



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
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, June 2, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 15-304](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 640 AURORA AVENUE.

Sponsors: Thao

Approve the assessment.

640 Aurora Avenue

Sara Burridge, 2847 31st Avenue South, Minneapolis, MN 55406, appeared

Jon Peter Ross:

- this is a summary abatement order dated 2-18-15 with a compliance date of 2-25-15*
- City did the work on 3-4-15.*
- total assessment of \$448*

Burridge:

- received a statement in the mail*
- it was trash day*
- they said they could wait until the following Monday, but they showed up March 2*
- there were only 2 items left*

(Video shown)

Marcia Moermond:

- it was March 3*

Burridge:

- she didn't realize it was in the backyard*
- couch was the tenant's couch*
- stuff shows up in the trash and from other people*
- asked is there nothing that can be done*

Moermond:

- to prevent dumping, bring container inside the fence*
- look at the lighting*

Ross:

- maintaining the property also prevents dumping

Moermond:

- recommends approval of the assessment

Referred to the City Council due back on 7/15/2015

2 [RLH TA 15-323](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 400 BATES AVENUE.

Sponsors: Finney

Legislative Hearing Officer will talk to Bldg official to see if he is fine with a Certificate of Code Compliance being issued and convert the building list in the code compliance inspection report to a Correction Order.

400 Bates Avenue

Gary Rosenbaum appeared.

Joe Yannarely:

- this is a vacant building fee for \$2,180

- the property is close to getting a code compliance certificate

Rosenbaum

- he was almost done with the rehabilitation 5 years ago

- the first vacant building list was done two years after he moved in

- he replaced the siding for \$2,000 that he borrowed; now it's the roof

Marcia Moermond:

- asked the date of the code compliance inspection list, which is a check list for everything that needs to be done

Joe Yannarely:

- responded 7-10-14

Rosenbaum:

- he has defective tiles

- the roof was done in 2004 by a guy who is now out of business

Moermond:

- she will refer him to the department that investigates this sort of thing; they may have a view of everyone who was effected

Rosenbaum:

- everytime someone comes over they add to the list

- he has no money and was doing well until last year when he was in the hospital

Moermond:

- asked about the vacant building file

Yannarely:

- there have not been any work orders in 6 years

Moermond:

- asked when he will be done

Rsoenbaum:

- he has no money and is down to \$2

Yannarely:

- in answer to a question by Moermond, responded that property taxes have not been paid for maybe 2 years

Rosenbaum:

- in response to a question, said he has been to Ramsey County on Plato
- in response to a question, he has not done a confession of judgement to put together a payment plan with the county
- the city planner is looking into finding him money

Moermond:

- for items on the list, he can do the work himself
- she will work with the City official and see if the big ticket items can be long term correction orders
- we will still deal with these items, but it will take care of the building fee
- laid over to June 16 to talk again

Laid Over to the Legislative Hearings due back on 6/16/2015

3 RLH TA 15-320

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 1020 CARROLL AVENUE. (To be laid over to September 16, 2015 Public Hearing)

Sponsors: Thao

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 6/16/2015

4 RLH TA 15-303

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 911 CHARLES AVENUE.

Sponsors: Thao

Grant until July 7, 2015 for owner to get Code Compliance Certificate issued. If he gets his certificate, will recommend deletion of the assessment.

911 Charles Avenue

Rebecca Fredericks and Joann Fredericks appeared

Joe Yannarely:

- this is a vacant building fee
- they are close to getting it off the list

Rebecca Fredericks

- everything has been signed off
- it is currently livable

Yannareilly:

- there is one active permit

Joann Fredericks

- the meter is in

- this fee should have been all paid for last year

Marcia Moermond:

- this is for the period of March 2015 to March 2016; you pay them ahead

- it wouldn't have been paid before

- this is the first time it was billed

- it seems the plumbing inspection is tracking a little slowly

- if you get your code compliance issued by July 7 and everything is signed up, she will delete the entire fee

- owner should speak to Jim Seeger

(There was some discussion about a neighbor's tree.)

Moermond:

- if you have your certificate of code compliance issued, you do not have to be at the public hearing

- if you do not have it by July 2, contact Moermond

(Owner was given Seeger's phone number.)

Referred to the City Council due back on 7/15/2015

5 [RLH TA 15-297](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509A, Assessment No. 158519 at 1051 FIFTH STREET EAST.

Sponsors: Finney

Approve the assessment.

1051 Fifth Street East

John Peter Ross:

- this was a summary abatement order dated 2-2-15 with a compliance date of 2-6-15

- City did the work on 2-9-15

James Riley:

- was out of town for a funeral and returned on the second

Ross:

- it was rescheduled several times

(video shown)

Marcia Moermond:

- it was a substantial amount of stuff.

Riley:

- recliner was left on November 22

- he put it out there to get rid of it in the spring

- the tree branches were left in December

- that stuff was put on the property

- he thought he would get it out of there in time
- the tree branches were all over the place so he could shovel and keep the walkway clear
- he made an attempt to keep it clear and not a hazard
- the main concern was the timing being so short
- it should be a little longer

Moermond:

- it is a tough balance: if you are a neighbor, you get frustrated; they feel like it is forever
- owner was saying November-December
- a shorter period of time is a nuisance for neighbors
- the owner got the notice and didn't take action
- there is a City Council public hearing
- recommends approval of the assessment

Referred to the City Council due back on 6/17/2015

- 6 [RLH TA 15-324](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509G, Assessment No. 158410 at 2135 FIFTH STREET EAST.

Sponsors: Finney

No show; approve the assessment.

Referred to the City Council due back on 7/15/2015

- 7 [RLH TA 15-295](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 95 FRONT AVENUE.

Sponsors: Brendmoen

Delete the assessment.

95 Front Avenue

Scott Beck, 1611 County Road BW #104, Roseville, MN 55113, appeared.

Joe Yannarely:

- this is a vacant building fee for \$1,595.
- this fee was for a condemnation from a water shut-off
- the water was shut off to replace the water meter

Marcia Moermond:

- it was in the program for 90 days
- recommend deleting the assessment

Referred to the City Council due back on 7/15/2015

- 8 [RLH TA 15-325](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 701 GERANIUM AVENUE EAST.

Sponsors: Bostrom

Approve the assessment. (retain video)

701 Geranium Avenue East

Jacob Leliberde appeared

John Peter Ross:

- summary abatement order dated 3-13-15 with a compliance date of 3-18-15
- work was done on 3-19-15

Leliberde:

- no one was there at the time
- he would like to see the video

(video was shown)

Leliberde:

- he is confused
- people dump on the property
- it was vacant at the time
- it is an ongoing situation
- dumping is illegal and a crime
- he should not be financially responsible for a crime
- it has nothing to do with his property

Marcia Moermond:

- he is responsible for picking it up

Leliberde:

- he was in Costa Rica
- he reported it
- he is a victim of a crime

Moermond:

- it is his responsibility to keep it clean regardless of who did the dumping
- the City can't allow a nuisance condition to continue when he has been notified of this

Leliberde:

- it was not in his fence and the items are not from him
- he maintains his property 100%
- asked how can he be fined

Moermond:

- the nuisance code says he is responsible
- you own the property, so it is your responsibility to keep it clean
- recommends approval of the assessment

Referred to the City Council due back on 7/15/2015

9 [RLH TA 15-326](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 830 GERANIUM AVENUE EAST.

Sponsors: Bostrom

Approve the assessment.

830 Geranium Avenue East

Maria Diaz appeared and requested a spanish interpreter.

Laura Carroll, Planning and Economic Development, interpreted.

John Peter Ross:

- this involves two summary abatements that were sent regarding the same
- first summary abatement was 2-4-15 with a completion date of 2-9-15
- for garbage, trash, rubbish in yard and car port
- 3-6-15, 2nd summary abatement was sent
- Ross is assuming there was partial compliance with new items added, trash, broken grill, vehicle parts, rubbish in yard and car port
- completion date of 3-11-15
- items were picked up by Parks on 3-12-15
- this was an informal extension
- some items disappeared and other arrived
- Ross believes there was no cleanup after the first one because there was partial compliance
- he also believes the assessment we are talking about today is for the cleanup associated with the second set of orders

Diaz:

- car parts were not hers
- some of the things on the outside were not trash, but were being stored because they were fixing the inside

(video was shown)

Ross:

- cost of the cleanup is \$428

Marcia Moermond:

- looks like the letter went out and then it wasn't done
- she asked does the owner need help interpreting the mail

Diaz:

- responded no

Moermond:

- there is a lot of stuff beyond just taking the cabinet out to paint the kitchen
- there is rubbish throughout the yard and stuff in the driveway
- if there was a discussion about whether or not there should be orders on it, that should have been appealed when there were just orders
- now we are looking at the cost associated with it
- this can be set up to pay over five years or it can be set up to be all due at once

Diaz:

- says she will pay the whole thing

Moermond:

- recommends approval of the assessment
- owner can attend the City Council public hearing

Referred to the City Council due back on 7/15/2015

Project No. VB1509, Assessment No. 158816 at 1860 IDAHO AVENUE.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 7/15/2015

- 11 [RLH TA 15-296](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 786 IGLEHART AVENUE.

Sponsors: Thao

Delete the assessment.

786 Iglehart Avenue

Erica Clemens:

- she is here for a person who cannot get off of work

John Peter Ross:

- this is a summary abatement order dated 3-3-15 with a compliance date of 3-10-15

- City did the work on 3-12-15

- assessment is \$448

(video was shown)

Clemens

- she has pictures where she cleaned it up

Marcia Moermond:

- recommends deleting the assessment

Referred to the City Council due back on 7/15/2015

- 12 [RLH TA 15-298](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509G, Assessment No. 158710 at 405 JESSAMINE AVENUE EAST.

Sponsors: Brendmoen

No show; approve the assessment.

Referred to the City Council due back on 7/15/2015

- 13 [RLH TA 15-318](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 897 JESSIE STREET.

Sponsors: Brendmoen

Delete the assessment; owner was in the VB program for 2 months. (no hearing necessary)

Referred to the City Council due back on 7/15/2015

- 14 [RLH TA 15-305](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 112 LARPENTEUR AVENUE WEST.

Sponsors: Brendmoen

Approve the assessment.

112 Larpenteur Avenue West

Bretta Hebing, 4242 Nicollet Avenue South, Minneapolis, MN 55419, appeared.

John Peter Ross:

- summary abatement order dated 3-2-15 with a compliance date of 3-9-15

- work done on 3-12-15

Hebing:

- she would like to make sure it is the same couch

- it is a large apartment building

(video shown)

Hebing:

- it looks like the same couch

- she has an invoice from the contractor saying that he did it

Moermond:

- recommends approval of the assessment

Referred to the City Council due back on 7/15/2015

- 15 [RLH TA 15-306](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 595 LAWSON AVENUE EAST.

Sponsors: Bostrom

Delete the assessment.

595 Lawson Avenue East

Thomas Huber appeared:

- he got a thing in the mail from Paula Seeley

- he told her he had trash service

- he does not understand the cleanup

John Peter Ross gave a staff report:

- this was a summary abatement order dated 3-13-15 with a compliance date of 3-17-15

- the City did the work on 3-17-15

(video shown)

Marcia Moermond:

- there was twice as much materials

- recommends deleting the assessment

Referred to the City Council due back on 7/15/2015

- 16 [RLH TA 15-317](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 920 LINCOLN AVENUE.

Sponsors: Thune

Approve the assessment.

920 Lincoln Avenue

Robert Hengenfelt, 756 Ashland avenue, Saint Paul, MN 55104, appeared.

Joe Yannarely:

- this is a vacant building fee for \$1,595

Marcia Moermond:

- read her notes from a previous hearing

- the fee was held for 90 days

- we are past that 90 days, which was issued in December

Hengelfelt

- he made the offer in November, and the offer was accepted

- the house was caught in a legal quagmire and they closed on March 26

- they made a lot of progress and did a lot of structural work

- the assessment should be the responsibility of the previous owner

- it was not part of the agreement

- permits have been pulled

Moermond:

- she tries to prorata the fee

- there was a 90 days waiver

- he may want to talk to the previous owner

- the City can only deal with it as attached to the property and not to the owner

Yannarely

- the vacant building fee covers the inspector's time for monitoring the properties

Hengenfelt:

- the permits were \$2100 which covers building inspections

Moermond:

- responded the permits do not cover vacant building monitoring of the property

- it is a huge project

- it will be a vacant building in the entire time of the vacant building period

- there will be another fee coming up for the next time period

- if he is close in finishing the project, she can work with him

Yannarely

- asked does he need to get a code compliance certificate

Moermond:

- he does not need a code compliance

Yannarely:

- Dornfeld has the latitude to give him 60 days

Moermond:

- for other properties she recommends approval
- he should to to the City Council and explain the story
- hearing these things does lead to a change in view and rewriting of ordinances
- recommend approval of the fee for this year

Referred to the City Council due back on 7/15/2015

- 17 [RLH TA 15-307](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 110 LITCHFIELD STREET.

Sponsors: Thao

Approve the assessment.

110 Litchfield Street

Terrence Manley, 5147 St. Albans Street North, Shoreview, MN 55126, appeared.

John Peter Ross:

- this is a summary abatement order dated 3-23-15 with a compliance date of 3-30-15
- City did the work on 3-31-15

Manley:

- this is not his residence
- the mattress showed up
- the tenants said they took care of it
- he was out of town when he received the second notice
- Manley understands there is nothing he can do

(video shown)

(Manley received photos of the problem)

Moermond:

- it was more than a mattress
- recommends approval

Referred to the City Council due back on 7/15/2015

- 18 [RLH TA 15-299](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509G, Assessment No. 158710 at 681 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 7/15/2015

- 19 [RLH TA 15-308](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 25 MARYLAND AVENUE EAST.

Sponsors: Brendmoen

Delete the assessment; grant until July 1, 2015 for the garage; grant until August 1, 2015 for the parking surface.

25 Maryland Avenue East

Jody Verdon appeared.

John Peter Ross:

- this was a summary abatement order dated 3-20-15 with a compliance date of 3-27-15*
- City did the work on 3-30-15*
- the total assessment is \$448*

Verdon:

- she got someone else's notice in her envelope*
- the inspector told her to just throw the letter away*
- he looked up her address and was told nothing was there*
- she called someone else and that person told her to hold onto the letter*

Moermond:

- the history of her is that she takes care of orders*
- asked about the garage*

Verdon:

- she will get the garage removed by June 15*
- it will be in the dumpster at the end of the month*

Moermond:

- July 1 for wood*
- August 1 is for the foundation*
- she will delete the assessment*

Referred to the City Council due back on 7/15/2015

- 20** [RLH TA 15-309](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 1087 MARYLAND AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 7/15/2015

- 21** [RLH TA 15-301](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 278 POINT DOUGLAS ROAD NORTH.

Sponsors: Finney

278 Point Douglas Road

Don Marx, owner, appeared.

Joe Yannarely:

- it was a Category 2 Vacant Building
- \$1595 for the total assessment

Marx:

- he must have missed mail
- we just recarpeted, painted, did the flooring
- he is trying to get some things cleaned up

Moermond:

- the property is condemned when the water is shut off
- having the water off makes is unlivable
- you have a building in good shape, you are selling it, you have your TISH
- there was a letter to register this as a vacant building

Marx:

- he did not see this letter

Yannarely:

- in answer to a question, the vacant building inspector is Dave Nelmark
- Dave put in the TISH report

Moermond:

- there is open waste in the laundry room
- it is a harzardous rating in the TISH report
- there is a radiator issue
- other problems were mentioned in the report
- Category 2 properties shouldn't be sold unless it is to someone that has the capacity to fix it
- she does see there are a few things in hazardous and a number below minimum
- she asked is it a rental

Marx:

- he intended to rent it out, but changed his mind

Moermond:

- she will talk to the City Attorney on this one
- in that event, the TISH report is meaningless
- if you are selling a Category 2, you have to have a code compliance report
- to get a commendation listed, all you have to do it turn the water back on
- she will look at this one more carefully
- owner said it is on the market right way
- he does not have a signed purchase agreement
- right now, there is an effort to sell it without having a code compliance report
- he should not have done this
- Laid over to June 9 to get this addressed

Laid Over to the Legislative Hearings due back on 6/16/2015

22 [RLH TA 15-302](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 278 POINT DOUGLAS ROAD NORTH.

Sponsors: Finney

Approve the assessment.

Don Marx appeared.

(video shown)

Marx:

- cut the lock on the property

Moermond:

- file a claim with the City

- recommends approving the assessment

Referred to the City Council due back on 7/15/2015

- 23** [RLH TA 15-322](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 67 ROSE AVENUE EAST.

Sponsors: Brendmoen

Owner called to reschedule. LO to July 7 LH

No show; approve the assessment.

Laid Over to the Legislative Hearings due back on 7/7/2015

- 24** [RLH TA 15-310](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 1495 ROSE AVENUE EAST.

Sponsors: Bostrom

Approve the assessment.

1495 Rose Avenue East and 1501 Rose Avenue East

Dave Bediloe, 1495 Rose Avenue East, appeared:

- he purchased the properties in May

- worked out arrangements for financing in the other properties

- they tried to get him to buy the properties and he cleaned it up

- they are maintaining it and moving it forward

Moermond:

- it is incumbent on the seller to find these assessments, as it is one of the documents signed in the transaction that there is nothing to disclose

- when you buy the property, you buy the debts

- the owner should be held responsible

- the Council can look at this differently and may make an exception

- recommends approval of the assessment

Referred to the City Council due back on 7/15/2015

- 25** [RLH TA 15-311](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 1501 ROSE AVENUE EAST.

Sponsors: Bostrom

Approve the assessment.

1495 Rose Avenue East and 1501 Rose Avenue East

Dave Bediloe, 1495 Rose Avenue East, appeared:

- he purchased the properties in May
- worked out arrangements for financing in the other properties
- they tried to get him to buy the properties and he cleaned it up
- they are maintaining it and moving it forward

Moermond:

- it is incumbent on the seller to find these assessments, as it is one of the documents signed in the transaction that there is nothing to disclose
- when you buy the property, you buy the debts
- the owner should be held responsible
- the Council can look at this differently and may make an exception
- recommends approval of the assessment

Referred to the City Council due back on 7/15/2015

26 [RLH TA 15-312](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 1062 SHERBURNE AVENUE.

Sponsors: Thao

Approve and spread payments over 3 years.

1062 Sherburne Avenue

Antonia Smith:

- said she never received a letter from the City

John Peter Ross:

- this is a summary abatement report dated 2-25-15 with a compliance date of 3-3-15
- City did the work on 3-4-15

Smith:

- owner notified her after the facts
- owner is Evans
- she used to get the letters and now they go to him
- the notice was sent to Minneapolis and to the occupant

Moermond:

- it is the responsibility of the owner to make sure the prop is maintained
- she may talk to SMRLS (Southern Minnesota Regional Legal Services) about what she has to pay
- the owner is the responsible party

Smith:

- owner said he was out of town

(Smith was not interested in seeing the video because she already knows it is a box spring and mattress.)

Moermond:

- she will receive a bill within a week of the public hearing
- it will be for that smaller amount

- to appeal further, she can talk to the Council
- recommends payment being spread over 3 years

Referred to the City Council due back on 7/15/2015

- 27** [RLH TA 15-316](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 669 THOMAS AVENUE.

Sponsors: Thao

Delete the assessment; rehab completed within 6 weeks of anniversary. (No hearing necessary)

Referred to the City Council due back on 7/15/2015

- 28** [RLH TA 15-319](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509A, Assessment No. 158519 at 834 THOMAS AVENUE.

Sponsors: Thao

Reduce from \$520.00 to \$173 and spread over 2 years.

834 Thomas Avenue

Michael Carvale:

- he thought it was trash from the neighbor
- it was in between the garages
- the he got the first letter, he talked to Sean Westenhofer
- he said both houses got a notice
- he never got the gold card
- he called Sean for over a week
- someone else called and he talked to them

John Peter Ross:

- the pictures are between the two houses
- they were just two old tv's

Carvale:

- in answer to questions, Carvale responded that is where he travels for work
- he found the tv's around Christmastime
- there is a lot of dumping in the alleys

Ross:

- the ownership of the items was in dispute; he felt it was 834

Carvale

- disagreed
- if that is the line, then he owns the neighbor's house
- asked how can someone dump garbage and he has to beg to not get billed for it

Carvale:

- in answer to a question, he responded the garage is about 5 years old

(Carvale and Moermond look at the photos she has.)

(video shown)

Moermond:

- looks like the property line is closer to them
- she will cut it to 2/3 of what it used to be and divide it over 2 years

Referred to the City Council due back on 6/17/2015

29 [RLH TA 15-313](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1510A, Assessment No. 158521 at 127 YORK AVENUE.

Sponsors: Brendmoen

Delete the assessment but LHO will contact Ramsey County to see why it took so long to make address change.

127 York Avenue

John Peter Ross:

- this was a summary abatement order dated 3-20-15 with a compliance date of 3-27-15
- the work was done on 3-30-15
- the assessment is \$488

(video was shown)

Eric Fodness:

- he never received the original notification
- he purchased in April 2015
- has had a problem getting the mailing address changed
- he contacted the County and someone from the City, and told them his mailing address
- by January, he realized he was not getting his property taxes
- he sent them an e-mail on 1-22, and they responded the same day
- he wanted them to have the p.o. box mailing address
- he felt he was misinformed by someone at the City for changing the address
- they say they also send this information to the tenants

Ross:

- read who the notices were sent to

Joe Yannarely:

- the certificate of occupancy should be updated.

Fodness:

- it was not purchased on a contract for deed

(Mai gave him a form to change his address)

Moermond:

- she will call the County and see why it took a long time to get the address changed
- recommends deleting this assessment

Referred to the City Council due back on 7/15/2015

Special Tax Assessments - ROLLS

- 30 **RLH AR 15-39** Ratifying Boarding and/or Securing service during September 2014 at 928 SEVENTH STREET WEST. (File No. J1503B1, Assessment No. 158108)

 Sponsors: Stark

 Referred to the City Council due back on 7/15/2015
- 31 **RLH AR 15-40** Ratifying Collection of Vacant Building fees billed September 30, 2014 to February 18, 2015. (File No. VB1509, Assessment No. 158816)

 Sponsors: Stark

 Referred to the City Council due back on 7/15/2015
- 32 **RLH AR 15-41** Ratifying Property Clean Up services during February 27 to March 31, 2015. (File No. J1510A, Assessment No. 158521)

 Sponsors: Stark

 Referred to the City Council due back on 7/15/2015
- 33 **RLH AR 15-42** Ratifying Trash Hauling services during March 4 to 25, 2015. (File No. J1509G, Assessment No. 158710)

 Sponsors: Stark

 Referred to the City Council due back on 7/15/2015
- 34 **RLH AR 15-43** Ratifying Tree Removal services from March 2015. (File No. 1506T, Assessment No. 159005)

 Sponsors: Stark

 Referred to the City Council due back on 7/15/2015

11:00 a.m. Hearings

Summary Abatement Orders

- 35 [RLH SAO 15-32](#) Appeal of Vlada Gazalabova to a Notice to Cut Tall Grass and/or Weeds at 283 AURORA AVENUE.

 Sponsors: Thao

 Owner in compliance.

 Withdrawn
- 36 [RLH SAO 15-36](#) Appeal of Vlada Gazalabova to a Notice to Cut Tall Grass and/or Weeds at 1083 BEECH STREET.

 Sponsors: Finney

Owner in compliance.

Withdrawn

- 37 [RLH SAO 15-33](#) Appeal of Vlada Gazalabova to a Notice to Cut Tall Grass and/or Weeds at 650 OAKDALE AVENUE.

Sponsors: Thune

Owner in compliance.

Withdrawn

- 38 [RLH SAO 15-35](#) Appeal of Vlada Gazalabova to a Notice to Cut Tall Grass and/or Weeds at 969 JUNO AVENUE.

Sponsors: Thune

Owner in compliance.

Withdrawn

- 39 [RLH SAO 15-34](#) Appeal of Vlada Gazalabova to a Notice to Cut Tall Grass and/or Weeds at 971 JUNO AVENUE.

Sponsors: Thune

Owner in compliance.

Withdrawn

- 40 [RLH SAO 15-38](#) Appeal of Vlada Gazabalova to a Summary Abatement Order at 929 SIXTH STREET EAST.

Sponsors: Finney

Owner withdrew appeal stating in compliance. However, WO sent and a possible PAEC will be charged.

Withdrawn

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 41 [RLH VO 15-31](#) Appeal of David Jacobowitch to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 839 EDMUND AVENUE.

Sponsors: Thao

Grant until June 10, 2015 for the sanitation issue (if not in compliance, grant until July 1 to vacate the property)

Grant until June 19, 2015 for Items 4, 5, 6, 7 and 12 (if not in compliance, grant until July 10 to vacate the property)

Grant until June 30, 2015 for the remaining items (if not in compliance, grant until July

21 to vacate the property)

839 Edmund Avenue

The following appeared: David Jacobowitch, owner; Emily Jacobowitch, daughter of owner; Julie Gauby Johnson, resident

Sean Westenhofer:

- he received a complaint for gross and unsanitary on March 2
- he sent an appointment letter and inspected the property on March 9
- he wrote a correction notice to the owner giving him 30 days to make repairs
- next inspection would have been April 9, but went to April 16
- there were minor things done and he sent another correction notice for May 22
- some things had gotten worse, the sanitation got a little better
- he was dealing with House Calls
- he talked to John Peter Ross and Steve Magner
- he went there on May 22
- because of the sanitation and multiple issues, they decided to condemn it
- he went back there the next day to post it
- he gave the owner until June 10 to make the repairs

Marcia Moermond:

- the condemnation happened on May 27 and the vacate June 10
- she asked about pets

David Jacobowitch:

- there were four dogs, 3 adult cats, and 5 kittens at the time of condemnation
- his intention is to remove all animals from the house

Johnson:

- she objects to that

Emily:

- also objects to that

David Jacobowitch:

- he is the owner
- there are four adults in the house that have never paid rent
- on February 22, Julie, her son Andy Camp, and his girlfriend April Shendell were in a broken RV in extremely cold weather and dangerous conditions
- he agreed to have them move in until it was warmer
- they did not go any farther than that
- he was fine with that
- they were guests
- they currently refuse to leave
- he would like some court to determine his legal obligations

Moermond:

- courts can't explain to you what your rights are
- you need a private attorney to do that
- she cannot give him legal rights

Westenhofer:

- when he went back on the 22nd, Jacobowitch served his occupants notice to vacate

Moermond:

- asked who are the adults

David Jacobowitch:

- responded he, Julie Johnson, his guest; her son Andy Camp; his girlfriend April Shendell; and stepson Michael Kershaw.

Moermond:

- zoning laws talk about four unrelated adults. They do not talk about families per se.

David Jacobowitch:

- he is not related to Johnson or her son

Emily:

- she is related to Michael Kershaw

David Jacobowitch:

- Michael is his stepson and Emily's half-brother
- regarding the unsanitary condition, he is aware that he has a problem

Johnson:

- she was heading south and her engine blew
- he was gracious enough to take her in
- she cleaned and took care of the kids
- she does not want to look like a free loader
- she does everything to stop it from being condemned

Emily:

- Johnson has been doing a number of the repairs and painted the walls in the living room
- most of the repairs were made by Julie
- Dad fixed the door so it can open and close

Westenhofer:

- from March 9 to now, the entry door is back on the hinges, the window was broken last time and now fixed, access panel put on, painted the living room
- each inspection, for the basement, there is something going on with the floor drain or the sink each time he goes out
- the electrical breaker, the whole front came off; that was fixed
- Bonfe was out there, but he is unsure of what they did
- there has been dog feces in the basement, he will go back again and it will be gone; he will go back again and it will be there
- there was a puddle of urine in front of the basement door, which could have been cleaned up before he got there
- the kitchen: the stoves, floor, walls were dirty; he would go back and it would be cleaned up; he would go back again and it's dirty again
- for the backyard, he was working with House Calls to have the dumpsters, and they have been trying to get him to use it
- regarding the accumulation, everything in the basement is out
- there is stuff in the backyard

Johnson:

- responded the items in the backyard came from the basement

Westenhofer:

- there is still a lot of accumulation

Johnson:

- *there is a dumpster at the house, and they intend to use it*

David Jacobowitch:

- *when told this was the third dumpster, he responded the present dumpster is the second one.*

Westenhofer:

- *there are some repairs beyond the owner's capability: ceiling in the kitchen, plumbing, tub had water in it, seems like it is still leaking upstairs*
- *sheetrocking – unless you know what you are doing, you don't want to sheetrock*

David Jacobowitch:

- *asked is it structurally sound*

Westenhofer:

- *he is not an engineer*

Moermond:

- *it was condemned for sanitation issues and not for structural issues*

David Jacobowitch:

- *knows he has to repair the house*
- *he believes it is in his capability to repair the house*
- *right now, he does not have physical control of the house because of the four adults that live in the house*
- *on Friday, 3 dogs were confiscated by animal control*
- *his dog—15 years old—was voluntarily surrendered to animal control*
- *the other two dogs were owned by Julie Johnson and were also taken by Animal Control*
- *Julie negotiated an agreement that he would pay to have them taken out of Animal Control if she would remove them from the house and not return them*
- *she has the signed agreement*
- *she proceeded to get the dog out of Animal Control and return them to the house*
- *the best course of action for saving this building is to remove the animals, despite of the objections of the people who are living in the house as guests*

(There was some detailed discussion about the dogs.)

Emily:

- *the cat and dog have been there for her and her sister through tough times*
- *she is 17, and her sister is 13*
- *they used to visit every other weekend*

Johnson:

- *Julie said that one day after she got there, the girls came*
- *their mother has a problem and is unable to care for them*
- *it was not something he expected, and the girls are there full-time now*

Westenhofer:

- *there were transportation issues*
- *they go to school in White Bear Lake*
- *they had to get them from Saint Paul to school*

John Peter Ross:

- *(read a list of dates and problems at the property)*

Westenhofer spoke of other issues:

- there was vehicle abatement order, which is taken care of
- drain clogged is still an issue and will never fully get done unless a plumbing contractor fixes it completely

David Jacobowitch:

- the City has let him have a problem for a long time
- they have not aggressively persecuted him for it
- complaints have been made, he made improvements, and they let it go
- they come back later, complain again, and let it go
- he doesn't know how to fix it.
- he wants to save the property or die trying
- this is going to cost him incredibly
- he has limited financial means
- he is employed and does have more money coming in
- the mortgage and utilities are paid
- it will be a long time before someone has the legal right to foreclose him.

Moermond:

- the goal is to keep people living in the house and not to displace them
- the City has been very accommodating trying to make sure people are housed there
- she asked if Emily is currently placed there with her father

Emily:

- she and her sister went every other weekend
- there were times when they did not want to come because of the unsanitary conditions
- Johnson and others cleaned the house
- without them, she would not want to live with her dad
- she would have no place to go except foster care
- the other four adults would be homeless

Moermond:

- she asked if the animals in the house are the legal number and licensed

Johnson:

- responded yes

Moermond:

- if Animal Control released the dogs, they have already affirmed that is the deal
- she would like to see the sanitary issues taken care of by June 10
- the propane tanks inside the building should be out by the end of today
- the permitted repairs are the ones that require a permit to be pulled
- Items 4 and 5 are permitted repairs.
- Item 6, repair the second floor bathroom wall outlet, should be completed under permit
- permitted repairs should be completed by June 19.
- the repairs that do not require a permit should be completed by June 30
- if these deadlines are met, people can still live in the structure. If they are not met, Sean can move forward to vacating the property
- they will alert the House Calls program that Emily and her sister are minors; they will be sure that the minors are taken care of during all of this.

Referred to the City Council due back on 6/17/2015

Human Habitation and Order to Vacate at 2133 FOURTH STREET EAST.

Sponsors: Finney

Grant until June 8, 2015 for tenant(s) to vacate the property.

2133 4th Street East

Wenona Johnson appeared

Leanna Shaff:

- this was laid over for 2 weeks

Johnson:

- they were looking for time to find another place

- she found paperwork for Section 8

- they can move in today

- they need a few days

Marcia Moermond:

- they have until June 8

Referred to the City Council due back on 6/17/2015

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 43 [RLH FCO 15-94](#) Appeal of Scott Gann to a Correction Notice - Re-Inspection Complaint at 2227 HILLSDALE AVENUE.

Sponsors: Finney

Grant until June 2, 2016 to come into compliance with retaining walls.

2227 Hillsdale Avenue

Scott Gann appeared.

Leanna Shaff:

- this is a reinspection of a complaint

- the complaint is from approval of a fire certificate of occupancy

- this property is a lot of twin homes

- the retaining walls has more or less let go

- the owner would like more time than what she can give him

- it is affecting their own properties instead of another owner

Marcia Moermond:

- they are talking about spring 2016

Gann:

- his crew can do some this year

- he is thinking maybe May or June

Moermond:

- she will recommend the Council give him until June 2, 2016 to get this done
- if the conditions deteriorate further, owner may be subject to additional orders

Gann:

- he would like to start in the spring and finish in the summer
- it will take from August to September to get more done
- starting in May of next year will take the same amount of time to get the other half done

Moermond:

- she will stick with the one year
- she will recommend the Council give him until June 2, 2016 to get this done

Referred to the City Council due back on 7/1/2015

44 [RLH FCO 15-81](#) Appeal of Gary Blair to a Fire Inspection Correction Notice at 1820 STILLWATER AVENUE.

Sponsors: Finney

Grant until September 1, 2015 for the shed and parking surface to come into compliance.

1820 Stillwater Avenue

Gary Blair appeared.

Leanna Shaff:

- there are a couple things being appealed
- the inspector was detailed in his requirements

Blair:

- the boat is parked on a dustless surface, Class 5
- it has been that way since the day he owned it

Marcia Moermond:

- it is kind of green for a Class 5; if you have to mow it, it is not Class 5

Blair:

- this is the first time he has been asked about the driveway and the garage
- the driveway with the boat parked on it, he would like it to remain the same
- he was wondering if he could park the boat there
- he would like to tear down the shed
- everything for paving and blacktopping would be over 1200 feet of topping
- the houses are about 5 feet apart
- setback requires the parking spaces to be paved with gravel
- he would like the boat to be parked on that surface and probably eliminate the garage
- he doesn't think you can park a car there
- his first thought was to ask for additional time; July 20 is not enough time
- he can demolish it in that time
- it is not effecting the safety of anyone
- he is not deteriorating the properties
- he has been a resident of the City since he was 4 years old
- the inside is like a palace

Marcia Moermond:

- the boundaries are not clean

(Moermond requested a drawing from the owner. There was some discussion about the drawing, elevation, etc.)

Blair:

- lot is about 150 feet, 1 car width
- he could ask for more time on the shed
- he is trying to be realistic and fair with the City

Moermond:

- he can't count that as being a viable Class 5 surface
- he could lay Class 5 or put in strips; that might be the most affordable route to go

Blair:

- he has not priced that
- he pulls up to the driveway when he goes to the house
- it really has not been something that has been used

(The looked at and discussed the area under the boat.)

Leanna Shaff:

- asked about driveway use

Blair:

- responded that few use the driveway
- when asked about where the tenants park, he responded most have not been drivers; they use the buslines

Shaff:

- they can't reduce that
- they need to maintain and provide off street parking
- if you built the house today, you would have to have off street parking

Blair:

- can Class 5 be put in
- it also will cost money to tear down the shed

Moermond:

- there has to be a driveway to get to the parking
- there is a boat there
- she can live with Class 5 and would like to see a real Class 5 surface down there
- she would like to see a clear boundary for Class 5
- Class 5 has a tendency to migrate
- that is more in keeping with minimum parking maintenance standards
- let's take this to September 1, 2015; as for the garage, the same deadline

Blair:

- asked about the dividing

Moermond:

- she has a strong preference to have the space divided
- what you want to use does not matter to her
- there needs to be pavers
- when Blair asked is she okay with the boat issue, she responded she is okay if it is with the right surface

- when Blair asked who is responsible for the retaining wall, she responded there are pins on the property
- when Blair asked about buckthorn, she responded whoever owns the land; it is a noxious weed that is not allowed to exist
- as for the gas meter, if Excel says it is fine, then said she is fine.

Referred to the City Council due back on 7/1/2015

2:30 p.m. Hearings

Vacant Building Registrations

45 [RLH SAO 15-22](#) Appeal of George Holdgrafer to a Summary Abatement Order at 841 MARION STREET.

Sponsors: Thao

Grant until July 1, 2015 to remove the 3 vehicles and grant until August 1, 2015 to remove the van.

George Holdgrafer appeared.

Rich Singerhouse:

- it as a water shut off
- the property was condemned and a vacant building file opened
- there were vehicles in the back without licenses
- there was an appeal on this before

Marcia Moermond:

- asked was it condemned

Holdgrafer-

- responded no
- the water situation is the first

Moermond:

- sees two other issues
- one issue is that the owner said he was barely there at all
- water said there was no water used
- that tells her it is not occupied
- there was a lot of stuff in there

Holdgrafer:

- he was in the hospital with a heart issue, they put it in a defibrillator, he is recovering from that
- he played catch up for months after that
- he is trying to get people to help him
- he is dealing with one item at a time
- he did get one of them removed
- his cousin owns three of the remaining vehicles
- he believes he can get is out of there if he has an extension to June 30
- when asked if he has a garage, he responded it was taken down in 2002, but the slab is left
- he has not received anything in the mail except last week an assessment for a vacant building fee, which was sent to his p.o. box

Moermond:

- when told it was sent to First National Acceptance, she responded they are the owner of record
- legal notice was provided

Holdgrafer:

- he checks the p.o. box daily

Moermond:

- asked does his vehicle have current tabs

Holdgrafer:

- he is leasing it for a friend
- he doesn't know

Singerhouse:

- vehicles that are left there are current

Moermond:

- if no one is living there, there is no main use and continues to have an accessory use
- it should not have storage of vehicles there
- she asked could the mini van go to where he lives

Holdgrafer:

- there is no additional room

Moermond:

- the 3 vehicles belonging to his cousin have to be removed by July 1
- the other vehicle he uses is August 1
- she will ask the Council to spread the vacant building assessment over 5 years
- it should be a Category 2
- they can help out with getting him a dumpster from House Calls
- he will need to get a code compliance report
- he will get a list of things

(Mai gave him the House Calls numbers. The vacant building issue was not on the agenda. Mai will be doing an amended vacant building file.)

Referred to the City Council due back on 7/1/2015

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[RLH VBR 15-41](#)

Appeal of Frank Hamel to a Vacant Building Registration Renewal Notice at 1344 WHEELER STREET SOUTH.

Sponsors: Tolbert

Deny the appeal but allow permits.

1344 Wheeler Street South

Frank Hamel appeared.

Rich Singerhouse:

- revoked and then opened a vacant building
- a code compliance was done on 7-2-12 and a second one of 10-9-14
- there were two permits pulled: plumbing and electrical

- no finalized permits

Hamel:

- he saw that this property was going up for auction
- he was told that he would have to renew the vacant building
- he pulled his permit and was surprised when he got the notice
- he said he will be done in a few months
- he has to be done before the snow flies
- he thought he had a year

Marcia Moermond:

- she is hearing that he will be close to getting this done
- if the bill here remains unpaid, the City will propose it becomes a tax assessment onto the property
- she would like to prorate this fee
- if he has his certificate issued by September 15, she will recommend it be deleted outright.

Hamel:

- he can bring this up to code as as fast as he can

Moermond:

- deny the appeal and he can pull permits

Referred to the City Council due back on 7/1/2015