



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
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651-266-8585

Tuesday, December 19, 2017

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 17-563](#) Ratifying the Appealed Special Tax Assessment for property at 908 ARCADE STREET. (File No. J1804E, Assessment No. 188303)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 2/7/2018 @ 3:30 p.m.

- 2 [RLH TA 17-569](#) Ratifying the Appealed Special Tax Assessment for property at 113 ATWATER STREET. (File No. J1804A, Assessment No. 188503)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 1/17/2018 @ 5:30 p.m.

- 3 [RLH TA 17-570](#) Deleting the Appealed Special Tax Assessment for property at 1618 BEECH STREET. (File No. VB1802, Assessment No. 188801)

Sponsors: Prince

Delete VB fee; it should not have gone to assessment as the file was closed on August 7, 2017.

Referred to the City Council due back on 1/17/2018 @ 5:30 p.m.

- 4 [RLH TA 17-538](#) Ratifying the Appealed Special Tax Assessment for property at 662 BURR STREET (File No. J1804A, Assessment No. 188503)

Sponsors: Brendmoen

Josh Limberg, property manager, appeared.

Supervisor Paula Seeley:

Cost: \$288.00
Service Charge: \$162.00
Total Assessment: \$450.00
Gold Card Returned by: DANA MARKHASIN
Type of Order/Fee: SUMMARY ABATEMENT
Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY
Date of Orders: 8-30-17
Compliance Date: 9-5-17
Re-Check Date: 9-7-17
Date Work Done: 9-8-17
Work Order #: 17-077510
Returned Mail?: NO
Comments:
History of Orders on Property: 5-12-17,10-3-17,10-30-17 ORDERS ON REFUSE

VIDEO - crew picked up overflowing trash on blvd

Mr. Limberg: Ms. Markhasin is getting a lot of notices, work orders; they actually do a good job of looking at their own properties & take care of them; the neighbors all around are using their trash containers; it's not our people; we have 3 cans there for a duplex; it really doesn't need that many but we have them there because it's cheaper to pay the trash company than it is to pay the city; there's a lot of dumping; the owner gave me a picture of a truck full of stuff that she's picked up recently; there are 2 multi-family houses on both sides & there's a bus stop there, too; I've tried to call the owners to the north but can't get a hold of anyone; we've left messages, notes, etc; no one seems to care

Ms. Moermond: Ms. Seeley, have you made sure that the adjacent properties have trash service?

Ms. Seeley: Yeah

Ms. Moermond: I'll recommend decreasing this to \$100; the owner was given more than adequate notice to go look at this & it was still a problem; although not a significant problem, the letters did get sent & you had a chance to fix it but didn't; I would anticipate that a letter is going to go out with a charge for Excessive Consumption of code enforcement services; I just gave you a present

Ms. Seeley: suggested that they put the containers out only on trash pick-up day; they aren't supposed to be out there every day

Ms. Moermond:

Reduce from \$450 to \$100.

Referred to the City Council due back on 1/17/2018 @ 5:30

5 [RLH TA 17-574](#) Ratifying the Appealed Special Tax Assessment for property at 1027 CASE AVENUE. (File No. J1803C, Assessment No. 182002)

Sponsors: Bostrom

No one appeared.

Appellant has asked to spread over number of years. Ms. Moermond will recommend

that it be ratified and spread over 10 years.

Referred to the City Council due back on 2/7/2018 @ 3:30 p.m.

- 6** [RLH TA 17-564](#) Deleting the Appealed Special Tax Assessment for Property at 996 FRONT AVENUE. (File No. VB1804, Assessment No. 188803)

Sponsors: Thao

Delete; 2 months into the VB program fee cycle.

Referred to the City Council due back on 2/7/2018 @ 3:30

- 7** **RLH TA 17-584** Ratifying the Appealed Special Tax Assessment for property at 171 GRANITE STREET. (File No. VB1804, Assessment No. 188803)

Sponsors: Brendmoen

Richard D. Berget, owner, and Daniel Vinkemeier, tenant, appeared.

Supervisor Joe Yannarely, Vacant Buildings:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Richard Berget

Type of Order/Fee: VB fee

Nuisance: unpaid VB fee

Work Order #: 17-030393, Inv # 1302620

Returned Mail?: No

Comments: CATEGORY 2 VB OPENED ON 04-19-17 REFERRED BY FIRE ON A CONDEMNATION AND ORDER TO VACATE ON 4/6/17;

-there's a valid Code Compliance Inspection

-2 ACTIVE BUILDING PERMITS

Ms. Moermond: was there a 90-day waiver received back in Apr?

Mr. Yannarely: 90-day waiver granted Jun 6, 2017

Mr. Berget: we thought that we were in compliance with everything that you want now; I had a Certificate of Occupancy mailed to me; I didn't realize there was a problem until I received this letter here

Ms. Moermond: the C of O has been Revoked; that's one of the reasons that we're sitting here today

Mr. Berget: this was mailed to me after they did the inspection

Ms. Moermond: can I see that? (Mr. Berget handed her a letter); this is not dated; the reference # ____; to Mai, do you want to pull this up? Right now, you are in the Vacant Building Program; we talked about that this last spring

Mr. Berget: they were out & inspected & everything; I really thought I was in compliance

Ms. Moermond: no; I don't think so, especially without the bldg permit having been

finalled;

Ms. Shaff: it was Condemned on 4-18-17 by Inspector Neis

Ms. Moermond: you're not in compliance because the building was Condemned in Apr & I don't know when you were mailed that; it's confusing; it appears to have been mailed in error

-you got your code compliance inspection; pulled permits to bring it into compliance, which you've started

Mr. Berget: to my knowledge, they went thru the house & inspected; there was no problems with it

Ms. Moermond: it's quite a long code compliance list; who was that mailed to?

Mr. Berget: it was mailed Jul 7 to me

Ms. Moermond: did you get that report?

Mr. Berget: I got this Certificate of Occupancy mailed to me so I thought I was in compliance; can you see where it's confusing?

Ms. Moermond: no; you are in the VB Program; you've received letters to that effect

Mr. Berget: I received this letter here

Ms. Moermond: you say you didn't get the code compliance letter; we talked in Apr; we talked about what was required; you will have to bring the bldg into compliance

Mr. Berget: OK; OK

Ms. Moermond: I don't know what the deal is with this C of O; the bldg was Condemned in Apr & nothing happened to correct the violations as far as I know; an inspection occurred that generated that list of items that needed to be corrected in order for it to come into compliance; you & I discussed this pretty thoroughly when you appealed the VB Registration & about what the expectations were & I know this is all covered in the letters that you would have received

-now that we know that you bldg shouldn't & doesn't have a C of O..... this is confusing to me, too; but that is a Revoked Certificate; the bldg is Condemned; so, what's your plan for doing these corrections?

Mr. Berget: give me a list & I'll

Ms. Moermond: well, there's the list that was mailed in Jul; you spent over \$500 to get that list

Mr. Berget: can I get that list, please?

Ms. Moermond: it was mailed to you & here it is now also

Mr. Berget: so was this mailed to me; OK? so, how much time do I have to do this here now?

Ms. Moermond: you have as much time as you want; it just can't be lived in until it's

done & you're going to have a VB fee while that happens

Mr. Berget: OK; I did not get this Code Compliance Inspection list

Ms. Moermond: I don't know why you didn't get it; it was mailed back in Jul; you spent a lot of money to get it generated

Mr. Berget: I know & then I got this Certificate of Occupancy; it don't make sense

Ms. Moermond: never in all of my years sitting in this chair have I heard of this happening; so, I'm not sure what to say to it; you have as much time as you want to get the corrections made understanding that the bldg cannot be occupied until those corrections are made; at some point, the city may decide that it wants to pursue additional action against the property & that could happen if the work doesn't get done

Mr. Yannarely: the anniversary date is Apr 19

Ms. Moermond: and we are 8 months into the year; I can't cut that VB fee in half anymore; get the work done before Apr 19, 2018 & you won't have the next VB fee; will recommend approval of this assessment divided over 5 years

Approve and spread over 5 years.

Referred to the City Council due back on 2/7/2018

8 [RLH TA 17-583](#)

Ratifying the Appealed Special Tax Assessment for property at 735 HOLTON STREET/1435 MINNEHAHA AVENUE WEST. (File No. CRT1804, Assessment No. 188203)

Sponsors: Stark

Jennifer L. Pradt, owner, appeared.

Fire Supervisor Leanna Shaff:

Cost: \$605

Service Charge: \$157

Total Assessment: \$762

Gold Card Returned by: Jennifer Pradt

Type of Order/Fee: Fire C of O fee

Nuisance: unpaid Fire C of O fee on a duplex

Date of Orders: Appt Ltr 02/08/17; Deficiency Letters: 3/8/17, 4/10/17, 4/24/17, 5/11/17, 6/12/17, 7/21/17

Compliance Date: Billings: 7/25/17 and 8/24/17

Work Order #: 16-025967, Inv # 1320889

Returned Mail?: No

Comments: Billings sent to Jennifer Pradt, 1676 Englewood Ave, St Paul MN 55104

History of Orders on Property:

Ms. Pradt: I did contact Mike Cassidy right away when I got this; I'm appealing the \$120 from Jul 20 because at the inspection, he said, "Just send me pictures;" & what I needed was a deadbolt; which I already had but he wanted a different deadbolt; I emailed the pictures on Fri Jul 21; so, I don't understand why I was charged for that; these were minor things; I just don't want to be taken advantage of; I did all of these things & more to that property

-and I tried repeatedly to pay this online & made numerous phone call & I wasn't

getting calls back; I was overwhelmed by the fees

*Ms. Moermond: I trust that you've been trying to pay this
-I will delete the service charge off the top & cut the Jul re-insp fee in half
-will get you down to \$388*

Reduce from \$762 to \$388.

Referred to the City Council due back on 2/7/2018

- 9** [RLH TA 17-556](#) Ratifying the Appealed Special Tax Assessment for Property at 1679 HYACINTH AVENUE EAST. (File No. J1804A, Assessment No. 188503) (Public hearing to be continued to October 3, 2018)

Sponsors: Bostrom

Jared Wenisch, owner, appeared.

Supervisor Paula Seeley:

Cost: \$316.00

Service Charge: \$162.00

Total Assessment: \$478.00

Gold Card Returned by: Jared Wenisch

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior of property (remove 2 sofas in front of garage near alley)

Date of Orders: August 23, 2017

Compliance Date: August 30, 2017

Re-Check Date: August 30, 2017

Date Work Done: September 1, 2017

Work Order #: 17-075326

Returned Mail?: NO

Comments:

History of Orders on Property: None

Mr. Wenisch: under code 45, it doesn't qualify as a nuisance; I put them out there for my brother-in-law to pick up & take to his cabin; I put plastic on them to keep them out of the elements; if I would have seen the letter, I would gotten rid of them right away; but I don't think it's a nuisance; when the couches were gone, I called my brother-in-law who said that he didn't pick them up

Ms. Moermond: it is a nuisance according to the exterior maintenance code; interior furniture is not allowed as exterior storage & you could have appealed the letter

VIDEO - crew removed 2 sofas from the front of the garage

Ms. Moermond: you were sent a letter that you found later; the city did the work

No same or similar violations by 10/3/18, will delete assessment.

Referred to the City Council due back on 1/17/2018 (Public hearing to be continued to October 17, 2018)

- 10** [RLH TA 17-580](#) Ratifying the Appealed Special Tax Assessment for property at 1803 IVY AVENUE EAST. (File No. VB1804, Assessment No. 188803)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 2/7/2018 @ 3:30

- 11 [RLH TA 17-573](#) Ratifying the Appealed Special Tax Assessment for property at 985 JENKS AVENUE. (File No. CRT1804, Assessment No. 188203)

Sponsors: Bostrom

John Yang, owner, appeared.

Fire Supervisor Leanna Shaff:

Cost: \$ 202

Service Charge: \$ 157

Total Assessment: \$ 359

Gold Card Returned by: PO, John Yang

Type of Order/Fee: C of O, SFD

Nuisance: Unpaid C of O fees

Date of Orders: Appointment letters: 10/25, 11/09, 4/19, 5/11, and 6/2/2017. Correction orders: 7/7/2017

Compliance Date: 7/31/2017

Billing Dates: 8/2 & 9/1/2017

Returned Mail?: No

Comments: All mail sent to PO: John Yang 5330 62nd Ave N Brooklyn Center MN 55429-2362

History of Orders on Property: Note: one \$74.00 no entry fee removed from assessment because we cannot assess no entry fees.

Mr. Yang: I'm not appealing the assessment; just wanted to explain that it was initially his parents' property; now, it is under my name; I asked my parents to pay for the fee but they didn't; I tried to pay for it later but it had already gone to assessment; I'm asking for a late payment waiver, that's all

Ms. Moermond: I'm not going to do that; the bill that was originally sent to you had 2 charges on it: 1) for the C of O inspection itself and the other is for 2) a \$72 no entry penalty (an inspector went out there for an appointment & no one showed up to meet the inspector) so, they charged you for that trip; if this goes to assessment, the \$72 cannot be attached to it because under state law, no service was provided; however, they are adding on an administrative fee of \$157 for processing it as an assessment; so, essentially, you're paying about half of the service charge -will recommend approval divided over 3 years

Approve & spread over 3 years.

Referred to the City Council due back on 2/7/2018 @ 3:30

- 12 [RLH TA 17-575](#) Ratifying the Appealed Special Tax Assessment for property at 662 LAWSON AVENUE EAST. (File No. J1804A, Assessment No. 188503)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/17/2018 @ 5:30

- 13 [RLH TA 17-551](#) Ratifying the Appealed Special Tax Assessment for property at 258 MARIA AVENUE. (File No. VB1803, Assessment No. 188802)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 1/17/2018 @ 5:30

- 14 **RLH TA 17-566** Ratifying the Appealed Special Tax Assessment for property at 1683 MARYLAND AVENUE EAST. (File No. J1803A1, Assessment No. 188504)

Sponsors: Bostrom

12/19/17: Approve; no show.

1/12/18: Owner called to reschedule.

Laid Over to the Legislative Hearings due back on 1/23/2018

- 15 [RLH TA 17-571](#) Ratifying the Appealed Special Tax Assessment for property at 1779 MONTREAL AVENUE. (File No. VB1804, Assessment No. 188803)

Sponsors: Tolbert

Approve; no show.

Referred to the City Council due back on 2/7/2018 @ 3:30

- 16 [RLH TA 17-579](#) Ratifying the Appealed Special Tax Assessment for property at 1113 PLEASANT AVENUE. (File No. VB1803, Assessment No. 188802)

Sponsors: Noecker

Approve; no show.

Referred to the City Council due back on 1/17/2018 @ 5:30

- 17 [RLH TA 17-578](#) Ratifying the Appealed Special Tax Assessment for property at 899 TUSCARORA AVENUE, (File No. VB1804, Assessment No. 188803)

Sponsors: Noecker

Approve; no show.

Referred to the City Council due back on 2/7/2018 @ 3:30

- 18 [RLH TA 17-568](#) Deleting the Appealed Special Tax Assessment for property at 1679-1681 UNIVERSITY AVENUE WEST. (File No. J1802P, Assessment No. 188401)

Sponsors: Stark

Delete; waiver on file.

Referred to the City Council due back on 1/17/2018

- 19 [RLH TA 17-582](#) Ratifying the Appealed Special Tax Assessment for property at 572 VAN BUREN AVENUE. (File No. VB1804, Assessment No. 188803)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 2/7/2018 @ 3:30

- 20 [RLH TA 17-576](#) Deleting the Appealed Special Tax Assessment for property at 647 YORK AVENUE. (File No. J1802P, Assessment No. 188401)

Sponsors: Bostrom

Delete; waiver on file.

Referred to the City Council due back on 1/17/2018 @ 5:30

Assessment Rolls

- 21 [RLH AR 17-106](#) Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during July 11 to August 11, 2017. (File No. CRT1804, Assessment No. 188203)

Sponsors: Stark

Referred to the City Council due back on 2/7/2018

- 22 [RLH AR 17-107](#) Ratifying the assessments for Property Clean Up during August 2017 at 1683 MARYLAND AVENUE EAST. (File No. J1803A1, Assessment No. 188504)

Sponsors: Stark

Approve; no show.

Referred to the City Council due back on 2/7/2018

- 23 **RLH AR 17-108** Ratifying the assessments for Excessive Use of Inspections or Abatement services billed during July 23 to August 18, 2017. (File No. J1804E, Assessment No. 188303)

Sponsors: Stark

Referred to the City Council due back on 2/7/2018

- 24 [RLH AR 17-109](#) Ratifying the assessments for Collection of Vacant Building Registration Fees billed during March 2 to August 23, 2017. (File No. VB1804, Assessment No. 188803)

Sponsors: Stark

Referred to the City Council due back on 2/7/2018

- 25 [RLH AR 17-110](#) Ratifying the assessments for Demolition service during August 2017 at 1027 CASE AVENUE. (File No. J1803C, Assessment No. 182002)

Sponsors: Stark

Referred to the City Council due back on 2/7/2018

11:00 a.m. Hearings

Summary Abatement Orders

- 26 [RLH SAO 17-103](#) Appeal of Shawn R. Huffman to a Summary Abatement Order at 642 IGLEHART AVENUE.

Sponsors: Thao

No one appeared.

Inspector Sean Westenhofer: I spoke with the owner & I don't have a problem granting an extension

Ms. Moermond: the current deadline you had in place was Dec 7, 2017 & you found that it was operable; did you talk to him about an extension & what would be workable for them?

Mr. Westenhofer: yes; he said that they would be done in 30 days; I told him that I would give him a little longer than that, just in case because they are waiting for the title from CA

Ms. Moermond: as long as it is operable; will go before City Council Jan 3, 2018 with compliance by Mar 3, 2018

Grant to March 3, 2018 to comply with the Order.

A new making finding resolution will be on March 6 LH and March 13 PH.

Referred to the City Council due back on 1/3/2018

Correction Orders

- 27 [RLH CO 17-49](#) Appeal of Gregory Hanzal to a Correction Notice at 1069 KENT STREET.

Sponsors: Brendmoen

Gregory T. Hanzal, owner, appeared.

Ms. Moermond: I think we might be resolved with your issue; I got an email from Inspector Lisa Martin; she would like to give you time to get regular plates on your car

& you'd be OK; with collector plates, you'd have to have it screened; that requirement would go away if you get regular plates

Mr. Hanzal: Lisa didn't come out; Richard came out but he never really looked at my vehicles - only from a distance; I just want clarification on what was said as far as operational because nobody got close enough to see that they were complete vehicles..... but I'm in the process right now of getting them out of the driveway; so, I'm asking for another 30 days to get a storage place & I'm also in the process of listing a couple vehicles for sale

Ms. Moermond:

Grant to February 20, 2018 for compliance with the vehicle(s).

Referred to the City Council due back on 2/21/2018

28 [RLH CO 17-50](#)

Appeal of Harold Brady to a Correction Notice at 214 GEORGE STREET WEST.

Sponsors: Noecker

Harold Brady appeared.

Inspector Sean Westenhofer: Correction Notice sent out Dec 4, 2017 to remove the cherry picker from the yard; there's a letter from the owner dated Dec 11, to allow the cherry picker to remain in the yard; I see 2 photos that don't tell me a lot; it doesn't show ground surface, etc.

Mr. Brady: I have pictures on my phone (brought up to view); the cherry picker is in my back yard parked on concrete, next to my van; the car is in the garage; I've had it for 12 years & there've been no complaints

Mr. Westenhofer: I brought it up on an aerial; viewed with Ms. Moermond

Ms. Moermond: how big is it?

Mr. Brady: it's 5 feet wide & 16 feet long; no one can see it from the street

Ms. Moermond: it it's tucked back there on a legal parking surface; it can stay there when not in use

Mr. Brady: it's been a life saver

Ms. Moermond:

Grant the appeal on condition that the cherry picker equipment is parked behind house on a legal surface invisible from public view.

Referred to the City Council due back on 1/17/2018

29 [RLH CO 17-51](#)

Appeal of Karen McClintick & James Doucet to a Correction Notice at 119 GERANIUM AVENUE WEST.

Sponsors: Brendmoen

James Doucet, occupant, appeared.

Supervisor Paula Seeley: Orders were written Dec 4: please discontinue parking on an unapproved surface; boat motorcycle, trailer & van cannot be parked on the grass (picture)

Ms. Moermond: and, there's one very large tire against a garage...

Mr. Doucet: tire is not mine; I don't know if you read the letter..... there's a photo of 1 car not on this property; the inspector must have driven by our place & just looked from the alley & made his report; he had to drive right by those neighbor's cars but he didn't tag them; yet, he went into our property

Ms. Moermond: you said that you posted "No Trespassing" signs (?)

Mr. Doucet: correct

Ms. Moermond: so, that would be why the inspector didn't go onto the property but would observe it from the property line; if you're posted, they won't go on the property but they will see what they can see

Mr. Doucet: bottom line is.... the car, truck, trailer, boat, have been parked there for over 20 years - as long as we've been there; I talked to the inspector once on the phone & he was very "short;" he said the car was grandfathered in on gravel surface; he probably couldn't see any further than that & claimed that the truck & trailer were on unsuitable surfaces (leaves on top) there's gravel underneath; the boat is on blocks on the lawn-I can understand that; I put it on pavers; I removed the motorcycle; I even put the trailer on pavers; but he didn't see that; I'm admitting that the boat needs to on a better surface; the van is on gravel

Ms. Seeley: it looks like grass

Mr. Doucet: the van weighs a lot & it's loaded with tools & equipment; if it that were on grass, the tires would be sunk in

Ms. Moermond: viewed Paula's photo; looks like the heavy duty van is on gravel; the trailer is on gravel

Mr. Doucet: I put the boat on pavers for the time being; in the spring, I will either get rid of it or.....

Ms. Moermond:

Grant to June 1, 2018 to comply with the parking surface for the boat.

Referred to the City Council due back on 1/3/2018

Staff Report

30 [SR 17-187](#)

Considering the request for an extension of time beyond that granted in RLH VO 17-59, and appeal of Dhaneshwarie Himraj to a Correction Notice-Complaint Inspection (which includes condemnation) at 1032 DULUTH STREET.

Sponsors: Bostrom

Paul Ziezulewicz and Attorney Gerry Kaluzny, Southern Minnesota Regional Legal Services (SMRLS) appeared o/b/o Dhaneshwarie Himraj.

Ms. Moermond: there was a request for an extension because of a permitting issue

Fire Supervisor Leanna Shaff: the last time we were here, there was a requirement by Council to have the electrical permit & the boiler permit finalized by Dec 15, 2017, which did not happen; Insp Niemeyer called the owner & asked about the status; he replied that he had a different understanding; meanwhile, a permit was pulled for gas yesterday by James VinZant; a gas permit for pressure testing is still open; yesterday, Insp Niemeyer spoke to James VinZant on the phone - had a recording that he did an Orsat test on the other 2 boilers - all 4 now up & running; he also told Aaron that the pumps had been wire permanently by someone; Aaron also told James that all of the repaired wiring would need to be done under permit by a licensed contractor

Ms. Moermond:

-any permits in the record, Ms. Vang?

-City Council Public Hearing Jan 3, 2018 at 5:30; I'll recommend that they grant an extension to Jan 4, 2018 to come into compliance with the Order

-there will be a whole new Certificate of Occupancy inspection to include all the other outstanding items; now, we're interested in getting the permits finalized on the major systems: electricity, boilers, mechanical & gas

-we have permits pulled by not finalized & 3 permits need yet to be pulled

A new resolution will be on January 3 Public Hearing with a January 4, 2018 deadline for compliance.

Received and Filed

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 31 [RLH VO 17-50](#) Appeal of Aaron Livingston to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate plus Summary Abatement Order at 1124 MATILDA STREET. (Public hearing continued from December 6)

Sponsors: Brendmoen

Property Owner Danielle Sobaski appeared.

Inspector Sean Westenhofer: I have updated photos & put them into the file; I left a voice mail for the contact number for Aaron asking him to allow me to do my inspection

Ms. Sobaski: he's in Ramsey County ADC

Mr. Westenhofer: I didn't get a return call from anybody; my understanding was that they were supposed to call me directly to schedule an appointment; that did not happen; therefore, I have not been back to that property; I checked the file this morning & there are no current or new permits pulled

Ms. Sobaski: I was under the impression that I could pull all permits but I realized that I needed a contractor to pull a plumbing permit; I called Vadnais Plumbing - they haven't gotten back to me; I tried to pull an electrical permit, which I can do but they wanted to know the "project;" I didn't know what to put down

Ms. Moermond: Various repairs; write on the permit, "various repairs per code enforcement Orders;" they can look to see

Ms. Sobaski: provided her contact phone number & email

Mr. Westenhofer: are you willing to reach out & have House Calls help you out?

Ms. Moermond: I think the biggest thing is getting the place to a point where you can be in that house; get those 2 permits taken care of; can you do that?

Ms. Sobaski: I can do the electrical today & I can keep calling plumbers

Ms. Moermond: I will put this in front of City Council on Jan 3, 2018 & have Jan 2, 2018 be your deadline for doing those things; if you meet that deadline, I will recommend that your appeal on the Condemnation is granted; & the other things on those Orders will have different deadlines; I will outline those deadlines in a letter to you; they won't be too dramatically different from what we've talked about

Grant to January 2, 2018 to comply with 1) orders on smoke and carbon monoxide detectors; 2) removal of plumbing fixtures and capping of lines in illegal basement bathroom (under permit); 3) removal of illegal and exposed wiring (under permit); and 4) compliance with orders pertaining to unsanitary conditions;

If the above items are addressed and there are no new life safety violations, the Legislative Hearing Officer will put in place a work plan to address the balance of the items on the orders.

Referred to the City Council due back on 1/3/2018

32 [RLH VO 17-62](#)

Appeal of Ryan Kempenich to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 1464 MINNEHAHA AVENUE WEST.

Sponsors: Stark

Ryan Kempenich, owner, appeared.

Ms. Moermond: I think that you are good; we got what we were looking for; you'll be able to meet those deadlines that we established before the written thing that we were looking for; so, we're in good shape; found his letter ----- I pulled permits; asked if he'd be able to have the permits finalized by Jan 3?

Mr. Kempenich did not come up to the table; he was seated in the audience so, I couldn't understand what he was saying except that he'll be in Florida with his dad & his son on Jan 3 but he should be done with all the work then

Ms. Moermond: asked if he wanted to be present for the City Council's Public Hearing? Mr. Kempenich said that he did -so, it will be in front of City Council Public Hearing Jan 17, 2018; his deadline is Jan 19, 2018

Grant the appeal on the condemnation and order to vacate and grant to January 19, 2018 for compliance on the balance.

Referred to the City Council due back on 1/17/2018

33 [RLH VO 17-60](#)

Appeal of Gina Yanez and Louis Yanez to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 740 WASECA STREET. (Public hearing continued from January 3)

Sponsors: Noecker

Gina Yanez, owner, appeared.

Ms. Moermond: this was continued to today for you to provide documents from Ramsey County

Ms. Yanez: I went to the county; I'm waiting for my sister's signature; then we need someone to transfer it

Ms. Moermond: do you have a Work Plan?

Ms. Yanez: that should be all done by then, too

Ms. Moermond: do you have a licensed contractor?

Ms. Yanez: I think so, he has a friend....

Fire Supervisor Leanna Shaff: I don't see any permit

Ms. Moermond: do you guys understand how important this is?

Ms. Yanez: yes

Ms. Moermond: because you didn't take care of the business at Ramsey County; the transfer's not done & ...

*Ms. Yanez: we didn't know we had to sign that paper or anything; this is all new to us; we're waiting for money - \$100 or \$200 to transfer; I get paid on the 31st..... & need my sister's signature; we didn't know about the money or the signature
-my brother is living here*

Ms. Moermond: does your brother have money to hire a contractor to do the mechanicals for the dryer? I was looking for a plan from you

Ms. Yanez: he will have the money to hire a contractor; he's waiting for another check from my mother; he & his friends intend to do the fixing; he said that all should be done within 30 days

Ms. Moermond: if it's not, there'll be a Vacate Order on the house; also, there's been parking on an unapproved surface; what's going on with that?

Ms. Yanez: that's on the side of the house where they said we can't park because there's no driveway; he said that if we put down concrete, it would be fine; so, we don't park there anymore

*Ms. Moermond: City Council Public Hearing is Jan 3, 2018; at that time, I will recommend that the Council give you until Feb 1, 2018 to complete all of the corrections & to complete the filing of the paperwork with Ramsey County to get the property transferred legally into your brother's name; so, I will need a copy of that documentation; we'll share it with the fire inspectors as soon as we get it; if your deadline is on Feb 1, 2018 that means that your brother or you have to call & schedule an inspection before Feb 1 to demonstrate that all those repairs have been done - an inspector's going to have to check; if that dryer is not done; the dryer will need to be removed; the electrical - the bathroom is the problem & if you have a friend who's an electrician, that's great or hire a licensed electrical contractor
-we'll have a staff report on Feb 6, 2018 LH; Council Public Hearing on Feb 7, 2018 to see if the issues were addressed*

Public hearing to be continued to February 7 with a staff report at Legislative Hearing on February 6. Appellants need to provide proof of documentation showing that the title has been transferred. Inspection to occur prior to 2/6 hearing.

Referred to the City Council due back on 1/3/2018

34 [RLH VO 17-48](#)

Appeal of Laurel Hedlund (former appellant was Lance Holder) to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1108 WESTERN AVENUE NORTH. (Public hearing continued from December 20)

Sponsors: Brendmoen

Carolyn Brown, Community Stabilization Project; Laurel Hedlund, prospective buyer; and Lance Holder, handy man for 1108 Western Avenue North, appeared.

Supervisor Leanna Shaff:

-last time, the instructions were to set up an appointment with Inspector Franquiz and there was an understanding that the repairs were to be done; only a few repairs have been made since then; Insp Franquiz added more deficiencies; there are still 69 outstanding Orders

Ms. Moermond:

-I saw a couple of emails from Insp Franquiz; he has concerns about his communication with the owner; the owner didn't seem to know what was going on

Ms. Shaff:

-correct; the owner doesn't have any idea as to what's happening at his property nor did he seem to have a big interest either

-we have Community Stabilization Project acting as a de facto property manager

Ms. Moermond:

-without a contractor from the owner, no one, legally, is responsible right now; I have nothing signed; Work Orders were unsigned; the Inspector says that the work is not done; this was initiated last summer; this appeal was filed on Oct 10, 2017; this project has slid backwards except that the property will be sold

Ms. Hedlund:

-I know this has been going on since May; I just learned about the situation with this property on Tue of last week; I signed a new Purchase Agreement (entered & scanned); there are still 2 units that I have not been in; I anticipate to close Jan 10,

2018 or 2 weeks later, depending on the holidays; I have a number of other properties in St. Paul; I am a responsible landlord; they are addresses with recent city inspections; I've invested a lot of money into the other properties
-I have a contract with Guardian Property Management; I have relationships with contractors for items that require permits
-I have well maintained properties; I intend to repair all the items on the list; probably will replace all the windows; & put on a new roof

Ms. Moermond:

-how much time do you need?

Ms. Hedlund:

-I think perhaps 30 days after closing; I have a number of contractors; tuck pointing is weather dependent

Ms. Moermond:

-I'd like a Work Plan; fill out an Appeal Form; & for you to be the Appellant on this property; I need a responsible party & you have a vested interest; Lance is out of the pictures

-I'm concerned about the life safety issues that need to be addressed quickly; we've had problems with smoke detectors & CO alarms

-I want to get all the life-safety issues identified; I can't allow it to continue to be occupied if those conditions continue; we'll need an inspector to go through

-make a trip to the hardware store to pick up plate covers & get them on

Ms. Shaff:

-Insp Franquiz noted that the seal around the exhaust of one of water heaters has failed & has an opening around it - could be serious

-Unit 2 - 3 people sleeping in a bedroom for 2

-smoke alarms / CO - supposed to be hardwired

-Unit 4 - toilet is running

-Unit 6 - toilet is loose; smoke alarms

-fire doors need to be repaired

-my dealings with Ms. Hedlund - I'm encouraged that she would be purchasing the bldg

Ms. Moermond:

-from what I'm hearing, I'll waive the Appeal Form fee (\$25)

-you have contractors whom you work with consistently, so I'm thinking 30 days

-I'd like an inspector sent through on Jan 2, 2018; he'll want to see the water heater seal taken care of; smoke/CO alarms; fire door repaired; handles on doors; & electrical covers

-you can take this this copy of the list with you

-get those things done by Jan 2, then, I'll go to Mar 1, 2018 for the remaining items; Jul 1, 2018 on the exterior work

-City Council Public Hearing is tomorrow, Dec 20, 2017; I will tell them that there's a new buyer in place

-the new City Council Public Hearing will be Jan 3, 2018, when I will recommend Mar 1 & Jul 1 deadlines

Public hearing to be continued to January 3; grant to January 2 for proper working smoke detectors and carbon monoxide alarms, seal around exhaust duct of water heater, fire door repair and install handles on door. If these conditions are met, will grant to March 1, 2018 for the balance of items and grant to July 1, 2018 for the exterior weather type repairs.

Referred to the City Council due back on 12/20/2017

1:30 p.m. Hearings

Fire Certificates of Occupancy

35 [RLH FCO
17-223](#)

Appeal of John Regenold to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 644 COTTAGE AVENUE/1378 MAYWOOD STREET.

Sponsors: Brendmoen

John A. Regenold, owner, appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy inspection with deficiencies issued by Inspector Joe Brown; this is a very clean, very well maintained building from a Fire C of O standpoint; Mr. Regenold owns several rental properties; he uses this building, basically, as his office; it is not occupied as a rental; however, according to the letter of the law by the Zoning Code, he is not living there so, this is not a home-occupation; it hasn't been converted to where everything has been removed; it's a space where he does his paperwork, etc.

-several photos in the file

-it's zoned residential; he uses it as an office/business

Ms. Moermond: an office use is not considered an appropriate use in a residential zone; the exception would be if you'd live there; attorneys & accountants have these arrangement as home occupations

Mr. Regenold: I'd like to continue doing it this way; it's only 6-8 hours a week & there no signage & no traffic; I live on Lake Shore Drive, Lake Phalen

Ms. Moermond: if you want it to conform to the Zoning Code, it needs to be rezoned; the city's building official needs to make that decision

Mr. Regenold: that's a lot of paperwork & expense

Mr. Neis: the house is set up nicely; just remove the office items; from appearances, someone could be living there

Mr. Regenold: we use this house as our office to get the office out of our living room

Ms. Moermond: I'm sorry; I don't have anything to offer; will recommend you come into compliance by Jul 1, 2018; you could always use this as rental property

Grant to July 1, 2018 to come into compliance.

Referred to the City Council due back on 1/17/2018

36 [RLH FCO
17-224](#)

Appeal of Amy Talarico o/b/o Lois Matthews to a Fire Safety Inspection Appointment at 793 IVY AVENUE WEST.

Sponsors: Brendmoen

Lori Bramlett appeared.

Fire Supervisor A.J. Neis: this has not yet been inspected by our office; this is an appeal re: whether or not this is an owner-occupied property; looking at the file, it looks like a snow bird issue (dual residency); I don't see much of an issue here

Ms. Bramlett: I would concur; this home is owned by my mother; she lives in it from spring to fall; she lives in Arizona during the winter; I'm appealing because this is an owner-occupied home; it's not rented out while she lives in Arizona

Ms. Moermond: sounds good to me; you're out of the Fire C of O Program; your appeal is granted

Ms. Bramlett: is there any chance of us getting a refund for the inspection fee?

Mr. Neis: yes; I will put that in when I get back to the office; however, it will take 6-8 weeks

Ms. Moermond: Grant appeal for owner to be released from Fire C of O Program.

Referred to the City Council due back on 1/17/2018

37 [RLH FCO
17-222](#)

Appeal of Lise Day to a Fire Inspection Correction Notice - Complaint Inspection at 1620 SEVENTH STREET WEST. (Legislative Hearing on January 16)

Sponsors: Noecker

Lise Day & her granddaughter, Jessica Day, owner, appeared.

Fire Supervisor A.J. Neis: Correction Notice; it was a complaint inspection that the building had changed use by fire inspector Sebastian Migdal; this property was originally constructed as a single-family dwelling; then, it was converted in approx. 2006 to a business; Zoning allows for residential business/mixed use in this area (B3); it's now proposed to be a mixed occupancy: massage parlour/office/residential (no zoning issue), which means a code analysis is now required by a licensed contractor to provide drawings, plans, etc. to make it code compliant

Lise: Jessica, my granddaughter, purchased the property to live & work there; we went to the Zoning Office 2 months prior to actually buying the property to make sure that we were able to make this change

Jessica: I want to live & work in the same space; I'm getting plans drawn up; we have a timeline; we initiated contact with DSI; they were instrumental in my getting the mixed use loan; I've already addressed some of the obstacles I face; I really don't understand why this blew up

Lise: we did go through the Zoning Summary Sheet that we got from planning

Mr. Neis: from my records, this went through a TISH & several deficiencies were noted & they went above & beyond by making all of those repairs under permit within 30 days, voluntarily (something you rarely see); they have the best intentions

Lise: the use was offices throughout & she wants to continue; she does biofeed back photography; she wants to put a gift shop in the front; the info we got from the dept was very helpful; we looked at licensing & permits - whatever she needed; for what she

wants to do, she doesn't need any of those things; she is having a handicapped ramp put in ... but this Correction Letter that we got... we were waiting for them to get back to us but then we get a letter to VACATE right now; "you have to get out of there right now;" it's taken the wind out of her sails as far as going ahead with what she needs to do; her intention was to have other individual businesses to rent

Jessica: I work in alternative _____ & metaphysics; I'm working on addressing the separation issues; just asking for time to comply; I need at least 1 month; currently, I'm living there & setting up shop

Mr. Neis: I don't think that a month is a sufficient amount of time (planning; DSI review; get the work done)

Ms. Moermond: I agree that you'll need a longer time- I'm thinking 3 months; that would give you a cushion

Mr. Neis: the separation is about fire; when you have mixed uses, you have to have a fire separation - so that if there's a fire, it's compartmentalized (doors, sheet rock, etc.)

Ms. Moermond: what kind of set-up do you have for smoke alarms, CO alarm system, etc; do you have an interconnected alarm system so that when an alarm goes off in the basement, it also goes off in the upstairs, etc?

Mr. Neis: looking at the file, the property has a full fire alarm system with interconnected smoke alarms; that's not considered a fire alarm; that's just smoke alarms; it says that this property actually has a full fire alarm system; I don't know if every area is touched

Ms. Moermond: I'm thinking that it provides a higher degree of safety than other wise exists when we're looking at this kind of situation; and because of that, some leniency could be granted - allowing an occupancy to begin while they work on...

Mr. Neis: I think that's reasonable

Lise: that alarm system does not work; & replacing that alarm system would cost \$35,000

Ms. Moermond: a thought; I have a system in my house that is my security, my CO & my smoke detectors all together; they are connected by WIFI; if it goes off upstairs, it goes off in the basement, etc. - that should not cost \$35,000 to put that in; it seems like an affordable solution that would connect the entire structure

Mr. Neis: is it just you there at this time?

Jessica: I'm living there with my boyfriend & I have a person who rents once in a while, who has mostly meetings there - by appointment only; she is trying to re-locate her clientele

Ms. Moermond: install an interconnected alarm system - get that done soon & I can give you more time to do a code analysis, fire separations, etc.

Mr. Neis: that works for me

Ms. Moermond: I want a report from staff on Jan 16, 2018 LH - that a system has

been installed; documentation should be sufficient
-at City Council Public Hearing on Jan 17, 2018, I will grant 90 days to get a code analysis; I will look at it again on May 1, 2018 LH; we'll have a to-do & we will evaluate the code analysis
-you can have a renter & live there
-the first thing is to install an interconnected alarm system (needs to be done by an independent contractor)
-contact PED & Ft. Road Federation for funding

Mr. Neis: noted that CO detectors are not required in a business occupancy; only in the residential portion of the building
-my concern is that they are dual listed & put in the proper location; need to be UL listed; would save quite a bit of money; call Inspector Migdal for an appointment

Ms. Moermond: I would want to have that inspected by Fire Inspection prior to Jan 16, 2018

Legislative hearing on January 16 for inspector to confirm whether there is proper working interconnected smoke detectors as confirmed by Fire inspector.

Referred to the City Council due back on 1/17/2018

38 [RLH FCO
17-229](#)

Appeal of Keelan Bailey to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 595 HAMLIN AVENUE NORTH /1340 THOMAS AVENUE.

Sponsors: Stark

DSI has withdrawn the Order.

Withdrawn

2:30 p.m. Hearings

Vacant Building Registrations

39 [RLH SAO 17-65](#)

Making finding on the appealed nuisance abatement ordered for 25 ELIZABETH STREET EAST in Council File RLH SAO 17-56. (Public hearing continued from December 20)

Sponsors: Noecker

Public hearing to be continued to February 7 @ 3:30 p.m. with a Legislative Hearing on February 6 at 2:30 p.m. for the completion of the repairs since building permit application has been applied.

Referred to the City Council due back on 12/20/2017