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

Wednesday, March 20, 2013 | **3:30 PM** | **Council Chambers - 3rd Floor**

Public Hearings at 5:30 p.m.

ROLL CALL

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

Councilmember Bostrom excused

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

Absent 1 - Councilmember Dan Bostrom

COMMUNICATIONS & RECEIVE/FILE

1 CO 13-7 Letter from the Department of Safety and Inspections declaring 762 Thomas Avenue a nuisance property. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

Received and Filed

2 CO 13-8 Letters from the Department of Safety and Inspections declaring 1565 Seventh Street East and 217-219 White Bear Avenue North as nuisance properties. (For notification purposes only; public hearings will be scheduled at a later date if necessary.)

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 - 19)

Items 14 and 19 were removed from the Consent Agenda for separate consideration. Councilmember Brendmoen moved approval of the balance of the Consent Agenda.

Consent Agenda adopted as amended

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

Nay: 0

Absent: 1 - Councilmember Bostrom

3 RES 13-425 Accepting the gifts of travel expenses for Mayor Coleman and Marketing Director Jake Spano to meet with Red Bull executives in Quebec, Canada, March 15 - 17, 2013.

Adopted

4 RES 13-400 Accepting the gift of travel expenses up to $1,500 for Noel Nix to attend the Main Streets Conference on Cultural Economy, held April 13-16, 2013, in New Orleans, LA.

Adopted

5 RES 13-460 Changing the boundary between District Council 6 and District Council 10 the South Como neighborhood and requesting a study to define a procedure for future boundary changes.

Adopted

6 RES 13-409 Memorializing City Council action taken on November 14, 2012, granting the appeal of Gleeson Architects to conditions imposed by the Heritage Preservation Commission on a building permit to replace the public sidewalks around the building at 366 Jackson Street within the Lowertown Heritage Preservation District.

Adopted

7 RES 13-352 Approving the City's cost of providing Replacement of Lead Water Service Line on private property from November 2012 to January 2013, and setting date of City Council Public Hearing for May 1, 2013 to consider and levy the assessments against individual properties. (File No. 1302LDSRP, Assmt. No. 134001)

Adopted

8 RES 13-353 Approving the City's cost of providing Repair of Sanitary Sewer Line from November 2012 to January 2013, and setting date of City Council Public Hearing for May 1, 2013 to consider and levy the assessments against individual properties. (File No. SWRP1302, Assmt. No. 133001)

Adopted

9 RES 13-412 Approving the City's cost of providing Collection of Vacant Building Fees Services billed July 9 to December 21, 2012, and setting date of Legislative Hearing for April 16, 2013 and City Council Public Hearing for June 5, 2013 to consider and levy the assessments against individual properties. (File No. VB1308, Assmt. No. 138811)

Adopted

10 RES 13-415 Approving the City's cost of providing Graffiti Removal Services from January 20 to February 7, 2013, and setting date of Legislative Hearing for April 16, 2013 and City Council Public Hearing for June 5, 2013 to consider and levy the assessments against individual properties. (File No. J1307P, Assmt. No. 138406)

Adopted

11 RES 13-416 Approving the City's cost of providing Property Clean Up Services from February 2 to March 1, 2013, and setting date of Legislative Hearing for April 16, 2013 and City Council Public Hearing for June 5, 2013 to consider and levy the assessments against individual properties. (File No. J1308A, Assmt. No. 138515)

Adopted

12 RES 13-417 Approving the City's cost of providing Trash Hauling Services from February 6 to 27, 2013, and setting date of Legislative Hearing for April 16, 2013 and City Council Public Hearing for June 5, 2013 to consider and levy the assessments against individual properties. (File No. J1308G, Assmt. No. 138708)

Adopted

13 RES 13-447 Authorizing the Fire Department to accept a donation of $500 from Alerus Mortgage to continue to provide public safety and community education to the City of Saint Paul and its residents.

Adopted

15 RES 13-438 Approving adverse action against the Tree Trimmer & 1 Vehicle and Tree Trimmer - Each Add'l Vehicle licenses held by CB Industries, Inc., d/b/a Arbortech Stump & Tree Removal.

Adopted

16 RES 13-439 Approving adverse action against the Massage Practitioner license held by Courtney L. Kupfer for 937 Grand Avenue.

Adopted

17 RES 13-440 Approving adverse action against the Massage Practitioner license held by Cynthia L. Miller for 777 Raymond Avenue.

Adopted

18 RES 13-451 Memorializing City Council action taken on March 6, 2013, sustaining adverse licensing action against all licenses held by Fa Khir, Inc., d/b/a Fa Khir at 2430 University Avenue West.

Adopted

FOR DISCUSSION

14 RES 13-444 Authorizing the Department of Public Works to host an Open House Event on Tuesday, May 21st at the Public Works Dale Street Complex Grounds and to pay for related expenses, not to exceed $12,000 ($7,800), from existing budgets. (Laid over from March 20)

Councilmember Brendmoen moved a one week layover to allow time for Public Works to develop a budget for the use of the $12,000.

Laid over to March 27

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

Nay: 0

Absent: 1 - Councilmember Bostrom

19 RES 13-464 Declaring Saturday, March 23, 2013 from 8:30 to 9:30 p.m. to be "Earth Hour" in the City of Saint Paul.

Councilmember Stark highlighted the event and said it provided a reminder of the need to conserve energy and of the role electricity played in generating greenhouse gases.

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

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.

Third Reading, No Public Hearing

20 Ord 13-12 Memorializing City Council action taken February 6, 2013 granting the application of Donna M. Sauro and Susan Sauro Kane, Trustees, for the Rezoning of 342 Kellogg Boulevard West from RM2 Medium Density Multiple Family Residential to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. [ZF 12-216053] (Public hearing held February 6, 2013)

Laid over to March 27 for final adoption

Second Reading

21 Ord 13-15 Memorializing City Council action granting the application of the City of St. Paul for the Rezoning of 1564 Lafond Avenue from R4 One-Family Residential to T2 Traditional Neighborhood, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held February 20, 2013)

Laid over to March 27 for third reading

First Reading

22 Ord 13-16 Amending Chapter 427 of the Saint Paul Legislative Code pertaining to exercise only facilities.

Laid over to March 27 for second reading

The Council recessed at 3:35 p.m.

PUBLIC HEARINGS

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

Councilmember Bostrom excused

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

Absent 1 - Councilmember Dan Bostrom

23 Ord 13-14 Amending Legislative Code § 65.774 (c) pertaining to standards and conditions for malt liquor production in Traditional Neighborhood and Business districts.

Councilmember Stark introduced a non-substantive amendment adding legal language regarding the process. Yeas - 6 Nays - 0

In support:
Deb Loch (2139 Fairmount Avenue) spoke about the challenges faced and benefits brought by small breweries such as the one she and her partner were starting. She said it was time that St. Paul joined other jurisdictions in expanding options for taprooms.

Dane Breimhorst (225 Richmond Street) said he and his business partner were planning to open the Midwest's first gluten-free brewery. He said a taproom would generate $30,000 to $40,000 a year in taxable revenue and would provide additional employment opportunities.

Matt Hauch (3921 E. 26th Street), Chief Operating Officer for Fair State Brewing Cooperative, spoke about how small breweries in Minneapolis were becoming important parts of their communities, and could do the same in Lowertown and along the Central Corridor.

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

Councilmember Thune asked whether the rules applying to other bars would also apply in tap rooms. Councilmember Stark said the rules relating to the serving of alcohol would apply in taprooms. Councilmember Thune asked about parking requirements. Councilmember Stark said the requirements would depend on the neighborhood. He noted that there were no parking requirements for businesses along the Central Corridor.

Councilmember Stark expressed appreciation for people who came to testify, and said he felt the change would make it easier for this new kind of small brewery to open up.

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

Amended; public hearing held and closed; laid over to March 27 for final adoption

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

Nay: 0

Absent: 1 - Councilmember Bostrom

24 RES PH 13-61 Approving the application of Lunda Construction for a sound level variance for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from April 20, 2013 to May 3, 2013. (Public hearing continued from March 20)

No one appeared in opposition; Councilmember Thune moved to continue the public hearing to April 17. He said Licensing was working on an amendment.

Public hearing continued to April 17

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

Nay: 0

Absent: 1 - Councilmember Bostrom

25 PH 13-10 Public hearing to consider the application of Keith and Patricia Jacobsen to rezone property at 1836-38 Grand Avenue from B2 Community Business to BC Community Business (Converted).

No one appeared in opposition; Councilmember Tolbert moved to close the public hearing and grant the appeal.

Motion of Intent - Application Granted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

26 PH 13-12 Public hearing to consider the application of Raymond Condominiums and Lakes & Plains LLC to rezone properties at 854-856 Raymond Avenue, 842 Raymond Avenue (841 Bradford Street), and 2330 Long Avenue from RM2 Medium-Density Multiple-Family Residential and VP Vehicular Parking to T2 Traditional Neighborhood.

No one appeared in opposition; Councilmember Stark moved to close the public hearing and grant the appeal.

Motion of Intent - Application Granted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

27 RES PH 13-45 Ratifying the assessment for the sidewalk reconstruction on the north side of Kellogg Boulelvard East between Jackson and Sibley Streets, and the east side of Jackson Street between Kellogg Boulevard and East Fourth Street. (File No. S0802, Assmt. No. 090781)

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

28 RES PH 13-46 Ratifying the assessment for the sidewalk reconstruction on the north side of Kellogg Boulevard East between Cedar and Minnesota Streets at 65 East Kellogg Boulevard. (File No. S0708, Assmt. No. 090778)

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

29 RES PH 13-48 Final Order approving the sidewalk improvements in the west Midway area of Ward 4. (File No. S1204, Asmt No. 125305)

Hilary Holmes, Planning and Economic Development (PED), gave a brief staff report. She said the infill would provide sidewalk access to the Central Corridor, and the program would pay for half the cost of the sidewalks. She said there was a pre-hearing meeting in the neighborhood, and follow-up one-on-one meetings to get feedback.

Councilmember Stark said based on feedback from community meetings, he wanted to remove from the program the segment on Ellis Street, which was likely to require work within five years anyway, and the segment on Carlton Street. He said the business at that address was using the area for pull-in parking and he wanted to allow time for them to find alternative parking.

In opposition:
Mark Rancone (682 Goodrich), manager of two commercial properties on Transfer Road, said he said he did not feel there was enough time between the community meeting and the Council vote. He said Transfer Road would be truck-centered and not pedestrian-friendly for the foreseeable future, and having a sidewalk would not increase property values. He said adding a sidewalk would result in the removal of mature trees and require maintenance by the property owners. He said CIB money was not a gift, and he asked that the Council vote against the project, at least for Transfer Road.

Wayne Robedauix, property owner at 842 Vandalia, questioned being charged $8,000 or $16,000 for a sidewalk that would run along the side of the building. He said snow was pushed against the building in the winter and trucks drove along the boulevard in the summer, and there was no need for a sidewalk.

Chad Commers (1870 Highland Parkway) said he worked with Mr. Rancone and handled rental of the properties. He said he had been at the properties over the past couple of days and not seen any pedestrian traffic. He echoed Mr. Rancone's concerns about added maintenance.

Councilmember Stark said Kari Rihm from Rihm Trucking had not been able to attend the the meeting but had submitted a letter of opposition to the segment on Transfer Road.

In support:
Amy Sparks (890 Cromwell Avenue), Executive Director for the District 12 Community Council, said it was a complex issue with competing needs in an industrial area close to the Light Rail line. She acknowledged the need for more conversation and said Territorial would be problematic as well. She said they wanted more sidewalks but there was also a desire to keep the industrial area strong. She said the board had voted on the plan after extensive conversation, and the majority were in favor of the plan as originally proposed.

Stephen Maste (2350 Bayless Place) District 12 Community Council member and property owner at 856 Raymond Avenue, said the segments chosen for inclusion were the easiest ones with the least disruption. He said it was important to be cognizant of public safety around the Central Corridor, and stressed the importance of connections to the Central Corridor.

Councilmember Stark moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Stark said the goal was to create pathways for pedestrians and not to put sidewalks everywhere; he explained the rationale behind some of the choices made. He said new sidewalk was always controversial and he didn't feel more time would have led to a different program. He thanked those who had come to testify, and said it was a difficult decision but he felt the program met a demonstrated need. He moved approval of the resolution as amended.

Adopted as amended

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

Nay: 0

Absent: 1 - Councilmember Bostrom

30 RES PH 13-65 Giving preliminary approval pursuant to Minnesota Statutes, Chapter 462C for a Housing Finance Program proposal for a combination multifamily rental housing and health care project; authorizing the Housing and Redevelopment Authority to issue Senior Housing and Health Care Revenue Bonds; and authorizing the preparation of necessary documents and materials in connection with said project and program (Episcopal Homes Project), District 13, Ward 4.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

31 RES PH 13-68 Amending the financing and spending plans in the Fire Department in the amount of $6,233 for the 2010 Assistance to Firefighter Grant.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

32 RES PH 13-58 Amending the 2013 Water Department budget to reflect the issuance of revenue refunding bonds for a current refunding of the Series 2003C and an advance refunding of the Series 2005D revenue bonds.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Bostrom

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

34 RLH VO 13-11 Appeal of Bill Bernier to a Fire Inspection Correction Notice (includes condemnation of Third Unit) at 776 AURORA AVENUE.

Legislative Hearing Officer Marcia Moermond said the appeal was of three items on the orders relating to the use of the property as an illegal triplex. She said there were three mailboxes at the property, there'd been a Craiglist ad placed for the third floor attic space, and there were deadbolts between the levels. She said the appellant had signed a covenant as part of the third floor renovation stating that the property would be used a duplex, but he claimed he'd signed it under duress when pulling the building permit.

Appellant Bill Bernier said he'd spent $25,000 on the attic, and all of the work had been done under permit and been finalled. He said the ad on Craigslist calling the unit a third floor unit was an error. He said he was allowed to have the space occupied, and people living in the upper two units didn't need to be related for the two floors to be considered a single unit. He referred to language in the code about unrelated adults, and said it was a misperception that it was a triplex. He said he could have as many mailboxes as he wanted. He said the people on the third level had a right to secure their belongings and there was no statute limiting the placement of locks. He said the third floor tenants had moved out when the unit was placarded.

Councilmember Brendmoen asked whether the third floor had a sink, refrigerator, or stove. Mr. Bernier said there was a sink in the bathroom, but there was no stove or refrigerator. He said there were two refrigerators on the second level. He said he was making the highest and best use of the property, and there was one water heater and one furnace, but separate breaker boxes. He reiterated that the work on the third floor was done under permit and inspected, and if the third floor was illegal the inspectors should have pointed it out.

Councilmember Carter moved to close the public hearing. Yeas - 6 Nays - 0

Councilmember Carter confirmed with Ms. Moermond that there were unrelated adults on the 2nd and 3rd levels, there were locks between the two levels, and there were three mailboxes, and separate breaker boxes. He asked whether deadbolt locks between the levels were permissible if it was all one unit. Ms. Moermond said it depended on how the lock affected fire egress. She said in this case the type of lock present was one factor cited by inspectors as evidence the property was being used as a triplex. She said the current issue was the condemnation due to violation of the fire code, and there were separate zoning and building code issues.

Council President Lantry said the property needed to be made to comply with standards for a duplex in a way that was not skirting the intent of the law, and inspections staff had laid out those requirements.

Councilmember Carter agreed, and said the requirements for compliance were pretty straightforward. He moved to adopt deny the appeal.

Adopted (appeal denied)

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

Nay: 0

Absent: 1 - Councilmember Bostrom

35 RLH TA 13-125 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 903 BEECH STREET.

Legislative Hearing Officer Marcia Moermond said the appeal was of a tax assessment for a property clean-up. She said there had not been a Legislative Hearing because the appellant had exhausted the three opportunities to reschedule, so she did not have a formal recommendation for the Council. She reviewed the online history, and recommended approval based on that record.

Appellant Trent Peterson, said he and a business partner owned a number of rental properties and were trying to provide housing for people who don't have it. He apologized for missing the Legislative Hearing. He said the property was next to a Centurylink dumpster that attracted dumping, and Centurylink was moving rubbish to his property. He said the lease with his tenants stated that it was their responsibility to forward notices, and that wasn't done in this case. He said they also were't notified by the tenants of the dumping problem. He said he was not asking for the fine to be eliminated, but was asking for the extra charges to be removed. He said he was appearing on behalf of the tenant who would have to pay the assessment. He said the tenant had six children.

Council President Lantry moved to close the public hearing. Yeas - 6 Nays - 0

Council President Lantry said mail should be sent to the property owner, and there should be someone responsible when the owner is away. She said Mr. Peterson should be talking to Centurylink. She said he received notice and should have done the work, and should absorb the assessment as a cost of doing business rather than passing it along to the tenants. She moved to approve the assessment.

Adopted (assessment approved)

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

Nay: 0

Absent: 1 - Councilmember Bostrom

43 RLH TA 13-79 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305A1, Assessment No.138519 at 1084 EARL STREET.

Legislative Hearing Officer Marcia Moermond asked that the matter be referred for an April 2 Legislative Hearing and the Council public hearing be continued to April 17.

No one appeared in opposition; Councilmember Tolbert moved to continue the public hearing to April 17.

Referred to Legislative Hearings on April 2; City Council public hearing continued to April 17

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

Nay: 0

Absent: 1 - Councilmember Bostrom

44 RLH TA 13-105 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A2, Assessment No. 138520 at 25 EMPIRE DRIVE.

Legislative Hearing Officer Marcia Moermond asked that the matter be referred for an April 2 Legislative Hearing.

No one appeared in opposition; Councilmember Carter moved to refer the matter for an April 2 Legislative Hearings.

Referred to Legislative Hearings on April 2

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

Nay: 0

Absent: 1 - Councilmember Bostrom

61 RLH OA 13-48 Re-examining the record for RLH RR 13-10 approved by the City Council on March 6, 2013, ordering the razing and removal of the structures located at 758 MARYLAND AVENUE EAST within fifteen (15) days.

Legislative Hearing Officer Marcia Moermond asked that the public hearing be continued to April 3.

No one appeared in opposition; Councilmember Stark moved to continue the public hearing to April 3.

Public hearing continued to April 3

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

Nay: 0

Absent: 1 - Councilmember Bostrom

66 RLH TA 13-101 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305A, Assessment No. 138813 at 1587 PARK STREET.

Legislative Hearing Officer Marcia Moermond asked that the matter be referred for an April 16 Legislative Hearing and the Council public hearing be continued to May 1.

No one appeared in opposition; Councilmember Brendmoen moved to continue the public hearing to May 1.

Referred to Legislative Hearings on April 16; City Council public hearing continued to May 1

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

Nay: 0

Absent: 1 - Councilmember Bostrom

68 RLH AR 13-5 Ratifying the assessments for Tree Removal Services during Spring 2005 at 771 PIERCE BUTLER ROUTE. (File No. 0501T3, Assessment No. 139003) (Public hearing continued from May 1) (Amended to delete the assessment)

Legislative Hearing Officer Marcia Moermond asked that the matter be referred for an April 16 Legislative Hearing and the Council public hearing be continued to May 1.

No one appeared in opposition; Councilmember Carter moved to continue the public hearing to May 1.

Referred to Legislative Hearings on April 16; City Council public hearing continued to May 1

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

Nay: 0

Absent: 1 - Councilmember Bostrom

69 RLH TA 13-87 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 0501T3, Assessment No. 139003 at 771 PIERCE BUTLER ROUTE. (Public hearing continued from March 20 and May 1) (Amended to delete the assessment)

Legislative Hearing Officer Marcia Moermond asked that the matter be referred for an April 16 Legislative Hearing and the Council public hearing be continued to May 1.

No one appeared in opposition; Councilmember Carter moved to continue the public hearing to May 1.

Referred to Legislative Hearings on April 16; City Council public hearing continued to May 1

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

Nay: 0

Absent: 1 - Councilmember Bostrom

77 RLH SAO 13-10 Appeal of Bee Vue to a Summary Abatement Order at 825 UNIVERSITY AVENUE WEST.

Legislative Hearing Officer Marcia Moermond recommended denying the appeal and granting an extension to April 15 for compliance.

No one appeared in opposition; Councilmember Carter moved to adopt the recommendation of the Legislative Hearing Officer.

Adopted as amended (appeal denied and extension granted to April 15 for compliance)

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

Nay: 0

Absent: 1 - Councilmember Bostrom

82 RLH AR 13-2 Ratifying the assessments for Boarding and/or Securing Services during October 2012. (File No. J1305B, Assessment No. 138104)

Legislative Hearing Officer Marcia Moermond asked that 175 Charles be referred back for an April 2 Legislative Hearing, and the public hearing for that address be continued to April 17.

No one appeared in opposition; Councilmember Carter moved to adopt the recommendation of the Legislative Hearing Officer.

Adopted as amended (175 Charles Avenue referred to Legislative Hearings on April 2; City Council public hearing continued to April 17)

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

Nay: 0

Absent: 1 - Councilmember Bostrom

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

Legislative Hearing Consent Agenda adopted as amended

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

Nay: 0

Absent: 1 - Councilmember Bostrom

33 RLH TA 13-99 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305B, Assessment No. 138104 at 856 ALBEMARLE STREET.

Adopted

36 RLH TA 13-126 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304B1, Assessment No. 138108 at 903 BEECH STREET. (Public hearing continued from February 20, 2013)

Adopted

37 RLH VO 13-8 Appeal of Heather Meyers, SMRLS (Southern Minnesota Regional Legal Services), on behalf of Carla Folson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 904 BURR STREET, UPPER.

Adopted

38 RLH TA 13-111 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 13805A at 1165 BUSH AVENUE.

Adopted

39 RLH RR 13-9 Ordering the rehabilitation or razing and removal of the structures at 1054 CENTRAL AVENUE WEST within fifteen (15) days after the February 20, 2013 City Council Public Hearing. (Amend to raze or removal within 30 days)

Adopted

40 RLH TA 13-168 Amending Council File RLH AR 13-16 to delete the assessment for Property Cleanup Services from September 4 to October 1, 2012 at 1225 COOK AVENUE EAST. (File No. J1303A, Assessment No. 138502)

Adopted

41 RLH TA 13-90 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1390 DESOTO STREET.

Adopted

42 RLH TA 13-71 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305B, Assessment No. 138104 at 383 DEWEY STREET.

Adopted

45 RLH FCO 13-51 Appeal of John W. Sweeney to a Fire Inspection Correction Notice at 1064 ENGLEWOOD AVENUE.

Adopted

46 RLH TA 13-81 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No.138504 at 1248 FARRINGTON STREET.

Adopted

47 RLH TA 13-91 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 429 FRY STREET.

Adopted

48 RLH TA 13-82 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 337 FULLER AVENUE.

Adopted

49 RLH TA 13-88 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 2160 HAWTHORNE AVENUE EAST.

Adopted

50 RLH TA 13-92 Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 647 HOLLY AVENUE.

Adopted

51 RLH TA 13-100 Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 517 HOYT AVENUE.

Adopted

52 RLH TA 13-119 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301V, Assessment No. 138000 at 1517 IDAHO AVENUE EAST.

Adopted

53 RLH TA 13-86 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305B, Assessment No. 138104 at 565 JEFFERSON AVENUE.

Adopted

54 RLH TA 13-104 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1304, Assessment No. 138803 at 985 JENKS AVENUE.

Adopted

55 RLH TA 13-115 Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 501 KENT STREET.

Adopted

56 RLH TA 13-93 Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 1691 LEONE AVENUE.

Adopted

57 RLH RR 13-14 Ordering the rehabilitation or razing and removal of the structures at 1333 MARGARET STREET within fifteen (15) days after the March 20, 2013 City Council Public Hearing.

Adopted

58 RLH FOW 13-5 Appeal of Roseanne Wynn to an Egress Window Non-Compliance Determination at 1415 MARGARET STREET.

Adopted

59 RLH VO 13-10 Appeal of Susan Clarin to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1674 MARION STREET.

Adopted

60 RLH TA 13-83 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 616 MARYLAND AVENUE EAST.

Adopted

62 RLH TA 13-124 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1002 MINNEHAHA AVENUE EAST.

Adopted

63 RLH TA 13-89 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 426 MONTANA AVENUE EAST.

Adopted

64 RLH TA 13-139 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 847 OAKDALE AVENUE.

Adopted

65 RLH FCO 13-48 Appeal of Andy Hybben to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 582 OHIO STREET.

Adopted

67 RLH TA 13-80 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No.138504 at 1199 PAYNE AVENUE.

Adopted

70 RLH TA 13-97 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 586 RICE STREET.

Adopted

71 RLH TA 13-98 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304A1, Assessment No. 138516 at 586 RICE STREET. (Public hearing continued from March 6)

Adopted

72 RLH TA 13-103 Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 987 RICE STREET.

Adopted

73 RLH TA 13-122 Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 1328 SEARLE STREET.

Adopted

74 RLH TA 13-123 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 167 SHERBURNE AVENUE.

Adopted

75 RLH SAO 13-8 Appeal of Darrell Kowarsch to a Vehicle Abatement Order at 241 SIDNEY STREET EAST.

Adopted

76 RLH TA 13-73 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1763 THOMAS AVENUE.

Adopted

78 RLH TA 13-95 Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 1389 UNIVERSITY AVENUE WEST.

Adopted

79 RLH TA 13-70 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1441 VAN BUREN AVENUE.

Adopted

80 RLH TA 13-84 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 301 WYOMING STREET WEST.

Adopted

81 RLH AR 13-1 Ratifying the assessments for Towing of Abandoned Vehicles Services from April to July 2012. (File No. J1301V, Assessment No. 138000)

Adopted

83 RLH AR 13-3 Ratifying the assessments for Collection of Vacant Building Fees billed from May 11 to September 21, 2012. (File No. VB1305, Assessment No. 138804)

Adopted

84 RLH AR 13-4 Ratifying the assessments for Property Clean Up Services during November 2012. (File No. J1305A, Assessment No. 138504)

Adopted

ADJOURNMENT

Councilmember Brendmoen moved adjournment.

The meeting was adjourned at 6:39 p.m.

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

Nay: 0

Absent: 1 - Councilmember Bostrom

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