



# 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, February 15, 2017

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

*The meeting was called to order by Council President Stark at 3:31 p.m.*

**Present** 7 - Councilmember Dan Bostrom, Councilmember Amy Brendmoen, Councilmember Dai Thao, Councilmember Chris Tolbert, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince

#### COMMUNICATIONS & RECEIVE/FILE

- 1 [AO 17-24](#) Amending the spending budget for the 2016 capital maintenance budget for a technical correction.  
**Received and filed**
- 2 [AO 17-21](#) Amending CDBG activities budgets.  
**Received and filed**
- 3 [AO 17-25](#) Amending the CDBG activities budgets for the Vacant Building Demolition program and the Frogtown Flexible Fund program.  
**Received and filed**
- 4 [AO 17-22](#) Setting up new Year-Round STAR project codes and closing out two (2) Year-Round STAR projects.  
**Received and filed**
- 5 [AO 17-18](#) Authorizing the Police Department Employee Assistance Program Unit to provide water to guests and visitors to the unit.  
**Received and filed**

- 6 [AO 17-23](#) Authorizing the Police Department's PDI unit to provide food and beverage to participants in the training courses.

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 7 - 22)

*Item 17 was removed from the Consent Agenda for separate consideration.*

*Councilmember Noecker moved approval of the Consent Agenda as amended.*

#### Consent Agenda adopted as amended

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

**Nay:** 0

- 7 [RES 17-175](#) Approving the City's cost of providing Replacement of Lead Water Service Line on Private Property during October to December 2016, and setting date of City Council public hearing for March 15, 2017 to consider and levy the assessments against individual properties. (File No. 1702LDSRP, Assessment No. 174001)

**Adopted**

- 8 [RES 17-176](#) Approving the City's cost of providing Repair of Sanitary Sewer Line on Private Property during October to December 2016, and setting date of City Council public hearing for March 15, 2017 to consider and levy the assessments against individual properties. (File No. SWRP1702, Assessment No. 173001)

**Adopted**

- 9 [RES 17-192](#) Approving the City's cost of providing Collection of Fire Certificate of Occupancy Fees billed during October 10 to November 5, 2016, and setting date of Legislative Hearing for March 21, 2017 and City Council public hearing for May 3, 2017 to consider and levy the assessments against individual properties. (File No. CRT1707, Assessment No. 178206)

**Adopted**

- 10     [RES 17-193](#)     Approving the City's cost of providing Collection of Vacant Building Registration Fees billed during July 22 to November 18, 2016, and setting date of Legislative Hearing for March 21, 2017 and City Council public hearing for May 3, 2017 to consider and levy the assessments against individual properties. (File No. VB1707, Assessment No. 178807)
- Adopted**
- 11     [RES 17-194](#)     Approving the City's cost of providing Boarding and/or Securing services during November 2016, and setting date of Legislative Hearing for March 21, 2017 and City Council public hearing for May 3, 2017 to consider and levy the assessments against individual properties. (File No. J1706B, Assessment No. 178105)
- Adopted**
- 12     [RES 17-197](#)     Approving the City's cost of providing Environmental Service (Interior Clean Up) during June 2016 at 1698 Lafond Ave, and setting date of Legislative Hearing for March 21, 2017 and City Council public hearing for May 3, 2017 to consider and levy the assessments. (File No. J1708A, Assessment No. 178507)
- Adopted**
- 13     [RES 17-261](#)     Authorizing the acceptance of funds for the Emergency Solutions Grant Program for HUD FY2016 and approving the 2016-2017 Emergency Solutions Grant Fund recipients.
- Adopted**
- 14     [RES 17-231](#)     Authorizing the City to enter into a 15-year lease agreement with Go Wild, LLC for the Saint Paul Police Department's lease of office space at 400 Wabasha Street.
- Adopted**
- 15     [RES 17-247](#)     Approving the payment in the amount of eight thousand six hundred fifty-nine dollars and no cents (\$8,659.00) in full settlement of the property damage claim of Patricia M. Busch.
- Adopted**
- 16     [RES 17-299](#)     Approving the Mayor's appointments of Tim Flynn and Joseph Nayquonabe, Jr., and reappointments of Dianne Krizan, Wade Luneburg, John Marshall, and Rena Moran to serve on the Visit Saint Paul Board of Directors.
- Adopted**

- 18     [RES 17-273](#)     Memorializing City Council action taken February 1, 2017 approving the preliminary and final plat for Willow Reserve.  
**Adopted**
- 19     [RES 17-228](#)     Authorizing the appropriate City officials, on behalf of the Department of Public Works, to enter into an Agency Agreement with the Minnesota Department of Transportation to act as its agent on a fund exchange between the City of St. Paul and the City of North Branch.  
**Adopted**
- 20     [RES 17-65](#)     Approving the City's new Sidewalk Infill Policy.  
**Adopted**
- 21     [RES 17-254](#)     Approving a waiver of the 45-day notice requirement to issue a Liquor-Outdoor Service Area (Patio) license along with a Wine On Sale and a Malt On Sale (Strong) license to John's Pizza Café, LTD, d/b/a John's Pizza Café (20100003164) at 616 Como Avenue in Saint Paul.  
**Adopted**
- 22     [RLH OA 17-1](#)     Making recommendation to Ramsey County on the application of William Jansen and Wendy Wenzel for repurchase of tax forfeited property at 677 THOMAS AVENUE, also known as 610 SAINT ALBANS STREET NORTH.  
**Adopted**

**FOR DISCUSSION**

- 17     [RES 17-244](#)     Authorizing the Department of Parks and Recreation, on behalf of Right Track, to accept the donations of up to \$6,000 from US Bank, Alerus Mortgage, Comcast, EcoLab, Hiway Federal Credit Union, Saint Paul Area Chamber of Commerce, and the Saint Paul Saints to support the 2017 Right Track employer breakfast, and thanking each of them for the generous gifts.  
*Councilmember Noecker said she and Councilmember Tolbert wanted to pull this item to congratulate Right Track staff on a successful breakfast. She thanked her colleagues for attending and the sponsors for their support. She moved approval of the resolution.*  
**Adopted**
- Yea:** 7 - Councilmember Bostrom, Councilmember Brendmoen, Councilmember Thao, Councilmember Tolbert, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0

**ORDINANCES**

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

No items

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

- 23    [RES PH 17-44](#)    Amending the CDBG general ledger budget to reflect the receipt of an additional \$1,200,000 in CDBG Program Income.

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

**Adopted**

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

**Nay:** 0

- 24    [RES PH 17-51](#)    Amending the financing and spending plans in Department of Emergency Management in the amount of \$60,750 for the 2016 Hazardous Materials Emergency Preparedness Grant.

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

**Adopted**

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

**Nay:** 0

*Council members shared good news from their wards.*

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

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

*The Council reconvened for public hearings at 5:31 p.m.*

**Councilmember Bostrom excused**

- Present** 4 - Councilmember Amy Brendmoen, Councilmember Dai Thao, City Council President Russ Stark and Councilmember Rebecca Noecker
- Absent** 3 - Councilmember Dan Bostrom, Councilmember Chris Tolbert and Councilmember Jane L. Prince

**25**    [Ord 17-3](#)

Amending Chapter 61 of the Legislative Code pertaining to Zoning Fees.

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

**Public hearing held and closed; laid over to February 22 for final adoption**

- Yea:** 4 - Councilmember Brendmoen, Councilmember Thao, City Council President Stark and Councilmember Noecker
- Nay:** 0
- Absent:** 3 - Councilmember Bostrom, Councilmember Tolbert and Councilmember Prince

**Councilmember Prince joined the meeting.**

- Present** 5 - Councilmember Amy Brendmoen, Councilmember Dai Thao, City Council President Russ Stark, Councilmember Rebecca Noecker and Councilmember Jane L. Prince
- Absent** 2 - Councilmember Dan Bostrom and Councilmember Chris Tolbert

**26**    [ABZA 17-3](#)

Public hearing to consider the appeal of McKenna Skrypek to a decision of the Board of Zoning Appeals (BZA) denying a variance of the minimum floor area ratio (FAR) in order to construct a new commercial building with three business spaces in the T2 Traditional Neighborhood zoning district at 373 Ruth Street North. (Public hearing continued from May 3)

*Councilmember Prince said they were waiting for written notice that the appeal was being withdrawn. She moved to Continue the public hearing to March 1.*

**Public hearing continued to March 1**

- Yea:** 5 - Councilmember Brendmoen, Councilmember Thao, City Council President Stark, Councilmember Noecker and Councilmember Prince
- Nay:** 0
- Absent:** 2 - Councilmember Bostrom and Councilmember Tolbert

- 27     [RES PH 17-32](#)     Approving adverse action against all licenses held by Payne EZ Market, Inc., d/b/a Payne EZ Market at 1132 Payne Avenue. (Public hearing continued from February 1) (To be withdrawn)

**Withdrawn**

**Councilmember Tolbert joined the meeting.**

**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 17-41](#)     Approving the application of Burger Moe's for a sound level variance to present amplified music in an enclosed tent on Friday, March 17, 2017 at 242 Seventh Street West.

*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 17-45](#)     Approving the applications of Team Ortho Foundation for sound level variances to present amplified sound at seven (7) locations along the Get Lucky Run race route during the Get Lucky Run on Saturday, March 11, 2017.

*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

- 30**     [RES PH 16-411](#)     Final Order approving the addition of above standard lighting improvements along Jackson Street between 2nd Street and 11th Street, and approving the annual operation and maintenance costs for any new above standard lighting, which will be assessed to benefitted properties. (File No. 19173L, Assessment No. 175101)
- 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 17-19](#)     Final Order approving the improvement to the easterly North-South alley bounded by Idaho, Iowa, Payne and Edgerton. (File No.19224, Assessment No. 175001)
- No one was present to testify. Councilmember Prince 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 17-56](#)     Approving the request of District Energy St. Paul, Inc. to amend District Cooling rates for fiscal year 2017.
- 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     [RES PH 17-57](#)     Approving the request of District Energy St. Paul, Inc. to amend District Heating rates for fiscal year 2017.

*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

**LEGISLATIVE HEARING ITEMS FOR DISCUSSION**

46 [RLH FCO](#)  
[16-135](#)

Appeal of Jason Lien, on behalf of Talon First Trust, LLC/ Jackson I LLC, to a Fire Inspection Correction Notice at 180 FIFTH STREET EAST. (Public hearing continued from January 4 and February 1)

*Legislative Hearing Officer Marcia Moermond gave a staff report. She said the matter had been laid over to allow time for additional materials to be reviewed. She said staff had reviewed the material carefully. She reviewed the circumstances of the case, and said her focus in reviewing the appeal was to look at whether a code violation existed and was properly reviewed in the fire correction orders. She said she had reviewed the situation with staff and it was the opinion that the beams needed to be coated and it was the responsibility of the property owner to make the correction if the areaway was to be used. She said the ancillary question of who should pay for it was not in front of the Council.*

*Jason Lien, Maslon, LLP, reviewed the additional documents submitted. He said highlights included that the City and Met Council entered into an utility relocation agreement related to light rail construction which granted Met Council an easement to the areaway, and the City had the obligation to inspect the areaway to make sure it was code compliant. He said there was no record that that was ever done, and subsequently fire inspector provided notice to his client that included those beams. He said his client provided notice to the City and to the Met Council that they didn't feel they were responsible, and Met Council responded by saying they believed they had done it correctly and put it into a condition that existed prior to and therefore complied with the code. He said they had the final specs showing that the beams were initially encased in concrete before the work was done. He said contract demonstrated that the City took possession, granted access to Met Council, and Met Council did the work; and under the contract, the City should demand that the Met Council do the work He said the work would be costly work for the client to do, and they didn't have a contact with the Met Council. He said the City did have a contract allowing them to require defects to be corrected, and Met Council was put on notice before the one year warranty period expired. He said Met Council had made a false statement in response to that thereby waiving the statute of limitation. He reiterated that the City Attorney should demand that the Met Council correct the deficiencies.*

*Council President Stark said this argument had already been made, and the time limit for testimony was almost up.*

*Mr. Lien said this was a proper and they felt the appeal should be granted based on the information he had provided.*

*Councilmember Noecker moved to close the public hearing. Yeas - 6 Nays - 0*

*Councilmember Noecker thanked Mr. Lien for coming out again and for the work he had done. She acknowledged that it was a complicated issue, and one of the reasons she had laid the matter over to allow time to think the facts presented and the situation the appellant was in, which she acknowledged was a tough situation. She said she found it frustrating that staff had been unsuccessful in getting Met Council to work with the appellant. She that facts that weren't disputed were that the beams were fireproofed before and weren't now, and she agreed with Ms. Moermond that their interest as a City was in the public safety. She said they had the obligation of holding the property owner accountable, and if the property owner decided there was another party responsible that was not a matter for the Council to decide. She moved to deny the appeal.*

*Council President Stark and Councilmember Thao spoke in support of the motion.*

**Adopted (appeal denied)**

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

**Nay:** 0

**Absent:** 1 - Councilmember Bostrom

**50**     [RLH TA 17-17](#)

Ratifying the Appealed Special Tax Assessment for Property at 417 GRAND AVENUE. (File No. J1703B, Assessment No. 178102) (Public hearing held February 15) (Amended to File No. J1703B1, Assessment No. 178109)

*Legislative Hearing Officer Marcia Moermond gave a staff report on the assessment for boarding a door. She said the question was whether the City was responsible for paying in a situation of emergency access made in response to 911 call from the property manager. She said it was a private matter, and notice was given, albeit in the middle of the night, and emergency responders needed to leave the building secure.*

*F. J. French, on behalf of 417 Grand Avenue, said, based on the fire report which stated that crew contacted dispatch to advise management, he checked with the after hours emergency contact company and they had received no calls that evening. He said they had people on call to address those sorts of emergencies but weren't contacted.*

*Councilmember Noecker moved to close the public hearing.*

*Councilmember Noecker said she had noticed the same note, and she asked whether there was documentation that dispatch was called. Ms. Moermond said in her experience the Fire Certificate of Occupancy responsible party was contacted. She said she hadn't followed up with dispatch and didn't know if records at dispatch were deep enough to provide documentation.*

*Council President Stark asked whether this was the kind of thing where literally they boarded it pretty much immediately after the incident. Ms. Moermond said the time on the boarding invoice was 12:45 a.m. which was the same time listed in the fire report, but there must have been some lag time. Council President Stark said it was basically immediately.*

*Councilmember Noecker asked whether the contact was made to allow the property manager to do the securing or to inform them of the securing. MS. Moermond said it was a courtesy call giving them the opportunity to rush over, but this was an emergency situation.*

*Councilmember Noecker asked whether property owners were given a certain amount of time to respond when they were contacted. Ms. Moermond said she couldn't provide good information.*

*Mr. French said the report stated that crew contacted dispatch to advise building management of the damaged unsecured door of the unit. He reiterated that they were a property management company 24/7/365 and had people on call all the time to take care of such emergencies and their response time was more immediate than the restoration company that did the boarding. He said, if they had been contacted would have handled the call. He said there were signs at every entry to the building with contact information for the property management company.*

*Councilmember Noecker moved move to close the public hearing and lay the matter over for two weeks to follow up on a few additional questions.*

*Councilmember Brendmoen spoke in support of the motion.*

**Public hearing held and closed; laid over to March 1 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

- 54**     [RLH TA 16-543](#)     Ratifying the Appealed Special Tax Assessment for Property at 847 HUDSON ROAD. (File No. VB1703, Assessment No. 178803; amended to File No. VB1703A, Assessment No. 178809) (Public hearing held January 4 and February 15; laid over from May 17)

*Legislative Hearing Officer Marcia Moermond said it was her understanding that Councilmember Prince wished to do a layover, and appellant has gone home for the evening. She said it would be a 90 day layover to May 17.*

*No one was present to testify. Councilmember Prince moved to close the public hearing and lay the matter over for 90 days.*

**Public hearing held and closed; laid over to May 17 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

65 [RLH VBR 17-13](#) Appeal of Aychoeum Tea to a Vacant Building Registration Requirement at 657 SHERBURNE AVENUE.

*Legislative Hearing Officer Marcia Moermond gave a staff report on the condemnation and revocation due to building's condition, and subsequent referral to vacant buildings. She said the appellant was offered the opportunity to get things cleaned up and have the Certificate of Occupancy reinstated. She said she didn't have a fresh set of orders, but the inspector was able to squeeze the property in. She said conditions at the building were very bad, and the inspector had noted that many violations remained and the corrections made were haphazard at best, and he would not recommend reinstatement of fire Certificate of Occupancy. She displayed photographs and said there was long term deferred maintenance, and life safety issues, as well as unsanitary conditions and excessive accumulation blocking egress. She recommended was to denying the appeal and ordering that the building be vacated and go into the vacant building program. She said she felt the building was a perfect candidate for a code compliance inspection.*

*Councilmember Thao asked whether it was a rental property. Ms. Moermond said it appeared to be occupied by Ms. Tea's son. She said inspectors believed it was converted illegally to a duplex, with the front being sectioned off and rented. She said it was non-owner occupied, and that Ms. Tea lived in Minneapolis.*

*Property owner Aychoeum Tea said she had done everything on the paper, but the inspector she hadn't done a good job. She said she needed time and that she could do the painting and her son could do the roofing. She said she wanted to get into her house and her son was living in the car. She said she tried to do everything but the inspector didn't like the outside. She said she tried her best, and needed time, and could make the corrections. She said her son did roofing. She said she cleaned up everything and did the painting, and everything on the paper was done, and only needed a little touch-up. She said she needed a little bit of time for the inspector to come check inside and outside. She said she had to reschedule an inspection when she was taking care of sick sister, and again when her car broke down. She said she lost her cell phone and purse and she was confused. She said she saw the condemnation sign when she got home, and the inspector told her it was because she couldn't get in, and that it wouldn't be condemned if access was allowed. She said when the inspector came, she came with another inspector who was a bully.*

*Council President Stark said the time for testimony was up. He asked Ms. Tea to finish up. Ms. Tea said she was just asking for time to fix a little bit more and different inspector to come and see what is done outside and inside.*

*Councilmember Thao asked Ms. Tea how many properties she owned. Ms. Tea said she owned 5761 too but it was mostly her family helping. She said she was a single woman who came here with her 7-year-old son and worked for \$4.00 an hour. In response to a question from Councilmember Thao she said she owned two properties and had been a property owner for 13 years. Councilmember Thao said 16 years was a long time and he appreciated her being a property owner, but property owners needed to take care of the property. He said he lived not too far from this property, and it was not fair to neighbors. He said he wanted to be compassionate to Ms. Tea but want her to be responsible. He said they had to work together.*

*Councilmember Thao moved to close the public hearing. Yeas - 6 Nays - 0*

*In response to questions from Councilmember Thao, Ms. Moermond said she was not aware of problem property registration, but there had been a couple of inspections, and problems coordinating between the owner and the inspector before*

*the property hit Legislative Hearings. She said it would be in the vacant building program on Friday if the appeal was denied. She said the condemnation and order to vacate were January 19 but were stayed pending appeal, so Ms. Tea had gotten an extra month to occupy the property due to the appeal and hearing process. She said if Council wanted to provide an incentive, she would recommend a 90-day waiver on the vacant building fee so Ms. Tea could go in and apply for a code compliance inspection and get that ball rolling. She said right now eyes on the prize and spend the money on the code compliance and repairs, and at assessment time there could be a proration of the fee.*

*Councilmember Thao asked Ms. Tea how much time she needed. Ms. Tea said one week. She said she'd like to move in and her son could do the roof. Councilmember Thao said he didn't think that was realistic. Ms. Moermond said the problem was there as a fundamental difference in the understanding of what was acceptable repair between inspection staff and Ms. Tea. Councilmember Thao said he would give 90 day waiver and would like to work with Ms. Tea to make sure definitions were the same. He said a couple of weeks before he had given time to a person who'd had 11 years to repair his property, and he would also like to work with Ms. Tea, but on the condition that she be in the City office within two weeks to get the reinspection. Ms. Moermond requested that there be a new set of orders and a building permit pulled; she described some dangerous conditions that Ms. Tea considered to be a repair. She said a code compliance was needed and the house was not safe to occupy while this was going on.*

*Council President Stark clarified the recommendation with Ms. Moermond.*

*Councilmember Thao moved to deny the appeal and waive the vacant building fee for 90 days.*

**Adopted as amended (appeal denied; vacant building fee waived for 90 days)**

**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 (Items 34 - 75)**

*No one was present to testify. Councilmember Tolbert 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

- 34 [RLH TA 17-13](#) Deleting the Appealed Special Tax Assessment for Property at 351 BATES AVENUE. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 35 [RLH TA 17-5](#) Deleting the Appealed Special Tax Assessment for Property at 355 BATES AVENUE. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 36 [RLH TA 17-18](#) Ratifying the Appealed Special Tax Assessment for Property at 1034 BEECH STREET. (File No. J1704G, Assessment No. 178703)  
**Adopted**
- 37 [RLH VBR 17-3](#) Appeal of Anita Alexander to a Vacant Building Registration Notice and Summary Abatement Order at 541 CENTRAL AVENUE WEST.  
**Adopted**
- 38 [RLH VBR 17-5](#) Appeal of Kevin Lee to a Vacant Building Registration Renewal Notice at 640 CENTRAL AVENUE WEST.  
**Adopted**
- 39 [RLH TA 17-16](#) Ratifying the Appealed Special Tax Assessment for Property at 1545 CHARLES AVENUE. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 40 [RLH TA 17-8](#) Deleting the Appealed Special Tax Assessment for Property at 713 COMO AVENUE. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 41 [RLH TA 17-15](#) Deleting the Appealed Special Tax Assessment for Property at 1089 COOK AVENUE EAST. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 42 [RLH TA 17-21](#) Deleting the Appealed Special Tax Assessment for Property at 948 EARL STREET. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 43 [RLH TA 17-22](#) Deleting the Appealed Special Tax Assessment for Property at 1375 EDGERTON STREET. (File No. J1704G, Assessment No. 178703)  
**Adopted**



- 44     [RLH SAO 17-9](#)     Amending Council File RLH SAO 16-51, adopted December 21, 2016, to grant Ken Hamblin an additional extension to a Summary Abatement Order for property at 889 EUCLID STREET.  
**Adopted**
- 45     [RLH FCO 17-11](#)     Appeal of Brian D. Alton, McClay-Alton Attorneys, on behalf of Bridget and Tom Lee, to a Correction Notice-Reinspection Complaint at 853 FAIRMOUNT AVENUE.  
**Adopted**
- 47     [RLH TA 17-24](#)     Deleting the Appealed Special Tax Assessment for Property at 794 FRANK STREET. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 48     [RLH VBR 17-7](#)     Appeal of Sheng Lee to a Vacant Building Registration Fee Warning Letter at 1022 FREMONT AVENUE.  
**Adopted**
- 49     [RLH TA 17-10](#)     Ratifying the Appealed Special Tax Assessment for Property at 210 GRAND AVENUE. (File No. J1704A, Assessment No. 178503)  
**Adopted**
- 51     [RLH FCO 17-5](#)     Appeal of Ferdinand and Gisela Peters to a Correction Notice-Complaint Inspection at 1728 HAGUE AVENUE.  
**Adopted**
- 52     [RLH TA 17-6](#)     Ratifying the Appealed Special Tax Assessment for Property at 825 HARDENBERGH PLACE. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 53     [RLH TA 17-1](#)     Ratifying the Appealed Special Tax Assessment for Property at 651 HAWTHORNE AVENUE (File No. J1705A, Assessment No. 178504).  
**Adopted**
- 55     [RLH TA 17-14](#)     Ratifying the Appealed Special Tax Assessment for Property at 653 IVY AVENUE EAST. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 56     [RLH FCO 17-14](#)     Appeal of Greg Adelman to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 908 LAFOND AVENUE.  
**Adopted**

- 57 [RLH TA 17-19](#) Ratifying the Appealed Special Tax Assessment for Property at 1506 LAUREL AVENUE. (File No. J1701C, Assessment No. 172000).  
**Adopted**
- 58 [RLH TA 17-11](#) Ratifying the Appealed Special Tax Assessment for Property at 1118 MARGARET STREET. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 59 [RLH TA 16-509](#) Ratifying the Appealed Special Tax Assessment for Property at 258 MARIA AVENUE. (File No. VB1703, Assessment No. 178803; amended to File No. VB1703B, Assessment No. 178810)  
**Adopted as amended (assessment ratified and payable over 5 years)**
- 60 [RLH SAO 17-4](#) Appeal of Crystal Lewandowski-Brown to a Summary Abatement Order and Vehicle Abatement Order at 840 MARION STREET.  
**Adopted**
- 61 [RLH FCO 17-9](#) Appeal of Fawn Vo to a Correction Notice-Reinspection Complaint at 913 MARION STREET.  
**Adopted**
- 62 [RLH FCO 17-6](#) Appeal of Lon LeVitre for ResCare MN to a Correction Notice - DHS Licensing Inspection at 1585 RICE STREET.  
**Referred to Legislative Hearings on March 7; Council public hearing continued to March 15**
- 63 [RLH TA 17-3](#) Ratifying the Appealed Special Tax Assessment for Property at 1523 SCHEFFER AVENUE. (File No. J1705A, Assessment No. 178504) (Public hearing continued from February 15) (Amended to File No. J1705A1, Assessment No. 178512)  
**Public hearing continued to September 20**
- 64 [RLH FCO 16-213](#) Appeal of Ted Casper and Mike Runyon, dba Shamrock's Bar and Grill, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 995 SEVENTH STREET WEST.  
**Adopted**
- 66 [RLH TA 17-7](#) Ratifying the Appealed Special Tax Assessment for Property at 699 SHERBURNE AVENUE. (File No. J1705A, Assessment No. 178504)  
**Adopted**

- 67     [RLH VBR 17-2](#)     Appeal of Nancy Day to a Condemnation/Order to Vacate and Vacant Building Registration Requirement at 457 TOWER STREET.  
**Adopted**
- 68     [RLH TA 17-23](#)     Deleting the Appealed Special Tax Assessment for Property at 1466 VAN BUREN AVENUE. (File No. J1704G, Assessment No. 178703)  
**Adopted**
- 69     [RLH TA 17-9](#)     Deleting the Appealed Special Tax Assessment for Property at 22 WARREN STREET. (File No. J1705A, Assessment No. 178504)  
**Adopted**
- 70     [RLH SAO 17-10](#)     Amending Council File RLH SAO 16-21, adopted September 7, 2016, to grant Gan Mizrachi-Monti an additional extension to a Summary Abatement Order for property at 76 WHEELLOCK PARKWAY EAST.  
**Adopted**
- 71     [RLH AR 17-5](#)     Ratifying the assessments for Boarding and/or Securing services during August 2016. (File No. J1703B, Assessment No. 178102)  
**Adopted**
- 72     [RLH AR 17-1](#)     Ratifying the assessments for Demolition services from July to September 2016. (File No. J1701C, Assessment No. 172000)  
**Adopted**
- 73     [RLH AR 17-2](#)     Ratifying the assessments for Emergency Abatement services during August to September 2016. (File No. J1704A, Assessment No. 178503)  
**Adopted**
- 74     [RLH AR 17-3](#)     Ratifying the assessments for Property Clean Up services during September 30 to October 31, 2016. (File No. J1705A, Assessment No. 178504)  
**Adopted as amended (756 Reaney Avenue removed from the assessment roll and referred to Legislative Hearings)**
- 75     [RLH AR 17-4](#)     Ratifying the assessments for Trash Hauling services during October 5 to 28, 2016. (File No. J1704G, Assessment No. 178703)  
**Adopted as amended (756 Reaney Avenue removed from the assessment roll and referred to Legislative Hearings)**

**ADJOURNMENT**

*Councilmember Brendmoen moved adjournment.*

**Meeting adjourned at 6:28 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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