**12-149**               Project No. J1204E, Assessment No. 128303 at 1602 SIXTH STREET  
                              **Adopted**  
                              EAST.
- 83     **RLH FOW**          Appeal of Tony Swanson, Public Housing Agency of St. Paul, to a Fire  
**12-108**               Certificate of Occupancy Inspection Correction Notice at 1184  
                              **Adopted**  
                              SUPORNICK LANE.
- 84     **RLH TA**           Ratifying the Appealed Special Tax Assessment for Real Estate  
**12-156**               Project No. CRT1205, Assessment No. 128204 at 1384 SYLVAN  
                              **Adopted**  
                              STREET.

- 85     **RLH AR**           Amending the assessment for Graffiti Removal on Private Property  
12-66                   from August 2 to August 20, 2010 to delete the assessment at 1639  
UNIVERSITY AVENUE WEST. (RE Project #J1103P, Assessment  
#118971).  
**Adopted**
- 86     **RLH FOW**          Appeal of Thomas J. Schrauth to a Fire Certificate of Occupancy  
12-109                 Inspection Correction Notice at 228 VICTORIA STREET NORTH.  
**Adopted**
- 87     **RLH TA**            Ratifying the Appealed Special Tax Assessment for Real Estate  
12-154                 Project No. CRT1205, Assessment No. 128204 at 611 VIRGINIA  
STREET.  
**Adopted**
- 88     **RLH FOW**          Appeal of Blue Dot Construction, on behalf of Central Bank, to a  
12-103                 Revocation of Fire Certificate of Occupancy and Order to Vacate at  
1396 WHITE BEAR AVENUE NORTH (appealing windows only).  
**Adopted**
- 89     **RLH FCO**          Appeal of Bev Morgenstern to a Fire Certificate of Occupancy  
12-173                 Inspection Correction Notice at 973 WILSON AVENUE.  
**Adopted**
- 91     **RLH AR**            Ratifying the assessments for Collection of Certificate of Occupancy  
12-19                 Fees Services from December 2011. (File No. CRT1205, Assessment  
No. 128204)  
**Adopted**
- 92     **RLH AR**            Ratifying the assessments for Demolition Services from September  
12-20                 2011 (Non-CDBG Funds). (File No. J1208C, Assessment No.  
122002)  
**Adopted**
- 93     **RLH AR**            Ratifying the assessments for Excessive Use of Inspection Services  
12-22                 from October 28 to December 9, 2011. (File No. J1204E, Assessment  
No. 128303)  
**Adopted as amended**
- 94     **RLH AR**            Ratifying the assessments for Tree Removal Services from January  
12-23                 2012. (File No. 1206T, Assessment No. 129005)  
**Adopted**



- 95 RLH AR** Ratifying the assessments for Boarding and/or Securing Services in  
**12-57** December 2011. (File No. J1205B, Assessment No. 128104)  
**Adopted**

#### **ADJOURNMENT**

*Councilmember Thune moved to adjourn the meeting at 7:31 p.m.*

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

**Nay:** 0

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