



# City of Saint Paul

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

## Minutes - Final

### City Council

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

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Wednesday, March 21, 2012

3:30 PM

City Hall Room 40

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### Public hearings at 5:30 p.m. in City Hall Room 40

#### ROLL CALL

*The meeting was called to order by Council President Lantry at 3:32 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

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [CO 12-7](#) Letter from the Department of Safety and Inspections declaring 451 Selby Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)  
**Received and Filed**
- 2 [AO 12-13](#) Approving temporary contractor use of city property for the Siren Warning System project.  
**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*Item 16 was withdrawn. Item 18 was removed from the Consent Agenda for separate consideration.*

*Councilmember Bostrom moved approval of the Consent Agenda as amended.*

**Consent Agenda adopted as amended.**

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

**Nay:** 0

- 3**      [RES 12-501](#)      Authorizing the Fire Department to enter into an agreement with Macalester College for use of their lecture hall for the High-Rise Conference on March 30-31, 2012.  
**Adopted**
- 4**      [RES 12-535](#)      Authorizing the Fire Department to accept a donation of \$100 from the Residential Mortgage Group (RMG) Inc. to continue to provide public safety and community education to the City of Saint Paul and its residents.  
**Adopted**
- 5**      [RES 12-390](#)      Authorizing the Department of Parks and Recreation to accept a donation of twenty 55-gallon drums from the Coca Cola Company for use in animal enrichment programs at Como Zoo.  
**Adopted**
- 6**      [RES 12-403](#)      Authorizing the Department of Parks and Recreation to accept a donation of thirty three 5-gallon, empty water bottles from Premium Waters for use in animal enrichment programs at Como Zoo.  
**Adopted**
- 7**      [RES 12-421](#)      Preliminary Order setting the date of Public Hearing for April 4, 2012 to consider amending a portion of Public Hearing Resolution #10-471, approved on May 5, 2010, for the construction of bicycle facilities along Jefferson Avenue from Colborne Street to Mississippi River Boulevard. (File No. Jefferson'10)  
**Adopted**
- 8**      [RES 12-441](#)      Deleting the assessment for Replacement of Lead Water Service Lines on private property during August to October 2011 for 1714 JAMES AVE. (File No. 1201LDSRP, Asmt No. 124000)  
**Adopted**
- 9**      [RES 12-442](#)      Deleting the assessment for Replacement of Lead Water Service Line on private property during May to July 2011 at 203 Genesee Street. (File No. 1104LDSRP, Asmt No. 114934).  
**Adopted**

- 10      [RES 12-486](#)      Approving the City's cost of providing Demolition Service during December 2011 at 998 SCHEFFER AVENUE, and setting date of Legislative Hearing for April 17, 2012 and City Council Public Hearing for June 6, 2012 to consider and levy the assessments. (File No. J1207C1, Asmt No. 122011)  
**Adopted**
- 11      [RES 12-487](#)      Approving the City's cost of providing Collection of Vacant Building fees from January 2012, and setting date of Legislative Hearing for April 17, 2012 and City Council Public Hearing for June 6, 2012 to consider and levy the assessments against individual properties. (File No. VB1206, Asmt No. 128806)  
**Adopted**
- 12      [RES 12-488](#)      Approving the City's cost of providing Collection of Certificate of Occupancy Fees Services from February 2012, and setting date of Legislative Hearing for April 17, 2012 and City Council Public Hearing for June 6, 2012 to consider and levy the assessments against individual properties. (File No. CRT1207, Asmt No. 128208)  
**Adopted**
- 13      [RES 12-489](#)      Approving the City's cost of providing Excessive Use of Inspection Services billed December 12, 2011 to January 13, 2012, and setting date of Legislative Hearing for April 17, 2012 and City Council Public Hearing for June 6, 2012 to consider and levy the assessments against individual properties. (File No. J1205E, Asmt No. 128305)  
**Adopted**
- 14      [RES 12-490](#)      Approving the City's cost of providing Property Clean Up Services during February 2012, and setting date of Legislative Hearing for April 17, 2012 and City Council Public Hearing for June 6, 2012 to consider and levy the assessments against individual properties. (File No. J1209A, Asmt No. 128515)  
**Adopted**
- 15      [RES 12-491](#)      Approving the City's cost of providing Tree Removal Services from February 2012, and setting date of Legislative Hearing for April 17, 2012 and City Council Public Hearing for June 6, 2012 to consider and levy the assessments against individual properties. (File No. 1207T, Asmt No. 129008)  
**Adopted**

- 16      [RES 12-499](#)      Approving adverse action against all licenses held by Walgreen's #06995, 1788 Old Hudson Road.  
**Withdrawn**
- 17      [RES 12-505](#)      Authorizing the release of easements for the property along a part of the alley in Block 1, Clifton Dale as requested by Semper Development.  
**Adopted**
- 18      [RES 12-534](#)      Approving the new precinct boundaries and polling locations for 2012.  
  
*Councilmember Brendmoen said there were slight changes to Ward 5, Precincts 2 and 3; she moved an amendment. Yeas - 7 Nays - 0*  
  
*Councilmember Brendmoen moved to 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
- 19      [RES 12-538](#)      Memorializing Council Action taken February 15, 2012 granting the appeals of the Summit Hill Association and McClay Alton Real Estate, LLC, to a decision of the Board of Zoning Appeals which had granted a parking variance to Kevin D. VanDeraa for property located at 949 Grand Avenue.  
  
*This item was adopted under the Consent Agenda. At the end of the public hearings portion of the meeting, Councilmember Thune moved to reconsider it.*  
*Yeas - 7 Nays - 0*  
  
*Councilmember Thune said the business owner was now interested in continuing to pursue other options for parking. He moved to lay the matter over to April 18, 2012.*  
**Laid over to April 18**  
  
**Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune and Councilmember Tolbert  
  
**Nay:** 0
- 20      [Min 12-11](#)      Approving the minutes of the March 7 and 14, 2012 City Council meetings.  
**Adopted**

**FOR DISCUSSION**

*Todd Hurley, Office of Financial Services, gave a staff report on the three bond sales that had taken place earlier in the day. He distributed amended Certificate of Completion forms with the outcomes of each bond sale, and a copy of a letter from Springsted, talking about the sale results and recommendations for each sale. He said the rating agencies had reaffirmed the City's excellent ratings, which spoke to the measures taken by the Administration and Council in response to the shortfall caused by the loss of LGA. He said there were multiple bidders and excellent results on all issues. He listed the the winning bidder and rate for each sale.*

*Council President acknowledged the great team and the amount of effort required in putting together the sale.*

**21      [RES 12-541](#)**

Awarding the sale of General Obligation Capital Improvement Bonds, Series 2012A in order to finance certain capital improvements; fixing the form and specifications of the Series 2012A bonds; directing the execution and delivery of the Series 2012A bonds; and providing for the payment of and levying a tax for the Series 2012A bonds.

*Councilmember Bostrom moved the amendment with the results of the sale.  
Yeas - 7   Nays - 0*

*Councilmember Thune moved to 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

**22      [RES 12-542](#)**

Providing for the issuance of and accepting a proposal on the sale of general obligation street improvement special assessment bonds, Series 2012B; fixing the form and specifications of the Series 2012B bonds; providing for the issuance of the Series 2012B bonds; and levying a tax for the payment of the Series 2012B bonds.

*Councilmember Bostrom moved the amendment with the results of the sale.  
Yeas - 7   Nays - 0*

*Councilmember Bostrom moved to 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

- 23**      [RES 12-539](#)      Supplementing the general resolution (cf 88-835) relating to sewer revenue bonds and providing for the issuance of sewer revenue bonds, Series 2012C; awarding the sale of the Series 2012C sewer bonds; and fixing the form and specifications of the series 2012C sewer bonds.

*Councilmember Brendmoen moved the amendment with the results of the sale.  
Yeas - 7   Nays - 0*

*Councilmember Brendmoen moved to 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

**ORDINANCES**

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

**Second Reading**

- 24**      [Ord 12-16](#)      Memorializing City Council action granting the application of the Saint Paul Port Authority for the rezoning of properties in the area east of Forest Street and north of Phalen Boulevard from VP Vehicular Parking to I1 Industrial, from RM2 Medium Density Multiple-Family Residential to R4 One-Family Residential, and from I1 Industrial to R4 One-Family Residential, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held February 15, 2012)

**Laid over to March 28 for third reading**

- 25**      [Ord 12-17](#)      Memorializing City Council action taken on February 15, 2012, granting the application of City View Apartments Inc. to rezone property at 743 3rd Street E. 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. (Zoning File #11-299-652) (Public hearing held on February 15, 2012)

**Laid over to March 28 for third reading**

**First Reading**

- 26      [Ord 12-18](#)      Amending Chapter 344 of the Legislative Code to update and clarify the Pawn Shop Ordinance.

**Laid over to March 28 for second reading**

*The meeting was recessed at 3:45 p.m.*

**PUBLIC HEARINGS**

**Present**   5 -   Councilmember Dan Bostrom, Councilmember Amy Brendmoen, City Council President Kathy Lantry, Councilmember Russ Stark and Councilmember Chris Tolbert

**Absent**    2 -   Councilmember Melvin Carter III and Councilmember Dave Thune

- 27      [Ord 12-9](#)      Amending sections 1.02, 2.01, 2.04, 4.01.1, 4.01.2, 4.01.3, 7.04, 8.02, 8.02.2, 8.02.4, 17.07.1, and 17.07.2 of the City Charter, pursuant to Minnesota Statutes § 410.12, subd. 7 (2010), standardizing the use of the term "ward."

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

**Laid to March 28 for final adoption**

**Yea:**    5 -   Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark and Councilmember Tolbert

**Nay:**    0

**Absent:**   2 -   Councilmember Carter III and Councilmember Thune

- 28      [Ord 12-11](#)      Amending Section 409.02 and 409.06 of the Saint Paul Legislative Code and creating Section 409.29 pertaining to an Off-Sale Wine Only license.

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

**Laid over to March 28 for final adoption**

**Yea:**    5 -   Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark and Councilmember Tolbert

**Nay:**    0

**Absent:**   2 -   Councilmember Carter III and Councilmember Thune

**29**      [Ord 12-13](#)

Amending Chapter 348 of the Saint Paul Legislative Code pertaining to license requirements for animal daycare and/or animal boarding.

*No one appeared in opposition; Councilmember Bostrom moved to close the public hearing. Yeas - 5 Nays 0 (Carter and Thune not present)*

*After Item 36, Councilmember Brendmoen moved to re-open the public hearing as a speaker was present.*

*Yeas - 6 Nays - 0 (Thune not present)*

*Rebecca Ryan, 672 South Roy Street, appeared to address a specific facility; however, Council President Lantry stated that this ordinance pertains to animal licensing requirements for the entire city and not a particular site. A separate item will be coming forward on a particular boarding facility.*

*No one else appeared; Councilmember Bostrom moved to close the public hearing. Yeas - 6 Nays - 0 (Thune not present)*

**Laid over to March 28 for final adoption**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thune

**30**      [Ord 12-14](#)

Amending Chapter 33.04 of the Legislative Code to create plan review fees governing fire alarm systems.

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

**Laid Over to March 28 for final adoption**

**Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark and Councilmember Tolbert

**Nay:** 0

**Absent:** 2 - Councilmember Carter III and Councilmember Thune

**Councilmember Carter joined the meeting.**

**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



- 31**      [RES PH](#)      Providing preliminary approval for a proposal for a financing program  
[12-77](#)                      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 housing revenue bonds and authorizing the  
                                 preparation of necessary documents and materials in connection with  
                                 said project and program (Schmidt Brewery Project), District 9.

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

**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

- 32**      [RES PH](#)      Approving the amended spending plan proposed by the St. Paul Port  
[12-79](#)                      Authority relating to Tax Increment Balances in Energy Lane and  
                                 Great Northern South Redevelopment Tax Increment Districts.

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

**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

- 33**      [RES PH](#)      Ratifying the assessment for construction of sanitary sewer service  
[12-32](#)                      connections as requested by the property owners in connection with  
                                 the Page/Woodbury RSVP. (File No. 19077C, Assessment No.  
                                 126001)

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

**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

- 34**      [RES PH  
12-31](#)      Ratifying the assessment for construction of a sanitary sewer connection at 1817 Wellesley Avenue, as requested by the property owner in connection with the Fairview Avenue reconstruction project. (File No. 19094C, Assessment No. 126005)
- No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- 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
- 
- 35**      [RES PH  
12-48](#)      Ratifying the assessment for construction of sanitary sewer service connections as requested by the property owners in connection with the Davern/Jefferson Phase II RSVP. (File No. 19079C2, Assessment No. 126002)
- No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- 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
- 
- 36**      [RES PH  
12-49](#)      Ratifying the assessment for construction of sanitary sewer service connections as requested by the property owners in connection with the Davern/Jefferson Phase I RSVP. (File No. 19079C3, Assessment No. 126006)
- No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and approve the resolution.*
- 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

- 37**      [RES PH  
12-38](#)      Ratifying the assessment for construction of sanitary sewer service connections as requested by the property owners in connection with the Blair/Griggs RSVP. (File No. 19093C, Assessment No. 126004)
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- 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
- 
- 38**      [RES PH  
12-53](#)      Final Order approving the installation of a bicycle facility along Prior Avenue from Summit Avenue to Pierce Butler Route by installing various types of signage, re-striping the roadway to include bike lanes, and re-striping existing bike lanes. (File No. PRIORBIKE'12)
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- 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
- 
- 39**      [RES PH  
12-64](#)      Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$9,750 to accept a grant from the Recreation Equipment Inc (REI) to support volunteer programming in the area of Natural Resources.
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- 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

- 40**      [RES PH](#)  
              [12-57](#)      Amending the financing and spending plans in the Department of Planning and Economic Development in the amount of \$233,000 to accept Streetcar Planning Grants.
- No one appeared in opposition; Councilmember Stark moved to close the public hearing and approve the resolution.*
- 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
- 
- 41**      [RES PH](#)  
              [12-67](#)      Authorizing the Police Department to accept the 2012 Women's Foundation of Minnesota grant in the amount of \$55,000 for a two-pronged project aimed at ending the commercial sexual exploitation of girls.
- No one appeared in opposition; Councilmember Carter moved to close the public hearing and approve the resolution.*
- 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
- 
- 42**      [RES PH](#)  
              [12-72](#)      Amending the financing and spending plans in the Police Department - Special Fund in the amount of \$26,400 for the technology unit.
- No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approve the resolution.*
- 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

- 43**      [RES PH](#)      Authorizing the Police Department to accept the Auto Theft Prevention  
[12-84](#)                      grant amendment from the State of Minnesota, Department of  
Commerce in the amount of \$262,311.40 and to amend the 2012  
special fund budget for this grant amendment.

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

**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

- 44**      [RES PH](#)      Revising Residential Permit Parking Area 28.  
[12-75](#)

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

**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 arrived during the discussion for Item 45.**

**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

**45**      [RES PH](#)  
[12-76](#)**Modifying and revising Residential Permit Parking Area 21.**

*Monica Beeman, Department of Public Works Traffic Engineering, gave a staff report. There were concerns about the percent required for the permit area. It was 60% under the old code but changes were made to the code to come up to 75%. This process started when it was 60% and they stayed with that because they felt it was fair and then added to it the changes that were made in the area. Residents 350 ft. around the area were notified. They went out to look at the area but it took some time as St. Thomas' J-term was on at that time and they couldn't do a study without St. Thomas' students around. There's also a big construction project coming up in the area so they had to fit the tour in between. They looked at morning traffic on Lincoln west of Prior at four different times in the morning to determine who would be parked there overnight and they feel it would be residents rather than St. Thomas students. There was an average of 49 cars present which is 46% of the average spaces available. They also looked at the evening peak hours when St. Thomas would be in session and they got to about 53%. Although there is not much difference between the 46% and 53%, not all of the parking issues are directly related to St. Thomas. Some have to do with traffic that migrates from Grand Avenue. There is a piece of Grand that is not in the permit area and there are days of the week when there is no parking on a section of Grand Avenue so a spike in traffic can be seen when people park in the Lincoln area. It is estimated that there is about a 15-20% change in traffic as a result of the St. Thomas student and those living on Grand Avenue, as well as adjacent residents, who choose to park outside of the residential area on Lincoln.*

*Staff looked at the area west of Prior and found that it is less impacted. One of the questions residents asked was about harming their neighbors in the process of providing residential permit parking and sometimes that happens. Changes were made to the times of the day and the days of the week for the season that applies to this permit area. Benefits are that there's now a reduction in the regulation of traffic in the permit area. It went down from 8 am to 8 pm to 8 am to 5 pm Monday through Friday. They also reduced the all-the-time year-round regulation to seasonal - when the college is open.*

*Councilmember Stark asked about the number of cars parked during peak times. Beth Stiffler, Public Works Traffic Engineering staff person who conducted the study, said the overall parking on the block was 50%, the non-permitted area was 57%, and the permitted area was 37%. Four checks were done between 6:30 am and 8:00 a.m. and four more during various times on weekdays either mid-morning or mid-afternoon when St. Thomas was in session.*

*Councilmember Stark asked if there was a typical standard by which they approve a district based on the percentage of parking. Ms. Stiffler responded that in the past she did not think they had done studies at the level they've been doing recently. If an area met the petition requirements and that was 60%, they would do a check to see that the complaint was valid. Ms. Beeman added that typically 80% is where one starts to see re-circulation within in a street so they are below the re-circulation but it is clear that there is some impact from outside the residential area parking on the street and that is tempering the usual recommendation; however, they do feel that because it lowers the regulation overall by time of day and season, this is a positive for the neighborhood for overall use of parking.*

*Appearing in opposition were the following:*

*Lynn Wadsworth, 1926 Lincoln Avenue, said she is not opposed to the hours but the*

extension to the end of the block to Prior. These are public streets, they live with the convenience of the city and can walk but also lives with the inconvenience of not always being able to park in front of her house. She said no one asked her about the permit parking extension but she will be directly affected by it. The permit parking just extends the problem to someone else; what happens down the block will now become her problem. The process pits neighbor against neighbor and does nothing to solve the problem, she stated.

James Szvole, 2023 Lincoln Avenue, said he's in an area of 8 am to 8 pm parking year-round. He did not realize when this was started that his hours would be affected and he would like to see it stay at 8 to 8. Traffic enforcement seems to have dropped the last couple of years. Cars are often parked in front of his house and sometimes enforcement shows up and sometimes they don't.

Clarence Chaplin, 1921 Lincoln Avenue, lives in the block directly east of the block being considered for the parking extension. He feels the current permit parking policy is flawed; it's a reactive policy and it can create bad feelings between neighborhood blocks. It approaches the real problems of congestion in piecemeal fashion and moves the problem from block to block without any apparent vision or plan. He said he sent the Council what he sees as six drivers of parking congestion on residential streets that he has heard mentioned or he is aware of them himself. He 1) requests that the City Council do a study of the parking around UST to develop an overall plan to address this issue rather than the policy that is being used today and; 2) if the Council votes in favor of the permit parking request, that his block of Lincoln be allowed to obtain permit parking under the old rules of 60% rather than having to meet the higher bar of 70%.

Tom Kueppers, 2049 Goodrich Avenue, said UST is busy even in the summer months. There is a lot of traffic and a lot of St. Thomas students parking on these streets, especially on Goodrich Avenue east of Cleveland. The express bus from St. Paul to Minneapolis only stops at Goodrich so people leave their cars on Cleveland. Also, employees of Davanni's Restaurant have been told to park in the neighborhood. The surrounding areas have permit parking 8 to 8 Monday through Friday. If the proposal is passed, the north side of Summit Avenue will be 8 to 8 and the south side will change to 8 to 5 only during the summer months. In Area 21, there are 36 signs posted about permit parking. If Lincoln residents want the permit parking, it should be consistent for the whole area - 8 to 8 Monday through Friday. Only eight new signs would have to be put up whereas if the proposal is implemented, 44 signs would have to go up. The proposed verbiage for the signs is confusing, Kueppers said. They want to go to eight months of permit parking and four months of no permit parking. He said it seems they are going backwards.

Lenny Russo, 1937 Lincoln Avenue, said he did a traffic study at 35 different times. He supports what Lynn Wadsworth said as well as what Clarence Chaplin said except for lowering the bar. Mr. Russo feels the bar should be kept at 75%. He does not want permit parking on his street. He feels living in the inner city comes with conveniences. Also, when a person has a car which is their chosen mode of transportation, there are conveniences and responsibilities that come with that. He feels there are other options besides making a public thoroughfare a private parking lot. It makes the city exclusive, discourages visitors and businesses, and pushes parking into a smaller area. He thinks busses will be re-directed through residential areas to help feed the central corridor light rail which would be a problem with parked cars. The vast majority of people support mass transit and this runs counter to that.

David Amdur, 1926 Lincoln Avenue, said he'd like to see a comprehensive solution to the parking issue rather than a piecemeal one. By granting the permit, the city is

*extending rights of private property over a public thoroughfare. Because someone owns a house, they don't own the streets. The expansion of UST has exasperated the problem. UST is charging a higher parking fee which is forcing students to park on the streets. Also, there is a growth of student housing in the neighborhood and the parking crunch on Grand Avenue impacts the large student housing complexes.*

*Speaking in support were the following:*

*Sarah Mountain, 1885 Lincoln Avenue, said there has always been a parking issue but not as bad as it got two years ago when St. Thomas put up two new buildings. During the school year it was very difficult to park and while no one really wanted permit parking, it became the only solution to be able to park in front of their own homes. They thought they were offering a compromise by limiting the hours, not having it as restrictive year round, and having the summers off as they really don't need permit parking at that time because the problem is largely due to St. Thomas students. Having the influx of traffic with the UST students also creates a safety problem for the many children on their block trying to cross the street. About two-thirds of the residents on the petition wanted less restrictive time on parking in that area.*

*Virginia Palmer, 2020 Goodrich Avenue, said she was speaking conditionally in support because she did not want permit parking on Goodrich. She submitted a letter criticizing the process and indicating she felt it was unnecessary. She supports this because it reduces the amount of parking on her street. She said it's bad public policy to do permit parking this way. There are now a lot of people who are upset with one another on different blocks as they have different feelings as to whether there should or should not be permit parking. She suggested that a study be done of the entire petition for the permit parking process and determine if this is how the city is going to manage parking in an urban area because she does not feel urban streets can be privatized. Ms. Palmer said she was morally and philosophically opposed to permit parking in the neighborhood.*

*Eric Celeste, 1993 Lincoln Avenue, asked "when does this stop?" Permit parking is not taking over the City of St. Paul but it's in a few discrete areas. There are 27 permit parking areas in St. Paul and ten of them surround St. Thomas. He showed a map and photos of the St. Thomas area and the permit parking where there is control and noted that there is much less control in Area 21 and that's why residents of Lincoln Avenue have been seeing this problem. He asked that a half a block of Lincoln be extended. The controlled hours will be cut in half with this permit between the numbers of hours and the hours per day. The end result is that they are creating one-third more free and open parking than there has been to date. They agree that permit parking is not desirable but 68% of those who live with the 8 am to 8 pm wanted the reduced hours and two-thirds of the residents on Lincoln wanted the extension. He asked the Council to recognize that more than the supporters present, they have supporters in the petitions that deserve the Council's support.*

*Joe Anderson, 1997 Lincoln Avenue, said with the opening of the UST campus in Minneapolis, it has changed a lot. Mac Groveland is known for being a family neighborhood, but in the last three years there has been an influx of student traffic. Mail carriers have to park in front of the fire hydrant if a student is not parked there. It's out of control he said. He feels the compromise is democratic, well thought out, and reduces the amount of restriction so that people who live in the neighborhood can utilize their homes more.*

*Sam Tomlin, 2000 Lincoln Avenue, said the street has changed. St. Thomas expanded their services to the community but they did not supply free parking for*



*their students.*

*George Macke, 1971 Lincoln Avenue, said he feels the streets are public space and he does not like permit parking. The residents on the street were split over the issue. However, in the last several years it has become so bad that they can't park on Lincoln. He would like to see the streets kept open as much as they can but they need a place to park. He feels this is a reasonable solution to the problem. It's obviously a St. Thomas issue and he hopes it can be resolved.*

*David Redmond, 2035 Lincoln Avenue, addressed the Council in a personal role and then as a member of the Mac-Groveland Community Council and the West Summit Neighborhood Advisory Committee. He lives in the area that already has permit parking and said it is a Godsend to that part of the block. He supports the present petition. There were two hearings at the Mac-Groveland Community Council Transportation Committee of which he's a member. Speaking for Mac-Groveland, he felt they attempted a very even hearing process. There were two hearings at the Transportation Subcommittee and one with the Board. The outcome was a passed resolution by the Board of Directors of Mac-Groveland in favor of the petition. He said he would be extremely sympathetic to a broader study of this type of issue. He said he could not speak for the West Summer Neighborhood Advisory Committee but he feels they would be amenable to taking a look at a larger scope of parking and traffic around St. Thomas and the issues involved.*

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

*Councilmember Tolbert thanked the speakers and those who attended this hearing. He said the parking issues are not necessarily the fault of people wanting change but it resulted because of other people who pushed the problem onto another block. Permit parking started in 1986 in this area and the problem started when it continued to be passed on from block to block. His personal opinion is that permit parking is bad public policy. There are benefits and problems with living in a city. He has had to deal with the parking problems but also has reaped other benefits as a result of the colleges. He feels a universal approach is better than a piecemeal approach and said he can not support this permit parking expansion.*

*Councilmember Stark stated that this is a complicated issue. The permit parking tool they have is an imperfect one. It's been around a long time and he does not think there has ever been a review of it. From the public testimony and from what staff has said, there's a congestion of parking especially in the center of the block and the data is showing there's parking available toward Prior Avenue. The city does not have a standard for when it thinks permit parking is a good idea or not. He would like to ask the Planning Commission to take a thorough look at this issue from a planning and policy perspective. In the meantime, the system is the one that's been on the books for 26 years and people have a tool to petition and change their zone. While the current parking problem is not a horrific one, it's obvious that it's affecting people and time was taken to do a petition. He said he will move to approve the permit parking because of the work that has gone into it with the caveat that he feels permit parking has to be thoroughly looked at from a policy perspective city-wide.*

*Councilmember Thune spoke in support. He said people are not polite where they park and he feels when living in a city, people deserve to have parking around their homes. He said they would be aiming for more use of public transit but that doesn't happen when parking is made convenient for commuters and students. They should be using parking lots or taking buses. There is not going to be a great solution and he feels this is a solution that has been working.*

*Councilmember Tolbert said when the Planning Commission is asked to do a study, it should be city-wide. "Outsiders" add a lot to our community and he feels permit parking is not welcoming.*

*Councilmember Bostrom said many of the people are St. Paul residents who are paying taxes and they're taking advantage of the businesses, schools, etc. The streets are public streets and he does not feel there should be permit parking in so many areas. He said he does not support permit parking.*

*Councilmember Stark said St. Thomas student parking is a problem. There is a process underway to look at possible zoning solutions due to congestion of student housing in the area which may be part of the problem. Part of the answer is to work with UST and figure out the right balance for students to have a good opportunity to park on campus rather than off campus. There is a distance that people will be unwilling to walk vs. what it might cost them to park. The growth of the permit parking areas has been a slower process. It may be an imperfect tool but it's the best option available right now. People have said it would be nice to have a better system better for getting the permits.*

*Councilmember Stark renewed his motion for approval of the resolution.*

**Adopted**

**Yea:** 4 - Councilmember Carter III, City Council President Lantry, Councilmember Stark and Councilmember Thune

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

**LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**

**46**      [RLH RR  
11-95](#)

Ordering the razing and removal of the structures at 747 EDGERTON STREET within fifteen (15) days after the February 1, 2012 City Council Public Hearing. (Public hearing continued from February 1)

*Marcia Moermond, Legislative Hearing Officer, asked that the City Council order the building removed within 15 days with no option for rehabilitation. The conditions that were established for the owner to meet in order to get a grant of time for rehabilitating the building have not been met. Also, the \$5,000 performance deposit has not been posted, the work plan that was presented is not adequate, and the demonstration of financing document did not indicate that the money was going to be spent for this purpose and not something else.*

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

**Adopted**

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

**Nay:** 0

47      [RLH TA](#)  
          [12-159](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1204B, Assessment No. 128104 at 760 JESSAMINE AVENUE EAST.

*Marcia Moermond, Legislative Hearing Officer, recommended that the Council delete the assessment.*

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

**Adopted As Amended (assessment deleted)**

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

**Nay:** 0

48      [RLH RR](#)  
          [11-61](#)

Ordering the rehabilitation or razing and removal of the building(s) at 499 LYNNHURST AVENUE WEST within one hundred eighty (180) days after the April 4, 2012 City Council public hearing.

*Marcia Moermond, Legislative Hearing Officer, said she is confident the structure can be rehabilitated. She is waiting for one last document from the bank outlining the rehabilitation plan after the partial demolition. She has documentation of adequate financing and the performance deposit has been posted. She requested the public hearing be continued for two week.*

*No one appeared in opposition; Councilmember Stark moved to continue the public hearing to April 4, 2012.*

**Public hearing continued to April 4**

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

**Nay:** 0

49      [RLH RR](#)  
          [11-99](#)

Ordering the rehabilitation or razing and removal of the structures at 872 SELBY AVENUE within one-hundred and eighty (180) days after the February 1, 2012 City Council Public Hearing. (Public hearing continued from February 15)

*Marcia Moermond, Legislative Hearing Officer, stated that all of the necessary conditions have been met. Therefore, she recommended granting 180 days for rehabilitation of the building but because of the large portion of financing that's being provided through sweat equity, she will ask for updates every six weeks to monitor that the sweat equity is going in as anticipated.*

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

**Adopted As Amended (180 days to remove or repair; updates at 6-week intervals)**

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

**Nay:** 0

**50**      [RLH TA  
12-170](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1205B, Assessment No. 128104 at 774 SHERBURNE AVENUE.

*Marcia Moermond, Legislative Hearing Officer, noted that this is a tax assessment that has to be connected to a roll to be considered on April 18.*

*Councilmember Carter moved to continue the public hearing to April 18.*

**Public hearing continued to April 18**

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

**Nay:** 0

**51**      [RLH RR 12-4](#)

Ordering razing and removal of the structures at 939-941 THIRD STREET EAST within fifteen (15) days after the February 15, 2012, City Council Public Hearing. (Public hearing continued from February 15)

*Marcia Moermond, Legislative Hearing Officer, recommended removal of the building(s) within 15 days with no option for repair and noted that there has been no performance deposit or other documents provided.*

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

**Adopted As Amended (remove within 15 days with no option for repair)**

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

**Nay:** 0

**53**      [RLH TA 12-96](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1205T, Assessment No. 129004 at 1560 ARLINGTON AVENUE EAST.

*Marcia Moermond, Legislative Hearing Officer, noted that this is a tax assessment for removal of diseased trees. There were three trees of which two were identified in orders issued on July 27, 2011. The third tree was identified in orders issued on August 10, 2011. All three were to be removed by August 12, 2011. There was a re-check on September 27, the trees had not been removed, so they were removed by a contractor on November 28, 2011. There was a question whether adequate and explicit notice had been provided which indicated both the location of the trees and that there would be a charge for removing them. Ms. Moermond said she reviewed the notice and it specified clearly where the trees were located on the property and that there would be costs associated with their removal. There was also a question as to whether the owner felt they should be removed. There was one tree that was storm damaged but Forestry said it was also diseased and needed to be removed.*

*The owner called Forestry asking for more time but also asked for the city to remove them as, financially, she would not be able to do it.*

*Ms. Moermond recommended approval of the assessment in the amount of \$1,045.52 and that the payments be spread over ten years.*

*An interpreter was present for Asia Peterson. Ms. Peterson said she was deaf. She said there was confusion with the trees, that they were not diseased and she has not been given any evidence that they were diseased. She did not feel there was enough accommodation to explain this with regard to the assessment and tax which is a foreign issue to her. It was confusing and she feels the city was trying to make a profit off of her for this work. The tax of \$1,000 seems excessively high and she requested a reduction and an allowance to have minimal payments over time.*

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

*Councilmember Bostrom asked what type of trees these were. Ms. Moermond said they are almost always Dutch Elm when it's a diseased tree.*

*In response to Councilmember Bostrom's question of notification, Ms. Moermond reiterated the dates she stated above. She noted that there was another three weeks between the compliance date and the re-check and a couple months after that when the trees were removed so the total time period was months and not weeks.*

*Council President Lantry asked if there was an issue with whether the appellant received notice or not. Ms. Moermond responded that Ms. Peterson responded at separate times that she did get the letter and that she did not get the letter. Forestry had in their records that she had called them through a service to ask about the trees so Ms. Moermond found that compelling.*

*Councilmember Bostrom moved to approve the recommendation of the Legislative Hearing Officer saying he felt it was a reasonable accommodation to spread the payments over ten years.*

**Adopted**

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

**Nay:** 0

- 60**      [RLH TA 12-97](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. 1205T, Assessment No. 129004 at 1770 BURNS AVENUE.

*Council President Lantry moved to delete the assessment.*

**Adopted as Amended (assessment deleted)**

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

**Nay:** 0

121      [RLH CO 12-5](#)      Appeal of Robert Metzler to a Correction Notice at 737 VAN BUREN AVENUE.

*Marcia Moermond, Legislative Hearing Officer, stated that the Council originally considered this case in January 2011. The fire inspection occurred in October 2010. Those orders were appealed on the basis that it was an owner occupied property. She found that it was not owner-occupied but a work plan was developed throughout a couple of Legislative Hearings that provided a good length of time for the corrections to be made. At the City Council public hearing, it was indicated that if documentation was provide that it is owner-occupied, the building would then be released from the fire certificate of occupancy program. The City Council public hearing was on February 2 and on February 3 her office received a quit claim deed giving the property to Mr. Metzler. At the Council hearing, the appeal was denied and an extension was granted on the items on the orders with the evidence that if the property was owner-occupied, it would no longer be in the fire certificate of occupancy program. This means that there would not be repeated inspections in future years. They have the fire c of o report, a work plan had been developed, and she had the file transferred from the rental inspectors to owner-occupied inspectors/code enforcement.*

*The repairs that needed to be done were significant and it's her understanding that they have mostly been completed. The Code Enforcement inspectors did a re-inspection to see what progress had been made. Mr. Metzler did not believe that he was required to do the repairs because they were originally called out in a fire report. Ms. Moermond recommended that whether it is the building, fire, or electrical code, all of which appear in these orders, they apply uniformly to rental and owner-occupied property. Being exempted from the Fire C of O program means there is no more Fire C of O inspections so systematic and periodic inspections would go away. There has been a new list of repairs generated by Code Enforcement which is what is now being appealed. The appeal is based on the fact that it is now an owner-occupied property*

*Robert Metzler, owner of 737 Van Buren Avenue, appeared. He said the codes are not the same for a rental and an owner-occupied home. Some of the items on the correction order are code items that apply to all homes. Since getting the letter saying that the property has been removed from the Fire C of O Program, he thought it was over and he was surprised to get a copy of the original order with another inspector's name on it in December. After receiving the letter that the council approved the appeal and he was out of the Fire C of O program, he painted the house last summer and made many other repairs and improvements.*

*Mr. Metzler said he has homesteaded the property since 2006 so when he got the Fire Certificate Correction Order, he was immediately opposed to it but in his eagerness to comply, he offered up to do a quit claim deed. Ms. Moermond explained to him that because he did that and did not stay with the appeal of a homesteaded property, the appeal was denied and later approved. But the fact that it had been denied means that he's still subject to everything on the correction order.*

*There were no complaints but rather a county record check which indicated it wasn't owner-occupied which triggered the inspection. He has done 95% of the things on the correction order which he did not think he had to do. It doesn't seem fair, he said. Under the Fire Certificate program he's alleviated but then has to meet all the conditions. It baffles him that he received the new correction order. In the spirit of fair play, Mr. Metzler asked that the Council grant his appeal with the knowledge that 95% of the work is done.*

*Councilmember Carter moved to close the public hearing. Yeas – 7 Nays – 0*

*In response to a question of Councilmember Carter, Ms. Moermond said the date on the quit claim deed is February 3, 2011.*

*From the city's perspective, Councilmember Carter asked what the level of severity is on the remaining items to be completed and Council President Lantry questioned what the inspectors would look at if they went in again for an interior inspection. Ms. Moermond said there has to be confirmation that there are window locks and that the sashes are operating correctly because there were a lot of problems with the windows. The orders also indicate that extension cords were being used in lieu of permanent wiring. Electrical cover plates were required on outlets, switches, boxes, and junction boxes which she surmises have been taken care of. There is also a note to repair or replace damaged electrical appliance wiring which is a concern. He was also required to hire a licensed plumber to repair broken tub fixtures and put capping on the tub, toilet, or sink if they were not going to be used. There was a tub and shower that were installed without permit. That was blocking the electrical panel in the basement and needed to be removed. Ms. Moermond said that is her biggest concern otherwise she feels the other items are very manageable.*

*If an inspection is done to make sure all the items on the original order have been taken care of, Council President Lantry asked whether new things could be found and Mr. Metzler would then be given additional orders.*

*Councilmember Carter said as of February 20, 2011, the property should have been removed from the Fire C of O program. Ms. Lantry said Mr. Metzler's claim was that it never should have been done so the quit claim deed was a way to say, "I don't know what you need from me so I'll do a quit claim deed as well."*

*Ms. Moermond reiterated that the Council voted to deny the appeal. The Council had made a decision that it was not owner-occupied according to the Legislative Code Fire C of O Inspection. The following day it became owner-occupied because of the quit claim deed. All of the orders have not been addressed and the question is whether they still have to be addressed and how do they get an inspector back in to check it without getting additional orders written. Time was spent in the Legislative Hearing talking about only inspecting the items on the orders and crafting it as narrowly as they could. She feels the inspector is committed to doing a very thorough inspection if the Council decides a follow-up inspection is in order.*

*Councilmember Carter said the policies are not there just for that house as there could be issues that could endanger a neighbor so there's a good reason the inspectors are going to be cautious. At the same time, he hopes they would be judicious and not come up with a whole new list of issues. He feels they do have to continue to pursue the orders that were written.*

*Councilmember Carter moved to adopt the resolution per the recommendation of the legislative hearing officer.*

**Adopted**

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

**Nay:** 0



**135**      [RLH AR](#)  
[12-57](#)

Ratifying the assessments for Boarding and/or Securing Services in December 2011. (File No. J1205B, Assessment No. 128104)

*Legislative Hearing Officer Marcia Moermond asked that the resolution be laid over to April 18.*

*No one appeared in opposition; Councilmember Bostrom moved to continue the public hearing to April 18.*

**Public hearing continued to April 18**

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

**Nay:** 0

**74**      [RLH VBR](#)  
[12-9](#)

Appeal of Ann Garavalia, on behalf of Angela Marquette, to a Vacant Building Registration Notice at 1128 FOREST STREET.

*Council President Lantry stated that the recommendation of the Legislative Hearing Officer is to deny the appeal, waive the vacant building fee for 90 days, and the owner must obtain a code compliance inspection.*

*Marcia Moermond, Legislative Hearing Officer, said the property was condemned on December 15, 2011. She held a hearing on the requirement that, following the condemnation, it needed to enter the vacant buildings program for a number of reasons. Chapter 43 of the Legislative Code covers which buildings must be in the vacant building program. It's clear that after a building is condemned and is empty, it is a Category 2 Registered Vacant Building which is the situation with this property and why the need for a code compliance inspection. The conditions in the house are bad and she feels a 90 day waiver of the fee is appropriate. It needs to be completely code compliant before it can be re-occupied.*

*Tom Gilbert, 1110 Rose Avenue, appeared. He said he lived at 1128 Forest 20 years ago, but he does not own it, and the house looks the same as it did then. He asked which city agency was responsible for the condemnation notice. He said he's paranoid of various city agencies coming into the house because of the policy of having to report violations. He said \$1100 is at issue and asked what it is for. Ms. Marquett is asking for a 90 day extension, he stated. Council President Lantry clarified that the vacant building fee does not have to be paid for 90 days. The issue of the \$1100 is not before the Council at this time but the fee is set. The condition of the house is incredible, Lantry said, and no one should be living there until it's brought up to code.*

*Mr. Gilbert said the Council needs to give the family some time to deal with the situation and not add on stress. He asked: what was the moving cause is and questioned again what the \$1100 is for that's causing the stress.*

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

*Councilmember Bostrom said by looking at the pictures, this property is in a serious state of disrepair. He 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

#### **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 Thune moved to close the public hearing and approve the balance of the Legislative Hearing Consent Agenda.*

#### **Legislative Hearing 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

- 52**     [RLH WP  
12-13](#)     Appeal of Pella (Meghan Booker), on behalf of Joanna and Marcus Schneider, to an Egress Window Non-Compliance Determination at 1526 ALBERT STREET NORTH.  
**Adopted**
- 54**     [RLH FOW  
12-51](#)     Appeal of Denise Hutchins, on behalf of Volunteers of America, MN, to a Fire Certificate of Occupancy Correction Notice at 1436 ASHLAND AVENUE.  
**Adopted**
- 55**     [RLH VBR  
12-12](#)     Appeal of Robert Andrews, ITN, LLC (on behalf of Twin Cities Real Estate Holdings, LLC) to a Revocation and Vacant Building Registration Requirement at 327-329 AURORA AVENUE.  
**Adopted**
- 56**     [RLH FCO  
12-69](#)     Appeal of Allison Klis, on behalf of Avon Apartments I & II LLC to a Fire Inspection Correction Notice at 33 AVON STREET SOUTH.  
**Adopted**
- 57**     [RLH TA 12-76](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1053 BEECH STREET.  
**Adopted**

- 58      [RLH FOW  
12-59](#)      Appeal of William J. Bonin to a Fire Certificate of Occupancy Inspection Correction Notice at 1228 BRADLEY STREET.  
**Adopted**
- 59      [RLH FOW  
12-57](#)      Appeal of Tony Swanson, Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Inspection Correction Notice at 492 BRAINERD AVENUE.  
**Adopted**
- 61      [RLH FOW  
12-64](#)      Appeal of Chou Xiong to a Fire Certificate of Occupancy Correction Notice at 1554 BUSH AVENUE.  
**Adopted**
- 62      [RLH FOW  
12-56](#)      Appeal of Tony Swanson, Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Inspection Correction Notice at 1883 BUSH AVENUE.  
**Adopted**
- 63      [RLH VBR  
12-10](#)      Appeal of Eric Almendinger, on behalf of Terry Kirk, to a Vacant Building Registration Notice and Summary Abatement Order at 2128 BUSH AVENUE.  
**Adopted**
- 64      [RLH TA 12-89](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204B, Assessment No. 128103 at 472 CASE AVENUE.  
**Adopted**
- 65      [RLH WP  
12-22](#)      Appeal of The Window Store Home Improvements, on behalf of Judy Bollmann, to two Egress Window Non-Compliance Determinations at 910 CASE AVENUE.  
**Adopted**
- 66      [RLH TA 12-95](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1572 CASE AVENUE.  
**Adopted**
- 67      [RLH TA 12-92](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 670 DESOTO STREET.  
**Adopted**

- 68      [RLH FOW](#)  
          [12-54](#)      Appeal of Tony Swanson, Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Inspection Correction Notice at 1294 EDGERTON STREET.  
  
          **Adopted**
- 69      [RLH WP](#)  
          [12-17](#)      Appeal of Twin Cities Siding Professionals, on behalf of Mary and Vic Bowman, to an Egress Window Non-Compliance Determination at 1827 ELEANOR AVENUE.  
  
          **Adopted**
- 70      [RLH FCO](#)  
          [12-86](#)      Appeal of Mai Cher Her to a Fire Inspection Correction Notice at 613 ELFELT STREET.  
  
          **Adopted**
- 71      [RLH TA](#)  
          [12-123](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204B, Assessment No. 128103 at 575 FARRINGTON STREET.  
  
          **Adopted**
- 72      [RLH FOW](#)  
          [12-60](#)      Appeal of James Nelson to a Fire Inspection Correction Notice at 1148 FIFTH STREET EAST.  
  
          **Adopted**
- 73      [RLH TA](#)  
          [12-102](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 902 FOREST STREET.  
  
          **Adopted**
- 75      [RLH FOW](#)  
          [12-55](#)      Appeal of Tony Swanson, Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Inspection Correction Notice at 1403 FOREST STREET.  
  
          **Adopted**
- 76      [RLH WP](#)  
          [12-14](#)      Appeal of Bryan Horton, Renewal by Andersen, to an Egress Window Non-Compliance Determination at 1003 FRONT AVENUE.  
  
          **Adopted**
- 77      [RLH WP](#)  
          [12-20](#)      Appeal of Affordable Builders, on behalf of Zachary Thompson, to two Egress Window Non-Compliance Determinations at 1056 FRONT AVENUE.  
  
          **Adopted**

- 78      [RLH WP  
12-15](#)      Appeal of Daniel Schmidt, Department of Public Health, to an Egress Window Non-Compliance Determination at 844 FULLER AVENUE.  
**Adopted**
- 79      [RLH WP  
12-24](#)      Appeal of Angen Xiong to an Egress Window Non-Compliance Determination at 1086 GALTIER STREET.  
**Adopted**
- 80      [RLH FCO  
12-25](#)      Appeal of Greg Pavlick to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 694 GRAND AVENUE.  
**Adopted**
- 81      [RLH FOW  
12-48](#)      Appeal of Ann Byers to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 876 HAGUE AVENUE.  
**Adopted**
- 82      [RLH TA 12-86](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 2078 HAWTHORNE AVENUE EAST.  
**Adopted**
- 83      [RLH FCO  
12-85](#)      Appeal of Mary Hannahan/John Clifford to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 762 HOLLY AVENUE.  
**Adopted**
- 84      [RLH FCO  
12-53](#)      Appeal of Kari M. Miner to a Fire Certificate of Occupancy Correction Notice at 601 HYACINTH AVENUE EAST.  
**Adopted**
- 85      [RLH FOW  
12-67](#)      Appeal of Rachel Allen to a Reinspection Fire Certificate of Occupancy With Deficiencies at 1988 HYACINTH AVENUE EAST.  
**Adopted**
- 86      [RLH TA  
12-114](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1847 IDAHO AVENUE EAST.  
**Adopted**
- 87      [RLH OA  
12-28](#)      Recommending that Ramsey County deny the application of Patricia Starks Fagge'tt, on behalf of the estate of Artis W. Starks, for repurchase of tax forfeited property at 1027 IGLEHART AVENUE.  
**Adopted**

- 88      [RLH TA 12-99](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1690 IVY AVENUE EAST.  
**Adopted**
- 89      [RLH FCO 12-63](#)      Appeal of Roger and Marion Layer to a Fire Certificate of Occupancy Inspection Correction Notice at 838 JENKS AVENUE.  
**Adopted**
- 90      [RLH TA 12-94](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204B, Assessment No. 128103 at 856 JENKS AVENUE.  
**Adopted**
- 91      [RLH TA 12-91](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1409 JULIET AVENUE.  
**Adopted**
- 92      [RLH TA 12-110](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1698 LAFOND AVENUE.  
**Adopted**
- 93      [RLH VBR 12-11](#)      Appeal of Bretta Hebing, on behalf of Tahoe Holdings, to a Vacant Building Registration Notice at 112 LARPENITEUR AVENUE WEST.  
**Adopted**
- 94      [RLH WP 12-21](#)      Appeal of The Window Store Home Improvements, on behalf of Larry Sklaney, to an Egress Window Non-Compliance Determination at 1200 LARPENITEUR AVENUE EAST.  
**Adopted**
- 95      [RLH FCO 12-61](#)      Appeal of Antonio Grajeda and KaSandra Tidgwell to a Revocation of Fire Certificate of Occupancy and Vacant Building Registration Fee at 569 LAFOND AVENUE.  
**Adopted**
- 96      [RLH RR 12-9](#)      Ordering the razing and removal of the structures at 457 LAWSON AVENUE WEST within five (5) days after the March 21, 2012 City Council Public Hearing.  
**Adopted**

- 97      [RLH TA](#)  
          [12-122](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 255 MARIA AVENUE.  
  
          **Adopted**
- 98      [RLH TA](#)  
          [12-115](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1204, Assessment No. 128203 at 887 MARION STREET.  
  
          **Adopted**
- 99      [RLH FOW](#)  
          [12-34](#)      Appeal of Judd Andrews to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1810 MARSHALL AVENUE.  
  
          **Adopted**
- 100     [RLH FOW](#)  
          [12-58](#)      Appeal of Tony Swanson, Public Housing Agency of St. Paul, to a Fire Certificate of Occupancy Inspection Correction Notice at 736 MARYLAND AVENUE EAST.  
  
          **Adopted**
- 101     [RLH WP](#)  
          [12-19](#)      Appeal of Patricia Noren to an Egress Window Non-Compliance Determination at 4 MAYWOOD PLACE.  
  
          **Adopted**
- 102     [RLH FOW](#)  
          [12-53](#)      Appeal of Nancy Olson to a Fire Certificate of Occupancy Inspection Correction Notice at 1398 MECHANIC AVENUE.  
  
          **Adopted**
- 103     [RLH FCO](#)  
          [12-64](#)      Appeal of Lucas Hannigan and Dennis Hannigan to a Correction Notice-Complaint Inspection at 1895 MONTANA AVENUE EAST.  
  
          **Adopted**
- 104     [RLH WP](#)  
          [12-16](#)      Appeal of Home Depot At Home Services to an Egress Window Non-Compliance Determination at 2051 NORTONIA STREET.  
  
          **Adopted**
- 105     [RLH FCO](#)  
          [12-51](#)      Appeal of Reginald E. Moore to a Fire Certificate of Occupancy Correction Notice at 818 OCEAN STREET.  
  
          **Adopted**

- 106     [RLH VBR  
12-14](#)     Appeal of Jarred Johnson to a New Owner Vacant Building Registration Notice and Correction Notice at 685 ORANGE AVENUE EAST.  
  
             **Adopted**
- 107     [RLH TA  
12-116](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No.128302 at 1388 PALACE AVENUE.  
  
             **Adopted**
- 108     [RLH WP  
12-18](#)     Appeal of Renewal by Andersen, on behalf of Carol Engel, to two Egress Window Non-Compliance Determinations at 2053 PALACE AVENUE.  
  
             **Adopted**
- 109     [RLH TA  
12-101](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1204, Assessment No. 128203 at 784 PEDERSEN STREET.  
  
             **Adopted**
- 110     [RLH FCO  
12-59](#)     Appeal of Regina Bachmeier to a Fire Certificate of Occupancy Inspection Correction Notice at 1764 PORTLAND AVENUE.  
  
             **Adopted**
- 111     [RLH SAO  
12-7](#)     Appeal of Nancy Vang to a Summary Abatement Order at 450 ROSE AVENUE EAST.  
  
             **Adopted**
- 112     [RLH FOW  
12-66](#)     Appeal of Arhondus Simmons to a Fire Certificate of Occupancy Correction Notice at 1073 SELBY AVENUE.  
  
             **Adopted**
- 113     [RLH TA  
12-105](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1204P, Assessment No. 128403 at 1632 SHERBURNE AVENUE.  
  
             **Adopted**
- 114     [RLH TA 12-88](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No.128302 at 1512 SIMS AVENUE.  
  
             **Adopted**



- 115     [RLH FCO  
12-99](#)     Appeal of Kendall Burton to a Re-Inspection Fire Certificate of Occupancy Correction Notice With Deficiencies at 1002 SIXTH STREET EAST.  
  
             **Adopted**
- 116     [RLH RR  
12-10](#)     Ordering the razing and removal of the structures at 1024 SIXTH STREET EAST within fifteen (15) days after the March 21, 2012 City Council Public Hearing.  
  
             **Adopted**
- 117     [RLH TA 12-27](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. 1203TA, Assessment No. 129007 at 825 SYLVAN STREET. (Public hearing continued from February 15)  
  
             **Adopted**
- 118     [RLH RR  
12-11](#)     Ordering the razing and removal of the structures at 1247 SYLVAN STREET within fifteen (15) days after the March 21, 2012 City Council Public Hearing.  
  
             **Adopted**
- 119     [RLH TA  
12-111](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204B, Assessment No. 128103 at 435 THOMAS AVENUE.  
  
             **Adopted**
- 120     [RLH FOW  
12-61](#)     Appeal of Bona Ku to a Fire Certificate of Occupancy Inspection Correction Notice at 324 VAN BUREN AVENUE.  
  
             **Adopted**
- 122     [RLH FOW  
12-71](#)     Appeal of Jason Oberhamer to a Fire Certificate of Occupancy Inspection Correction Notice at 967 WAKEFIELD AVENUE.  
  
             **Adopted**
- 123     [RLH FOW  
12-63](#)     Appeal of John Ackerman to a Fire Certificate of Occupancy Correction Notice at 1090 WAKEFIELD AVENUE.  
  
             **Adopted**
- 124     [RLH TA 12-87](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204B, Assessment No. 128103 at 1611 WESTMINSTER STREET.  
  
             **Adopted**

- 125     [RLH WP  
12-23](#)     Appeal of The Window Store Home Improvements, on behalf of Ronald Scharfe, to an Egress Window Non-Compliance Determination at 1572 WHEELLOCK RIDGE ROAD.  
  
             **Adopted**
- 126     [RLH VO  
12-14](#)     Appeal of Kelly & Lemmons, Attorneys at Law, on behalf of Jeremiah J. Hurley, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate plus Correction Notice at 1152 WILSON AVENUE.  
  
             **Adopted**
- 127     [RLH TA 12-93](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1030 WALSH STREET.  
  
             **Adopted**
- 128     [RLH FOW  
12-52](#)     Appeal of Jesse Jacobsen to a Fire Certificate of Occupancy Correction Notice at 1596 WILSON AVENUE.  
  
             **Adopted**
- 129     [RLH TA 12-90](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1203E, Assessment No. 128302 at 1623 YORK AVENUE.  
  
             **Adopted**
- 130     [RLH AR 12-7](#)     Ratifying the assessments for Collection of Certificate of Occupancy Fees Services from November 2011. (File No. CRT1204, Assessment No. 128203)  
  
             **Adopted**
- 131     [RLH AR 12-8](#)     Ratifying the assessments for Graffiti Removal Services from June 27 to October 10, 2011. (File No. J1204P, Assessment No. 128403)  
  
             **Adopted**
- 132     [RLH AR 12-9](#)     Ratifying the assessments for Excessive Inspection Services from September 22 to October 27, 2011. (File No. J1203E, Assessment No. 128302)  
  
             **Adopted**
- 133     [RLH AR  
12-10](#)     Ratifying the assessments for Tree Removal Services from December 2011. (File No. 1205T, Assessment No. 129004)  
  
             **Adopted**

- 134     [RLH AR](#)     Ratifying the assessments for Boarding and/or Securing Services in  
         [12-11](#)           November 2011. (File No. J1204B, Assessment No. 128103)

**Adopted**

*Item 19 was reconsidered at this time. (See minutes under Item 19 above)*

## **ADJOURNMENT**

*Councilmember Brendmoen moved to adjourn the meeting.*

**Meeting Adjourned 7:35 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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