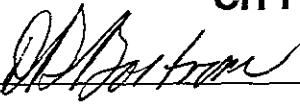


**RESOLUTION  
CITY OF SAINT PAUL, MINNESOTA**

**16**

Presented by 

Referred To \_\_\_\_\_ Committee Date \_\_\_\_\_

1 **BE IT RESOLVED**, that the Council of the City of Saint Paul hereby certifies and approves the August 18,  
2 1998 decision of the Legislative Hearing Officer on Property Code Enforcement Appeals for the following  
3 addresses:

- |    |                                                                                                                    |                                            |
|----|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| 4  | <u>Property Appealed</u>                                                                                           | <u>Appellant</u>                           |
| 5  | <u>1148 Seventh Street West</u> (Laid over from August 4, 1998)                                                    | Paul Mateyka, Sr.                          |
| 6  | Decision: Lay over to the September 15, 1998 Legislative Hearing                                                   |                                            |
| 7  | <u>337 Bates Avenue</u>                                                                                            | Michael Diesslin                           |
| 8  | Decision: Appeal granted                                                                                           |                                            |
| 9  | <u>1077 Van Dyke</u> (Rescheduled from 7-14-98)                                                                    | Ward Schlaeppe                             |
| 10 | Decision: Appeal denied                                                                                            |                                            |
| 11 | <u>784 Agate Street #5</u>                                                                                         | Leo Sider for National Holdings, Inc.      |
| 12 | Decision: Lay over to the September 1, 1998 Legislative Hearing                                                    |                                            |
| 13 | <u>1019 Edgerton Street</u>                                                                                        | Mahmood Hassan                             |
| 14 | Decision: Lay over to the September 1, 1998 Legislative Hearing                                                    |                                            |
| 15 | <u>867 Grand Avenue</u>                                                                                            | James Stolpestad for VCW Limited Liability |
| 16 | Decision: Appeal denied but completion date extended to May 1, 1999                                                |                                            |
| 17 | <u>1671 Hubbard Avenue</u>                                                                                         | Donald and Kay Schoen                      |
| 18 | Decision: Appeal granted                                                                                           |                                            |
| 19 | <u>859 Tuscarora Avenue</u>                                                                                        | Karen Thomson                              |
| 20 | Decision: Appeal denied                                                                                            |                                            |
| 21 | <u>1088, 1100, 1110, 1114, 1118, 1120, 1122, 1126, 1130, 1134, 1138, 1150 Barclay; and 1485, 1491, 1495, 1499,</u> |                                            |
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| 23 |                                                                                                                    | Julie and Bruce Khalilzadegan for Bruce    |
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| 26 | conforming windows                                                                                                 |                                            |

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5 372 Cook Avenue East Charles Laurents  
 6 Decision: Appeal denied

7 218 Dunlap Street North #5 Robert Platt  
 8 Decision: Appeal denied  
 9

	Yeas	Nays	Absent
10 Blakey	✓		
11 Coleman	✓		
12 Harris	✓		
13 Benanav	✓		
14 Reiter	✓		
15 Bostrom	✓		
16 Lantry	✓		
	7	0	0

Requested by Department of:

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Form Approved by City Attorney

By: \_\_\_\_\_

17 Adopted by Council: Date Aug 26, 1998

18 Adoption Certified by Council Secretary  
 19 By: [Signature]

20 Approved by Mayor: Date 9/2/98

21 By: [Signature]

Approved by Mayor for Submission to Council

By: \_\_\_\_\_

98-775

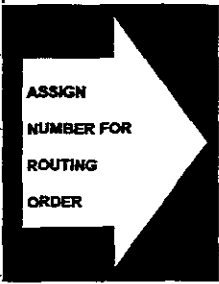
DEPARTMENT/OFFICE/COUNCIL  
City Council Offices

DATE INITIATED  
8/20/98

# GREEN SHEET No 62117

CONTACT PERSON & PHONE  
Gerry Strathman, 266-8575

MUST BE ON COUNCIL AGENDA BY (DATE)  
August 26, 1998 Consent Agenda



<input type="checkbox"/>	DEPARTMENT DIRECTOR	<input type="checkbox"/>	CITY COUNCIL
<input type="checkbox"/>	CITY ATTORNEY	<input type="checkbox"/>	CITY CLERK
<input type="checkbox"/>	FINANCIAL SERVICES DIR.	<input type="checkbox"/>	FINANCIAL SERV/ACCTG
<input type="checkbox"/>	MAYOR (OR ASSISTANT)	<input type="checkbox"/>	

TOTAL # OF SIGNATURE PAGES \_\_\_\_\_ (CLIP ALL LOCATIONS FOR SIGNATURE)

**ACTION REQUESTED**

Approving the decision of the Legislative Hearing Officer on Property Code Appeals for the August 18, 1998 meeting on the following addresses: 1148 Seventh Street West; 1077 Van Dyke; 907 Bayard Avenue; 337 Bates Avenue; 218 Dunlap Street North #5; 784 Agate Street #5, 372 Cook Avenue East; 1019 Edgerton Street; 867 Grand Avenue; 1671 Hubbard Avenue; 859 Tuscarora Avenue; 1088, 1100, 1110, 1114, 1118, 1120, 1122, 1126, 1130, 1134, 1138, 1150 Barclay; and 1485, 1491, 1495, 1499, 1505, 1509, 1515, 1517, 1519, 1521, 1523, 1525, 1527, 1529, 1535 Magnolia.

**RECOMMENDATION Approve (A) or Reject (R)**

- \_\_\_\_\_ PLANNING COMMISSION
- \_\_\_\_\_ CIB COMMITTEE
- \_\_\_\_\_ CIVIL SERVICE COMMISSION
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**PERSONAL SERVICE CONTRACTS MUST ANSWER THE FOLLOWING QUESTIONS:**

1. Has this person/firm ever worked under a contract for this department?  
YES NO
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YES NO
3. Does this person/firm possess a skill not normally possessed by any current city employee?  
YES NO
4. Is this person/firm a targeted vendor?  
YES NO

Explain all yes answers on separate sheet and attach to green sheet

**INITIATING PROBLEM ISSUE, OPPORTUNITY (Who, What, When, Where, Why)**

**ADVANTAGES IF APPROVED**

Council Research Center

AUG 20 1998

**DISADVANTAGES IF APPROVED**

**DISADVANTAGES IF NOT APPROVED**

TOTAL AMOUNT OF TRANSACTION \$ \_\_\_\_\_

COST/REVENUE BUDGETED (CIRCLE ONE) YES NO

FUNDING SOURCE \_\_\_\_\_

ACTIVITY NUMBER \_\_\_\_\_

**FINANCIAL INFORMATION (EXPLAIN)**

16  
98-775

NOTES OF THE PROPERTY CODE ENFORCEMENT MEETING

August 18, 1998

Room 330, City Hall

Gerry Strathman, Legislative Hearing Officer

Staff Present: Pat Fish, Fire Prevention; Jeff Hawkins, Code Enforcement; Karl Johnson, Public Works; Jean LaClare, Code Enforcement; Rich Singerhouse, Code Enforcement

Gerry Strathman called the meeting to order at 1:30 p.m.

**1148 Seventh Street West** (Laid over from August 4, 1998)

Paul Mateyka, Sr., owner, appeared and showed a letter to Gerry Strathman. He has a meeting about the roof on Friday. The roof is not in danger of caving in.

Gerry Strathman laid over to the September 15, 1998 Legislative Hearing citing the best thing to do is to hold the matter over for a month until the roof is looked at.

**337 Bates Avenue**

Michael Diesslin, owner, appeared and stated he received a letter from Code Enforcement about storing vehicles. The letter is not true. Mr. Diesslin stated he has two cars and his wife has a couple of cars. He also owns two converted school buses. One is parked in the driveway behind the garage. It is used a couple of times a year and it is started every few weeks. Every time he has to get in the garage, it has to be pulled over to the side. It is operable and licensed. Saint Paul is redoing all the streets in the neighborhood, therefore the Diesslins have to park off the street. One of the neighbors keeps complaining. The City has come out before and said the vehicles are operable and that was it. The Diesslins have a driveway coming in on Bates leading back to the garage. There is one bus parked there. There is a parking area in back of the property.

Michael Diesslin showed photographs to Gerry Strathman showing the property and the vehicles.

Rich Singerhouse reported there have been complaints over the past three years. Michael Diesslin has complied with all the previous orders. This is an approved surface and the vehicles are licensed. The orders are not for that. The complaints are that the situation is an eyesore and creating a nuisance. Gerry Strathman asked are there any other ordinances being violated. Mr. Singerhouse responded the owner is running electrical cords. Rich Diesslin stated those are all low voltage power cords. There is no law against that and they are fused at the low current. He has occasionally run a 110 volt extension cord in the bus while doing some remodeling, but he has never left them plugged in.

Keith Kinning, 784 Agate Street, appeared and stated the vehicles are operable.

Gerry Strathman stated the basic issue is visual blight.

Rich Singerhouse showed photographs to Gerry Strathman.

Gerry Strathman stated if the vehicles are legally parked and licensed, he does not know how the City can interfere. There is within the City Code, a provision prohibiting anything that is a blighting influence in the neighborhood. This could extend to old vehicles. However, if the City were to claim that all old vehicles constitute a blight, there are a lot of old vehicles in Saint Paul.

Mr. Strathman stated there was another item on this order having to do with chipping and peeling paint on the garage. Michael Diesslin responded the order said he had until August 24, and it will be done by then.

Gerry Strathman denied the appeal on the garage. He granted the appeal on the exterior storage of the vehicles citing he is concerned about the idea that old vehicles could be considered a blight in and of themselves. However, the owner should recognize that this does not look good to some people. Mr. Strathman recommended the owner do something to lessen the visual clutter. Michael Diesslin stated he does plan on moving one of the buses to his hunting place.

**1077 Van Dyke** (Rescheduled from 7-14-98)

No one appeared representing the property.

Pat Fish stated she is working with the owners.

Gerry Strathman denied the appeal.

**218 Dunlap Street North #5**

No one appeared.

Gerry Strathman denied the appeal.

**784 Agate Street #5**

The following appeared: Kurtis Berg, Southern Minnesota Regional Legal Services (SMRLS); Ted Wilepski, owner; and Leo Sider, tenant.

Kurtis Berg stated there are a number of repairs to be made. The inspector has been out a number of times. A tenant remedies action has been filed; it will be heard on August 22 to enforce the repairs that have been asked for. Mr. Berg asked for an appeal to be granted, the condemnation be taken away, or at least be held off until the tenant remedies action is taken care of.

Pat Fish reported there is a condemnation and there is no work going on. She would have a problem with lifting the condemnation, but she does not object to extending the vacate date to the end of the month.

Gerry Strathman laid over to the September 1, 1998 Property Code Enforcement meeting.

**1019 Edgerton Street**

Mahmood Hassan, owner, and Ken Moser appeared. Mr. Hassan stated there was a work order and he is almost done. It will be completed in a few days.

Gerry Strathman asked when was the last time someone was there. Pat Fish responded she was there for the first time on August 13. The owner objects to it being a registered vacant building. Mr. Strathman stated his paperwork says it is a condemnation order that is being appealed. Ms. Fish explained she inspected the building last fall, and when she went back for the reinspection there was a lengthy list of things to do. At that time, Mr. Hassan decided he would voluntarily vacate to install a new heating system. There was a gentleman's agreement that Ms. Fish would revoke the certificate of occupancy and not put it on the vacant building list. It remained vacant for a while, but Ms. Fish later found it was occupied. It had never been reinspected. The heating system was installed and there was no proof that it was signed off on. Therefore, the property should have been on the vacant building list last October, but she was trying to accommodate the owner. The building has not had a certificate of occupancy since October.

Mr. Strathman asked for the current status on the property. Pat Fish responded it is on the vacant building list. A code compliance inspection was done August 13. There is an extensive list of things to do, but nothing major. Most of it is maintenance. Work has to be done in a professional state of repair. This morning she found out that the heating equipment has been signed off.

Gerry Strathman asked is the building occupied now. Ken Moser responded the building is vacant. In a few days everything should meet Pat Fish's approval. Regarding the heating system, there has been a problem in the past with Midwest Equipment not filing the proper documents in time.

Gerry Strathman laid over to the September 1, 1998 Property Code Enforcement meeting to give the owner time to get the certificate of occupancy completed, which would resolve the matter.

**867 Grand Avenue**

James Stolpestad, Chief Manager for VCW Limited Liability and Michael Arcand, President of Midway Mechanical, appeared. Mr. Stolpestad stated this is a rainleader case. They have begun the correction process. Midway Mechanical has been hired. A contract is in place. Because of the busy time of the year and the booming economy, the date cannot be moved up. The contract is a binding agreement, and the work will be done.

Karl Johnson reported the City has granted five time extensions for this property. Last October, there was an agreement to have the work completed by June 1998. The contractor made claim that the City would be okay as long as a signed contract was in place. There is no record of granting additional time extensions. James Stolpestad indicated in a letter last fall that the work would be completed by June 15, 1998.

Gerry Strathman denied the appeal, but extended the compliance date to May 1, 1999. If the project is not done by then, this matter will go directly to the City Council.

**1671 Hubbard Avenue**

Kay Schoen, owner, appeared and stated she received a correction notice to install a handrail on her steps. Her husband has a bad heart, therefore they recognize the need for access to their home for the physically impaired. The Schoens feel the home has more than sufficient access.

Gerry Strathman asked why she does not want to install a handrail. Kay Schoen responded she feels she is being harassed by someone in the neighborhood. She would like to know how the complainant is effected by her steps and other steps on the block. Unless this policy is changed, the City is aiding in harassing neighbors.

Gerry Strathman asked about the City ordinance with respect to handrails. Jean LaClare reported three or more steps need a handrail. Kay Schoen responded 1673 Hubbard received a notice, and they are not out of compliance.

Kay Schoen showed Gerry Strathman photographs of prominent elected officials' homes with three or more steps and no handrail.

Gerry Strathman granted the appeal. Even though the City ordinance is clear and the action of Code Enforcement is correct, the enforcement is too selective.

**859 Tuscarora Avenue**

Karen Thomson, owner, appeared and stated she has an electrical bill to be paid. She is on AFDC and wondered can this be held off. Gerry Strathman responded a person is not suppose to live in a house without electricity in Saint Paul. Ms. Thomson asked can she have until the end of the month. Mr. Strathman asked will no one be living there until the beginning of September. Ms. Thomson responded yes.

Jeff Hawkins reported he called Northern States Power (NSP) today. The bill still has not been paid, but someone has tampered with the meter and the electricity is running right now. Someone from NSP is going to turn it off again.

Gerry Strathman denied the appeal. The orders are to vacate the building by August 10, however if no one is living there, there does not seem to be a problem. It is against the law to live in a house in Saint Paul without electricity.

**1088, 1100, 1110, 1114, 1118, 1120, 1122, 1126, 1130, 1134, 1138, 1150 Barclay; and 1485, 1491, 1495, 1499, 1505, 1509, 1515, 1517, 1519, 1521, 1523, 1525, 1527, 1529, 1535 Magnolia**

Debbie Johnson, Bruce Realty Development, appeared and stated she is asking for a variance on the windows. There are 26 buildings and 312 units. The Fire Department is requesting the window size be changed. This property was taken back in February 1998. Tens of thousands of dollars have been put into this property. Their goal is to preserve affordable housing. For Bruce Realty to do

this would be a burden on the company. The window openings are 16 inches, therefore the brick would have to be cut into.

Pat Fish reported she does not have a problem with a variance. These are typical East Side windows.

Gerry Strathman granted a variance on condition that when the windows are replaced, they are to be replaced with conforming windows.

**907 Bayard Avenue** (Rescheduled from 7-21-98)

Jon Boutelle, owner, appeared and stated he has had a difficult time getting the family out that lived there. This family did serious damage to the property. The Boutelles have been making repairs. They received a couple of vacant building notices and got a building registration notice. The property has electrical service, gas, sewer, water. Mr. Boutelle was not aware someone needed to be living there and does not understand the reason to register it as a vacant building. Many of the repairs have been done by Mr. Boutelle, who is a licensed contractor.

Carrolyn Shepherd reported it was alleged to be unoccupied for two years. The grass was not being cut, and the snow was not being shoveled. There were some exterior violations when it was first inspected. Most of the violations not resulted from the storm in May have been repaired since opening the vacant building file. There is still a problem with yard waste, and there is a disconnected gutter.

Gerry Strathman asked when it will be finished. Jon Boutelle responded as soon as possible. They have been cleaning up animal feces, garbage, people putting branches in the back yard, and other refuse. Mr. Strathman explained that is the reason why vacant buildings are required to be registered. People dump trash, break windows and do other things to vacant buildings, which generates work for City staff because there are complaints and someone has to take care of it. That is why there is a fee for vacant buildings. Mr. Boutelle stated a lot of the damage to the exterior was caused by the storms. The grass has been cut.

Gerry Strathman asked when this building will be ready for occupancy. Jon Boutelle responded sixty days.

Carrolyn Shepherd stated Code Enforcement has not asked for repairs due to storm damage. Yard waste is considered refuse unless it is in a proper container and composted. Code Enforcement addresses any property where they receive complaints.

Jon Boutelle showed photographs to Gerry Strathman.

Gerry Strathman asked would this property be squared away in a few months. Jon Boutelle responded he believes so. The biggest issue is getting the roof repaired. Mr. Strathman stated he



would like to give the owner time to get this property repaired, sold, and someone living in it. The property should be kept maintained until it is sold.

Mr. Strathman asked have the items listed on the summary abatement order--yard waste, branches, tar paper--been cleaned up. Carrolyn Shepherd responded they were there this morning. Jon Boutelle responded they were cleaned up yesterday. There are grass clippings spread out by a tree next to the garage. They can be put in a container if need be.

Gerry Strathman denied the appeal on the summary abatement order. The compliance date on the vacant building registration notice will be amended to October 30, 1998. If it is still vacant by November 1, another vacant building registration notice will be sent to the owner, and the property will have to be registered as a vacant building.

**372 Cook Avenue East**

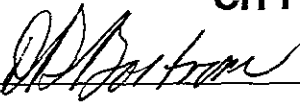
No one appeared.

Gerry Strathman denied the appeal.

The meeting was adjourned at 2:44 p.m.

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Referred To \_\_\_\_\_ Committee Date \_\_\_\_\_

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Requested by Department of:

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

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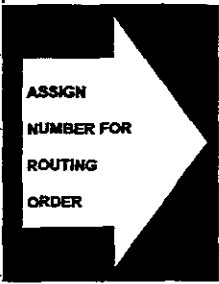
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# GREEN SHEET No 62117

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<input type="checkbox"/>	DEPARTMENT DIRECTOR	<input type="checkbox"/>	CITY COUNCIL
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Council Research Center

AUG 20 1998

**DISADVANTAGES IF APPROVED**

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TOTAL AMOUNT OF TRANSACTION \$ \_\_\_\_\_

COST/REVENUE BUDGETED (CIRCLE ONE) YES NO

FUNDING SOURCE \_\_\_\_\_

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98-775

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Mr. Strathman stated there was another item on this order having to do with chipping and peeling paint on the garage. Michael Diesslin responded the order said he had until August 24, and it will be done by then.

Gerry Strathman denied the appeal on the garage. He granted the appeal on the exterior storage of the vehicles citing he is concerned about the idea that old vehicles could be considered a blight in and of themselves. However, the owner should recognize that this does not look good to some people. Mr. Strathman recommended the owner do something to lessen the visual clutter. Michael Diesslin stated he does plan on moving one of the buses to his hunting place.

**1077 Van Dyke** (Rescheduled from 7-14-98)

No one appeared representing the property.

Pat Fish stated she is working with the owners.

Gerry Strathman denied the appeal.

**218 Dunlap Street North #5**

No one appeared.

Gerry Strathman denied the appeal.

**784 Agate Street #5**

The following appeared: Kurtis Berg, Southern Minnesota Regional Legal Services (SMRLS); Ted Wilepski, owner; and Leo Sider, tenant.

Kurtis Berg stated there are a number of repairs to be made. The inspector has been out a number of times. A tenant remedies action has been filed; it will be heard on August 22 to enforce the repairs that have been asked for. Mr. Berg asked for an appeal to be granted, the condemnation be taken away, or at least be held off until the tenant remedies action is taken care of.

Pat Fish reported there is a condemnation and there is no work going on. She would have a problem with lifting the condemnation, but she does not object to extending the vacate date to the end of the month.

Gerry Strathman laid over to the September 1, 1998 Property Code Enforcement meeting.

**1019 Edgerton Street**

Mahmood Hassan, owner, and Ken Moser appeared. Mr. Hassan stated there was a work order and he is almost done. It will be completed in a few days.

Gerry Strathman asked when was the last time someone was there. Pat Fish responded she was there for the first time on August 13. The owner objects to it being a registered vacant building. Mr. Strathman stated his paperwork says it is a condemnation order that is being appealed. Ms. Fish explained she inspected the building last fall, and when she went back for the reinspection there was a lengthy list of things to do. At that time, Mr. Hassan decided he would voluntarily vacate to install a new heating system. There was a gentleman's agreement that Ms. Fish would revoke the certificate of occupancy and not put it on the vacant building list. It remained vacant for a while, but Ms. Fish later found it was occupied. It had never been reinspected. The heating system was installed and there was no proof that it was signed off on. Therefore, the property should have been on the vacant building list last October, but she was trying to accommodate the owner. The building has not had a certificate of occupancy since October.

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Gerry Strathman asked is the building occupied now. Ken Moser responded the building is vacant. In a few days everything should meet Pat Fish's approval. Regarding the heating system, there has been a problem in the past with Midwest Equipment not filing the proper documents in time.

Gerry Strathman laid over to the September 1, 1998 Property Code Enforcement meeting to give the owner time to get the certificate of occupancy completed, which would resolve the matter.

**867 Grand Avenue**

James Stolpestad, Chief Manager for VCW Limited Liability and Michael Arcand, President of Midway Mechanical, appeared. Mr. Stolpestad stated this is a rainleader case. They have begun the correction process. Midway Mechanical has been hired. A contract is in place. Because of the busy time of the year and the booming economy, the date cannot be moved up. The contract is a binding agreement, and the work will be done.

Karl Johnson reported the City has granted five time extensions for this property. Last October, there was an agreement to have the work completed by June 1998. The contractor made claim that the City would be okay as long as a signed contract was in place. There is no record of granting additional time extensions. James Stolpestad indicated in a letter last fall that the work would be completed by June 15, 1998.

Gerry Strathman denied the appeal, but extended the compliance date to May 1, 1999. If the project is not done by then, this matter will go directly to the City Council.

**1671 Hubbard Avenue**

Kay Schoen, owner, appeared and stated she received a correction notice to install a handrail on her steps. Her husband has a bad heart, therefore they recognize the need for access to their home for the physically impaired. The Schoens feel the home has more than sufficient access.

Gerry Strathman asked why she does not want to install a handrail. Kay Schoen responded she feels she is being harassed by someone in the neighborhood. She would like to know how the complainant is effected by her steps and other steps on the block. Unless this policy is changed, the City is aiding in harassing neighbors.

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Kay Schoen showed Gerry Strathman photographs of prominent elected officials' homes with three or more steps and no handrail.

Gerry Strathman granted the appeal. Even though the City ordinance is clear and the action of Code Enforcement is correct, the enforcement is too selective.

**859 Tuscarora Avenue**

Karen Thomson, owner, appeared and stated she has an electrical bill to be paid. She is on AFDC and wondered can this be held off. Gerry Strathman responded a person is not suppose to live in a house without electricity in Saint Paul. Ms. Thomson asked can she have until the end of the month. Mr. Strathman asked will no one be living there until the beginning of September. Ms. Thomson responded yes.

Jeff Hawkins reported he called Northern States Power (NSP) today. The bill still has not been paid, but someone has tampered with the meter and the electricity is running right now. Someone from NSP is going to turn it off again.

Gerry Strathman denied the appeal. The orders are to vacate the building by August 10, however if no one is living there, there does not seem to be a problem. It is against the law to live in a house in Saint Paul without electricity.

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Debbie Johnson, Bruce Realty Development, appeared and stated she is asking for a variance on the windows. There are 26 buildings and 312 units. The Fire Department is requesting the window size be changed. This property was taken back in February 1998. Tens of thousands of dollars have been put into this property. Their goal is to preserve affordable housing. For Bruce Realty to do



this would be a burden on the company. The window openings are 16 inches, therefore the brick would have to be cut into.

Pat Fish reported she does not have a problem with a variance. These are typical East Side windows.

Gerry Strathman granted a variance on condition that when the windows are replaced, they are to be replaced with conforming windows.

**907 Bayard Avenue** (Rescheduled from 7-21-98)

Jon Boutelle, owner, appeared and stated he has had a difficult time getting the family out that lived there. This family did serious damage to the property. The Boutelles have been making repairs. They received a couple of vacant building notices and got a building registration notice. The property has electrical service, gas, sewer, water. Mr. Boutelle was not aware someone needed to be living there and does not understand the reason to register it as a vacant building. Many of the repairs have been done by Mr. Boutelle, who is a licensed contractor.

Carrolyn Shepherd reported it was alleged to be unoccupied for two years. The grass was not being cut, and the snow was not being shoveled. There were some exterior violations when it was first inspected. Most of the violations not resulted from the storm in May have been repaired since opening the vacant building file. There is still a problem with yard waste, and there is a disconnected gutter.

Gerry Strathman asked when it will be finished. Jon Boutelle responded as soon as possible. They have been cleaning up animal feces, garbage, people putting branches in the back yard, and other refuse. Mr. Strathman explained that is the reason why vacant buildings are required to be registered. People dump trash, break windows and do other things to vacant buildings, which generates work for City staff because there are complaints and someone has to take care of it. That is why there is a fee for vacant buildings. Mr. Boutelle stated a lot of the damage to the exterior was caused by the storms. The grass has been cut.

Gerry Strathman asked when this building will be ready for occupancy. Jon Boutelle responded sixty days.

Carrolyn Shepherd stated Code Enforcement has not asked for repairs due to storm damage. Yard waste is considered refuse unless it is in a proper container and composted. Code Enforcement addresses any property where they receive complaints.

Jon Boutelle showed photographs to Gerry Strathman.

Gerry Strathman asked would this property be squared away in a few months. Jon Boutelle responded he believes so. The biggest issue is getting the roof repaired. Mr. Strathman stated he

would like to give the owner time to get this property repaired, sold, and someone living in it. The property should be kept maintained until it is sold.

Mr. Strathman asked have the items listed on the summary abatement order--yard waste, branches, tar paper--been cleaned up. Carrolyn Shepherd responded they were there this morning. Jon Boutelle responded they were cleaned up yesterday. There are grass clippings spread out by a tree next to the garage. They can be put in a container if need be.

Gerry Strathman denied the appeal on the summary abatement order. The compliance date on the vacant building registration notice will be amended to October 30, 1998. If it is still vacant by November 1, another vacant building registration notice will be sent to the owner, and the property will have to be registered as a vacant building.

**372 Cook Avenue East**


No one appeared.

Gerry Strathman denied the appeal.

The meeting was adjourned at 2:44 p.m.

**RESOLUTION  
CITY OF SAINT PAUL, MINNESOTA**

**16**

Presented by 

Referred To \_\_\_\_\_ Committee Date \_\_\_\_\_

1 **BE IT RESOLVED**, that the Council of the City of Saint Paul hereby certifies and approves the August 18,  
2 1998 decision of the Legislative Hearing Officer on Property Code Enforcement Appeals for the following  
3 addresses:

- |    |                                                                                                                    |                                            |
|----|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| 4  | <u>Property Appealed</u>                                                                                           | <u>Appellant</u>                           |
| 5  | <u>1148 Seventh Street West</u> (Laid over from August 4, 1998)                                                    | Paul Mateyka, Sr.                          |
| 6  | Decision: Lay over to the September 15, 1998 Legislative Hearing                                                   |                                            |
| 7  | <u>337 Bates Avenue</u>                                                                                            | Michael Diesslin                           |
| 8  | Decision: Appeal granted                                                                                           |                                            |
| 9  | <u>1077 Van Dyke</u> (Rescheduled from 7-14-98)                                                                    | Ward Schlaeppe                             |
| 10 | Decision: Appeal denied                                                                                            |                                            |
| 11 | <u>784 Agate Street #5</u>                                                                                         | Leo Sider for National Holdings, Inc.      |
| 12 | Decision: Lay over to the September 1, 1998 Legislative Hearing                                                    |                                            |
| 13 | <u>1019 Edgerton Street</u>                                                                                        | Mahmood Hassan                             |
| 14 | Decision: Lay over to the September 1, 1998 Legislative Hearing                                                    |                                            |
| 15 | <u>867 Grand Avenue</u>                                                                                            | James Stolpestad for VCW Limited Liability |
| 16 | Decision: Appeal denied but completion date extended to May 1, 1999                                                |                                            |
| 17 | <u>1671 Hubbard Avenue</u>                                                                                         | Donald and Kay Schoen                      |
| 18 | Decision: Appeal granted                                                                                           |                                            |
| 19 | <u>859 Tuscarora Avenue</u>                                                                                        | Karen Thomson                              |
| 20 | Decision: Appeal denied                                                                                            |                                            |
| 21 | <u>1088, 1100, 1110, 1114, 1118, 1120, 1122, 1126, 1130, 1134, 1138, 1150 Barclay; and 1485, 1491, 1495, 1499,</u> |                                            |
| 22 | <u>1505, 1509, 1515, 1517, 1519, 1521, 1523, 1525, 1527, 1529, 1535 Magnolia</u>                                   |                                            |
| 23 |                                                                                                                    | Julie and Bruce Khalilzadegan for Bruce    |
| 24 |                                                                                                                    | Realty Development                         |
| 25 | Decision: Variance granted on condition that when the windows are replaced, they are to be replaced with           |                                            |
| 26 | conforming windows                                                                                                 |                                            |

1 907 Bayard Avenue (Rescheduled from 7-21-98) Jon and Ellen Boutelle  
 2 Decision: Appeal denied on the summary abatement order. The compliance date on the vacant building registration  
 3 notice will be amended to October 30, 1998. If it is still vacant by November 1, another vacant building  
 4 registration notice will be sent to the owner, and the property will have to be registered as a vacant building.

5 372 Cook Avenue East Charles Laurents  
 6 Decision: Appeal denied

7 218 Dunlap Street North #5 Robert Platt  
 8 Decision: Appeal denied  
 9

	Yeas	Nays	Absent
10 Blakey	✓		
11 Coleman	✓		
12 Harris	✓		
13 Benanav	✓		
14 Reiter	✓		
15 Bostrom	✓		
16 Lantry	✓		
	7	0	0

Requested by Department of:

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

Form Approved by City Attorney

By: \_\_\_\_\_

17 Adopted by Council: Date Aug 26, 1998

18 Adoption Certified by Council Secretary  
19 By: [Signature]

20 Approved by Mayor: Date 9/2/98

21 By: [Signature]

Approved by Mayor for Submission to Council

By: \_\_\_\_\_

98-775

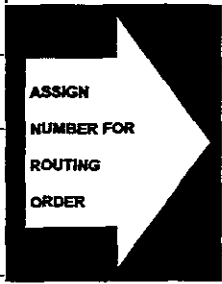
DEPARTMENT/OFFICE/COUNCIL  
City Council Offices

DATE INITIATED  
8/20/98

# GREEN SHEET No 62117

CONTACT PERSON & PHONE  
Gerry Strathman, 266-8575

MUST BE ON COUNCIL AGENDA BY (DATE)  
August 26, 1998 Consent Agenda



<input type="checkbox"/>	DEPARTMENT DIRECTOR	<input type="checkbox"/>	CITY COUNCIL
<input type="checkbox"/>	CITY ATTORNEY	<input type="checkbox"/>	CITY CLERK
<input type="checkbox"/>	FINANCIAL SERVICES DIR.	<input type="checkbox"/>	FINANCIAL SERV/ACCTG
<input type="checkbox"/>	MAYOR (OR ASSISTANT)	<input type="checkbox"/>	

TOTAL # OF SIGNATURE PAGES \_\_\_\_\_ (CLIP ALL LOCATIONS FOR SIGNATURE)

**ACTION REQUESTED**

Approving the decision of the Legislative Hearing Officer on Property Code Appeals for the August 18, 1998 meeting on the following addresses: 1148 Seventh Street West; 1077 Van Dyke; 907 Bayard Avenue; 337 Bates Avenue; 218 Dunlap Street North #5; 784 Agate Street #5, 372 Cook Avenue East; 1019 Edgerton Street; 867 Grand Avenue; 1671 Hubbard Avenue; 859 Tuscarora Avenue; 1088, 1100, 1110, 1114, 1118, 1120, 1122, 1126, 1130, 1134, 1138, 1150 Barclay; and 1485, 1491, 1495, 1499, 1505, 1509, 1515, 1517, 1519, 1521, 1523, 1525, 1527, 1529, 1535 Magnolia.

**RECOMMENDATION Approve (A) or Reject (R)**

- \_\_\_\_\_ PLANNING COMMISSION
- \_\_\_\_\_ CIB COMMITTEE
- \_\_\_\_\_ CIVIL SERVICE COMMISSION
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**PERSONAL SERVICE CONTRACTS MUST ANSWER THE FOLLOWING QUESTIONS:**

1. Has this person/firm ever worked under a contract for this department?  
YES NO
2. Has this person/firm ever been a city employee?  
YES NO
3. Does this person/firm possess a skill not normally possessed by any current city employee?  
YES NO
4. Is this person/firm a targeted vendor?  
YES NO

Explain all yes answers on separate sheet and attach to green sheet

**INITIATING PROBLEM ISSUE, OPPORTUNITY (Who, What, When, Where, Why)**

**ADVANTAGES IF APPROVED**

Council Research Center

AUG 20 1998

**DISADVANTAGES IF APPROVED**

**DISADVANTAGES IF NOT APPROVED**

TOTAL AMOUNT OF TRANSACTION \$ \_\_\_\_\_

COST/REVENUE BUDGETED (CIRCLE ONE) YES NO

FUNDING SOURCE \_\_\_\_\_

ACTIVITY NUMBER \_\_\_\_\_

**FINANCIAL INFORMATION (EXPLAIN)**

16  
98-775

NOTES OF THE PROPERTY CODE ENFORCEMENT MEETING

August 18, 1998

Room 330, City Hall

Gerry Strathman, Legislative Hearing Officer

Staff Present: Pat Fish, Fire Prevention; Jeff Hawkins, Code Enforcement; Karl Johnson, Public Works; Jean LaClare, Code Enforcement; Rich Singerhouse, Code Enforcement

Gerry Strathman called the meeting to order at 1:30 p.m.

**1148 Seventh Street West** (Laid over from August 4, 1998)

Paul Mateyka, Sr., owner, appeared and showed a letter to Gerry Strathman. He has a meeting about the roof on Friday. The roof is not in danger of caving in.

Gerry Strathman laid over to the September 15, 1998 Legislative Hearing citing the best thing to do is to hold the matter over for a month until the roof is looked at.

**337 Bates Avenue**

Michael Diesslin, owner, appeared and stated he received a letter from Code Enforcement about storing vehicles. The letter is not true. Mr. Diesslin stated he has two cars and his wife has a couple of cars. He also owns two converted school buses. One is parked in the driveway behind the garage. It is used a couple of times a year and it is started every few weeks. Every time he has to get in the garage, it has to be pulled over to the side. It is operable and licensed. Saint Paul is redoing all the streets in the neighborhood, therefore the Diesslins have to park off the street. One of the neighbors keeps complaining. The City has come out before and said the vehicles are operable and that was it. The Diesslins have a driveway coming in on Bates leading back to the garage. There is one bus parked there. There is a parking area in back of the property.

Michael Diesslin showed photographs to Gerry Strathman showing the property and the vehicles.

Rich Singerhouse reported there have been complaints over the past three years. Michael Diesslin has complied with all the previous orders. This is an approved surface and the vehicles are licensed. The orders are not for that. The complaints are that the situation is an eyesore and creating a nuisance. Gerry Strathman asked are there any other ordinances being violated. Mr. Singerhouse responded the owner is running electrical cords. Rich Diesslin stated those are all low voltage power cords. There is no law against that and they are fused at the low current. He has occasionally run a 110 volt extension cord in the bus while doing some remodeling, but he has never left them plugged in.

Keith Kinning, 784 Agate Street, appeared and stated the vehicles are operable.

Gerry Strathman stated the basic issue is visual blight.

Rich Singerhouse showed photographs to Gerry Strathman.

Gerry Strathman stated if the vehicles are legally parked and licensed, he does not know how the City can interfere. There is within the City Code, a provision prohibiting anything that is a blighting influence in the neighborhood. This could extend to old vehicles. However, if the City were to claim that all old vehicles constitute a blight, there are a lot of old vehicles in Saint Paul.

Mr. Strathman stated there was another item on this order having to do with chipping and peeling paint on the garage. Michael Diesslin responded the order said he had until August 24, and it will be done by then.

Gerry Strathman denied the appeal on the garage. He granted the appeal on the exterior storage of the vehicles citing he is concerned about the idea that old vehicles could be considered a blight in and of themselves. However, the owner should recognize that this does not look good to some people. Mr. Strathman recommended the owner do something to lessen the visual clutter. Michael Diesslin stated he does plan on moving one of the buses to his hunting place.

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