



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
Mary Erickson, Hearing Secretary
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651-266-8560

Tuesday, February 19, 2013

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - Laid Over/Rescheduled

- 1 [RLH TA 13-57](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304A, Assessment No.138503 at 353 COOK AVENUE EAST.

Sponsors: Brendmoen

Approve the assessment.

RE: 353 Cook Ave E (single family)

Leo Markadu, S & H Homes LLC, owner, appeared.

Inspector Paula Seeley:

- this is a lay over*
- Summary Abatement issued Oct 19 for clean-up; compliance date Oct 23, 2012*
- re-check Oct 23; Work Order sent*
- work done Oct 25, 2012 for a cost of \$316 plus \$155 service charge = \$471*
- no returned mail*
- some history*
- sent to 2 addresses for S & H Homes LLC, in Mpls*
- notes: garbage all over near alley; has photos and VIDEO*

VIDEO - loose and scattered garbage near container and next to garage; also bag of trash on roof

Mr. Markadu:

- rental property and has on-going problems with neighbors; people are trashing every other home; there's no reason the tenants would put a bag of trash on the roof*
- he did not receive any Notice about this incident; he remembers receiving Notices for others*

Ms. Moermond:

- even though the tenants were not the ones who did this, the trash is on your property and it's the owner's responsibility to make sure that it's addressed*

Mr. Markadu:

- a couple of days after he received the letter for the grass, he called and asked if he could get a 72-hour extension*

VIDEO for tall grass and weeds, Jul 27, 2012

Mr. Markadu:

- he was there on a Sunday and took care of the front of the house; he didn't do the back because he didn't think the city had a right to go into the back yard - this is private property

Ms. Moermond:

- apparently, the work wasn't done so the city had to do it on Jul 27 (Letter was send Jul 19, 2012; re-checked Jul 26)

- the city does have the right to go into the back yard

- will recommend approving the assessment for the clean-up (the tall grass assessment has already been at LH, approved, and sent to City Council)

Referred to the City Council due back on 3/6/2013

**2 RLH TA
13-119**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1301V, Assessment No. 138000 at 1517 IDAHO AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 3/20/2013

**3 RLH TA
13-124**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1002 MINNEHAHA AVENUE EAST.

Sponsors: Lantry

No show; approve the assessment.

Referred to the City Council due back on 3/20/2013

**4 RLH TA
13-139**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 847 OAKDALE AVENUE.

Sponsors: Thune

No show; approve the assessment.

Referred to the City Council due back on 3/20/2013

Special Tax Assessments

**5 RLH TA
13-137**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1305, Assessment No. 138204 at 1337 ARKWRIGHT STREET.

Sponsors: Brendmoen

Approve the assessment.

RE: 1337 Arkwright St (apartments)

Michael Fox, owner, appeared.

Fire Inspector Sean Westenhofer:

- *Fire Certificate of Occupancy inspection fee \$2240 + \$150 service charge = \$2,390*
- *Date of Orders: 2/28/2012; 3/30/2012; 4/30/2012; 5/15/2012; 5/30/2012; 8/6/2012*
- *Date of Billings: 9/14/2012; 10/15/2012*
- *sent to: responsible party and owner, CF Management 2697 E County Rd E, Unit 471, White Bear Lake*

Mr. Fox:

- *he is not here to dispute that the work needs to be done, especially painting; however, the expectations of getting it done so quickly is unrealistic; given the fact that 2012 was a really wet spring, they couldn't do much until Jun; and it was also one of the hottest summers on record and you can't paint when it's 95 - 100 degrees or when cedar siding is cold and wet*
- *he asked for more time but didn't realize that there was a charge for it*

Ms. Moermond:

- *doesn't recall seeing an appeal on this*

Mr. Fox:

- *at the time he asked for an extension, the appeal time was over*

Ms. Moermond:

- *every single letter that was sent had an appeal statement at the end of it*

Mr. Fox;

- *the way he understood it, the appeal had to be made after getting the initial letter*
- *he misunderstood*

Ms. Moermond:

- *over the course of 6 months, I'd think there'd be enough time*
- *will recommend approval*

Referred to the City Council due back on 4/3/2013

**6 RLH TA
13-133**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303E, Assessment No. 138303 at 286 BATES AVENUE.

Sponsors: Lantry

No show; approve the assessment.

Referred to the City Council due back on 4/3/2013

**7 RLH TA
13-134**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303E, Assessment No. 138303 at 1205 BEECH STREET.

Sponsors: Lantry

No show; approve the assessment.

Referred to the City Council due back on 4/3/2013

**8 RLH TA
13-118**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303E, Assessment No. 138303 at 670 BELLOWS STREET.

Sponsors: Thune

Delete the assessment. Dryer vent was installed under permit. (No one appeared)

Referred to the City Council due back on 4/3/2013

**9 RLH TA
13-138**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303E, Assessment No. 138303 at 345 CASE AVENUE.

Sponsors: Brendmoen

Delete the assessment. Somewhat of a language barrier and confusion.

Referred to the City Council due back on 4/3/2013

**10 RLH TA
13-140**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1305, Assessment No. 138204 at 1646 CONCORDIA AVENUE.

Sponsors: Stark

No show; approve the assessment.

Referred to the City Council due back on 4/3/2013

**11 RLH TA
13-130**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305G, Assessment No. 138704 at 46 ELIZABETH STREET EAST.

Sponsors: Thune

Approve the assessment.

46 Elizabeth St E (single family)

Jose Luis Escoto, owner, appeared.

Inspector Paula Seeley:

- this is an Order to provide trash service*
- sent Oct 24, 2013; compliance date Oct 31, 2012*
- re-checked on Oct 31; inspector found that there was still no trash service; she verified that with Krupenny*
- she put out a trash container Nov 7 and ordered 2 weeks of trash service*
- cost: \$150 + \$155 service charge = \$305*
- no returned mail*
- sent to Jose Escoto, 55 Salem Church Rd, St. Paul and Alex Escoto, 46 Elizabeth St E, St. Paul*
- there are lots of notes and comments*

Ms. Moermond:

- there was a lot of stuff that needed to be cleaned up; she writes Orders on that as well as writing Orders for garbage service*
- clean-up Orders are pending*

Mr. Escoto:

- he asked Grumpy's to clean the container and it took them a couple weeks to return it*
- when the city dropped off their container, Grumpy's was already back there; he*

asked the city to take theirs back but they said they couldn't
 - his son, who has 5 children, lives there and he works hard to make ends meet; they don't believe in asking for money
 - when their container was gone, they were taking their garbage to Mr. Escoto's restaurant container
 - when the inspector came the first time, the old kitchen cabinets were in the back yard because they were replacing them in the house

Inspector Joel Essling:

- according to the inspector's notes, the inspector talked with Krupenny, who said the container was removed because of nonpayment of service
 - were told that they now had service with Waste Management but when inspector called Waste Management, they said that there was no record of service with them

Mr. Escoto:

- this is new to me; son never told me this

Ms. Moermond:

- it looks as though the city has had to do a couple jobs at this address
 - noticed that the Order also went to son Alex to provide garbage service
 - Alex talked with the inspector and said that Waste Management was to drop off the container on Tue Wed

Mr. Escoto:

- he didn't know that his son didn't have garbage service
 - brought to Ms. Moermond's attention the error in math on the Order

Ms. Moermond:

- the math on this letter isn't right
 - will recommend approving this assessment

Referred to the City Council due back on 4/3/2013

12 **RLH TA** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
13-121 J1304P, Assessment No. 138403 at 958 EUCLID STREET.

Sponsors: Lantry

Delete the assessment; waiver on file. (No one appeared)

Referred to the City Council due back on 4/3/2013

13 **RLH TA** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
13-129 J1303E, Assessment No. 138303 at 847 IVY AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 4/3/2013

14 **RLH TA** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
13-142 CRT1305, Assessment No. 138204 at 1924 JAMES AVENUE.

Sponsors: Tolbert

No show; approve the assessment.

Referred to the City Council due back on 4/3/2013

- 15 **RLH TA** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
 13-135 J1303E, Assessment No. 138303 at 323 LAWSON AVENUE EAST.

Sponsors: Brendmoen

Reduce the assessment from \$160.00 to \$85.00 due to data entry error. (No one appeared)

Referred to the City Council due back on 4/3/2013

- 16 **RLH TA** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
 13-120 J1303E, Assessment No. 138303 at 559 LAWSON AVENUE.

Sponsors: Brendmoen

Delete the assessment; HRA property.

Referred to the City Council due back on 4/3/2013

- 17 **RLH TA** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
 13-132 J1303E, Assessment No.138303 at 1686 ORANGE AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 4/3/2013

- 18 **RLH TA** Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
 13-131 J1303E, Assessment No. 138303 at 1383 PAYNE AVENUE.

Sponsors: Bostrom

Delete the assesment.

Two work ordrs doe on same day, one for garbage/rubbish and one for tall grass and weeds. Costs for two work orders were combined into oen assessment. One work order assessment fee was deleted which resulted in PAEC. DSI staff recommends deleting this assessment.

Referred to the City Council due back on 4/3/2013

- 19 [RLH TA](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No.
 [13-146](#) J1303A, Assessment No. 138502 at 1383 PAYNE AVENUE.

Sponsors: Bostrom

Reduce the assessment from \$551.00 to \$471.00.

RE: 1383 Payne Ave

Cha Wang Thao, owner, appeared. Mai Vang interpreted.

Ms. Moermond:

- the tax assessment in front of us today is for Excessive Consumption (\$50); staff are proposing that be deleted
- however, there was another Work Order for the clean-up, which we will talk about, as well

Inspector Paula Seeley:

- Summary Abatement Order issued Sep 6, 2012 to remove all the garbage near rear door and boxes and trash near garage
- it was also sent to cut tall grass and weeds (clean-up and tall grass and weeds assessments were combined)
- cost \$396 + \$155 service charge = \$551
- sent to Cha Wang Thao on Clarence Ave, St. Paul
- no returned mail

Viewed VIDEO for clean-up

Mr. Thao:

- it's rental property
- he did not receive Notice
- each time he has received Notice, he tells the tenant to clean up but this time, he did not get a Notice

Ms. Moermond:

- the owner of the property is left with the cost of the clean-up; not the tenant

Viewed VIDEO for tall grass and weeds, too.

Ms. Seeley:

- the Order said to cut all weeds along the house and garage foundations
- Inspector Joel Essling recommend deleting this tall grass and weeds assessment

Ms. Moermond:

- will recommend decreasing the total assessment from \$551 to \$471 (\$260 + \$56 + \$155 = \$471)

Referred to the City Council due back on 2/20/2013

**20 RLH TA
13-141**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1305, Assessment No. 138204 at 693 SAINT ALBANS STREET NORTH (Assessment Roll under 681 Van Buren Avenue)

Sponsors: Carter III

No show; approve the assessment.

Referred to the City Council due back on 4/3/2013

**21 RLH TA
13-144**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1305, Assessment No. 138204 at 1986 SAINT CLAIR AVENUE.

Sponsors: Stark

Delete the assessment; payment received on 2/15/13.

Referred to the City Council due back on 4/3/2013

- 22 RLH TA 13-136** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303E, Assessment No.138303 at 2196 SIXTH STREET EAST.
- Sponsors:** Lantry
- No show; approve the assessment.*
- Referred to the City Council due back on 4/3/2013**
- 23 RLH TA 13-128** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303E, Assessment No. 138303 at 1763 THOMAS AVENUE.
- Sponsors:** Stark
- No show; approve the assessment.*
- Referred to the City Council due back on 4/3/2013**
- 24 RLH TA 13-145** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1305, Assessment No. 138204 at 405 VANCE STREET.
- Sponsors:** Thune
- Approve the assessment.*
- RE: 405 Vance St (single family)*
- James Peterson, responsible party, appeared.*
- Fire Inspector Sean Westenhofer:*
- Certificate of Occupancy inspection fee of \$170 + \$150 service charge = \$320
 - Orders sent Aug 3, 2012 and Sep 4, 2012
 - billing dates: Sep 5 and Oct 5, 2012
 - sent to owner/responsible party James Peterson, 854 Lake St, St. Paul
 - no history of Orders on the property
- Mr. Peterson:*
- he didn't understand the bottom part of the bill
- Ms. Moermond:*
- explained that as soon as they sent the bill (\$170) through the assessment process, they tac on fees
- Mr. Peterson:*
- he is a student and other things were happening: he has health problems and was trying to take of the trust and everything else; he doesn't know exactly why he didn't pay this bill
 - the house is still vacant; he's working to sell it
- Inspector Leanna Shaff:*
- permits were pulled; some inspected; some never finaled
- Mr. Peterson:*
- he talked with people about the building permit and they said they need to get on the plumber to clear one of the permits; evidently, the plumber didn't pull the permit properly, he did the work and closed it all up; basically, the inspector said, "It's the

plumber's problem"

Ms. Moermond:

- that needs to be taken care of

- this is a fire fee and the administrative costs are what the Appellant is questioning

- will recommend approval of the assessment

Referred to the City Council due back on 4/3/2013

- 25 RLH AR 13-6** Ratifying Collection of Certificate of Occupancy fees billed August 29 to September 27, 2012. (File No. CRT1305, Asmt No. 138204)

Sponsors: Lantry

Referred to the City Council due back on 4/3/2013

- 26 RLH AR 13-7** Ratifying Excessive Use of Inspection services billed September 4 to October 24, 2012. (File No. J1303E, Asmt No. 138303)

Sponsors: Lantry

Referred to the City Council due back on 4/3/2013

- 27 RLH AR 13-8** Ratifying Graffiti Removal services during September 27 to November 18, 2012. (File No. J1304P, Asmt No. 138403)

Sponsors: Lantry

Referred to the City Council due back on 4/3/2013

- 28 RLH AR 13-9** Ratifying Demolition services from October 2012. (File No. J1305C, Asmt No. 132004)

Sponsors: Lantry

Referred to the City Council due back on 4/3/2013

- 29 RLH AR 13-10** Ratifying Trash Hauling services during November 2012. (File No. J1305G, Asmt No. 138704)

Sponsors: Lantry

Referred to the City Council due back on 4/3/2013

Staff Reports

- 30 RLH TA 13-71** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305B, Assessment No. 138104 at 383 DEWEY STREET.

Sponsors: Stark

Reduce the assessment from \$416.95 to \$208.50.

RE: 383 Dewey St (double dwelling)

Ms. Moermond:

- there was a grease fire; the door was kicked-in (the next door tenant had called it in) however, there was no fire
- the Fire Report says that there was forcible entry
- as is normal, the Fire Dept was reacting as though it was an emergency so, they entered the property forcibly; in this case, it wasn't founded but it was reasonable
- will recommend that the assessment be reduced by half

Referred to the City Council due back on 3/20/2013

- 31** **RLH TA 13-86** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305B, Assessment No. 138104 at 565 JEFFERSON AVENUE.

Sponsors: Thune

Approve the assessment.

RE: 565 Jefferson Ave (single family)

Ms. Moermond:

- was to view photos
- looking at them, she will recommend approval of the assessment

Referred to the City Council due back on 3/20/2013

- 32** [RLH SAO 12-26](#) Appeal of Brent Adams to a Summary Abatement Order at 635 CANTON STREET.

Sponsors: Thune

Grant the appeal on the setback and deny the appeal on the car port. Car port must be removed by June 4, 2013 or apply for a permit through zoning for continue use.

Follow-up staff report:

Joel Essling:

- went to property to inspect the tent and it doesn't have structural stability and would need to be removed.
- only a temporarily tent which the City won't allow
- doesn't meet the Code
- need to move it or get Zoning approval

Ms. Moermond:

grant on the setback and deny the appeal on the car port and grant an extension to June 4, 2013 for compliance or obtain a permit for it.

Referred to the City Council due back on 3/6/2013

11:00 a.m. Hearings

Summary Abatement Orders

- 33** [RLH SAO 13-7](#) Appeal of David Chavez to a Summary Abatement Order at 721 FOURTH STREET EAST.

Sponsors: Lantry

Appeal withdrawn by Dept, Agreement was made between inspector and owner to get power restored.

Withdrawn

Orders To Vacate, Condemnations and Revocations

- 34** [RLH VO 13-7](#) Appeal of Dennis Workman to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 904 and 906 BURR STREET.

Sponsors: Brendmoen

Grant on the revocation by February 22 if the items relating to gas line and snow and ice issue come into compliance. (CE will issue summary abatement on snow/ice); grant until March 6, 2013 for Items 14, 39, 40 and 45; grant until April 1, 2013 for the remaining items; and grant until June 1, 2013 for the exterior painting/scraping.

RE: 904 and 906 Burr St (apartments)

Dennis Workman, owner, appeared.

Heather Meyers, Southern Minnesota Regional Legal Services, appeared, along with Carla Folson, tenant.

Fire Inspector A. J. Neis:

- *met Mr. Workman at property 2:30 p.m. Tue, Feb 12, 2013 to confirm completed work*
- *very few items had been completed*
- *some of the electrical permit items were finalized (items 20, 21, 27)*
- *the items in 906 Upper: drapes by the dehumidifier, incense, etc. (35, 36, 37)*
- *then, he checked the bedroom window and it was not openable*
- *some storage had been moved out of the hallway*
- *he had to add some Orders*
- *there were gas leaks in the basement (units are separated by a cement wall) in both units*
- *owner was notified*
- *Fire Dept didn't pick up any readings; however, Xcel found several gas leaks*
- *gave owner 24 hours to find someone to fix it*
- *the fire extinguishers were out of date*
- *sprinkler heads were out of position*
- *the sidewalks had been attempted to be shoveled; stairs still had a lot of ice on them*
- *one outside door was held with duct tape*
- *rags were stuffed into several windows*
- *much of the work that Mr. Workman indicated was done was not done*
- *the plumbing in 906 lower is now connected*
- *the cabinets are indeed rotted*
- *countertops are not properly secured*
- *currently, there are 39 items on the list*
- *photos in file*
- *kitchen sink drain has been abated*

Ms. Folson:

- *the bedroom window is now openable; it probably was just frozen (904 Upper)*

Mr. Neis:

- *the Revocation was because of the quantity and severity of the Orders*

- the items that warranted the Condemnation resulted from the fire and the unsanitary issues in 904 lower
- Condemnation in 904 lower still stands because that unit is extremely unsanitary
- he is not looking for a full Code Compliant inspection but is looking for the unit to be properly rehabilitated (the Orders must be resolved before it can be re-occupied)
- 3 of the 4 units are occupied

Ms. Moermond:

- a more aggressive timeline must be applied here

Ms. Folsom:

- Mr. Workman is working on it every day; he's doing it alone; if she could help him, she would
- it's the nasty people who lived there; all the blame should not be put onto Mr. Workman
- there is nothing wrong with her unit; she doesn't want to move; she has health issues
- if the other 3 units are up to code, could he get a longer extension to bring the 4th up to code?

Ms. Meyers:

- Ms. Folsom is a good tenant and there's a good tenant / landlord relationship
- wants to make sure all Orders are abated

Mr. Workman:

- hasn't filed a claim with homeowner's insurance; he has a \$500 deductible; he has no other claims - he doesn't want his rates to go up
- he will work with the inspector

Mr. Neis:

- this property is on a corner lot with screens torn out of the downstairs unit; he doesn't want it to remain an attractive nuisance
- noted the most severe Orders which need to be abated soon: fire doors need to be replaced; 904 lower unit needs to be cleaned thoroughly to make sure rodents and bugs don't affect the other units - a foul smell is coming from that unit which will attract rodents, etc.

Mr. Workman:

- 904 lower unit has been cleaned

Ms. Moermond:

- asked that a Summary Abatement be issued for snow and ice on sidewalk (Mr. Workman: I'll have that done today)
- scraping and painting exterior needs to wait until spring
- screens should be done now -it looks trashy
- balance of Orders, except for painting, done by Apr 1, 2013
- Fri deadline for snow and ice removal and getting the sign-off on that gas related permit
- for Mar 6 - housekeeping items (clean and sanitary condition); exterior doors, window screens, doors, furnace testing
- will conditionally grant the appeal on the Revocation; if the conditions are not met on Mar 6, Fire Inspection can decide to follow through on the Revocation or proceed with a Criminal Citation (figure out the most appropriate tool depending on how far along the Orders are)
- let's go until Jun 1, 2013 for the scraping, painting and wood repair on the sills

Referred to the City Council due back on 3/6/2013

- 35** **RLH VO 13-8** Appeal of Heather Meyers, SMRLS (Southern Minnesota Regional Legal Services), on behalf of Carla Folson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 904 BURR STREET, UPPER.

Sponsors: Brendmoen

Grant the appeal on the revocation by February 22 if the items relating to gas line and snow and ice issue come into compliance. (CE will issue summary abatement on snow/ice); grant until March 6, 2013 for Items 14, 39, 40 and 45; grant until April 1, 2013 for the remaining items; and grant until June 1, 2013 for the exterior painting/scraping.

RE: 904 and 906 Burr St (apartments)

Dennis Workman, owner, appeared.

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Fire Inspector A. J. Neis:

- met Mr. Workman at property 2:30 p.m. Tue, Feb 12, 2013 to confirm completed work*
- very few items had been completed*
- some of the electrical permit items were finalized (items 20, 21, 27)*
- the items in 906 Upper: drapes by the dehumidifier, incense, etc. (35, 36, 37)*
- then, he checked the bedroom window and it was not openable*
- some storage had been moved out of the hallway*
- he had to add some Orders*
- there were gas leaks in the basement (units are separated by a cement wall) in both units*
- owner was notified*
- Fire Dept didn't pick up any readings; however, Xcel found several gas leaks*
- gave owner 24 hours to find someone to fix it*
- the fire extinguishers were out of date*
- sprinkler heads were out of position*
- the sidewalks had been attempted to be shoveled; stairs still had a lot of ice on them*
- one outside door was held with duct tape*
- rags were stuffed into several windows*
- much of the work that Mr. Workman indicated was done was not done*
- the plumbing in 906 lower is now connected*
- the cabinets are indeed rotted*
- countertops are not properly secured*
- currently, there are 39 items on the list*
- photos in file*
- kitchen sink drain has been abated*

Ms. Folson:

- the bedroom window is now openable; it probably was just frozen (904 Upper)*

Mr. Neis:

- the Revocation was because of the quantity and severity of the Orders*
- the items that warranted the Condemnation resulted from the fire and the unsanitary issues in 904 lower*
- Condemnation in 904 lower still stands because that unit is extremely unsanitary*
- he is not looking for a full Code Compliant inspection but is looking for the unit to be properly rehabilitated (the Orders must be resolved before it can be re-occupied)*

- 3 of the 4 units are occupied

Ms. Moermond:

- a more aggressive timeline must be applied here

Ms. Folson:

- Mr. Workman is working on it every day; he's doing it alone; if she could help him, she would

- it's the nasty people who lived there; all the blame should not be put onto Mr. Workman

- there is nothing wrong with her unit; she doesn't want to move; she has health issues

- if the other 3 units are up to code, could he get a longer extension to bring the 4th up to code?

Ms. Meyers:

- Ms. Folson is a good tenant and there's a good tenant / landlord relationship

- wants to make sure all Orders are abated

Mr. Workman:

- hasn't filed a claim with homeowner's insurance; he has a \$500 deductible; he has no other claims - he doesn't want his rates to go up

- he will work with the inspector

Mr. Neis:

- this property is on a corner lot with screens torn out of the downstairs unit; he doesn't want it to remain an attractive nuisance

- noted the most severe Orders which need to be abated soon: fire doors need to be replaced; 904 lower unit needs to be cleaned thoroughly to make sure rodents and bugs don't affect the other units - a foul smell is coming from that unit which will attract rodents, etc.

Mr. Workman:

- 904 lower unit has been cleaned

Ms. Moermond:

- asked that a Summary Abatement be issued for snow and ice on sidewalk (Mr. Workman: I'll have that done today)

- scraping and painting exterior needs to wait until spring

- screens should be done now -it looks trashy

- balance of Orders, except for painting, done by Apr 1, 2013

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- let's go until Jun 1, 2013 for the scraping, painting and wood repair on the sills

Referred to the City Council due back on 2/6/2013

Sponsors: Lantry

SMRLS attorney obo his client, Natasha Montgomery, is withdrawing the appeal because of compliance by the landlord.

Withdrawn

1:30 p.m. Hearings

Correction Orders

- 37** [RLH CO 13-1](#) Appeal of Anna Leininger and Greg Kramer to a Correction Order at 44 BATES AVENUE.
- Sponsors:** Lantry
- Grant until May 15, 2013 to trim back the overgrown brushes obstructing the public sidewalks by 3 feet.*
- RE: 18 Bates Ave (residential/exempt vacant land)*
- Nelly Lai Chiu Chan, Successor Under Trust, appeared.*
- Ms. Moermond:*
- she went by the property to look at this; Council President Lantry also looked at it, as well
 - Public Works also pulled their records on it
 - there was a question as to whether these plantings were maintenance free
 - it looks as if it was to be maintenance free but now, we have overgrown brush and it does need maintenance because the original plantings are no longer discernible
 - some erosion control will need to be put into place
 - there will be a need to cut these plantings back
 - of course, at this time of year, it doesn't make sense to do it; more time is needed
- Ms. Chan:*
- we cleaned everything already
 - are we still required to trim 3 feet back from the blvd ? (Ms. Moermond: yes)
 - asked for time until late spring / early summer
 - concerned about the trees
- Ms. Moermond:*
- will recommend granting an extension to May 15, 2013 for cutting and trimming of plantings
- Referred to the City Council due back on 3/6/2013**
- 38** [RLH CO 13-3](#) Appeal of Nelly Lai Chiu Chan to a Correction Notice at 18 BATES AVENUE.
- Sponsors:** Lantry
- Grant until May 15, 2013 to trim back the overgrown brushes obstructing the public sidewalks by 3 feet.*
- RE: 18 Bates Ave (residential/exempt vacant land)*
- Nelly Lai Chiu Chan, Successor Under Trust, appeared.*

Ms. Moermond:

- she went by the property to look at this; Council President Lantry also looked at it, as well
- Public Works also pulled their records on it
- there was a question as to whether these plantings were maintenance free
- it looks as if it was to be maintenance free but now, we have overgrown brush and it does need maintenance because the original plantings are no longer discernible
- some erosion control will need to be put into place
- there will be a need to cut these plantings back
- of course, at this time of year, it doesn't make sense to do it; more time is needed

Ms. Chan:

- we cleaned everything already
- are we still required to trim 3 feet back from the blvd ? (Ms. Moermond: yes)
- asked for time until late spring / early summer
- concerned about the trees

Ms. Moermond:

- will recommend granting an extension to May 15, 2013 for cutting and trimming of plantings

Referred to the City Council due back on 3/6/2013

Fire Certificates of Occupancy

- 39** [RLH FCO
13-45](#) Appeal of Perry Hansen to a Fire Certificate of Occupancy Correction Notice at 1033 FRONT AVENUE.

Sponsors: Brendmoen

Grant the appeal to be out of the Fire C of O Program.

RE: 1033 Front Ave

No one appeared.

Ms. Moermond:

- I have already recommended that it be released from the Certificate of Occupancy Program
- his 85-year old mother is living there; it should be treated as a trust fund situation

Referred to the City Council due back on 3/6/2013

- 40** [RLH FCO
13-48](#) Appeal of Andy Hybben to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 582 OHIO STREET.

Sponsors: Thune

Staff report only: need inspector to re-measure the ceiling height.

RE: 582 Ohio St (single family)

Andy Hybben, owner, appeared.

Fire Inspector Leanna Shaff:

- didn't understand the measurements in the Order

- the photos and Mr. Hybben's dimensions do not correspond with the Orders; so, she would like to send the inspector back out and do it correctly
- there's a discrepancy in the square footage measurements

Ms. Moermond:

- get an inspector out there within 2 weeks
- doesn't want Mr. Hybben to come back; we can handle it by phone, if necessary
- let's do a 2 week layover to Mar 5, 2013
- would be happy to look at a variance

Laid Over to the Legislative Hearings due back on 3/5/2013

**41 RLH FCO
13-49**

Appeal of Pat Marso to a Fire Inspection Correction Notice at 609 PORTLAND AVENUE.

Sponsors: Carter III

Grant until October 1, 2013 for Item 3 to come into compliance.

RE: 609 Portland Ave (apartments)

Pat Marso appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection conducted Jan 17, 2013 by Inspector Mike Efferson
- have spoken with Mr. Marso; he's appealing the exterior issues (scrape, paint, mason work)
- perhaps an extension to the end of summer would be appropriate
- he is going to do it by himself coming from WI

Ms. Moermond:

- will recommend granting an extension to Oct 1, 2013

Referred to the City Council due back on 3/6/2013

2:30 p.m. Hearings

Vacant Building Registrations

**42 [RLH VBR](#)
[12-62](#)**

Appeal of Kristina Beedle to a Vacant Building Registration Renewal Notice at 23 ISABEL STREET WEST.

Sponsors: Thune

RE: 23 Isabel St W

No one appeared.

Ms. Moermond:

- will lay this over for 4 months to Jun 18, 2013 LH

Laid Over to the Legislative Hearings due back on 6/18/2013

Other