



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, August 12, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 14-13](#) Ordering the rehabilitation or razing and removal of the structures at 1093 ARCADE STREET within one-hundred and eighty (180) days after the August 20, 2014, City Council Public Hearing.

Sponsors: Bostrom

Remove or repair the building within 180 days.

RE: 1093 Arcade Street (Duplex)

Chi Nguyen and Thomas Phung, White Oak Investment Group, owner, appeared.

Steve Magner, Vacant Buildings:

- Jul 15, 2014 - Code Compliance Inspection Report was completed and sent out*
- Aug 5, 2014 - \$5,000 Performance Deposit was received*
- read the Jul 16, 2014 letter sent to owner from Mai Vang (attached)*
- that letter contained 6 conditions to be met:*
 - 1. contact Ramsey County Property Tax Record and make sure address is current;*
 - 2. pay outstanding real estate taxes for 2012;*
 - 3. provide general and subcontractor bids;*
 - 4. provide a work plan, including timelines and must be done in accordance with the Code Compliance Inspection Report;*
 - 5. post the \$5,000 performance deposit;*
 - 6. provide financial documentation dedicating the funds for the project (this can be a construction loan, a line of credit, or a bank statement);*
 - 7. if submitting a bank statement, you must provide an affidavit letter committing the funds for the project; and*
 - 8. maintain the property.*

Mr. Phung:

- they paid the outstanding real estate taxes for 2012*
- they developed a work plan with timelines and have a bid from the contractors*
- he signed an affidavit committing funds for the project*
- the timeline is from 3-6 months from their contractor; they are ready to go on most things; waiting for the city to OK proceeding with work*
- most items on the list of conditions have been completed*

Ms. Moermond:

- noted that the code compliance list seems manageable

Mr. Magner:

- this updated list verifies that a lot of work had already been completed; a lot of permits just hadn't been finalized

- encouraged Mr. Phung to direct contractor to work on exterior items first

- everything seems to be in order to proceed

Mr. Phung:

- the 3 bids have been accepted

- will recommend granting 6 months to complete the project

Mr. Magner:

- reminded owners that once they receive the Code Compliance Certificate, the house can be occupied; notify the city and the \$5,000 Performance Deposit will be refunded; at the end of 1 year, it will need to be inspected by the Fire Certificate of Occupancy Program

- and at the end of that first year, the owners can move into it, rent it or sell it (and won't need Truth in Sale of Housing Report)

- can pull permits right away

Ms. Moermond:

- City Council will adopt this resolution on Aug 20, 2014 and within 5-10 days of that, a copy will be sent to the owners

Referred to the City Council due back on 8/20/2014

2 [RLH RR 14-15](#)

Ordering the razing and removal of the structures at 1164 MINNEHAHA AVENUE WEST within fifteen (15) days after the August 20, 2014, City Council Public Hearing. (To be referred back to Legislative Hearing on September 16, 2014 and City Council Public Hearing on September 17, 2014)

Sponsors: Stark

To be referred to Legislative Hearing on September 16, 2014 and City Council Public Hearing on September 17, 2014.

The following conditions must be met in order to receive a grant of time: 1) a vacant building registration form must be filled; 2) a code compliance inspection must be conducted; 3) the \$5,000 performance deposit must be posted; 4) the property must be maintained; 5) a work plan or sworn construction statement with timelines for the completion of the rehab of the building; and 6) a letter of a commitment from the Bank dedicating the amount of funds for the project.

RE: 1164 Minnehaha Avenue West (Single Family)

Duane Erlen, High Pointe Realty, representing Freddie Mac, appeared.

Steve Magner, Vacant Buildings:

-The building is a one-story, wood frame, single-family dwelling, with a detached one-stall garage, on a lot of 4,792 square feet. According to our files, it has been a vacant building since October 22, 2012.

-The current property owner is Tammy Martinez per AMANDA and Ramsey County Property records.

-On May 2, 2014, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 7, 2014 with a compliance date of June 6, 2014. 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 \$20,400 on the land and \$115,600 on the building (an old evaluation)

-Real estate taxes for 2014 are current.

-The Vacant Building registration fees were paid by assessment on December 3, 2013.

-As of July 14, 2014, a Code Compliance Inspection has not been done. (Note: a code compliance inspection fee was paid January 24, 2014; however, an inspection was never completed.)

-As of July 14, 2014, the \$5,000 performance deposit has not been posted.

-There have been seven (7) SUMMARY ABATEMENT NOTICES since 2012.

-There have been seven (7) WORK ORDERS issued for:

- Garbage/rubbish
- Boarding/securing
- Tall grass/weeds
- Snow/ice

-Code Enforcement Officers estimate the cost to repair this structure starting at \$75,000. The estimated cost to demolish starting at \$12,000.

- going back to the Code Compliance issue, since an application was made and paid for, the city would be more than happy to provide that service but it would need a new application or communicate to Mr. Seeger that he can get access to the property for his staff

- a new Code Compliance Application Form was provided for Mr. Erlie, along with a Vacant Building Registration Form

- let the clerk at DSI Office know that the Code Compliance Inspection has already been paid for

Mr. Erlie:

- corrected the property information just read by Mr. Wagner: it's a 2-car detached garage, not a 1-car

- the previous owner defaulted on her loan

- doesn't know why it took so long for the Bank of America to foreclose

- the neighbors said that it was vacant for almost 4 years

- Bank of America provided the original loan; M&T Bank or Lakeview Loan Services was servicing the loan for Bank of America

- he represents Freddie Mac; if the loan goes into default, Freddie Mac will reimburse the bank and take over the property

- Freddie Mac is the best corporate owner of real estate in America; they take care of their properties; clean them out and fix them up; their goal is to bring houses that they get from banks back up to market condition and sell them to an owner-occupied person

- they had been informed that this property looked like one that was coming toward Freddie Mac

- they were notified at the end of Apr that this property was now part of their management responsibility; so, they did their usual survey of it and found that it was listed as a Category 2 VB; they asked for an accelerated redemption period (they'd like to take control as fast as possible)

- Freddie Mac became the new owners on Jul 29, 2014, when redemption ran out (they aren't informed until it's done)

- they went out Jul 30, 2014 to do their evaluation when they found the posting that the house was to be demolished

- the house is not in bad shape; they are looking at probably \$20,000 to bring it up to

code; it has a lot of work done to it: all new windows and doors; some modifications inside - new layout - new high-efficiency furnace in basement, etc.

Mr. Magner:

- the file does not show any permit sign-offs; work was done back in 2004-5 but was never signed off
- new furnaces may be good only for 6 years
- large chunks of siding are missing, which could be problematic
- a code compliance inspection is needed to make repair determinations

Mr. Erlie:

- most of the missing siding occurs on the gabled ends of the house
- they need some time
- he will email some photos (before and after)
- house is white glove clean; it will be easy to inspect
- they can get the code compliance inspection going right away
- they have the lock box, too
- getting the \$5,000 Performance Deposit from Freddie Mac will take about 3 weeks

Ms. Moermond:

- she will call the building official, Steve Ubl, to try to expedite the inspection
- will be on City Council agenda Aug 20, 2014 and she will ask them to lay it over to Sep 17, 2014
- this will be at Legislative Hearing on Sep 16 to get an update; is hopeful that all the conditions can be addressed by Sep 16
- she needs: a letter from Freddie Mac dedicating funds to this rehab; the \$5,000 Performance Deposit; new Code Compliance Application Form; and a Work Plan that is consistent with the Code Compliance Inspection Report

Referred to the City Council due back on 8/20/2014

3 [RLH OA 14-14](#)

Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 675 AURORA AVENUE.

Sponsors: Thao

To be on Consent Agenda: Deny the repurchase.

RE: 675 Aurora Avenue (Single Family)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)
- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence Walker, Jr., was to have paid the taxes but he wasn't

Ms. Moermond:

- police calls over the past 5 years: 2010 was a bad year; 2012 also
- 5 police reports for 12 police calls; the rest are advised
- 3 are violent crimes; violation of parole; domestic assault (tenants)
- indicative of lack of tenant screening

Mr. Magner:

- code enforcement history is also extensive

- Registered Vacant Building file opened Aug 2013
- complaints: 2011-property not occupied; trash & debris; cut tree limbs in back yard; garbage; when will somebody hold slumlords accountable for the debris and trash in the back yard; landlord clearly does not want to comply; 2010-also, a lot of complaints with Summary Abatements; C of O referrals; 2009-water shut off
- Ramsey County has been maintaining for the last year

Ms. Moermond:

- given the code enforcement history and police calls, she will recommend to deny repurchase

Referred to the City Council due back on 9/3/2014

4 [RLH OA 14-15](#)

Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 766 AURORA AVENUE.

Sponsors: Thao

To be on Consent Agenda: Deny the repurchase.

RE: 766 Aurora Avenue (Single Family)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B. Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)
- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence Walker, Jr., was to have paid the taxes but he wasn't

Ms. Moermond:

- police calls: 6 records over past 5 years; (1 in 2013; the rest in 2010 and 2011)
- 1 transport to detox; all others are "advised;" no violent crimes
- not significant police history

Mr. Magner:

- no recent code enforcement history
- garbage complaint - was taken care of; garbage and tall grass and weeds in 2011; garbage in 2010; tall grass and weeds, debris in 2009
- historically, this area has had a lot of alley issues, especially back in 2007,08,09
- still shows ownership wasn't very proactive in maintaining their property

Ms. Moermond:

- it looks like a Certificate of Occupancy Inspection is in process (Jun 5, 2013)

Mr. Magner:

- that's not completed
- code history would say that repurchase is not a good idea

Ms. Moermond:

- lots of deferred maintenance
- based on the code history, will recommend denial of repurchase

Referred to the City Council due back on 9/3/2014

5 [RLH OA 14-16](#)

Making recommendation to Ramsey County on the application of

Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 819 AURORA AVENUE.

Sponsors: Thao

To be on Consent Agenda: Deny the repurchase.

RE: 819 Aurora Avenue (Duplex)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B. Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)

- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence Walker, Jr., was to have paid the taxes but he wasn't

*- this property has an extensive history going back to Arp 2009 - same kinds of calls
- 1 1/2 pages of police calls for the last 5 years for both upper and lower units
- police calls: Jul 2014-welfare check; family/children (unfounded GOA); Mar 2014-disturbance fight-advised; Jan 2014-upper auto theft-advised; Sep 2013-proactive police visit-advised; Jul 4, 2013-upper unit-investigate juvenile (unfounded); Jan 14, 2013-welfare check-advised; predatory offender in 2012; other domestic in 2012; family/children violation restraining order 2012; harassment call 2012; harassment call 2011; disturbance disorderly boys/girls/persons - GOA; burglary-forced entrance 2011; police visit proactive 2011; predatory offender 2011; disturbance; citizens call; traffic stop; burglary; investigate; disturbance; drug narcotics 2010; auto theft, automobile 2010; disturbance, disturbance, citizens call 2010*

- this might be categorized as abuse of city services

- code enforcement: garbage; rubbish; mattresses; water shut-offs; garbage/rubbish; furniture; garbage; mattresses; (from 2013 back thru 2007)

- this is an occupied duplex

- would not recommend allowing repurchase

Ms. Moermond:

- based on both police and code enforcement history, will recommend denying repurchase

Referred to the City Council due back on 9/3/2014

6 [RLH OA 14-17](#)

Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 823 AURORA AVENUE.

Sponsors: Thao

To be on Consent Agenda: Deny the repurchase.

RE: 823 Aurora Avenue (Duplex)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B. Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)

- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence

Walker, Jr., was to have paid the taxes but he wasn't

Ms. Moermond:

- 6 police calls during the last 5 years: disturbances
- just a few

Mr. Magner:

- code enforcement: nothing in 2014; Summary Abatement in 2012; garbage SA Work Order; tall grass and weeds Work Order; trash in 2010
- is a registered Vacant Building since 2011 (Revoked Vacant in 2010-2011)
- good sprinkling of complaints 2004,05,06,07,08
- based on history, would not recommend repurchase

Ms. Moermond:

- based on combined police and code enforcement, will recommend denying repurchase

Referred to the City Council due back on 9/3/2014

7 [RLH OA 14-22](#)

Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 966 CENTRAL AVENUE WEST.

Sponsors: Thao

To be on Consent Agenda: Deny the repurchase.

RE: 966 Central Avenue West (Single Family)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B. Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)
- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence Walker, Jr., was to have paid the taxes but he wasn't

Ms. Moermond:

- 3 police calls in the past 5 years: sexual assault 2009; proactive follow-up visit; disturbance in 2010; nothing in 2011, 12, 13, 14
- looks like they cleaned up their act and there's not a problem property issue from that perspective

Mr. Magner:

- opened a registered Vacant Building file in 2008
- the city has been maintaining the property: cleaning up garbage; shoveling snow, etc.
- based on the level of city services, recommends denying repurchase

Ms. Moermond:

- will recommend against repurchase.

Referred to the City Council due back on 9/3/2014

8 [RLH OA 14-18](#)

Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of

Lawrence Walker, Sr., for repurchase of tax forfeited property at 777 FULLER AVENUE.

Sponsors: Thao

To be on Consent Agenda: Deny the repurchase.

RE: 777 Fuller Avenue (Single Family)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B. Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)
- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence Walker, Jr., was to have paid the taxes but he wasn't

Ms. Moermond:

- this has 2 1/2 pages of police calls for the past 5 years: 2014-8 disturbance calls; 2013-15 disturbance calls; 2012-disturbance calls; 2011-disturbance calls
- noise, etc., types of things going on
- high level of calls: advise on most of them; a couple transfers to detox; no reports written

Mr. Magner:

- ongoing issue of calls
- code enforcement: not very much; garbage/rubbish in 2004-05; garbage complaints in 2008; 2 in 2009 and 1 in 2013
- common for that area but police calls seem excessive
- would not recommend allowing repurchase

Ms. Moermond:

- is certainly a problem property; that's 1 - 2 police calls per month
- will recommend against repurchase

Referred to the City Council due back on 9/3/2014

9 [RLH OA 14-20](#)

Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 899 FULLER AVENUE.

Sponsors: Thao

No recommendation. (To be on Consent Agenda)

RE: 899 Fuller Avenue (Single Family)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B. Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)
- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence Walker, Jr., was to have paid the taxes but he wasn't
- this address has only 2 police activities: advised traffic stop Oct 2012; and a domestic assault in Jul 2012 (wrote reports)
- it's an occupied single family
- code enforcement: alley trash in 2005; garbage/rubbish in 2005; 2 garbage in 2006;

tall grass/weeds in 2007; 2 garbage/rubbish in 2007; 2 garbage/rubbish in 2008; water shut-off in 2008; possible vacant building and junk car in back yard in 2011; Certificate of Occupancy activity in 2012 (pending; exterior complaints)

Ms. Moermond:

- this has an old history but not too bad in the last 5 years*
- withholding recommendation*

Referred to the City Council due back on 9/3/2014

10 [RLH OA 14-21](#)

Making recommendation to Ramsey County on the application of Coretta B. Walker-Rinehart, personal representative of the estate of Lawrence Walker, Sr., for repurchase of tax forfeited property at 840 THOMAS AVENUE.

Sponsors: Thao

To be on Consent Agenda: Deny the repurchase.

RE: 840 Thomas Avenue (Single Family)

Steve Magner, Vacant Buildings:

- we have a letter from Kris Kujala, Ramsey County Property Records, saying we have 8 repurchase applications from Coretta B. Rinehart, personal representative of the estate of Lawrence Walker, Sr., her father (attached)*
- all were forfeited on August 1, 2013; owed is a total of \$90,719; the son, Lawrence Walker, Jr., was to have paid the taxes but he wasn't*
- police - search warrant in 2012*

Ms. Moermond:

- police calls in the last 5 years: 12 police calls: runaway in 2011; search warrant in 2012; animal bites twice; disturbance on fights*

Mr. Magner:

- opened a registered Vacant Building in 2012*
- code enforcement: tall grass/weeds in 2014; snow walk in 2014; 2 tall grass/weeds in 2013; garbage in 2013; 2 snow walk in 2013; snow walk in 2013; tall grass/weeds in 2012*
- looks like the city has been maintaining the property up until Ramsey County obtained the property*
- was on the behavior complaint list in 2012*
- narcotic search warrant; arrest for possible possession of fire arms by an ineligible and another arrested for a small possession of marijuana and visiting a disorderly house*
- recommends against repurchase*

Ms. Moermond:

- will recommend denying repurchase*

Referred to the City Council due back on 9/3/2014

11:00 a.m. Hearings

Summary Abatement Orders

11 [RLH SAO 14-29](#) Appeal of Katrina Smith to a Vehicle Abatement Order at 1558 POINT DOUGLAS ROAD SOUTH.

Sponsors: Lantry

Grant an extension for one month to put Class 5 down for a one car parking area; must have clean lines between the grass and parking area. Within 6 months, owner must file paperwork with the Planning Commission to install a permanent parking pad with a resolution within a year.

RE: 1558 Point Douglas Road South (Single Family)

Katrina M. Smith, owner, appeared.

Ms. Moermond:

- Vehicle Abatement Order

Inspector Ed Smith:

- complaint received Jun 12, 2014 - vehicles parked on the grass*
- Order issued Jun 16, 2014 by Inspector Mark Kaisersatt*
- sent to Katrina M. Smith, P.O. Box 18764, St. Paul; and all the mail that was sent to that PO Box was returned yesterday en masse*
- in the meantime, there were 6 Excessive Consumption fees issued for the illegal parking; he has cancelled all of them because the official notification was not sent to the actual address*
- mail was not returned that had been sent to Occupant, 1558 Point Douglas Road South*
- Ramsey County Property Tax statement also shows the P.O. Box as Katrina Smith's address*
- owner never got the official notification and correction notice*
- parking in front - not paved; there's Class 5 with a lot of weeds*

Ms. Moermond:

- looks like there's a curb cut near the mail box*
- Vehicle Abatement Order was issued to a Silver Chevrolet Sedan (currently, not operational) that needs current plates (expired Mar 2014)*

Ms. Smith:

- appealing the Summary Abatement Order for the vehicle*
- is looking to continue to park the Silver Cavalier in that spot; it did have asphalt there; she has not had a chance to maintain it*
- her street is a snow emergency street*
- she had a PO Box when she purchased the house (2009); does not have it any more*
- she has to park in that spot for the mail man to be able to deliver the mail*
- she contacted Zoning to talk to them about the parking space; it's a financial issue for her right now; she made application at PED to get funds to put in a driveway; but they told her that there's not enough space on the side of her house to put in a driveway so that she could park in the back of the house; so, the only spot that is available is that spot*
- parking there hasn't been an issue until now when her neighbor can't find anything else to complain about because she is abiding by all the rules*
- has looked into the price of Class 5 gravel and she can do that*
- the curb cut and parking spot has been there since 1998, which was used by the previous owner*

Ms. Moermond:

- thinks that she will need to have a site plan review that needs to go to the Planning Commission for a variance

Mr. Magner:

- Ms. Smith needs to submit a Site Plan application and PED Zoning would need to check it out; might need to get a variance from the Planning Commission; there's a cost involved

Ms. Moermond:

- would like to allow Ms. Smith to use Class 5 gravel as a stop measure" anticipating that this will be property taken care of
- there is a curb cut, which is rather peculiar
- she can live with Class 5 put into the 1 car parking space with clear delineations for 6 months, which will give Ms. Smith time to file paperwork with the Planning Commission (PED)
- would like resolution within 1 year with the Planning Commission
- if PC cannot grant parking there, Ms. Smith will need to stop parking there entirely
- the Class 5 is to be laid in 1 month
- will recommend granting the appeal on the Vehicle Abatement
- City Council Public Hearing Sep 3, 2014 at 5:30 pm

Referred to the City Council due back on 9/3/2014

Orders To Vacate, Condemnations and Revocations

- 12 [RLH VO 14-33](#) Appeal of Ferdinand Peters for Leonard Anderson to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate and Correction Notice at 559 MCKNIGHT ROAD SOUTH.

Sponsors: Lantry

Deny the appeal.

RE: 559 McKnight Road South (Single Family)

Leonard Anderson, property owner, appeared.

John Verant, attorney for Leonard Anderson, property owner, appeared.

Benjamin Shaw, attorney on behalf of Ferdinand Peters on behalf of Leonard Anderson, appeared regarding the water meter.

Inspector Ed Smith:

- there are 2 open files on this property: 1) opened Oct 10, 2011 dealing with exterior issues; and 2) opened Jul 22, 2014 after receiving notification from St. Paul Regional Water Services that the water was shut-off due to replace the water meter
- Nov 2, 2011- Orders sent regarding the exterior of the property
- Jul 23, 2014- Orders issued regarding water shut-off and water meter replacement
- Jul 28, 2014- Property Condemned because the water meter still hadn't been replaced; under other violations, also was listed the exterior issues
- photos taken Aug 4, 2014 on exterior conditions
- in addition to the water shut-off, the roof is deteriorated with holes; chimney on the west side of house has no flashing-has a hole; soffits are in disrepair; there's peeling and missing paint on the exterior walls; missing and defective guardrails; some siding is also deteriorating

Mr. Verant:

- chief complaint for Condemnation is the lack of water service; there's a big difference between having no plumbing in your home and having the water shut-off; his client has a water meter and everything else is there, too; the difference is that the water has been shut-off at the main inside the house, the water is shut-off on the line by his client's choice; previously, when he had the water connected, it froze and damaged his water meter; he was advised by the city that if you're going to shut-off your water, it's best to do it at the line rather than in the home to avoid this in the future
- his client has a working water system; it just isn't turned on
- his lives in his house; he is there almost everyday but he is sleeping mostly at his friend's home and he has no need to have the water on; further, this protects him from any possibility of vandals coming
- if that is "the" issue, he can have the water turned on within the week or maybe even within hours
- the next matter: allegation that the roof is damaged
- introduced photos taken Sat - this is not a shack out in the woods; this is a very nice home
- his property has minor damage on the roof caused by raccoons in the area (inspected by his home insurance adjuster this past Mon); he entered the insurance report; they concluded that there's minor damage to the roof caused, almost certainly, by raccoons; a check has already been issued on that and the repairs are going to be made
- there's a big difference between having damage to your roof because of lack of maintenance and having animals digging in your roof; the animals are there because there has not been proper control in the area, which is the burden of the city; his client doesn't have the authority to go and start shooting things; his neighbors are experiencing exactly the same problem with their homes
- his house has been examined by a licensed engineer, William E. Bloemendal, American Engineer Testing, who addresses, step by step, all of the complaints alleged in the Condemnation Order; as an engineer, he notes that damage to the roof is very minor, which will be handled by the insurance claim; chimney- there is no brick, it's a heavy gauge steel pipe, a stronger and better solution; his letter speaks for itself regarding all the complaints
- his client intends to have the roof repaired since he has the check in his hands right now and with a telephone call, he can have the water service restored

Mr. Shaw:

- water meter issue
- pointed out that since the Correction Notice was issued earlier this summer, his client has been working to get the water meter issue taken care of; both he and Mr. Shaw have been in contact with Ferguson Water Works, parent company of Northern Water Works, who is contracting with the City of St. Paul to replace water meters throughout the city; once they found out that Northern Water Works is no longer working with the city to replace water meters, they contacted St. Paul Regional Water Services and have agreed to the type of meter to be installed, a radio transmitting meter R900I; previously, Mr. Anderson had admirably valid concerns about radio transmitting meters being installed - he's previously had health conditions, cancer, that were cause for his concerns
- Mr. Loving, St. Paul Regional Water Services, advised his client that it would be advisable to possibly install the ball valves as opposed to the older turn knob valves; his client is currently pursuing having those valves swapped out; once that's done, the meter can be installed; it will happen very shortly
- there was nothing wrong with the plumbing; it was simply a recommendation that new valves would be easier to operate

Mr. Verant:

- pointed out that there is already a water meter; this is about replacing it with a more sophisticated automatic system

Ms. Moermond:

- when she receives outside city engineering reports, she gives city staff a chance to comment; and notes for the record that they are the enforcement officials and this is advisory to the City Council

Inspector Smith:

- there is a hole in the metal roof by the chimney that will need to be repaired; has photos that speak for themselves
- he thinks the problems are more serious than the outside engineering report indicates

Mr. Verant:

- noted that we are talking about the garage here; not the living area of the building

Mr. Magner:

- the garage is attached to the living area of the building

Ms. Moermond:

- we are talking about 1 building
- the Appellants are looking for the appeal to be granted on all of it
- she is flexible on many things that may lead to a Condemnation but water is the most serious (flushing the toilet, sanitation issue and a very serious sanitation issue)
- what is important here is that there is no water running in the house; water has to be running in order for this place to be habitable
- in terms of the other conditions, the city's building official will need to go out to look at this

Mr. Magner:

- Mr. Smith did a good job in photographing the violations that exist
- it's imperative that the property be brought into compliance with Chap. 34 of the Legislative code
- if the Appellant plans to make those repairs, there should not be an issue with ultimately lifting the Condemnation
- once permits are pulled, work completed and finalized by building inspection staff
- based on the fact that these violations were first noted in 2011, occupancy should not be allowed until it's brought up to code
- if this appeal is granted and the Condemnation is lifted, DSI's expectation is that the rest of the violations would still be remedied under permit; and if they are not remedied under permit, DSI will use some other enforcement tool to obtain compliance; if this appeal is denied, and the property isn't brought into compliance immediately, DSI would simply transfer it to the Vacant Building Program and categorize it appropriately

Ms. Moermond:

- asked if Mr. Anderson would allow a building office from the city to inspect so that we have a 2nd opinion on the housing conditions from an enforcement perspective

Mr. Verant:

- his understanding is that the city has the authority to inspect such things under any circumstances and they could have their own engineer there at the same time
- entered insurance report

Ms. Moermond:

- she hopes that they can both be there together
- she will not recommend re-occupancy without water service
- with regard to the other violations and pending a report from the building official, Steve Ubl or city structural engineer, Brian Karpen, she cannot allow re-occupancy
- she compared the engineer's report with the insurance report (\$2,112.29- claim)

Mr. Anderson:

- said that he was outraged at the city's conduct; there seems to be no justice for anyone; he is very upset about it
- he sent letters repeatedly to Inspector Ed Smith; Mr. Smith never answered any of them
- he owned a construction company for a lot of year; he built over 100 commercial building all over; and he never had any problems with those buildings
- he requested documents from the city which have never been received
- he continued to bring up his complaints about the city in regards to his property

RECESS taken at 12:25 p.m. in order for Ms. Moermond to make a phone call.

Hearing was resumed at 12:38 p.m.

Ms. Moermond:

- she spoke with Mr. Ubl and he has time right now to go out and take a look at Mr. Anderson's property
- if Mr. Ubl verifies Mr. Smith's findings, she will recommend that this property be Vacated and may not be re-occupied until all items are addressed
- if Mr. Ubl finds that the property is not so bad, she be willing to look at handling it differently
- Mr. Magner will also go out with Mr. Ubl
- she will put a decision on the record at the end of the day

Referred to the City Council due back on 9/3/2014

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 13 [RLH FCO 14-120](#) Appeal of Thomas Cross to a Fire Inspection Correction Notice at 1407 VIRGINIA STREET.

Sponsors: Brendmoen

Grant a variance on the ceiling height in the attic; grant owner to be out of the Fire Certificate of Occupancy Program; grant a variance on the attic to be used as a sleeping room for the duration of his ownership on the condition that no air conditioner is blocking the egress windows; and the owner needs to contact his ADT company to have smoke detectors interconnected with his alarm system.

RE: 1407 Virginia Street (Single Family)

Thomas E. Cross, owner, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice dated Jul 31, 2014 by Inspector Scott Perrier
- re-inspection Aug 29
- 2 items are being appealed: 1) use of the attic as a bedroom; and 2) classification

should go from a "B" to an "A"

- *attic was not intended to be used for sleeping purposes*
- *access to the attic goes through another bedroom*
- *attic ceiling height is not high enough*
- *Fire code says that a sleeping room must not pass through another sleeping area*
- *and the Legislative Code requires a ceiling height of at least 7 feet*
- *8 violations were identified*
- *photos*

Mr. Cross:

- *Delores Cross is his mom, who was the previous owner*
- *he has documents; is now the owner and he lives there*
- *does he need a C of O if he's the owner*
- *he has been living there since Jul 2011*
- *asked if he could put a permanently installed escape ladder out of the egress window? (Mr. Neis: check with the building inspector)*

Ms. Moermond:

- *scanned Mr. Cross' ownership documents*
- *looking at a 6" variance for ceiling height*
- *one exit is through the egress window; has an air conditioner*
- *the other exit is down the stairs through a bedroom*
- *is comfortable getting Mr. Cross out of the C of O Program, moving forward*
- *there are existing Orders so we can get code enforcement to follow up*

Mr. Cross:

- *there are 2 windows in the attic area; they are the same size; he can put the ladder out the other window*
- *he would have to remodel to get the ceiling height to 7 feet*

Mr. Neis:

- *even with those 2 window exits, he doesn't think it's a good call; the code stands behind the Orders*
- *the ladder is a good idea but executing a search is still not safe*

Ms. Moermond:

- *she can live with the ceiling height and 2 windows directly to the outside*
- *biggest issue is making firefighters aware of the situation - that there's a bedroom in the attic and that they need to go through the downstairs bedroom to get there*

Mr. Cross:

- *he has an ADT alarm system*

Mr. Neis:

- *if that alarm system not only notified ADT but also Fire personal, too and if the smoke detectors were interconnect, that would work*

Mr. Cross:

- *he will call ADT right away and make that happen*
- *he will also put up a hood over his range*

Mr. Neis:

- *because this house will now be owner-occupied, St. Paul Fire Dept offers what's called "Project Safe Haven" - allows St. Paul Fire Dept to do a comprehensive inspection, a voluntary program, which will actually provide stove top fire stops, smoke detectors and CO alarms, if needed*

- wants no air conditioning units in the attic windows

Ms. Moermond:

- there are air conditioners that are portable with no need for window installation
- the Fire Dept may be able to help with fire suppression; alarms need to be interconnected
- will recommend that a variance be granted but only during Mr. Cross' occupancy
- one follow-up inspection will happen in a couple of months, probably Oct
- Mr. Cross won't be billed for the Fire C of O re-inspection

Referred to the City Council due back on 9/3/2014

14 [RLH VO 14-36](#)

Appeal of William and Wendy Jansen to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 610 ST. ALBANS STREET NORTH.

Sponsors: Thao

Grant until September 2, 2014 to vacate the building or come into compliance.

RE: 610 St. Albans Street North (2 Residences on one parcel)

William and Wendy Jansen, owners, appeared.

Fire Inspector A. J. Neis:

- layover from last week to a Fire Certificate of Occupancy Correction Notice by Brian Schmidt
- based on last week's hearing, Inspector Schmidt had done a complete C of O inspection in which he identified multiple code violations, many or which were life-safety issues
- this building had previously been granted an appeal to have the attached garage roof repaired
- this house had been Condemned 2 other times by the city's Code Enforcement
- he inspected yesterday with the Jansens and found Inspector Schmidt's Orders accurate with the exception of the fact that a Condemnation Notice should have been issued based on multiple code violations and extensive repairs
- he Condemned the property; he found many concerns
- owners thought that they could get many things resolved having an extra week; although they made an effort, they could not get it done
- they took up the asbestos tiles from the kitchen floor and placed them in a bag in the dumpster, which isn't proper asbestos disposal (another issue); plus, the kitchen floor is in pretty bad shape
- the garage roof is caving in
- there's a band set-up in the basement, which may not be legal to do so; there are combustibles surrounding the furnace and water heater including a disposal ash can (right next to the gas-fired appliances)
- there are a lot of holes in the lathe and plaster throughout the house; lots of flaking paint, which may contain lead
- general lack of maintenance and repair
- cabinets under kitchen sink are rotted down to the floor
- there are issues with plumbing
- the garage is cluttered with combustibles, which not only create a fire hazard to the garage but also to the house, since it's attached
- he Condemned the house based on significant dilapidation, excessive accumulation of materials and combustibles in the garage, removing asbestos tiles, rotted floors, holes in lathe and plaster (may contain asbestos, now airborne), not proper functioning windows, and it's possible that there is structural deficiencies in the

garage but it was so cluttered that he could not access it; it's filled chest high
- re-inspection date pending the outcome of today's hearing
- in a situation like this, Vacate is typically between 10-30 days

Ms. Moermond:

- City Council Public Hearing is Aug 20, 2014; at that time, she will recommend that the house be Vacated by Sep 2, 2014
- if they need more time, they can go to that public hearing

Mrs. Jansen:

- the first fire inspector they had was a very nice fellow; he was very easy to talk to and he wanted to help them understand the safety issues and how to make things safe; he explained things very well
- Mr. Neis didn't talk to her while he was inspecting; he was more concerned with the occupants' personal belongings than with the things she thought should have been recognized
- her plan was to try to get these items fixed up
- her nephew lives there
- her sister was going to move in because she has recently had some strokes
- the nephew and her brother-in-law were going to help repair things
- the last inspector had no problem with the basement but when Mr. Neis saw the beer bottles there -- well, that's the only time he talked and he complained; they are of legal age to drink
- she feels as though Ms. Moermond is trying to help them but she felt that Mr. Neis didn't care a bit; he didn't try to help them; he just wanted the house ripped down and that's it; after he was done, they asked him what was the worst - what needed to be dealt with first; he said, "Everything! Everything! The whole house!" He doesn't care

Ms. Moermond:

- at last hearing, she had asked Mr. Neis to confirm what was already on the inspector's list; a double check and follow-up
- he said that he would have called only one additional thing to the Orders and it's the Orders that she needs to focus on

Mr. Neis:

- he apologized
- his job is to make sure that things are safe and advise on the severity of the dangers of smoking near gas-fired appliances, etc.
- he was there to confirm the violations
- if he wasn't smiling it was because he was genuinely concerned for her nephew's safety
- Mrs. Jansen was equally, if not more frustrated that he was about the conditions that she had been assured were going to be resolved before his inspection

Mrs. Jansen:

- she was frustrated because he nephew had not followed through on cleaning out the basement
- understands Mr. Neis' concerns
- they did get some things done; their hands are all cut up from working; she doesn't think that it's right to Condemn the house
- the only holes are 2 in the hallway and 2 in the bathroom
- unfortunately, they don't drive and you can't take large pieces of sheet rock and wood and buckets of paint on the bus; you need someone with a vehicle to help
- after they went to a funeral on Sat, they did have someone to take them to get supplies that they needed and they started in; by Sat evening, it was raining and it continued to rain Sun and Mon

- her husband was able to make 2 of the doors
- this is very frustrating
- she does not see the house as a "public nuisance" as stated in the Orders; we're not hurting anyone; she doesn't want anything to happen to her nephew, either
- they spent \$300 on supplies and just didn't get to do everything
- if they had money, they'd be able to hire people to do the repairs
- they own the property outright

Mr. Neis:

- explained that some of the language in the Orders are "canned statements" used in all Condemnation Orders, as required

Ms. Moermond:

- many people think that the Orders are confusing and poorly written
- this is a tall Order
- understands that they haven't been getting rental income or they would be in a better position to deal with this
- she would like to see them get some money to fix things up
- discussed several resources that may be able to help: Frogtown CDC; Kay Witgenstein, Ramsey Co House Calls Program; Joe Yousol, Planning and Economic Development; may be able to get a forgivable loan if you qualify
- Vacate or have things fixed up by Sep 2, 2014
- Council may be able to give you more time (Aug 20, 2014 at 5:30 pm)

Referred to the City Council due back on 8/20/2014

2:30 p.m. Hearings

Vacant Building Registrations

- 15 [RLH VBR 14-60](#) Appeal of Jeff Sutphen to a Vacant Building Registration Notice at 594 CASE AVENUE.

Sponsors: Bostrom

Change to Category 1 Vacant Building and waive the VB fee to September 19, 2014 to complete the Fire C of O List and if the repairs are not done, the property will be transferred back to the Vacant Building Program as a VB Category 2.

RE: 594 Case Avenue (Duplex)

Jeffrey C. Sutphen, owner, and Larissa Schaar, appeared.

Fire Inspector Leanna Shaff:

- this property has an active history so far this year; there have been 11 referrals between code enforcement and Fire Certificate of Occupancy
- Apr 30, 2014: she was called out by SPPD for a search warrant execution - a lot of the East Side Boys were hanging out in the lower unit; many arrests/citations for operating a disorderly house
- she inspected the lower unit; could not walk through the basement because it was piled high with people and items
- she subsequently opened up a behavioral warning folder and also scheduled a Fire Certificate of Occupancy Inspection
- through the inspection process, there have been many "No Shows"
- at each inspection, she is assisted by a FORCE unit officer

- things have not been done or have been done in a nonworkmanship type manner; there's a gammet of deferred maintenance; permit issues are not being taken care
- photos
- Jul 23, 2014, SPPD called for a board-up; also tall grass/weeds
- Jul 2, 2014, she found the building vacant
- reason for appeal: downstairs tenants did not come back because the Condemnation hadn't been lifted; the upstairs tenant also left because of the Revocation of the Fire C of O, which was based on building conditions
- she has inspected both units
- as of today, the property is not being maintained; drove by and saw tall grass/weeds

Ms. Moermond:

- Orders under appeal came 60 days after the search warrant was executed
- today, it's about 90 days after

Inspector Matt Dornfeld:

- it's a VB Cat 2 because of all what Ms. Shaff described in her report
- a boarding was ordered by SPPD Jul 22, 2014 (someone broke it after it was vacant)

Mr. Sutphen:

- he bought 2 properties in 2012; one was this one; he bought a couple more last year
- 2012 and 2013, everything went pretty well; property was rented all the time; had decent renters; etc; they passed all the inspections
- in 2013, they started having problems with these tenants; police calls, trash, etc;
- then comes the police raid and new inspections - deficiencies; he didn't think it was terribly serious
- he had a property manager whom he thought was taking care of things (Calvin _____)
- then the Jun 19 inspection came and there were almost as many things wrong as on the first one; was to re-inspected Jul 2, 2014
- he talked to Calvin, who assured him that he was going to dedicate all his resources to it and get it to a point of passing inspection
- after the Jul 2, 2014 inspection, he was so disappointed and upset
- suddenly, the property is shut down and he's still paying all the bills
- he fired Calvin and got a repair bid for all the items: \$15,600, from a reputable guy; he is going to get another bid
- he was shocked as they went through the building and he found that nothing had been fixed
- then he got the Notice that it would be put into the VB Program (another \$1400 is like a kick in the face after already being hurt)
- he is looking for some encouragement
- is looking for the VB fee to be waived if he can get the building back up to rental status

Ms. Schaar:

- she used to work for Calvin for a while and is now working for Mr. Sutphen
- she has tried to go online to read and understand the codes and figure out what defines a vacant building
- the house is over 100 years old
- she thought that most buildings were labeled "Vacant" and were "Condemned" for reasons of safety and fire hazards, not because the wood around the windows was rotting or there were some cracked tiles
- got letter around May 5, which left her only 10 days to fix everything on the list (unreasonable)

- an licensed electrician does not want to come out to fix a little tiny receptacle; she has tried - they don't want to take the time to come out and do those small jobs
- they already have 2 trash containers, one for each tenant; currently, only one tenant lives there so there's 2 cans for 1 unit
- after the first inspection, more items were added and some of the items we don't agree on like the driveway, which we patched
- is worried about having the building Vacant - only invites more problems with people breaking in

Ms. Shaff:

- comments: she was quite clear in her conversation with Ms. Schaar on Apr 30 in regards to where this was going; they also spoke twice the next day
- no show for Jun 19 inspection for upper unit (Ms. Schaar: the tenant told her that Ms. Shaff was there on the wrong day, 2 days before the scheduled time)

Mr. Sutphen:

- seems to have been a communication issue; it was not intentional that no one was there
- their driveway is concrete patched with asphalt; is that not proper?
- a new concrete driveway would be very expensive
- between the 2 houses, the water drains down the middle toward the front and the basement is not wet
- he bought property from someone who bought it as a VB in 2010 and he brought it up to code

Ms. Moermond:

- at this point, you need a variance to have gravel driveways; usually, it depends on the alley surface
- viewed photos again
- so, you don't want to be in the VB Program and do repairs on the current list and get the C of O re-instated
- Jul 2- the building was found to be empty; it continued to be empty when SPPD went there Jul 22; it needed boarding - the boarding triggered an inspection review
- what is relevant here is that the building was found to be unoccupied with major building/housing code violations; (Chap 43.07 gives the definition of what should be a Registered Vacant Building)

Ms. Shaff:

- major building/housing code violations: improperly done receptacles; windows screwed shut; extremely worn floors; step missing on stairs; broken windows/screens; multiple holes throughout the building (Mr. Dornfeld added: unoccupied and secured by other than normal means/Condemned or Vacated by Fire Certificate of Occupancy Program)
- this is not a Condemnation; it's a Revocation; it was Revoked with multiple code violations; not being repaired; not being taken care of; lack of maintenance

Ms. Schaar:

- when she had the inspection with Ms. Shaff on May 15, Ms. Shaff said to her, "I'm going to come back in 30 days; I want to see some improvement; I am Condemning the downstairs for 90 days." It was confusing to her; there was no clear black and white picture of Ms. Shaff wanted; she thought she had 90 days to it all done

Ms. Moermond:

- if by Sep 19, this list can be addressed to Inspector Schaff's satisfaction, she can keep Mr. Sutphen from paying the VB fee; if not, he will be in the VB Program

Mr. Sutphen:

- his contractor estimates 4-6 weeks for the repairs

Referred to the City Council due back on 9/3/2014

16 [RLH VBR 14-59](#) Appeal of Calhoun Ventures to a Vacant Building Registration Notice at 812 COOK AVENUE EAST.

Sponsors: Bostrom

Deny the appeal; appellant will need to obtain a code compliance inspection.

RE: 812 Cook Avenue East (Single Family)

Ashley Whitney, field coordinator, Calhoun Ventures, appeared. (JBB HD One LLC, owner, is a financial partner)

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection

- in 2014, this building has had many complaints (garbage, tall grass & weeds, broken windows, uncontrolled gutters, tenant issues, etc.)

- when she arrived for inspection, she found that the building had been vacated and no one met her for the inspection

- all the exterior violations had grown

- Jan 17, 2014 - snow complaint; Mar 13 - C of O referral; Feb 25 - doing work without permit, etc; Apr 7, 7, 11 - bags of garbage in alley and garage; Mar - screens out on 2nd floor; Apr 22- exterior complaints - garbage; May - tall grass and weeds; Jun 10 - more exterior complaints; Jun 12 - Parks SA; Jul 1 - tall grass and weeds; Jul 8 - Parks abatement

- a lot of code enforcement activities

- typically, when there are more than 3 complaints about a building and there's no resolve, she will open a Fire C of O, which she did; she sent a letter for inspection on Jun 16, 2014 for a Jul 2 re-inspection (screens and gutter complaints)

- Jul 2 inspection: she wrote that the owner/responsible party is a "No Show"; the house is vacant; there's lots of garbage; there's an emergency Summary Abatement on the front door; tall grass and weeds; excessive garbage outside; garage unsecured

- appointment letters sent to: ESM Real Estate, listed as their responsible party (there have been no updates)

Ms. Whitney:

- JBB is their financial partner; Calhoun Ventures manages the rehab for JBB

- once there are tenants, they will hire ESM or Renters Warehouse to do the property management

Inspector Matt Dornfeld, Vacant Buildings:

- Jul 10, 2014, Inspector Tom Friel, opened a Category 2 Vacant Building; it was vacant and secured upon inspection per Revocation by Inspector Shaff

- peeling paint, defective screens and a number of deficient items

- code inspector Seeley has a pending Work Order on debris in yard and inside garage

- Inspector Friel, on Jul 17, issued a Work Order to secure that garage, which was done by Restoration Professionals; he also issued a Work Order to cut grass on Aug 4

Ms. Whitney:

- there's a lot going on there; she doesn't want to make excuses for any of it

- they did not get the Notice from ESM that there was to be an inspection; she would most certainly have met with Ms. Shaff had she known
- tenants moved out on the 31st
- they did their own vacancy inspection on Jul 7; must have just missed Ms. Shaff
- they now have a contractor ready to go to bring this property up to code and then they will sell it; it's not in the best neighborhood and they can't get very good tenants
- they are looking to not have to wait 6 weeks for the code compliance inspection; they just want to get in and get it all up to code
- she has bi-weekly service set up on this property but clearly, he's not doing his work correctly

Ms. Moermond:

- this has been very poorly managed all year and the neighbors have been great property managers for the owner

Ms. Shaff:

- the light/camera installed on the front porch needs a permit

Ms. Moermond:

- will recommend denying the appeal; a code compliance inspection will be needed

Referred to the City Council due back on 9/3/2014