



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, November 20, 2012

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 12-554](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 915 AGATE STREET.
- Sponsors:** Brendmoen
- Delete the assessment.*
- RE: 915 Agate St (single family)*
- Joseph Schmidt, owner, appeared.*
- Inspector Paula Seeley:*
- *Excessive Consumption fee of \$50 plus service charge of \$35 = \$85*
 - *tall grass and weeds letter was mailed: May 18, 2012 with compliance date of May 21*
 - *sent to Diane Schmidt, 6534 Hokah Dr, Circle Pines; Joseph Schmidt, same address; and Occupant*
 - *re-checked May 24 and was not in compliance; Work Order was sent to Parks*
 - *when Parks crew went out, the work had been done by owner*
 - *photo in computer taken May 23, 2012*
- Mr. Schmidt:*
- *he received this letter Mon, May 21, 2012 at 6 p.m.; it had been sent Fri, May 18, 2012*
 - *the compliance date was May 21 so, I hadn't even gotten it in time*
 - *he went over to the property first thing the next morning and the tenant had already mowed it*
- Ms. Moermond:*
- *the requirement is to give 72 hours and that was 72 hours*
 - *she needs to look at whether or not that was reasonable; normally, it is*
 - *next, she needs to look to see whether there is a history at this property; is it part of a pattern*
- Ms. Seeley:*
- *only thing this year was a brush pile on the blvd Sep 5, 2012 and it was taken care of right away*

Mr. Schmidt:

- his neighbor's tree had cut down a tree that had been hit by lightening and they left all the brush in the back
- Mr. Schmidt pulled all that brush out onto the blvd because he thought it would be picked-up by the city; then, he got a Notice from the city to get it cleaned up;
- he was in communication with Craig Meshuga about this, letting him know that everything was done properly and Mr. Meshuga said, "Great! No problem! Thank you for getting it done"
- that photo is of flowers, not weeds

Ms. Moermond:

- this was a tight time line
- your tenant took care of it
- will recommend the Council delete this assessment

Referred to the City Council due back on 1/2/2013

2 [RLH TA](#)
[12-612](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 249 AURORA AVENUE.

Sponsors: Carter III

Delete the assessment. (Laid over for one month to December 18, 2012 for status of permit(s) on property.)

RE: 249 Aurora Ave (single family)

Sy Meng, owner, appeared.

Inspector Joe Yannarely:

- Excessive Consumption fee
- tall grass and weeds Order issued Jun 25, 2012;
- re-checked Jun 29 and found in noncompliance; Work Order issued
- when crew got there the work had been done by owner
- this is a Category 2 Vacant Building
- the last Work Order was issued Jan 24, 2012
- there was an EC on Jan 26, 2012

Ms. Meng:

- they mowed the lawn after she received Notice; she doesn't understand why they sent him a bill
- got the Notice Jun 26, 2012 for tall grass
- have received only 2 letters from the city: Jun 26-already paid that Aug \$85; the other one also in Jun

Mr. Essling:

- the Work Order is Jan was for boarding
- there was one done 2010 - done by owner; one done 2009 - done by owner; one done 2008 - done by owner

Ms. Moermond:

- you have a pattern of waiting to do things until the city tells you to do them
- wants to sort the 2 records out today

Mr. Yannarely:

- if Ms. Meng sent in a check, Tanya probably has it and will send her a bill saying

there's no payment due
- he went to call Tanya, Real Estate Office
- the assessment from Jan 2012 has been levied; however, no payments have been received

Mr. Essling:

- thinks there's some confusion about what's going on here
- this EC is from Jul 2012
- the only Work Order for tall grass and weeds is from Jul; there's a boarding in Jan 2012

Ms. Meng:

- bought the house in Dec 2011
- the contractor is fixing it but he is very slow in getting it done; she paid him in Dec 2011 because he wanted the money up front but she has to push him - he always comes up with excuses (Dan Berger, Westwood Restoration Inc., Sprint Lake Park)
- she paid him \$30,000 down and he said he'd get it done within a month; total cost will be \$45,000 for everything
- her family and her aunt are going to move into the property
- it was deconverted from a duplex to single family
- it's pretty much done inside; we are ready to move in at the end of this month

Mr. Essling:

- pulled up the Code Compliance Inspection Report; plumbing, and electric permits are finalized; building is still open

Ms. Moermond:

- she will give Jim Seeger a call and ask him to go through the property with the Appellant, who wants to know what things on the list remain
- will lay this over for 1 month; she wants to delete this assessment but there can't be any problems with the property for the next month

Referred to the City Council due back on 1/2/2013

3 [RLH TA
12-565](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 702 AURORA AVENUE.

Sponsors: Carter III

Approve the assessment; no show.

Referred to the City Council due back on 1/2/2013

4 [RLH TA
12-582](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 286 BATES AVENUE.

Sponsors: Lantry

Delete the assessment. (Leg. Hearing Officer will grant until June 15, 2013 for fascia to come into compliance. Inspector is to write new order with the new deadline).

RE: 286 Bates Ave (single family)

Carmen Morales, owner Arturo Ortiz' step-daughter, appeared.
Interpreter

Inspector Paula Seeley:

- *Excessive Consumption fee*
- *Apr 4, 2012 the inspector sent Orders to paint the fascia on the balcony and the eaves; compliance date: Jun 3, 2012*
- *inspector checked Jun 5 and the work wasn't done; so, he sent a second Order on Jun 6 to give Appellant more time to Jul 9, 2012*
- *inspector went out Jul 9 and the work still wasn't done; so, he sent a \$50 Excessive Consumption fine for noncompliance*
- *there's a pending \$75 EC for Sep 18, 2012 - failure to paint the eaves*

Ms. Morales:

- *they remodeled the house a few years ago; the only thing left to do was to paint the fascia board; her step dad does not know English; he got the papers in the mail but he didn't know what they said, so, he just left them; when he got the last one, he showed it to her and she told him that he needed to paint the fascia board; however, it was already too late; now, it's been painted except for the peak, which is very high and they don't have a tall enough ladder; they tried to hire someone but it's too high*

Ms. Moermond:

- *it's important that there is someone in the house who can read the mail to her parents*
- *will recommend the City Council delete this assessment and also the next one but she needs to know that there is someone who can interpret the letters from the city*

Ms. Seeley:

- *the gable has not been painted; the file is still open*

Ms. Moermond:

- *Appellant won't receive any follow up letters indicating that this tax assessment and the next assessment has been deleted but you won't get a bill saying you have to pay it*
- *if you have any questions, call our office*
- *gave Ms. Morales until Jun 15, 2013 to paint the gable (peak)*
- *you will get a new Order with a new deadline*

Referred to the City Council due back on 1/2/2013

5 [RLH TA
12-552](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No.J1301E, Assessment No. 138300 at 1590 BEECH STREET.

Sponsors: Lantry

Delete the assessment. Inspector sent orders to wrong address.

Referred to the City Council due back on 1/2/2013

6 [RLH TA
12-508](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1208E1, Assessment No. 138302 at 670 BELLOWS STREET.

Sponsors: Thune

Delete the assessment. (dryer vent is in compliance)

Referred to the City Council due back on 1/2/2013

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- 7 [RLH TA
12-560](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1302, Assessment No. 138801 at 1157 BREEN STREET.
- Sponsors: Bostrom
- Approve the assessment (no show).*
- Referred to the City Council due back on 1/2/2013**
- 8 [RLH TA
12-551](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301A, Assessment No. 138500 at 1570 CONWAY STREET.
- Sponsors: Lantry
- Delete the assessment.*
- Referred to the City Council due back on 1/2/2013**
- 9 [RLH TA
12-561](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 964 EDMUND AVENUE.
- Sponsors: Carter III
- Approve the assessment (no show)*
- Referred to the City Council due back on 1/2/2013**
- 10 [RLH TA
12-545](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 1207 FIFTH STREET EAST.
- Sponsors: Lantry
- approve the assessment (no show)*
- Referred to the City Council due back on 1/2/2013**
- 11 [RLH TA
12-559](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1302, Assessment No. 138801 at 1138 FOREST STREET.
- Sponsors: Bostrom
- Waive the VB fee until January 29, 2013. On January 2, 2013, Leg Hrg Officer will recommend that the City Council lay over the matter to February 6, 2013. If work is completed, will prorate the VB fee.*
- RE: 1138 Forest St (duplex)*
- Saysana Pommalth appeared.*
- Inspector Joe Yannarely*
- Vacant Building fee of \$1,100 plus service charge of \$150 = \$1,250*
- Category 2 VB that's been on list since Jul 12, 2011*
- has been 4 Work Orders done in that time*
- Mr. Pommalth:*
- when he closed on the property Nov 18, 2011, he paid the VB fee so, that's already*
-

been taken care of

- a month after that he had a spine fusion; so, he couldn't work on the property*
- when he recovered, he began to work bit by bit*
- during that time, he kept the property clean; he has running water, electricity, he cut the grass, shoveled the snow, raked the leaves*
- he doesn't believe that he should pay the VB fee twice*
- when he took possession, he maintained the property well; there's no complaint*
- he can't work full time on the property because of his neck surgery; he does as much as he can*
- he has pulled the permit*
- is asking for help because he already paid for it*
- the house should be done Jan 2013; it's almost done now*

Mr. Yannarely:

- the building permit was issued Aug 30, 2012*
- the list is quite extensive; be hard to get it all done in Dec*

Mr. Essling:

- there is a code compliance inspection report*
- plumbing, mechanical and electrical contractors are required*

Mr. Pommalth:

- he is working on hiring the plumbing, mechanical and electrical contractors - should be simple*
- it's relatively minor; he's a contractor and he knows how to do all these things*
- if the city requires licensed contractors, he will hire them*

Ms. Moermond:

- the Vacant Building file was opened in Jul 2011; so, the first bill for an annual VB registration fee went out in Jul 2011; it didn't get paid until Mr. Pommalth bought the house in Nov 2011 when he paid it; so, the fee that goes from Jul 2011 to Jul 2012 was paid by the Appellant half way through that year*
- now, we're talking about a VB fee that covers from Jul 2012 to Jul 2013; it's a new year*
- currently, you are doing work on the property and on Oct 2, 2012 the city had to go to clean up building material debris from the back and side yards*

Mr. Pommalth:

- after he did the siding work, he had a bin there to put in all the debris but the trash company said they didn't want to take it because it looked like asbestos; so, he had to take the material out of the bin and leave it there on the side until he could get rid of it; within a week, when he was ready to handle it, it was already gone; he did pay the fee*

Ms. Moermond:

- wants to give Mr. Pommalth an incentive to get this project done by the end of Jan 2013*
- if the project gets done and permits get signed-off by the end of Jan 2013, she will recommend cutting the VB fee in half and dividing the payments over 3 years*
- City Council Public Hearing Jan 2, 2013; then, she will ask the CC to lay this over for 1 month*

Referred to the City Council due back on 1/2/2013

Sponsors: Lantry

Approve the assessment.

RE: 1111 4th St E (single family)

Rick Schoolmeesters, owner, appeared.

Inspector Paula Seeley:

- 2 assessments: 1) PAEC fine; and 2) a regular \$50 Excessive Consumption fine
- Orders were sent May 30 to clean up the yard; compliance date of Jun 4, 2012
- re-checked Jun 5, 2012 and found noncompliant
- sent Work Order
- work had been done by owner but it generated the \$50 PAEC bill for city crew going out
- Jul 19, 2012, she went out and found more rubbish, etc.
- she sent a \$50 multiple
- total cost \$135
- sent to Rick Schoolmeesters, 1111 4th St and also to Richard Schoolmeesters, 1273 Allen Ave, W. St. Paul
- no returned mail
- there's a forthcoming clean-up on this property for \$819
- property has a history

Mr. Schoolmeesters:

- this property has had some problems beginning when it was flooded out
- the label that's been put on the house has made it almost impossible for him to do anything
- he was told that they could all work together on this but that didn't last; the city called him a liar, etc. and was accused him of running a flop house
- out of 6 pieces of mail he gets everyday, 4 of them are from the City of St. Paul - it's always something
- he has been working hard at this house trying to keep things cleaned-up and he helps out the neighbors in the area when they need it
- the city has thrown away good things from his yard
- he's building a fence up front; he doesn't have a permit for it; the fence has been there for a long time and he's trying to fix it
- he's working on the kitchen, too
- as he's trying to clean up, his son moved in with all of his things
- he just lost his house at 1719 Orange because of the flood
- a lot of things have transpired over the past years
- he's doing whatever he can to make ends meet
- he's been sick for the last week
- watching the city throw things away that are good and that he was using for landscaping, like wheelbarrows, make him upset; and they are laughing while they do it; they threw away kids toys, lawnmowers, etc. from the back yard
- the front yard look goods; he has a spot in the back for things; he has a 6-foot privacy fence
- the house is like a closet compared to his other house that's why it's so hard for him
- he is very upset about throwing everything away that's still good (they left things that they should have thrown away)
- the city took things that were valuable to him
- he grew up in St. Paul and has done a lot of good things for the city; now, it seems as though he's getting picked on
- he has talked with all the neighbors and is willing to do what it takes to make the city happy but he doesn't understand why good things are thrown away
- the garage is packed because he had to move all the things from his other house

into it

- he has also gone through a lot of personal things which is making this harder, a long with not having a job

Ms. Moermond:

- Mr. Schoolmeesters is certainly not the only one on this tax assessment roll; there are probably 100 people on it

Ms. Seeley:

- Summary Abatement Order sent May 30; compliance date Jun 4 (scrap metal, wood, appliances, rubbish, all types of storage all over the yard)
- she went out there Jun 5, 2012 and sent the Work Order to Parks; the crew went out there and said the work had been done by owner, which generated the \$50 PAEC
- she went back out Jun 15 because this is an on-going issue of scrapping and she found rubbish, improper storage, trash everywhere; she sent a \$50 multiple Excessive Consumption

Inspector Joel Essling:

- there is a continuing problem here; they have found the yard full of items time after time, etc.

Ms. Moermond:

- apparently, this yard continues to be a problem over time
- today, we are talking about the inspection services applied to the yard
- the Appellant can file a claim with the city if things of value were taken off his property

Mr. Schoolmeesters:

- he thought the city was supposed to get together to help people
- he is trying and you don't give me any credit for what I did
- right now, he is cleaning his garage and there are things in the driveway; he doesn't know where else he can put it; he is throwing away as much as he can
- they sent me another Work Order right after I got done with this one
- now, they want to come into my house and into my garage
- he is trying to be law-abiding; he and his sone are trying to keep things clean but he is being bombarded and he can't deal with it
- he's not looking for sympathy; he is asking just to be treated with a little bit of respect
- his mom has been helping him and she's sick; he's been trying to help her; there are a lot of things going on in a person's life; it's been difficult for him

Ms. Moermond:

- it looks as though Mr. Schoolmeesters is creating some of these problems for himself
- you got these Orders quite consistently
- will recommend that these assessments be approved
- advised the Appellant to fill out a claim form and appeal the tax assessment that might come forward for the cost of the clean-up
- City Council Public Hearing Jan 2, 2013

Referred to the City Council due back on 1/2/2013

13

[RLH TA](#)
[12-509](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301G, Assessment No. 138700 at 1111 FOURTH STREET EAST.

Sponsors: Lantry

12/4/12 - the file was reviewed one more time.

Inspector Paula Seeley:

- order sent June 15, 2012 to get trash service with a compliance date of June 20th, rechecked on June 21st, total assessment \$90
- owner must have trash services
- sent email to remove the container

Ms. Moermond:

rec deleting the assessment.

Joel Essling:

- start up \$50; service fee \$50; code enf wants \$55; how it added up to \$90; had no idea.

11/20/12 LH: Approve the assessment.

RE: 1111 4th St E (single family)

Rick Schoolmeesters, owner, appeared.

Inspector Paula Seeley:

- 2 assessments: 1) PAEC fine; and 2) a regular \$50 Excessive Consumption fine
- Orders were sent May 30 to clean up the yard; compliance date of Jun 4, 2012
- re-checked Jun 5, 2012 and found noncompliant
- sent Work Order
- work had been done by owner but it generated the \$50 PAEC bill for city crew going out
- Jul 19, 2012, she went out and found more rubbish, etc.
- she sent a \$50 multiple
- total cost \$135
- sent to Rick Schoolmeesters, 1111 4th St and also to Richard Schoolmeesters, 1273 Allen Ave, W. St. Paul
- no returned mail
- there's a forthcoming clean-up on this property for \$819
- property has a history

Mr. Schoolmeesters:

- this property has had some problems beginning when it was flooded out
- the label that's been put on the house has made it almost impossible for him to do anything
- he was told that they could all work together on this but that didn't last; the city called him a liar, etc. and was accused him of running a flop house
- out of 6 pieces of mail he gets everyday, 4 of them are from the City of St. Paul - it's always something
- he has been working hard at this house trying to keep things cleaned-up and he helps out the neighbors in the area when they need it
- the city has thrown away good things from his yard
- he's building a fence up front; he doesn't have a permit for it; the fence has been there for a long time and he's trying to fix it
- he's working on the kitchen, too
- as he's trying to clean up, his son moved in with all of his things
- he just lost his house at 1719 Orange because of the flood
- a lot of things have transpired over the past years
- he's doing whatever he can to make ends meet
- he's been sick for the last week

- watching the city throw things away that are good and that he was using for landscaping, like wheelbarrows, make him upset; and they are laughing while they do it; they threw away kids toys, lawnmowers, etc. from the back yard
- the front yard look goods; he has a spot in the back for things; he has a 6-foot privacy fence
- the house is like a closet compared to his other house that's why it's so hard for him
- he is very upset about throwing everything away that's still good (they left things that they should have thrown away)
- the city took things that were valuable to him
- he grew up in St. Paul and has done a lot of good things for the city; now, it seems as though he's getting picked on
- he has talked with all the neighbors and is willing to do what it takes to make the city happy but he doesn't understand why good things are thrown away
- the garage is packed because he had to move all the things from his other house into it
- he has also gone through a lot of personal things which is making this harder, a long with not having a job

Ms. Moermond:

- Mr. Schoolmeesters is certainly not the only one on this tax assessment roll; there are probably 100 people on it

Ms. Seeley:

- Summary Abatement Order sent May 30; compliance date Jun 4 (scrap metal, wood, appliances, rubbish, all types of storage all over the yard)
- she went out there Jun 5, 2012 and sent the Work Order to Parks; the crew went out there and said the work had been done by owner, which generated the \$50 PAEC
- she went back out Jun 15 because this is an on-going issue of scrapping and she found rubbish, improper storage, trash everywhere; she sent a \$50 multiple Excessive Consumption

Inspector Joel Essling:

- there is a continuing problem here; they have found the yard full of items time after time, etc.

Ms. Moermond:

- apparently, this yard continues to be a problem over time
- today, we are talking about the inspection services applied to the yard
- the Appellant can file a claim with the city if things of value were taken off his property

Mr. Schoolmeesters:

- he thought the city was supposed to get together to help people
- he is trying and you don't give me any credit for what I did
- right now, he is cleaning his garage and there are things in the driveway; he doesn't know where else he can put it; he is throwing away as much as he can
- they sent me another Work Order right after I got done with this one
- now, they want to come into my house and into my garage
- he is trying to be law-abiding; he and his sone are trying to keep things clean but he is being bombarded and he can't deal with it
- he's not looking for sympathy; he is asking just to be treated with a little bit of respect
- his mom has been helping him and she's sick; he's been trying to help her; there are a lot of things going on in a person's life; it's been difficult for him

Ms. Moermond:

- it looks as though Mr. Schoolmeesters is creating some of these problems for himself
- you got these Orders quite consistently
- will recommend that these assessments be approved
- advised the Appellant to fill out a claim form and appeal the tax assessment that might come forward for the cost of the clean-up
- City Council Public Hearing Jan 2, 2013

Referred to the City Council due back on 1/2/2013

14 [RLH TA
12-557](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1302, Assessment No. 138801 at 782 FRANK STREET.

Sponsors: Lantry

Approve the assessment (no show)

Referred to the City Council due back on 1/2/2013

15 [RLH TA
12-514](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 637 GOTZIAN STREET.

Sponsors: Lantry

Approve the assessment (no show)

Referred to the City Council due back on 1/2/2013

16 [RLH TA
12-518](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 1845 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

Delete the assessment. Inspector did not have photo.

Referred to the City Council due back on 1/2/2013

17 [RLH TA
12-562](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1302, Assessment No. 138801 at 1411 IVY AVENUE EAST.

Sponsors: Bostrom

Delete the assessment. (owner already paid the VB fee).

Referred to the City Council due back on 1/2/2013

18 [RLH TA
12-544](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 1385 MARGARET STREET.

Sponsors: Lantry

Approve the assessment. (Request a Hmong interpreter for Council PH)

RE: 1385 Margaret St (single family)

Neng Xiong, owner, appeared.

Inspector Paula Seeley:

- May 24, 2012 Correction Notice sent for failure to remove vehicles parked on unapproved parking surface
- Excessive Consumption fines for a cost of \$125 plus a service charge of \$35 = \$160
- compliance date: May 30, 2012
- re-checked May 31 and cars were still in violation: a \$50 EC fee was issued
- re-checked again Jun 6, 2012 - cars were still in violation: a \$75 EC fee was issued

Mr. Xiong:

- when inspector came first time he said the vehicle had no tabs; so, Mr. Xiong pulled car into garage
- talked about the inspector putting a green sticker on the vehicle

Ms. Moermond:

- the inspectors are saying that Mr. Xiong did not move the car by May 30, 2012 (Mr. Xiong says he did)
- Orders said May 30, 2012; the photos are date stamped May 30 and Jun 6, 2012; there are no photos dated May 24

Ms. Seeley:

There are 2 reasons for charging an Excessive Consumption fee:

- charging because the inspector went out and the work wasn't done
- charging because there have been too many occasions when an inspector needed to go out within 12 months
- this is a charge paying for the inspector's services when the work wasn't done yet

Ms. Moermond:

- Appellant did not have the work done as evidenced by the date on the photo
- the other vehicle was parked on patio blocks, not pavers; not an approved surface
- the violation existed and the Appellant did not comply in a timely manner
- will recommend the City Council approve this assessment
- City Council Public Hearing Jan 2, 2013 at 5:30 p.m.

Referred to the City Council due back on 1/2/2013

19 [RLH TA](#)
[12-546](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 786 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Delete the assessment.

RE: 786 Maryland Ave (single family)

Angela M. Grassley, owner, appeared.

Inspector Paula Seeley:

- PAEC fine (work done by owner) \$85
- failure to cut grass
- Orders sent May 29 with compliance date Jun 1, 2012
- sent to Occupant and to Angela Grassley at this address
- no returned mail
- inspector went out Jun 1; sent Work Order
- work had been done by owner
- photos

- no history on the property

Ms. Grassley:

- she did mow the lawn

- bought house in Feb 2012

- on May 31, 2012, her partner bought her a lawn mower for her birthday

- she called the inspector, who said she had gone out at 8 am that morning to take the photo; Ms. Grassley got her lawn mower after work that day; the inspector had called the guys to come out that day but when they came out on Mon morning, it was done because Ms. Grassley had mowed it over the weekend (just didn't have the lawn mower sooner)

- she got the bill first; then, she got the Notice saying she needed to cut it by a certain date

Ms. Moermond:

- will recommend the assessment be deleted

Referred to the City Council due back on 1/2/2013

20 [RLH TA
12-558](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1202, Assessment No. 138801 at 685 ORANGE AVENUE EAST.

Sponsors: Bostrom

Approve the assessment.

Referred to the City Council due back on 1/2/2013

21 [RLH TA
12-563](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1302, Assessment No. 138801 at 1016 PACIFIC STREET.

Sponsors: Lantry

Approve the assessment. No show.

Referred to the City Council due back on 1/2/2013

22 [RLH TA
12-547](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301E, Assessment No. 138300 at 1494 SCHEFFER AVENUE.

Sponsors: Tolbert

Delete the assessment. Clerical error-inspector advised owner EC would be waived if retaining wall was repaired. Wall was repaired.

Referred to the City Council due back on 1/2/2013

23 [RLH TA
12-555](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301B, Assessment No. 138100 at 561 SEVENTH STREET WEST.

Sponsors: Thune

Approve the assessment. No show.

Referred to the City Council due back on 1/2/2013

- 24 [RLH AR](#) Ratifying Demolition services from July 2012. (File No. J1301C, Asmt No. 12-119 132000)
- Sponsors: Lantry
- Referred to the City Council due back on 1/2/2013**
- 25 [RLH AR](#) Ratifying Demolition services from July 2012 (NON-C.D.B.G). (File No. 12-120 J1302C, Asmt No. 132001)
- Sponsors: Lantry
- Referred to the City Council due back on 1/2/2013**
- 26 [RLH AR](#) Ratifying Boarding and/or Securing services during June 2012. (File No. 12-121 J1301B, Asmt No. 138100)
- Sponsors: Lantry
- Referred to the City Council due back on 1/2/2013**
- 27 [RLH AR](#) Ratifying Collection of Vacant Building fees billed March 23 to June 21, 2012. 12-122 (File No. VB1302, Asmt No. 138801)
- Sponsors: Lantry
- Referred to the City Council due back on 1/2/2013**
- 28 [RLH AR](#) Ratifying Excessive Use of Inspection services billed May 25 to July 19, 12-123 2012. (File No. J1301E, Asmt No. 138300)
- Sponsors: Lantry
- Referred to the City Council due back on 1/2/2013**

11:00 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 29 [RLH VO](#) Appeal of Alan Peterson, Provost Partnership, to a Revocation of Fire 12-115 Certificate of Occupancy and Order to Vacate at 951-953 DESOTO STREET.
- Sponsors: Brendmoen
- Grant the appeal on the revocation and order to vacate. (Inspector will convert all remaining items into a correction order and if the items are not completed by January 1, 2013, a revocation and order to vacate can be re-issued).*
- RE: 951-953 DeSoto St (apartments)

Alan Peterson, Provost Partnership, owner, appeared.
Tovah Flygare, Southern Minnesota Regional Legal Services (SMRLS), appeared on behalf of Brandy Patterson.

Fire Inspector Leanna Shaff:

- Inspector Bill Beumer did a re-check this morning
- on Nov 16, 2012, Inspector Beumer met the property manager, Bob, at the property; work continues to be completed - more progress made
- several items not completed; took pictures; observed some new deficiencies
- Unit 2 - heat was not working; temp was 64 degrees
- Unit 4 - found signs of mice
- Unit 1 - has sanitation issues
- made verbal agreement with Bob for Mon, Nov 19, at 9:00 a.m. to check Unit 2's heat
- Nov 19 - attempted inspection of Unit 2 to verify that heat has been restored - no access; no management or property owner on site; called owner and left message to schedule inspection for Nov 20 at 11 a.m.
- a lot of things weren't finished
- we were texting back and forth this morning because Inspector Beumer was at the property
- she asked Mr. Beumer which list numbers she could cross off: #3 - provide fire extinguisher - done
- Unit 1 - broken wall outlet in east bedroom - done
- Unit 2 - east bedroom, replace missing smoke detector battery and cover - done
- Unit 2 - heat - done
- Unit 4 - east bedroom - removing unapproved locks from exit doors - done
- Unit 4 - repair and maintain walls in an approved manner patching up cracks - done
- Unit 4 - damaged ceiling light fixture - done
- Unit 4 - replace missing light fixture cover - done
- Unit 2 - repair the interior door frame - done
- Units 1, 3, 5 and common areas - repair and replace electrical outlets throughout - done
- Units 2, 5, 6 and second floor rear hall - multiple door closers not working and multiple doors not self-closing - done
- no access to Unit 5 today
- her understanding of what was supposed to be done but are not: some issues in Unit 2 with baseboard covers; Unit 5; Unit 4 still has some sanitation issues; still need smoke detector affidavit and the residential heating equipment report

Mr. Peterson:

- he thought those had been handed in but they were not - he will do that immediately
- would like to get an updated list with the updates
- they thought they were done
- went through and talked with the tenants about sanitation
- finished Unit 5 last Wed

Ms. Flygare:

- last time they were here, it was confirmed that the keys were given to maintenance for all units on Nov 7, 2012
- it was her understanding that the tenant does not need to be present, especially in an emergency situation, to enter and make repairs
- it's clear that her tenants in Unit 2 and Unit 5 want their repairs done and have made every accommodation to try to get access
- updates: it's possible that they are working out a settlement regarding Unit 5 (perhaps a move out); she was not aware that the heating unit was repaired as of this

morning - she will contact the tenant, who does not have a place to move to so, she would still be facing homelessness

Ms. Shaff:

- Nov 16 list items completed: 3, 4, 9, 12, 15, 16, 17, 18, 31, 32, 33*
- no access to Unit 5*

Mr. Peterson:

- he thought that the inspector got in last week and signed off on Unit 5 (was done last Wed) - replaced heat register*
- heat register in Unit 2 just needed to be re-attached*

Ms. Moermond:

- City Council Public Hearing Dec 5, 2012 at 5:30 p.m.*
- will grant the appeal on the Revocation and Order to Vacate and convert all of the remaining Orders to a simple Correction Order*
- if the items are not complete to the satisfaction of Fire Inspections by Jan 1, 2013, the Revocation and Orders to Vacate can be re-issued*
- conditioned on smoke detector affidavit; the furnace test; evidence of extermination; securing the baseboard heating onto kitchen wall in Unit 2 (Mr. Peterson: will talk with the inspector to find out exactly what he wants)*

Referred to the City Council due back on 12/5/2012

30

[RLH VO](#)
[12-116](#)

Appeal of Tovah Flygare, Southern Minnesota Regional Legal Services (SMRLS), on behalf of Brandy Patterson, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 951 DESOTO STREET.

Sponsors: Brendmoen

Grant the appeal on the revocation and order to vacate. (Inspector will convert all remaining items into a correction order and if the items are not completed by January 1, 2013, a revocation and order to vacate can be re-issued).

RE: 951-953 DeSoto St (apartments)

Alan Peterson, Provost Partnership, owner, appeared.

Tovah Flygare, Southern Minnesota Regional Legal Services (SMRLS), appeared on behalf of Brandy Patterson.

Fire Inspector Leanna Shaff:

- Inspector Bill Beumer did a re-check this morning*
- on Nov 16, 2012, Inspector Beumer met the property manager, Bob, at the property; work continues to be completed - more progress made*
- several items not completed; took pictures; observed some new deficiencies*
- Unit 2 - heat was not working; temp was 64 degrees*
- Unit 4 - found signs of mice*
- Unit 1 - has sanitation issues*
- made verbal agreement with Bob for Mon, Nov 19, at 9:00 a.m. to check Unit 2's heat*
- Nov 19 - attempted inspection of Unit 2 to verify that heat has been restored - no access; no management or property owner on site; called owner and left message to schedule inspection for Nov 20 at 11 a.m.*
- a lot of things weren't finished*
- we were texting back and forth this morning because Inspector Beumer was at the property*
- she asked Mr. Beumer which list numbers she could cross off: #3 - provide fire*

extinguisher - done
- Unit 1 - broken wall outlet in east bedroom - done
- Unit 2 - east bedroom, replace missing smoke detector battery and cover - done
- Unit 2 - heat - done
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- no access to Unit 5 today
- her understanding of what was supposed to be done but are not: some issues in Unit 2 with baseboard covers; Unit 5; Unit 4 still has some sanitation issues; still need smoke detector affidavit and the residential heating equipment report

Mr. Peterson:

- he thought those had been handed in but they were not - he will do that immediately
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Ms. Flygare:

- last time they were here, it was confirmed that the keys were given to maintenance for all units on Nov 7, 2012
- it was her understanding that the tenant does not need to be present, especially in an emergency situation, to enter and make repairs
- it's clear that her tenants in Unit 2 and Unit 5 want their repairs done and have made every accommodation to try to get access
- updates: it's possible that they are working out a settlement regarding Unit 5 (perhaps a move out); she was not aware that the heating unit was repaired as of this morning - she will contact the tenant, who does not have a place to move to so, she would still be facing homelessness

Ms. Shaff:

- Nov 16 list items completed: 3, 4, 9, 12, 15, 16, 17, 18, 31, 32, 33
- no access to Unit 5

Mr. Peterson:

- he thought that the inspector got in last week and signed off on Unit 5 (was done last Wed) - replaced heat register
- heat register in Unit 2 just needed to be re-attached

Ms. Moermond:

- City Council Public Hearing Dec 5, 2012 at 5:30 p.m.
- will grant the appeal on the Revocation and Order to Vacate and convert all of the remaining Orders to a simple Correction Order
- if the items are not complete to the satisfaction of Fire Inspections by Jan 1, 2013, the Revocation and Orders to Vacate can be re-issued
- conditioned on smoke detector affidavit; the furnace test; evidence of extermination; securing the baseboard heating onto kitchen wall in Unit 2 (Mr. Peterson: will talk with the inspector to find out exactly what he wants)

Referred to the City Council due back on 12/5/2012

31 [RLH VO
12-121](#)

Appeal of Albert M. Johnson to a Correction Notice-Complaint Inspection (includes condemnation of First Floor) at 699 ARCADE STREET.

Sponsors: Lantry

Deny the appeal and grant until December 1, 2012 to have the people on the first floor vacated.

RE: 699 Arcade St (commercial/apartments)

Albert Johnson, owner, appeared.

Seraph Rodriguez appeared.

William Grant appeared.

Ms. Moermond:

- looking at a Correction Order - Complaint Inspection Condemning the first floor

Fire Inspector Leanna Shaff:

- building is a B commercial occupancy on the main floor for business/office with 2 apartments above in a T-2 zoned neighborhood*
- Nov 1, they received a complaint which stated that the building has commercial space on the first floor and apartments above but they are renting out rooms on the first floor*
- Nov 8, 2012, Inspector Mike Urmann went out to inspect and found that the business part of the building was being used for residential rooming units; he told the owners to continue that use immediately*
- there were 6 rooming units with 2 of which are under construction without permits*
- some units are occupied*
- Mr. Urmann attempted to take photos but was asked to leave the property*
- there is no approved use for rooming units in this building nor a rooming license, should that be required*
- no permits have been applied for or issued*
- no zoning review*

Mr. Johnson:

- he entered documents*
- there is no zoning problem with the building*
- the only thing they need is a conditional use permit because the use is going from a store front to a residential sleeping home; that application has already been made*
- the offices that were in the building before are being turned into sleeping rooms*
- there is no electrical work being done*
- there are no improvements being made, although they are doing some painting*
- one of the walls needed to have the sheet rock torn out because of a leak above; the sheet rock was stained and he wanted to make sure that there was no mold behind the sheet rock or anything else; they will be replacing that wall*
- no permitting needs to be done*
- the electric is the same as was used previously in the offices*
- there is no construction being done; they are doing some repair and repainting*
- the biggest change they will be making is to take all the desks out and replace them with bedroom furniture*
- as far as he's concerned, everything on the deficiency list is based on "nothing" except that he does need to get a conditional use permit*
- he believes the Notice he received from the city should be discarded because he believes this was purposely messed up by the fire inspector because the post office stamp is dated Nov 9, 2012; he didn't receive it until Nov 15, 2012 (there is no way it takes 7 days for a letter to get from downtown to the East Side of Saint Paul; should*

take no more than 2 days)

- in the letter, Mr. Urmann scheduled an appointment to re-inspect a day before the appeal time had run out (that's not supposed to be; you should have time to file an appeal); that isn't right
- then, if you look at the address number, it look likes Robert Kennedy is the owner of the property; so, he's not sure how much mail is going to Mr. Kennedy and he isn't even getting it; as far as he knows, Robert Kennedy was killed 25 years ago
- the next sheet, Ramsey County Property Tax, Mr. Johnson is listed as the owner; something is screwed up
- also, he has had a real problem with Fire Inspector Urmann: the first time he met him, Mr. Urmann told him that he needed a licensed electrician to put in a light fixture that was a plug-in fixture
- the second time he had anything to do with this inspector was when he was at S&H gas station; he and 3 other cars were parked around the gas pumps, all of them had their engines running because it was colder than heck that day; Mr. Urmann walked past all the other cars to Mr. Johnson and told him that he needed to have his vehicle shut off or he couldn't fuel up; he never bothered with the other cars - he turned around and walked right in to tell them to turn his pump off until the car was shut off, allowing 3 other to put fuel in their cars; that shows harassment and a prejudice
- the next time, the inspector kept adding on to the list so that he'd have to just keep right on going, fixing things; once the list is done, there should be no add-ons; it should stop
- the next time they were in here, Inspector Urmann never gave him a chance to explain what was going on; he just assumed he was right and walked off
- Mr. Johnson thought that the employees of the City of Saint Paul were there to help the citizens, not make things harder on them
- zoning gave him 90 days to complete the work or he couldn't have it
- he has letters from the senator saying it would be a good idea
- 2 county commissioners; 2 city council members; neighborhood council; area churches and; the neighborhood are all backing him
- the guy a zoning said there should be no problem - just a matter of the paper work going through; he said they will work with me; he thinks Fire should also be working with him
- he desires that this Notice be thrown out and that Inspector Urmann never comes back to his property again; he should not be out there harassing people
- added that there is a law coming out, which will take effect Jan 1, 2013, that says a business that is not in business anymore must take down it's signage; Mr. Johnson has already taken down half of the old signage
- he is trying his best to whatever he can to comply

Mr. Rodriguez:

- they have provided an affordable place for low income and homeless people
- the room has a mini refrigerator, a bed, a microwave and a TV; it's comfortable and very clean; he doesn't understand why Fire wanted to Condemn it; it's very clean; he wishes that Ms. Moermond and others here would come down and see it
- the people are happy; like one big family; they will have a Thanksgiving dinner there from the people at Meals on Wheels
- he has had meetings with State Senator Fount at the building and has talked with Councilmember's Executive Assistant, etc, on how to bring this all together with the community
- they have just started out and would like to work with the inspector if there is something they need to do; everything is pretty good right now
- he lives upstairs
- they have had ministers come through: Julie Jacobs, Wayne Anderson, Steven Sullivan, etc.
- we will be offering more for these people in the future; they already offer rides back

and forth to food shelves through Steven Sullivan

- the people are happy; we take care of them
- he has done some street ministry right in that area
- it's important that people see that through the community
- they have canvassed the community with a form / petition with signatures of people approving of what they are doing; he can send that in
- this is an opportunity for people to have some sort of social life and to get resources through the county and the churches
- they have put in a lot of work to keep the place clean and nice

Mr. Grant:

- he does a lot of maintenance for buildings, 2 of which are churches and he has gone through buildings with fire inspectors on many occasions and they were always very respectful; Mr. Urmann came in the door, didn't inspect anything; just stared at one spot on the ceiling and then asked where the owner was; Mr. Grant told him he was in the back; Mr. Urmann just started to harass Mr. Johnson
- any time a fire inspector does an inspection, the owner usually receives a letter stating there will be an inspection at a certain time on a certain date but Mr. Johnson never even got a Notice about it
- he is questioning whether there even was a complaint; usually the fire inspector notifies the owner of a complaint to give him a chance to correct it; none of that took place
- he has dealt with a lot of fire inspectors but this guy was just straight up "harassing"

Mr. Johnson:

- they are trying to do a good job; they want it to come out right
- they want Ms. Moermond's and the city's help and guidance but they are willing to do the work
- they need time to get things together
- the building is paid off so now, he can put the money into this
- he wants this building to be the best building in Saint Paul
- he wants to go the extra step - he wants his building to be well above code

Ms. Moermond:

- there are quite a few moving parts here
- it sounds as though you guys have a great idea but in a lot of ways, you put the cart before the horse
- she needs to sort through this with the inspector

Mr. Johnson:

- we tried to get things going with zoning so we had what we needed but maybe we didn't have all the pieces

Ms. Moermond:

- zoning is underway but there are also building and fire code issues about the use of the space and building requirements that go with that; i.e., maybe things need to be vented separately or walls need to be constructed differently; she asked Ms. Shaff to explain that
- the other concern - a rooming situation downstairs requires a license to be applied for

Ms. Shaff:

- the "use" of a building means its purpose - what is it being used for; the building code is specific about what falls into different categories; then, it looks at the hazards within those categories which necessitates different code requirements; a place where people gather, sleep, eat, etc., the emphasis is on saving lives, not saving the

building

- *changing from a business use to a residential use, we need to look at the separations between units/rooms/uses; and a set of plans for the conversion are needed to be supplied by the person doing the modification prior to beginning the project to make sure that those building code issues are addressed and met*
- *smoke detectors, CO alarms, perhaps door closers, egress windows, sprinklers, etc., for residential are all different from a business use*
- *different uses require different criteria because of different concerns*
- *licensing is required because the city looks at population density in the area, parking, use of infrastructure, can the building handle the new load, providing services, funding*
- *a rooming house is different from a regular apartment building because there are more people in a space; they usually don't have individual bathrooms/kitchens; there's shared space and what's allowed in that space*

Mr. Rodriguez:

- *we just offer programs as they come along; it's a freedom, they are not mandatory*
- *there's a lot of parking*
- *doesn't see any problems with the sewer or heating*
- *he doesn't understand much about the zoning*
- *building is homesteaded; Mr. Johnson has lived in the back apartment for about 18 years and intends to live there for as long as he lives*

Mr. Johnson:

- *he has 3 smoke detectors and 3 CO alarms*
- *no one in the building needs special care*
- *he wants to make sure the place is safe because he lives there, too*

Ms. Shaff:

- *it's clear that the cart was put before the horse and the Appellant is stating that he's not completely sure about what's required*
- *as far as the city records, nothing has been entered into the system approving any kind of conditional use*
- *we don't know the safety of this building*
- *when doing a project like this, the Appellant needs to pull a permit*
- *there are too many questions*
- *it's not up to the city to plan the plan for the Appellant*

Mr. Rodriguez:

- *agrees and thinks this is a good thing because they want to do what's right*
- *they want to work with everyone*
- *thinks Fire should inspect again to see what needs to be done differently*

Ms. Shaff:

- *the codes require that it's incumbent upon you to supply your plans to the city*
- *most people would hire a contractor or architect to do a code analysis to change the use of the building*
- *you and your contractor would submit the plans*

Mr. Johnson:

- *thinks we're on the right track*
- *he did ask a lot of questions trying to make sure that he was doing it right*
- *he did go through the steps that he was aware of*

Ms. Moermond:

- *she will ask staff for these Orders to be re-issued*

- she is not comfortable with the space downstairs to be used as residential until she gets a sign-off saying it meets Fire Code for residential (fire barriers between the rooms; all smoke detectors; all CO alarms; egress; etc.); that will involve a change of use which kicks-in other requirements - so, we need a new list, a new set of Orders
- thinks Appellant would benefit from a full inspection where he gets an appointment letter ahead of time

Ms. Shaff:

- suggested that a project facilitator like Larry Zangs, 266-9109, would be very helpful in coordinating all of these parts for Mr. Johnson
- it is not uncommon for them to go inspect when a complaint comes in without notifying the owner

Ms. Moermond:

- in the meantime, those rooms need to be vacated
- no one can live there until this situation is ironed out
- she lauds them for wanting to make housing available for people who have been homeless
- she needs to make sure that these places are safe; right now, she does not have that confidence
- let's get this moving ASAP; these units will need to be emptied by no later than Dec 1, 2012
- clarified that the time stamp on the envelope that went out was time stamped by the U. S. Postal Service, not the city; there seems to have been a delay from when the PO time stamped it and when it was delivered

Referred to the City Council due back on 12/5/2012