



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, February 5, 2013

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - Laid over/Rescheduled

- 1 [RLH TA 13-112](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1302T, Assessment No. 139001 at 1741 ASHLAND AVENUE.

Sponsors: Stark

No show; approve the assessment.

Referred to the City Council due back on 2/20/2013
- 2 [RLH TA 13-69](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1302A1, Assessment No. 138506 at 1589 EUCLID STREET. (Continued from January 16)

Sponsors: Lantry

No show; approve the assessment.

Referred to the City Council due back on 2/20/2013
- 3 [RLH TA 13-63](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1302G1, Assessment No. 138706 at 1306 FOURTH STREET EAST. (Public hearing continued from January 16)

Sponsors: Lantry

No show; approve the assessment.

Referred to the City Council due back on 2/20/2013
- 4 [RLH TA 13-64](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303G, Assessment No. 138702 at 1306 FOURTH STREET EAST.

Sponsors: Lantry

No show; approve the assessment.

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

5 [RLH TA
12-579](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1302A4, Assessment No. 138509 at 1443 HAZELWOOD STREET.

Sponsors: Bostrom

Delete the assessment.

RE: 1443 Hazelwood St (single family)

Troy P. Haski, owner, appeared.

Ms. Moermond:

- this was a Layover and sent back by Council

Inspector Paula Seeley:

- Summary Abatement Order to cut plants that were obstructing the sidewalk*
- Orders sent Aug 21, 2012; compliance date Aug 28, 2012*
- re-checked Aug 28; work done Aug 29, 2012*
- cost: \$288 + \$155 service charge = \$443*
- sent to Troy Haski, 1443 Hazelwood St and Occupant*
- no returned mail*

Mr. Haski:

- when he first received the letter in Aug, he walked his property*
- the letter didn't specify what the issue was*
- he re-stacked a wood pile in the corner of his yard; he trimmed his neighbor's trees, which lean onto his property*
- a couple months later, he got the bill in the mail; then, he called and they said that his 50 feet of lilac bushes on Arlington St were the reason (he trims them every spring to about 6 ft)*
- he asked the neighbor to his immediate right, who is retired, said she had never seen anyone out there*
- he asked the neighbor across the street and they never saw anyone out there*
- he walks that sidewalk everyday to go to his mailbox and he never noticed any difference*

Viewed VIDEO (trimmed one tree; could not tell if anything had been done)

Ms. Moermond:

- will recommend that this assessment be deleted*
- suggested that Appellant trim bushes higher than 6 feet*

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

6 [RLH TA
13-113](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1303P, Assessment No. 138402 at 374 LEXINGTON PARKWAY NORTH.

Sponsors: Carter III

Delete the assessment; waiver on file.

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

- 7 [RLH TA 13-65](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1302E, Assessment No. 138301 at 670 BELLOWS STREET.

Sponsors: Thune

Delete the assessment. (Delete forthcoming EC for \$185.00 as well - J1303E)

RE: 670 Bellows St (single family)

Dan Hekrdle, owner, appeared.

Inspector Paula Seeley:

- Excessive Consumption fine for failure to obtain a permit to install dryer vent
- Appellant was here Nov 6, 2012 and he was given 1 month to get a permit for the dryer vent
- Dec 12, 2012 permit was obtained and the file closed
- forthcoming Excessive Consumption fine

Inspector Joel Essling:

- Appellant has paid \$425 in Excessive Consumption fines
- recommend deleting this assessment
- recommend deleting the forthcoming EC fine, as well

Ms. Moermond:

- will recommend deleting this assessment as well as the forthcoming EC fine

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

- 8 [RLH TA 13-72](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304A, Assessment No. 138503 at 1019 GERANIUM AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment. (no show twice)

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

Special Tax Assessments

- 9 [RLH TA 13-99](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305B, Assessment No. 138104 at 856 ALBEMARLE STREET.

Sponsors: Brendmoen

Delete the assessment.

RE: 856 Albemarle St (single family)

Tonya Tofka, daughter or owner, Tora Tunia, appeared.

Ms. Tofka:

- closed on the house Jan 22, 2013 (entered paperwork)
- have been taking care of the house since Jul 2, 2012, when mother paid earnest money to the company

Inspector Joe Yannarely:

- this is a boarding assessment on a Category 2 Vacant Building

- has been in VB Program since Mar 2011
- long history of nonresponsiveness
- has a long history of Work Orders (6 in less than 2 years plus an Excessive Consumption)
- if there are 3 or more Work Orders and the inspector finds it open to entry, he just sends a Work Order to RESPRO without notification
- on inspection, found the back garage door open; he called RESPRO to secure it
- cost: \$45.85 + \$155 service charge = \$200.85

Ms. Moermond:

- the previous owner should have disclosed these things

Ms. Tofka:

- had a person install a lock and a new door Sep 7, 2012
- on Sep 27, 2012, according to the police report, someone kicked the door off
- she entered a statement from the neighbor, who verified it
- they to to the property least once every 2 weeks to take care of things (she entered a calendar documenting their work)
- she entered copies of receipts for things her mother paid for even though she was not responsible for them (Ms. Moermond: when you buy a building, you are responsible)

Ms. Moermond:

- the police drove by and found the garage open to entry and didn't call in for it to be secured on Sep 27, 2012 (normal procedure for police is to call the boarding contractor in these situations)
- scanned documents entered by Ms. Tofka
- will recommend deleting this assessment

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

10 [RLH TA
13-111](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 13805A at 1165 BUSH AVENUE.

Sponsors: Bostrom

Approve the assessment.

RE: 1165 Bush Ave (duplex)

Winnie Crosbie, WYYC Property Management LLC, appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Nov 15, 2012; compliance date Nov 20, 2012
- re-checked Nov 20; work done Nov 21, 2012
- cost: \$288 + \$155 service charge = \$443
- no returned mail
- sent to John and Diana Lew, 134 Doe Hill Dr, Churchville, VA; Occupant; and WYYC Property Mgmt LLC, 4349 Brookside Ave S, St. Louis Pk
- failure to maintain exterior property: remove mattress near alley; couch cushions near shed
- just also did a Work Order on snow; also have Orders Jan 25, 2013 on refuse but done by owner

Ms. Crosbie:

- doesn't know how this one slipped by
- if owner receives the SA, they email it to her (she is also on the list to receive the

notices)

- she usually takes of things right after she receives the notice

Viewed VIDEO (trash, mattresses by alley)

- doesn't know where the mattress came from -- they have no one moving in or out

Ms. Moermond:

- has photos from the day before of what the inspector saw on the compliance date

- there's a pattern of not doing the work at this property

- there's also a pattern of the city having to write Orders in order for things to get done; wonders what kind of proactive work Ms. Crosbie does in terms of driving by once a week to see what's going on; it looks like the city is the property manager, not WYYC

Ms. Crosbie:

- needs to get more people out on a regular basis

Ms. Moermond:

- will recommend approval of this assessment

- there was notification, no returned mail, and the work was done by the city

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

11 RLH TA 13-90

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1390 DESOTO STREET.

Sponsors: Brendmoen

Delete the assessment (lacking video)

RE: 1390 DeSoto St (half double dwelling)

Mary E. Ponce de Leon, Comfy Homes LLC, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Oct 26, 2012; compliance date Oct 30, 2012

- re-checked Oct 30, 2012

- work done Nov 1, 2012 for a cost of \$346 + \$155 service charge = \$501

- no returned mail

- small history on property

- sent to Comfy Homes LLC, c/o Mary E. Ponce de Leon, 520 Birch Lake Rd, Hudson, WI

- note: mattress, garbage near garage; rubbish in rear yard

- photos

Ms. Ponce de Leon:

- wants to make sure that this isn't on the neighbor's property because she drove by and there was a pile of garbage behind the neighbor's property (she didn't take a picture)

- curious to see what's on the VIDEO

- doesn't believe this is her garbage because she has a garbage container

Inspector Joel Essling:

- do not have a VIDEO for this clean-up

Ms. Seeley:

- the garbage bags were on the Appellant's property but within the last few weeks, she has had a lot of issues with the neighboring property; so, she probably agrees

that it's the next door neighbor's garbage (tires, headboard, buckets, etc.)

Ms. Moermond:

- lacking VIDEO evidence, she will recommend this assessment be deleted

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

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

Sponsors: Stark

Forthcoming...need to review fire report.

RE: 383 Dewey St (double dwelling)

Michael S. Larson, owner, appeared.

Inspector Paula Seeley:

- emergency boarding

- Saint Paul Fire Dept responded to a grease fire; ended up kicking-in the door on Oct 30, 2012

- it was confirmed by inspector Nov 16, 2012

- cost: \$261.95 + \$155 service charge = \$416.95

Mr. Larson:

- rental property

- tenants at 383 Dewey were not home and the doors were locked

- the tenant on the other side called the Fire Dept because she apparently heard an explosion / loud noise and was afraid that the furnace had exploded or something similar

- because there was no one home, they broke-in the door; there was no fire and nothing on the range and the smoke detector was working

- the Fire Dept called him that evening and told him that they had to break-in but found no evidence of Fire and they secured up the door; he had to replace the door

- he believes the next door tenant was operating out of good faith; don't know what she actually heard

Ms. Moermond:

- wants to get a copy of the Fire Report before she makes her decision

- staff will call or email Appellant to let him know of her decision (inclined to recommend deletion)

- Layover to LH 2-19-13

Laid Over to the Legislative Hearings due back on 2/19/2013

- 13 RLH TA 13-79** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1084 EARL STREET. (To be laid over at March 20 public hearing to April 2 LH and April 17 CC)

Sponsors: Bostrom

Referred to the City Council due back on 3/20/2013 (To be laid over to April 2 LH and April 17 CC)

- 14** [RLH TA 13-105](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 25 EMPIRE DRIVE.

Sponsors: Carter III

Initial recommendation: Approve the assessment and spread the payments over 5 years.

Upon further review, this assessment consideration should be paired with another for the stabilization of the property. This one should be laid over to April 2, 2013.

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

15 [RLH TA 13-81](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No.138504 at 1248 FARRINGTON STREET.

Sponsors: Brendmoen

Approve the assessment and spread the payments over 5 years.

RE: 1248 Farrington St (single family)

Latrece Scott, owner, and her husband appeared.

Inspector Paula Seeley:

- Summary Abatement Order for failure to maintain exterior property*
- Orders sent Oct 25, 2012; compliance date Oct 31, 2012*
- re-checked Nov 2, 2012; work done Nov 5, 2012*
- cost: \$662 + \$155 service charge = \$817*
- inspector comments: Oct 31, 2012, rechecked property; husband was out there; not much was done. I told him that he had until Fri to get it clean. His wife called and I told her to file an appeal. I called City Clerk's Office on 11-2-12 to see if appeal had been filed; no appeal had been filed so, I sent Work Order. Property owner states that Parks broke his fence but the gate was dilapidated before Parks entered the yard to clean-up*
- no returned mail*
- sent to Latrece Scott, 1248 Farrington Ave and Occupant*
- in bold letters: abandoned oil tank, tires, plastic crates, snow blowers, all rubbish and improper storage in the yard and garage area*

Husband:

- said that Ms. Seeley had been very rude and unprofessional*
- Parks opened and walked into the fence illegally*
- when someone from the city came back into the yard, he ran into their dog and he told him to get back on the other side of the fence; his kids and grandkids were at home*
- the city tore down the fence and towed his tow truck; they dragged it in park; it was on the right surface; they took it to impound*
- he went to impound to get the truck and found that the brake line was clipped; he drove it and found that there were no brakes*
- where he has it in storage, it's on the same surface as he has behind his house*
- the car had current plates*
- the 3rd time they came and tore down the gates, they took the fence and threw it up against the garage door and clipped the wire that pulls the door*
- they took bow cutters, mop buckets, etc.; that's crazy; he called and asked that he be given back his stuff; no, they said*
- then they came back and illegally towed the vehicle with the plates and current tabs on it*
- he entered photos;*
- he entered registration/title information for the vehicles taken care of and paid Nov*

5, 2012

- his family feels as though their property has been violated
- it didn't do any good to have a privacy fence; they put it up because their neighbors were walking through their yard

Viewed the VIDEO (removed all the stuff; left all the tools that were good and emptied the barrels in the alley)

Ms. Scott:

- what the city considers junk wasn't junk to her
- her son works with bikes - the "parts" were used to fix other bikes; they even took my mop buckets
- why take the coolers? BBQ grills? why walk through my garage?
- they feel very violated

Husband:

- they took his sons (18 and 19) things in the yard; the reason why he gives them things to work with, play with, is to keep them out of jail - out of the prison - away from the gangs

Ms. Moermond:

- took the vehicle out of discussion today; this is about the clean-up
- city staff is allowed to go into residents' yards

Husband:

- every time he left the house, the kids called him to say that "people were walking through the yard - through the fence"

Ms. Moermond:

- suggested that they file a claim against the city for the things of value that the city took
- asked why they didn't file an appeal as Ms. Seeley has suggested to them (Husband: he was told that an appeal would cost \$500) Ms. Moermond said that filing an appeal is "free" - they should have called

Ms. Scott:

- everything that was in her yard was of value to her
- she doesn't understand how someone can just come into the yard and label things as "junk, garbage or debris"

Ms. Moermond:

- noted that there's a difference between property stored in the house and out of the house (laundry baskets, mops, buckets, etc. isn't viewed as junk when it's stored in the house or garage but when it's in a yard, it kind of is); a lot of the material here would be properly stored in a garage: garden tools, etc.
- there's a pretty narrow definition of what is appropriate exterior storage; i.e., yard furniture, things that are weather proof. etc.
- tarping, wood, isn't properly stored outside

Husband:

- the tarp was used to cover up him lawn mowers so they won't get wet; they said it was "trash"

Ms. Moermond:

- what she saw in the photos and on the VIDEO are consistent throughout; she sees that they had some effort

- is also hearing that the the city took things of value; there is nothing that she can to do here to take that into account; they must file a claim
- the deadline for getting the clean-up done was 5 days earlier
- will recommend approval of this assessment, payable over 5 years
- recommended that Appellants file a claim for those items they think should not have been taken

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

- 16 [RLH TA 13-91](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 429 FRY STREET.

Sponsors: Stark

No show; approve the assessment.

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

- 17 [RLH TA 13-82](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 337 FULLER AVENUE.

Sponsors: Carter III

No show; approve the assessment.

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

- 18 [RLH TA 13-88](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 2160 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

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

- 19 [RLH TA 13-92](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 647 HOLLY AVENUE.

Sponsors: Carter III

Assessed in error, delete the assessment. (per DSI; no one appeared.)

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

- 20 [RLH TA 13-100](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 517 HOYT AVENUE.

Sponsors: Brendmoen

Assessed in error; Inspector Singerhouse granted a waiver - delete the assessment. (no one appeared)

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

- 21 [RLH TA 13-86](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305B, Assessment No. 138104 at 565 JEFFERSON AVENUE.

Sponsors: Thune

Forthcoming...need to review police report. (staff report on 2/19)

RE: 565 Jefferson Ave (single family)

Joe Osterbauer, owner, appeared.

Inspector Paula Seeley:

- emergency boarding (not secured to illegal entry)
- 10-25-12 Saint Paul Fire Dept were called to this location to investigate a water leak (5 inches of standing water in the basement)
- the Fire Dept called Saint Paul Police Dept (SPPD) to investigate criminal damage to the property
- SPPD did a report and took photos
- SPPD called boarding contractor, RESPRO
- it was confirmed by the inspector Nov 8, 2012
- cost of boarding: \$261.95 + \$155 service charge = \$416.95
- has photos and police report

Mr. Osterbauer:

- was leased to a woman and her 2 children (entered copy of her lease)
- he said he didn't know anything about this
- he thinks that high school kids kicked-in the door, broke the spindles on the stairway and threw paint all over
- he would have loved to get a call from the Fire Dept; he has 2 people who could be there in 5 minutes to put plywood on the door
- the tenant was out-of-town at this time (her aunt had died)
- he's a victim of a crime for which he needs to clean-up and then, he gets a \$416 bill for something that he could have done
- he knows absolutely nothing about a water leak
- there's no history on this property
- there was no water damage; there was no copper cut

Inspector Joel Essling:

- the police report has 6 photos of water in the basement (shared photos with Appellant)
- SPPD was at the property from 1600 - 1721 hours (4:00 - 5:20 p.m.)

Ms. Moermond:

- St. Paul Fire Ladder 10 called SPPD
- there are different times on each report; the records should clear up the time differential
- let's get to the bottom of this (owner says there was no water in the basement)
- needs to get more in-depth SPPD and Fire reports of this incident
- will lay this over to 2-19-13 to straighten this out (staff report)
- will email Appellant the results of their findings

Laid Over to the Legislative Hearings due back on 2/19/2013

**22 RLH TA
13-104**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1304, Assessment No. 138803 at 985 JENKS AVENUE.

Sponsors: Bostrom

Reduce the assessment from \$1,250 to \$300.

RE: 985 Jenks Ave (single family)

Jennifer Xiong, owner, appeared.

Inspector Joe Yannarely:

- this is an assessment for the annual Vacant Building registration fee
- opened a Category 2 VB Aug 30, 2010 until completed rehab Jan 14, 2013 when the code compliance approval letter was issued
- the rehab extended a little over 4 months into a new VB fee cycle
- recommends prorating the fee

Ms. Xiong:

- left Mr. Yannarely a message; it was supposed to be done by Sep 2012 but it just didn't happen

Ms. Moermond:

- will recommend decreasing the assessment from \$1,250 to \$300

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

**23 RLH TA
13-115**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 501 KENT STREET.

Sponsors: Carter III

Delete the assessment.

RE: 501 Kent St

Lam Tran, owner, appeared with her daughter Vi Tran and Jason Geschwind, Carl Bolander and Son.

Inspector Joe Yannarely:

- there was a fire at this property Sep 21, 2012
- standard procedure is to open up a Category 1 Fire Exempt Vacant Building for 90 days to let insurance and rehab fix the house; there are no fees involved
- in this case, that timeline was not met; because of severe structural damage, the status was changed to a Cat 3 VB
- right now, there is a demolition permit pulled by the ownership and should be down soon

Mr. Geschwind:

- the structure is already down last Thu (he emailed photos at the beginning of this hearing)
- their construction firm came early Jan 2013
- their insurance check came at the end of Nov 2012
- there was a death in the family in Viet Nam (he provided Ms. Tran's itinerary during that time)
- they could not get their contract signed until early Jan 2013; they missed their 90-day deadline (gone the 1st; back the 27th)
- while they were gone, the company was working on blueprints to replace the house
- they had a previous contractor, who told them that they could re-build the house and save some insurance money but when their architect looked into it in early Dec 2012, we let them know that it would be hard to bring it back up to code for the amount they got from the insurance company; so, with the insurance proceeds plus a small loan, they are planning to re-build on the 2 lots (kind of an alley home)
- they were given some bad information early on about what could be done with the

structure plus having the death in family combined to delay action and caused them to miss the deadline

- *they could have easily wrecked it in early Dec 2012*
- *they left a slight depression in the ground, so they fenced it and are waiting for city approval on the plan*

Ms. Moermond:

- *the Vacant Building fee is charged from when it begins to be a Vacant Building to the next year (annually)*
- *this property was a VB for approximately 4 months out of the 12 for which the fee is charged*
- *is seeing that there has been an effort to take care of business as fast as possible, which speaks well of the responsibility to step in and when there has been a problem, it looks as though you have been addressing it as quickly as manageable, given the death in the family*

Mr. Geschwind:

- *he spoke with Inspector Virgil on Fri*
- *he put up sidewalk barricades, caution tape and an orange fence (photo)*
- *anything that is charged is just more money that they need to borrow to put up the new house*

Ms. Moermond:

- *because this is such a short period of time and the situation has been addressed, she will recommend the City Council delete this assessment and any potential assessment*

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

- 24** [RLH TA 13-93](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 1691 LEONE AVENUE.

Sponsors: Lantry

Delete the assessment; a waiver for the VB fee was in place by DSI.

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

- 25** **RLH TA 13-83** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 616 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Approve the assessment.

RE: 616 Maryland Ave E (duplex)

Scott Kuehn appeared.

Inspector Paula Seeley:

- *Summary Abatement Order issued Nov 8, 2012; compliance date Nov 13, 2013*
- *re-checked Nov 13; garbage Work Order was sent*
- *work done Nov 15 for a cost of \$316 + \$155 service charge = \$471*
- *sent to KW Realty Investors, 9200 Park Ave S, Bloomington*
- *SA indicated: garbage on garage apron*
- *forthcoming assessment for \$443 clean-up*
- *has photos*

Mr. Kuehn:

- there are Section 8 tenants at this duplex
- didn't get the Notice until the day before the deadline; he called and asked for an extra day
- tenants are not getting their bags into the container; sometimes, they put out furniture but fail to call the garbage hauler to tell them about it
- one tenant blames the other tenant; he let them know that they are both responsible for putting it into the container
- he has a property management company

Ms. Moermond:

- looks as though the neighbors are monitoring the trash situation here
- VIDEO
- Notice went out Nov 8; Mr. Kuehn called and asked for an extra day (Ms. Seeley: the Work Order had already gone out when she got the message)
 - work didn't get done until the 15th
 - will recommend approval of this assessment

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

- 26** [RLH TA 13-89](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 426 MONTANA AVENUE EAST.

Sponsors: Brendmoen

Delete the assessment; inspector went out day before compliance date and sent work order.

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

- 27** **RLH TA
13-101** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 1587 PARK STREET.

Sponsors: Brendmoen

To be laid over to LH on April 16 and CC on May 1, 2013.

RE: 1587 Park St (single family)

Xu Som, owner, and son appeared.

Inspector Joe Yannarely:

- Category 2 Vacant Building file opened Oct 21, 2011
- recently been sold
- a new Code Compliance Inspection Report was issued Sep 2012
- Sale Review was completed by Reid Soley Dec 3, 2012
- a plumbing permit is open
- VB annual fee \$1,100 + \$150 service charge = \$1,250

Mr. Som:

- bought property Dec 5, 2012
- they have already done the work
- his is soon to graduate from college; this house is for him
- Mr. Som lived in Saint Paul for a long time
- the house was vacant for a while until they took it over
- the mechanical and heating is coming in this Fri; the electrical will be coming shortly

after that

- asked for time to finish the outside, probably spring
- the interior should be done by the end of Feb
- can be done in Mar depending on the weather

Ms. Moermond:

- will lay this over to LH Apr 16, 2013 to check progress
- at City Council Public Hearing May 1, 2013
- would like to have the job done Apr 16 so that she could recommend cutting this VB fee in half
- in the meantime, get permits and get the work done as fast as you can

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

- 28** [RLH TA 13-80](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1199 PAYNE AVENUE.

Sponsors: Brendmoen

No show; approve the assessment.

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

- 29** **RLH TA 13-97** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 586 RICE STREET.

Sponsors: Carter III

Approve the assessment.

RE: 586 Rice St (bowling alley - Stahl House) 2 assessments: 1) VB fee; and 2) clean-up

Tong Nguyen, state agent, appeared. - owner, Long Nguyen, asked him to keep the building clean on the outside

Mr. Nguyen:

- owner asked me to appear here today and ask that the Vacant Building registration fee be waived because he's trying to sell the building
- he is up-to-date on taxes for the building
- owner asked him to clean up the building for sale
- requested that future notices be sent to his office, too

Inspector Joe Yannarely:

- Category 2 Commercial Building Vacant Building file opened Oct 13, 2011
- there have been 6 Work Orders in the 15-month period
- VB fee is \$1,100 + \$150 service charge = \$1,250
- latest clean-up: Summary Abatement Order issued Oct 4, 2012; compliance date Oct 9, 2012
- re-checked Oct 9, 2012
- work done Oct 11, 2012 for a cost of \$374 + \$155 service charge = \$529
- notice sent to Long Minh Nguyen in Kissimmee, FL

Ms. Moermond:

- viewed VIDEO
- the notice was sent and there was no returned mail
- the work wasn't done so, the city had to do it

- will recommend that the clean-up assessment be approved
- a VB registration form was provided for Mr. Nguyen
- will recommend approval of the VB assessment, as well

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

30 RLH TA 13-98 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1304A, Assessment No. 138503 at 586 RICE STREET.

Sponsors: Carter III

Approve the assessment.

RE: 586 Rice St (bowling alley - Stahl House) 2 assessments: 1) VB fee; and 2) clean-up

Tong Nguyen, state agent, appeared. - owner, Long Nguyen, asked him to keep the building clean on the outside

Mr. Nguyen:

- owner asked me to appear here today and ask that the Vacant Building registration fee be waived because he's trying to sell the building
- he is up-to-date on taxes for the building
- owner asked him to clean up the building for sale
- requested that future notices be sent to his office, too

Inspector Joe Yannarely:

- Category 2 Commercial Building Vacant Building file opened Oct 13, 2011
- there have been 6 Work Orders in the 15-month period
- VB fee is \$1,100 + \$150 service charge = \$1,250
- latest clean-up: Summary Abatement Order issued Oct 4, 2012; compliance date Oct 9, 2012
- re-checked Oct 9, 2012
- work done Oct 11, 2012 for a cost of \$374 + \$155 service charge = \$529
- notice sent to Long Minh Nguyen in Kissimmee, FL

Ms. Moermond:

- viewed VIDEO
- the notice was sent and there was no returned mail
- the work wasn't done so, the city had to do it
- will recommend that the clean-up assessment be approved
- a VB registration form was provided for Mr. Nguyen
- will recommend approval of the VB assessment, as well

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

31 RLH TA 13-103 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 987 RICE STREET.

Sponsors: Brendmoen

Delete the assessment because per DSI staff, C of O was revoked/unoccupied in September. Inspector Kalis says structure is in good shape. When spoke to owner, he said was unaware of the C of O revocation. Inspector told owner he would waive fee this year but would reinstate if C of O not reinstated by September.

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

- 32** [RLH TA 13-122](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 1328 SEARLE STREET.
- Sponsors:** Bostrom
- Delete the assessment; (per DSI staff - condemned by Fire inspector for shut off utility. Inspector Friel intends to close file as it is a Category 1 and the utility has been restored)*
- Referred to the City Council due back on 3/20/2013**
- 33** [RLH TA 13-123](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 167 SHERBURNE AVENUE.
- Sponsors:** Carter III
- No show; approve the assessment.*
- Referred to the City Council due back on 3/20/2013**
- 34** **RLH TA 13-73** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1763 THOMAS AVENUE.
- Sponsors:** Stark
- Approve the assessment and spread the payments over 3 years.*
- RE: 1763 Thomas Ave (duplex)*
- Richard Brown, owner, appeared.*
- Mr. Brown:*
- tenants keep putting things in the back yard and he has to keep cleaning it
 - got the notice while he was in the Vets Hospital; he came home and started to clean
 - the next day, Parks crew was out there
 - while he was gone, the tenants built a shed alongside the duplex to store materials; the crew tore that out
 - they wanted to take the snow blowers
 - they took everything else
- Inspector Paula Seeley:*
- Summary Abatement Order issued Jul 2, 2012; compliance date Jul 10
 - sent to Richard Brown, PO Box 4101, St. Paul; Occupant and Richard Brown, 4627 176th St W, Apt 231 Farmington
 - it was not re-checked until Oct 24, 2012; at that time, all the debris and other materials were still there
 - an Excessive Consumption fee was issued along with another Summary Abatement Order Oct 24, 2012; compliance date Oct 31, 2012
 - Work Order sent Oct 31, 2012; Parks cleaned it up Nov 7, 2012 for a cost of \$780 + \$155 service charge = \$935
 - no returned mail
 - there was also a Correction Notice on Jul 2, 2012 regarding illegal scrapping business and auto repair
- Ms. Moermond:*
- verified that she's looking at the Orders going out in Jul 2012 with work being done Nov 7, 2012

- VIDEO

Mr. Brown:

- he fixed the garage door and painted the garage
- all the stuff is gone now
- the tenants put all that stuff there

Ms. Moermond:

- ultimately, the Appellant is going to be held responsible for the condition of the property
- the city wrote the Orders and did the work
- will recommend approving the assessment payable over 3 years

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

- 35** [RLH TA 13-95](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1305, Assessment No. 138804 at 1389 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Delete the assessment; assessed in error.

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

- 36** **RLH TA 13-70** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 1441 VAN BUREN AVENUE.

Sponsors: Stark

Approve the assessment.

RE: 1441 Van Buren Ave (single family)

Beth Greeder, daughter of owners Myra D. and Russell R. Greeder, appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Oct 30, 2012; compliance date Nov 5, 2012
- re-checked Nov 5 and an Excessive Consumption fee of \$50 was issued for noncompliance
- re-checked again Nov 14, 2012, thinking it would be taken care of but it wasn't
- Work Order sent; Parks cleaned it Nov 14, 2012 for a cost of \$316 + service charge of \$155 = \$471
- sent to Russell and Myra Greeder, 3751 Howard Ave N, White Bear Lake and to the Occupant
- no returned mail

Ms. Moermond:

- 2 assessments: 1) clean-up; and 2) Excessive Consumption fee
- only clean-up here today

Ms. Greeder:

- everything has been taken care of
- apparently, a dog was getting into their garbage and the tenant cleaned it up several times
- finally, she called the city; someone there advised tenant to call Animal Control
- she talked also to the inspector, Cynthia, several times
- inspector didn't call her after the first time so, Ms. Greeder thought it had been taken

care of after talking with tenant

- VIDEO

- tenant did know where the dog lived

- is requesting that this fee be assessed to the dog owner

- tenant is mother of 9 children; now we have 2 containers there

Ms. Moermond:

- will recommend approval of this assessment

Ms. Seeley:

- the Excessive Consumption fee has already been cancelled; probably by Cynthia

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

- 37** [RLH TA 13-84](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A, Assessment No. 138504 at 301 WYOMING STREET WEST.

Sponsors: Thune

No show; approve the assessment.

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

- 38** **RLH AR 13-1** Ratifying Towing of Abandoned Vehicles services during April to July 2012. (File No. J1301V, Asmt No. 138000)

Sponsors: Lantry

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

- 39** **RLH AR 13-2** Ratifying Boarding and/or Securing services during October 2012. (File No. J1305B, Asmt No. 138104)

Sponsors: Lantry

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

- 40** **RLH AR 13-3** Ratifying Collection of Vacant Building fees billed May 11 to September 21, 2012. (File No. VB1305, Asmt No. 138804)

Sponsors: Lantry

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

- 41** **RLH AR 13-4** Ratifying Property Clean Up services during November 2012. (File No. J1305A, Asmt No. 138504)

Sponsors: Lantry

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

- 42** [RLH AR 13-5](#) Ratifying Tree Removal services during Spring 2005 at 771 Pierce Butler Rte. (File No. 0501T3, Asmt No. 139003)

Sponsors: Lantry

To be laid over to April 16, 2013 LH and May 1, 2013 CC.

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

Staff Reports

- 43** **RLH TA
12-281** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1204E1, Assessment No. 128309 at 51 MCKNIGHT ROAD NORTH.
(Referred back from Council on April 18, 2012)

Sponsors: Lantry

No show; approve the assessment.

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

- 44** [RLH TA 13-87](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 0501T3, Assessment No. 139003 at 771 PIERCE BUTLER ROUTE.

Sponsors: Carter III

To be laid over to LH on April 16 and CC on May 1, 2013.

RE: 771 Pierce Butler Route (duplex)

No one appeared.

Karl Mueller, Forestry:

- Tree initially determined to be on 771 Pierce Butler Route but the wrong pin number was entered at the time of billing. Instead, 767 Pierce Butler Rte received the assessment in error. Upon receipt of the assessment, the property owners at 771 Pierce Butler Rte said that they do not believe the tree was on their property. The stump still remains and is on the other side of the fence. Recent property line measurements conducted by Forestry staff were inconclusive. Property owners at 771 Pierce Butler Rte would like more time to locate property line markers to determine official ownership when the ground thaws.

Ms. Moermond:

- asked Mr. Mueller to attach any correspondence, billing, Orders, etc. since when the Orders were written on Dec 8, 2004

- Layover to LH Apr 16, 2013; CCPY May 1, 2013

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

11:00 a.m. Hearings

Summary Abatement Orders

- 45** **RLH SAO
13-5** Appeal of Toua Yang to a Summary Abatement Order at 35 WHITE BEAR AVENUE SOUTH.

Sponsors: Lantry

Laid Over to the Legislative Hearings due back on 2/12/2013

Orders To Vacate, Condemnations and Revocations

- 46 [RLH VO 13-6](#) Appeal of Jacob Prettyman to a Fire Certificate of Occupancy Revocation and Order to Vacate at 645 GRAND AVENUE.

Sponsors: Thune

Laid over for inspector to measure the basement overhead to determine if fire separation is needed in the laundry room (Item 8). Grant the appeal on the condition that work is done by March 15, 2013 and C of O is reinstated within a week of that time.

RE: 645 Grand Ave (duplex)

Jacob Prettyman, owner, appeared.

Fire Inspector A. J. Neis:

- last year, an extension was given on a garage on an appeal*
- conducted a Fire Certificate of Occupancy inspection last year based on a complaint (Dec 27, 2011) of running a business illegally in the basement at this location; the complaint was validated, and the inspection turned into a full Fire C of O inspection, which was approved*
- Aug 2011, another complaint was received saying that the business was put right back into the basement after the C of O was approved in Dec 2011*
- the business was telemarketing (political polling)*
- received another complaint Oct 2012 for the same operation (initiated the C of O inspection cycle)*
- Fire Inspector Mike Efferson and Mr. Neis went out there to validate the complaint and the same business, operating illegally, was again found in the basement*
- On Oct 19, 2012, Inspector Efferson issued Orders to cease the business operation and added several other correction orders*
- owners requested additional time*
- based on the fact that it was over 90 days of noncompliance, such a short time since the previous compliance and the history of the owner allowing the operation of business, illegally twice, they Revoked the Fire C of O*

Mr. Prettyman:

- is appealing for an extension for #8 on the list because of bankruptcy*
- the tenant who was operating the business is now gone; he had lived there for 12 years and accumulated a significant amount of materials*
- the tenant and all the materials are gone*
- left are minor concerns, which are easy to complete; just need time and money*
- there's no one living in that unit, so it should be easy to complete*
- structure in an up-down duplex (first floor and basement are connected)*
- purchased property in 2008 and the tenant had already been there a long time; he always paid the rent on time*
- there is 1 tenant upstairs and their mechanicals are in the attic*
- no tenant downstairs, currently, and all these issues apply to the downstairs/basement unit*
- water service for the building comes through the basement*
- requesting an extension to Mar 15, 2013; he has already started the work and has a friend who can help*

Mr. Neis:

- the biggest concern here was the business and now, that tenant has been removed
- he is not opposed for allowing additional time
- Mr. Prettyman has already completed over half the original list

Ms. Moermond:

- will recommend granting this appeal on the condition that the work be done by Mar 15, 2013 and the C of O re-instated within a week of that time
- if the work isn't completed by Mar 15, then the Revocation and Order to Vacate would stand
- the downstairs can't be occupied until the Orders are signed-off
- re: the laundry space #8

Mr. Neis:

- a laundry room, especially if it's over 10 x 10 is a mechanical area, which would require a 1-hour fire separation

Ms. Moermond:

- asked that the laundry room measurements be checked; coordinate with the inspector
- let's get the right dimensions
- she will decide in a week

Laid Over to the Legislative Hearings due back on 2/12/2013

11:30 a.m. Hearings

- 47** [RLH SAO
13-6](#) Appeal of Jack L. Hurley, Champion Apartments, to a Summary Abatement Order at 200 KIPLING STREET.

Sponsors: Lantry

Appeal withdrawn by owner.

Withdrawn

1:30 p.m. Hearings

Correction Orders

- 48** **RLH CO 13-1** Appeal of Anna Leininger and Greg Kramer to a Correction Order at 44 BATES AVENUE.

Sponsors: Lantry

Laid Over to the Legislative Hearings due back on 2/19/2013

- 49** **RLH CO 13-3** Appeal of Nelly Lai Chiu Chan to a Correction Notice at 18 BATES AVENUE.

Sponsors: Lantry

Laid Over to the Legislative Hearings due back on 2/19/2013

Fire Certificates of Occupancy

- 50 [RLH FCO
13-40](#) Appeal of Rebecca Howe to a Fire Inspection Correction Notice at 2080 JAMES AVENUE.
- Sponsors: Tolbert
- Appeal withdrawn by Dept; Owner occupied equivalent; removed from the Cof O program.*
- Withdrawn**

2:30 p.m. Hearings**Vacant Building Registrations**

- 51 [RLH VBR
13-9](#) Appeal of Gholamreza Ashrafzadehkian to a Vacant Building Registration Requirement at 711 OAKDALE AVENUE.
- Sponsors: Thune
- Deny the appeal and grant one month for permits to be pulled without paying the VB fee. (the VB fee will come forward as a proposed tax assessment.)*
- RE: 711 Oakdale Ave (duplex)*
- Gholamreza Ashrafzadehkian, owner, appeared.*
- Rich Singerhouse, Vacant Buildings:*
- *this is an appeal of the Vacant Building fees*
 - *building was Condemned Oct 6, 2010 by during a Fire Certificate of Occupancy inspection*
 - *opened a Category 2 VB Oct 8, 2010 by Inspector Dennis Senty*
 - *code compliance inspection expired Sep 28, 2012*
 - *the inspector gave a 90-day VB fee waiver Oct 15, 2012*
 - *the fees are due*
- Mr. Ashrafzadehkian:*
- *purchased building 9 months ago*
 - *has open permits: building, plumbing, electrical and HPAC*
 - *just needs a little bit more time to close those permits*
 - *he is done with the building*
 - *he doesn't have control over the inspectors; thinks 90-120 days he'd be able to finish (Ms. Moermond: says they are out there real fast when you call for a trades' inspection)*
 - *asked that the VB fee be waived*
 - *believes that there are no more permits to be pulled (possibility that the electrician hasn't pulled that permit)*
- Mr. Singerhouse:*
- *when you call for a final inspection, the inspectors will get there in about 2 business days*
 - *if Appellant gets signed-off on those permits, he's good to go*
 - *if he let's it go to assessment, it's pending for 30 days*

- code compliance inspections expire after a year; he could call Jim Seeger - he may extend it and do a Seeger only inspection

Ms. Moermond:

- as an assessment, she would prorate this
- will be allowing Appellant to pull permits for the next 30 days without paying the VB fee
- believes that Appellant should pay for half a year's worth of a VB fee if he gets the work done in time

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

52 [RLH VBR
13-10](#)

Appeal of Gholamreza Ashrafzadehkian to a Vacant Building Registration Requirement at 1176 REANEY AVENUE.

Sponsors: Bostrom

Deny the appeal.

RE: 1176 Reaney Ave (side-by-side duplex)

Gholamreza Ashrafzadehkian, owner, appeared.

Rich Singerhouse, Vacant Buildings:

- Condemned Jul 15, 2011
- opened a Category 2 Vacant Building Jul 29, 2011
- code compliance expired Nov 23, 2011
- he waived the VB fees for 90 days on Aug 3, 2012 and also on Nov 5, 2012; now they are due
- a building permit has been pulled

Mr. Ashrafzadehkian:

- hoping to get this one done in 6 months (a whole year as a VB)

Ms. Moermond:

- will recommend denying this appeal; it's already 6 months into the year

Mr. Singerhouse:

- the Appellant can let the VB fee go to assessment if he doesn't have the funds now
- he does a good job of maintaining the property

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