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 Russ Stark
Councilmember Dai Thao
Councilmember Dave Thune
Councilmember Chris Tolbert

Wednesday, April 16, 2014 | **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 3:32 p.m.

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

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 1 - 18)

Item 17 was withdrawn. Councilmember Bostrom said more work would be done on the item and it would be brought back.

Councilmember Bostrom moved approval of the Consent Agenda as amended.

Consent Agenda adopted as amended

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

Nay: 0

1 RES 14-673 Supporting the findings of the Red Rock Corridor Alternatives Analysis Update (AAU) Study.

Adopted

2 RES 14-676 Accepting the gift of lodging from the Saint Paul Hotel for the annual Karl Neid Community Involvement Award 2014.

Adopted

3 RES 14-534 Approving the City's cost of providing Boarding and/or Securing services during February 2014, and setting date of Legislative Hearing for May 20, 2014 and City Council Public Hearing for July 9, 2014 to consider and levy the assessments against individual properties. (File No. J1408B, Assessment No. 148107)

Adopted

4 RES 14-535 Approving the City's cost of providing Excessive Use of Inspection services billed December 30, 2013 to February 6, 2014, and setting date of Legislative Hearing for May 20, 2014 and City Council Public Hearing for July 9, 2014 to consider and levy the assessments against individual properties. (File No. J1404E, Assessment No. 148306)

Adopted

5 RES 14-536 Approving the City's cost of providing Graffiti Removal services from January 24 to March 3, 2014, and setting date of Legislative Hearing for May 20, 2014 and City Council Public Hearing for July 9, 2014 to consider and levy the assessments against individual properties. (File No. J1407P, Assessment No. 148406)

Adopted

6 RES 14-537 Approving the City's cost of providing Tree Removal services during January 2014, and setting date of Legislative Hearing for May 20, 2014 and City Council Public Hearing for July 9, 2014 to consider and levy the assessments against individual properties. (File No. 1406T, Assessment No. 149006)

Adopted

7 RES 14-590 Accepting a Storm Sewer Easement from Turning Lives Around at 1291 and 1301 Seventh Street East.

Adopted

8 RES 14-560 Amending Civil Service Rule 5 to adopt new language providing additional points for Saint Paul residents for non-promotional employment examinations.

Adopted

9 RES 14-592 Approving the Memorandum of Agreement between the City of Saint Paul and AFSCME-Technical, Local 1842 for the purpose of establishing the wage rates for the new job classifications of Plan Review Examiner I and Plan Review Examiner II.

Adopted

10 RES 14-677 Waiving the 45-day notice requirement, upgrading the existing Wine On Sale and Malt On Sale (Strong) licenses to a Liquor On Sale-181-290 Seats and a Liquor On Sale - Sunday license, and adding Liquor Outside Service - Patio and Entertainment B licenses for the City of Saint Paul, Department of Parks and Recreation, for the Highland National Golf Course and Clubhouse at 1403 Montreal Avenue.

Adopted

11 RES 14-675 Waiving the 45-day notice requirement, upgrading the existing Wine On Sale and Malt On Sale (Strong) licenses to a Liquor On Sale-181-290 Seats and a Liquor On Sale - Sunday license, and adding Liquor Outside Service - Patio and Entertainment B licenses for the City of Saint Paul, Department of Parks and Recreation, for the Como Park Golf Course and Clubhouse at 1431 Lexington Parkway North.

Adopted

12 RES 14-680 Authorizing Prom Management Group to use the Department of Parks and Recreation's Liquor On Sale, Liquor On-Sale Sunday, Liquor Outside Service-Patio and Entertainment B licenses for the Como Park Golf Course and Clubhouse.

Adopted

13 RES 14-679 Waiving the 45-day notice requirement, upgrading the existing Wine On Sale and Malt On Sale (Strong) licenses to a Liquor On Sale-181-290 Seats and a Liquor On Sale - Sunday license, and adding Liquor Outside Service - Patio and Entertainment B licenses for the City of Saint Paul, Department of Parks and Recreation, for the Phalen Golf Course and Clubhouse at 1615 Phalen Drive.

Adopted

14 RES 14-682 Authorizing Prom Management Group to use the Department of Parks and Recreation's Liquor On Sale, Liquor On Sunday, Liquor Outside Service-Patio, and Entertainment B licenses for the Phalen Golf Course and Clubhouse.

Adopted

15 RES 14-543 Approving the issuance of an approximately $1,400,000 conduit, bank qualified, tax exempt note for the Friends School of Minnesota.

Adopted

16 RES 14-544 Approving the issuance of an approximately $4,000,000 conduit, bank qualified, tax exempt note for the Charter Schools Development Corporation.

Adopted

17 RES 14-532 Approving the issuance of an approximately $1,700,000 conduit, bank qualified, tax exempt note for the Montessori School of Minnesota.

Withdrawn

18 RES 14-648 Authorizing the City to enter into a Cooperative Agreement, Agreement PW 2014-06, by and between the City and Ramsey County.

Adopted

FOR DISCUSSION
No items

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

Final Adoption

19 Ord 14-12 Amending Sections 60.221, 66.331, and 66.341 of the Zoning Code pertaining to transit streets. (Laid over from April 16)

Councilmember Thune said he didn't think the District Councils had been aware that this change was happening. He displayed a map showing areas along West Seventh that would be affected, and said some of those areas were potential development areas where parking was at a premium. He said he felt reducing the parking requirements would lead to more permit parking requests and competition for parking between businesses and residents, along a street that was not transit-heavy. He said his preference would be not to go ahead, or to conduct a new zoning study and try to get rid of the TN districts. He said the staff report indicated that very few additional areas would be affected, but his map indicated there were a lot of affected areas.

Councilmember Tolbert asked why the change was being made. Hilary Holmes, Planning and Economic Development (PED), said it was not staff's determination that only few areas would be affected, but that there were few areas underneath the current definition that were affected by it. She displayed a map showing T1 and T2 parcels throughout the City. She said the T zoning was where staff and the City had determined it was appropriate, and tended to be focused on mixed use corridors, which were also traditionally transit corridors. She noted when commercial parking was reduced by 25% previously, a reduction in residential had been discussed but not moved forward. She said staff had taken a fresh look at it to determine whether it made more sense to expand or to delete the definition of Transit Street.

Council President Lantry clarified that commercial properties in T1 and T2 zones had already been reduced by 25% and this just added residential.

Councilmember Thune reiterated his concerns and said potential development sites would be affected. He said the change might make it cheaper to develop in areas where increased density wasn't being encouraged. He asked whether the changes could be tied to district plans so neighborhoods could make their own determinations about parking restrictions.

Councilmember Stark said they had discovered along University Avenue that banks were the limiting factor and would not lend money for a development if there wasn't sufficient parking. He said T1 and T2 zoning, depending upon what the zoning was before, didn't necessarily increase density, and he questioned the assertion that the ordinance could lead to increased density is areas where it wasn't desired.

Councilmember Thune said he understood the rationale behind the change to T zoning, but questioned the change in parking requirements. He said parking was at a premium and a tipping point. He said he had met with Dominium, and parking was a concern for them. He said the District Councils were not engaged during the development of the ordinance.

Council President Lantry asked Ms. Holmes whether the District Councils had been notified. Ms. Holmes said the public hearing notice was sent. Council members discussed whether District Councils should be notified about zoning studies.

In response to a question from Councilmember Tolbert, Ms. Holmes reviewed the current requirements.

Councilmember Bostrom said the high demand for residential and business parking was a reality, and he didn't feel there was a reason to reduce parking requirements any further.

Councilmember Stark reiterated that, based on experience along University Avenue, the development issue was self-regulating.

Councilmember Thune said he would not have supported the T zoning if he had known this would be part of it. He said his preference would be to exclude District 9 from the ordinance. Council President Lantry asked Deputy City Attorney Gerald Hendrickson whether that would be possible. Mr. Hendrickson there would have to be a rational basis for treating a specific area differently.

Councilmember Thune asked to send the item back to the Planning Commission so the District Councils, especially District 9, could be consulted about potential adverse effects.

Councilmember Tolbert asked whether the Planning Commission had already considered these issues. Ms. Holmes said the map she had displayed earlier had been looked at by the Comprehensive Planning Committee and Planning Commission. She said changes had been made in response to comments from members of the Planning Commission before the issue came before the City Council.

Councilmember Stark asked whether there had been dissent or discussion at the Comprehensive Planning Committee or Planning Commission meetings. Ms. Holmes said there had been no dissenting votes. Council President Lantry noted that according to the minutes, not one had spoken in support or against.

Councilmember Thune moved a 45 day layover. Council President Lantry asked that PED staff inform the Council within 7 days if the delay was a problem.

Laid over to June 4 for final adoption

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

Nay: 0

Third Reading, No Public Hearing

20 Ord 14-17 Memorializing City Council action granting the application of PPL Hamline Station LLC to rezone a portion of the property at 1334 Sherburne Avenue from T2 Traditional Neighborhood 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 March 5, 2014)

Laid over to April 23 for final adoption

Council members shared information about upcoming events in their wards.

The Council recessed at 4:10 p.m.

PUBLIC HEARINGS

The Council reconvened for public hearings at 5:33 p.m.

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

21 Ord 14-18 Creating Chapter 95 of the Saint Paul Administrative Code to establish a procedure to amend District Council boundaries.

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

Public Hearing held and closed; laid over to April 23 for final adoption

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

Nay: 0

22 RES PH 14-95 Approving the application of Viral Events for a sound level variance in order to provide amplified music and the use of a sound system for announcements from 8:00 a.m. until 12:30 p.m. on Saturday, April 26, 2014 during the Run or Dye, 5K fun run event at Harriet Island.

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

Adopted

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

Nay: 0

23 RES PH 14-96 Approving the application of the University of St. Thomas for a sound level variance in order to present amplified music from 6:00 p.m. until 9:00 p.m. on Saturday, May 10, 2014 during a music event at the John P. Monahan Plaza at 2115 Summit Avenue.

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

Adopted

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

Nay: 0

24 RES PH 14-97 Approving the application of the March of Dimes, March for Babies Event for a sound level variance in order to allow broadcasting of music from the Jack FM Radio Van near the intersection of Como Lake Drive and Lakeview Avenue, during a charitable walk event on Saturday, April 26, 2014 from 10:00 a.m. to 12:30 p.m.

In opposition:
Kim Moon (982 California Avenue W.), Chair of the District 10 Land Use Committee, referred to a letter sent to council, recommending denial of this request and adoption of the next one on the agenda. She said the location of the Jack FM van was close to many homes, and they had received many e-mails in opposition to the variance. She said the other variance location was farther off and buffered by trees and hills.

In support:
Abby Walker (5233 Edina Industrial Boulevard, Edina), event organizer, said Jack FM would be playing music from 11:00 to noon at the maximum, and decibel level would be monitored by volunteers. She said the music wasn't intended to be heard along the whole route but was to motivate walkers and celebrate the event. She said they had no intention to disrespect or disturb the neighborhood.

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

Councilmember Brendmoen said it was a great event and cause, and a great celebration, but the location was a quiet residential area. She moved to deny the application.

Councilmember Thune said he supported the motion, but felt it was a great event which could proceed without the variance.

Councilmember Stark noted that it was never anyone's intent to disturb the neighborhood but even an hour was a lot, and the music was unnecessary.

The motion to deny the application is approved; resolution fails.

Yea: 0

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

25 RES PH 14-98 Approving the application of the March of Dimes, March for Babies Event for a sound level variance in order to present amplified music on a stage at the Como Park Midway Pavilion Ball Field Area, at a charitable walk event on Saturday, April 26, 2014 from 8:30 a.m. to 2:00 p.m.

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

Adopted

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

Nay: 0

26 RES PH 14-94 Approving adverse action against the Dance or Rental Halls license held by Twin Cities Dance and Entertainment, LLC, d/b/a Dancers Studio at 415 Pascal Street North.

Geoffrey Karls, assistant City Attorney representing the Department of Safety and Inspections (DSI), gave a staff report on the license condition violation prohibiting operation as a public dance hall. He said DSI was recommending a $1000 penalty, an upward deviation from the $500 matrix penalty, because DSI had met with the licensee just previous to the violation to go over the license conditions.

Licensee Marcy McHenry said they were told in January that the event was a private event, and she cancelled the event after receiving more information from the event organizer about the number of participants. She said she had misunderstood the information in the conference with DSI, and believed she was told she could do "dance events." She displayed the event flyers she had been aware of, and said she hadn't been aware of the flyers presented by Mr. Karls in his staff report.

Councilmember Thao asked whether alcohol and food were served at the business. Ms. McHenry said they had an event-hosting license and could accommodate events such as wedding receptions and corporate events.

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

Councilmember Thao asked Mr. Karls whether the penalty could be reduced. Mr. Karls said the department's recommendation was $1000 and the reasoning for that amount still applied, but the Council had discretion to impose a different penalty.

Council President Lantry said the penalty could be imposed with half of it stayed.

Councilmember Thao moved to impose the $1000 penalty but stay $500 for 18 months given no same or similar violations.

Councilmember Brendmoen said she supported the recommendation, but questioned why dancing was not allowed in a dance hall. Mr. Karls said that the license had a condition prohibiting public events, which he thought was at the request of the landlord.

Adopted as amended ($1000 fine imposed with $500 stayed for 18 months provided there are no same or similar violations)

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

Nay: 0

27 RES PH 14-70 Approving adverse action against all licenses held by Mars Enterprizes, LLC, d/b/a Half Time Rec at 1013 Front Avenue. (Public hearing held April 16)

Geoffrey Karls, assistant City Attorney representing the Department of Safety and Inspections (DSI), gave a staff report on the violation of the license condition requiring that video be provided to the police... . He said DSI was recommending a $500 penalty as well as an amendment to license condition language to make it current.

In opposition:
Licensee Dave Mars and general manager Scott Mars appeared. Scott Mars said they had spent $4000 upgrading the camera system but discovered the upgraded system had a reduced memory. He said they had immediately called the camera company and added maximum memory to hard drive but still had only 21 to 25 days. He said they could downgrade the camera system to get the required memory. He said police had asked for video only twice in the 4 1/2 years they'd owned the business and it had been provided both times. He said other nearby bars didn't have the same 30 day stipulation.

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

Council President Lantry asked for the reasoning behind the 30-day requirement. Mr. Karls said the department might not receive a police report until a few weeks after the fact, and some situations were not emergent and it might not immediately occur to police or the department that video is needed.

Councilmember Thune said quality versus quantity might be good trade-off. Mr. Karls said the requirement was 30 days at the request of the police. He acknowledged that it was a trade-off.

Kristina Schweinler, DSI, said many bars had the same condition and most were able to provide clear, quality coverage and still provide 30 days.

Councilmember Bostrom reiterated the quality versus quantity tradeoff, and asked which was most important.

Council President Lantry expressed concern about bars using this as excuse going forward.

Councilmember Brendmoen noted that the licensee was not asking to get out of penalty; she moved to amend to condition to 21 days.

Councilmember Stark said he would support the motion but was hesitant to make that determination without input from the police.

Councilmember Brendmoen moved to lay the matter over for three weeks.

Public hearing held and closed; laid over to May 7 at the 3:30 p.m. portion of the meeting

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

Nay: 0

28 ABZA 14-2 Public hearing to consider the appeal of the District 6 Planning Council to a decision of the Board of Zoning Appeals (BZA) approving two variances from the sign code requirements in order to allow a 21 square foot sign with dynamic display on a multi-tenant free standing sign at 1200 Rice Street.

Yaya Diatta, Department of Safety and Inspections (DSI), gave a staff report on the variances and appeal.

In response to questions from Council President Lantry and Councilmember Brendmoen, Mr Diatta clarified distance requirements between the proposed sign to nearest residential properties on Rice and Maryland. Councilmember Brendmoen confirmed with Mr. Diatta that if the same sign were located 16 feet to the east it wouldn't need a variance.

Appellant:
Kerry Antrim, District 6 Planning Council, reviewed the bases for their appeal. She said the sign wasn't in harmony with the general purposes of the zoning code, and the conditions at the property were created by the landowner when the new building was planned. She said the sign would create a hazard, and she cited an earlier BZA denial made on the basis that monochromatic signs create less of a hazard. She said the proposed sign would change the character and dynamic of the neighborhood, especially historic Rice Street north of the intersection, and was not consistent with the area comprehensive plan.

Councilmember Brendmoen clarified that there were similar signs and stores on Rice Street but not in that specific area.

Ms. Antrim continued that the only condition met by the BZA was that the sign was allowed in this zoning district. She acknowledged the need of the to compete and be visible, but expressed concern about clutter. She stressed that there was a reason for the code.

Councilmember Brendmoen asked whether the location or the type of sign presented the biggest problem for the neighborhood. Ms. Antrim said neighbors would also address that in their testimony, but she believed the colors and the scrolling were the main issues rather than the location.

Councilmember Brendmoen said they were close to a resolution, and the timing of the seemed to be the remaining issue.

Lynn Connolly (105 West Rose Avenue) said the sign as requested would have a significant impact on the residents of the neighborhood, and would flash in her rear bedrooms and over her deck. She said the intersection was one of the most dangerous in the city, and she was struck by a car at the intersection in 1961 due to a distracted driver. She said the north end of Rice Street was at a crossroads, and while the neighborhood hadn't been behind this development, it had turned out great. She said an iconic sign designed to fit in with the new brick building and others in the neighborhood would contribute to the betterment of the area.

In opposition:
Kirsten Libby (855 Rice Street) chair of North End business association and North End business owner stressed the importance of signage for convenience stores and gas stations and said it was the norm. She said Mr. Alsadi had put a lot of time, money, and energy into the site and it benefited everyone on Rice Street, whether

commercial or residential. She said the sign would be no different from those at Holiday or Super America.

John Kosmos with KK Design said he had worked with property owner on designing the property after the changes were made to Maryland Avenue. He said the new building was appealing, and the sign was not that far out from what was the norm. He stressed that it only changed from one set of words to another every 60 seconds. He said the hardship was created by the taking of the land associated with widening of Maryland Avenue. He displayed a petition of support, and noted that the closest property on Rice south of Maryland was in support.

In response to a question from Councilmember Brendmoen, he said sign was a few feet taller than Tin Cup's sign but was a different type of sign.

Councilmember Brendmoen asked whether there was room for compromise, for instance starting out with start with monochromatic, mixing in some community interest messages, or changing the timing. She suggested laying the matter over for three weeks.

Mr. Kosmos said they didn't want a layover. He said the store was scheduled to open in two weeks and they needed a sign.

Business owner Bilal Alsadi said District 6 had imposed conditions on his license and were always against him. He said he couldn't be competitive in the business without the sign. He said if he were pushed to move the sign 14 feet to the east he would have it moving much faster. He said he had put everything into the business and needed to go forward.

Councilmember Brendmoen asked to lay the matter over for a short time while she had a discussion outside of the chambers with both parties.

Following the Legislative Hearing Consent Agenda, Councilmember Brendmoen and the parties returned to the Chambers. Ms. Brendmoen said they had agreed to a two-minute image duration with a switch to static after 10:00 p.m., and monochromatic if possible. She said they would be working with District 6 on beautification at the base of the sign using STAR funds, and that Mr. Alsadi had offered a pre-opening "sneak preview" of the business for neighbors.

Deputy City Attorney Jerry Hendrickson suggested appropriate wording for denying the appeal with modifications to the conditions on the variance.

Councilmember Brendmoen made the motion.

Motion of Intent - Appeal denied, with modifications to the variance conditions

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

Nay: 0

29 RES PH 14-58 Final Order approving a new sidewalk improvement along the west side of Davern Street from Saint Paul Avenue to Colvin Avenue. (File No. S1402, Assessment No. 145302) (Public hearing continued from April 2 and April 16)

Councilmember Tolbert said the Historic Preservation Commission would like time to review the issue.

No one appeared in opposition; Councilmember Tolbert moved to continue the public hearing to June 4.

Public hearing continued to June 4

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

30 RES PH 14-92 Amending the financing and spending plans in the Fire Department in the amount of $10,000 for the 2013 Hazardous Materials Emergency Preparedness Grant.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

31 RES PH 14-76 Amending the financing and spending plan in the Department of Parks and Recreation by adding $170,000 to the existing budgeted grant amount of $600,000 to reflect additional funds received from the Trust for Public Land for initial development of the Frogtown Park and Farm project.

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

32 RES PH 14-102 Reciting a proposal for a Housing Finance Program for a conduit multifamily rental housing project, giving preliminary approval to the project and the program pursuant to Minnesota Statutes, Chapter 462C, authorizing the Housing and Redevelopment Authority to issue Multifamily Housing Revenue Bonds and authorizing the preparation of necessary documents and materials in connection with said project and program (The Waters of Highland Park Project).

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

Adopted

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION

36 RLH RR 14-4 Ordering the rehabilitation or razing and removal of the structures at 1000-1004 BUSH AVENUE within fifteen (15) days after the March 19, 2014, City Council Public Hearing. (Public hearing continued from March 19) (Amended to razing and removal only)

Legislative Hearing Officer Marcia Moermond asked for an amendment to remove only; she said neither the owner nor mortgage holder were interested in pursuing rehabilitation of the property.

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

Adopted as amended (remove within 15 days with no option for rehabilitation)

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

Nay: 0

Absent: 1 - Councilmember Brendmoen

69 RLH AR 14-11 Ratifying the assessments for Property Clean Up services from December 2 to 31, 2013. (File No. J1406A, Assessment No. 148505)

Legislative Hearing Officer Marcia Moermond asked that 1071 Sherburne Avenue and 1066 Thomas Avenue be removed from the assessment roll for separate consideration.

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

Adopted as amended (1071 Sherburne Avenue and 1066 Thomas Avenue removed from the assessment roll for separate consideration)

Yea: 5 - Councilmember Bostrom, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Thune

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Tolbert

LEGISLATIVE HEARING CONSENT AGENDA

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

Approval of the Consent Agenda (Items 33 - 70)

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

Legislative Hearing Consent Agenda adopted as amended

Yea: 5 - Councilmember Bostrom, City Council President Lantry, Councilmember Stark, Councilmember Thao and Councilmember Thune

Nay: 0

Absent: 2 - Councilmember Brendmoen and Councilmember Tolbert

33 RLH TA 14-227 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 630 AURORA AVENUE.

Adopted as amended (assessment approved)

34 RLH RR 14-5 Ordering the rehabilitation or razing and removal of the structures at 444 BEACON AVENUE within ninety (90) days after the April 16, 2014, City Council Public Hearing.

Adopted

35 RLH TA 14-194 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1406G, Assessment No. 148705 at 2160 BEECH STREET.

Adopted

37 RLH TA 14-141 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 456-458 CHARLES AVENUE.

Adopted

38 RLH VBR 14-20 Appeal of Ernie DeLanghe, on behalf of FoxPoint Ventures, to a Vacant Building Registration Notice at 1135 CHARLES AVENUE.

Adopted

39 RLH RR 14-6 Ordering the razing and removal of the structures at 866 CLEAR AVENUE within fifteen (15) days after the April 16, 2014, City Council Public Hearing.

Adopted

40 RLH TA 14-197 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406G, Assessment No. 148705 at 600 COOK AVENUE EAST.

Adopted

41 RLH SAO 14-6 Appeal of Shawnacy Wells to a Summary Abatement Order and Vehicle Abatement Order at 1422 DESOTO STREET.

Adopted

42 RLH TA 14-130 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 310 EDMUND AVENUE. (Amended to Project No. J1406A4, Assessment No. 148531)

Referred to Legislative Hearings on September 9; Council Public Hearing continued to September 17

43 RLH TA 14-131 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 511 EDMUND AVENUE.

Adopted

44 RLH TA 14-150 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 480 FOREST STREET.

Adopted

45 RLH TA 14-143 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 804-806 FOURTH STREET EAST.

Adopted

46 RLH TA 13-687 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 1858 GRAND AVENUE. (Public hearing continued from January 15) (Amended to File No. J1401E1, Assessment No. 148302 and to delete the assessment)

Adopted as amended (assessment deleted)

47 RLH FCO 14-41 Appeal of Ralph Moore to a Fire Inspection Correction Notice at 435 HERSCHEL STREET.

Adopted as amended (appeal granted)

48 RLH VBR 14-18 Appeal of Chad Unruh to a Vacant Building Registration Notice at 1944 IVY AVENUE EAST.

Adopted

49 RLH TA 14-183 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406G, Assessment No.148705 at 614 JESSAMINE AVENUE EAST. (Public hearing continued from April 16)

Referred to Legislative Hearings on May 6; Council Public Hearing continued to May 21

50 RLH FCO 14-49 Appeal of Troy Olson to a Correction Notice - Re-Inspection Complaint at 757 JESSAMINE AVENUE EAST.

Adopted

51 RLH FCO 14-52 Appeal of Bruce Bulman to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 740 LARPENTEUR AVENUE WEST.

Adopted

52 RLH TA 14-132 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 370 MARYLAND AVENUE WEST.

Adopted

53 RLH VBR 14-24 Appeal of Benjamin Shamrock to a Certificate of Code Compliance Requirement at 640 MINNEHAHA AVENUE WEST.

Adopted

54 RLH RR 14-7 Ordering the rehabilitation or razing and removal of the structures at 1022 MINNEHAHA AVENUE WEST within fifteen (15) days after the April 16, 2014, City Council Public Hearing. (Laid over from June 4) (Amended to razing and removal only)

Referred to Legislative Hearings on May 13; Council Public Hearing continued to May 21

55 RLH TA 14-136 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 395 OXFORD STREET NORTH.

Adopted

56 RLH TA 14-140 Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 331 PASCAL STREET NORTH.

Adopted

57 RLH VBR 14-22 Appeal of Matt Bartlett to a Vacant Building Registration Renewal Notice at 1087 RANDOLPH AVENUE.

Adopted

58 RLH AR 14-38 Amending Council File RLH TA 13-141 to delete the assessment for Collection of Certificate of Occupancy Fee billed August 2012 at 693 SAINT ALBANS STREET NORTH (aka 681-683 Van Buren Avenue). (File No. CRT1305, Assessment No. 138204)

Adopted

59 RLH TA 14-152 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 1329 SELBY AVENUE.

Adopted

60 RLH TA 14-133 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 832 SHERBURNE AVENUE.

Adopted

61 RLH TA 14-134 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 1271 SHERBURNE AVENUE.

Adopted

62 RLH TA 14-135 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406G, Assessment No. 148705 at 1271 SHERBURNE AVENUE.

Adopted

63 RLH TA 14-118 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No.148505 at 315 SIDNEY STREET EAST.

Adopted

64 RLH AR 14-10 Ratifying the assessment for Emergency Abatement service during September 2013 at 617 SIMS AVENUE. (File No. J1409C, Assessment No. 142008)

Adopted

65 RLH FCO 14-47 Appeal of John Mann to a Fire Inspection Correction Notice at 1251 SIXTH STREET EAST.

Adopted

66 RLH TA 14-142 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 290 STINSON STREET. (Amended to Project No. J1406A1, Assessment No. 148527)

Public Hearing continued to May 21

67 RLH TA 14-137 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 507 VIRGINIA STREET.

Adopted

68 RLH AR 14-9 Ratifying the assessments for Demolition services during November 2013. (File No. J1408C, Assessment No. 142007)

Adopted

70 RLH AR 14-12 Ratifying the assessments for Trash Hauling services from December 4 to 26, 2013. (File No. J1406G, Assessment No. 148705)

Adopted

Councilmember Stark noted that there were neighbors of 444 Beacon (Item 34) who been helping maintain the property and had an interest in its rehabilitation. He said he wanted to make it clear to them that the Council would make sure the timeline was going to be met, and felt positive the rehabilitation was going to occur.

The Council recessed at 6:59 p.m. and reconvened at 7:09 p.m. for action on Item 28 (see minutes for Item 28).

ADJOURNMENT

Councilmember Brendmoen moved adjournment.

Meeting adjourned at 7:12 p.m.

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

Nay: 0

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