



# City of Saint Paul

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

## Minutes - Final

Katie Burger, Executive  
Assistant, 651-266-8560

### City Council

*Council President Russ Stark*  
*Councilmember Dan Bostrom*  
*Councilmember Amy Brendmoen*  
*Councilmember Rebecca Noecker*  
*Councilmember Jane L. Prince*  
*Councilmember Dai Thao*  
*Councilmember Chris Tolbert*

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Wednesday, August 17, 2016

3:30 PM

Council Chambers - 3rd Floor

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### Budget Amendment Public Hearings at 3:30 p.m. Public Hearings at 5:30 p.m.

#### ROLL CALL

##### Councilmember Bostrom excused

**Present** 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao,  
Councilmember Chris Tolbert, City Council President Russ Stark,  
Councilmember Rebecca Noecker and Councilmember Jane L. Prince

**Absent** 1 - Councilmember Dan Bostrom

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 16-61](#) Authorizing the Police Department to purchase food, beverage, and miscellaneous serving items for the 2016-1 Academy Family Nights.
- 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 2 - 18)

##### Consent Agenda adopted as amended

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 2     [RES 16-1286](#)     Approving the City's cost of providing Repair of Sanitary Sewer Line on Private Property during April to June 2016, and setting date of City Council public hearing for September 21, 2016 to consider and levy the assessments against individual properties. (File No. SWRP1604, Assessment No. 163003)
- Adopted**
- 3     [RES 16-1288](#)     Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property during April to June 2016, and setting date of City Council public hearing for September 21, 2016 to consider and levy the assessments against individual properties. (File No. 1604LDSRP, Assessment No. 164003)
- Adopted**
- 4     [RES 16-1392](#)     Approving the City's cost of providing Collection of Fire Certificate of Occupancy fees billed during April 12 to May 6, 2016, and setting date of Legislative Hearing for September 20, 2016 and City Council public hearing for January 4, 2017 to consider and levy the assessments against individual properties. (File No. CRT1701, Assessment No. 178200)
- Adopted**
- 5     [RES 16-1395](#)     Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during January 1 to May 20, 2016, and setting date of Legislative Hearing for September 20, 2016 and City Council public hearing for January 4, 2017 to consider and levy the assessments against individual properties. (File No. VB1701, Assessment No. 178800)
- Adopted**
- 6     [RES 16-1396](#)     Approving the City's cost of providing Excessive Use of Inspection or Abatement services billed during May 9 to 20, 2016, and setting date of Legislative Hearing for September 20, 2016 and City Council public hearing for January 4, 2017 to consider and levy the assessments against individual properties. (File No. J170E1, Assessment No. 178300)
- Adopted**
- 7     [RES 16-1397](#)     Approving the City's cost of providing Boarding and/or Securing services during June 2016, and setting date of Legislative Hearing for September 20, 2016 and City Council public hearing for January 4, 2017 to consider and levy the assessments against individual properties. (File No. J1701B, Assessment No. 178100)
- Adopted**

- 8     [RES 16-1359](#)     Authorizing the Fire Department to accept the donation of a thermal image camera and a flight helmet from the Firehouse Subs Public Safety Foundation.  
**Adopted**
- 9     [RES 16-1365](#)     Approving payment in the amount of \$9,493.38 to Geico Insurance Company as subrogee of John P. Humphrey.  
**Adopted**
- 11    [RES 16-1409](#)     Authorizing the Police Department to enter into an agreement with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).  
**Adopted**
- 12    [RES 16-1415](#)     Authorizing the Police Department to enter into a lease, which includes an indemnification clause, with the State of Minnesota for use of the Camp Ripley Grounds and Facilities.  
**Adopted**
- 13    [RES 16-1385](#)     Supporting the development and implementation of U.S. Bicycle Route 41.  
**Adopted**
- 14    [RES 16-1420](#)     Adopting the June 2016 Stormwater Permit Annual Report.  
**Adopted**
- 15    [RES 16-1410](#)     Waiving the three-hundred (300) foot separation distance requirement from a protected use in order to issue a Liquor On Sale - 100 seats or less and a Liquor On Sale-Sunday license with conditions to Premier Management, LLC, d/b/a La Costa Mexican Restaurant (License ID #20160000962) at 194 Cesar Chavez Street.  
**Adopted**
- 16    [RES 16-1411](#)     Waiving the three-hundred (300) foot separation distance requirement from a protected use in order to add a Liquor-Outdoor Service Area (Patio) license to extend liquor service to a new outdoor patio, and expand the indoor liquor service area into a newly remodeled space adjacent and immediately to the east of the existing indoor liquor service area, with a new condition, to El Burrito Market, Inc., d/b/a El Burrito Mercado (License ID #0018675) at 175 Cesar Chavez Street.  
**Adopted**

- 17     [RES 16-1419](#)     Approving the Liquor On Sale - 100 seats or less, Liquor On Sale-Sunday, and Gambling Location licenses; and a waiver of the 45-day notification waiting period in order to issue a Liquor-Outdoor Service Area (Patio) license to A & M Bar And Grill, LLC, d/b/a St. Paul Saloon (License ID #20160001981) at 1045 Hudson Road.
- Adopted**
- 18     [RES 16-1424](#)     Approving a request by Corky's Towing, Inc., d/b/a Corky's Towing (License ID #20160002475) at 4040 Washington Avenue North in the City of Minneapolis, for an impound lot located outside the limits of the City of Saint Paul.
- Adopted**

**FOR DISCUSSION**

- 10     [RES 16-1382](#)     Authorizing the City of Saint Paul Officials to sign a Memorandum of Understanding with Xcel Energy's Partners in Energy.
- Anne Hunt, Environmental Policy Director, and John Marshall, Xcel Energy, made brief comments about the Partners in Energy program.*
- Council President Stark moved approval of the resolution.*
- Adopted**
- Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Bostrom

**ORDINANCES**

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

**Final Adoption**

- 19     [Ord 16-25](#)     Amending Chapters 65 and 66 of the Legislative Code pertaining to outdoor sports and entertainment.
- Councilmember Thao moved approval.*
- Councilmember Prince said she would be voting no because of concerns about parking and transportation.*
- Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Noecker

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Bostrom

**FOR DISCUSSION**

- 20**     [RES PH 16-239](#)     Approving the Snelling-Midway Redevelopment Site Master Plan and Design Guidelines pursuant to Leg.Code §66.344(b). (Public hearing held August 3)

*Councilmember Thao moved approval of the resolution. Councilmember Prince said she intended to vote no and felt the vote was rushed and premature.*

*Council President Stark said he would support the resolution. He said some details were not complete but moving forward was appropriate.*

*Councilmember Tolbert spoke in support.*

*Councilmember Noecker said there were uncertainties and she shared Councilmember Prince's concerns, but what was present at the site now was not what they wanted for the future. She said despite the uncertainty she would be voting in favor of the plan.*

*Council members Brendmoen and Thao spoke in support.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Noecker

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Bostrom

- 21**     [RES PH 16-240](#)     Approving the Snelling-Midway Redevelopment Site Stadium Site Plan for Minnesota United FC. (Public hearing held August 3)

*Council President Stark said he would support this item as well.*

*At the request of Councilmember Thao, Wes Saunders-Pierce, Water Resource Coordinator, gave an update on stormwater management.*

*Council President Stark acknowledged there were still details to work out, and the goals for public transportation use might be on the aggressive side, but it was incumbent on the Council to make it happen.*

*Jonathan Sage-Martinson, Planning and Economic Development Director, answered questions from Councilmember Noecker about the transportation plan. He said the study would begin as soon as the site plan was approved and would be ongoing. He said the first deadline was being ready for the first phase of the development*

*Councilmember Thao moved approval of the resolution.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Noecker

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Bostrom

- 22     [RES PH 16-252](#)     Approving the preliminary plat for the Snelling-Midway Redevelopment Site. (Public hearing held August 3)

*Councilmember Thao moved approval of the resolution.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark and Councilmember Noecker

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Bostrom

- 23     [RES 16-1407](#)     Committing to Community Benefits at the Snelling-Midway Redevelopment Site

*Councilmember Thao moved amendments.*

*Councilmember Prince spoke in support. Councilmember Noecker spoke in support and said a conversation was needed about the kind of housing they wanted to see at the site. Councilmember Tolbert said there would have to be a deeper conversation if there was a public subsidy, but he thought this was a good symbolic reminder of the great public-private partnership the City shared with Dr. McGuire and the MLS team. Council President Stark noted that the neighborhood was very mixed income with a changing dynamic, and he looked forward to future conversations about what the right mix will be.*

**Adopted as amended**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

**BUDGET AMENDMENT PUBLIC HEARINGS (held during the 3:30 portion of the meeting)**

- 24     [RES PH 16-257](#)     Amending the budget in the Fire Department to establish the spending and financing plans for a reimbursement from the Minnesota Board of Firefighter Training and Education in the amount of \$15,598.11 for railroad and pipeline safety training for firefighters.

*No one was present to testify. Council President Stark moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Thao

- 25**     [RES PH 16-258](#)     Amending the budget in the Fire Department to establish the spending and financing plans for the reimbursement from the City of Bloomington in the amount of \$111,908.74.

*No one was present to testify. Councilmember Brendmoen moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Thao

- 26**     [RES PH 16-256](#)     Amending the financing and spending plans in the Department of Parks and Recreation in the amount of \$130,000 to reflect all additional funding received in 2016 through contributions and donations for Arts & Gardening and Environmental Services.

*No one was present to testify. Councilmember Prince moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 5 - Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 2 - Councilmember Bostrom and Councilmember Thao

- 27**     [RES PH 16-244](#)     Amending the 2016 financing and spending budgets of the Right of Way fund to accept the Occupational Safety and Health Consulting Unit Grant for two truck mountable changeable message boards.

*No one was present to testify. Councilmember Tolbert moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

*Council members shared good news from their wards.*

*The Council recessed at 4:11 p.m.*



**PUBLIC HEARINGS****Councilmember Bostrom excused**

- Present** 6 - Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince
- Absent** 1 - Councilmember Dan Bostrom

- 28**     [RES PH 16-255](#)     Approving the application of Liquid 12 Festivals, d/b/a The Beer Dabbler, for a sound level variance to present amplified music and use of a public address system outdoors on Saturday, August 20, 2016 at CHS Field, 360 Broadway Street.

*No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 29**     [RES PH 16-259](#)     Approving the application of Flannery Construction, represented by John Noble, Project Manager, for a sound level variance in order to conduct I-Beam Drilling and other Utility Construction work for supporting adjacent structures and building at 72 Cesar Chavez Street, scheduled for September 1 through September 15, 2016.

*No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 30**     [RES PH 16-262](#)     Approving the application of Team Ortho Foundation, Women Rock MN Race, for a sound level variance in order to present outdoor music and announcements on Saturday, August 27, 2016 on Shepard Road between Eagle Street and Washington Street.

*No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 31**     [RES PH 16-263](#)     Approving the application of Team Ortho Foundation, Women Rock MN Race, for a sound level variance in order to present outdoor music and announcements on Saturday, August 27, 2016 at Upper Landing Park.

*No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 32**     [RES PH 16-264](#)     Approving the application of Herb Howe, owner, Cozy Cantina, for a sound level variance in order to present DJ and live music in the parking lot at 202 Cesar Chavez Street, on August 20, 2016 for Customer Appreciation Day, and on September 17, 2016 for Mexican Independence Day Celebration.

*No one was present to testify. Councilmember Noecker moved to close the public hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 33**     [Ord 16-27](#)     Amending Chapter 153 of the Legislative Code regarding Traffic Code - Various Offenses to add a prohibition against the use of engine braking by drivers on Interstate 94.

*No one was present to testify. Councilmember Prince moved to close the public hearing.*

**Public hearing held and closed; laid over to August 24 for final adoption**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

*Council President Stark clarified that the next two items were about bike lanes on two segments of Hamline Avenue, and there would be one staff report and public hearing on the whole project.*

- 34     [RES PH 16-267](#)     Authorizing the Department of Public Works to implement bicycle lanes on Hamline Avenue between University Avenue and Minnehaha Avenue.

*Luke Hanson, Public Works, gave a staff report on both resolutions. He summarized the public process and reviewed the details of the proposal.*

*Council President Stark thanked Mr. Hanson for his work. He reviewed parking mitigation measures being proposed for the north segment, and he moved an amendment to the second resolution including those strategies. Mr. Hanson and Council President Stark made additional comments.*

*Vote on amendment Yeas - 6 Nays - 0*

*In opposition:*

*Frank McEvoy (1335 Minnehaha Avenue W.)*

*Quantrell Fields , owner of Fields of Hair (1337 Minnehaha Avenue W.)*

*Benita Warns (1440 Lafond Avenue)*

*Kay Roberts (764 Hamline Avenue N.)*

*Ann Finseth (1343 Lafond Avenue)*

*Lucy Kelleher (754 Hamline Avenue N.)*

*Paul Cunningham (714 Hamline Avenue N.)*

*Mary Orsted (748 Hamline Avenue N.)*

*In support:*

*John Levin (1473 Van Buren)*

*Councilmember Prince, Council President Stark, and Mr. Levin spoke about measures being considered to accommodate parking needs for the high rise.*

*David Rudolph (1363 Blair Avenue)*

*Rachel Wiken (1350 Van Buren Avenue)*

*Paul Sawyer (1346 Point Douglas Road S.)*

*Andy Singer 2103 Berkeley Avenue)*

*Mike Sonn (1453 Wellesley)*

*Steve Mitrione (1806 Hubbard Avenue)*

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

*Council President Stark made additional comments, stressing the importance of getting the parking mitigation measures right, to accommodate the needs of the high rise and of those Hamline Avenue residents with no off-street parking options. and moved approval of Item 34, related to the south segment.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 35**    [RES PH 16-268](#)    Authorizing the Department of Public Works to implement the optional extension of bicycle lanes on Hamline Avenue between Minnehaha Avenue and Pierce Butler Route. (Public hearing held August 17)

*See minutes for 34*

*Council President Stark moved to lay the matter over to September 14 at 3:30 to continue to work on parking solutions. He said they would be in communication with neighbors and business owners.*

**Public hearing held and closed; laid over to September 14**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

*(The Council took a little pause to allow bike people to leave, and ESST people to come in, and interpreters to get situated.)*

36 [Ord 16-29](#)

Amending Legislative Code Title XXIII, reserved Chapter 233, pertaining to Public Health, Safety and Welfare by adopting language requiring Saint Paul employers to provide earned safe and sick time for their workers in Saint Paul.

*Jessi Kingston, Human Rights and Equal Economic Opportunity (HREEO) Director, explained that there was an overflow room with a Spanish interpreter. She gave a staff report on the ESST ordinance, including background, public process, the key areas considered by task force, a summary of task force recommendations, timeline, and community feedback.*

*Council President Stark said the Council had amended the task force recommendations a couple of weeks before, and there would be additional substantive amendments that night. He said the public hearing would be continued to the following week at 3:30. In response to a question from Councilmember Brendmoen, he said the Council would vote on the item the following week unless there were additional changes.*

*Councilmember Tolbert moved an amendment to make the reporting date line up with HREEO's annual report. Yeas - 6 Nays - 0*

*Councilmember Thao moved an amendment addressing protections for employees after an action was brought forward. Councilmember Tolbert said he understood the spirit of the amendment but didn't think it was necessary. He said it was a strong ordinance including an administrative remedy. Council President Stark spoke in support of the amendment. He said he didn't question HREEO's ability to enforce the ordinance, but retaliation was a different level of problem. Councilmember Noecker said she agreed with Councilmember Tolbert. Councilmember Thao said as a government they had to think about people who had to make the choice between reporting harassment and keeping their jobs. He said it was not against business or corporations but was providing a safety net. Councilmember Prince spoke in support of the amendment and of retaining the private right of action. Vote on amendment: Yeas - 4 Nays - 2 (Tolbert, Noecker)*

*Councilmember Noecker moved an amendment which would provide incentive for employers to offer sick time up front, and remove extra regulation for those employers already providing a sick time benefit. Council President Stark spoke in support of the amendment. Yeas - 6 Nays - 0*

*Council President Stark reiterated that the public hearing would be continued to the following week at 3:30. Councilmember Tolbert noted that it wasn't necessary for people to come testify a second time.*

*In opposition to the ordinance as amended:*

*Michael Schumann (541 Dayton Avenue), business owner at 1039 Grand Avenue  
Mark Neimann, Director of Human Resources for TENA Companies (251 W.*

*Lafayette Frontage Road)*

*Jim Caulkins (3097 Birch Place, Minnetonka), Minnesota Nursery and Landscape Association*

*Nick Closmore (994 Cherokee Avenue, West St. Paul), General Manager and partner at Wild Onion*

*Matt Kramer, President of the St. Paul Area Chamber of Commerce (401 N. Robert Street)*

*Chad Kulas, Midway Chamber of Commerce (1600 University Avenue)*

*Gary Huffman (1283 Lincoln Avenue), Grand Ole Creamery*

Heather Hoffman (1283 Lincoln Avenue)  
 John Wolf, owner of Dixie's and Saji Ya (695 Grand Avenue)  
 Doug Hennes, Vice President of University Government Relations at St. Thomas  
 (2115 Summit Avenue) and representing 4 non-profit, private colleges  
 Jim Fritz, The Wedding Shop (1196 Grand Avenue)  
 Kit Brady, Vice President of Human Resources, Education, and Guest Experience at  
 Gillette Children's Specialty Healthcare

*In support:*

Rabbi Emma Kippley Ogman (1090 Ashland Avenue S.) (1098 Ashland) Jewish  
 Community Action  
 Caitlyn Reid (265 Prescott Street, Maxfield teacher  
 Carol Ann Bartz (30799 Wallmark Lake Dr., Chisago City)  
 Tabitha Mitchell (1157 Charles Avenue), task force member  
 Summer Spika (965 Sherburne Avenue  
 Gayl Sorenson (247 Kennard Street)  
 Michelle Parker (2550 Voyageur Parkway, Hastings)  
 Dennis Reeves (1801 Blair Avenue)  
 Melani Garcia (430 Beacon Avenue)  
 Judge Mary Lou Klaus (746 Fairmount)  
 Eric Foster, (761 E. 3rd Street) and owner of Ward 6  
 Reverend Javen Swanson (1515 Sherburne Avenue)  
 Lisa Stratton (2369 Bourne Avenue)  
 Kara Peterson (363 W. 7th Street) St. Paul Regional Labor Federation  
 Antonia Sanchez (266 Fuller Avenue)  
 Anna Wetrosky (1344 St. Paul Avenue)  
 Leydi Aguilar  
 Gretchen Vanderlinder Wong (885 California Avenue W.)  
 Michael Bearfoot (1775 Grand Avenue)

*Council President Stark and Council members made brief comments*

*Council President Stark moved to continue the public hearing to August 24 at 3:30.*

**Amended; public hearing continued to August 24 at 3:30 p.m.**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember  
 Tolbert, City Council President Stark, Councilmember Noecker and  
 Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 37**     [RES PH 16-234](#)     Adopting the District 14 Macalester-Groveland Community Plan as an  
 addendum to the Comprehensive Plan.

*No one was present to testify. Councilmember Tolbert moved to close the public  
 hearing and approve the resolution.*

**Adopted**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember  
 Tolbert, City Council President Stark, Councilmember Noecker and  
 Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 38 [AHPC 16-2](#) Public hearing to consider the appeal of property owners, Saint Paul Housing and Redevelopment Authority (HRA), to a decision by the Heritage Preservation Commission denying the demolition of 767 4th Street East in the Dayton's Bluff Heritage Preservation District. (Public hearing continued from July 6, 2016) (To be withdrawn.)

**Withdrawn**

- 39 [AHPC 16-3](#) Public hearing to consider the appeal of property owners, Saint Paul Housing and Redevelopment Authority (HRA), to a decision by the Heritage Preservation Commission denying the demolition of 700 4th Street East in the Dayton's Bluff Heritage Preservation District. (Public hearing continued from July 6, 2016) (To be withdrawn.)

**Withdrawn**

- 40 [AHPC 16-4](#) Public hearing to consider the appeal of property owners, Saint Paul Housing and Redevelopment Authority (HRA), to a decision by the Heritage Preservation Commission denying the demolition of 275 Bates Avenue in the Dayton's Bluff Heritage Preservation District. (Public hearing continued from August 17, 2016) (To be withdrawn.)

*No one was present to testify. Councilmember Prince moved to continue the public hearing to September 21.*

**Public hearing continued to September 21**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

## **SUSPENSION ITEM**

*Councilmember Prince moved suspension of the rules.*

### **Rules suspended**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom



[AHPC 16-1](#)

Public hearing to consider the appeal of property owners, Saint Paul Housing and Redevelopment Authority (HRA), to a decision by the Heritage Preservation Commission denying the demolition of 737 Plum Street in the Dayton's Bluff Heritage Preservation District. (Public hearing continued from August 17, 2016) (To be withdrawn.)

*No one was present to testify. Councilmember Prince moved to continue the public hearing to September 21.*

**Public hearing continued to September 21**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

**LEGISLATIVE HEARING ITEMS FOR DISCUSSION**

- 55**     [RLH TA 16-313](#)     Ratifying the Appealed Special Tax Assessment for Property at 717 HOPE STREET (File No. J1611A, Assessment No. 168527).

*Legislative Hearing Officer Marcia Moermond gave a staff report on the summary abatement assessment. She said the total cost was \$504. She displayed photographs. She said notice as sent and received and the work was done, and she recommended approval of the assessment.*

*In opposition:*

*Robert Richie (717 Hope Street) appeared on behalf of his father the property owner. He said he wished there were a way to get some leniency and he wasn't given much time for the clean-up. George Richie said everyone has junk and they have junk. He said it was just a matter of timing and if the inspector had come another day there may not have been a problem. He said the assessment was way too high for working people, and if they didn't have a corner property the junk wouldn't have been visible.*

*Councilmember Prince said it was not possible to reduce the assessment but there might be the opportunity for a disability or senior deferment. Ms. Moermond described the options available.*

*Councilmember Prince moved to close the public hearing and adopt Ms. Moermond's recommendation, with payments spread over five years.*

**Adopted as amended (assessment approved and payable over 5 years)**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 56 [RLH RR 16-28](#) Ordering the razing and removal of the structures at 129 JESSAMINE AVENUE EAST within fifteen (15) days after the August 17, 2016, City Council Public Hearing. (Amended to grant 180 days)

*Legislative Hearing Officer Marcia Moermond gave a staff report on the order to remove a nuisance property. She said she had heard from a representative for the owner a few days after the Legislative Hearing that the owner was interested in rehabbing. Ms. Moermond asked that the matter be referred back to Legislative Hearing on August 23, and brought back to City Council on September 7 at 3:30. She said she had asked for demonstration of \$50,000 in available funds and a \$5000 performance bond by the end of the week.*

*Testimony:*

*Pablo ?, 1660 South 100, Minneapolis) apologized on behalf of the ownership group, and asked that the amount be raised to \$75,000.*

*In Support:*

*Tracy Gennrich (123 Jessamine Avenue E.), neighbor, on west side, expressed concerns about criminal activity and squatters at the property.*

*Councilmember Brendmoen moved to close the public hearing and lay the matter over to September 7.*

**Public hearing held and closed; referred to Legislative Hearings on August 23; laid over to City Council on September 7 at 3:30 p.m.**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

#### **LEGISLATIVE HEARING CONSENT AGENDA**

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

#### **Approval of the Consent Agenda**

*No one appeared in opposition; 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:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

- 41 [RLH VO 16-33](#) Appeal of William Paul Omodt to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 87 ACKER STREET EAST.  
**Adopted**
- 42 [RLH TA 16-316](#) Ratifying the Appealed Special Tax Assessment for Property at 903 BEECH STREET (File No. J1611A, Assessment No.168527).  
**Adopted**
- 43 [RLH TA 16-328](#) Ratifying the Appealed Special Tax Assessment for Property at 747 BURR STREET (File No. J1611A, Assessment No. 168527).  
**Adopted**
- 44 [RLH FCO 16-112](#) Appeal of Judy Carvalho to a Fire Safety Inspection Appointment at 576 CHARLES AVENUE.  
**Adopted**
- 45 [RLH TA 16-323](#) Ratifying the Appealed Special Tax Assessment for Property at 692 CHARLES AVENUE (File No. J1611G, Assessment No. 168711).  
**Adopted**
- 46 [RLH FCO 16-108](#) Appeal of Peter O'Brien & Helen Pearce to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 683 DODD ROAD.  
**Adopted**
- 47 [RLH VBR 16-50](#) Appeal of Lang Lang Guo to a Vacant Building Registration Fee Warning Letter at 1606 EDMUND AVENUE.  
**Adopted**
- 48 [RLH CO 16-32](#) Appeal of Mario Sanchez Marquez to a Correction Order at 1275 FREMONT AVENUE.  
**Adopted**
- 49 [RLH RR 16-24](#) Ordering the rehabilitation or razing and removal of the structures at 956 GERANIUM AVENUE EAST within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Amend to grant 90 days)  
**Adopted as amended (remove or repair within 90 days)**
- 50 [RLH RR 16-26](#) Ordering the razing and removal of the structures at 451 GOODHUE STREET within fifteen (15) days after the August 17, 2016, City Council Public Hearing.  
**Adopted**

- 51     [RLH RR 16-27](#)     Ordering the razing and removal of the structures at 105 GRANITE STREET within fifteen (15) days after the August 17, 2016, City Council Public Hearing.  
**Adopted**
- 52     [RLH TA 16-327](#)     Ratifying the Appealed Special Tax Assessment for Property at 179 GRANITE STREET. (File No. J1611G, Assessment No. 168711; amended to File No. J1611G1, Assessment No. 168714 and to delete the assessment) (Public hearing continued from August 17)  
**Public hearing continued to October 19**
- 53     [RLH FCO 16-96](#)     Appeal of Douglas Coppess to a Fire Certificate of Occupancy Approval with Corrections at 951-953 HAGUE AVENUE.  
**Adopted**
- 54     [RLH TA 16-320](#)     Ratifying the Appealed Special Tax Assessment for Property at 934 HAWTHORNE AVENUE EAST (File No. J1611A, Assessment No. 168527).  
**Adopted**
- 57     [RLH TA 16-324](#)     Ratifying the Appealed Special Tax Assessment for Property at 892 LAFOND AVENUE. (File No. J1611A, Assessment No. 168527; amended to File No. J1611A1, Assessment No. 168544) (Public hearing continued from August 17)  
**Public hearing continued to October 19**
- 58     [RLH TA 16-331](#)     Deleting the Appealed Special Tax Assessment for Property at 116 LAWSON AVENUE EAST (File No. VB1611, Assessment No. 168812).  
**Adopted**
- 59     [RLH TA 16-330](#)     Ratifying the Appealed Special Tax Assessment for Property at 133 MAGNOLIA AVENUE EAST (File No. J1611A, Assessment No. 168527).  
**Adopted**
- 60     [RLH FCO 16-109](#)     Appeal of James Schoffman to a Fire Inspection Correction Notice at 1833 MARGARET STREET.  
**Adopted**
- 61     [RLH FCO 16-120](#)     Appeal of Kyi Kyi Lwin to a Fire Inspection Correction Notice at 603 MARYLAND AVENUE EAST.  
**Adopted**

- 62 [RLH FCO 16-111](#) Appeal of Ray Hatchett to a Fire Inspection Correction Notice at 869 MARYLAND AVENUE EAST.  
**Adopted**
- 63 [RLH TA 16-274](#) Ratifying the Appealed Special Tax Assessment for Property at 302 MORNINGSIDE CIRCLE. (File No. J1610A, Assessment No. 168526; amended to File No. J1610A4, Assessment No. 168542) (Public hearing continued from August 17)  
**Public hearing continued to October 19**
- 64 [RLH VBR 16-48](#) Appeal of Chad Unseth to a Vacant Building Registration Notice at 800 ORANGE AVENUE EAST.  
**Adopted**
- 65 [RLH CO 16-14](#) Appeal of Quintin L. & Robyn Koger Kidd to a Correction Notice at 1064 PACIFIC STREET.  
**Adopted as amended (appeal granted)**
- 66 [RLH SAO 16-26](#) Appeal of Bill Bernier to a Summary Abatement Order at 287 PAGE STREET.  
**Adopted**
- 67 [RLH TA 16-329](#) Ratifying the Appealed Special Tax Assessment for Property at 861 PAYNE AVENUE (Address listed under 623 WELLS STREET) (File No. J1611A, Assessment No. 168527).  
**Adopted**
- 68 [RLH VBR 16-47](#) Appeal of Donald Frable on behalf of Elisabeth Kogl to a Vacant Building Registration Renewal Notice at 999/1001 PAYNE AVENUE.  
**Adopted**
- 69 [RLH TA 16-322](#) Deleting the Appealed Special Tax Assessment for Property at 586-588 REANEY AVENUE (File No. J1611A, Assessment No. 168527).  
**Adopted**
- 70 [RLH RR 16-25](#) Ordering the razing and removal of the structures at 1094 REANEY AVENUE within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Public hearing continued from September 21)  
**Public hearing continued to September 21**

- 71     [RLH FCO 16-91](#)     Appeal of Dennis Leo to a Correction Notice-Complaint Inspection at 2034 REANEY AVENUE.  
**Adopted**
- 72     [RLH TA 16-332](#)     Ratifying the Appealed Special Tax Assessment for Property at 1603 ROSS AVENUE (File No. J1611A, Assessment No. 168527).  
**Adopted**
- 73     [RLH SAO 16-22](#)     Appeal of William H. Crowder to a Summary Abatement Order plus Notice to Cut Tall Grass and/or Weeds at 1084 SELBY AVENUE.  
**Adopted**
- 74     [RLH FCO 16-97](#)     Appeal of Bill Hosko to a Fire Certificate of Occupancy with Deficiencies at 151 SEVENTH STREET EAST.  
**Adopted as amended (2 months granted to comply with amended orders)**
- 75     [RLH CO 16-31](#)     Appeal of Tom Reid to a Correction Notice at 280 SEVENTH STREET WEST.  
**Adopted**
- 76     [RLH TA 16-312](#)     Ratifying the Appealed Special Tax Assessment for Property at 1232 SEVENTH STREET EAST. (File No. J1611A, Assessment No. 168527; amended to File No. J1611A3, Assessment No. 168547 and to delete the assessment) (Public hearing continued from August 17)  
**Public hearing continued to October 19**
- 77     [RLH TA 16-326](#)     Ratifying the Appealed Special Tax Assessment for Property at 1241 SEVENTH STREET WEST (File No. J1611A, Assessment No.168527).  
**Adopted**
- 78     [RLH TA 16-321](#)     Deleting the Appealed Special Tax Assessment for Property at 1330 SEVENTH STREET EAST (File No. J1611A, Assessment No. 168527).  
**Adopted**
- 79     [RLH VO 16-29](#)     Appeal of Charles McCarty to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1734 SEVENTH STREET EAST.  
**Adopted**

- 80     [RLH TA 16-319](#)     Ratifying the Appealed Special Tax Assessment for Property at 1504 SHERBURNE AVENUE. (File No. J1611A, Assessment No. 168527; amended to File No. J1611A2, Assessment No. 168545 and to delete the assessment) (Public hearing continued from August 17)  
  
          **Public hearing continued to October 19**
- 81     [RLH TA 16-317](#)     Ratifying the Appealed Special Tax Assessment for Property at 256 SIDNEY STREET EAST (File No. J1611A, Assessment No. 168527).  
  
          **Adopted**
- 82     [RLH TA 16-318](#)     Ratifying the Appealed Special Tax Assessment for Property at 1454 SIMPSON STREET (File No. J1611A, Assessment No. 168527).  
  
          **Adopted**
- 83     [RLH VBR 16-46](#)     Appeal of Bruce Bennett to a Vacant Building Registration Requirement at 1672 THOMAS AVENUE.  
  
          **Public hearing continued to September 7**
- 84     [RLH TA 16-325](#)     Ratifying the Appealed Special Tax Assessment for Property at 544 UNIVERSITY AVENUE WEST (File No. J1611A, Assessment No. 168527).  
  
          **Adopted**
- 85     [RLH SAO 16-25](#)     Appeal of Beth Woolsey and Arjo Adams to a Summary Abatement Order at 676 WELLS STREET.  
  
          **Adopted**
- 86     [RLH AR 16-48](#)     Ratifying the assessments for Collection of Vacant Building Registration fees billed during January 21 to February 24, 2016. (File No. VB1611, Assessment No. 168812)  
  
          **Adopted**
- 87     [RLH AR 16-49](#)     Ratifying the assessments for Collection of Vacant Building Registration fees billed September 14, 2014 and August 18, 2015 at 1202 Margaret Street. (File No. VB1612, Assessment No. 168813)  
  
          **Adopted**
- 88     [RLH AR 16-50](#)     Ratifying the assessments for Property Clean Up services during April 1 to 28, 2016. (File No. J1611A, Assessment No. 168527)  
  
          **Adopted**



- 89     [RLH AR 16-51](#)     Ratifying the assessments for Trash Hauling services during April 6 to 27, 2016. (File No. J1611G, Assessment No. 168711)

**Adopted**

#### **ADJOURNMENT**

*Councilmember Prince moved adjournment.*

**Meeting adjourned at 9:08 p.m.**

**Yea:** 6 - Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

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