



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
Mary Erickson, Hearing Secretary
legislativehearings@ci.stpaul.mn.us
651-266-8560

Tuesday, April 16, 2013

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - LAY OVERS

- 1 [RLH TA 13-160](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 1160 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Approve the assessment.

RE: 1160 Maryland Ave E (single family)

Alyssa J. Whiting

Inspector Paula Seeley:

- *Summary Abatement Order sent Nov 28, 2012 to clean-up the property; compliance date Dec 4, 2012*
- *re-checked Dec 4; sent Work Order*
- *work done Dec 6, 2012 for a cost of \$476*
- *sent to Alyssa Whiting, 1160 Maryland Ave E*
- *note: remove building materials from side yard, windows, misc, lumber, remove ladder from rear yard and store properly; remove tarp from front yard near fence*
- *no returned mail*
- *couple complaints: 2010 and 2012*

Ms. Whiting:

- *they moved from the property in early Oct 2012 and were in the process of preparing it for rental*
- *they have a difficult neighbor, from whom the complaints may have originated*
- *some materials were addressed; other materials that remained were to continue to prepare the house for rental*
- *hoping for a reasonable response*
- *stagnant water on tarp*
- *VIDEO is not available*

Ms. Moermond:

- *photos taken Dec 4, 2012 show bricks, packaging material; a tarp*
- *could have discussed questions with the inspector*

Ms. Whiting:

- was using tarp as a weed barrier - she left it there; you can't see it from the road
- she thought removing the tarp was not reasonable
- they don't have a garage
- are doing a lot of different things at once
- when they got the Order, they addressed the lumber in the back
- didn't understand that there was an opportunity to speak with the inspector
- she would be happy to view the VIDEO if Appellant wants
- clearly, the work was not done; should have talked with the inspector
- will recommend approval of this assessment

Referred to the City Council due back on 4/17/2013

- 2** [RLH TA 13-240](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 1094 ST. CLAIR AVENUE. (To be laid over to May 7, 2013 Legislative Hearing and June 5, 2013 City Council Public Hearing)

Sponsors: Thune

To be laid over to May 7, 2013 Legislative Hearing and June 5, 2013 City Council Public Hearing.

Referred to the City Council due back on 4/17/2013

- 3** [RLH TA 13-241](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1094 ST. CLAIR AVENUE.

Sponsors: Thune

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 5/7/2013

- 4** [RLH AR 13-5](#) Ratifying the assessments for Tree Removal Services during Spring 2005 at 771 PIERCE BUTLER ROUTE. (File No. 0501T3, Assessment No. 139003) (To be laid over to April 16, 2013 Legislative Hearing and May 1, 2013 City Council public hearing)

Sponsors: Lantry

To be referred back to LH on May 7, 2013 and CC on May 15, 2013.

Referred to the City Council due back on 5/1/2013

- 5** [RLH TA 13-87](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 0501T3, Assessment No. 139003 at 771 PIERCE BUTLER ROUTE. (To be laid over to April 16, 2013 Legislative Hearing and May 1, 2013 City Council public hearing)

Sponsors: Carter III

To be referred back to LH on May 7, 2013 and CC on May 15, 2013. Weather delay.

Referred to the City Council due back on 5/1/2013

- 6** [RLH TA 13-101](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305A, Assessment No. 138813 at 1587 PARK STREET.

Sponsors: Brendmoen

Approve the assessment.

RE: 1587 Park St (single family)

Ms. Moermond:

- hearing Feb 5, 2013

- was laid over to today to check progress; she wanted the job done by today so that she could cut the VB fee in half

- the permits aren't finalized, so she will recommend approval of the assessment, as written

Referred to the City Council due back on 5/1/2013

- 7 [RLH TA 13-250](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306P, Assessment No. 138405 at 685 JACKSON STREET.

Sponsors: Carter III

Delete the assessment; waiver on file.

Referred to the City Council due back on 5/15/2013

Special Tax Assessments - NEW

- 8 [RLH TA 13-267](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 922 ARMSTRONG AVENUE.

Sponsors: Thune

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 9 [RLH TA 13-281](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1308, Assessment No. 138811 at 827 AURORA AVENUE.

Sponsors: Carter III

To be laid over to July 10, 2013 City Council Public Hearing. If rehab is done and all permits are signed-off, the Legislative Hearing Officer will reduce the assessment from \$1255.00 to \$627.50.

RE: 827 Aurora Ave (duplex)

Anthony Zucker appeared.

Matt Dornfeld, Vacant Buildings:

- VB fee for \$1,100 + \$155 service charge = \$1,255

- Category 2 VB file opened Dec 30, 2011

- code compliance inspection performed May 23, 2012 after a Sale Review was approved Nov 11, 2012

- Inspector Yannarely documented that staff would recommend prorating the VB fee (written in red and underlined it in bold)

- within a month after he made this purchase, the VB fee's anniversary date was due

Mr. Zucker:

- is working on the rehab; will be complete by the end of Jun 2013 at the very latest

Ms. Moermond:

- the City Council Public Hearing is Jun 5, 2013; at that time, she will ask the Council to lay this over to Jul 10, 2013; if on Jul 10, 2013 all the permits have been signed-off, she will recommend the VB fee be cut in half

Referred to the City Council due back on 6/5/2013

- 10 [RLH TA 13-266](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304E, Assessment No.138304 at 1160 BEECH STEET.

Sponsors: Lantry

Delete the assessment because no photos were taken and the PAEC was supposed to be deleted on pre-authorized work orders. (No one appeared)

Referred to the City Council due back on 6/5/2013

- 11 [RLH TA 13-264](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No.138515 at 1185 BURNS AVENUE.

Sponsors: Lantry

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 5/7/2013

- 12 [RLH TA 13-276](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1308 CHARLES AVENUE.

Sponsors: Stark

Approve the assessment.

RE: 1308 Charles Ave (single family)

Cathy Nordman, KOP 1 LLC, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order sent Jan 18, 2013 to clean-up the yard; compliance date Jan 23, 2013

- re-checked Jan 24, 2013; Work Order sent

- work done Jan 29, 2013 for a cost of \$290 + \$160 service charge = \$450

- sent to KOP 1 LLC and David Wald, Danforth St, St. Paul

- no returned mail

- photos

Ms. Nordman:

- would like to view the photos

- there's a boat underneath the tarp

- mailing was sent on the 18th but it did not arrive until the following Tue (Mon was a holiday)

- her peer contacted her on Tue and she called the tenant and left a voice message Tue evening

- Wed morning she spoke to the tenant about it

- at approximately 11 am on Wed, she drove by the property and there were no mattresses there
- the tenant was not aware of any tires or car parts that were there and she did not see any tires when she drove by
- she believed they were in compliance at that point
VIDEO - they removed tires, mattress and box spring near garage, dated Jan 29, 2013
- doesn't know what to say; she thought it had been handled in a timely manner

Ms. Moermond:

- she saw the crew do the clean-up
- it was a tight turn around but the crew didn't show up for another 5 days, a long time
- Jan 18 was a Friday; Jan 21 was Dr. Martin Luther King, Jr. Day; Jan 24, the deadline; crew came Jan 29
- will recommend approval of the assessment

Ms. Nordman:

- is confused about the timeline

Referred to the City Council due back on 6/5/2013

- 13 [RLH TA 13-245](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1615 DALE STREET NORTH.

Sponsors: Brendmoen

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 14 [RLH TA 13-271](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304E, Assessment No. 138304 at 340 DALY STREET.

Sponsors: Thune

Approve the assessment.

RE: 340 Daly St (duplex)

Jonathan Schulz, owner, appeared.

Inspector Paula Seeley:

- Excessive Consumption fee for a cost of \$50 + \$35 service charge = \$85
- Orders sent Nov 27, 2012 to remove vehicles from an unapproved parking surface; compliance date Dec 4, 2012
- re-checked Dec 6, 2012; EC fine was issued
- sent to Jonathan Schulz, 340 Daly St
- no returned mail
- open file for the same violation
- photos

Mr. Schulz:

- he had some possessions stored at a friend's farm because he had been living in other cities
- he came back, bought this property and brought some of his things from the farm
- he did not get the first letter
- he went to the Department of Safety and Inspections (DSI) and found that he

*needed a different surface on which to park the cars; so, he did that; when the inspector came back, he said it was OK
- then, he got this letter in the mail*

Ms. Moermond:

- photo shows 4 vehicles, a box trailer and the pile

Mr. Schulz:

- he took care of things Dec 6, 2012 so he was surprised when he got a letter in the mail

Ms. Seeley:

*- Inspector Hoffman was out in Nov and that's when he issued the EC fine
- there's been another complaint, which Inspector Ross is dealing with (snowblowers)*

Mr. Schulz:

*- he had some snow blowers on the big white trailer that's parked next to the garage; they were for sale
- a guy wanted to buy the trailer so he took the snowblowers and things off and the guy took it away
- a neighbor must have seen the snowblowers and called right away; a metal scrap guy came and bought all the snowblowers, so, they are gone
- yesterday, he went again to DSI and talked to Inspector Ross about it*

Ms. Moermond:

*- will recommend this assessment be approved
- City Council Public Hearing Jun 5, 2013*

Referred to the City Council due back on 6/5/2013

15 [RLH TA 13-272](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 878 FREMONT AVENUE.

Sponsors: Lantry

Approve the assessment.

RE: 878 Fremont Ave (single family)

Chuchu Girma, K & C Property Management LLC, owner, appeared.

Inspector Paula Seeley:

*- Snow Order for failure to remove snow/ice from public sidewalk Jan 31, 2013; compliance date Feb 2, 2013
- re-checked Feb 5; Work Order sent
- work done Feb 8 for a cost of \$160 + \$160 service charge = \$320
- no returned mail
- sent to K & C Property Mgmt LLC and Samson Oundesha, Burnsville (previous owner); and Occupant*

Ms. Girma:

*- the Notices go to owner; the bill comes to her
- she has gone to the county to change name on their record but letters still go to Mr. Oundesha
- hired a person who comes from Burnsville to clean up things*

Ms. Moermond:

- 3 letters went out and 1 of them was addressed to K & C Property Mgmt
VIDEO - was a corner lot; removed snow from sidewalk; salted and sanded

Inspector Joel Essling:

- Mr. Oundes is still listed on the Fire Certificate of Occupancy
- the property owner is required to register with the at the time they purchase the property; it's not the city's responsibility to come and find you (Mai Vang gave her a the form for change of contact information)

Ms. Moermond:

- the owner should be taking care of snow/ice removal before the neighbors complain about it
- will recommend this assessment be approved
- City Council Public Hearing Jun 5, 2013

Referred to the City Council due back on 6/5/2013

16 [RLH TA 13-284](#)

 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1308, Assessment No. 138811 at 82 FRONT AVENUE.

Sponsors: Brendmoen

Reduce the assessment from \$1255.00 to \$500.00.

RE: 82 Front Ave (single family)

Carlos Jackson, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- appeal of a Vacant Building fee for \$1,100 + \$155 service charge = \$1,255
- Cat 2 VB opened May 9, 2011; closed as in compliance Feb 19, 2013 = 9 months into VB cycle

Mr. Jackson:

- bought house Nov 2011
- got a Code Compliance Inspection Report and started work Dec 2012 - Jan 2013

Ms. Moermond:

- this 12-month fee would cover from May 2012 - May 2013

Mr. Jackson:

- his wife to LH Nov 2012; at the time, the LH officer said they would prorate it and gave them until Jan 31, 2013 to have all the work completed; we'd pay half of the VB fee (6 months instead of the whole year)
- he went to talk to Reid Soley, DSI, in Nov 2012 to find out what I needed to do
- the first contractor he hired had to be fired because he disappeared with their money; then, he hired another contractor, Side By Side Construction, Nikolai Eisenhoff; Nikolai never got a permit to start working on the house; he introduced himself to Jim Seeger and did some work but he misrepresented himself as an employee of InterCity Rehab, so, he also was fired; in frustration, he went to talk to DSI to see what he should do; consequently, Mr. Jackson had to pay for another Code Compliance Inspection and DSI told him the inspection would take place within 2 weeks; however, the city took a month to complete the inspection and we were already overdo and backed up their workers; finally, his new contractor, MP Systems, Mark Peters, did the contract work, hired contractors and all the work was completed by Jan 27, 2013
- the building inspector was the last person to come to approve everything but he did

not respond to Mr. Jackson; Mr. Jackson had to call Jim Seeger's supervisor, who sent someone else named Burgess, who actually did the inspection before Jan 31, 2013; now, the computer says that it was done in Feb 2013, which isn't true
- he spoke with Reid Soley many times because he didn't have anyone to verify what was going on, so, he relied on Mr. Soley to tell him what was going on and to validate what Mr. Jackson said in case he was ever in a situation as he is today; Mr. Soley tried but couldn't justify why Mr. Seeger was taking so long to come out and do the building inspection
- Mr. Soley told him that the Certificate of Code Compliance should be issued 3 days after the inspection; the city records say that it was done Apr 2, 2013 when in fact, this work was done and finalized in Feb 2013 but they didn't give the Code Compliance Certificate until Apr 2013
- asking that the VB fee be prorated

Mr. Dornfeld:

- the record says that Inspector Virgil Thomas was at the property Feb 11, 2013 (Mr. Jackson disputes this); he noted that Corrections were required by insulation in attic hatch, insulation at basement guardrail, etc.; he finalized the permit Feb 19, 2013

Ms. Moermond:

- asked Ms. Vang to check the record
- Ms. Vang said that on Aug 21, 2012, Ms. Jackson came to the hearing and Ms. Moermond indicated that if the Jackson's could finish the rehab by Feb 1, 2013, she would recommend cutting the VB in half; if the work is done, process the fee for \$600
- if the work is not done, process the fee for the full amount

- will recommend cutting the assessment in half plus \$100 = \$500 even

Referred to the City Council due back on 6/5/2013

- 17 [RLH TA 13-270](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304E, Assessment No. 138304 at 447 FRY STREET NORTH.

Sponsors: Stark

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 18 [RLH TA 13-278](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 369 FULLER AVENUE.

Sponsors: Carter III

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 19 [RLH TA 13-257](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1414 GRAND AVENUE.

Sponsors: Tolbert

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 20 [RLH TA 13-269](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 410 GRIGGS STREET NORTH.

Sponsors: Carter III

Delete the assessment due to improper notification.

RE: 410 Griggs St (parking lot)

Kyle Canaday appeared.

Inspector Paula Seeley:

- Snow Order sent Feb 6, 2013 to remove snow from public sidewalk; compliance date Feb 8*
- re-checked Feb 8, 2013; Work Order sent*
- work done Feb 13, 2013 for a cost of \$240 + \$160 service charge = \$400*
- sent to Central, Shingle Creek Pkwy, Suite 221, Brooklyn Center and to Occupant*
- no returned mail*
- history - 7 Work Orders since Dec 2010*

Mr. Canaday:

- we were owners up until Mar 1, 2013, at which point they turned it over to Private Bank Minnesota*
- now, we are the management company*
- noticed that the mailing address is wrong; we're in Suite 217; he has told Mr. Essling this before*
- when they get the Notice, they take of it; it's a vacant parking lot; he drives by at least once a week to check on it*

Ms. Moermond:

- to her, the address seems to be too long for the label and part of it gets cut off*
- looks like a whole week went by and the Appellant hadn't noticed it*

Inspector Joel Essling:

- this is the parking lot adjacent to Griggs Medical Center*
- VIDEO - removed snowfall width, salted and sanded*

Ms. Moermond:

- Appellant will get away on a technicality*
- the Notice is not addressed correctly; suite number is incorrect: is says "21" instead of "217"*
- will recommend this assessment be deleted*

Referred to the City Council due back on 6/5/2013

- 21 [RLH TA 13-255](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 824 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

Reduce the assessment from \$518.00 to \$259.00 and spread the payments over three years.

RE: 824 Magnolia Ave E (single family)

Pheicheng Vaj, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order for Clean-up sent Jan 28, 2013; compliance date Feb 7, 2013
- re-checked Feb 12; Work Order sent
- work done Feb 15, 2013 for a cost of \$358 + \$160 service charge = \$518
- sent to Pheicheng Vaj, 824 Magnolia Ave E
- no returned mail
- notes: remove tires, chest freezer, sofas in rear yard
- previous history in 2010

Mr. Vaj:

- would like to see the VIDEO because he was not a home during this time

Ms. Seeley:

- does not have a VIDEO but has photos taken Feb 12, 2013

Mr. Vaj:

- he was vacationing in CA and didn't know about this
- his mom was looking after the property; she doesn't read or speak English
- his mom did get the mail and opened it but she couldn't read it to him; he told her that he would check it out when he came home from CA
- it won't happen again

Ms. Moermond:

- in the future, make sure you have someone else to take care of things when you go out of town
- will recommend reduce the assessment by half because of the language barrier
- reduce from \$518 to \$259 divided over 3 years

Referred to the City Council due back on 6/5/2013

22 [RLH TA 13-244](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No.138515 at 993 MARGARET STREET.

Sponsors: Lantry

Delete the assessment.

RE: 993 Margaret St (duplex)

Diane Gramenz, owner, appeared.

Inspector Paula Seeley:

- 2 assessments: 1) clean-up; and 2) Excessive Consumption
- Summary Abatement Order sent to clean-up Feb 13, 2013; compliance date Feb 20, 2013
- re-checked Feb 21; Work Order sent
- work done Feb 25, for a cost of \$308 + \$160 service charge = \$468
- sent to Diane Gramenz, 993 Margaret St
- no returned mail
- history: 6-6-12 and 10-26-12 (rubbish, trash)
- underlined: remove mattresses from alley
- photos indicate 2 mattresses on the apron and a sofa on the side of the garage

Ms. Gramenz:

- she called about the mattresses on her property (she was dumped on)
- there has been a history; she owns the house and has been there 14 1/2 years;
- her property has been a dumping ground for many people for a long time

- she went through the alley this morning; now, there's a tire in the alley
- she has witnessed people dumping and has called the city time and time and time again
- she witnessed a little red truck pull up one night and then drive off; the next morning she found that he threw all of his sheet rock, old door frames, etc. into the alley; she called the city and told them about the dumping (she couldn't get the plate number)
- she was unemployed for 22 miserable months; she finally got a job with MNDOT but it's up in Duluth; now, her daughter and 4 grandchildren have been living at her house; he daughter has never been a homeowner and knows nothing about Notices and that she should have called her mom when she got a Notice
- he job is plowing the highways; she knows about snow and ice
- during that time, she was not able to come down everyday and check her property; and she didn't get any calls from her daughter
- Ms. Gramenz' mom told her about the mattresses
- she doesn't want to keep paying for someone else's dumping
- she has had trouble with the neighbors calling and complaining but now, they have moved because of foreclosure

Ms. Seeley:

- no matter where it came from, they have to hold the owner responsible
- it very possible was illegal dumping; they have been having meetings with Public Works and they will not remove it, so, we have to hold the owner responsible
- gave suggestions for deterring the dumping behavior: fake camera, motion-detector lights, signs, etc.

Ms. Gramenz:

- she has also has had serious damage done to her garage door by people trying to break in
- she has bolted the access door to her garage and people still try to get in - the door is coming off the frame; you can see claw marks, kick marks, hammer marks, etc.
- obviously, it's not the best neighborhood
- she knows that after their alley light was removed, she has had nothing but problems

Ms. Moermond:

- for this time, she will recommend it be deleting; Ms. Gramenz called in her own complaint
- added she put in some security measures
- advised her to talk with her neighbors; perhaps, put up some alley lights (call Xcel)
- neighborhood watch could work
- signage that says, "This alley is under surveillance."

Referred to the City Council due back on 6/5/2013

23 [RLH TA 13-251](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304E, Assessment No.138304 at 993 MARGARET STREET.

Sponsors: Lantry

Delete the assessment.

RE: 993 Margaret St (duplex)

Diane Gramenz, owner, appeared.

Inspector Paula Seeley:

- 2 assessments: 1) clean-up; and 2) Excessive Consumption

- Summary Abatement Order sent to clean-up Feb 13, 2013; compliance date Feb 20, 2013
- re-checked Feb 21; Work Order sent
- work done Feb 25, for a cost of \$308 + \$160 service charge = \$468
- sent to Diane Gramenz, 993 Margaret St
- no returned mail
- history: 6-6-12 and 10-26-12 (rubbish, trash)
- underlined: remove mattresses from alley
- photos indicate 2 mattresses on the apron and a sofa on the side of the garage

Ms. Gramenz:

- she called about the mattresses on her property (she was dumped on)
- there has been a history; she owns the house and has been there 14 1/2 years;
- her property has been a dumping ground for many people for a long time
- she went through the alley this morning; now, there's a tire in the alley
- she has witnessed people dumping and has called the city time and time and time again
- she witnessed a little red truck pull up one night and then drive off; the next morning she found that he threw all of his sheet rock, old door frames, etc. into the alley; she called the city and told them about the dumping (she couldn't get the plate number)
- she was unemployed for 22 miserable months; she finally got a job with MNDOT but it's up in Duluth; now, her daughter and 4 grandchildren have been living at her house; he daughter has never been a homeowner and knows nothing about Notices and that she should have called her mom when she got a Notice
- he job is plowing the highways; she knows about snow and ice
- during that time, she was not able to come down everyday and check her property; and she didn't get any calls from her daughter
- Ms. Gramenz' mom told her about the mattresses
- she doesn't want to keep paying for someone else's dumping
- she has had trouble with the neighbors calling and complaining but now, they have moved because of foreclosure

Ms. Seeley:

- no matter where it came from, they have to hold the owner responsible
- it very possible was illegal dumping; they have been having meetings with Public Works and they will not remove it, so, we have to hold the owner responsible
- gave suggestions for deterring the dumping behavior: fake camera, motion-detector lights, signs, etc.

Ms. Gramenz:

- she has also has had serious damage done to her garage door by people trying to break in
- she has bolted the access door to her garage and people still try to get in - the door is coming off the frame; you can see claw marks, kick marks, hammer marks, etc.
- obviously, it's not the best neighborhood
- she knows that after their alley light was removed, she has had nothing but problems

Ms. Moermond:

- for this time, she will recommend it be deleting; Ms. Gramenz called in her own complaint
- added she put in some security measures
- advised her to talk with her neighbors; perhaps, put up some alley lights (call Xcel)
- neighborhood watch could work
- signage that says, "This alley is under surveillance."

Referred to the City Council due back on 6/5/2013

- 24 [RLH TA 13-260](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 2127 MARSHALL AVENUE.

Sponsors: Stark

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 25 [RLH TA 13-247](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1300 MATILDA STREET.

Sponsors: Brendmoen

Delete the assessment.

RE: 1300 Matilda St (single family)

David Holt, RP Management, appeared, on behalf of new owners, Main Street Renewal

Ms. Moermond:

*- Snow and Ice Order for removal of snow on sidewalk
- the Order issued Feb 15, 2013 was sent to the previous owner during the new owner's time of ownership; proper Notification was not received*

Mr. Holt:

- Main Street closed on this property Jan 31, 2013

Ms. Moermond:

- will recommend this assessment be deleted

Referred to the City Council due back on 6/5/2013

- 26 [RLH TA 13-268](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1151 NORTON STREET.

Sponsors: Brendmoen

Approve the assessment and spread the payment over two years.

RE: 1151 Norton St (duplex)

Fred Schweich, owner, appeared.

Inspector Paula Seeley:

*- Summary Abatement issued Feb 3, 2013; compliance date Feb 7
- re-checked Feb 8; Work Order sent
- work done Feb 12, 2013 for a cost of \$734 + \$160 service charge = \$894
- no returned mail
- open file since Apr 2, 2013 on garbage and pending clean-up
- sent to Fred Schweich, Hastings
- bold underlined: overflowing garbage and furniture plus household items stacked on north side of house
- photos*

Mr. Schweich:

- had a tenant that was in the process of being evicted
- they put the garbage out there; so, he went to talk to them
- he couldn't get the UD filed because they got hauled to jail
- he got a nuisance order from the city
- had to wait for them to get out of jail to serve the UD
- they told Mr. Schweich and showed up in court with a receipt for having everything removed - \$380 from a garbage company
- he was told that the city dumped the dumpsters for which he paid to have hauled by his trash company (because they were in jail, no one took it down to the curb; so, the dumpsters didn't get emptied); the rest was hauled away by an independent company, he was told - that he ended up paying for when he filed the UD because they had a receipt for payment, which the judge accepted

VIDEO - shows lots of bags removed, furniture and TV, etc.

Mr. Schweich:

- looks as though the tenant showed up in court with a receipt but the work hadn't been done

Ms. Moermond:

- she like the court to review the case; you have a couple of criminals here
- have the court referee view the VIDEO and say that the tenants showed up with the receipt but the work wasn't done

Mr. Schweich:

- doesn't think he'd be able to collect anything anyway
- they didn't pay the rent either

Ms. Seeley:

- there's still an open file there; still garbage issues going on there (Mr. Schweich: there shouldn't be)
- Apr 8, 2013, Inspector Smith issued Orders on rubbish; sent Work Order but the work had been done by you
- the file is still open because there had been a search warrant there
- call Inspector Smith, 266-1917, and document that those tenants are gone and the file won't be open any more

Mr. Schweich:

- because the tenants were on Social Security Disability, the judge gave them an extra week to get out and by the time he was able to get them out, it was Apr 7, he believes; and the pending Order has been taken care of

Ms. Moermond:

- will recommend this assessment be approved; payments spread over 2 years
- City Council Public Hearing Jun 5, 2013

Referred to the City Council due back on 6/5/2013

27 [RLH TA 13-282](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1308, Assessment No. 138811 at 711 OAKDALE AVENUE.

Sponsors: Thune

Waive the vacant building fee until May 15, 2013. If done, the VB fee will be reduced from \$1255.00 to 627.50.

RE: 711 Oakdale Ave (duplex)

Gholamreza Ashrafzadehkian, owner, appeared.

Matt Dornfeld, Vacant Buildings:

- Vacant Building fee \$1,100 + \$155 service charge = \$1,255
- Category 2 VB file was opened Oct 8, 2010
- the existing code compliance inspection has expired - a new one needs to be done
- current open permits: electrical, mechanical, warm air and building

Appellant:

- he's following up on Ms. Moermond's last Order: that you would cut this one in half
- he went to see Reid Soley, who said he didn't need a new code compliance inspection
- he is waiting for the inspectors to come in - they will start to come in next week
- the work is done

Ms. Moermond:

- Ms. Vang will pull the record from February: LH denied the appeal; Appellant should pay half the VB fee is he gets the work done on time
- anniversary date is in Oct
- if work is done by May 15, 2013, she will recommend the fee be cut in half (the permits must be finalized)

Referred to the City Council due back on 6/5/2013

- 28** [RLH TA 13-275](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No.138515 at 1464 SELBY AVENUE.

Sponsors: Carter III

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 29** [RLH TA 13-277](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 664 SEVENTH STREET WEST.

Sponsors: Thune

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 30** [RLH TA 13-261](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304E, Assessment No. 138304 at 1700 SEVENTH STREET EAST.

Sponsors: Lantry

Delete the assessment. (Grant until June 1, 2013 to replace the rotting wood on the front entryway.)

RE: 1700 7th St E (single family)

Larry Bender, owner, appeared.

Inspector Paula Seeley:

- Excessive Consumption fee for failure to maintain exterior structure: \$50 + \$35

service charge = \$85

- Orders sent Aug 15, 2013 to repair and paint exterior; compliance date Oct 26, 2012
- re-checked Nov 1, 2013 and an EC was sent to Larry and Paula Bender, 1700 7th St E

- notes: failure to scrape and paint south side of house; failure to install handrail on the north entryway

- photos

- Inspector Smith still has this file open and a note: forthcoming EC for \$120

Mr. Bender:

- the work is all done; it was done in Nov 2012

- we had one issue about porch decking being done; I need to finish the handrailing; I told him it would be done as soon as weather permitted and it was

- have a neighbor who complains about everything; he calls and he stops the inspectors - an on-going problem, so, he knows how this originates

Inspector Joel Essling:

- Inspector's notes: handrail has been installed; house has been scraped and painted; still hasn't replaced rotting wood on front entryway (to be done May 13, 2013)

Ms. Moermond:

- will recommend deleting this assessment and grant until Jun 1, 2013 to replace rotting boards on front entryway

Referred to the City Council due back on 6/5/2013

- 31** [RLH TA 13-256](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304E, Assessment No. 138304 at 1830 SEVENTH STREET EAST.

Sponsors: Lantry

Delete the assessment; fee was already paid.

Referred to the City Council due back on 6/5/2013

- 32** [RLH TA 13-265](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307P, Assessment No. 138406 at 468 SHERBURNE AVENUE.

Sponsors: Carter III

Delete the assessment; waiver on file. (No one appeared and no further minutes)

Referred to the City Council due back on 6/5/2013

- 33** [RLH TA 13-243](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 604 SIMPSON STREET.

Sponsors: Stark

No show; approve the assessment. (no minutes)

Referred to the City Council due back on 6/5/2013

- 34** [RLH TA 13-239](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304E, Assessment No. 138304 at 1190 SIXTH STREET EAST.

Sponsors: Lantry

Delete the assessment.

RE: 1190 6th St E (duplex)

Juan Antonio Ruiz, owner, appeared. (Spanish interpreter was present.)

Inspector Paula Seeley:

- Excessive Consumption fee for \$85
- Orders sent Nov 9, 2012; compliance date Nov 20 to remove brush from the side of the garage
- re-checked Nov 20; sent Excessive Consumption Order; it was not taken care of
- staff provided photo to Mr. Ruiz

Mr. Ruiz:

- there was nothing there Nov 20, 2012
- when he talked to the inspector, he explained that the branches were not his
- photo shows brush close to neighbor's property

Ms. Moermond:

- looks as though both properties are affected

Ms. Seeley:

- thinks that both owners should have been notified
- Dec 5, 2012- both owners said that it was the neighbor's brush
- recommends deleting; another Order is coming
- recommends also deleting the next clean-up assessment (J0136A) \$476

Ms. Moermond:

- in the future, Orders should be issued to both properties
- will recommend deleting this assessment (Orders went to Mr. Ruiz only)
- the record shows that assessment J0136A for \$476 has already been approved by the City Council; she will go back and fix this so that it's deleted

Referred to the City Council due back on 6/5/2013

- 35** [RLH TA 13-252](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 846 SMITH STREET.

Sponsors: Thune

No show- approve the assessment. (no further minutes for this file)

Referred to the City Council due back on 6/5/2013

- 36** [RLH TA 13-279](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 332 ST. CLAIR AVENUE.

Sponsors: Thune

Delete the assessment.

RE: 332 St. Clair Ave (duplex)

Matt Brown, Community Neighborhood Housing Services

Matt Dornfeld, Vacant Buildings:

- Category 3 Vacant Building - appeal for snow removal
- Snow letter went out Feb 15, 2013; re-checked Feb 25, 2013
- work done Mar 1, 2013 for a cost of \$40 + \$160 service charge = \$200
- Gold card returned by Matt Brown

Mr. Brown:

- they hired a landscape company who removes snow for them
- he has the receipt for that snow storm; billed for Feb 22, 2013
- he's there regularly

VIDEO - sanded and salted on top of ice

Ms. Moermond:

- will recommend this assessment be deleted
- in the future, sand and salt

Referred to the City Council due back on 6/5/2013

- 37** [RLH TA 13-280](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 577 STATE STREET.

Sponsors: Thune

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 38** [RLH TA 13-263](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 669 THOMAS AVENUE.

Sponsors: Carter III

Reduce the assessment from \$200.00 to \$150.00.

RE: 669 Thomas Ave (single family)

Fred Roth, owner, appeared.

Mr. Roth:

- he called the number on the Notice that was sent to him for payment and according to the records of the person he was connected to, she said the city put sand and salt on the sidewalk but they didn't do snow removal

Inspector Paula Seeley:

- Snow Order sent Feb 12, 2013; compliance date Feb 14, 2013
 - re-checked Feb 19; Work Order sent
 - work done Feb 19 for a cost of \$40 plus \$160 service charge = \$200
 - little history on property
 - sent to Fred Roth, 3304 19th Ave S, Mpls and Occupant
 - no returned mail
 - photos show very icy walks and the cross walk is closed
 - doesn't know where they came with that fee
- VIDEO - shows that the crew sanded and salted only*

Mr. Roth:

- has a tenant who is responsible for regular upkeep, including snow shoveling - it's

part of their lease; he realizes that he's the one who is ultimately responsible for it
 - he got the Notice Feb 14 and thought he left a message but he went over there the next morning and noticed it was cleared but there was still some ice
 - he has told the tenants to keep things clean
 - the Notice was for snow removal; when he went to look at it, it looked as though the snow had been removed; he thought that was the end of it
 - the tenant said he had cleared the snow
 - a few days later the city came out and salted and sanded

Ms. Moermond:

- sticking point for her: on 3 other occasions, the city had to write Orders on the property (2 for tall grass and weeds and 1 for snow); for each of those 3, you took care of business and got it done; it's good that it's done but it's bad that the city has to send an Order to say the lawn needs to be mowed and the snow needs to be shoveled
 - will recommend that this assessment is reduced by \$50

Referred to the City Council due back on 6/5/2013

- 39** [RLH TA 13-273](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1307 THOMAS AVENUE.

Sponsors: Stark

No show - approve the assessment.

Referred to the City Council due back on 6/5/2013

- 40** **RLH TA 13-249** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 0 UNIVERSITY AVENUE WEST (Vacant Lot on University Ave W between 1738 and 1830 Ave W PIN 332923420009).

Sponsors: Stark

6/3/13 - Inspector confirmed with Public Works about the assessment for \$.50. Due to clerical error, Public Works and DSI staff recommend deletion of the assessment. Legislative Hearing Officer concurs.

Approve the assessment.

RE: 0 University Ave W (motel/Tourist Court-A-Residential) - Vacant Lot on University Ave W between 1738 and 1830 Ave W

Al Nadimi, Royal Management LLC, owner, and Christine Klaus, tenant at 1738 University Ave W

Inspector Paula Seeley:

- Summary Abatement Order for dumpster obstructing alley driveway
 - Order sent Feb 21, 2013; compliance date Feb 25, 2013
 - re-checked Feb 25; Work Order sent
 - sent to Royal Management LLC, 201 Snelling Ave N
 - notes: remove overflowing Coolidge Dumpster; Waste Technology's Dumpster obstructing the alley
 - cost \$.50 plus service charge of \$160 = \$160.50
 VIDEO - vehicles could not drive down that alley because of that dumpster

Mr. Nadimi:

- that blue dumpster is not ours; it belongs to 469 Herschel; he has called Waste Management several times to come and pick it up but they don't do it
- his son had surgery; he left on Feb 18 and came back Mar 4, 2013
- there is no agreement with the property at 469 Herschel that they can put their dumpster on my property

Ms. Klaus:

- verifies that the kids from 469 Herschel carry garbage bags and throw them into that blue dumpster

Ms. Moermond:

- the building at 469 Herschel is flush with the property line
- suggested Mr. Nadimi write a formal letter (Mr. Nadimi: there is no address listed to where I can send a letter, only a phone number and they don't return my messages)

Mr. Essling:

- he cannot send a Notice to a property where the dumpster is not located; only to the property where it is located

Ms. Moermond:

- will recommend approving the assessment

Referred to the City Council due back on 6/5/2013

41 [RLH TA 13-253](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1734 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Reduce the assessment from \$320 to \$220.

RE: 1734 University Ave W (Vacant land - residential-A-residential)

Al Nadimi, Royal Management, appeared.

Inspector Paula Seeley:

- Snow Order sent Feb 21, 2013; compliance Date Feb 23, 2013
- re-checked Feb 25, 2013; Work Order sent
- work done Feb 27 for a cost of \$160 + \$160 service charge = \$320
- sent to Occupant; Royal Management, LLC, 201 Snelling Ave
- no returned mail
- VIDEO - scraped and shoveled, sanded and salted full width

Mr. Nadimi:

- he cleaned up the night before he left

Ms. Moermond:

- will recommend reducing this assessment from \$320 to \$220

Referred to the City Council due back on 6/5/2013

42 [RLH TA 13-254](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1738 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Reduce the assessment from \$320 to \$220.

RE: 1738 University Ave W (duplex)

Al Nadimi, Royal Management, appeared.

Inspector Paula Seeley:

- Snow letter sent Feb 21, 2013; compliance date Feb 23, 2013
- re-checked Feb 25, 2013; Work Order sent
- work done Feb 27, 2013 for a cost of \$160 + \$160 service charge = \$320
- sent to Royal Management LLC, 201 Snelling Ave N
- VIDEO - shoveled, scraped, salt and sanded full width

Ms. Moermond:

- will recommend reducing assessment from #320 to \$220

Referred to the City Council due back on 6/5/2013

43 [RLH TA 13-259](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 1744 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Approve the assessment.

RE: 1744 University Ave W (single family)

Al Nadimi, Royal Management and Christine Klaus, tenant, appeared.

Inspector Paula Seeley:

- Orders issued Feb 21, 2013; compliance date Feb 25, 2013
- re-checked Feb 26, 2013; Work Order sent
- work done Feb 27, 2013 for a cost of \$458 + \$160 service charge = \$618
- no returned mail
- sent to Occupant and Royal Management, 201 Snelling Ave N

Mr. Nadimi:

- he put down 50 lbs of salt before he left on Feb 18, 2013
- here the water splashes onto the sidewalk from cars that are driving on the street
- others put garbage in the alley and then leave

Inspector Joel Essling:

- it was compacted snow and ice
- not only these Orders issues; overflowing dumpsters; abandoned vehicles; so, there may be additional assessments coming
- knows that Mr. Nadimi had emergency family matter
- he warned Mr. Nadimi last year about that dumpster and the other same issues, including abandoned vehicles

Ms. Klaus:

- everyone who lives in the complex helps clean up the yard
- when she was shoveling, she got splashed repeatedly; she was freezing cold

Ms. Moermond:

- whether in or out of town, the property must be taken care of
- owner of 469 Herschel is Leonard Murray, Woodbridge Ave, 55105 - needs to send him the bill and also the photos

M. Nadimi:

- has receipts for the garbage; suggests that 469 Herschel also get Notices

Ms. Moermond:

- will recommend this assessment be approved

Referred to the City Council due back on 6/5/2013

44 [RLH TA 13-283](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1308, Assessment No. 138811 at 1671 WILSON AVENUE.

Sponsors: Bostrom

Delete the assessment per Connie Sandberg. The file was closed and VB fee assessment should have been canceled.

Referred to the City Council due back on 6/5/2013

45 [RLH TA 13-285](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308A, Assessment No. 138515 at 341 ARBOR STREET.

Sponsors: Thune

Approve the assessment

4/17/13---video: the video showed packed ice and snow on the sidewalk and it was not done. Video showed that the City plowed full width, salted and sanded the sidewalk.

RE: 341 Arbor St (single family)

Jody King, owner, and her personal care worker appeared.

Inspector Joel Essling:

*- Snow letter mailed Feb 6, 2013; compliance date Feb 8, 2013
- re-checked Feb 12, 2013; Work Order sent
- work done Feb 13, 2013 for a cost of \$160 + service charge of \$160 = \$320
- no VIDEO because the Gold Card was not returned
- photos appear as though no attempt had been made to shovel*

Ms. King's personal care worker:

*- their dog runs around on the sidewalk messing up their shoveling line; they could not get down through the ice to the sidewalk because her mother was in the hospital; people had been walking over it, compacting it; they did salt
- she doesn't understand why the city is saying they did the work because she, personally, did the work
- she saw them the day they came out; the guy put salt down in one small area in between the 2 houses and then left; we thought they were going to do the work but they didn't; so, later she went out and took care of it
- she will do what needs to be done but if she hasn't the tools to get down to the sidewalk, there's not much else she can do, except salt*

Mr. Essling:

- we can track down the VIDEO; normally, when they just sand, it's an \$80 fee; this is a whole \$160 fee

Ms. King:

- she does what she can; however, she is ill, too, and she can't expect her 85-year

*father, who has chronic heart failure and oxygen to go out there and do it
- it's not my personal care worker's job; she doesn't have to do it; it's not in her job
description*

Ms. Moermond:

*- wants staff to provide the VIDEO
- suggested Appellant call Merrick Home Services to see if they can provide these
chore services*

Referred to the City Council due back on 6/5/2013

46 [RLH TA 13-287](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1308, Assessment No. 138811 at 853 CONWAY STREET.

Sponsors: Lantry

Waive the VB fee until July 10, 2013, and if the work is done, the assessment will be reduced from \$1255 to \$627.50.

RE: 853 Conway St (single family)

Judy Elam, tax owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

*- Vacant Building fee
- opened as a Category 2 VB Dec 30, 2010
- the VB fee has been assessed 3 years in a row (most recent Feb 1, 2013)
- code compliance inspection was ordered Apr 1, 2013
- owner purchased this property Dec 20, 2012 - was approved by Sale Review Officer, Reid Soley
- new property owner came in right up on a VB fee anniversary*

Ms. Elam:

*- Reid Soley is helping her step by step
- is looking for a general contractor
- he said she couldn't pull permits until she had estimates from all the contractors for all the work
- she has a card from someone who worked on a neighbor's house; then, she needs to find an electrician and a plumber*

Ms. Moermond:

- will lay this over to Jul 10, 2013; if the work is done by then, she will reduce the VB fee by half

Referred to the City Council due back on 6/5/2013

47 [RLH TA 13-286](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1307, Assessment No. 138810 at 419 VAN DYKE STREET.

Sponsors: Lantry

Approve the assessment and spread the payments over 5 years.

RE: 419 Van Dyke St (single family)

Kera LeSure, owner, appeared.

Matt Dornfeld, Vacant Buildings:

- Vacant Building annual fee assessed Jan 3, 2013 for a cost of \$1,100 + \$155 service charge = \$1,255
- Category 2 VB opened Nov 20, 2012 by Inspector Dave Nelmark
- no current Code Compliant Inspections or permits on file
- this property was appealed here Dec 4, 2012; at that time, it was given 30 days as a Cat 1 to get the Certificate of Occupancy re-instated; that extension has expired and the property has reverted to a Cat 2 VB

Ms. LeSure:

- her dad is staying there right now; the house is in foreclosure

Ms. Moermond:

- the house is also a Registered Vacant Building, he's living there and that's illegal; he will need to move out of there

Ms. LeSure:

- she and her ex-husband are the listed owners
- they plan to have a short sale; they have an offer
- at this point, she will do whatever she can to keep the city satisfied
- they had a hard time getting the tenant out
- more than half the work had already been taken care of; she has tried hard to work with the inspectors
- she works 65 hours a week and she doesn't have the \$1,255

Ms. Moermond:

- in order to sell the house, Appellant will need to get a code compliance inspection-\$474; then, she will need to get sale review approval
- the 30 day VB fee waiver has expired
- she can recommend that the Council divide the assessment over 5 years
- the VB fee needs to be paid before the city will send out an inspector

Mr. Dornfeld:

- once it shows that this has gone to assessment, Ms. LeSure should be able to order a code compliance inspection
- he will contact Jim Seeger to see why they sent her here and why they hadn't let her apply for the code compliance inspection
- when Ms. LeSure applies for the inspection, she should tell Mr. Seeger that the VB fee has been assessed and she should be able to apply for it

Ms. Moermond:

- City Council Public Hearing May 15, 2013
- she will recommend approval payable over 5 years but it will be dealt with at the time of sale

Referred to the City Council due back on 5/15/2013

- 48** [RLH AR 13-39](#) Ratifying Collection of Vacant Building fees billed July 9 to December 21, 2012. (File No. VB1308, Asmt No. 138811)

Sponsors: Lantry

Referred to the City Council due back on 6/5/2013

- 49** [RLH AR 13-40](#) Ratifying Excessive Use of Inspection services billed August 31 to December 31, 2012. (File No. J1304E, Asmt No. 138304)

Sponsors: Lantry

Referred to the City Council due back on 6/5/2013

- 50 [RLH AR 13-42](#) Ratifying Graffiti Removal services during January 20 to February 7, 2013. (File No. J1307P, Asmt No. 138406)

Sponsors: Lantry

Referred to the City Council due back on 6/5/2013

- 51 **RLH AR 13-43** Ratifying Property Clean Up Services from February 2 to March 1, 2013 (File No. J1308A, Assessment No. 138515)

Sponsors: Lantry

Referred to the City Council due back on 6/5/2013

- 52 [RLH AR 13-44](#) Ratifying Trash Hauling services during February 6 to 27, 2013. (File No. J1308G, Asmt No. 138708)

Sponsors: Lantry

Referred to the City Council due back on 6/5/2013

11:00 a.m. Hearings

Correction Orders

- 53 [RLH CO 13-17](#) Appeal of Richard S. Heller to a Correction Notice at 1223 MARION STREET.

Sponsors: Brendmoen

follow up on water issue.

Laid Over to the Legislative Hearings due back on 4/23/2013

Orders To Vacate, Condemnations and Revocations

- 54 [RLH VO 13-14](#) Appeal of Mary Beth Ross and Lauren Russell to a Fire Certificate of Occupancy Revocation and Order to Vacate at 953 HAGUE AVENUE.

Sponsors: Carter III

Grant until June 1, 20113 for tenant to vacate the property.

RE: 953 Hague Ave (duplex)

Mary Beth Ross, tenant, appeared.

Fire Inspector A. J. Neis:

- Revocation of a Fire Certificate of Occupancy and Order to Vacate dated Apr 1,

2013 by Fire Inspector Michael Efferson

- Inspector Efferson came to Mr. Neis for advice regarding this long-term noncompliance
- because of long-term noncompliance and incomplete work, Mr. Neis advised him to Revoke the Fire C of O and Order the building vacated
- since that letter went out, the owner has contacted Inspector Efferson indicating that the work is now done and he would like the building to be inspected; so, the inspection has been set-up for Apr 31, 2013 at 2 p.m. to verify the completed work
- if the work is completed, he will approve the C of O and the tenant can stay

Ms. Ross:

- Doug Coppess is the owner and lives on Iglehart
- Mr. Coppess has a tendency to procrastinate; he's been give plenty of time to get the railing on the front of the house, scrape and paint and he hasn't done it; apparently, Mr. Efferson has given him a lot of time on that
- she called for an inspection because there was a plumbing issue: the plumbing to the attic was not capped off; when you'd turn on the valve in the basement, it caused a leak; Mr. Efferson Ordered Mr. Coppess to repair the bedroom ceiling; he did that but there was some other work that needed to be done: a valve on gas line to the dryer and the kitchen ceiling had water damage and needed to be repaired
- Mr. Coppess did comply with first floor smoke detector
- she understood that Mr. Coppess was going through foreclosure and she doesn't know whether or not he cares about this house
- her lease is up in Jun; it had already gone to sheriff's sale (Apr 9, 2013)
- they are ready to vacate at the end of their lease Jun 1, 2013
- because Mr. Coppess is so remiss in getting things done and they don't know if the work will be found compliant, they will be ordered to vacate immediately if it's not in compliance, which gives her and her daughter no time to do so; all of their possessions will be left in the house and they will have no where to go; and they may have criminal charges filed against them for being on the property
- she is looking for more time
- Mr. Coppess has done the work and he told her that he would try to get a re-inspection sooner than the 31st; he has reassured them that this will be taken care of
- she is on disability and won't receive a disability check to move on until May 3, 2013

Ms. Moermond:

- this will be scheduled for City Council on May 15 instead of May 1 (she wants to give Ms. Ross until Jun 1, 2013, and by May 15, Ms. Ross should have a good idea if she has an apartment set-up for Jun1 or not; if she doesn't and needs another week or two, she can look at that before the Council votes)
- Mr. Coppess may also be in compliance at that point; there is very little to do (sign a piece of paper; repair some minor issues)

Referred to the City Council due back on 5/15/2013

55 [RLH VO 13-15](#)

Appeal of Roblin Investment LLC to a Fire Certificate of Occupancy Revocation and Order to Vacate at 748 TATUM STREET.

Sponsors: Stark

Grant an extension to April 26, 2013 for tenant(s) in Unit 12 to vacate; the vacate date for everyone else will be May 10, 2013 if the work isn't done.

RE: 748 Tatum St (12-Unit Building)

Bruce Singer, Roblin Investment LLC, appeared.

Ms. Flygare, Southern Minnesota Regional Legal Services, appeared on behalf of her client in Unit 12

Fire Inspector A. J. Neis:

- has been going on for a long time; they had complaints in Mar 2012 for leaks in the ceiling and the inspector had issued Orders to repair the roof, takes care of the leaks, etc.
- the Orders were complied with; however, it seems that the problem was merely banded and gave the illusion that the problem had been resolved
- in Sep 2012, they received another complaint about the roof leaking; worse damage than before; inspector went out and Ordered the ceiling be repaired and it was, so, the complaint was closed
- another complaint was received about water leaking (he got a phone call from the Fire Dept requesting him to go to the property because water was leaking so substantially that the ceiling may collapse through the building)
- he responded to the building and went into the affected units; there was water damage and active water leaking in the units; large buckets were collecting water; he pushed a small hole into the sheetrock with his flashlight to release some of the pressure and to see how dangerous the problem was; perhaps, the structure needed to be vacated; he also accessed the roof and noted that they never took care of any of the problems for quite some time- they simply strung tarps across this large commercial roof; and they installed a sump pump up there to alleviate the water issues
- Inspector Martin issued Orders to make the repairs and they still have not been completed; the excuse was the weather; a permit has finally been pulled
- because of the noncompliance and long-term issues, Mr. Neis instructed Ms. Martin to Revoke the Fire Certificate of Occupancy and Order the building vacated
- after that, the tenants contacted SMRLS and an ETRA has been filed for the landlords failure to comply with the Orders

Mr. Singer:

- he is looking for about 10 -14 days to replace the roof; because the weather has been so cold and wet, they have been unable to proceed
- \$10,000 worth of materials have been purchased and they are on the roof, ready to go; also have a dumpster; it's a \$20,000 project
- other items: fire extinguishers have been checked and replaced; the heating test is completed; he has receipts; a piece of plate glass has been ordered and paid for; the dryer vents have been replaced
- earlier, they patched the roof with asphalt every time it leaked and fixed the ceiling (they knew that the roof needed to be replaced but you can't put on a new roof in the middle of winter or when it's wet)

Ms. Moermond:

- Apr 15, 2013 was the deadline for the Orders

Mr. Neis:

- in addition to replacing the plate glass when it arrives, the dryer venting was done incorrectly - the inspector indicated that a licensed contractor needed to replace the dryer venting under permit; there is no permit on file so, that is not in compliance (Mr. Singer: he hired a licensed contractor to do it but he must have not pulled a permit - Ms. Moermond: I have to have a mechanical contractor say that it's been done correctly)

Ms. Flygare:

- she is representing the tenant in Unit 12; tenant did not file a separate appeal
- they filed an ETRA and have an order signed by a Judge; Mr. Singer was present at

that ETRA appointment last Fri, Apr 12, 2013

- no one else in the building has contacted SMRLS
- there is an Order in place for the tenant in Unit 12 to be housed, should she need to move during the repair; however, no court order is in place for the rest of the tenants
- Mr. Singer said that the ceiling will be fixed after the roof has been replaced
- gave Ms. Moermond a copy of the ETRA to be scanned and attached to the file
- a compliance hearing has been set for 10 a.m., Apr 26, 2013 with Referee Janish
- tenant wants her family to be safe and she doesn't want to stir up any trouble

Mr. Singer:

- 1 unit on the 3rd floor is vacant; Unit 9 has a small leak; one unit is not leaking; and Unit 12 has most of the leaks

Mr. Neis:

- doesn't understand why this hasn't been resolved a year ago; the bandaids were appeasing the inspection staff, apparently (they normally don't go onto a roof but Mr. Neis did go onto the roof after the Fire Dept had called him) Mr. Singer: the problem wasn't that big at that time; they patched when necessary and tried to keep the problem in check until spring when they could replace the roof
- Chapter 34.09 - Exterior Structure
- "... shall be maintained with a professional state of maintenance and repair. Section E indicates the roof shall be tight and kept in a professional state of maintenance and repair, impervious to water and have no defects to allow water or dampness into the interior of the building. No roof shall be used for storing any materials or objects unless approved by the enforcement officer."
- you can't store anything on a roof; exceptions to that may include getting a permit for an antenna, etc. for commercial buildings
- since the roof has been leaking for such a long time, he has concerns about making sure the repairs are made an inspected along the way; there may be mold issues - everything needs to be inspected (Mr. Singer: the permit calls for an inspection after tear-off; he is putting in new insulation and new underlayment, new rubber and new metal)
- complaint on Mar 1, 2013; Orders Mar 5, 2013 - not to replace the roof but to repair and maintain the ceilings from water damage in Units 9, 10, 12
- the lower units are not affected by leaks

Ms. Moermond:

- the compliance date is Apr 26, 2013
- she will leave it to Mr. Neis' discretion to vacate one or all units, if necessary
- the vacate date for Unit 12 will be Apr 26; the vacate date for everyone else will be May 10, 2013 if the work isn't done
- City Council Public Hearing May 1, 2013

MOERMOND ON 4/22/13

-the buiding was condemned with an emergency vacate on 4/18/13, records are attached. Therefore, this appeal is really moot.

Referred to the City Council due back on 5/1/2013

11:30 a.m. Hearings

- 56 [RLH VO 13-17](#) Appeal of Mike Dahlin to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1871 LINCOLN AVENUE.

Sponsors: Tolbert

LO for one week to follow up on inspection.

RE: 1871 Lincoln Ave (single family)

Mike Dahlin, tenant, appeared.

Ms. Moermond:

- we set this up for immediate hearing

Mr. Dahlin:

- has lived there for 2 years

- Freddie Mac owns the property, now

Fire Inspector A. J. Neis:

- Revocation of the Fire Certificate of Occupancy with an Order to Vacate by Fire Inspector Jay Bohan

- after several attempts made to access this building for a routine Fire C of O inspection, Inspector Bohan came to Mr. Neis for advice

- inspector had not received notice from owner, Barkley Sive

- Mr. Neis was able to contact Mr. Sive, who said that the building went into foreclosure and he was letting the bank take ownership

- Mr. Sive indicated that he has no intentions to have anything to do with the property

- because of that, the city has no Responsible Party to contact

- Mr. Neis advised Mr. Sive that he is still the "owner of record" and he is responsible for the property

- Mr. Sive lives in North Carolina; he was very cooperative and gave contact information for the tenants

- Mr. Neis spoke with Mr. Dahlin, who was also very cooperative; he said that he has no problem letting the inspector in to make sure that there are no immediate life safety hazards or concerns; he just hasn't been notified because all the city materials are sent to the owner

- at this time, Mr. Dahlin is legally squatting until the bank takes over and he is willing to make any repairs, as needed, in order to stay as long as he can

- Mr. Neis advised Mr. Dahlin to appeal the Orders if he wished to stay longer than the vacate date

Mr. Dahlin:

- the redemption period is over

- he has the realtor's name and phone number

- they are planning on vacating - just need more time (Jun 1, 2013?); they will not be ready in 2 days

- he bought carbon monoxide detectors

Mr. Neis:

- the inspector is scheduled with Mr. Dahlin at 1 p.m., Thu, Apr 18, 2013

Ms. Moermond:

- currently, the building status is Revoked - Occupied

- unless an emergency Condemnation is necessary, she can handle any vacate date at the next hearing

- will lay this over for 1 week until Tue, Apr 23, 2013 LH to see the results of the

inspection; at that time, she will decide on a vacate date that will work for Mr. Dahlin

- can handle it over the phone unless the findings warrant Mr. Dahlin's appearance at the LH

Laid Over to the Legislative Hearings due back on 4/23/2013

- 57 [RLH VO 13-19](#) Appeal of Jennifer Jahangiri, St. Paul Tobacco Room, to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 152 UNIVERSITY AVENUE WEST.

Sponsors: Carter III

4/18/13: Ms. Vang asked Ms. Moermond for clarification on recommendation. Ms. Moermond stated the following recommendation:

- 1) Deny the appeal of the condemnation and order to vacate of the 2nd floor.
- 2) Deny the appeal of the condemnation and order to vacate of the 1st floor, and allow continued occupation of the 1st floor until July 16, 2013. Continued occupation to this date is conditioned on: a) immediately switching the swing of the door on the rear of the building, so that it opens in the direction of travel; b) the installation of protective scaffolding across the front of the building at a depth of 6 feet and a width to exceed the building width by 3 feet on each side. The scaffolding should include protective netting, such as snow fencing, to protect users of the right of way from any possible rebound of bricks not addressed by the presence of scaffolding. The scaffolding will likely require a building permit and right of way use permit; and c) this circumstance will be reviewed in Legislative Hearing on July 9, 2013 to determine if these conditions are being, the scaffolding is operating successfully and building and roof repairs are underway.

RE: 152 University Ave W (Commercial/Apartment-B-Commercial)

Justin Jahangiri, St. Paul Tobacco Room, appeared.

Omar Jamahl, business consultant, appeared.

Fire Inspector A. J. Neis:

- this is a Condemnation by himself
- Apr 6 or 7, 2013, he received a complaint in reference to a parapet and the building being in general deterioration
- parapet wall - possibly falling off the building
- Apr 8, 2013 - he inspected the property with Fire Supervisor Leanna Shaff
- it was hard to get a good assessment of the parapet, so they called the Fire Dept and they sent over a ladder truck from which they were elevated onto the roof; the parapet was very, very soft and spongy; the parapet is severely damaged - the loose bricks break and fall onto the street and sidewalk
- when he went to take a photo of the parapet, the top bricks that hold the smaller bricks together actually started to slide off the building; one of the fire fighters with them grabbed it and held it back (probably 80 lbs)
- substantial work needs to be done to that parapet
- he immediately contacted the owner to meet out at the property; they met at 1 p.m.
- took photos and gave the owner a copy of the Condemnation Orders advising that he was condemning the building
- the building is currently vacant; it's a mixed occupancy with a couple of residential units on the 2nd floor that have been vacant for 5 years; the main floor occupies Capital Tobacco, a hookah lounge
- the reason for the Condemnation in addition to the parapet being unsafe, is that their 2nd exit is directly underneath where the parapet is falling
- right now, this property is wrapped up in eminent domain issues
- there's not adequate exits for the hookah lounge because the north exit is affected adversely by the damaged parapet; the south exit that they could use doesn't have the proper door swing; it swings inward and should swing outward
- because of the dangerous parapet situation and the improper swing of the door, they don't want people walking up to the building

- he took tape and cordoned off the sidewalk so people aren't able to walk in front of the building; workers on light rail have been advised to walk around and into the street in front of the building; he also advised that the business be shut down, effective immediately

- has photos and shared them with Ms. Moermond

Mr. Jahangiri and Mr. Jamahl:

- Mr. Jahangiri wasn't aware of what was going on top of the roof; he looked for external things along the sides

- from Mr. Neis' photos, he sees what he is talking about on the roof

- also has photos and a folder of documents that Ms. Moermond will scan and add to the record

- some photos of other older deteriorating buildings along University Ave and their businesses remain open; those bricks can fall on someone, as well

- they went through a lot to get their license and were also approved, initially, by the Fire Dept

- they provide off duty officers for security

- they use the south door for everything; it exits to the Capitol Parking lot; no one has walked through the front door on University

- out of curiosity, they called Councilmember Carter who explained this city process; had they known, they would have taken care of things

- they have asked some professionals to evaluate the roof and to see what can be done

- initially, they talked to inspections twice and asked if there was immediate danger; had they known about this, they would not have opened the business in the first place

- now, the business is shut down and customers have gone back to Mpls

- is asking that the business could remain open and they would work in cooperation with Mr. Neis

- they talked with the owner and noted that they should fix this

Ms. Moermond:

- the south exit door should have been called at the previous inspection

- she sees many appeals on University Ave and has seen several brick buildings in the past couple of years; almost all of these brick buildings have a brick fascia

- could scaffolding be erected the width of the building plus a yard on each end with thick 2 x 8s laid over the scaffolding that would protect the pedestrian (the whole front of the building is compromised); that's what they use when installing windows in high rises, for example, in Landmark Tower, when they pull them out by crane

- make sure permits are pulled; DSI has allowed that in the past and should be sufficient

Mr. Neis:

- no one can determine exactly how and where the bricks would fall; theoretically, the bricks would fall individually, directly in front of the building onto the sidewalk

Mr. Jamahl:

- there's a lot of uncertainties; they are willing to find a way to make life livable and to minimize the danger in cooperation with Mr. Neis; peoples' lives are at stake here; all they ask is to get this done as soon as possible so that they can regain some of their customers and be able to open as soon as possible

- they asked a lot of questions, initially, to prevent something like this from happening; everyone said, "It's good to go; don't call us; don't ask another question; go and do your business."

- all of a sudden, we have this

Mr. Jahangiri:

- professionals are already evaluating it and trying to get it fixed
- he can change the swing of the door today

Ms. Moermond:

- she would like to consult with the city's structural engineer to find out what he would consider adequate for the fall zone
- when she dealt with Rock of Ages Church, 3 stories high, it also had a brick fascia; in that case, the brick fascia was separating from the building and the right-of-way was roped off

(RECESS was taken until 2:15 p.m. to allow for an appointment and for Ms. Moermond to get more technical information before she makes a recommendation)

Mr. Jahangiri:

- has already contacted someone about scaffolding and they can have it out tomorrow

Ms. Moermond:

- made color copies of photos Mr. Jahangiri may need to hire a contractor

Fire Inspector Leanna Shaff:

- asked Ms. Moermond if she discussed the deflection on that flat roof with Mr. Neis at this morning's hearing (Ms. Moermond: "No.")
- one of the things she noticed while she was up in the bucket was that when the firefighters walked across the flat roof, there was a lot of deflection; the rubber membrane on top is so dried out it looks like an alligator; she is sure that the substructure underneath is also not in very good shape
- the 2nd floor is unoccupied
- thinks the rear entrance is also compromised by the failing parapet, (Ms. Moermond: that is not what Inspector Neis said this morning; he said that the problem with the rear door was the inward swing of the door)
- the parapet wall is definitely missing mortar and the chimney is in very poor condition

Mr. Jahangiri:

- we are working with the owners; all are well aware of what's going on; they are contacting professional contractors who will be able to fix the roof

Ms. Moermond:

- there's no question that the 2nd floor is Condemned
- she will condition the use of the 1st floor and put on a timeline
- condition: scaffolding needs to be installed the full width of the building plus 3 feet on either side; go out 6 feet from the building; put large planks on the scaffolding to protect pedestrians from falling bricks, and install snow fencing on top of the scaffolding to prevent falling bricks from dropping and scattering (she provided a diagram)
- a permit will be required for the scaffolding; a permit will also be needed for using the right-of-way - call Public Works to work with them on that
- will recommend an extension of 90 days if scaffolding is installed; she will ask the inspector to check this often
- at the end of 90 days, she will have the City Council send it back to LH to be re-assessed on Aug 6, 2013 (she is hoping that at that time a building permit will have been pulled and the roof repairs underway; if that's not happening, they will need to talk about closing down the business/building)
- upon the sign-off on the permit for scaffolding, the business can be opened and the

*Appellant will have 90 days to replace the roof
- a letter will be sent confirming things discussed at this hearing
- photos and documents will be attached to the record*

Referred to the City Council due back on 5/1/2013

1:30 p.m. Hearings (NONE)

2:30 p.m. Hearings

Vacant Building Registrations

58 [RLH VBR 13-15](#) Appeal of Louis W. Frillman to a Vacant Building Registration Notice at 461 HOLLY AVENUE, UNIT 4.

Sponsors: Carter III

Waive the VB fee for 90 days. If sign-offs on the permits LHO will delete the VB fee.

RE: 461 Holly Ave, Unit 4 (Condominium)

Louis W. Frillman, Frillman Family Properties C/O GVA Marquette Advisors, owner, appeared.

Fire Inspector Leanna Shaff:

*- Fire Certificate of Occupancy inspection
- last time heard at LH was in Sep 2012; at that point, they had been dealing with it close to 2 years - about this 3rd floor unit requiring a 2nd exit and not being completed; at the end of that hearing, the property owner was given until Dec 1, 2012 to complete that 2nd exit; if completed by then, they had until Jan 1, 2013 to vacate; the Unit was vacated
- this Order first appeared on a letter dated Mar 28, 2011
- the staircase still has not been built, so Unit 4 was sent to the Vacant Building Program*

Inspector Rich Singerhouse, Vacant Buildings:

*- Mar 18, 2013, VB received a referral
- Mar 19, 2013, Inspector Dornfeld went over and opened a Category 2 VB on Unit 4 on the 3rd floor*

Mr. Frillman:

*- is looking for relief from the VB fee
- provided a photo which showed that the staircase erection is underway
- as a matter of record, he does not think that this is 2 years in the making; Jun 2011 was the first visit by Inspector Mitch Imbertson and during the course of the next 12-14 months, he spent a lot of money remedying a lot of things on the list (\$40,000); so, it seems to him that to fine him in addition to the fact that he's out \$12,000 as a result of vacating that Unit on top of the \$40,000 is just not reasonable
- the first letter he has from Inspector Imbertson scheduling the inspection was either in May or Jun 2011
- doesn't know what happened with the spiral staircase; he paid the manufacturer in Philadelphia half of the cost in Dec 2012; paid the other half in late Jan 2013 but it simply wasn't delivered until May 2013; and, now, he needs a steel company from Mpls to come out*

Ms. Moermond:

- *it's been a long time; we're at the tail end of it*
- *is willing to look at a 2-3 month waiver to let things take care of themselves*
- *will recommend a 90-day waiver of the VB fee; if sign-offs on the permits are in place by then, she will waive the VB fee*

Referred to the City Council due back on 5/1/2013