



# 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, November 2, 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

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

**Absent** 1 - Councilmember Dai Thao

#### 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

*Brendmoen moved the Consent Agenda*  
*6 in favor, none opposed*  
*Consent Agenda is adopted*

**A motion was made by Councilmember Brendmoen to Approve the Consent Agenda The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 1     [RES 16-1912](#)     Acknowledging receipt of District Energy St. Paul, Inc. notice of rate increase as of October 1, 2016, and directing the Office of Financial Services to review and analyze the rate changes.

**Adopted**

- 2     [RES 16-1884](#)     Approving the City's cost of providing Excessive Use of Inspection/Abatement services billed during June 23 to August 12, 2016, and setting date of Legislative Hearing for December 6, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. J1703E, Assessment No. 178302)
- Adopted**
- 3     [RES 16-1885](#)     Approving the City's cost of providing Property Clean Up services during September 2 to 30, 2016, and setting date of Legislative Hearing for December 6, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. J1703A, Assessment No. 178502)
- Adopted**
- 4     [RES 16-1887](#)     Approving the City's cost of providing Trash Hauling services during September 7 to 28, 2016, and setting date of Legislative Hearing for December 6, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. J1703G, Assessment No. 178702)
- Adopted**
- 5     [RES 16-1888](#)     Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during May 13 to August 19, 2016, and setting date of Legislative Hearing for December 6, 2016 and City Council public hearing for January 18, 2017 to consider and levy the assessments against individual properties. (File No. VB1704, Assessment No. 178804)
- Adopted**
- 6     [RES 16-1873](#)     Authorizing the Fire Department to accept the donation of \$100 from the Saint Paul Retired Teachers.
- Adopted**
- 7     [RES 16-1874](#)     Authorizing the Department of Parks and Recreation to solicit donations up to \$15,000 to match funds from Youthprise for supporting the Saint Paul Youth Commission's YouthBank program.
- Adopted**

- 8     [RES 16-1865](#)     Approving and authorizing execution of Amendment No. 3 to Site Lease Agreement between the Board of Water Commissioners of the City of Saint Paul and Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless, allowing the installation of a second fiber cable at the Board's Highland Water Tower No. 3 site at 750 South Snelling Avenue.

**Adopted**

**FOR DISCUSSION**

- 9     [CO 16-66](#)     Presentation of the 2016 Karl Neid Award to Metric Giles.

*Mayor Coleman said a few words and thanked the Karl Neid selection committee. He knows this winner and has known him for many years.*

*Council President Stark spoke. He has known Miles for many years.*

*Karl Neid's wife came up to say a few words. She met Karl when he was an aide, and he volunteered like Metric.*

*Metric Giles came up.*

*The Mayor read the plaque and gave it to him.*

*Metric said a few words. He gave honor to God, recognized the people in his life, and several organizations.*

**Received and Filed**

- 10    [RES 16-1925](#)    Proclaiming November 5, 2016 to be Colonel Song Leng Xiong Day.

*Council President Stark read the resolution. Leng was born in 1935. Stark read the long history. Lent died September 28.*

*Stark moved approval of the resolution.*

*6 in favor, none opposed*

*Resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 11     [RES 16-1939](#)     Honoring Rosemary Compos Crowe and Joe Crowe for the work they have done and continue to do on behalf of Mexican American veterans and the Mexican American AmVets Post #5.

*Councilmember Noecker said this is fitting to follow the previous one. These two volunteers will be honored on the Veterans Day celebration at Neighborhood House. They will not do the former proclamation now.*

*John Flores came to speak. They are one of the many posts, but the only Mexican American post. To forget our Veterans is sad. The individuals are wonderful people: an Army veteran and his lovely wife Rosemary. Rosemary was a school teacher in her career and a marine. She has given herself away to the entire community. Gilbert makes things happen.*

*Noecker moved approval.  
6 in favor, none opposed  
Resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

**12**    [RES 16-1943](#)    Recognizing the Safe Summer Nights program.

*Councilmember Prince said this is a day for good news. Some of the best fun was at Safe Summer Nights. Now that they closed their third season, she wanted to honor the Board of Directors of Safe Summer Nights, kids, family, elders, police, City employees, and neighbors. She thanked Tom and the Board of Directors. She asked the Mayor, and the members of the board to come forward.*

*She read the resolution recognizing Tom Campion and the board.*

*Mayor Coleman spoke. This embodies the best of Saint Paul. They have no agenda except to serve.*

*Chief Axtell spoke and said Tom approached him for a community cookout. Three years later, 50,000 meals have been served.*

*Tom Campion spoke. They had a simple idea three years ago. They have no agenda. These guys give thousands of hours. This is not a small idea. Saint Paul is their home. They are honored to give back to the City.*

*Councilmember Bostrom said Campion's father was in the police class with him.*

*Councilmember Tolbert said it has grown into a big thing.*

*Councilmember Noecker added her boys to the list. There is so much to be said for taking an idea and just doing it.*

*Councilmember Brendmoen said the idea is brilliant. The police are interacting and the guys are having a good time. Thanks for causing them to pause.*

*Prince moved approval.  
6 in favor, none opposed  
Resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

**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.

**First Reading**

- 13 [Ord 16-44](#) Amending Chapter 33 of the Saint Paul Legislative Code pertaining to Fence Requirements.  
Laid over to November 9 for second reading
- 14 [Ord 16-45](#) Amending provisions of the zoning code pertaining to wall and roof signs, and clarifying where wall signs may be located on buildings.  
Laid over to November 9 for second reading

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

- 15 [RES PH 16-294](#) Amending the City of Saint Paul's 2016 Capital Budget to provide for the acquisition of the portion of the Jimmy Lee Recreation Center not currently owned by the City of Saint Paul from the Housing and Redevelopment Authority of the City of Saint Paul.
- Council President Stark said Items 15 through 18 will be laid over to next week. The agenda was not printed in the Legal Ledger. They will hold public hearings and lay it over.*
- (No one wanted to be heard.)*
- Councilmember Noecker moved to lay over for one week.  
6 in favor, none opposed  
Public hearing is continued to November 9*
- Public hearing continued to November 9**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Thao

- 16     [RES PH 16-404](#)     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 \$10,095.68.

*(No one wanted to be heard.)*

*Councilmember Tolbert moved to continue to next week.*

*6 in favor, none opposed*

*Continued to November 9*

**Public hearing continued to November 9**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 17     [RES PH 16-413](#)     Authorizing the Department of Human Rights and Equal Economic Opportunity to shift the remaining spending authority for the Disparity Study from the General Fund to the CERT Program special fund account.

*(No one wanted to be heard.)*

*Council President Stark moved to continue to next week.*

*6 in favor, none opposed*

*Public hearing continued to November 9*

**Public hearing continued to November 9**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 18     [RES PH 16-407](#)     Accepting a \$50,000 grant from the McKnight Foundation for a Pedestrian Safety Advocate Position within the Department of Public Works.

*Rich Neumeister said he drove professionally with Metro Mobility and now with another agency. It is a two way street to understand the laws. It is important to have a strong direction in education. Many people are confused by the pedestrian law. He hopes that it is not just to fill the job, but to really do some things. This is an opportunity with outside money to do some positive things.*

*Council President Stark moved to lay over for one week.*

*6 in favor, none opposed*

*Public hearing continued to November 9*

**Public hearing continued to November 9**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

**SUSPENSION ITEM**

**Rules suspended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

[Ord 16-49](#)

Amending Chapter 102 of the Administrative Code to implement certain recommendations of the audit of the Police Civilian Internal Affairs Review Commission.

*A councilmember moved suspension of the rules  
6 in favor, none opposed  
Rules are suspended*

*Council President Stark said this is to make some changes to the police commission.*

*(Shari Moore read the resolution.)*

*6 in favor, none opposed  
Ordinance is laid over to November 9 for second reading.*

**Laid over to November 9 for second reading**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

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

- 19**    [Ord 16-43](#)            Granting authority to the Port Authority of the City of Saint Paul to issue and sell general obligation bonds to which the Port Authority pledges the full faith and credit of the City under Minnesota Statutes, Section 469.060.

*(No one appeared in opposition.)*

*Councilmember Bostrom moved to close the public hearing.*

*6 in favor, none opposed*

*Public hearing is closed and ordinance is laid over to November 9 for final adoption*

**Laid over to November 9 for final adoption**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

20     [RES PH 16-406](#)     Approving the petition of Gan Mizrachi, LLC to vacate a portion of alley and Idaho Avenue East adjacent to 76 Wheelock Avenue East.

*Councilmember Brendmoen requested a staff report. She does not have a specific question.*

*Bruce Engelbrekt, finance-Real Estate, appeared and showed a map. This is a vacation request of the property owner on Wheelock. The request is to vacate a portion of the platted alley that does not go through as an alley and portion of Idaho Avenue East to the south of the property. The house is no longer there. The plan is to construct a new home. In addition, the part of the alley and street that is next to the property, part of that would accrue to the property. The property owner has been in conversation with the owners to the east and south in getting their portion of the alley conveyed to him so that he would have additional property. When a property is vacate or a right of way, very often half of that right of way would be accrue to one property and half to the other. That 12 foot section of alley be a part of his property.*

*Brendmoen said this property has come before us previously. They tore a house down. It has been up to two years that they have used this site as a dumping place. She is hesitant to grant the person more land to dump on without a clear understanding of what they want to do. She would like more information about what the plan is. She is not confident there is a plan. It should be laid over for a week or two to get an understanding of the plan. Engelbrekt responded a site plan application has been submitted and going through the process with DSI. He is not sure where that is. Perhaps she could get that information or we can get that information. Brendmoen responded she would appreciate that.*

*Shawn Healy, President of Condominium Association, 1574 Wheelock Lane #301, said her concern with the vacancy is on the piece that is the larger piece on the map. They are concerned with what they would like to do. An alley or driveway that would let out on Wheelock, that is a hill. To create a driveway out onto to that piece would create driveway or alley access that would be fairly dangerous. It is on the hill. People turning in might not see. Fender benders and near misses would be higher. The alley and driveway is behind all three houses and the recovery center. That is a forested area and she would hate to lose the trees there. Fourteen trees has been removed. They would like to stay appraised as to what is going on.*

*Brendmoen asked how long it was used to dump stuff. Healy responded there was a fire behind the recovery center. They thought it was the lumber to build the house. It sat on the property for three years. They have a lot of wildlife, deer, wild turkey. They would like to know the progress of this.*

*Brendmoen moved to close the public hearing and 2 week layover.  
6 in favor, none opposed  
Public hearing is closed and resolution is laid over to November 16*

**Laid over to November 16; public hearing is closed**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 21     [RES PH 16-405](#)     Approving the application of Podium Sports Marketing for a sound level variance on Shepard Road at Washington Street and at Sherman Street, for the Turkey Trot Saint Paul Event on Thursday, November 24, 2016.

*Councilmember Noecker moved to close the public hearing and adopt.*

*5 in favor, none opposed*

*Public hearing is closed and resolution is adopted*

**Adopted**

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

**Nay:** 0

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

22 [PH 16-15](#)

Inviting the public to comment on the Saint Paul Police Department's draft body worn camera policy for its pilot program. (Public hearing continued from November 2)

*Commander Henry gave a staff report. In 2015, SPPD begin to explore the implementation of police body worn cameras. Chief Smith pushed for it. Chief Axtell believes it will be a productive tool. They believe that these cameras will improve police-community relations, build trust through transparency, provide a tool to provide accuracy of police-community interactions. In March 2015, they researched them, the law, nationwide policies, and the impact on the community. A guide was published. They traveled to places, they researched every device on the market. They established a list of groups to meet with. They encouraged the public to share their thoughts and ideas. They developed a survey, Twitter, and radio interviews. 1,383 took the survey. 81% thought it increased community trust. 85% said police who are legally in a home should have their camera on. 53% said footage captured where a person has an expectation of privacy should be considered private. 65% said if the person was recorded, they should be able to see it. 92% said people should see a video of themselves. Their motto: they will go anywhere to talk about the cameras. They offer this to every group they spoke with. Community meetings were held in all 3 districts, small groups, civil rights groups, advocacy groups. (He mentioned some of the groups.) On June 16, 2015, they submitted application for a federal grant. This grant allowed them to use the expectations and lessons learned guide. They are in line with all of the recommendations which found the best evidence is when officers are allowed to view the videos they were involved in. They were eligible for a \$600,000 grant. They got this amount with a private donor that was offering \$400,000. They were asked about data collection, what can be stored, how long retained, access, wide open versus private, how it would impact victims, how would it impact reporting, would the public feel safe. The law identified several different issues where police data is different. Officers identity is not redacted. Private data is not secret or hidden data. If you are the subject of the data, you always have access to it. There were hundreds of opinions. Many of these ideas are in conflict with each other. Their policy follows the law. It is influenced by local community input. HREEO has defined their RFP as the gold standard going forward. They have received requests from other cities.*

*Henry went into policy details. They make a notification when they shut off the camera. 90 days is minimum amount of time to keep video. They are going with the maximum amount of time for the storage. This is very expensive. The policy will take place in the Western District. This will happen on the third tour, 4:00 p.m. to 2:00 a.m. The entire tour will use body worn camera, they will use Vendor A and B. The pilot program for both vendors will consist of 60 cameras. 45 will be in the field. Another 15 will be used and tested in controlled training environments. Any given time, there will be 12 to 16 cameras in the Western District. The Minn. Statute requires that they accept public comment before implementing a recording system. They are only piloting the system at this time. They are expecting electronic and written feedback and will continue to do so during the pilot program. Sgt. Stiff is overseeing that piece. They are requesting public comments via media and plan to have community meetings in the next three months. They value the public's opinion on this topic.*

*Council President Stark asked if the pilot is 3 months. Henry responded 30 days for the first vendor, a two week breakdown and setup for the next vendor, and 30 days for the one after that. Then they will start the procurement process once they identify the vendor.*

*Stark asked about full implementation. Henry responded all the research and best*

*practices is incremental phasing out West District would start first, expand to midnight, days. That process will take 3 to 4 months. Full implementation would be completed by October 2017.*

*Councilmember Noecker asked would there be another presentation after the pilot is concluded. Henry responded that is his understanding. They will meet and explain what has happened.*

*Councilmember Brendmoen said she is a big advocate of pilots. They are not just looking for the better camera but also making sure other things will be analyzed. Henry responded the device in mind. Every part of this process--how evidence is handled, requests for data--every piece will be looked at what works best.*

*Brendmoen said this is important. She appreciates the thoroughness of the work.*

*Councilmember Tolbert asked is this an internal document or will you be asking for us to approve. Henry responded he does not know if they go to Council to get policy approved.*

*Rachel Tierney said this Council does not have a role in approving departmental policy. They are welcome to give feedback.*

*Stark said there was a notification issue this week and it was not posted in the Legal Ledger. They have to lay it over and continue it over for a week.*

*Councilmember Prince moved this public hearing be continued to November 16.*

*Prince said the rolling out of the pilot is November 9. Henry responded yes.*

*Prince asked is that a firm date. Henry responded equipment is in place, training is in place for over 100 people.*

*The following people addressed the City Council:*

*Jeffrey Martin, NAACP,*

*John Thompson, employee with St. Paul Public Schools, close friend of Castile;*

*Rich Neumeister;*

*Michelle Gross, Communities United Against Police Brutality;*

*Bree Adams Bill, 394 Dayton Avenue;*

*Joan Malerich;*

*Male appeared;*

*Allison Hofstedt;*

*Don Gemberling, Coalition on Government Information.*

*Stark said they will take this issue again. Senior commanders, City Attorney's office put a lot of work into this. It's bizarre that we are having a hearing and not taking an action role.*

*Councilmember Prince moved a two week continuation of the public hearing.*

*Councilmember Bostrom said this is one of the biggest expenses that we have all got ourselves into to. Police have had a fantastic job. The things that have gone on are not from the police officers. We are not going to find the solution with body cameras.*

*6 in favor, none opposed*

*Public hearing is continued to November 16*

**Public hearing continued to November 16**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 23**    [RES PH 16-304](#)    Final Order approving the 2017 Right-of-Way Maintenance Program and 2017 Above-Standard Lighting Operation and Maintenance Program. (File No. 17ROW FINAL) (Public hearing held November 2)

*Item 23*

*(Listened to recording on Lantry's opening.*

*Kathy Lantry said this is the proposed 2017 ROW rates. They will have the public hearing and lay it over. The proposed increase is 7% over last year.*

*Council President Stark stated there is a committee being formed so that it will be improved going into next year.*

*The following spoke on this item:*

*Shuo Tian, 1269 Cleveland Avenue North;*

*Linda Rhodes, 374 Wheeler Street North;*

*Kate Hunt, 2081 Highland Parkway;*

*Howard Miller, 281 Highland Parkway;*

*Rinal Ray, 2314 University Avenue West;*

*Ferdinand Peters, 842 Raymond Avenue;*

*Michael Schuman, 541 Dayton Avenue;*

*Craig Wildfang, 800 LaSalle Avenue, Minneapolis.*

*Councilmember Tolbert moved to close the public hearing and lay over to December 14.*

*6 in favor, none opposed*

*Public hearing is closed and resolution is laid over to December 14*

**Laid over to December 14; public hearing is closed**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 24**     [RES PH 16-341](#)     Setting the 2017 Sanitary Sewer and Storm Sewer rates. (Public hearing held November 2)
- Kathy Lantry said there are two proposed increases for 2017. A \$1 base fee for service and a 3.5% increase. On the storm rates, the proposed increase would be 3.5%.*
- (No one appeared to speak.)*
- Councilmember Tolbert moved to close the public hearing and lay over.  
5 in favor, none opposed  
Public hearing is closed and resolution is laid over to December 14.*
- Laid over to December 14; public hearing is closed**
- Yea:** 5 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark and Councilmember Prince
- Nay:** 0
- Absent:** 2 - Councilmember Thao and Councilmember Noecker
- 
- 25**     [RES PH 16-335](#)     Establishing the Water Charges for 2017. (Public hearing held November 2)
- Steve Schneider, General Manager for Saint Paul Regional Water Services, said the 2017 budget has been recommended for approval by the Board of Water Commissioners where they took public comment. It will be reviewed by City Council budget committee next Wednesday. It is about providing the resources necessary for investing in the system while continuing operations and services. The 2017 budget includes a one-time expense of \$44.5 Million and a capital investment program of \$22.2 Million. Of that capital investment amount, a full \$12.2 Million is earmarked to address the challenge of renewing aging infrastructure. The amount is by \$1 a month and higher for larger customers. An increase of volume of \$267 to \$269 for 750 gallons is also proposed. Other fees remain unchanged. The impact is about \$20 per year and about \$287 per year. About \$24 a month for water and water related services.*
- Councilmember Brendmoen said there was a public hearing at the Water Utility a month ago.*
- (No one wished to be heard.)*
- Councilmember Tolbert moved to close the public hearing and lay over.  
6 in favor, none opposed  
Public hearing is closed and resolution is laid over to December 14*
- Laid over to December 14; public hearing is closed**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Thao

- 26     [RES PH 16-398](#)     Setting the recycling service fee for 2017, and authorizing Public Works to request \$727,685 in SCORE grant funds from Ramsey County to support the curbside recycling program. (Public hearing held November 2)

*Item 26*

*(Listened to recording.)*

*Kathy Lantry said the proposed recycling rates for 2017 include a 7% increase. The entire increase is for paying the debt service on the recycling carts.*

*Linda Rhodes, 374 Wheeler Street North, owns a fourplex, said it is her understanding that she will be getting four large bins for four people. They only use two of the little plastic ones now. Her legal occupancy is no more than 8 people. This is a waste of money to give her that many. People do not respond back to her.*

*Council President Stark told Lantry that he forwarded the e-mail from Ms. Rhodes to Ms. Hageman. He requests that Lantry follow-up.*

*Councilmember Brendmoen said she does not know why a fourplex is sometimes classified residential and sometimes classified commercial. If we are using four residential bins for a fourplex, then we are talking residential. When we are talking about right-of-way and other assessments, it is called commercial. There are some mixed messages.*

*Brendmoen moved to close the public hearing and lay over to December 14.*

*6 in favor, none opposed*

*Public hearing is closed and resolution is laid over to December 14*

**Laid over to December 14, public hearing is closed**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

## LEGISLATIVE HEARING ITEMS FOR DISCUSSION

**29**     [RLH RR 16-43](#)

Ordering the razing and removal of the structures at 896 COTTAGE AVENUE EAST within fifteen (15) days after the November 2, 2016, City Council Public Hearing.

*Marcia Moermond said this was a no show. The owner is deceased. Delisle would like to purchase from the person inheriting the property. This property is classified as a nuisance structure; it has to be brought up to code. The title did not transfer until after the work is done. She has no further information on this property. Council should order the building removed. There was no plan.*

*Steve Jensen and his father owned this house. He is a Vietnam veteran, 67 years old. Had other inspectors. The City decided they wanted it, so they made it a category 3. He got put out of the house. They gave him 8 hours. Now he has someone that wants to invest in the house and put it back on the City tax roles. Some items can be taken off and voted on separately. Something has to be done, but he does not know what. They are taking his house away from him and throwing him into the street.*

*Francesca Jones said she is the applicant. He asked for the report to be sent to his p.o. box. They have a buyer interested in purchasing the property. He has many homes to rent. There is an inspection report and it gives him 6 months. They are still in the 6 month period. Stark responded it is 9 months.*

*Jones said it will take less than 6 months to bring it under code. She thought she had time to fix it up. There is hope for this property. There is a gentleman here willing to purchase the property. He thinks he can do it within 6 months. He is ready to go.*

*Councilmember Bostrom moved to close the public hearing.  
Public hearing is closed*

*Bostrom said he does not have confidence that the building will be done. He will move a layover for 30 days and adopt the findings of the Legislative Hearing Officer. If they can show the funds and they can bring that back to us within 30 days, they can reopen and look at this again. If there is significant improvement, it can be reopened.*

*Moermond said they are still left with a title problem. The court system being what they are, the Council should be aware. The order to abate the nuisance building was mailed to the owner on record and posted on the building.*

*Moermond asked should she be the contact person. Bostrom responded yes.*

*Council President Stark moved to amend to 30 days or adopt.  
6 in favor, none opposed  
Resolution is adopted as amended*

**Adopted as amended (grant 30 days for razing and removal of the building)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

**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**

*Remaining Legislative Hearing Consent Agenda items:*

*Councilmember Bostrom moved to close the public hearing and approve the rest of the Legislative Hearing items.*

*6 in favor, none opposed*

*Public hearing is closed and Legislative Hearing Consent Agenda is adopted as amended*

**Legislative Hearing Consent Agenda Adopted as Amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 27**    [RLH RR 15-44](#)    Ordering the rehabilitation or razing and removal of the structures at 689 CONWAY STREET within fifteen (15) days after the December 16, 2015, City Council Public Hearing. (Amend to remove or repair within 180 days)
- Adopted as amended (remove or repair within 180 days)**
- 28**    [RLH RR 16-42](#)    Ordering the razing and removal of the structures at 759 COOK AVENUE EAST within ninety (90) days after the November 2, 2016, City Council Public Hearing.
- Adopted**
- 30**    [RLH VBR 16-65](#)    Appeal of Kong Lee to a Vacant Building Registration Notice at 1049 HAGUE AVENUE.
- Adopted**
- 31**    [RLH FCO 16-160](#)    Appeal of Mark Younghans, Safe Home Transactions LLC, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 449 MOUNT IDA STREET.
- LH 11-8-16; CCPH 11-16-16*
- Referred to November 8 Legislative Hearing**

- 32     [RLH CO 16-37](#)     Appeal of Jeff & Adrienne Olson to a Correction Notice at 681 LAWSON AVENUE EAST.

**Adopted**

- 33     [RLH VBR 16-66](#)     Appeal of Adam Seubert to a Vacant Building Registration Requirement at 1268 SELBY AVENUE.

**Adopted**

**ROW ASSESSMENT APPEALS FOR DISCUSSION**

- 34 [RES PH 16-356](#) Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for properties appealed by K. Craig Wildfang, Robbins Kaplan LLP o/b/o Michael and Suzanne Schumann at 541 DAYTON and 1037 GRAND. (File No. 16ROW FINAL2, Assessment No. 16032B)

*Marcia Moermond said this Legislative Hearing covered a variety of topics and procedures being used. There were requests for more information, which was provided with classification of streets. The Council delineated the responsibilities of the Legislative Hearings Officers in conducting the hearings in the ROW Assessments. It quite carefully said they were to only cover non constitutional issues. So, they focused on matters of fact and tangible kind of issues. In reviewing the record, they did not find a basis on the factual information to justify a reduction in the assessment. Her recommendation is to ratify as proposed.*

*Council President Stark said to stick to the 2016 issue.*

*Michael Schuman, 540 Dayton Avenue, said this hearing is a farce. Since Friday, he never got a report. Stark responded the recommendation has been on file since Thursday. Schuman responded what is online is a source that does not exist. The City is claiming both of these streets are arterial. They are residential. He was told the Met Council says it is arterial street. (He showed a map.) If you look at Dayton, the entire length is residential and not arterial. East of Dale, Marshall is also residential and not arterial. That is basic fact.*

*Councilmember Brendmoen said there is no legend. Schuman responded it is in the attachment. (He explained the map.) This is their map. He is being charged for services that never occurred on his property. For a special assessment, there needs to be a special benefit for his property. It never occurred anywhere close to him. Also, routine street maintenance does not increase the value of his property. Stark responded it is a constitutional question. Shuman responded it is not.*

*Stark asked was the map looked at during the hearing. Moermond responded it was not available during the hearing. It was e-mailed and they reviewed it. They went on staff testimony on the vast majority of those cases. Evidently, there is a difference. She can get that information.*

*Stark said they have to vote on this now.*

*Councilmember Noecker said the gray shows other arterial.*

*Stark says he agrees with Schuman's interpretation of the map. It is not an arterial.*

*Stark says what is timewise for this issue. Moermond responded it is a timeline that the assessment has to go to the property. Thirty days must be allowed for the owner to pay that invoice. The County has allowed us extra days for this process.*

*Rachel Tierney, City Attorney's Office, said the state law requires that we report. People have a right to prepay their assessment.*

*Schuman asked about his other neighbors that are being ripped off on that street. A whole bunch of properties are being assessed incorrectly. 1037 Grand is a commercial property. He is paying four times a property in the middle of the block.*

*Councilmember Noecker moved to close the public hearing.  
Motion carried*

*Noecker said it is fact. She is not sure what to do. He should not be charged the arterial rate. Stark recommended she change it.*

*Councilmember Brendmoen said she does not understand it. They should not be pushed to make a decision they are not ready to make.*

*Lantry said she has staff here. She does not know if this issue was brought up.  
(Several responded it was brought up.)*

*Bruce Engelbrekt stated if we delay another week, he doesn't know if the County would permit that. We could approve as proposed and then we could make a technical adjustment. We could still reduce the assessment.*

*Stark asked could they make that technical adjustment. Engelbrekt said he would defer to the city attorney.*

*Tierney said there are two statutes she is looking at. She recommended adopting it, do a reconsideration, and bring it on to reassessment.*

*Councilmember Bostrom asked does this have anything to do with the other properties. Engelbrekt responded it would be important to look at other properties, too. He does not know what obligations they have, if any. We would certainly want to look at how we classify the other properties along that street.*

*Noecker moved the ratification at the residential rate. If they determine that is wrong, they reassess in the other direction. This is an issue of fairness. She is not comfortable leaving it at that.*

*Moermond said Engelbrekt is looking at what the decrease would look like.*

*Councilmember Prince said the other issue is that we are going to divide it.*

*Engelbrekt said the total amount is \$419.40 and to ratify the assessment on the other property.*

*Roll call vote*

*5 in favor, one opposed (Prince)*

*Resolution is adopted as amended*

**Adopted as amended**

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

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Thao

- 42     [RES PH 16-365](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Lynda Rhodes at 374 WHEELER STREET NORTH. (File No. 16ROW FINAL2, Assessment No. 16032B)

*Marcia Moermond said many of the same issues was in the Legislative Hearings. What is unique is talking about the level of usage of the streets in the right-of-way. There was also discussion of plowing technique and how it created bumps. Also, they may have thrown salt onto the boulevard area. These things did not justify decreasing the assessment.*

*Lynda Rhodes said she has been grossly overcharged. They need to make some changes. The big piece that was neglected is she has been overcharged for the mere fact that she lives there; you have to charge ¼ of the property as if she does. That is a reduction of \$300 and some dollars. The information does not indicate they are willing to do that.*

*Stark asked can they confirm that the proposed assessment is treating it as non owner-occupied as opposed to owner occupied. Moermond responded she is deferring to Lynn Moser, Real Estate.*

*Lynn Moser said for 374 Wheeler they are giving a portion of the property a residential discount: ¾ commercial, ¼ residential. They are removing the long side on the residential. The amount is still \$1,162.76. That is the actual amount proposed for the assessment.*

*Council President Stark closed the public hearing and adopted the recommendation. 6 in favor, none opposed  
Public hearing is closed and resolution is adopted*

**Adopted**

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

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Thao

- 47     [RES PH 16-372](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by Chad Skally. (File No. 16ROW FINAL2, Assessment No. 16032B)

*Item 47*

*(Recording listened to.)*

*Marcia Moermond said the overarching theme had to do with corner properties and having both streets' linear feet be included in the calculation of the assessment. They followed the policies established by the City Council in 2011, which says that both sides need to be included in that calculation. The recommendation does reflect that. There was a change put in the system today recommended by Real Estate. Her colleague Nhia Vang and her concur: reduce assessment for 241 Brimhall by \$176.88. The justification is adjusting the street class for one frontage from Class 2 to Class 3 per corner apartment assessment policy. The original charge was \$1,674.24. The adjust charge is \$1,497.36.*

*Chad Skally said he has a handout (which he passed around). He had a handout earlier. He was told that if he presented factual information to the LH, he would get a factual determination. The factual determination he received was a boiler plate response that the appellant did not provide non constitutional objections to support a reduction or deletion of assessments. He read the right of way policy documents. Fact 1 and Fact 2 get to the fact that his properties are paying more than similar mid block property. Fact 2 and Fact 3 are not valued any higher. His rents are the same as a mid block property. If a one bedroom apartment on a corner is better, then the rent would be higher than an identical property in the middle of the block. Fact 3 is if he removed all his services from the side of the block, all the buildings would be affected. He was trying to show by taking away those services it effects those policies, too. These sheets have what is a fair assessment. He is asking that his assessment be for a similar property in the middle of the block.*

*Tolbert said the numbers are if his properties were not corner properties. Skally responded it is based on the number of feet.*

*Councilmember Brendmoen said she read his e-mail. The Council did look into the issue. They didn't solve it to his satisfaction, but they spent a significant amount of time to look into the issue. He is being heard. They were working on this and looking at different ways to apply this policy.*

*Councilmember Prince said she is struck by the unfairness of the numbers for commercial corners. She will vote to support the appeal.*

*Councilmember Tolbert moved to close the public hearing.  
Motion carries*

*Councilmember Noecker said she will not support the appeal because we are not making policy, but judging facts based on the policy in place. She appreciates his appeal.*

*Tolbert said he will support the assessment. They have made a policy decision on how they should be charged. There is disagreement on how the policy should be made, but it is the policy. He will uphold it. Under the policy, there is no policy basis why the numbers should change.*

*Noecker moved approval of the assessment as amended.  
5 in favor, one opposed (Prince)  
Resolution is adopted as amended*

**Adopted as Amended**

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

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Thao

- 56     [RES PH 16-384](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by Ferdinand Peters. (File No. 16ROW FINAL2, Assessment No. 16032B)

*Marcia Moermond, Legislative Hearing Officer, said this was a no show. She does not have a staff report on the bulk. Several of these properties were simultaneously appealed by the property owners who had separate appeals and they appeared on their own behalf. One of those is for 745 Lincoln and 740 Grand. Their resolution is in front of you. The other is Chad Skally's appeal, which they just handled. The changes from those hearings are imbedded in those files. We deleted those addresses from the whereas of addresses covered here, so there would not be duplication in the records.*

*Council President Stark said what is before them is the addresses appealed by Mr. Peters minus the ones separately appealed by individuals because of the duplication.*

*Ferdinand Peters, 842 Raymond Avenue, said he received notice on October that they were adopting the Legislative Hearing process, which they had not done before. He wrote a series of questions to each of them and the City Attorney's Office and the clerk. None of his questions are answered. Without those answers, he did not attend a hearing. He filed appropriate objection letters at the hearings. The hearing was scheduled at a time when he had a funeral service. One of the objection letters was that the City made an alteration to the linear foot when they installed a reservoir. This is a factual issue. No one made a determination about it. He has other clients who said they would come and try the process. That would be Item 47 for Skally, 56 is him, and 61 is Kela. That covers all his clients. These are statutory issues, not constitutional issues.*

*Stark said Cheri Sisk (City Attorney's Office) called him. Peters responded said she had a conversation and was noncommittal. They decided they were going to have Legislative Hearings. He provided written testimony and provided factual issues. In the statute 429.101, it is clear they are charging everybody—including him—for City plowing. It is clear that the only City plowing they can change is removal of snow on sidewalks and not on streets. He wants that taken off. That is a factual issue. He asked if they were going to do that? That is an issue. They can ask the City Attorney for her interpretation of that point. He is making a request on all of his clients. He was at a funeral. The Council bypassed some of them on the list, such as 43, the Green Mill, one of his clients. He asked why that was bypassed; it was not brought up. Stark responded the person who made that complaint was not here today. Peters said he is representing all of them. He said this in a letter. He has 20 some clients. Stark said they had documentation from both him and them. Which one would he address? Peters responded they would address him because he is their attorney. He made that clear. He provided nine specific questions about the hearings. Those are his appeal items on the factual issues they are hearing tonight.*

*Stark moved to close the public hearing.  
Motion carries*

*Stark said it is hard to look at this for this late hour. Stark said the Legislative Hearing process was set up to do that. He hears his concerns about making recommendation to his clients. He could have rescheduled the Legislative Hearing. That option was offered multiple times. At this point, it is too late to deal with this issue of the front footage and the change of his property on Raymond. He is going to move the*

*recommendation of the Legislative Hearing Officer to ratify the assessment as proposed.*

*Stark said he will move the recommendation of the Legislative Hearing Officer to ratify as proposed.*

*5 in favor, 1 opposed (Prince)*

*Resolution is adopted*

**Adopted**

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

**Nay:** 1 - Councilmember Prince

**Absent:** 1 - Councilmember Thao

- 61**     [RES PH 16-389](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for properties appealed by Michael and Marlene Killa at 740 GRAND AVENUE and 745 LINCOLN AVENUE. (File No. 16ROW FINAL2, Assessment No. 16032B)

*Stark asked if the owners were here.*

*Marcia Moermond, Legislative Hearing Officer, how they recommend items be pulled off, is there is staff in the hallway to figure out which items should be pulled. This one was identified in that process.*

*Council President Stark said the general recommendation is for no change. Moermond said this was unique because of the configuration of the two parcels. The couple own a home on Lincoln and a business on Grand. They abut in the alley. Between the business and the residence, they have three streets. Their plea was the exorbitant charge. With the 2011 policy, there was not latitude for that to be considered.*

*Ferdinand Peters said his name is on the attachments for this item. He represents the Killas. He made a factual objection that they refused to take into account in the Legislative Hearing process. The objection was made timely. You have showed that it is futile to engage in the Legislative Hearing process that they instituted. Stark responded there were factual issues brought to the legislative Hearing that was actually brought up tonight.*

*Councilmember Noecker moved to close the public hearing and approve.*

*6 in favor, none opposed*

*Public hearing is closed and resolution is adopted*

**Adopted**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

**ROW ASSESSMENT APPEAL CONSENT AGENDA****Approval of the Consent Agenda**

*Remaining ROW items*

*Councilmember Tolbert moved to close the public hearing and approve the remaining items.*

*6 in favor, none opposed*

*Public Hearing is closed and remaining items on ROW consent agenda are adopted as amended*

**ROW Consent Agenda Adopted as Amended**

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

- 35**    [RES PH 16-358](#)    Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for property appealed by Korey Konkol at 2300 EDGCUMBE ROAD. (File No. 16ROW FINAL2, Assessment No. 16032B) (To be withdrawn)

**Adopted**

- 36**    [RES PH 16-359](#)    Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for property appealed by Robert Humphrey at 1510 EAST SHORE DRIVE. (File No. 16ROW FINAL2, Assessment No. 16032B)

**Adopted**

- 37**    [RES PH 16-360](#)    Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for properties appealed by Jim Rutzick at 120 PLATO BOULEVARD WEST and 188 PLATO BOULEVARD WEST. (File No. 16ROW FINAL2, Assessment No. 16032B)

**Adopted**

- 38**    [RES PH 16-361](#)    Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by John N. Allen. (File No. 16ROW FINAL2, Assessment No. 16032B)

**Adopted**

- 39     [RES PH 16-362](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Mao Yang at 83 MCKNIGHT ROAD NORTH. (File No. 16ROW FINAL2, Assessment No. 16032B) (To be withdrawn)
- Adopted**
- 40     [RES PH 16-363](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Mark P. Krukowski/Shawn Herbert at 838 SMITH AVENUE SOUTH. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 41     [RES PH 16-364](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Carrie Daklin at 1927 LAUREL AVENUE. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 43     [RES PH 16-366](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Mary Jule Erickson at 1342 GRAND AVENUE. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 44     [RES PH 16-367](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by Sandra Jacobs. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 45     [RES PH 16-368](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by David Johnson at 548 HALL AVENUE. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**

- 46**     [RES PH 16-369](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Gary Rosenbaum at 400 BATES AVENUE. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Reduce assessment from \$201.40 to \$182.40**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Thao
- 
- 48**     [RES PH 16-373](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for properties appealed by Shannon Wadding at 848 JESSAMINE AVENUE EAST. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 
- 49**     [RES PH 16-374](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for properties appealed by Kao Yang for 997 CENTRAL AVENUE WEST and 348 TOPPING STREET. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 
- 50**     [RES PH 16-375](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Anne Thom at 1355 VICTORIA STREET NORTH. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 
- 51**     [RES PH 16-376](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Marymai G. Xiong at 1249 RICE STREET. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**

- 52     [RES PH 16-378](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for property appealed by Paul Fahning o/b/o Christopher Walker at 977 FRONT AVENUE. (File No. 16ROW FINAL2, Assessment No. 160032B)
- Adopted**
- 53     [RES PH 16-380](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for property appealed by Robert Batta at 860 WESTERN AVENUE NORTH. (File No. 16ROW FINAL2, Assessment No. 160032B)
- Adopted**
- 54     [RES PH 16-381](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Susan Kohls Shetka at 1285 OSCEOLA AVENUE. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 55     [RES PH 16-382](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Rachel Xiong at 756 VAN BUREN AVENUE. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 57     [RES PH 16-385](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by Soo Line Railroad Company. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 58     [RES PH 16-386](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for properties appealed by Mark Rutzick at 75 PLATO BOULEVARD WEST and 185 PLATO BOULEVARD WEST. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**

- 59     [RES PH 16-387](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by Matt Looyen o/b/o Minnesota Commercial Railway & MT Properties, Inc. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 60     [RES PH 16-388](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by Laura H. Lindsay, o/b/o Hillcrest Investments, LLC. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 62     [RES PH 16-390](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for a property appealed by Hassan Hassan of Darul Uloom Islamic Center at 967 FIFTH STREET EAST. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Adopted**
- 63     [RES PH 16-391](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for multiple properties appealed by John G. Hoeschler. (File No. 16ROW FINAL2, Assessment No. 16032B)
- Reduce assessment from \$6,451.68 to a total of \$5,179.20**
- Yea:** 6 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 1 - Councilmember Thao
- 64     [RES PH 16-409](#)     Ratifying the assessment costs for the 2016 Right-of-Way Maintenance Program and 2016 Above-Standard Lighting Operation and Maintenance Program for property appealed by Joel Doren at 1705 OLD HUDSON ROAD. (File No. 16ROW FINAL2, Assessment No. 160032B)
- Adopted**

## ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

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

**Nay:** 0

**Absent:** 1 - Councilmember Thao

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