



# 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*

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Wednesday, August 20, 2014

3:30 PM

Council Chambers - 3rd Floor

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### Public Hearings at 5:30 p.m.

#### ROLL CALL

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

#### COMMUNICATIONS & RECEIVE/FILE

- 1     [AO 14-44](#)     Authorizing the Department of Parks and Recreation to reallocate a total of \$585,000 within its various accounting units in the 2014 adopted budget, thereby adjusting the budget to most accurately reflect the projected actual spending in each accounting unit, while also providing the appropriate levels of spending authority.  
**Received and Filed**
- 2     [AO 14-45](#)     Authorizing the purchase of food and beverages for the Comprehensive Field Practicals and 2014-1 Recruit Academy Graduation.  
**Received and Filed**
- 3     [AO 14-46](#)     Authorizing the purchase of food and beverages for the Standard Field Sobriety Tests for Recruit Academy 2014-1.  
**Received and Filed**
- 4     [AO 14-47](#)     Authorizing the purchase of food and beverages for two family nights for the 2014-1 Police Academy.  
**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 5 - 18)**

*Item 14 was removed from the Consent Agenda for separate consideration.  
Councilmember Tolbert moved approval of the Consent Agenda as amended.*

**Consent Agenda adopted as amended**

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

**Nay:** 0

- 5**     [RES 14-1390](#)     Memorializing City Council action taken July 9, 2014 denying an appeal by Getten Credit Co. of a determination of the Zoning Administrator relative to Getten's use of property at 1338 Bayard Avenue.  
**Adopted**
- 6**     [RES 14-1049](#)     Approving assessment costs and setting date of City Council Public Hearing for September 17, 2014 to ratify the assessments for various street improvements along Raymond Avenue from University Avenue to Hampden Avenue. (File No. 19097, Assessment No. 135200)  
**Adopted**
- 7**     [RES 14-1345](#)     Approving the City's cost of providing Collection of Certificate of Occupancy Fees billed April 14 to May 2, 2014, and setting date of Legislative Hearing for September 23, 2014 and City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. CRT1501, Assessment No. 158200)  
**Adopted**
- 8**     [RES 14-1346](#)     Approving the City's cost of providing Excessive Use of Inspection services from April 1 to May 21, 2014, and setting date of Legislative Hearing for September 23, 2014 and City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. J1501E, Assessment No. 158300)  
**Adopted**

- 9      [RES 14-1347](#)      Approving the City's cost of providing Property Clean Up services from June 18 to July 31, 2014, and setting date of Legislative Hearing for September 23, 2014 and City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. J1501A, Assessment No. 158500)  
**Adopted**
- 10     [RES 14-1348](#)      Approving the City's cost of providing Trash Hauling services from July 2 to 30, 2014, and setting date of Legislative Hearing for September 23, 2014 and City Council Public Hearing for January 7, 2015 to consider and levy the assessments against individual properties. (File No. J1501G, Assessment No. 158700)  
**Adopted**
- 11     [RES 14-1335](#)      Authorizing the Police Department to enter into the amendment to the 2015 Auto Theft grant agreement.  
**Adopted**
- 12     [RES 14-1336](#)      Authorizing the Police Department to enter into an agreement with the US Drug Enforcement Administration.  
**Adopted**
- 13     [RES 14-1379](#)      Authorizing the Police Department to enter into an agreement with the State of Minnesota, Century College.  
**Adopted**
- 15     [RES 14-1371](#)      Approving adverse action against the Second Hand Dealer license held by Tiera S. Blair, d/b/a Furniture Value at 579 Dale Street North.  
**Adopted**
- 16     [RES 14-1373](#)      Approving adverse action against the Cigarette/Tobacco license held by Pakken Investments, Inc., d/b/a Super Day at 2525 Seventh Street West.  
**Adopted**
- 17     [RES 14-1367](#)      Approving adverse action against the Taxicab Driver (Provisional) license application submitted by Brooke Francis Nordstrom.  
**Adopted**
- 18     [RES 14-1402](#)      Setting fine amounts for violations of Legislative Code section 157.11.  
**Adopted**

**FOR DISCUSSION**

- 14**     [RES 14-1408](#)     Establishing a policy for the placement and maintenance of roll-off dumpsters in the right-of-way.
- Councilmember Tolbert moved amendments clarifying language relating to the sliding fee schedule for dumpsters on the street, and clarifying that dumpsters should not obstruct bike or traffic lanes. Yeas - 7 Nays - 0*
- Councilmember Tolbert moved approval of the resolution as amended.*
- Adopted as amended**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

**SUSPENSION ITEMS**

*Councilmember Brendmoen moved suspension of the rules.*

**Rules suspended**

- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

- [RES 14-1468](#)     Accepting a contribution from Knight Foundation for City staff to attend "8-80 Cities; Copenhagen Study Tour," in Copenhagen, Denmark, August 24-28, 2014.

*Councilmember Brendmoen described the study tour, and thanked the Knight Foundation and Mayor's office for their support. She moved approval of the resolution.*

**Adopted**

- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, Councilmember Thao, Councilmember Thune and Councilmember Tolbert
- Nay:** 0

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

- 19     [RES 14-1325](#)     Declaring September 2014 to be Hunger Action Month in the City of Saint Paul.

*Councilmember Brendmoen introduced Heather Olson from Second Harvest Heartland. Ms. Olson made brief comments about Hunger Action Month and thanked the Council for their support.*

*Councilmember Brendmoen moved approval of the resolution.*

**Adopted**

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

**Nay:** 0

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

**PUBLIC HEARINGS**

*The Council reconvened for Public Hearings at 5:30 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

- 20     [Ord 14-31](#)     Amending Chapter 357 of the Saint Paul Legislative Code pertaining to construction debris, haulers and related hazardous materials.

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

**Public hearing held and closed; laid over to August 27 for final adoption**

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

**Nay:** 0

**21**     [Ord 14-32](#)

Amending Chapter 33 of the Saint Paul Legislative Code creating a Residential Construction Management Acknowledgment Form and outlining the responsibilities associated with it.

*In support:*

*Krista Evans (1953 Jefferson Avenue) said a number of houses in the neighborhood had been torn almost all the way down and reconstructed, and it was degrading the character of the neighborhood and creating safety concerns. She said she appreciated the steps being taken with this ordinance but would like to see more, as well as some enforcement tools.*

*Kathleen Kelso (2155 Jefferson Avenue) said she lived a few houses down from a newly constructed home which took up nearly the entire lot and had been standing empty for four months because it was priced at over \$600,000. She said the yard had become a bog. She said the small house next door to her was due to be torn down and she would be experiencing the same thing again. She said she appreciated the efforts but would also like to see more teeth. She said it would be helpful for the whole City if there were a housing policy to manage housing stock needs. She said she had addressed the Council previously in her capacity as volunteer Chair of the St. Paul Advisory Committee on Aging regarding the need for housing throughout the City for elders. She stressed the importance of providing affordable housing for all ages and of preserving and maintaining housing stock and neighborhood character.*

*Eric Myers (325 Roselawn Avenue E.), St. Paul Area Association of Realtors, said the realtors had had the opportunity to review the language with Councilmember Tolbert and had no objections.*

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

*Councilmember Tolbert thanked everyone for coming to testify and for their continued work. He agreed that the ordinance represented one of many first steps.*

**Public hearing held and closed; laid over to August 27 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**     [Ord 14-33](#)

Amending Chapter 310 of the Saint Paul Legislative Code to add a Microdistillery Cocktail Room license fee.

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

**Public hearing held and closed; laid over to August 27 for final adoption**

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

**Nay:** 0

**23**     [Ord 14-34](#)

Amending Chapter 324 of the Saint Paul Legislative Code pertaining to single cigar packaging regulation.

*Council President Lantry said all correspondence received was in the public record and viewable by Council members.*

*In opposition:*

*Steven Rush (4567 American Boulevard W., Bloomington), Director of Government Relations for Holiday Companies, requested a dialogue regarding youth access to tobacco products and said Holiday agreed that underage people should not have access to tobacco through their retail stores. He said Holiday had a very strict compliance policy, an extensive training program and stringent standards, provided internal compliance checks, and contracted with a third party to run compliance checks. He said they had a good compliance record. He said they were concerned that the ordinance would cause them to have to remove 70 categories of cigar products which would result in people going elsewhere for cigars and other items. He said a recently passed ordinance in Brooklyn Center had resulted in a drop in cigar sales there and movement of sales to other areas. He said the ordinance would harm the honest retailers in St. Paul, and he requested a dialogue to work towards a mutually agreeable solution.*

*Abdalla Tobasi (809 Selby Avenue) said he owned and operated two stores in St. Paul. He said he did not sell tobacco to minors, and the ordinance would drive business away from St. Paul to neighboring suburbs. He said he would have no objection if it were a statewide ban.*

*Thomas Briant (Eden Prairie), Executive Director of the National of Tobacco Outlets, echoed the request for a dialogue about underage use of tobacco products and other measures that could be taken short of the proposed ordinance. He said two federal compliance check programs had reported high compliance in Minnesota, especially in St. Paul; he cited statistics. He said the proposed ordinance would prohibit the sale of 50 to 70 cigar products, driving sales to the next city and penalizing retailers who did not sell to minors. He said statistics had shown that most minors obtained their tobacco products from other sources, such as family and friends, and he asked again for a dialogue to address the real issue of keeping tobacco away from minors.*

*In support:*

*Jack McNaney (1988 Bayard Avenue) spoke about the dangers of tobacco products to young people, and about the way the packaging, flavors, and pricing made the products appealing to young people.*

*Dr. Lisa Mattson (12920 32nd Avenue N. Plymouth) spoke about her experience with patients who were suffering from the effects of tobacco addiction and who wished they had never started. She said cigars had much more nicotine than cigarettes. She asked Council to take bold action to protect young people, and said research had shown that increasing the price did deter young people from purchasing tobacco products.*

*A'reaonniana Rease (643 Linden Street) voiced her support for making cigarillos and cigars less accessible to minors.*

*Lisa Hoogheem (219 Robie Street) said she worried about her elementary-aged boys becoming addicted to tobacco. She said the products seemed to be targeted to boys, and the low price made them too accessible. She said the products were sometimes used for smoking marijuana.*

*Ploua Yang (942 Hawthorne Avenue E.) showed photos of cigar ads directed towards young people, and said the low price made the products more appealing to young people.*

*Kenyan Green (297 Western Avenue) said he could walk a few feet from his front steps and see cigarillo wrappers, most likely left by young people. He said it was important to pass this law so kids and young people would not have access to these products which were sometimes used to smoke marijuana.*

*Manny Hernandez (1521 Westminster), representing a Latino after-school program serving Johnson, Harding and Henry Sibley High Schools, said they supported the ordinance because it supported healthy tobacco-free living for all young people.*

*Jeane Weigum (1647 Laurel Avenue S.), Association for Nonsmokers, spoke in support of ordinance and said her organization would help with enforcement.*

*Patrick Stieg (4079 W. 131st St., Savage), Minnesota Cancer Alliance, said he supported the ordinance because it would reduce youth tobacco use and reduce cancer in Minnesota.*

*Catrice Champion (5 Acker Street W.) representing Mad Dads, said they supported the ordinance and believed in keeping young people free from addictions.*

*Molly Moilanen (8117 W. 96th Street, Bloomington), Clear Way Minnesota, said they supported the ordinance because price was king when it came to reducing tobacco use, especially among kids.*

*Bob Moffitt (490 Concordia Avenue), American Lung Association, expressed strong support.*

*Damone V. Presley (544 University Avenue), Director of Vision in Living Life "Change is Possible," asked for the Council's support.*

*Vaughn Larry (519 Central Avenue) Crime Prevention Coordinator for the Aurora St. Anthony Neighborhood Development Corporation, said they were aware of two stores that were still selling loosies and selling tobacco products to minors. He said it was a quality of life issue, and had to be addressed for the neighborhood's children.*

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

*Councilmember Thao everyone for their testimony, and said it brought him great pride that people took the time to come and speak about what was good for the St. Paul and for St. Paul youth. He said he heard where the retailers are coming from and acknowledged that there was an enforcement issue, but said the underlying issue was that tobacco companies were marketing to young people, especially of color. He said the ordinance was good for our young people and community.*

**Public hearing held and closed; laid over to August 27 for final adoption**

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

**Nay:** 0



- 24**     [RES PH 14-222](#)     Approving the application of Minnesota Public Radio (MPR) for a sound level variance in order to present outdoor music and announcements on Saturday, September 20, 2014 from 2:00 p.m. to 5:00 p.m. for set up, and from 5:00 p.m. to 10:00 p.m. for a performance, during the MPR Annual Street Dance and Supper on Exchange Street between Cedar Street and Wabasha Street.

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

**Adopted**

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

**Nay:** 0

**25**     [APC 14-3](#)

Public hearing to consider the appeal of Pergola Management, LLC to a decision of the Planning Commission approving a conditional use permit for the reuse of a nonresidential structure for an office, with modification of the consent petition condition, at 390 - 394 Dayton Avenue.

*Jamie Radel, Planner with the Department of Planning and Economic Development (PED), gave a staff report on the application and appeal.*

*Appellant:*

*Daniel Rosen (123 N. 3rd Street), representing Pergola Management, said they had a history and respect for the City staff, but in this case felt the City staff was fudging the law. He said Pergola was a respected company and were required to follow the law that was being waived in this case for the applicant. He disputed the Planning Commission's contention that the petition requirement was only to give notice, and said providing notice was a separate requirement and the petition served to document whether there was support from neighbors. He said the fact that nobody supported the petition was not a hardship but was opposition, and discarding requirements that were intended to serve a substitute for the full rezoning process was not acceptable. He said a couple of other things were fudged, including invoking a provision that applied only to buildings that were greater 9000 ft<sup>2</sup>, and calling the petition a special condition. He said Pergola was in a similar circumstance recently and was required to go through the complete rezoning process, including obtaining 65 signatures with no leeway. He said it was understandable that people wanted to support good causes, but Pergola had to follow the law and the applicant should too. He said City staff had, perhaps with good motivation, discarded the law.*

*Applicant:*

*Brian Alton (951 Grand Avenue), representing the Domestic Abuse Prevention Project, said the ordinance specifically permitted the Planning Commission to modify conditions. He said waiving the condition would not impair the intent and purpose of the special condition; was consistent with the health, morals, and general welfare of the community; and was consistent with the reasonable enjoyment of the adjacent property. He said there were multiple letters of support received, and testimony in support at the Zoning Committee hearing. He said Mr. Rosen was wrong in saying the building had to be more than 9000 ft<sup>2</sup>, and that churches and schools were also categories to which the ordinance provisions applied. He said the building was a school for many years and use by the St. Paul Domestic Abuse Intervention Project would be consistent with the prior use. He said the College of Visual Arts completely gutted and remodeled the property, including correcting something like 165 code violations, and it was no longer appropriate to be used as a residential structure.*

*Jim Rubenstein (150 S. 5th Street, Minneapolis), Chairman of the Board of the College of Visual Arts, said they needed the proceeds of the sale to meet obligations to staff and faculty, and it only made sense to continue to use the building as an office building as long as there was a responsible buyer.*

*Becky Richardson (117 Farrington), board member of the College of Visual Arts and of the neighborhood association, said the building had been on the market for over a year, and the College of Visual Arts would like to sell it to meet their obligations for staff severance and pension and student scholarships. She said her son worked in real estate development and had toured the building and told her converting it to a residential use wouldn't be financially feasible. She said the Ramsey Hill Association board had not voted on the project because there didn't seem to be any opposition in the neighborhood. She asked the Council deny the appeal.*

*Shelley Johnson Cline (1509 Marshall Avenue), Executive Director of the Domestic Abuse Intervention Project, said four of the fourteen people within the petition area readily signed it, three were out of town or unavailable. Two property owners, including the appellant, flatly refused to sign, and because they owned so much of the remaining property, the Domestic Abuse Intervention Project didn't feel it was worth continuing to try to get signatures. She said they got people to help them interpret the law and did not fudge anything.*

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

*Councilmember Thao thanked both sides for their testimony. He said he didn't feel the appellant provided sufficient evidence to overturn the Zoning Committee's recommendation and the Planning Commission's determination.*

*Council President Lantry noted that the issue of whether it made good financial sense for the College of Visual Arts to receive financial gain from this was not part of the Council's decision.*

**Motion of Intent - Appeal denied**

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

**Nay:** 0

**26**     [RES PH 14-181](#)

Ratifying the assessment for installation of a storm sewer service connection at 24 East Fourth Street. (File No. 19165C, Assessment No. 146005)

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

**Adopted**

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

**Nay:** 0

**27**     [RES PH 14-220](#)

Authorizing the diversion of parkland, and entry into a License with the State of Minnesota for installation, operation, and maintenance of a fiber optic communications cable.

*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

**LEGISLATIVE HEARING ITEMS REQUIRING DISCUSSION**

- 37**     [RLH TA 14-391](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 581-583 CASE AVENUE.

*Legislative Hearing Officer Marcia Moermond gave a staff report on the pre-authorized work order for a clean-up. She showed the video and a photograph of the clean-up. She recommended approval of the assessment.*

*In opposition:*

*Jane Hanson (581/583 Case), property manager for Turn-key properties, said she received notice on the 21st with a deadline of the 22nd and by the time she reached the inspector on the 22nd the items had already been picked up. She said her own contractor was scheduled to come later that same day. She said the City should not mail orders on Friday and expect compliance by Tuesday, and she suggested that maybe could be mailed.*

*Councilmember Bostrom asked Ms. Moermond if there was a reason for the quick turnaround. Ms. Moermond said that generally happened if there was decaying material, and she guessed the garbage cans were smelling.*

*Councilmember Bostrom moved to adopt Ms. Moermond's recommendation.*

*Councilmember Bostrom asked what a pre-authorized work order was. Ms. Moermond said a pre-authorized work order was sent at the same time as the Summary Abatement letter, and was used in the case of decaying garbage or an unlocked refrigerator.*

**Adopted**

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

**Nay:** 0

**56**      [RLH TA 14-389](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 386 MAPLE STREET.

*Legislative Hearing Officer Marcia Moermond gave a staff report on two summary abatement orders issued for a porch and shed. She said a second summary abatement order was issued because the shed was no longer secured when the porch was reinspected. She said the appellants said items of value were removed when the City removed the shed. She recommended approval of the assessment, and said there was a separate process for filing a claim for the loss of items.*

*Charmaine and Jeannette Jones (386 Maple Street) appeared. Charmaine Jones stated that the door to the shed was not open in the video shown at the Legislative Hearing. She said there was a snowstorm before the City tore the shed down on April 2, and they had thought they had until April 30 to remove it. She said the doors were frozen shut and couldn't have been open.*

*Ms. Moermond clarified that the deadline was April 11, and the shed was removed on the 14th.*

*Jeanette Jones said the original deadline was the 30th. She said she had spoken to Paula Seeley on the day the shed was removed, and Paula Seeley said she made a mistake and would try to help them have the assessment deleted. Jeanette Jones said the ceiling of the shed had caved in and it did need to be fixed or removed, but it could have been fixed. She said the foundation was strong.*

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

*Council President Lantry reviewed that on March 19 the inspector gave an April 30 deadline, and when the inspector came out on April 2 the deadline was changed to April 11 and the shed was removed on April 14.*

*Councilmember Stark asked Ms. Moermond what the worsening conditions were. Ms. Moermond said the roof was collapsing and the door was open.*

*Councilmember President Lantry said a photo from April 11 showed that the floor had collapsed, and in her own experience, once a metal shed started to collapse it couldn't be salvaged. She said enough time was given for compliance, and she suggest imposing the full amount of the assessment but spreading the payments over three years. She said there was a different process for claiming loss. She said it was clear from the pictures that the shed had been removed because the roof had collapsed.*

**Adopted as amended (assessment approved and payable over 3 years)**

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

**Nay:** 0

**49**     [RLH TA 14-418](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 2039 ITASCA AVENUE.

*Legislative Hearing Officer Marcia Moermond gave a staff report on the appeal of the vacant building fee assessment. She said the work was not completed during the 90-day waiver period following a March 2013 fire, but all permits had now been closed except one \$9000 building permit open. She recommended approving the fee. She noted that another vacant building fee assessment for the property was coming forward in two weeks and she would recommend deletion for that one.*

*Samson Mengesna (2039 Itasca Avenue) appeared on behalf of his mother. He said the \$9,000 building permit was taken out by his father, who owned the house but did not live there. He said he had communicated with DSI and contractors about the situation and other problems he'd encountered. He said they had taken an additional permit out themselves because checks weren't being signed and they needed to get going on the work. He said everything was done, and he asked for a reduction, and said the process hadn't been easy or cheap.*

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

*Councilmember Tolbert thanked Mr. Mengesna for his testimony. He said he appreciated the work on the house and to improve the neighborhood, but the City did incur costs related to monitoring vacant buildings. He said he would accept Ms. Moermond's recommendation but would vote to delete next assessment.*

**Adopted**

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

**Nay:** 0

**LEGISLATIVE HEARING CONSENT AGENDA**

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

*Cbr reopen 7-0*

**Approval of the Consent Agenda**

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

*Councilmember Brendmoen moved to re-open the public hearing so Item 49 could be heard. Following item 49, Councilmember Brendmoen moved to close the public hearing and approve the Legislative Hearing Consent Agenda as amended.*

**Legislative Hearing Consent Agenda adopted as amended**

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

Nay: 0

- 28     [RLH TA 14-408](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1000 ALBEMARLE STREET.  
**Adopted**
- 29     [RLH RR 14-13](#)     Ordering the rehabilitation or razing and removal of the structures at 1093 ARCADE STREET within one-hundred and eighty (180) days after the August 20, 2014, City Council Public Hearing.  
**Adopted**
- 30     [RLH TA 14-410](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 774 ATLANTIC STREET.  
**Adopted**
- 31     [RLH SAO 14-18](#)     Appeal of Mary L. Murphy and Thomas M. Murphy to a Summary Abatement Order at 15 BAKER STREET WEST. (Public hearing continued from September 17) (To be referred back to Legislative Hearing on January 13, 2015 and City Council Public Hearing on January 21, 2015)  
**Referred to Legislative Hearings on September 9; Council Public Hearing continued to September 17**
- 32     [RLH TA 14-402](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 400 BATES AVENUE.  
**Adopted**
- 33     [RLH TA 14-407](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1038 BAYARD AVENUE.  
**Adopted**
- 34     [RLH TA 14-405](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 689 BEDFORD STREET.  
**Adopted**
- 35     [RLH TA 14-394](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 522 BLAIR AVENUE.  
**Adopted**

- 36     [RLH TA 14-386](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410G, Assessment No.148710 at 521 CASE AVENUE.  
**Adopted**
- 38     [RLH FCO 14-116](#)     Appeal of Ahti Hajunen to a Fire Inspection Correction Notice at 971 CASE AVENUE.  
**Adopted**
- 39     [RLH TA 14-411](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 123 COOK AVENUE WEST.  
**Adopted**
- 40     [RLH TA 14-400](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 924 COOK AVENUE EAST.  
**Adopted**
- 41     [RLH FCO 14-91](#)     Appeal of Patricia Whitney, Twin Oak Management, LLC to a Correction Notice - Complaint Inspection at 584 EDMUND AVENUE.  
**Adopted**
- 42     [RLH TA 14-399](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 584 EDMUND AVENUE.  
**Adopted**
- 43     [RLH TA 14-434](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 719 EDMUND AVENUE.  
**Adopted**
- 44     [RLH RR 14-14](#)     Ordering the razing and removal of the structures at 1438 EDMUND AVENUE within fifteen (15) days after the August 20, 2014, City Council Public Hearing.  
**Adopted**
- 45     [RLH FCO 14-100](#)     Appeal of Joe Crosby to a Fire Inspection Correction Notice at 952 GRAND AVENUE.  
**Adopted**



- 46     [RLH SAO 14-17](#)     Appeal of Roger Hodge to a Summary Abatement Order at 642 HALL AVENUE. (Public hearing continued from September 17) (To be referred back to Legislative Hearing on January 13, 2015 and City Council Public Hearing on January 21, 2015)
- Referred to Legislative Hearings on September 9; Council Public Hearing continued to September 17**
- 47     [RLH TA 14-406](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 634 IGLEHART AVENUE.
- Adopted**
- 48     [RLH TA 14-413](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 781 IGLEHART AVENUE.
- Adopted**
- 50     [RLH TA 14-384](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 651 IVY AVENUE EAST.
- Adopted**
- 51     [RLH TA 14-392](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 521 JENKS AVENUE.
- Adopted**
- 52     [RLH TA 14-419](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 875 JENKS AVENUE. (Amended to File No. J1410A1, Assessment No. 148542) (Public hearing continued from September 17)
- Referred to Legislative Hearings on September 9; Council Public Hearing continued to September 17**
- 53     [RLH TA 14-404](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 661 LASALLE STREET.
- Adopted**
- 54     [RLH FCO 14-105](#)     Appeal of Mary-Megan Ehrmantraut for Lexington Kids Child Care to a Correction Notice - Child Care Center Inspection at 701 LEXINGTON PARKWAY NORTH.
- Adopted**

- 55     [RLH TA 14-417](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 909 MAGNOLIA AVENUE EAST.  
**Adopted**
- 57     [RLH SAO 14-26](#)     Appeal of Bruce A. Olstad to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate, Correction Notice and Summary Abatement Order at 1497 MATILDA STREET.  
**Adopted**
- 58     [RLH FCO 14-104](#)     Appeal of Steven Bartley to a Correction Notice - Complaint Inspection at 1086 MINNEHAHA AVENUE EAST.  
**Adopted**
- 59     [RLH RR 14-15](#)     Ordering the razing and removal of the structures at 1164 MINNEHAHA AVENUE WEST within fifteen (15) days after the August 20, 2014, City Council Public Hearing. (Public hearing continued from August 20 and September 17) (To be referred back to Legislative Hearing on November 25, 2014 and City Council Public Hearing on December 3, 2014)  
**Public hearing continued to September 17**
- 60     [RLH TA 14-397](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 228 MORTON STREET EAST.  
**Adopted**
- 61     [RLH TA 14-398](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 240 MORTON STREET EAST.  
**Adopted**
- 62     [RLH TA 14-403](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410, Assessment No. 148814 at 1033 REANEY AVENUE.  
**Adopted as amended (assessment approved and payable over 2 years)**
- 63     [RLH FCO 14-97](#)     Appeal of Mr. & Mrs. Jansen to a Fire Inspection Correction Notice at 610 ST. ALBANS STREET NORTH.  
**Adopted**

- 64     [RLH VO 14-36](#)     Appeal of William and Wendy Jansen to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 610 ST. ALBANS STREET NORTH.

**Adopted**

- 65     [RLH TA 14-409](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 665 SELBY AVENUE.

**Adopted**

- 66     [RLH TA 14-412](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1329 SELBY AVENUE.

**Adopted**

- 67     [RLH TA 14-396](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1246 SEVENTH STREET EAST.

**Adopted**

- 68     [RLH TA 14-390](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410G, Assessment No. 148710 at 1549 SEVENTH STREET EAST.

**Adopted**

- 69     [RLH TA 14-473](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 518 SHERBURNE AVENUE.

**Adopted**

- 70     [RLH TA 14-395](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1153 SHERBURNE AVENUE.

**Adopted**

- 71     [RLH VBR 14-58](#)     Appeal of David Knight for Associated Bank, NA to a Vacant Building Registration Renewal Notice at 234 SNELLING AVENUE NORTH.

**Adopted**

- 72     [RLH TA 14-393](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 164 STEVENS STREET WEST.

**Adopted**

- 73     [RLH TA 14-415](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 624 SUMMIT AVENUE.  
**Adopted**
- 74     [RLH TA 14-388](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1006 THIRD STREET EAST.  
**Adopted**
- 75     [RLH TA 14-387](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 395 THOMAS AVENUE.  
**Adopted**
- 76     [RLH TA 14-385](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410G, Assessment No. 148710 at 1316 TOPIC LANE.  
**Adopted**
- 77     [RLH TA 14-416](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 213 WINIFRED STREET EAST.  
**Adopted**
- 78     [RLH TA 14-401](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1068 WOODBRIDGE STREET.  
**Adopted**
- 79     [RLH VO 14-26](#)     Appeal of Andy Hybben to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 37 WYOMING STREET EAST.  
**Adopted**
- 80     [RLH AR 14-49](#)     Ratifying the assessments for Collection of Vacant Building Fees billed April 3, 2013 to February 18, 2014. (File No. VB1410, Assessment No. 148814)  
**Adopted as amended (537 Charles Avenue removed from the assessment roll for separate consideration)**
- 81     [RLH AR 14-50](#)     Ratifying the assessments for Property Clean Up services from March 31 to May 2, 2014. (File No. J1410A, Assessment No. 148532)  
**Adopted**

- 82     [RLH AR 14-51](#)     Ratifying the assessments for Trash Hauling services during April 2014. (File No. J1410G, Assessment No. 148710)

**Adopted**

- 83     [RLH AR 14-52](#)     Ratifying the assessments for Excessive Gas Flow Valve services from February to April 2014. (File No. FV1402, Assessment No. 148901)

**Adopted**

## **ADJOURNMENT**

*Councilmember Brendmoen moved adjournment.*

**Meeting adjourned at 6:58 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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