



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, November 22, 2016

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Remove/Repair Orders

- 1 [RLH RR 16-35](#) Ordering the razing and removal of the structures at 1242 HEWITT AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (Amended to grant 30 days)
- Sponsors:** Stark
- Jessica Blanner, Attorney, Usset, Weingarden & Liebo PPLP, appeared o/b/o US Bank.*
- Supervisor Steve Magner, Vacant Buildings:*  
*-read Mai Vang's letter to Ms. Blanner dated Nov 9, 2016 (attached)*
- Ms. Moermond:*  
*-your client was doing a cost benefit analysis on whether or not this was a good rehab prospect for them, all things considered*
- Ms. Blanner:*  
*-yes; their decision is that the rehab is not cost effective; so, they'd prefer to demolish the property on their own*  
*-how much time will the city give them to demolish the building*
- Ms. Moermond:*  
*-this will go to City Council Public Hearing Dec 7, 2016; at that time, I will recommend a number of days that you would have to do that work on your own before the city would take over the process of demolition; the standard is 15 days for the owner to initiate the demolition process*
- Mr. Magner:*  
*-usually, if the Council passes a 15 day Order for removal and the owner is going to do it, the owner will just send us a copy of their signed contract with a licensed demolition contractor with the city; so, any time between now and 15 days from Dec 7, 2016 is quite a bit of time; I'm assuming that they can get a contract signed and have a copy sent to us; then, we usually give 30-60 days, depending on the scenario*  
*-contact Joe Yannarely, 266-1920 for a list of demo contractors that the city uses*  
*-you can email me the signed contract; if after 15 days, we don't have a signed contract, I'll probably call you and ask what you're doing*

*Ms. Moermond:*

*Remove the building within 15 days with no option for repair.*

**Referred to the City Council due back on 12/7/2016**

**2**      [RLH RR 15-13](#)

Ordering the razing and removal of the structures at 870 FULLER AVENUE within fifteen (15) days after the June 3, 2015, City Council Public Hearing.

**Sponsors:**      Thao

*Greg Finzell, Rondo Land Trust, appeared.*

*Team Manager Steve Magner:*

*-update: a letter sent Oct 26, 2016 (attached)*

*Ms. Moermond:*

*-I checked on property taxes due: 2014 - \$2567; 2015 - \$8600; 2016 - \$7427 = \$18,595*

*-at one time, this was an owner-occupied parcel*

*Mr. Magner:*

*-scheduled to forfeit next year*

*-it's been vacant since Jun 2014 when E Diane Smith went into a new place to live to fit her needs*

*Mr. Finzell:*

*-I tried to get a meeting together with E Diane and her daughter; I got a hold of the daughter and it turns out they were in the process & by now, are already living in TX; they moved and they are taking care of her brother, the one that we did contact & he signed over his interest to the son but he is sick in Houston, TX; they have spent the last month taking care of him & going back & forth; and as of last week, they have permanently moved down there; while I didn't talk directly to E Diane, her daughter communicated to me that she had no interest in the property; and neither of them knew where the other siblings are (the ones that we haven't already located)*

*-I put an email out to the community residents and I'm waiting to hear back from one more person, who actually did talk to someone in CA but also ran into a dead end*

*Ms. Moermond:*

*-do you have the address for where E Diane & her daughter went in Houston?*

*Mr. Finzell:*

*-I don't but I probably can get it*

*Ms. Moermond:*

*-I'm wondering if the City Attorney's Office couldn't draft an affidavit to be signed by the mother & daughter indicating the state of affairs within the family; and if the brother signed over his interest, could we get some sort of documentation of that*

*Mr. Finzell:*

*-I have a phone number for the daughter, Deanna, so, I can contact her*

*-Laura from Lindquist also said that she is sort of willing to help*

*Ms. Moermond:*

*-maybe she can draft the affidavit for us*

*-if we have relatives saying that they don't know where these other relatives are, I*

*think that would go a long way to explain how we ended up with this situation*

*Mr. Finzell:*

*-I'm waiting for this other piece back from one of the nbrs - and we can include that about what he found out*

*Ms. Moermond:*

*-did Summer move to TX from Arizona?*

*Mr. Finzell:*

*-Summer is still in Arizona as far as I know*

*Ms. Moermond:*

*-recommending a Layover to Jan 10, 2017 LH*

*-we need to have the owners of record identified or some reasonable statement about the situation*

*Layover for Greg Finzell at Rondo Land Trust to continue to identify interested parties and/or get an attorney to draft an affidavit explaining the current situation and consult with City Attorney to determine if an expedited forfeiture can take place.*

**Laid Over to the Legislative Hearings due back on 1/10/2017**

**3**      [RLH RR 16-11](#)

Ordering the rehabilitation or razing and removal of the structures at 1698 LAFOND AVENUE within fifteen (15) days after the April 6, 2016, City Council Public Hearing. (Public hearing continued from April 6 and May 4)

**Sponsors:**      Stark

*Richard Ayd, property owner, appeared.*

*Lauren Lightner, House Calls Program, Ramsey County, appeared.*

*Greg Finzell, Rondo Community Land Trust, appeared.*

*Becky Errigo, Neighborworks Home Partners, appeared.*

*Supervisor Steve Magner, Vacant Buildings:*

*-read letter of Sep 14, 2016 sent by Mai Vang (attached)*

*-since this letter was written, Mr. Ayd had a conflict resulting in a layover to today*

*Ms. Errigo:*

*-update: we've had estimates done with contractors; put together a budget; did some title search work; met with city staff on funding; had conversations with the Twin Cities Land Bank to secure funding to meet the gap in the budget (\$140,000); we secured about \$20,000 of that from the Land Bank; we were waiting with the city on the other part; there was initial support from staff; we met with Council President Stark, who was in support of that; it was determined by the city that it wasn't a priority at this time because there were other projects that needed to be funded; so, we were unable to secure any funding from the city; we met and updated Mr. Ayd and Ms. Lightner a couple of times; we had a conversation about contacting Habitat for Humanity and also the county; maybe a donation would be accepted by them; Mike Nelson, Habitat, ran some numbers and concluded that Habitat is not in a position to accept it as a project, currently; they are looking for something bigger to accommodate a larger family*

*Mr. Finzell:*

*-in our last meeting with Mr. Ayd, he asked us to check with Habitat, the City and Ramsey County to see if any would accept the property as a donation; the county*

and PED said that with the current outstanding liabilities, it made it difficult to make the numbers work

-both the county and PED passed on it

Ms. Moermond:

-I'm not aware of any other player of any size that could swing a project like that

-I did get an email from Mr. Ayd, expressing his disappointment, especially about Twin Cities Habitat

Mr. Ayd:

-I'm just very disappointed and very upset also

-I'm not able to put any more money or work into it and I am taking it as a total loss; I feel really bad because I think the house is in good shape; if the assessments could be removed, you'd not be that far off money wise

Ms. Moermond:

-the assessments, water bill and taxes come in at around the \$40,000 range

-Mr. Ayd, if these costs would be forgiven, that money would come out of the public coffer and paying a subsidy to make sure that your house gets rehabbed to the tune of \$120,000, that's coming out of a public coffer; either way, that's the general public paying to do that work

-we have people who are stewards of those dollars looking at this situation saying, "This is not a viable rehab with the dollars that we can make available; our priority has to be housing where we get more bedrooms out of it because our demand, right now, that we face as a community is for housing that has more bedrooms that serve families with more children and families with multiple generations"

-all that isn't a statement that your house isn't fixable; it's saying that even after the house is sold, we're still going to be in the hole \$140,000 at the estimated sale price, which is too much

-we have given every opportunity to come up with a plan; it's been a little more than a year; you have special circumstances and that's why we have taken it slowly

-but this is no longer a good use of staff time here---to continue to find a solution on how to rehab the property

-my recommendation is to Remove within 15 days with no option for rehabilitation

-will go to City Council Public Hearing Dec 7, 2016

-if you have the resources to undertake the demolition, you can work with Mr. Magner on that; if you don't, Mr. Magner will start the city demolition process after those 15 days

Mr. Magner:

-Mr. Ayd has already made a request to the city to get his \$5000 Performance Deposit back; it's been processed as of Nov 15, 2016; he should have the check fairly soon

Ms. Moermond:

-I wish this could have turned out a little differently but my top priority in all of this hasn't been the building except that the nuisance had to be abated

-right now, Mr. Ayd is in safe, clean housing in a multiple unit building where he is less likely to have a recurrence of a hoarding situation; that is front and center for me

-I know you also have some really good resources in the community

Mr. Ayd:

-I don't think that I'm responsible for the water bill; the house was boarded up; I was not there; I didn't know that the furnace had gone off and the pipes had broken

Ms. Moermond:

*-we've gone over this and we're going to re-visit it now*

*Remove the building within 15 days with no option for repair.*

**Referred to the City Council due back on 12/7/2016**

- 4 [RLH RR 16-47](#) Ordering the substantial abatement/cleanup of the property at 776 DESOTO STREET within fifteen (15) days after the November 16, 2016 City Council Public Hearing. (Public hearing continued from December 7, 2016) (Amend to 90 days)

**Sponsors:** Brendmoen

*To be laid over to December 13 Legislative Hearing.*

**Referred to the City Council due back on 12/7/2016**

- 5 [RLH RR 16-48](#) Ordering the substantial abatement/cleanup of the property at 778 JESSIE STREET within fifteen (15) days after the November 16, 2016 City Council public hearing. (Public hearing continued from December 7, 2016) (Amend to 90 days)

**Sponsors:** Brendmoen

*To be laid over to December 13 Legislative Hearing.*

**Referred to the City Council due back on 12/7/2016**

- 6 [RLH RR 16-51](#) Ordering the razing and removal of the structures at 1062 FRONT AVENUE within fifteen (15) days after the December 21, 2016, City Council public hearing.

**Sponsors:** Thao

*Richard K Einan, owner, appeared.*

*Andrew Johnson, neighbor at 1070 Front Ave also appeared.*

*Supervisor Steve Magner, Vacant Buildings:*

*-Summary*

*-2-story wood frame duplex with a detached 2-stall garage on a lot of 4,792 sq.ft.*

*-has been vacant since Dec 15, 2005*

*-current property owner is Richard K. Einan & Barbara J. Einan per Ramsey County records*

*-Sep 7, 2016, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed; photos taken*

*-Order to Abate a Nuisance Building was posted Sep 13, 2016; compliance date Oct 13, 2016; as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code*

*-estimated market value: \$25,700 on the land; \$83,400 on the bldg*

*-real estate taxes are current*

*-Vacant Building registration fees were paid by check Feb 19, 2016*

*-Code Compliance Inspection was done Jul 3, 2006 has since expired*

*-as of Nov 21, 2016, the \$5000 performance deposit has not been posted*

*-39 Summary Abatement Notices since 2005*

*-40 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds; graffiti*

-estimated cost to repair exceeds \$50,000  
-estimated cost to demolish is between \$15,000 - \$20,000

Mr. Einan:

-there was a fire in 2005 and I've been in a funk since then; I want to be a good citizen and I do plan on bringing the property back into shape

Ms. Moermond:

-I notice that there are a bunch of parties listed: Homeward Residential Inc (mortgage); NationStar (mortgage); Safeguard Properties, REO & their job is to maintain properties for banks & loan services; when I see that, I am usually seeing a foreclosure situation

Mr. Einan:

-the house is not in foreclosure

Ms. Moermond:

-you have passed your 10 year anniversary for being in the VB Program; and that's a long, long time  
-looks like your siding has not been completely re-done; photos have graffiti

Mr. Einan:

-a lot of the problems I've had has been from people leaving/dumping on the property and I've failed to get the grass cut a couple of times  
-I live in Shoreview; this house was a rental duplex; after the fire, it was all fixed up on the inside (new flooring, new furnace, etc.); it's not an abandoned property  
-I will get it fixed up

Ms. Moermond:

-it's been a nuisance property  
-you have a very old code compliance inspection report; your permits will be expired if they haven't been finalized; so, new permits will need to be pulled

Mr. Magner:

-the building permit has expired  
-mechanical & electrical permits were finalized  
-there certainly could be issues; it's been 11 years  
-it will need a fresh code compliance inspection report and based off that, contractors will need to be hired and new permits pulled

Mr. Einan:

-after it's fixed, I probably will sell the property  
-the garage needs some repair  
-wants to take this time to apologize to his neighbor, Mr. Johnson

Mr. Johnson:

-I lived next to this house since 2009; it's been a nuisance the whole time; I was 21 in 2009 and an abandoned house next door at that time was more of a perk; I'm 30 now & I'm an old man now; I don't party any more; I have a fiance, who doesn't want to live next to an abandoned house  
-I've watched the house deteriorate  
-I called SPPD when I saw someone standing inside of it  
-I get frustrated; it's a burden for me to have to watch 2 houses  
-I'd love to see anything happen

Ms. Moermond:

-the property has a decent start on the interior and the exterior still needs work  
 -you need a new code compliance inspection (provided an application); hand it to DSI

Mr. Einan:

-what can I do to deter people from dumping?

Mr. Magner:

-signage; fence; motion sensor lights; camera; talk to your neighbors, give them your card and ask them to call you when they see people in the yard; go to the property at least once a week; take away what's been dumped; keep property secured  
 -first order of business: order the code compliance inspection from DSI, 375 Jackson St, 2nd floor; you need to go in person to fill out the application and pay for it; also, provide a lock box combination; at the same time, post your \$5000 performance deposit; provide contractor bids to the LHO; provide work plan with timeline and proof of funds necessary to finish the rehab

Ms. Moermond:

-will Lay this Over to Dec 13, 2016 LH to talk again  
 -City Council Public Hearing Dec 21, 2016  
 -Mai Vang will send you a letter confirming all of this

Owner to meet the following conditions by December 13: post the \$5,000 performance deposit and obtain a code compliance inspection.

If those conditions are met on December 13; may grant additional time to present the following: 1) a work plan or sworn construction statement, with timelines, for the completion of the rehab of the building; 2) provide financial documentation indicating the amount of funds for the rehab (line of credit, construction loan, personal bank account); 3) provide an affidavit indicating the dedication of funds to be used for the project; and 4) the property must be maintained.

**Laid Over to the Legislative Hearings due back on 12/13/2016**

7 [RLH RR 16-52](#)

Ordering the rehabilitation or razing and removal of the structures at 1150 REANEY AVENUE within fifteen (15) days after the December 21, 2016, City Council public hearing. (Public hearing continued from December 21, 2016)

**Sponsors:** Prince

Attorney, John Dockry, Shapiro & Zielke, appeared on behalf of Ditech Financial and

Supervisor Steve Magner, Vacant Buildings:

-2-story wood frame single-family dwelling on a lot of 4,356 sq.ft.  
 -according to our files, it's been a vacant building since Jul 13, 2012  
 -current property owner is Michael Eastling per Ramsey County records  
 -Sep 6, 2016, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed & photos were taken  
 -an Order to Abate a Nuisance Building was posted on Sep 15, 2016 with a compliance date of Oct 15, 2016  
 -as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code  
 -taxation has placed an estimated market value of \$11,600 on the land and \$73,300 on the building  
 -real estate taxes are current  
 -the Vacant Building Registratin fees were paid by check on Jul 20, 2016

-as of Nov 21, 2016, a Code Compliance Inspection has not been done  
-as of Nov 21, 2016, the \$5000 performance deposit has not been posted  
-there have been 47 Summary Abatement Notices since 2012  
-there have been 40 Work Orders issued for garbage/rubbish; boarding/securing;  
grass/weeds; snow/ice  
-Code Enforcement officers estimate the cost to repair this structure to exceed  
\$50,000; estimated cost to demolish between \$12,000 - \$15,000  
-DSI is seeking a resolution to remove the building within 15 days  
-we have no interior photos yet

Ms. Moermond:

-we have no one here today from Heritage Preservation Commission (HPC) to talk to us about this building

Mr. Dockry:

-Mr. Eastling was the mortgagor, who defaulted on his mortgage; property went to a sheriff's sale Jun 1, 2016; Ditech Financial holds the sheriff's certificate currently  
-I saw that a 5-week redemption action was initiated; I didn't find that it was ever completed; therefore, the redemption period expires in 2 weeks, Dec 1, 2016  
-may contact at Ditech had received this Order to Abate, dated Sep 15, 2016  
-the recurring theme I see is that when my clients receive those, they fail to read past the actual deficiencies to where it states that as a first remedial issue you need to apply for a Code Compliance Inspection; instead, they just start by trying to obtain bids based on the list of deficiencies; I understand that they've been working on securing those bids; however, I have not received them because this was an FHA loan, with HUD, it's approved for rehab based on those bids; and my client had indicated that those bids were \$39,000-\$40,000 just to abate the issues on this Notice  
-I've wondered if the city could put Need a Code Compliance Inspection right before the list of deficiencies because I think they stop after they read the list, they stop reading it  
-because when I come to the LH, nothing has been done that needs to be done yet  
-I gave my client a full run down of what they should expect from this hearing afterwards, particularly, having to obtain a code compliance inspection and the likely posting of the \$5000 Performance Deposit; I sent that email last week when I received this referral to attend; the said, "Update us after the hearing"  
-this is a new contact; I believe that they are interested in rehabilitation but I do understand that there needs to be a specific list of what really needs to be done instead of an outline

Ms. Moermond:

-I need all the usual conditions to be met (listed below)  
-I will call the building official to get the inspectors out there ASAP  
-you need to have a lock box; DSI needs the combination  
-City Council Public Hearing Dec 21, 2016  
-once HUD's involved, they're only going to do the exterior and all the other stuff is going to go to pot

Mr. Dockry:

-I will get those things to you by Dec 21

Ms. Moermond:

The following conditions must be met in order to receive a grant of time:

1) obtain a code compliance inspection;

- 2) post a \$5,000 performance deposit;
- 3) must provide a work plan including timelines for completing the work;
- 4) must submit bids from a general contractor and subcontractors;
- 5) must provide financial documentation dedicating the amount of funds to do the rehab (line of credit, construction loan, personal bank account);
- 6) letter of commitment indicating the dedication to be used for the project; and
- 7) the property must be maintained.

**Referred to the City Council due back on 12/21/2016**

## Other

- 8 [RLH OA 16-12](#) Making recommendation to Ramsey County on the application of Sherida T. Moore for repurchase of tax forfeited property at 1079 JESSAMINE AVENUE EAST.

**Sponsors:** Bostrom

*Supervisor Steve Magner, Vacant Buildings:*

*-this is an application for Repurchase*

*-in the application, Ms. Sherida Moore states that she lost her husband who maintained the responsibility of their home ownership duties; she assumed that once she purchased the home, she was responsible for the utilities and that she is also diagnosed with severe depression, untreated, at this point and she is on a fixed income*

*-sounds as though she is saying that she is unfamiliar with the tax responsibility of property ownership (?)*

*-record shows complaints about bushes and trees extending over the alleyway and sidewalk; on-going review on complaints about trash; had vehicle complaints in Jun; Summary Abatement Work Order for garbage/rubbish in May; another complaint in May; vehicles in Dec 2015; TGW in Aug 2014; complaint about no trash service in Aug 2014; complaints in 2012 & 2011 also*

*Ms. Moermond:*

*-looking at the last 5 years of police calls: in 2016 there's been 3 calls (2 investigate; 1 disturbance of disorderly person); in 2015 3 calls (2 gone on arrival & 1 advised); 2014 (2 advised, 1 investigate); 2013 animal bite; 2012 warrant served*

*Mr. Magner:*

*-I'm having a hard time with this one because as of Aug 2016 we still have on-going complaints & activity; it seems like she's not maintaining her property; some people struggle with property ownership; wondering if this isn't a good fit for her; also, seems to be quite a bit of police activity*

*Ms. Moermond:*

*-we need to determine whether or not this property is considered a municipal problem based on documented police, building code & illegal activity violations in the past years*

*-I would say that, collectively, yes, there is enough documentation from police & nuisance code violations over the past 5 years that would be considered a municipal problem*

*Mr. Magner:*

*-I recommend not to allow repurchase*

*Ms. Moermond:*

*Recommend to Deny Repurchase.*

**Referred to the City Council due back on 12/21/2016**

- 9 [RLH OA 16-13](#) Making recommendation to Ramsey County on the application of James W. Thao for repurchase of tax forfeited property at 1549 SEVENTH STREET EAST.

**Sponsors:** Bostrom

*Supervisor Steve Magner, Vacant Buildings:*

*-city hauled the garbage in 2014 - Mar-end of Apr; another complaint about parking on the grass Jul 2016; another complaint now about a mattress leaning against the house; must have purchased house sometime after 2011*

*Ms. Moermond:*

*-records a similar number of police calls as the previous case  
-auto theft; burglary; forced entry; auto theft; automobile predator; harassing phone calls; disorderly disturbance; domestic*

*Mr. Magner:*

*-even with taking the domestic out of there, there's still a lot of activity  
-mini van parked next to garage  
-it's problematic; should not be recommending repurchase*

*Ms. Moermond:*

*-I will go with you on this, Steve  
-documented municipal taxes  
-will walk thru this with the Councilmember  
-will recommend not to allow repurchase*

*Deny the repurchase.*

**Referred to the City Council due back on 12/21/2016**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 10 [RLH SAO 16-47](#) Appeal of John Carlone to Summary and Vehicle Abatement Orders at 185 COMO AVENUE.

**Sponsors:** Thao

*John Carlone, owner, appeared.*

*Supervisor Lisa Martin:*

*-Summary Abatement Order was issued Nov 9, 2016 to remove TV, tarp, vehicle, furniture, appliances, construction debris, etc, from Marion Blvd and the property  
-I also issued Orders on 3 WI vehicles, licensed as RVs that have expired tabs  
-I spoke with Mr. Carlone who said that one is a construction trailer; he plans to build on the site  
-I contacted Capitol Area Architectural Planning Board and spoke to Peter Musty, who forwarded an email that I sent to you this morning in which they stated that there is no approved plan submitted and they would not allow the storage of any*

construction materials or vehicles on that property  
-photos, email in the file (attached)

Ms. Moermond:  
-did you hear that?

Mr. Carlone:  
-I did hear her and I know, generally, what she's talking about  
-there are 3 vehicles on the property; 1 is a lunch trailer; 1 is a tool shed; and the other one is a field office for construction work  
-the property is zoned commercial and there's been a lot of improvements done to it; we're waiting for a surveying company (brought their info) to do a survey on the property; then, we're going to bring our plan (also has) of a house that we're going to build on the property; my son and I are going to build it for myself and my wife and we're going to live there  
-the equipment that is there is not road-worthy; it's construction equipment and after we get a building permit and start excavation, we will have to bring in a back-hoe, 4 dump trucks, a bulldozer, and all kinds of building materials; then, everything will be moved  
-if we had to move the equipment that's there right now, it would be a burden to my wife & I because it cost us over \$1000 to move it there; it would cost another \$1000 to take it away; another \$1000 to bring it back and another \$1000 to take it away after the building is built; and at this time of the year, we can't build because there's frost in the ground  
-we have to get these plans approved from Mr. Musty, CAAPB  
-at first, we were going to build a commercial building; then, we realized that there isn't enough parking there for what would be needed; so, we decided to go residential  
-it will take only 90 days to build it but we won't be able to start until Apr 1, 2017, probably  
-our construction office is used for doing the plans, etc.  
-the equipment that's there is not being used and it's not storage; it's equipment that we use on every job that we go on  
-I was a small general contractor for a while; also in the building trades; I worked for the Army Corps of Engineers for about 3 years; and every job needs a field office, a tool shed and a lunch room for the men  
-the equipment is clean; there's no debris on this lot  
-we put down a base material so the equipment would be high & dry; and we put a security fence around the whole area

Ms. Moermond:  
-those vehicles are parked illegally on a vacant lot

Mr. Carlone:  
-they aren't illegally parked because it's a commercial lot under construction

Ms. Moermond:  
-it's not under construction; you don't have a building permit; it's construction related for a particular project with a permit that's been pulled

Mr. Carlone:  
-we put in 50 ton of stabilized aggregate

Ms. Moermond:  
-and that would require a permit; don't know if you have that

Mr. Carlone:

*-excavation does not require a permit*

*Ms. Moermond:*

*-after a certain volume of material, it does require a permit*

*Mr. Carlone:*

*-not according to all the years I've been contracting*

*Ms. Moermond:*

*-this is not a legal parking surface in the City of St. Paul*

*Mr. Carlone:*

*-we're not parking; it's our construction field office; if the city removes this equipment and we lost money on it, we would sue the city under the 4th Amendment of the United States Constitution*

*Ms. Moermond:*

*-you have every ability to remove it on your own*

*-right now, you've got problems with these vehicles lacking current tabs, which constitutes a nuisance; they appear inoperable and they are parked on an unapproved surface*

*-you laid down what appears to be class 5 but under the Zoning Code, you need to have a site plan and class 5 is not an acceptable surface for a new parking surface, which is what you have right now; and parking on a vacant lot is prohibited; parking is an accessory use and there is no primary use since there is no residential or commercial structure present and it's not under construction to which it would be accessory uses*

*-I can't do much for you; you have to rectify those problems in order for the vehicles to be present there*

*Mr. Carlone:*

*-all we're lacking is a building permit; that equipment you use on construction jobs; you cannot go on a decent construction job without having some type of field office there*

*Ms. Moermond:*

*-you can square up what a decent field office looks like with the Building Official and proper storage of bldg materials for what's under construction but from a nuisance code perspective, these vehicles don't pass muster; so, I'm sorry that I couldn't be more generous*

*Mr. Carlone:*

*-you're burdening me my wife & I; we're over age 80 and we're living on fixed income trying to get a mortgage to do this job; and we've already contacted this Advanced Surveying Company; they're going to email me a contract to survey it; that's the first thing I need before I can submit my plan to the CAAPB and then get the bldg permit*

*Ms. Moermond:*

*-enforcement of the code evenly, I do not see as a burden on you; as it stands, this is a code violation and the Vehicle Abatement Order, I would recommend that the Council deny your appeal and grant an extension to Dec 14, 2016*

*-City Council Public Hearing is Dec 7, 2016, so you can go talk to the CC about it and they may decide to do something other than I'm recommending*

*-the way this is right now, it constitutes a nuisance; the Orders are correct as written*

*Mr. Carlone:*

*-that property is bought and paid for and it's private property and if the city went on there for any reason, it'd be trespassing; and if they removed anything, it would be unlawful search & seizure; and I don't think you want to face federal charges*

*Ms. Moermond:*

*-I thinks that is something that you want to talk to attorneys about*

*-I will make sure that code enforcement officers are aware that those are concerns of yours*

*Grant the appeal on the Summary Abatement Order as the items were abated; deny the appeal and grant an extension to December 14, 2016 to remove the vehicles.*

**Referred to the City Council due back on 12/7/2016**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 11 [RLH VO 16-52](#) Appeal of Jason Holm to a Fire Certificate of Occupancy Revocation and Order to Vacate at 449 MOUNT IDA STREET.

**Sponsors:** Brendmoen

*Jason L Holm, owner, appeared.*

*Ms. Moermond:*

*-I've already heard an appeal on this pertaining mostly to the parking surface; it was at a time that the property was being transacted*

*-there's an Addenda to the Purchase Agreement related to the parking surface; I did not concern myself with what was in that private agreement between buyer & seller but rather with what the code requirements were*

*-looks like you're looking for more time*

*Fire Supervisor Neis:*

*-the only item remaining on the interior is the CO detectors*

*-the house will be transitioning from it's current use into a proposed sober house use, so there will be different rules and regulations*

*Mr. Holm:*

*-the appeal is for the driveway*

*-the smoke & CO detectors have been taken care of*

*-we have no objection doing the driveway but right now, I can't find any one to do it during this season; I'm looking for time to do it in the spring of 2017*

*-we're going to put in asphalt and we want to do it as soon as we can*

*Ms. Moermond:*

*-you've worked with Zoning; you have a site plan that's been approved*

*-will grant extension to Jun 1, 2017*

*Deny the appeal and grant to June 1, 2017 for the driveway to come into compliance.*

**Referred to the City Council due back on 12/7/2016**

## 1:30 p.m. Hearings

**Fire Certificates of Occupancy**

- 12 [RLH FCO 16-135](#) Appeal of Jason Lien, on behalf of Talon First Trust, LLC/Jackson I LLC to a Fire Inspection Correction Notice at 180 FIFTH STREET EAST.
- Sponsors:** Noecker
- Laid Over to the Legislative Hearings due back on 12/13/2016**
- 13 [RLH VO 16-51](#) Appeal of Nicole L. Warner to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 786 ORANGE AVENUE EAST.
- Sponsors:** Bostrom
- Nicole Warner, tenant, appeared.*
- Also present: Lauren Lightner, Director, House Calls Program; Sade Kelly, Social Worker, House Calls Program.*
- Ms. Warner:*
- the landlord finally got the new faucet on that I bought for the kitchen; he called the exterminator; the exterminator said that we didn't have bedbugs; he told us to get everything out of there and then he can exterminate*
  - I'm never going to get that messy again because I ended up in the hospital on Saturday*
  - I've been using Raid to try to eliminate some fleas & cockroaches*
  - the whole bedroom is clean and I'm ready to take that bed out*
  - the living room and dining room furniture needs to be taken out*
  - I will be using a couple days of emergency housing from Ramsey County (hotel) so that the extermination can take place*
- Ms. Kelly:*
- we weren't able to get the dumpsters out there yet because we go thru a contractor and he is on vacation until Mon, so we can't order dumpsters right now; we'll do that on Mon*
- Ms. Warner:*
- I've been throwing away clothes & toys... putting them in bags on the car & on the ground*
- Ms. Moermond:*
- I don't want garbage bags on the ground; that's a code violation; can you put them in the garage?*
- Ms. Warner:*
- I didn't know that it was a code violation; I can put them in the garage*
  - didn't get a date for the extermination yet*
  - supposedly, the landlord ordered an exterminator walk-thru on Sat*
  - I met with Colleen Walbran, SMRLS*
  - I told my Dr. about the bugs*
- Ms. Moermond:*
- I'm looking for continued progress*
  - I want an exit strategy*

*-I'm willing to extend the Vacate date based on continued progress*

*Ms. Warner:*

*-my mom is taking this a little bit better than before when she was blaming me for everything; my ARMS worker and therapist are helping me*

*-I'm taking my medications*

*-HALO does have housing but not in St. Paul; so, I'm going to have to move*

*-I need 3 or 4 bedrooms*

*Ms. Moermond:*

*-your extermination was to have been done by today and it's not done*

*-this will get turned over to Code Enforcement staff*

*-keep doing what you're doing - getting rid of things*

*-I'm looking at Dec 16, 2016 as a Vacate date; I want to make sure that there's a place for you to go to; if there isn't, we can push the vacate out a little*

*-will Lay this Over to Dec 13, 2016 LH*

**Laid Over to the Legislative Hearings due back on 12/13/2016**

**14**     [RLH FCO  
16-192](#)

Appeal of Linda Vang to a Reinspection Fire Certificate of Occupancy With Deficiencies at 287 ROBIE STREET EAST.

**Sponsors:**        Noecker

*Ms. Moermond:*

*-I did not find in the information that she provided that she was actually an owner-occupant of the property; simply, that she owned it; documents show that she doesn't live there but only try to make it appear that she lives there*

*-will recommend denial*

*Deny the appeal. Owner did not appear but sent in documentation for review.*

**Referred to the City Council due back on 12/7/2016**

**15**     [RLH FCO  
16-190](#)

Appeal of Riaz Hussain to a Correction Notice-Reinspection Complaint at 1170 SEVENTH STREET EAST.

**Sponsors:**        Bostrom

*Rescheduled per owner's request. Owner is waiting to get bid estimates.*

**Laid Over to the Legislative Hearings due back on 12/6/2016**

**16**     [RLH FCO  
16-203](#)

Appeal of Robert Leibman, Cozy Homes and Apartments, to a Correction Notice-Complaint Inspection at 1678 CHARLES AVENUE.

**Sponsors:**        Stark

*Robert Leibman, property manager, Cozy Homes and Apartments, appeared.*

*Mr. Leibman:*

*-I'm appealing only 1 item: the driveway*

*Fire Supervisor Leanna Shaff:*

*-Fire Certificate of Occupancy complaint inspection conducted Nov 3, 2016 by Inspector Laura Huseby*

*-photos are clear; there are a lot of weeds/grass*

-the requirement that the driveway and all parking spaces shall be paved with asphalt, concrete or a durable dustless surfacing  
 -the last C of O inspection was approved with corrections on Mar 10, 2016; this is a referral from the complaint that came in for a leaking ceiling, molding windows, etc.  
 -the driveway first appeared Nov 4, 2016 Orders

Ms. Moermond:  
 -how many units?

Mr. Leibman:  
 -3 units on 1 1/2 lots

Ms. Moermond:  
 -you will need to talk to the contractors in terms of getting an aerial view and going thru site plan review with Zoning  
 -will grant to Jun 15, 2017 to come into compliance

Grant an extension to June 15, 2017 to get the driveway into compliance.

**Referred to the City Council due back on 12/21/2016**

**17**     [RLH FCO  
16-202](#)

Appeal of Tia Yang to a Fire Inspection Correction Notice at 1334 STILLWATER AVENUE. (to be withdrawn)

**Sponsors:**         Bostrom

To refer to building official. Appeal withdrawn.

**Withdrawn**

**18**     [RLH FCO  
16-200](#)

Appeal of Eric Fodness to a Fire Inspection Correction Notice at 127 YORK AVENUE.

**Sponsors:**         Brendmoen

Eric Andrew Fodness, owner, appeared.

Ms. Moermond:  
 -we exchanged emails on this one; it appeared that you were appealing item #1 no fuel equipment in Unit 2 closet; so, I sent a note (attached) that said, "It doesn't specify what that fuel equipment was and there's no photo;"  
 -does the inspector have a description or a photograph of what we're talking about; it seems like something that we could handle without a hearing; so, I was surprised to see you here today; I thought that it was already resolved

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy Correction Notice by Inspector James Thomas on Nov 1, 2016  
 -#1 - Unit 2 closet has fueled equipment stored in it; there were/are no pictures in the file and there was no description either; so, after sending your comments to Inspector Thomas, (my email said, "James, what kind of fueled equipment? Was it removed? Please let me know ASAP;") The response was, "Yes it was." I responded, "What was the fueled equipment?" Insp Thomas wrote, "It was a weed eater"

Ms. Moermond:  
 -so, we're left with a weed eater  
 -in our earlier brief discussion, Mr. Fodness said that the piece of equipment was a

*vacuum cleaner*

*-so, what do we have? Appellant brought up photos*

*Mr. Fodness:*

*-he entered his photos: shoe rack; cable TV wire; a rocket (looks like a blower, electric floor vacuum); Ms. Shaff: there's a bracket on the wall to hold it*

*Ms. Moermond:*

*-is it still there? (Mr. Fodness: yes)*

*Ms. Shaff:*

*-it's not gas powered; I can see the electrical cord; it's unfortunate that the inspector chose not to take pictures or be descriptive*

*Ms. Moermond:*

*-will recommend that your appeal be granted; it's, obviously, not fuel burning equipment*

*-and the inspector's description to his supervisor is not accurate ("It was a weed eater and it was removed while I was present")*

*Mr. Fodness:*

*-how it went down: he finished his inspection and then, right at the end, he told me, "OK, this is what you got: fuel burning equipment, cable and shoe rack;" so, immediately, I went up there and talked to the tenant and he said, "No; that's a vacuum cleaner"*

*-there are 5 garages there for anyone to store in; that was illogical*

*-the inspector came back for inspection and the first thing the tenant did was to point out, "That is a vacuum cleaner;" and I was right there; we abated all the Orders and I talked to him briefly and asked him, "Is this abated or will it be deleted?" and he wasn't real clear on that*

*Ms. Shaff:*

*-it looks like everything's been abated now*

*-this is a 2-unit bldg; will change the grade to "A"*

*Ms. Moermond:*

*-second thing: at the juncture, it looked like it was fuel burning equipment that had been removed and simply not documented sufficiently in the Orders*

*-we exchanged emails and had this conversation; I instructed my staff to process a refund of your application fee because I feel like the Order was written in error; I did at the time and I still do*

*-this was sloppy paperwork*

*-at some point, you'll get your \$25 back*

*Grant the appeal.*

**Referred to the City Council due back on 12/21/2016**

## **2:30 p.m. Hearings**

### **Vacant Building Registrations**

- 19**     [RLH VBR 16-80](#)     Appeal of Todd A. Pilarski to a Vacant Building Registration Notice at 1168 EDGEWATER BOULEVARD.

**Sponsors:** Bostrom

*Supervisor Rich Singerhouse made it a preliminary file; therefore, the vacant building fee has been canceled. Owner will get a TISH report to sell the property. The interior is in good condition.*

*Appeal withdrawn.*

**Withdrawn**

**20**     [RLH VBR 16-82](#)     Appeal of Gary Odeen to a Vacant Building Registration Requirement at 784 PEDERSEN STREET.

**Sponsors:** Prince

*Gary Odeen, owner, and Camile Odeen appeared.*

*Fire Supervisor Leanna Shaff:*

*-I and Inspector Jill Pettiford inspected this property in Mar-Apr 2016 for it's Fire Certificate of Occupancy*

*-we approved the Fire C of O*

*-I received Notification Nov 15 from SPPD that there were many people living there; it was overcrowded and they had some major concerns; there also were arrests (paperwork forthcoming)*

*-will email the public narrative to LHO: on 11-9-16, SPPD went to this address and determined that a Chevy Blazer was an active New Brighton stolen vehicle; they saw people coming in & out; one of the people was Mr. Odeen's daughter; she was arrested for possession of a controlled substance located in a backpack that she was wearing; it goes on saying there were some other people; says that there have been 10 calls for service since Jan 2016 which include narcotics complaints, disturbances, fights, and check the welfare; so I checked it out and the FORCE unit accompanied me on an inspection; upon coming to the house, we saw a lot of bicycles, a lot of scrapping, a propane tank, the electrical meter's dead face was gone; the locking mechanism was bent; the meter was on up-side-down and I could see a lot of live wiring that was accessible to anyone*

*-I went up to the house, which had electrical power; I asked permission to enter and told them that I was there on a complaint and Sheri Recker gave me permission; the house was full of a lot excessive combustible materials; garbage that hadn't been taken out; there was not one working smoke detector; there were broken windows and there were sleeping where they shouldn't be - basement, for one; the furnace gets it's combustion air from those rooms in the basement; beds were in the basement and people were sleeping down there; you could barely walk thru; the house would have to be cleaned considerably before we could make a real good assessment of the floors, walls, etc.*

*-I called Xcel to come out; I was told that the meter came from another place a couple blocks away (had been stolen); they were stealing power*

*-given the situation: Xcel took the meter away and locked it out at the pole; multiple code violations; Condemnation; etc, it fit the definition of a Category 2 Vacant Building; I referred it to the VB Program and had the building secured*

*Supervisor Matt Dornfeld, Vacant Buildings:*

*-we opened a Cat 2 VB per Ms. Shaff's referral; we issued a Summary Abatement Order to clean up the yard and issued a Correction Notice for some vehicles, as well on Nov 16, 2016*

*Ms. Shaff:*

*-noted that she did call Mr. Odeen at the time she was at the house and advised him*

*that he should come out and secure the property; he was not able to come out at the time; he had been there a few days before*

*Ms. Moermond:*

*-I'm looking for the date on the Vacate; looking for the word "immediately"*

*Ms. Shaff:*

*-it was on the 16th*

*-it basically says in here that the building cannot be used until inspected & approved by our office*

*Mr. Odeen:*

*-I had my electrician over there to fix that meter so that I can work and the pipes won't freeze; he will also put in some new light fixtures; he's licensed and will go down to get a permit*

*-I cleaned up the yard; a scrap man is coming to get the bicycles this afternoon (has pictures); I got rid of the cars*

*-I think everything is fine there if I can get back in*

*-everybody's gone from there except that 1 guy who wants to hang out in the garage (Camile Odeen: he has a push button lock on there & I told him to get rid of it)*

*-SPPD said that if I want to get into the garage, I should call them; there's been problems with that guy*

*Camile:*

*-it's possible that we'll be living there*

*Mr. Odeen:*

*-we'd like to get it up and running*

*-we had it inspected 7 months ago and everything was OK*

*Ms. Moermond:*

*-what happened?*

*Mr. Odeen:*

*-I will not let my daughter back in there; this is the 10th chance I've given her; that's enough; I can't do it any more*

*-we don't really have the money*

*Ms. Moermond:*

*-this house is a Cat 2 VB and it needs a code compliance inspection; and you'll need to talk to Xcel*

*-the house can be sold if you want to get rid of it; we owe \$92,000 on it and we can't get more than \$60,000 for it*

*Mr. Odeen:*

*-the meter is what needs to be done on the house; everything else is fine*

*Ms. Moermond:*

*-this is a mess that you created for the neighborhood*

*Mr. Odeen:*

*-I did not do anything about that; the other people did; the only thing I did was give my daughter a chance and she muffed it up*

*-would you give me a chance; I've worked 2 jobs for the last 15 years; I work at the Post Office and I work at Berry Star Properties; I start at 9 am and work until 11:30 pm*

*Ms. Moermond:*

*-I will recommend that you get a code compliance inspect; I'm going to recommend a fee waiver and I want to work with you on the VB fee long term but you are going to have to deal with paying for the code compliance inspection report (\$460)  
-you can do all of the cleaning out and maybe we don't have a lot to do inspection-wise; call Rich Singerhouse and he may take a look at it and say that he would recommend a "building only" code compliance inspection or he may not; he can advise you but you have to have the place absolutely spic & span*

*Mr. Odeen:*

*-so, I'll have to winterize the house*

*Ms. Moermond:*

*-yes; and you'll have to get that guy out of the garage  
-Mr. Dornfeld, you can have that conversation with Mr. Singerhouse; and they will need an electrical permit, for sure  
I'm doubtful given all the activity this place has seen  
-Rich should definitely get some Orders on the squatter in the garage*

*Mr. Dornfeld:*

*-this is Thanksgiving week and so our office is going to be pretty empty tomorrow; so there's no chance of this happening until Mon, at the very earliest; I will have Rich call the Appellant on Mon to schedule a time for us to come out*

*Ms. Moermond:*

*-you can get into the house from 8 am to 8 pm to clean; you need a drill*

*Waive the VB fee for 90 days. Rich Singerhouse will inspect the interior of the property to determine if a building only or full code compliance inspection is needed.*

**Referred to the City Council due back on 12/21/2016**

**21**      [RLH VBR 16-79](#)      Appeal of Kiros Tesfaye to a Vacant Building Registration Fee at 2437 STEWART AVENUE.

**Sponsors:**      Tolbert

*Kiros Tesfaye, owner, appeared; David Keller, Attorney, also appeared.*

*Supervisor Matt Dornfeld, Vacant Buildings:*

*-we received this on Apr 27, 2016, per referral by Code Inspector Lisa Martin, who received a complaint on Mar 7, 2016 that stated there was an attached stairway on the east side of the property that has missing handrails & rotted steps  
-Insp Martin responded to that complaint on May 8, 2016; she documented that complaint; also found tree limbs in the yard; garage roof shingles hanging; rotting wood & peeling paint on house  
-took photos and sent Correction Notice with a compliance date of Apr 7, 2016  
-her notes document that the house remains in disrepair; also interior issues  
-the house was sold without a Truth in Sale of Housing Report (TISH) and that the property is in poor condition; she sent another Correction Notice on Apr 25, 2016; no one showed up for the appointment; she found the house vacant with multiple code violations and sent it to the Vacant Building Program as it a Category 2 VB  
-Apr 27, 2016, Inspector Mike Kalis opened a Cat 2 VB  
-STAMP shows that the house is to be razed but there are no demo permits yet  
-we have given multiple VB fee waivers: Apr 27 we issued a 90-day VB fee waiver;*

Sep 29 we issued a 30-day VB fee waiver (Mr. Wagner approved both waivers) for a total of 120 days

-that VB fee has gone to assessment as of Nov 2, 2016

-in the meantime, Insp Kalis has gone out approximately a dozen times; had to issue a Work Order to cut the grass on Jun 6, 2016; all other inspections found no exterior maintenance violations

Mr. Tesfaye:

-bought property Mar 25, 2016; pulled a permit to do some of the work on Mar 29 - I was going to start remodeling; one of the things I wanted to do was to tear down that garage; when I went to pull the permit for tearing down the garage, I was informed by Jerome Benner that it was a double lot; so I thought that maybe I could do 2 homes but the numbers just didn't make sense due to the location; it wasn't worth it

-the reason I'm here is because I pulled a permit to fix the house; I've done some already and want to do more; I removed dead trees, the junk in the back, fix the stairs -the grass - they came in Jun; the front was cut but not the back

-I brought in paperwork to show what I've done so far and what I'm going to do with that house; I want to remodel it; tear the garage down and build a new one

-I will either live in the house or flip it

-but so far I haven't been able to do anything

Ms. Moermond:

-you've had 6 months so far

Mr. Tesfaye:

-from the get-go, I did the right thing: I pulled a permit to remodel it; I could have done the work and they could come to re-inspect to see what was done; why is it on the VB list? and why all these fees? I could do the driveway with that money; and I've spent thousands already on this property; I'm not sitting on it to do nothing; I'm going to make this property beautiful; it will be the most beautiful house on that block - that's how I do it; that's what I tried to explain every time I called Mike Kalis, the VB inspector and he said, "No, I can't do anything about it; you have to talk to Steve Wagner; and I never heard from Steve

Ms. Moermond:

-we have supervisors here at the table

-on the the flip side, I'm seeing a lot of extensions being given to get things under control and fee waivers beyond the length of time that I think that they're empowered to grant them

-normally, an extension on a fee waiver is handled this, the appeals process

-it's my preference to work with the VB fee, which is high but I want it to be an incentive so you don't want to be in the VB Program; the extension of fee waiver allows you to apply for permits and not have to pay the VB fee because, normally, to get a permit, you have to have all the bills in this area paid up but if you have a waiver, you can get a permit even though that VB fee isn't paid

-if the VB fee goes unpaid, it turns into a potential assessment and we can talk then about prorating it

-I don't know how significant your financial problems are - what your resources are for getting the rehab done and getting out of the VB Program

Mr. Tesfaye:

-I'm surprised that the VB fee is so high and that the code compliance inspection report is another \$500

Ms. Moermond:

-looking at the photographs of this bldg and the definition of a Cat 2 VB (Condemned,

major code violations, C of O has probably been Revoked) and it's clear to me that you have major code violations going on; and I think you would agree with that

Mr. Tesfaye:

-yes but most of that is gone now; dead trees are gone; that rotten staircase in the back is all gone; the rotted deck in the front is all gone

Ms. Moermond:

-has all that been confirmed by a bldg inspector?

-you want this to be a Cat 1 - do the cosmetics and get it out of it

Mr. Tesfaye:

-no, not cosmetic; I want to do it right; then, they can come and look at it once it's done; it's going to be absolutely beautiful; I'm telling you; you are welcome to come & look at it

-the place needed work and the previous owner did not pull a permit to build that garage; the owner built it himself

Ms. Shaff:

-you keep saying "remodeling;" what does that mean?

-have you been doing plumbing work?

Mr. Tesfaye:

-that means doing everything: flooring, walls, bathroom...

-no; I haven't done plumbing work

-I didn't get a TISH

Ms. Shaff:

-the only permit I'm seeing is for roof, siding and add a new deck to the rear of the house; there's no other permits

-when I look at the TISH, that house has some major problems

Ms. Moermond:

-can we walk thru those; when I look at this TISH, I'm seeing some hazardous ratings in the electrical

Ms. Shaff:

-TISH items: basement - deteriorated first floor joists; improper routing of electrical wiring; in plumbing, there's improper material & design; corrosion; improper support; water piping, faucet; uncapped gas line; improper shut off & support; rust line on heating plant; basement subject to flooding; foundation is cracked; water damage; so, you're going to need to pull more permits for that kind of stuff; ceiling & wall damage in the bathroom and sleeping room; you have to meet the energy code

Mr. Tesfaye:

-they just have sheet rock open to get to the electrical wires

-there's no water leaking from the roof; it's just that the plaster is peeling - it's deterioration

Ms. Shaff:

-they could not access anything in the attic

-improper flashing

Ms. Moermond:

-a TISH disclosure report is required in St. Paul; it's a private inspection by a licensed inspector, who is licensed by the city but not a city employee; the report should have

*been disclosed to you before or at the time of purchase*

*-you're a professional, so I'm just going to assume that you do know what you're doing*

*-you have just a bldg permit in play and you'd like it to cover any rehab work that you have going on in addition to the demolition of the garage; and you'd like your VB fee waived and be out of the VB Program*

*Mr. Tesfaye:*

*-I plan to do plumbing, electrical, pump downstairs, a new furnace so that everything that needs permits will be pulled*

*-I have an estimate to build a new garage; I have an estimate for the demo, nearly \$3400; I could pull a permit to demo the garage today; that's what I want to do but I'm told that I can't do anything*

*Mr. Keller:*

*-part of this is a time issue; it's important to bring out that he would have been farther along but the lot split just didn't make sense; it wasn't as though he was just doing nothing; he was actually trying to do the most viable project that he could; I've seen his work before and he will do a nice job; he just wants to get started; kind of getting double-dipped - the VB fee and bldg permit fees*

*-and there was an issue about getting Notice; he wasn't getting Notices right away; think it was because someone didn't realize that it was on record with the county that he was the owner; so, it took a long time to make that connection*

*Ms. Moermond:*

*-based on my review, I think this should be a Cat 2 VB; and when the VB fee assessment comes forward, we'll have another conversation about it and figure out how to deal with it*

*Mr. Dornfeld:*

*-Mr. Magner agreed to the extension; he thought that the house was going to be demolished*

*Mr. Tesfaye:*

*-I never talked to Steve Magner; I talked to Mike Kalis*

*Ms. Moermond:*

*-apply for the code compliance inspection to get a punch list of what needs to be repaired (trades); I saw enough in the TISH that is considered to be hazardous; I can't let it go*

*-I want to help you out on the fee; let's see how fast we can get the work down*

*-we will hold the VB fee in abeyance; you will be allowed to pull permits*

*-when it comes forward next year as an assessment, we'll have some time to discuss it*

*-before you get the code compliance inspection report, you can do things that don't require permits*

*-you can pull the demo permit for the garage*

*Mr. Dornfeld:*

*-order the code compliance inspection tomorrow and get to work*

*-later you'll get a letter 4-6 weeks from now, explaining the VB fee assessment (it's appealable)*

*Ms. Moermond:*

*Deny the appeal and owner will need to obtain a code compliance inspection; will allow permits and can pull permit for the demolition of the garage.*

Referred to the City Council due back on 12/21/2016