



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor

Katie Burger, Executive
Assistant, 651-266-8560

Minutes - Final

City Council

Council President Russ Stark
Councilmember Dan Bostrom
Councilmember Amy Brendmoen
Councilmember Bill Finney
Councilmember Dai Thao
Councilmember Dave Thune
Councilmember Chris Tolbert

Wednesday, September 2, 2015

3:30 PM

Council Chambers - 3rd Floor

Council Voting

The reader calls the names of all Councilmembers. A vote in favor is cast by remaining silent, and a vote against is cast by saying no or nay. When the voting is complete, the reader will state whether the motion passed or failed.

ROLL CALL

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

COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 15-76](#) Amending the Public Works Capital Improvement Budgets to move funds budgeted for 8-80 Vitality Fund Marketing Expense out of individual projects into to one central account code in order to pay the vendor.

 Received and Filed
- 2 [AO 15-80](#) Authorizing the Department of Emergency Management to pay for all costs incurred to host a Regional Capabilities and Gap Analysis Workshop on September 16, 2015 at the Paul and Sheila Wellstone Center.

 Received and Filed
- 3 [AO 15-83](#) Moving 2015 debt service payments into correct cost centers to reflect sale results.

 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

Councilmember Brendmoen moved the Consent Agenda

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

Nay: 0

- 4 [RES 15-1502](#) Approving the City's cost of providing Demolition services from July 2015 and setting date of Legislative Hearing for October 6, 2015 and City Council Public Hearing for January 6, 2016 to consider and levy the assessments against individual properties. (File No. J1601C, Assessment No. 162000)

Adopted

- 5 [RES 15-1503](#) Approving the City's cost of providing Demolition services from July 2015 and setting date of Legislative Hearing for October 6, 2015 and City Council Public Hearing for January 6, 2016 to consider and levy the assessments against individual properties. (File No. J1602C, Assessment No. 162001)

Adopted

- 6 [RES 15-1504](#) Approving the City's cost of providing Property Clean up services during July 2 to 30, 2015 and setting date of Legislative Hearing for October 6, 2015 and City Council Public Hearing for January 6, 2016 to consider and levy the assessments against individual properties. (File No. J1602A, Assessment No. 168501)

Adopted

- 7 [RES 15-1505](#) Approving the City's cost of providing Trash Hauling up services during July 8 to 29, 2015 and setting date of Legislative Hearing for October 6, 2015 and City Council Public Hearing for January 6, 2016 to consider and levy the assessments against individual properties. (File No. J1602G, Assessment No. 168701)

Adopted

- 8 [RES 15-1515](#) Approving the application with conditions, per the Deputy Legislative Hearing Officer, for a Liquor Off Sale license, for Target Corporation (I.D. #20140003190), d/b/a Target Store T2229 at 1300 University Avenue West.
- Adopted**
- 9 [RES 15-1518](#) Approving adverse action against the Massage Practitioner license application submitted by Jenness J. Perry for the premises located at 2140 Ford Parkway in Saint Paul.
- Adopted**
- 10 [RES 15-1520](#) Declaring September 2015 to be Hunger Action Month in the City of Saint Paul.
- Councilmember Brendmoen said this is an effort to draw attention to this issue. (She read the resolution.)*
- Heather said they appreciate the support. Hunger still remains a huge issue.*
- Brendmoen moved approval*
 7 in favor, none opposed
- Adopted**
- 11 [RES 15-1534](#) Establishing the rate of pay for the new title of Building Official, Job Code 111801, in EG 09, SPSO, Grade 026.
- Adopted**
- 12 [RES 15-1535](#) Approving the issuance of a Liquor Outdoor Service Area (Patio) license with one condition to Butter and Guns, LLC d/b/a Dark Horse (License ID #20150001683) for the premises located at 250 - 7th Street East in Saint Paul.
- Adopted**
- 13 [RES 15-1543](#) Authorizing the Police Department to enter into a lease for use agreement with the State of Minnesota which includes an indemnification clause.
- Adopted**
- 14 [RES 15-1544](#) Authorizing the Police Department to enter into an agreement with the State of Minnesota, Century College for Post approval training.
- Adopted**

- 15 [RES 15-1551](#) Approval of a request to remove license condition #3 concerning a shared parking agreement with 1121 Energy Park Drive for TEW, LLC d/b/a Gabe's By The Park (License ID #20110000244) for the premises located at 991 Lexington Parkway North in Saint Paul.

Adopted

- 16 [RES 15-1554](#) Granting (i) approval to the Port Authority to enter into a term loan with BMO Harris Bank N.A. for the development, construction, installation, and equipping of a new Public Safety Training Facility, and (ii) approval of the City to enter into any required documents in connection with such loan.

Adopted

- 17 [RES 15-1557](#) Approving the use of grant funds through the Neighborhood STAR Year-Round program for a Front Ave. Business Improvement Program and a Gaga Pit mobile recreation program.

Adopted

- 18 [Min 15-47](#) Approving the minutes of the July 1, 2015 City Council meeting.

Adopted

FOR DISCUSSION

- 19 [RLH FCO 15-75](#) Appeal of Will Anderson, for MFCA, to a Fire Inspection Correction Notice at 374/376 MARIA AVENUE.

Marcia Moermond said she is asking for a two week layover. They have made some progress and will continue talking about outstanding items.

Councilmember Finney moved a two week layover.

7 in favor, none opposed

Laid over to September 16

Laid over to September 16

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

Nay: 0

ORDINANCES

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

Second Reading

- 20 [Ord 15-41](#) Amending Chapter 72 of the Legislative Code, Floodplain Management, adopting an amended map panel for the Pig's Eye Treatment Facility levee.
- Laid Over to September 16 for Third Reading/Public Hearing**

First Reading

- 21 [Ord 15-44](#) Memorializing City Council action granting the application of BlueAnt Designs LLC to rezone property at 1174 Grand Avenue from BC community business (converted) to RM2 multiple family; and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map. (Public hearing held August 19, 2015)
- Laid Over to September 9 for Second Reading**
- 22 [Ord 15-45](#) Amending Chapter 160, Traffic Code, Parking Meter Zones, to authorize the traffic engineer to enforce the provisions of Section 152.10, as amended in a companion ordinance, and to amend language to accommodate changes in technology.
- Laid Over to September 9 for Second Reading**
- 23 [Ord 15-46](#) Amending Chapter 152, Traffic Code, Regulations and Enforcement By City Departments, to authorize the traffic engineer to set parking meter rates and hours based upon certain criteria.
- Laid Over to September 9 for Second Reading**

PUBLIC HEARINGS (public hearings will begin at 5:30 p.m.)

- 24** [RES PH 15-250](#) Approving the application of Minnesota Public Radio for a sound level variance in order to present outdoor music and announcements on Saturday, September 19, 2015 for the Minnesota Public Radio Annual Street Dance and Supper on Exchange Street between Cedar Street and Wabasha Street.

No one wished to be heard.

Councilmember Thune moved to close the public hearing and approve.

7 in favor, none opposed

Adopted

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

Nay: 0

- 25** [RES PH 15-251](#) Approving the application of Brian Horst, for a sound level variance in order to present amplified music for the Music in Mears Celebration Weekend on September 10, 11 and 12, 2015 in Mears Park.

No one wished to be heard.

Councilmember Thune moved to close the public hearing and approve.

7 in favor, none opposed

Adopted

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

Nay: 0

- 26** [RES PH 15-253](#) Approving the application of Ramsey County Property Management, represented by James Homolka, Property Manager, for a sound level variance in order to conduct Ramsey County Government Center West and Adult Detention Center deconstruction at 12, 14 and 50 Kellogg Boulevard West as well as concrete crushing.

No one wished to be heard.

Councilmember Thune moved to close the public hearing and approve.

7 in favor, none opposed

Adopted

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

Nay: 0

27 [Ord 15-43](#)

Amending Chapter 113 of the Legislative Code as it pertains to snow and ice on sidewalks.

Councilmember Stark said this will be continued for two weeks to the September 16 public hearing.

No one wished to be heard in opposition.

Mark Hughes said he wants to make it understood that whether a business or resident, there is a liability if you choose not to shovel and someone gets hurt. The first night, people get through it. The second night it freezes. South of 280, where the City divides with Minneapolis, Saint Paul says to call Minneapolis, and vice versa. With some planning they can save time and injuries.

Councilmember Stark moved to lay over the public hearing for two weeks.

7 in favor, none opposed

Public hearing continued to September 16

Public hearing continued to September 16

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

Nay: 0

28 [RES PH 15-264](#) Authorizing Public Works to implement bicycle lanes on Western Avenue between Como Avenue and University Avenue.

Mr. Hanson, Planning and Economic Development, gave a staff report. There are two similar resolutions for biking facilities. He will quickly summarize the process. Segments of Western and Oakdale are scheduled to be resurfaced in 2016. For any resurfacing, Public Works asks is this the right time to implement bike facilities, and City staff thinks it is. The intent of these projects is to improve safety for biking, walking, driving. For both projects, there was a similar outreach process: they sent two mailings to properties within 250 feet, 369 addresses for Western and 438 for Oakdale. They held open houses and receive feedback. They have project websites so people can learn about these projects. For Western Avenue, PED is planning a street resurfacing. The bike plan recommends in-street bicycle lanes. City staff is also proposing to use the 8-80 vitality fund to eliminate a potential gap in bicycling facilities. They are proposing to remove parking on the west side of Western Avenue. Parking data suggests that parking capacity on Western and nearby side streets will be sufficient. Additionally, there is a parking ban on one side of the street for sanitation. Staff limited the parking ban to only Monday and Tuesday within the project limits. As of August 31, they received 6 comments from open house and 2 from Open St. Paul. All were in support of implementing bike facilities. Staff recommendation is to go forward.

Councilmember Brendmoen asked why it is not extending the infrastructure to Maryland. Hanson responded they are operating in the boundaries of the overlay. There are existing facilities there.

Brendmoen said it would be good to connect it to the North End.

(No one appeared to speak on this issue.)

*Thao moved to close the public hearings and approve
7 in favor, none opposed*

Adopted

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

Nay: 0

29 [RES PH 15-265](#)

Authorizing Public Works to implement bicycle lanes on Oakdale Avenue between Annapolis Street and State Street, and on State Street between Oakdale Avenue and Cesar Chavez Street.

Mr. Hanson said Public Works is planning streetscaping on Oakdale Avenue. Staff is recommending we install bike lanes. City staff is proposing using 8-80 north on State Street. Parking removal was initially identified to the west side of Oakdale. After reviewing the conditions, City staff will remove parking from Oakdale. They are proposing east side parking removal tonight. As of 8-31, the comments were 14 from Oakdale open house, 4 statements from City staff, and 6 statements on Open St. Paul. The majority were okay with parking lanes but concerned with parking. Staff recommends the biking lanes.

Unknown female said she lived on Oakdale Avenue for 39 years. She decided to live in the inner city. They should be able to park in front of their own homes. There is probably nothing she can do about it. The bike plan is part of the problem. Oakdale is the wrong street for the bike route. (She explained the problem with Oakdale having a bike plan.) What really bothers her is she will be losing her parking spaces. Her next door neighbor has sclerosis. Someone across the street has a terminal illness and they use their front a lot. There is one driveway. There are 16 homes. She doesn't know why people want to park on the side street. They want their car in front of their house. She doesn't think the bikes will use the hill. There is a problem where people can park on a snow emergency. She is not an anti-bike person, but she is fed up with the way bikes treat people who drive. She has suggestions and remarks. She would like to see things the bikes could participate in, such as lights, vests.

Unknown male said he read the report on biking. His problem is bicycling. If there is an accident, he asked what is the responsibility of the bicyclist. On his street, there is a 38% incline. Very few bikers have the capability of riding on a daily basis. They don't have the parking in snow emergency. Oakdale Avenue is difficult in the winter. He supports biking. Oakdale Avenue is a bike path to nowhere. (He submitted comments.)

Ron Johnson, 726 Oakdale Avenue, said they do not have adequate parking for the apartment complex. If you take half of that away, he asked where are people going to park. He asked why should he plow and take care of property that he cannot use. If they can't see a big red truck, they are not going to see a bike.

(Next, those in support)

Monica Bryand, 122 Winifred, grew up on the West Side. As a kid, she biked Oakdale. She bikes year round. She does go up and down hills. She is not a biker for biking sake. She bikes home and work. She likes the infrastructure in Minneapolis. She works in Saint Paul. She is looking forward to the connected infrastructure. It is an environmental justice issue, economic justice issue. The safer we can make these cities, the better and the more people will get out.

Deborah Schlick, 197 Prescott, stated she bikes since 1990. She bikes Oakdale frequently. She goes up Oakdale, which is a steep hill. The main trade area is Robert Street. Oakdale widens in West St. Paul. She uses that for recreational biking on the weekends. She is looking forward to a bike path.

*Thune moved to close the public hearing.
7 in favor, none opposed*

Thune moved approval and said it is the way to go.

Council President Stark said he supports the motion. They have to continue these processes. When you put bike lanes on the street, it makes things safe for anyone else. If it isn't there today, doesn't mean people won't use it in the future.

*7 in favor, none opposed
Resolution adopted*

Adopted

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

Nay: 0

30 [ABZA 15-4](#)

Public hearing to consider the appeal of Daniel J. Thees to a decision of the Board of Zoning Appeals (BZA) approving a lot width variance in order to divide the parcel at 1916 Fairmount and create a buildable lot east of the existing house.

Yaya Diatti, Department of Safety and Inspection, reported and showed a map. The property is 1916 Fairmount Avenue. It is owned by Inga Oelschlager and the appellant is Daniel Thees, neighbor immediately to the east. This entire property is owned by Inga. The applicant intends to split the lot and create a vacant lot that would be used to build a single family dwelling for her family and she intends to sell this parcel where the house is located. The existing house has a sun porch on the east side. The applicant is proposing to have a subdividing line to have a 6 foot setback. The lot width is 50 feet. The applicant has the 50 foot setback in the front, the 50 foot width along the alley. There is a garage. (He explained the map.) The yard creates about 50 feet of lot width. She is proposing a 41 foot in the middle. The BZA (Board of Zoning Appeals) granted the variance. The neighbor to the east is appealing because it does not fit the neighborhood because all the lots have a straight line from the front to the back alley. Also, the appellant says it is driven by financial reasons. Clearly one of the findings is that financial reasons cannot be the reason for granting the variance.

(Several overheads shown.)

Councilmember Tolbert asked the staff recommendation. Diatta responded denial.

Councilmember Stark asked what is on the parcel that they want to split off. Diatta said there is a swimming pool there right now.

Kathy and Dan Thees, 1906 Fairmount, said they lived there for 34 years. They filed an appeal. It is not about the house being built. The appeal is about the nonconforming lot line granted by the Zoning Board. The staff stated that Findings 3 and 6 were not met. They recommend denial. Criteria 3 is about practical difficulties and economic situations alone do not constitute. (Cathy Pace read from several sources, including the BZA minutes to support her position.) One of the options was to remove the sunroom. Removing the sun room would remove the need for the variance. After the tie vote, one board member drove by the property to better understand and she voted against the variance. Cathy believes the zoning board failed to look at the long term consequences of approving this. All of them in the community are straight lot lines. She asked the Council to listen to the neighborhood and uphold the zoning laws and to vote no to this variance.

Jan Ballman, life long resident of St. Paul, 1908 Goodrich Avenue, owns a business, father was a police officer, said the City is stepping over the line and inviting flood gates of variances. There is a tremendous amount of anxiety over the precedence this is setting. The documentation speaks for itself. The variance does not meet the criteria. When you do something for the first time, it is a precedent. She agrees with a lot of folks' concerns.

Jim Dickinson, neighbor from the proposed variance, said he is in favor of the appellant and supports not granting this variance. He submitted comments to Diatti via e-mail.

(next, those in opposition)

Inga Oelschlager, owner of 1916 Fairmount Avenue, said some of the neighborhood

is opposed to any new construction on the empty lot she owns. The property originally was two separate lots. The majority of the lots in Ward 3 are single lots. They have 67 pages of documentation from the BZA hearings. They had an extensive discussion on the merits of preserving the historic house she owns. What she proposes will change the character of the block less than if she tears down part of the existing building. She is trying to prevent a tear down of the existing house. She is building a house she needs for her family and preserving the character of the existing structure. She would like to pass around some materials. What she is building is significantly less. It is back from the street further. It is fitting the character of the block better. What she is proposing is a smaller portion. By removing the variance, the restrictions are removed. She could potentially do a building that is 38 feet wide. That would be less beneficial to the block than what she is proposing. Granted, any new construction and any change on the block would alter its character in some way. Met Council is in favor of urban infill. This makes our cities livable and desirable. The variance removed constraints.

(Gave materials to Trudy.)

Steve Busse, 1862 James Avenue, said the houses being built look like the blue box. (He wanted a picture put back up) The variance is conditional on the design of the house. Zoning Board said they don't set precedence. The variance is conditional on the design of the house. A builder is not going to slap a house up if they have to go through that process. The community gets involved and you get to see what the house looks like. Two blocks down, there is a property that fits in, but it is twice the size of anything around it. What she proposes is going to add to the character and not take away from it. They would be in favor of jogging the lot line. There should not be a precedent just willy nilly. There has to be a reason to do it. If the reason gets a better house built on that site maybe that's a good way to look at it. Tolbert moved to close the public hearing.

7 in favor, none opposed

Tolbert said the initial staff report was correct. Two of the 6 findings were not met. Findings were 3 and 6. He will grant the appeal to deny the variance.

Tolbert moved to grant the appeal based on Findings 3 and 6 and the entire staff report.

7 in favor, none opposed

Motion of intent, appeal is granted

Motion of Intent - Appeal Granted

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

Nay: 0

31 [Ord 15-37](#)

Granting the application of Northern Iron of St. Paul LLC to rezone the property at 877 Wells St, from VP Vehicular Parking to IT Transitional Industrial, and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Bostrom moved to close the public hearing and approve.

7 in favor, none opposed

Public Hearing is closed and ordinance is laid over to September 9 for final adoption.

Public hearing closed; Laid over to September 9 for final adoption

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

Nay: 0

32 [Ord 15-38](#)

Granting the application of Wesenberg Management Group LLC to rezone 28 feet of property between 2238 Doswell and 2275-2283 Como from B2 Community Business to T2 Traditional Neighborhood and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

(No one wished to be heard)

Councilmember Stark moved to close the public hearing

7 in favor, none opposed

Public hearing is closed and ordinance is laid over to September 9 for final adoption.

Public hearing closed; Laid over to September 9 for final adoption

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

Nay: 0

33 [Ord 15-39](#)

Granting the application of Grand Realty Company LLP to rezone their property at 1261 Grand Avenue from R2 One-Family Residential to B2 Community Business and amending Chapter 60 of the Saint Paul Legislative Code pertaining to the Saint Paul zoning map.

Tolbert moved to close the public hearing.

6 in favor, none opposed

Laid over to September 9 for final adoption

Public hearing closed; Laid over to September 9 for final adoption

Yea: 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

Absent: 1 - Councilmember Thao

34 [Ord 15-42](#)

Amending Chapter 74 of the Legislative Code by enacting a new section designating five individual properties as part of the Limestone Properties Thematic Nomination, as Saint Paul Heritage Preservation Sites.

Amy Spong said she is bringing forth a dedication and explained how it came to be. They did not hear from one property.

(Spong showed a map)

Councilmember Thune thanked her work on this.

Thune moved to close the public hearing and lay over to next week.

7 in favor, none opposed

Public hearing is closed, ordinance is laid over to September 9 for final adoption.

Public hearing closed; Laid over to September 9 for final adoption

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

Nay: 0

35 [RES PH 15-252](#)

Amending the City's 2015 Debt Service Budget to reflect the previously authorized refunding of the Series 2010C General Obligation Special Assessment Street Improvement Bonds (Build America Bonds) financed by the issuance of the Series 2015C General Obligation Special Assessment Street Improvement and Refunding Bonds.

(No one appeared in opposition)

Councilmember Finney moved to close the public hearing and approve.

7 in favor, none opposed

Public hearing is closed, resolution is adopted

Adopted

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

Nay: 0

- 36** [RES PH 15-259](#) Amending the financing and spending plans in Department of Emergency Management budget in the amount of \$30,000 to accept the 2015 Emergency Management Performance Grant (EMPG) to provide emergency management staffing assistance and funding to attend training conferences.
- (No one appeared in opposition)*
- Councilmember Finney moved to close the public hearing and approve.*
7 in favor, none opposed
Public hearing is closed and resolution is adopted.
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

- 37** [RES PH 15-263](#) Amending the financing and spending plans in the Fire Department in the amount of \$1,420,000 to accept the 2014 Assistance to Firefighters Grant to purchase turnout gear, turnout gear washers and dryers, and provide training for firefighters.
- (No one wished to be heard.)*
- Councilmember Finney moved to close the public hearing and approve.*
7 in favor, none opposed
Public hearing is closed and resolution is adopted.
- Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark

Nay: 0

LEGISLATIVE HEARING CONSENT AGENDA

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

Approval of the Consent Agenda

Legislative Hearing Consent Agenda adopted as amended.

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

Nay: 0

- 38 [RLH VBR 15-63](#) Appeal of Leng Vang to a Vacant Building Registration Requirement at 437 ARLINGTON AVENUE EAST
Adopted
- 39 [RLH TA 15-378](#) Ratifying the Appealed Special Tax Assessment for Property at 702 AURORA AVENUE. (File No. CRT1511, Assessment No. 158211)
Adopted
- 40 [RLH TA 15-372](#) Ratifying the Appealed Special Tax Assessment for Property at 691 BEDFORD STREET. (File No. J1507E, Assessment No. 158309)
Adopted
- 41 [RLH FCO 15-183](#) Appeal of Marc Hudson to a Fire Certificate of Occupancy Correction Notice at 975 BEECH STREET
Adopted
- 42 [RLH TA 15-117](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 810 BUFFALO STREET. (Amended to Project No. VB1505B, Assessment No. 158818)
Adopted as amended (approve the assessment)
- 43 [RLH TA 15-350](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1510, Assessment No. 158822 at 1164 COOK AVENUE EAST. (Public Hearing continued from September 16) (Amended File No. VB1510A, Assessment No. 158832)
Continue public hearing to September 16.

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

 Nay: 0
- 44 [RLH TA 15-381](#) Ratifying the Appealed Special Tax Assessment for Property at 2135 FIFTH STREET EAST (File No. J1507E; Assessment No. 158309).
Adopted
- 45 [RLH TA 15-368](#) Deleting the Appealed Special Tax Assessment for Property at 336 FULLER AVENUE. (File No. J1507E, Assessment No. 158309)
Adopted

- 47 [RLH SAO 15-58](#) Appeal of Jane Myers to a Summary Abatement Order at 1521 HAGUE AVENUE.
Adopted
- 48 [RLH TA 15-343](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509A2, Assessment No. 158530 at 1016 IGLEHART AVENUE. (To be referred back to Legislative Hearing on September 15 and City Council Public Hearing on October 21, 2015)
Continue to Legislative Hearing on 9/15/15 and City Council Public Hearing on 10/7/15
Lay over to September 15 Legislative Hearing
- 49 [RLH FCO 15-147](#) Appeal of Mark Cemensky to a Fire Certificate of Occupancy Correction Notice at 942 IVY AVENUE EAST.
Adopted
- 50 [RLH FCO 15-185](#) Appeal of Dan Caron to a Fire Certificate of Occupancy Correction Notice at 1818 IVY AVENUE EAST.
Adopted
- 51 [RLH TA 15-421](#) Ratifying the Appealed Special Tax Assessment for Property at 685 JENKS AVENUE. (File No. J1506E2, Assessment No. 158312). (Amended to delete the assessment)
Adopted as amended (delete the assessment)

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

 Nay: 0
- 52 [RLH VBR 15-62](#) Appeal of Lori Gherardi to a Vacant Building Registration Requirement at 1792 LACROSSE AVENUE
Adopted
- 53 [RLH TA 15-379](#) Deleting the Appealed Special Tax Assessment for Property at 874 MARGARET STREET. (File No. J1508P, Assessment No. 158407)
Adopted
- 54 [RLH TA 15-369](#) Ratifying the Appealed Special Tax Assessment for Property at 990 MARION STREET. (File No. J1507E, Assessment No. 158309)
Adopted

55 [RLH RR 15-31](#)

Ordering the razing and removal of the structures at 1497 MATILDA STREET within fifteen (15) days after the September 2, 2015, City Council Public Hearing. (Public hearing continued from September 2)

Legislative Hearing 9-8-15; City Council public hearing 10-7-15

Marcia Moermond said this was a no show. The items required have not been addressed. Taxes are due and owing. Code compliance inspection has not been done. Bond not posted. Property appears to be maintained. To fix it would cost over \$100,000. She will bring up photos later.

Bruce Olstad appeared and said he was sick in the hospital. He has done what was asked. The house is not vacant. It has been lived in since 1995.

(Moermond brought up photos.)

Moermond said the house seems to be incomplete.

Councilmember Stark said to go back over what is expected. Moermond responded there are a number of things the Council looks for: taxes up to date, bond posted, code compliance inspection on this building, work plan with bids, available financing to do the project. There was a summary abatement. The project was ongoing for some time.

Stark said those are the items that should be brought to the table. He asked does the owner have plans or want more time to do those things. Olstad responded he would like to finish it.

Councilmember Brendmoen said she is aware of this property. She has seen major improvements on the site. She recommends it go back to Legislative Hearing and Moermond can come back with an informed recommendation.

Moermond said she would ask the Council to refer it back to Legislative Hearing on September 8 and City Council on October 7.

Jim Burton, friend of owner, 646 Blair Avenue, said the owner is having a hard time living, let alone trying to build the house. Some of the situation is that someone comes in and red tags places.

Moermond and Brendmoen asked would Burton come to the Legislative Hearing. Burton responded he will come in the owner's place.

Brendmoen moved to lay this over to the September 8 Legislative Hearing and back to City Council on October 7.

7 in favor, none opposed

Laid over to September 8 Legislative Hearing

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

Nay: 0

- 56 [RLH TA 15-370](#) Ratifying the Appealed Special Tax Assessment for Property at 2097 NILES AVENUE. (File No. J1507E, Assessment No. 158309)
Adopted
- 57 [RLH TA 15-431](#) Ratifying the Appealed Special Tax Assessment for Property at 728 OAKDALE AVENUE. (File No. J1507E, Assessment No. 158309)
Adopted
- 58 [RLH VBR 15-61](#) Appeal of Joe Herschbach to a Vacant Building Registration Requirement at 558 POINT DOUGLAS ROAD SOUTH.
Adopted
- 59 [RLH OA 15-9](#) Appeal of Paripat Tabtimthai to a Permit Approval Inquiry at 1296 POINT DOUGLAS ROAD.
Adopted
- 60 [RLH FCO 15-173](#) Appeal of Chris Worthington to a Fire Certificate of Occupancy Correction Notice at 901 PORTLAND AVENUE.
Adopted
- 61 [RLH TA 15-374](#) Ratifying the Appealed Special Tax Assessment for Property at 987 REANEY AVENUE. (File No. J1507E, Assessment No. 158309)
Adopted
- 62 [RLH FCO 15-155](#) Appeal of Pha Vang to a Fire Certificate of Occupancy Correction Notice at 1105 ROSE AVENUE EAST
Adopted as amended
- 63 [RLH TA 15-373](#) Deleting the Appealed Special Tax Assessment for Property at 1511 ROSE AVENUE EAST. (File No. J1507E, Assessment No. 158309)
Adopted
- 64 [RLH TA 15-116](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1505, Assessment No. 158804 at 872 SELBY AVENUE. (Public hearing continued from May 6) (Public hearing to be continued to September 2, 2015)
Adopted as amended (Delete the assessment. If rehabilitation if not complete by the end of 2015, fee will be re-billed.)
Yea: 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Thune, Councilmember Tolbert, Councilmember Finney and City Council President Stark
Nay: 0

- 65 [RLH TA 15-371](#) Deleting the Appealed Special Tax Assessment for Property at 1891 SEVENTH STREET EAST. (File No. J1507E, Assessment No.158309)
Adopted
- 66 [RLH TA 15-375](#) Ratifying the Appealed Special Tax Assessment for Property at 735 SNELLING AVENUE NORTH. (File No. CRT1511, Assessment No. 158211)
Adopted
- 67 [RLH FCO 15-169](#) Appeal of Colin Brownlow, Director of Environmental Health and Safety, on behalf of University of St. Thomas, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 2055 SUMMIT AVENUE.
Adopted
- 68 [RLH VBR 15-60](#) Appeal of Toumoua Lee to a Vacant Building Registration Notice at 879 THOMAS AVENUE.
Adopted
- 69 [RLH TA 15-387](#) Deleting the Appealed Special Tax Assessment for Property at 673 WESTERN AVENUE NORTH. (File No. J1507E, Assessment No. 158309)
Adopted
- 70 [RLH TA 15-359](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1508P, Assessment No. 158407 at 850 WHITE BEAR AVENUE NORTH (852 & 854 White Bear Avenue also under same PIN).
Adopted
- 71 [RLH SAO 15-57](#) Appeal of James Smith to a Summary Abatement Order at 2215 WILLIAM TELL ROAD.
Adopted
- 72 [RLH RR 15-32](#) Ordering the razing and removal of the structures at 1297 WOODBRIDGE STREET within fifteen (15) days after the September 2, 2015, City Council Public Hearing.
Adopted

- 73 [RLH AR 15-52](#) Ratifying Collection of Fire Certificate of Occupancy fees billed during February 4 to March 11, 2015. (File No. CRT1511 Assessment No. 158211)

Adopted

- 74 [RLH AR 15-53](#) Ratifying Excessive Use of Inspections or Abatement services billed February 20 to March 20, 2015. (File No. J1507E Assessment No. 158309)

Legislative Hearing on 10/6/15; City Council public hearing on 10/21/15

Adopted as amended (delete 668 Fourth Street East for separate consideration)

- 75 [RLH AR 15-54](#) Ratifying Graffiti Removal services during February 8 to April 24, 2015. (File No. J1508P Assessment No. 158407)

Adopted

- 76 [RLH AR 15-55](#) Ratifying Boarding and/or Securing services during April 2015. (File No. J1510B, Assessment No. 158110)

Adopted as amended (delete 1016 Iglehart Avenue for separate consideration; refer back to Legislative Hearing on 9/15/15 and City Council Public Hearing on 10/7/15)

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

Nay: 0

SUSPENSION ITEMS

- [RLH RR 15-28](#) Ordering the rehabilitation or razing and removal of the structures at 1004 GROTTA STREET NORTH within fifteen (15) days after the September 2, 2015, City Council Public Hearing. (amended to grant 90 days)

Public hearing continued to September 16

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

Nay: 0

ADJOURNMENT

The meeting was adjourned at 6:44 p.m.

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

Nay: 0

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