



# City of Saint Paul

City Hall and Court House  
15 West Kellogg Boulevard  
Council Chambers - 3rd  
Floor  
651-266-8560

## 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*

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Wednesday, August 2, 2017

3:30 PM

Council Chambers - 3rd Floor

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### Budget Amendment Public Hearings at 3:30 p.m. Public Hearings at 5:30 p.m.

#### ROLL CALL

*The meeting was called to order by Council President Stark at 3:32 p.m.*

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

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 17-54](#) Establishing one account code for D6 Garden and Bike Racks via RES17-930, adopted on June 14, 2017, and returning funds to the Year-Round STAR Program from two closed Year-Round STAR projects.  
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 - 14)

*Councilmember Prince moved approval of the Consent Agenda.*

#### Consent Agenda adopted

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 2     [RES 17-1110](#)     Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during March 15 to April 12, 2017, and setting date of Legislative Hearing for September 5, 2017 and City Council public hearing for October 4, 2017 to consider and levy the assessments against individual properties. (File No. VB1714, Assessment No. 178820)  
**Adopted**
- 3     [RES 17-1111](#)     Approving the City's cost of providing Collection of Vacant Building Registration Fee billed September 28, 2016 at 1372 Victoria Street North, and setting date of Legislative Hearing for September 5, 2017 and City Council public hearing for October 4, 2017 to consider and levy the assessments. (File No. VB1715, Assessment No. 178823)  
**Adopted**
- 4     [RES 17-1112](#)     Approving the City's cost of providing Property Clean Up services during May 1 to 30, 2017, and setting date of Legislative Hearing for September 5, 2017 and City Council public hearing for October 4, 2017 to consider and levy the assessments against individual properties. (File No. J1715A, Assessment No. 178528)  
**Adopted**
- 5     [RES 17-1113](#)     Approving the City's cost of providing Trash Hauling services during May 2 to 31, 2017, and setting date of Legislative Hearing for September 5, 2017 and City Council public hearing for October 4, 2017 to consider and levy the assessments against individual properties. (File No. J1711G, Assessment No. 178713)  
**Adopted**
- 6     [RES 17-1115](#)     Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during February 22 to April 21, 2017, and setting date of Legislative Hearing for September 5, 2017 and City Council public hearing for October 4, 2017 to consider and levy the assessments against individual properties. (File No. J1711E, Assessment No. 178314)  
**Adopted**
- 7     [RES 17-1116](#)     Approving the City's cost of providing Boarding and/or Securing services during May 2017, and setting date of Legislative Hearing for September 5, 2017 and City Council public hearing for October 4, 2017 to consider and levy the assessments against individual properties. (File No. J1712B, Assessment No. 178114)  
**Adopted**

- 8     [RES 17-1163](#)     Authorizing execution of license agreements with Concordia University-Saint Paul and Higher Ground Academy for their use of city-owned property north of Marshall Avenue between Pascal Street and Hamline Avenue.  
**Adopted**
- 9     [RES 17-1033](#)     Establishing the rate of pay for the new classification of Data Release Technician in Grade 025, of Employee Group 02, AFSCME Technical.  
**Adopted**
- 10    [RES 17-1151](#)     Authorizing the Department of Parks and Recreation to apply for \$175,000 through the Metropolitan Council's new Green Infrastructure Pilot Grant program to construct a green roof at the new Scheffer Community Center.  
**Adopted**
- 11    [RES 17-1095](#)     Accepting the gift of a Phillips Heart Start Automated External Defibrillator ("AED") for use by the Department of Parks and Recreation at the Wilder Recreation Center.  
**Adopted**
- 12    [RES 17-1164](#)     Memorializing City Council action denying an application to rezone property located at 246-268 Snelling Avenue South from B2 Community Business to T3 Traditional Neighborhood.  
**Adopted**
- 13    [RES 17-1121](#)     Approving the Release of Easement imposed upon private property in the city of Fridley.  
**Adopted**
- 14    [RES 17-1168](#)     Accepting the gift of the costs of conference registration fees from Microsoft, for CIO Tarek Tomes to attend the Microsoft Ignite conference in Orlando, Florida, September 25 - 29, 2017.  
**Adopted**

**FOR DISCUSSION**

- 15    [RES 17-877](#)     Approving the joint powers agreement between the City and the cities of West St. Paul and Mendota Heights regarding the Erosion Stabilization of Cherokee Heights Upper Ravine. (Laid over from July 12)  
*Councilmember Noecker moved approval.*  
**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 16     [RES 17-1089](#)     Authorizing the Department of Parks and Recreation Great River Passage Initiative to submit a Grant application to the Saint Paul Foundation for multi-year support in the amount of \$120,000 (year 1 \$60,000, year 2 \$40,000, year 3 \$20,000) for creating the Great River Passage Conservancy, and if approved, accept the grant, and enter into agreements with the Saint Paul Foundation as are necessary to accept the funding.

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 17     [RES 17-1091](#)     Authorizing the Department of Parks and Recreation Great River Passage Initiative to submit a Grant application to the F.R. Bigelow Foundation for multi-year support in the amount of \$120,000 (year 1 \$60,000, year 2 \$40,000, year 3 \$20,000) for creating the Great River Passage Conservancy, and if approved, accept the grant, and enter into agreements with the F.R. Bigelow Foundation as are necessary to accept the funding.

*Councilmember Noecker moved approval.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember 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**

- 18     [Ord 17-30](#)     Granting the application of R2C LLC to rezone property at 1051 Arkwright Street from B2 Community Business to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Laid over to August 9 for second reading

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

- 19     [RES PH 17-200](#)     Amending the financing and spending plans in the Fire Department for the Minnesota Task Force One team reimbursement from the City of Edina in the amount of \$91,854.97.

*No one was present to testify. Councilmember Brendmoen moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 20     [RES PH 17-201](#)     Amending the financing and spending plans in the Fire Department in the amount of \$2,717.46 for a contribution received from the Minnesota Board of Firefighter Training and Education (MBFTE) for a training exercise for the Fire Department.

*No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 21     [RES PH 17-209](#)     Authorizing an increase in the Parks and Recreation Grant Fund Budgets in the amount of \$2,646,000 to reflect the multi-year Legacy Grant received from the State of Minnesota for arts and cultural heritage at the Como Park Zoo and Conservatory.

*No one was present to testify. Council President Stark moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 22**     [RES PH 17-178](#)     Amending the financing and spending plan in the Department of Parks and Recreation, in the amount of \$75,000, to develop and install Takraw Courts at Duluth and Case and Marydale Parks.

*No one was present to testify. Councilmember Bostrom moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 23**     [RES PH 17-182](#)     Amending the 2017 budget in the Department of Public Works General Fund Parking Meters Maintenance accounting unit to fund the implementation of metered parking on Chestnut Street between Smith Avenue North and Thompson Street and on Cedar Street between East 4th Street and East 5th Street.

*No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 24**     [RES PH 17-184](#)     Amending the financing and spending plans in the Department of Public Works in the amount of \$2,716,388 in additional revenues to the Phalen Boulevard at Olive Street Traffic Signal Project and the Jackson Street - 11th to University Project.

*No one was present to testify. Councilmember Bostrom moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 25     [RES PH 17-173](#)     Amending the financing and spending plans in the Saint Paul Regional Water Services by decreasing \$985,000 to the 2017 Adopted Budget, resulting in an amended budget of \$65,813,861 for the change in assumptions for the water service base fee and right of way recovery fee for quarterly accounts designated as Single Family with a 1" service connection, and other changes in financing and spending.

*No one was present to testify. Councilmember Brendmoen moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

*Council members shared good news from their wards.*

*The Council recessed at 3:41 p.m.*

**PUBLIC HEARINGS (Public Hearings will begin at 5:30 p.m.)**

*The Council reconvened for Public Hearings at 5:32 p.m.*

- Present** 5 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince
- Absent** 2 - Councilmember Dan Bostrom and Councilmember Chris Tolbert

*Council President Stark welcomed everyone and explained the procedure for public testimony.*

**Councilmember Bostrom arrived after roll call.**

- Present** 6 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince
- Absent** 1 - Councilmember Chris Tolbert

**26**    [Ord 17-16](#)

Opting out of the requirements of Minn. Stat. § 462.3593 by reenacting reserved Legislative Code Chapter 14A for the purpose of complying with Minn. Stat. § 462.3593, Subd. 9 regarding temporary family health care dwellings.

*No one was present to testify. Council President Stark moved to close the public hearing.*

**Public hearing held and closed; laid over to August 9 for final adoption**

- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Tolbert

**Councilmember Tolbert joined the meeting.**

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



- 27     [Ord 17-23](#)             Granting the application of 495 Kenny Road LLC to rezone property at 495 Kenny Road from I1 Light Industrial to IT Transitional Industrial, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

*No one was present to testify. Councilmember Brendmoen moved to close the public hearing.*

**Public hearing held and closed; laid over to August 9 for final adoption**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 28     [Ord 17-26](#)             Granting the application of IAF Beacon I LLC to rezone a portion of 777 Forest Street North from I1 Light Industrial to I2 General Industrial, to become part of the railroad ROW, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

*No one was present to testify. Councilmember Bostrom moved to close the public hearing.*

**Public hearing held and closed; laid over to August 9 for final adoption**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 29     [Ord 17-24](#)             Amending Chapter 329.02 of the Saint Paul Legislative Code pertaining to False Alarm Fee Increases.

*No one was present to testify. Councilmember Prince moved to close the public hearing and approve the ordinance as amended.*

**Adopted as amended (amended July 26)**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 30**     [Ord 17-25](#)     Amending Chapter 310.18 of the Saint Paul Legislative Code pertaining to the Alarm Permit License Fee.
- Councilmember Thao said Item 29 was a generous compromise but he would be voting against this. He said they should try to keep it as low as possible to allow homeowners to acquire a security license. He acknowledged the work of his colleagues.*
- No one was present to testify. Councilmember Prince moved to close the public hearing and approve the ordinance as amended.*
- Adopted as amended (amended July 26)**
- Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 2 - Councilmember Bostrom and Councilmember Thao
- 31**     [AHPC 17-1](#)     Public hearing to consider the appeal of property owners, Exeter Building Group LLC (Thomas Nelson), to a decision by the Heritage Preservation Commission denying the application for new storefronts at 2400 University Avenue West in the University-Raymond Commercial Heritage Preservation District.
- Withdrawn**
- 32**     [ABZA 17-12](#)     Public hearing to consider the appeal of Holiday Station Stores to a decision of Board of Zoning Appeals (BZA) denying two sign variances for a new Holiday Station Store at 1770 Old Hudson Road.
- Withdrawn**
- 33**     [RES PH 17-199](#)     Approving the Safe Routes to School policy plan.
- Fay Simer, Public Works, gave a staff report and answered Council members' questions.*
- No one was present to testify.*
- Council President Stark made brief comments. He moved to close the public hearing and approve the resolution.*
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0

- 34**     [RES PH 17-205](#)     Approving the application of Erin Cooper, Irish Fair of Minnesota, for a sound level variance in order to provide amplified music and the use of a sound system on Thursday, August 10; Friday, August 11; Saturday, August 12; and Sunday, August 13, 2017 during the Irish Fair of MN at Harriet Island.

*No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 35**     [RES PH 17-207](#)     Approving the application of Kala Vandanam for a sound level variance in order to present amplified live music for a dance performance on Saturday, August 12, 2017 during Ritu - The Seasons at Mears Park.

*Suchi Sairam (471 Sibley Street) spoke in support.*

*Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 36**     [RES PH 17-160](#)     Ratifying the assessment for sidewalk improvements along the east side of Chatsworth Street North from Como Avenue to Como Boulevard West. (File No. S1504, Assessment No. 155304)

*No one was present to testify. Councilmember Brendmoen moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 37     [RES PH 17-211](#)     Reciting a proposal for a Housing Finance Program for a multi-family rental housing development; giving preliminary approval to the project and the program pursuant to Minnesota Statutes, Chapter 462C; authorizing the Housing and Redevelopment Authority to issue conduit multifamily housing revenue bonds; and authorizing the preparation of necessary documents and materials in connection with said project and program, 1500 Thomas Avenue (Thomas Avenue Flats Project) (District 11, Ward 4).

*No one was present to testify. Council President Stark moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 38     [RES PH 17-212](#)     Reciting a proposal for a Housing Finance Program for a multi-family rental housing development; giving preliminary approval to the project and the program pursuant to Minnesota Statutes, Chapter 462C; authorizing the Housing and Redevelopment Authority to Issue Conduit Multifamily Housing Revenue Bonds; and authorizing the preparation of necessary documents and materials in connection with said project and program, 234 and 238 Bates Avenue (Euclid View Flats Project) (District 4, Ward 7).

*No one was present to testify. Councilmember Prince moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**LEGISLATIVE HEARING ITEMS FOR DISCUSSION**

- 54     [RLH VO 17-23](#)     Appeal of Richard Gruber to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 671 HAWTHORNE AVENUE EAST. (Public hearing continued from August 2)

*Legislative Hearing Officer Marcia Moermond asked that the Council refer the matter back to Legislative Hearing on August 8 for further discussion.*

*No one was present to testify. Councilmember Bostrom moved to refer the matter to Legislative Hearing on August 8.*

**Referred to Legislative Hearings on August 8**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**61**     [RLH SAO 17-66](#)     Appeal of Guy Chase to a Notice for Tall Grass and Weeds at 1037 LOMBARD AVENUE.

*Legislative Hearing Officer Marcia Moermond gave a staff report on the assessment for a property clean-up. She showed a photograph, and said the property owner argued in was a daisy patch and not lawn. She recommended denying the appeal with an effective date of August 4.*

*In opposition:*

*Property owner Guy B. Chase, Sr. said he had three things to say to the Council: The daisy field was gone, he wanted to apologize for even having appealed, and he found it disturbing that someone had "basically ratted him out" and there was no way for him to deal with it since the person hadn't addressed it with him directly.*

*Following comments by Council members about the complaint and inspection process, Councilmember Noecker moved to close the public hearing and adopt Ms. Moermond's recommendation.*

**Adopted (appeal denied)**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 66 [RLH VO 17-20](#) Appeal of Elsie Mayard to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 755 MINNEHAHA AVENUE WEST, UNIT #1. (Public hearing continued from August 2)

*Legislative Hearing Officer Marcia Moermond gave a staff report on the condemnation of Unit 1 of the duplex due the electricity having been cut off at the pole. She said Unit 2 had electricity and a waring refrigerator and hard-wired smoke detector and was safe to live in. She recommended denying the appeal since Unit 1 was not a livable unit.*

*Councilmember Thao noted that a request had been received from the property owner's attorney to lay the matter over to August 16. Ms. Moermond said they had received that request from the attorney, but the property owner was present. She said the attorney had indicated he was new to the case and wanted time to familiarize himself with the situation. Council President Stark asked whether the unit was occupied. Ms. Moermond said Ms. Mayard lived in Unit 2 and was the only resident of the property. She noted that Ms. Mayard owned and had access to the entire property.*

*In opposition:*

*Property owner Elsie Mayard said she was present to pick up the agenda and nothing else, and what Ms. Moermond said was not true. She said this was her house and she homesteaded and lived there, and now had two lawyers involved.*

*Councilmember Thao said this was not a new issue but he would give the attorney the benefit of the doubt and to continue the public hearing until August 16. He told Ms. Mayard that this was not about the Legislative Hearing Officer but about City code, and a decision needed to be made on the 16th.*

*Council President Stark said he wasn't comfortable with that unless there was assurance that no one would be living in the unit. Ms. Mayard said she was confused about what was meant by "unit." She said her house was homesteaded, and was one house with an up and a down. She said this was the ongoing dispute and was why she had an attorney. Council President Stark asked whether anyone else lived there. Ms. Mayard said it was her house and she lived there. She said she had family there. Council President Stark asked whether there was family living in the part with no electricity. Ms. Mayard said she would let her lawyer answer that. She said there was one electric meter and it was on. She reiterated that it was her house and they couldn't tell her which rooms she could go in.*

*Councilmember Brendmoen said she wouldn't support this wither. She said it was rare they saw a condemnation as unfit for human habitation, and this wasn't a new issue. She said she thought it was time to call it.*

*Councilmember Tolbert asked for clarification of Ms. Moermond's recommendation and Councilmember Thao's motion. Council President Stark said the recommendation was to deny the appeal on the condemnation of Unit 1, and Councilmember Thao's motion was to lay the matter over for two weeks. Ms. Moermond said that Xcel considered the property to be a duplex, and had deliberately cut the electricity to one unit. She said Ms. Mayard perceived her duplex to be a single-family home, but the building was defined as a duplex.*

*Councilmember Thao asked whether the City had worked with Ms. Mayard to convert the property back to one unit. Ms. Moermond said that had not been requested. Councilmember Thao said a solution might be to help her turn it back to one unit if*

*that's what she wanted. Ms. Moermond said the issue was a dispute with Xcel over \$13,000, and the whole house might get turned off in that case.*

*Council President Stark called for a vote on the motion to lay the matter over.*

**Public hearing continued to August 16**

**Yea:** 4 - Councilmember Bostrom, Councilmember Thao, Councilmember Noecker and Councilmember Prince

**Nay:** 3 - Councilmember Brendmoen, Councilmember Tolbert and Councilmember Stark

**67**     [RLH SAO 17-61](#)     Appeal of Nancy Watkins to a Summary Abatement Order at 1171 MINNEHAHA AVENUE WEST.

*Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of a summary abatement order to remove a shed and its contents from a vacant lot. She said the appellant had obtained a permit from Urban Agriculture prior to the Legislative Hearing but it had been rescinded. She displayed an aerial photo and discussed the position of the shed. She recommended ordering the shed removed by August 15, and said a new shed could be erected.*

*Council President Stark made brief comments. He said the issue had been brewing for a long time, and options had been explored including urban agriculture and combining the properties.*

*Scott Van Wert (1985 Marshall Avenue) appeared on behalf of his mother, Nancy Watkins (property owner). He said the shed had been there for 60 years and had remained after the house had been torn down. He said it was in good condition and maintained. He asked for additional time to establish a garden, and said he had spoken to Jerome Benner in zoning.*

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

*Council President Stark said there had been a it of opportunities for this to be resolved and the recommended deadline was reasonable. He said if significant progress was made it might be possible to bring the matter back for an extension.*

**Adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember 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 (Items 39 - 82)**

*No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.*

**Legislative Hearing Consent Agenda adopted**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

- 39**    [RLH TA 17-276](#)    Deleting the Appealed Special Tax Assessment for Property at 438-442 BEACON AVENUE. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 40**    [RLH TA 17-299](#)    Ratifying the Appealed Special Tax Assessment for Property at 219 BELVIDERE STREET EAST. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 41**    [RLH CO 17-21](#)    Appeal of Christopher D. Carter to a Correction Notice at 1183 BRADLEY STREET. (Legislative Hearing to be held August 1)  
**Adopted as amended (extension granted)**
- 42**    [RLH TA 17-267](#)    Deleting the Appealed Special Tax Assessment for Property at 1560 CANFIELD AVENUE. (File No. VB1712, Assessment No. 178816)  
**Adopted**
- 43**    [RLH TA 17-163](#)    Ratifying the Appealed Special Tax Assessment for Property at 598 CASE AVENUE. (File No. J1711A, Assessment No. 178514; amended to File No. J1711A1, Assessment No. 178529 and to delete the assessment) (Public hearing continued from June 21 and August 2)  
**Council public hearing continued to October 18**
- 44**    [RLH TA 17-285](#)    Ratifying the Appealed Special Tax Assessment for Property at 294 CHARLES AVENUE. (File No. J1710B, Assessment No. 178312) (Amended to File No. J1710B1, Assessment No. 178115 and to delete the assessment)  
**Referred to Legislative Hearings on August 15; Council public hearing continued to September 6**



- 45     [RLH VO 17-24](#)     Appeal of Gerald Kaluzny, Southern Minnesota Regional Legal Services, on behalf of Laverne Cross, to a posted Revocation Notice dated July 11, 2017 at 483 COMO AVENUE.  
**Adopted**
- 46     [RLH TA 17-273](#)     Ratifying the Appealed Special Tax Assessment for Property at 689 CONWAY STREET. (File No. VB1712, Assessment No. 178816; amended to File No. VB1712B, Assessment No. 178825)  
**Council public hearing continued to December 20**
- 47     [RLH TA 17-305](#)     Amending Council File RLH AR 17-36 to delete the assessment for Graffiti Removal services during January 17 to February 3, 2017 for 461 DALE STREET NORTH (aka 626 UNIVERSITY AVENUE WEST). (File No. J1707P, Assessment No. 178406)  
**Adopted**
- 48     [RLH TA 17-318](#)     Amending Council File RLH AR 17-45 to delete the assessment for Collection of Vacant Building Registration Fees billed during January 11 to 20, 2017 at 797 DULUTH STREET. (File No. VB1711, Assessment No. 178814)  
**Adopted**
- 49     [RLH VBR 17-50](#)     Appeal of Cornelius E. Brown and Gail Koslowski to a Vacant Building Registration Notice, Notice of Condemnation-Unfit for Human Habitation-Order to Vacate, and Summary Abatement Order at 1692 EDMUND AVENUE and 1694 EDMUND AVENUE.  
**Adopted**
- 50     [RLH SAO 17-65](#)     Making finding on the appealed nuisance abatement ordered for 25 ELIZABETH STREET EAST in Council File RLH SAO 17-56. (Public hearing continued from April 11)  
**Referred to Legislative Hearings on September 5; Council public hearing continued to September 6**
- 51     [RLH TA 17-288](#)     Ratifying the Appealed Special Tax Assessment for Property at 925 FIFTH STREET EAST. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 52     [RLH FCO 17-106](#)     Appeal of Bill Wengler to a Correction Notice - Complaint Inspection at 833 GRAND AVENUE.  
**Adopted as amended (extension granted)**

- 53     [RLH VBR 17-49](#)     Appeal of Catherine Carpenter to a Vacant Building Registration Notice at 1289 HARTFORD AVENUE.  
**Adopted**
- 55     [RLH TA 17-282](#)     Ratifying the Appealed Special Tax Assessment for Property at 787 HOWELL STREET NORTH. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 56     [RLH RR 17-27](#)     Ordering the razing and removal of the structures at 899 HYACINTH AVENUE EAST within fifteen (15) days after the August 2, 2017, City Council Public Hearing.  
**Adopted**
- 57     [RLH VBR 17-53](#)     Appeal of Yia Thao, on behalf of Chongkue Yang, to a Vacant Building Registration Notice at 1661 IDAHO AVENUE EAST.  
**Adopted**
- 58     [RLH CO 17-22](#)     Appeal of Prentiss Hamilton to a Correction Order at 686 IGLEHART AVENUE.  
**Adopted**
- 59     [RLH TA 17-272](#)     Deleting the Appealed Special Tax Assessment for Property at 678 JESSAMINE AVENUE EAST. (File No. VB1712, Assessment No. 178816)  
**Adopted**
- 60     [RLH TA 17-278](#)     Ratifying the Appealed Special Tax Assessment for Property at 2041 LAUREL AVENUE. (File No. CRT1710, Assessment No. 178210) (To be amended September 6)  
**Referred to Legislative Hearings on August 15; Council public hearing continued to September 6**
- 62     [RLH TA 17-275](#)     Deleting the Appealed Special Tax Assessment for Property at 905 MARION STREET. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 63     [RLH VO 17-25](#)     Appeal of Jay Garcia to a Condemnation as Unfit for Human Habitation and Order to Vacate at 1577 MCAFEE STREET.  
**Adopted**

- 64 [RLH TA 17-284](#) Ratifying the Appealed Special Tax Assessment for Property at 544 MINNEHAHA AVENUE WEST. (File No. J1710B, Assessment No. 178112)  
**Adopted**
- 65 [RLH RR 17-13](#) Ordering the rehabilitation or razing and removal of the structures at 666 MINNEHAHA AVENUE WEST within fifteen (15) days after the August 2, 2017 City Council Public Hearing. (Amend to remove or repair within 180 days)  
**Adopted as amended (180 days to remove or repair)**
- 68 [RLH TA 17-286](#) Ratifying the Appealed Special Tax Assessment for Property at 1657 MINNEHAHA AVENUE EAST. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 69 [RLH VO 17-18](#) Appeal of Allen Kremer to a Fire Certificate of Occupancy Revocation and Order to Vacate at 126 NINTH STREET EAST.  
**Adopted as amended (Fire Certificate of Occupancy reinstated)**
- 70 [RLH VBR 17-51](#) Appeal of Mark Axtell to a Vacant Building Registration Notice at 751 OAKDALE AVENUE.  
**Adopted**
- 71 [RLH TA 17-274](#) Ratifying the Appealed Special Tax Assessment for Property at 1289 OSCEOLA AVENUE. (File No. VB1712, Assessment No. 178816)  
**Adopted**
- 72 [RLH FCO 17-114](#) Appeal of Carol Weiland to a Provisional CO Fee 2017 invoice from the Department of Safety & Inspections at 1655 RACE STREET.  
**Adopted**
- 73 [RLH RR 17-28](#) Ordering the rehabilitation or razing and removal of the structures at 2096 REANEY AVENUE within fifteen (15) days after the August 2, 2017, City Council Public Hearing. (Amend to grant 45 days)  
**Referred to Legislative Hearings on September 19**
- 74 [RLH TA 17-283](#) Ratifying the Appealed Special Tax Assessment for Property at 1850 SEVENTH STREET EAST. (File No. VB1712, Assessment No. 178312) (Amended to delete the assessment)  
**Adopted as amended (assessment deleted)**

- 75     [RLH SAO 17-63](#)     Appeal of Christian Greene to a Summary Abatement Order at 1608 SHERBURNE AVENUE.  
**Adopted**
- 76     [RLH TA 17-290](#)     Deleting the Appealed Special Tax Assessment for Property at 771 UNIVERSITY AVENUE WEST. (File No. J1710B, Assessment No. 178112)  
**Adopted**
- 77     [RLH TA 17-320](#)     Ratifying the Appealed Special Tax Assessment for Property at 1675 WATSON AVENUE. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 78     [RLH TA 17-319](#)     Amending Council File RLH AR 17-42 to reduce the assessment for Collection of Fire Certificate of Occupancy Fees billed during December 12, 2016 to January 10, 2017 at 475 WEBSTER STREET (595 RANDOLPH AVENUE). (File No. CRT1709, Assessment No. 178208)  
**Adopted**
- 79     [RLH AR 17-54](#)     Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during January 11 to February 10, 2017. (File No. CRT1710, Assessment No. 178210)  
**Adopted**
- 80     [RLH AR 17-55](#)     Ratifying the assessments for Excessive Use of Inspection/Abatement services billed during January 20 to February 17, 2017. (File No. J1709E, Assessment No. 178312)  
**Adopted**
- 81     [RLH AR 17-56](#)     Ratifying the assessments for Boarding and/or Securing services during March 2017. (File No. J1710B, Assessment No. 178112)  
**Adopted**
- 82     [RLH AR 17-57](#)     Ratifying the assessments for Collection of Vacant Building Registration Fees billed during November 10, 2016 to February 27, 2017. (File No. VB1712, Assessment No. 178816)  
**Adopted**

**ADJOURNMENT**

*Councilmember Brendmoen moved adjournment.*

**Meeting adjourned at 6:37 p.m.**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, Councilmember Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

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