



# City of Saint Paul

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

## City Council Meeting Minutes - Final

*Council President Kathy Lantry  
Councilmember Dan Bostrom  
Councilmember Amy Brendmoen  
Councilmember Russ Stark  
Councilmember Dai Thao  
Councilmember Dave Thune  
Councilmember Chris Tolbert*

Wednesday, May 7, 2014

3:30 PM

Council Chambers - 3rd Floor

### ROLL CALL

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

**Present** 6 - Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark, Councilmember Dai Thao, Councilmember Dave Thune and Councilmember Chris Tolbert

**Absent** 1 - Councilmember Dan Bostrom

### COMMUNICATIONS & RECEIVE/FILE

- 1    **CO 14-16**            Letter from the Department of Safety and Inspections declaring 391 View Street a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)  
**Received and Filed**
  
- 2    **AO 14-16**            Moving Neighborhood STAR Program funds into two (2) project specific account codes.  
**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 3 - 20)

*Item 4 was removed from the Consent Agenda for separate consideration.  
Councilmember Tolbert moved approval of the Consent Agenda as amended.*

#### **Consent Agenda adopted as amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 3 Min 14-16** Approving the minutes of the March 5, 12, 19, and 26, 2014 City Council meetings.

**Adopted**

- 4 RES 14-794** Approving the use of grant funds through the Neighborhood STAR Year-Round Program for a Horace Mann Elementary School Playground Project.

*Councilmember Tolbert recognized the work of the Horace Mann PTA, and he moved approval of the resolution. A representative of the PTA described the project.*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 5 RES 14-613** Approving the City's cost of providing Collection of Vacant Building Fees billed June 19, 2013 to January 16, 2014, and setting date of Legislative Hearing for June 3, 2014 and City Council Public Hearing for July 23, 2014 to consider and levy the assessments against individual properties. (File No. VB1409, Assessment No. 148813)

**Adopted**

- 6 RES 14-615** Approving the City's cost of providing Property Clean Up services from February 24 to March 28, 2014, and setting date of Legislative Hearing for June 3, 2014 and City Council Public Hearing for July 23, 2014 to consider and levy the assessments against individual properties. (File No. J1409A, Assessment No. 148526)

**Adopted**

- 7      **RES 14-617**      Approving the City's cost of providing Trash Hauling services from March 4 to 26, 2014, and setting date of Legislative Hearing for June 3, 2014 and City Council Public Hearing for July 23, 2014 to consider and levy the assessments against individual properties. (File No. J1409G, Assessment No. 148708)  
**Adopted**
- 8      **RES 14-619**      Approving the City's cost of providing Tree Removal services during March 2014, and setting date of Legislative Hearing for June 3, 2014 and City Council Public Hearing for July 23, 2014 to consider and levy the assessments against individual properties. (File No. 1407T, Assessment No. 149007)  
**Adopted**
- 9      **RES 14-749**      Acknowledging a public purpose for the Annual City Employee Cookout and granting permission to the City Employee Cookout Committee to spend city funds and solicit for and accept donations on behalf of the City to defray the costs of the cookout to be held on Tuesday, August 19, 2014.  
**Adopted**
- 10     **RES 14-784**      Approving the Labor Agreement (January 1, 2013 - December 31, 2015) between the City of Saint Paul and The Saint Paul Fire Supervisory Association, International Association of Firefighters, Local 3939.  
**Laid over to May 14 for adoption**
- 11     **RES 14-777**      Authorizing the Department of Parks and Recreation to enter into a Development Agreement, which includes an indemnification clause, with Public Art Saint Paul to provide a temporary public art installation at the Pedro Park site.  
**Adopted**
- 12     **RES 14-759**      Providing indemnification for the Chief Manager of Penfield Apartments, LLC.  
**Adopted**
- 13     **RES 14-772**      Authorizing the Police Department to enter into an amendment to the Joint Powers Agreement with the Metropolitan Transit Police for dual authority.  
**Adopted**

- 14     **RES 14-773**           Authorizing the Police Department to enter into a Joint Powers Agreement with the City of Minneapolis to provide police services during the 2014 Major League Baseball All Star Game.  
**Adopted**
- 15     **RES 14-774**           Authorizing the Police Department to enter into a Mutual Aid Agreement with Ramsey County, Saint Anthony Village, the Cities of North Saint Paul, Mounds View, White Bear Lake, Roseville, Maplewood and New Brighton.  
**Adopted**
- 16     **RES 14-755**           Authorizing the proper City officials to enter into a Joint Powers Agreement for recycling funding with Ramsey County for term July 1, 2014 through June 30, 2019.  
**Adopted**
- 17     **RES 14-745**           Approving adverse action against the House Sewer Contractor license held by Blackstone Contractors, LLC.  
**Adopted**
- 18     **RES 14-746**           Approving adverse action against the Tree Trimmer & 1 Vehicle and Tree Trimmer - Each Add'l Vehicle licenses held by S & S Tree Horticultural Specialist, Inc.  
**Adopted**
- 19     **RES 14-799**           Waiving the 45-day notice requirement to add Liquor-Outdoor Service Area (Patio), Liquor On Sale - Sunday, Malt Off Sale (Brewery), and Malt On Sale (Brewery Taproom) licenses; and waiving the 30-day notice requirement to add an Entertainment A license, for Urban Growler Brewing Co., LLC, d/b/a Urban Growler Brewing Co. (License ID #20140000679) at 2325 Endicott Street.  
**Adopted**
- 20     **RES 14-765**           Waiving the 45-day notice requirement to add Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk), and Entertainment B licenses for EDevelopment, LLC, d/b/a Schwietz's Saloon (License ID #20120002446) at 956 Payne Avenue.  
**Adopted**

**FOR DISCUSSION**

**Councilmember Bostrom joined the meeting**

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

- 21 RES PH 14-70** Approving adverse action against all licenses held by Mars Enterprizes, LLC, d/b/a Half Time Rec at 1013 Front Avenue. (Public hearing held April 16)
- Geoff Karls, Assistant City Attorney representing the Department of Safety and Inspections (DSI), said the licensee had purchased additional memory for the surveillance system and had asked that the \$500 penalty be stayed for 12 months to help defray that cost. He said that was acceptable to DSI. He said DSI still wanted to amend the license condition language to bring it up to date, and the licensee was fine with that.*
- Councilmember Brendmoen moved approval of the resolution as amended.*
- Adopted as amended (\$500 penalty stayed as long as there are no same or similar violations in 12 months)**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, 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.**

**Second Reading**

- 22 Ord 14-20** Memorializing City Council action granting the application of the City of Saint Paul to rezone property at 1720 Seventh Street East from B1 Local Business to T1 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held April 2, 2014)
- Laid over to May 14 for third reading**

**First Reading**

- 23 Ord 14-19** Memorializing City Council action granting the application of Olin 5 LLC to rezone property at 1809 Old Hudson Road from VP Vehicular Parking to T1 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held April 2, 2014)
- Laid over to May 14 for second reading**

24    **Ord 14-21**            Amending Administrative Code Section 86.06 to exempt district councils from the certificate of compliance fee.

**Laid over to May 14 for second reading**

**Reconsideration**

*Councilmember Bostrom asked that Item 20 be reconsidered. Councilmember Tolbert made the motion. Yeas - 7 Nays - 0*

**RES 14-765**            Waiving the 45-day notice requirement to add Liquor-Outdoor Service Area (Patio), Liquor-Outdoor Service Area (Sidewalk), and Entertainment B licenses for EDevelopment, LLC, d/b/a Schwietz's Saloon (License ID #20120002446) at 956 Payne Avenue.

*Councilmember Bostrom moved to amend the resolution to stipulate that the waiver be conditioned on all license and safety concerns being addressed.*

**Adopted as amended**

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

**Nay:** 0

*Council members shared information about upcoming events in their wards.*

*The Council recessed at 3:45 p.m.*

**PUBLIC HEARINGS**

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

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

25    **RES PH 14-111**        Approving the application of Twin Cities Jazz Festival for a sound level variance in order to present amplified live music from noon until 10:00 p.m. on June 26, 27, and 28, 2014 during the Twin Cities Jazz Festival at Mears Park.

*Ralph Hepola (406 Wacouta Street) spoke in support of the Jazz Festival.*

*Executive Director Steve Heckler described the event, and the measures taken to avoid noise problems. In response to a question from Councilmember Tolbert, he said there were performances in areas other than downtown, including a stage in Highland on June 26.*

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

**Adopted**

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

**Nay:** 0

- 26      **RES PH 14-113**      Approving the application of FILO Productions Inc. for a sound level variance in order to present amplified music and/or announcements from 5:00 p.m. until 8:00 p.m. on Saturday, May 17, 2014 during the Twin Cities Burger Battle at Mears Park.

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

**Adopted**

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

**Nay:** 0

- 27      **RES PH 14-112**      Approving the application of the Metropolitan Council for a sound level variance to allow for a day milling crew and a night paving (overlay) crew for Central Corridor Light Rail related work along University Avenue West from Emerald Street to Rice Street, from May 8, 2014 to May 22, 2014.

*In opposition:*

*Todd Erickson (3314 E. 32nd Street, Minneapolis), University Avenue business owner, asked what the decibel level would be and how it would be monitored. He expressed concerns about damage to buildings from vibrations.*

*Barbara McMonigal, Department of Safety and Inspections, described the Met Council request and said it was difficult to set specific limits because of different types of equipment used. She described the work notification requirements, and said there were no vibration standards.*

*Kevin Ryan, Met Council, said it was a mill and overlay repair project, and the milling was the noisiest and would be done during the day. He said there wasn't much noise and no vibration. In response to a question from Councilmember Stark he said this work differed significantly from earlier heavy construction referred to by Mr. Erickson. In response to a question from Councilmember Thao he said the noise level was similar to that of a truck.*

*Council President Lantry said the City performed mill and overlay work regularly and did not apply for noise variances.*

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

*Councilmember Stark said he had received an email of concern from another constituent, and had consulted Public Works staff about alternatives to working and night. He said it was important for the work to be completed quickly, with the opening coming up in a little over a month, and the noise impacts would be minimal relative to the earlier heavy construction. He moved approval.*

**Adopted**

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

**Nay:** 0

**28 RES PH 14-83**

Ratifying the assessment for reconstruction of a driveway apron at 325 Pelham Boulevard. (File No. 19161, Assessment No. 145301)

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

**Adopted**

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

**Nay:** 0

**29 RES PH 14-85**

Ratifying the assessment to eliminate an obsolete driveway apron at 758 Jessie Street. (File No. S1306, Assessment No. 135306)

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

**Adopted**

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

**Nay:** 0

**30 RES PH 14-84**

Ratifying the assessment for construction of a new sidewalk on York Avenue between Earl Street and Frank Street. (File No. S1304, Assessment No. 135304)

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

**Adopted**

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

**Nay:** 0

**31 RES PH 14-75**

Ratifying the assessment for construction of a sanitary sewer connection at 1154 Winthrop Street South. (File No. 18928A1, Assessment No. 146004)

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

**Adopted**

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

**Nay:** 0

**32 RES PH 14-101**

Amending the 2014 Capital Improvement Budget (CIB) by transferring \$170,000 from the 2014 CIB Hampden Park budget to provide for Dickerman Park Improvements.

*Councilmember Stark moved an amendment clarifying the recommendation of the CIB committee. Yeas - 7 Nays - 0*

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

**Adopted as amended**

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

**Nay:** 0

**33 RES PH 14-114**

Accepting a redevelopment grant from the Minnesota Department of Employment and Economic Development and amending the 2014 budget.

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

**Adopted**

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

**Nay:** 0

**34 RES PH 14-91**

Amending the financing and spending plans in the Department of Public Works by transferring \$600,000 of MSA cost savings from the recently completed Hamline Bridge Project into the proposed reconstruction of the Kellogg Boulevard Bridges at Market Street and St. Peter Street.

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

**Adopted**

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

**Nay:** 0

- 35 RES PH 14-99 Amending the financing and spending plans in the Department of Public Works in the amount of \$1,505,000 to add SPRWS, Sewers, and assessment financing to the budget in conjunction with the 2014 RSVP.

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

**Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**

- 38 RLH VO 14-13 Appeal of Mahad Farah, on behalf of 1014 Armstrong, LLC, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1014 ARMSTRONG AVENUE.

*Legislative Hearing Officer Marcia Moermond gave a staff report on the Category 2 vacant building, which had continued to be occupied by renters in spite of being placarded. She said the renters were given the option to immediately vacate with police or to have a vacate order written. She said the appellant wanted to have the Certificate of Occupancy reinstated rather than continuing in the vacant building program as a Category 2, but she had told the appellant that her strong recommendation to the Council would be that the building remain as a Category 2. She said the vast majority of the issues with the building were carpentry and building-type issues, and she had told the appellant that the Department of Safety and Inspections (DSI) could start with a building-only code compliance inspection. She recommended denying the appeal in all respects.*

*In support:*

*Neighbor David Hammons (1012 Armstrong Avenue) displayed photographs and described trash and refuse in the yard at the appellant's property, bullet holes at the property, code violations, and the close proximity of the property to his own. He said they had dealt with multiple police calls to the property, and gunfire, and he had been working with as many City departments as he could in terms of programs. He asked that the Council uphold the Category 2 status and all accompanying requirements, and that the property be registered as a nuisance dwelling. He expressed frustration that there are no means to shut down bad landlords, no requirements for landlords to be licensed.*

*Council President Lantry confirmed that the appellant was not present.*

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

*Councilmember Thune asked when the property would age into a Category 3. Ms. Moermond said it would move from Category 2 to 3 after 24 months if the corrections were not made. Councilmember Thune asked whether that could be sped up, and Ms. Moermond responded that she would need to check with the City Attorney about other legal measures. In response to further questions from Councilmember Thune, Ms. Moermond said the resolution could be amended to order a full Code Compliance inspection, and a request could be made to have the vacant buildings*

*inspectors check the property weekly.*

*Council President Lantry asked whether the building could be boarded since the owner didn't seem to be interested in an doing a rehab and people were continuing to enter the house. Ms. Moermond said it could be boarded.*

*Councilmember Thune asked Mr. Hammons whether people were squatting at the property. Mr. Hammons said the current trash problems were due to dumping but that hadn't always been the case. He said the garage and house were not secure, and he had observed people walking away from the property when he turned on his porch light.*

*Councilmember Thune said he was hesitant to board the front of a building because it made the whole neighborhood look bad, but he would like the building to be secured. Ms. Moermond said she would check on more aesthetically pleasing ways to secure the building. She said she would have vacant buildings inspect and write orders on a weekly basis, and they would be going out the following day to address existing issues and secure the property.*

*Councilmember Thune moved to order a complete inspection and securing of the property, and an acceleration of the Category 3 status if possible.*

**Adopted as amended (appeal denied; property must be secured and remain vacant; full code compliance inspection required)**

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

**Nay:** 0

**39 RLH VBR 14-28**

Appeal of Bonnie Barlage to a Vacant Building Registration Notice at 703-705 BEDFORD STREET.

*Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of the vacant building registration requirement. She said the property came to the attention of the Department of Safety and Inspections (DSI) because of a complaint of no heat, and inspectors subsequently observed significant overcrowding and gross unsanitary conditions in the building. She said an order to vacate was issued and not appealed. She said a partial inspection was conducted related to the heating complaint, and inspectors reported that the building was in terrible condition with much deferred maintenance, poor or non-existent fire separation. She said reinstatement of the Certificate of Occupancy could be a means for moving a building out of the vacant buildings program in situations where there weren't many violations, but inspector testimony from the Legislative Hearing about conditions at the building and work done without a permit led her to recommend a full Code Compliance Inspection. She said the appellant indicated at the hearing that a Code Compliance might result in the building being demolished, because the corrections were cost-prohibitive; she said that was not something she could take into account in the appeals process. She said the property manager stated that low income housing was being provided for recent Somali immigrants, and she noted that comments from the inspector in hearing had been interpreted as anti-Somali, and that there were communication problems between the property manager and tenants. Ms. Moermond reviewed additional materials and correspondence brought forward in the Legislative Hearings, including information provided by International Institute of Minnesota which she said led her to questions the appellant's reliability in getting things done in the future. She said the property clearly met the definition of a Category 2 vacant building due to the condemnation and major code violations, and she recommended that it remain a Category 2 and a Code Compliance be required.*

*In opposition:*

*Alex Eaton (3314 E. 32nd St., Minneapolis), owner of EIG property management, and Bonnie Barlage, property manager, appeared. Mr. Eaton said the problem tenants residing at the property when they began managing in July 2013 were no longer there, and they worked with International Institute of Minnesota to place new tenants beginning in October. He said there was a routine Certificate of Occupancy inspection in 2013, with all work was completed and permits finalised by December 2013. In response to a question from Council President Lantry about the total amount of the permits pulled, Mr. Eaton said the owner spent about \$7000 in early 2013. In response to a question from Councilmember Brendmoen, he said the Certificate of Occupancy was still in place throughout the time the work was being completed, and the new tenants were placed between October and December. He said a tenant called in on February 28 to report no heat in one unit, but due to communication problems they weren't able to respond until the next day and by then the City had ordered all four units vacated. He said inspectors found the units were over-occupied and a dozen or so orders issued, and they complied with all orders as soon as possible. He said one furnace did not pass inspection, and they installed electric baseboard heat without a permit because a temporary heat source was necessary and they weren't able to pull the permit because of the vacant building status.*

*Council President Lantry noted that no permits were pulled for the earlier work. Ms. Moermond said there should have been a permit for the garage demolition. Mr. Eaton said the demolition contractor was on City's list.*

*In response to a question from Councilmember Brendmoen, Ms. Moermond explained that permits could not be issued for Category 2 vacant buildings until a*

*Code Compliance inspection is completed. She said in this case a significant period of time passed between the work being completed and the attempt to pull a permit. Mr. Eaton said the electrician attempted to pull a permit online before doing the work, but didn't go to the permit office until after the work was completed.*

*Mr. Eaton said most of the orders triggered on February 28 had been addressed, and more work was planned. He said a physically vacant building wasn't good for the City or the affordable housing community, and inspectors had determined the building was safe as of December 2013. He said they had an ongoing partnership with International Institute of Minnesota.*

*Councilmember Brendmoen asked about EIG's competency for dealing with refugee tenants. Mr. Eaton said a subset of their properties were affordable, and working in partnership with a nonprofit allowed them to rent to tenants without rental history.*

*Mr. Eaton said he had walked the property and neighborhood with Councilmember Brendmoen and gotten ideas about ways to improve the property, and no longer believed that a Certificate of Code Compliance would be catastrophic for the property. He said he had had preliminary conversations with East Side Neighborhood Development Corporation (ESNDC) about possible funding opportunities for the owner. He said keeping the building in the vacant buildings program made everyone worse off, and the placards invited problems. He said they were willing to correct all orders, and he reiterated that the critical orders had already been addressed. He said the Code Compliance inspection was scheduled for May 22 and they would need at least another month to get all of the work done, which meant another two months of the building being vacant. He asked that the vacant building and code compliance fees be credited and they be allowed to just complete the existing orders. He said they had never disputed any orders, and had always completed the work quickly.*

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

*Councilmember Brendmoen said the building was a dump and she would grade it at an F, but it was a historical home with a lot of potential. She said she was not convinced that the property management group was aiming for anything better than D-, but she had made a commitment work with them to find resources to make it a B+/A- building and dignified affordable housing. She said she felt a full Code Compliance was a good plan because it would address all of the problems. She said she would continue her commitment to work with the appellant, but would move Ms. Moermond's recommendation. She said she would like to see the vacant building fee put back into the building and asked whether it could be stayed for 6 months. Ms. Moermond said a 90 day waiver was more common, with a prorated fee assessed after the work was completed.*

*Council President Lantry expressed concerns about being party to allowing a Property to go from an F to just a D- when it was being rented to new immigrants.*

*Councilmember Brendmoen said she disagreed with comments made by the appellants related to their perception of the gravity of the issues and the ease and speed with which they could be addressed.*

*Councilmember Bostrom said the vacant building fee covered City costs, and the property owner should be responsible for it. Ms. Moermond listed the services provided generally and at this property specifically. Councilmember Bostrom said they were also getting a bargain because it was two addresses. He said the neighbors had suffered enough and this was an opportunity to for the Council to show they were serious about taking care of this type of property. He said he didn't support a reduction in the fee.*

*In response to questions from Council members Stark and Brendmoen, Ms. Moermond explained how the fee could be prorated based upon how long it took for the building to become code compliant.*

*Councilmember Bostrom said the vacant building fee represented a drop in the bucket compared to the rehab needs.*

*Councilmember Brendmoen moved to approve Ms. Moermond's recommendation.*

**Adopted (appeal denied)**

**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, 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 (Items 36 - 82)

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

#### **Legislative Hearing Consent Agenda adopted as amended**

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

**Nay:** 0

- 36 RLH VBR 14-34** Appeal of Nam Nguyen to a Vacant Building Registration Notice at 1000 ALBEMARLE STREET.  
**Adopted**
- 37 RLH TA 14-226** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1406A, Assessment No. 148816 at 1793 ARLINGTON AVENUE EAST.  
**Adopted**
- 40 RLH TA 14-98** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E3, Assessment No. 148301 at 1818 BENSON AVENUE. (Amended from Project No. J1402E, Assessment No. 148301)  
**Referred to Legislative Hearings on June 17; Council public hearing continued to July 9**
- 41 RLH TA 14-149** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 2310 BENSON AVENUE, UNIT H.  
**Adopted**
- 42 RLH TA 14-251** Amending Council File RLH AR 14-7 to delete the assessment for Excessive Use of Inspection services from July 30 to October 25, 2013 at 635 CANTON STREET. (File No. J1402E, Assessment No. 148301)  
**Adopted**
- 43 RLH TA 14-161** Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 1317 CHARLES AVENUE.  
**Adopted**

- 44     **RLH VO 14-11**     Appeal of Lou Sudheimer to a Fire Inspection Correction Notice at 11 COMO AVENUE.  
          **Adopted**
- 45     **RLH FCO 14-57**     Appeal of Brent Molitor to a Correction Notice - Complaint Inspection at 345 COOK AVENUE EAST.  
          **Adopted**
- 46     **RLH FCO 14-50**     Appeal of Victoria Fegley to a Fire Inspection Correction Notice at 1040 CUMBERLAND STREET.  
          **Adopted**
- 47     **RLH VBR 14-26**     Appeal of Robert Silbaugh, on behalf of Renovo Properties, LLC, to a Vacant Building Registration Notice at 956 DAYTON AVENUE.  
          **Adopted**
- 48     **RLH TA 14-160**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 437 EDMUND AVENUE.  
          **Adopted**
- 49     **RLH SAO 14-8**     Appeal of Alfonso Gomez to a Summary Abatement Order and Correction Notice at 1717 ENGLEWOOD AVENUE.  
          **Adopted**
- 50     **RLH TA 14-123**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 1643 FIFTH STREET EAST.  
          **Adopted**
- 51     **RLH TA 14-122**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148508 at 1959 FORD PARKWAY.  
          **Adopted**
- 52     **RLH TA 14-151**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1406P, Assessment No. 148405 at 480 FOREST STREET.  
          **Adopted**
- 53     **RLH TA 14-165**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 1095 FOURTH STREET EAST.  
          **Adopted**

- 54     **RLH TA 14-166**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 65 GARFIELD STREET.  
**Adopted**
- 55     **RLH FCO 14-55**     Appeal of Jeff Matiatos to a Correction Notice - Complaint Inspection at 1554 JESSAMINE LANE.  
**Adopted**
- 56     **RLH OA 14-1**         Recommending that the Board of Ramsey County Commissioners deny the application of Kerry Essler for repurchase of tax forfeited property at 663 LAFOND AVENUE. (Amended to approve the application for repurchase)  
**Adopted as amended (recommend approval of the application)**
- 57     **RLH TA 14-167**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 1736 MISSISSIPPI RIVER BOULEVARD SOUTH.  
**Adopted**
- 58     **RLH VBR 14-25**     Appeal of Mary H. Schultz to a Vacant Building Registration Notice at 908 MONTANA AVENUE WEST.  
**Adopted**
- 59     **RLH TA 14-159**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 2121 NORTH PARK DRIVE.  
**Adopted**
- 60     **RLH VBR 14-31**     Appeal of Kathy Panciera, on behalf of William Mitchell College of Law, to a Vacant Building Designation at 889 PORTLAND AVENUE.  
**Adopted**
- 61     **RLH TA 14-168**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 893 RANDOLPH AVENUE.  
**Adopted**
- 62     **RLH TA 14-169**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 895 RANDOLPH AVENUE.  
**Adopted**

- 63     **RLH TA 14-155**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 161 SELBY AVENUE.  
**Adopted**
- 64     **RLH TA 14-153**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1406P, Assessment No. 148405 at 1599 SELBY AVENUE.  
**Adopted**
- 65     **RLH CO 14-2**         Appeal of Anton Soukhanov to a Correction Order at 1280 SEVENTH STREET WEST.  
**Adopted**
- 66     **RLH VBR 14-32**     Appeal of Samson Tesfaye and Chuchu Grima to a Vacant Building Registration Notice at 1271 SHERBURNE AVENUE.  
**Adopted**
- 67     **RLH TA 14-146**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 1654 STANFORD AVENUE.  
**Adopted**
- 68     **RLH FOW 14-8**     Appeal of Allison Klis to a Correction Notice - Complaint Inspection at 610 SUMMIT AVENUE.  
**Adopted**
- 69     **RLH OA 14-6**         Recommending that Ramsey County approve the application of Josh Charette, Senior Asset Manager, on behalf of CitiFinancial Services, Inc., for repurchase of tax forfeited property at 432 SUPERIOR STREET.  
**Adopted**
- 70     **RLH TA 14-173**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1406P, Assessment No. 148405 at 703 SURREY AVENUE.  
**Adopted**
- 71     **RLH AR 14-44**     Amending Council File No. RLH AR 14-7 to reduce the assessment for Excessive Use of Inspection services billed July 30 to October 23, 2013 at 851 TUSCARORA AVENUE. (File No. J1402E, Assessment No. 148301)  
**Adopted**

- 72     **RLH TA 14-231**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No.148208 at 2121 UNIVERSITY AVENUE WEST.  
**Adopted**
- 73     **RLH FCO 14-59**     Appeal of Leslie Lucht to a Fire Inspection Correction Notice at 685 VAN BUREN AVENUE.  
**Adopted**
- 74     **RLH TA 14-157**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 380 VICTORIA STREET NORTH.  
**Adopted**
- 75     **RLH TA 14-170**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 210 WHEELER STREET SOUTH.  
**Adopted**
- 76     **RLH TA 14-156**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No.148208 at 768 WHEELLOCK PARKWAY WEST.  
**Adopted**
- 77     **RLH TA 14-108**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 419 WHITALL STREET. (Amended to Project No. J1402E2, Assessment No. 148308)  
**Adopted as amended (file and assessment numbers amended; assessment approved)**
- 78     **RLH TA 14-171**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 1562 YORK AVENUE.  
**Adopted**
- 79     **RLH AR 14-15**     Ratifying the assessments for Boarding and/or Securing services during December 2013. (File No. J1406B, Assessment No. 148105)  
**Adopted**
- 80     **RLH AR 14-16**     Ratifying the assessments for Graffiti Removal services from November 3, 2013 to January 2, 2014. (File No. J1406P, Assessment No. 148405)  
**Adopted**

81     **RLH AR 14-17**     Ratifying the assessments for Collection of Certificate of Occupancy fees billed October 29 to December 9, 2013. (File No. CRT1408, Assessment No. 148208)

**Adopted**

82     **RLH AR 14-18**     Ratifying the assessments for Tree Removal services from December 2013 to January 2014. (File No. 1405T, Assessment No. 149004)

**Adopted**

## **ADJOURNMENT**

*Councilmember Brendmoen moved adjournment.*

**Meeting adjourned at 6:47 p.m.**

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

**Nay:** 0

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