



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, July 22, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 14-408](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 1000 ALBEMARLE STREET.
- Sponsors:** Brendmoen
- Approve the assessment.*
- RE: 1000 Albemarle Street (Single Family)*
- Nam Nguyen appeared.*
- Inspector Joe Yannarely:*
- clean-up assessment: junk, discarded toys, yard waste and tree branches in rear yard*
 - this was a Vacant Building at the time*
 - Summary Abatement Order issued Apr 4, 2014; compliance Apr 10; re-checked Apr 10*
 - work done Apr 14, 2014 for a cost of \$372 + \$160 service charge = \$532*
- Mr. Nguyen:*
- appealing because they got that work done before the date and got the yard mowed, etc.*
- VIDEO - picked up misc. materials*
- Ms. Moermond:*
- she saw a fair bit of refuse, branches, etc*
 - there was a good 10 days in between*
 - will recommend approval of this assessment*
- Referred to the City Council due back on 8/20/2014**
- 2 [RLH TA 14-443](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 1000 ALBEMARLE STREET.

Sponsors: Brendmoen

Reduce from \$183.90 to \$50.

RE: 1000 Albemarle Street (Single Family)

Nam Nguyen appeared.

Inspector Joe Yannarely:

- boarding fee*
- secured 2 openings with 4 clips for a cost of \$23.90 + \$160 service charge = \$183.90*
- Inspector Dornfeld issued a Summary Abatement on Apr 4, 2014: immediately secure garage service door and front entry door to house; compliance was Apr 10*
- RESPRO did the work Apr 11, 2014*

Mr. Nguyen:

- for that one, he was there in the morning and secured it; he came back the same day and secured 2 nails in the storm door; after he secured it, it was opened up again (it was about 2 hours apart; he had a showing); the storm door was damaged; it was broken up on the bottom and it looked as though it had been pried open because he had secured it that morning*
- RESPRO must have just showed up and ... or ..*

Mr. Yannarely:

- the Vacant Building file was opened on that day*
- he has pictures of the door being unsecured (Apr 4, 2014)*
- the VB file is closed now; C of O was approved in May*

Ms. Moermond:

- is not sure what went on and is not sure of the timing*
- it could have been broken into after he had secured it the first time*
- will recommend reducing this assessment to \$90*

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

3 [RLH TA 14-436](#)

 Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 2036 BORDNER PLACE.

Sponsors: Tolbert

Approve the assessment.

RE: 2036 Bordner Place (Single Family)

Chris Gliedman, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection*
- cost: \$170 + \$155 service charge = \$325*
- date of Orders: Jan 24, 2014; approved Feb 21, 2014*
- bills sent out: Feb 25, 2014 and Mar 27, 2014*
- sent to property owner at 1768 Portland Ave, St. Paul*
- no returned mail*

Mr. Gliedman:

- he doesn't know what this is for
- he didn't see a bill
- just needs to know what it's for and he'll pay it
- the address it was sent to is correct
- he doesn't think that he's received a Certificate

Ms. Moermond:

- will recommend approving this assessment
- City Council Public Hearing Sep 3, 2014; within 1 or 2 weeks of that, he will receive a bill from the Real Estate Office

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

4 [RLH TA 14-441](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 711 CHARLES AVENUE.

Sponsors: Thao

Approve the assessment.

RE: 711 Charles Avenue (Duplex)

Lauren Feeney, Project for Pride in Living, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement issued Mar 14, 2014; compliance Mar 19; re-checked Mar 19
- Work Order was sent; work had been done by the owner, which generated a PAEC for a cost of \$120 + \$35 service charge = \$155
- the couch was moved to the rear of house near alley trash containers by the owner by the time Parks came
- sent to Frogtown Development LLC, 1035 E Franklin Ave, Mpls; and Occupant
- photos taken by Inspector Skally on Mar 14 show sofa in backyard; on Mar 19, sofa had been moved to alley
- history: 5-22-14: SA for basketball hoop on blvd; 1-9-14: garbage/rubbish; 3-13-14: garbage/rubbish; May 2012: couple SAs on refuse; 11-8-12: garbage/rubbish

Ms. Feeney:

- this was a rehab project done together with Frogtown Dev LLC
- originally under property management of Guardian Properties; she began in Jul 2013
- they do they best to drive by 4 times a week or more, if possible
- re this couch: when she first saw it, she contacted the tenant to remove it; if things don't get moved, their trash service will pick it up
- dumping happens frequently where there are dumpsters
- another problem: these Notices are going to a large headquarters, not to property management address
- Greater Frogtown Dev was their partner and co-owner in the property

Ms. Seeley:

- Greater Frogtown Dev is the contact on the C of O responsible party

Ms. Moermond:

- will have Ms. Feeney fill out a new C of O form for responsible party
- there is a history of problems at this property
- will recommend approval of this Excessive Consumption fee

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

- 5 [RLH TA 14-442](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 700 SELBY AVENUE. (710 and 716 SELBY AVENUE HAS SAME PIN)

Sponsors: Thao

Reduce from \$155 to \$77.50.

RE: 700 Selby Avenue (Apartments)

Lauren Feeney, Project for Pride in Living, owner, appeared.

Inspector Paula Seeley:

- *Excessive Consumption fee*
- *Summary Abatement issued Mar 12, 2014; compliance Mar 19; re-checked Mar 19*
- *in bold letters: including removing card board boxes, trash bags and misc trash/refuse on the ground by the dumpsters*
- *done by owner*
- *photos indicate the dumpsters were never closed; lots of trash and debris on ground*
- *indicates that no phone call has been received per Orders sent*

Ms. Feeney:

- *she has 3 caretakers for the 3 buildings*
- *she reported it; called Aspen*
- *she sent Notices to tenants asking them to please close the lids after they put something in*
- *the dumpsters are labeled on both sides: 700, 710, 716*

Ms. Moermond:

- *looking at the photo and the amount of overflow; it is above the top of the container (it's supposed to be level so that the lid closes all the way); there is some scattered around the container*
- *she sees much worse*
- *will recommend reducing this assessment by half (modest violation comparatively speaking)*

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

- 6 [RLH TA 14-430](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 863-865 CLARK STREET.

Sponsors: Brendmoen

Delete the assessment.

RE: 863-865 Clark Street (Three/Four Family)

Sean L. Arco, owner, appeared.

Inspector Paula Seeley:

- *snow Order sent Feb 28, 2014; compliance Mar 2; re-checked Mar 3*
- *sent to Occupant; and Sean Arco, 15581 Afton Blvd S, Afton, MN*
- *no returned mail*

- PAEC cost: \$120 + \$35 service charge = \$155
- photos
- when crew went out, the work had been done by owner

Mr. Arco:

- has several properties and he's a good landlord, who takes care of things
- he almost never has a problem
- because he has properties, he checks his mail regularly, daily
- he did not receive the first Notice; if he had, this would have been taken care of
- the only Notice he received arrived on a Sat and said that if it were not done by Mon..... so, he had a bunch of friends from church over and together they completely cleared the entire thing
- noted that the property directly north of this property is vacant (he believes it's owned by the city) and that walk way was not done either

Ms. Seeley:

- there was a mistake; the inspector thought that the vacant lot was 865 Clark
- these Orders should not have been issued

Ms. Moermond:

- this is an inspector error
- will recommend this assessment be deleted

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

- 7 [RLH TA 14-434](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 719 EDMUND AVENUE.

Sponsors: Thao

No show - approve.

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

- 8 [RLH TA 14-444](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 1715 FREMONT AVENUE.

Sponsors: Lantry

Delete the assessment.

RE: 1715 Fremont Avenue (Single Family)

Cherie Smith, owner, appeared.

Inspector Paula Seeley:

- Excessive Consumption
- Snow letter sent Feb 17, 2014; compliance 48 hours; re-checked Feb 20
- sent to Cherie Smith and Occupant at 1715 Fremont
- no returned mail
- PAEC; done by owner
- at the time it was re-checked, the snow was still not removed from the sidewalk
- photo

Ms. Moermond:

- Feb 17, 2014: 5 inches of snow fell
- Feb 20, 2014: 8 1/2 inches of snow fell
- impossible to know whether or not the first snow was shoveled when another 8 1/2 inches fell
- will recommend deletion of this assessment

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

- 9 [RLH TA 14-431](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 651 IVY AVENUE EAST.

Sponsors: Bostrom

No show - approve.

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

- 10 [RLH TA 14-439](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 566 JESSAMINE STREET WEST.

Sponsors: Brendmoen

Reduce from \$421.95 to \$170.

RE: 566 Jessamine Street West (Single Family)

Marquita N. Clardy, owner, appeared.

Inspector Joe Yannarely:

- St. Paul Police Dept requested an emergency securing (2 clips) at 11:00 am Apr 11, 2014
- cost: \$250 + \$11.95 for the clips + \$160 service charge = \$421.95
- an occupied building

Ms. Moermond:

- this is 11 am; has no idea why there's an emergency fee on this

Ms. Clardy:

- not sure why they had to come and secure anything; they broke the front door and called for a boarding; then left with the side door unlocked (still not secure)
- apparently, they were executing a search warrant
- entered a copy of an inventory receipt: execute search warrant and they took a piece of mail
- her son was driving a friend's car and was stopped near her home; they took him to jail and then they executed a search warrant at her property where he does not live
- she was not home at the time

Ms. Moermond:

- will recommend reducing the assessment to \$170 (removing the emergency fee; it was the middle of the day in the middle of the week)

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

- 11 [RLH TA 14-432](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 860 LAWSON AVENUE EAST.
- Sponsors:** Bostrom
- No show - approve.*
- Referred to the City Council due back on 9/3/2014**
- 12 [RLH TA 14-437](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 1200 MINNEHAHA AVENUE EAST.
- Sponsors:** Lantry
- Reduce from \$992.60 to \$500 and spread over 5 years.*
- RE: 1200 Minnehaha Avenue East (Single Family)*
- Georgia Larson, daughter of owner Catherine M. Larson, appeared.*
- Inspector Joe Yannarely:*
- *St. Paul Fire provided emergency medical aid - had to force entry*
 - *when they left, they had RESPRO secure the house*
 - *they also doubled charged the city; we got it cleared up and they are not refunding the city*
 - *adjusted total: \$540.20*
 - *they had to remove a metal storm door/window; use 1 board; secure clips on 4 windows*
 - *entered the Fire Dept Report*
- Ms. Larson:*
- *wants the boarding charges waived; it was an unfortunate medical situation*
 - *her mom was in transitional care; she is now home and is caring for her*
 - *her sister doesn't want her mom living their anymore but they don't help take care of her*
 - *a nurse is coming out and the family is supposed to help but her sister failed on coming while she went to work and all this happened*
 - *is asking that the fee be waived or lowered*
 - *they started with the window - tried to remove that; then, gave up and went to the door - removed the door*
- Ms. Moermond:*
- *will recommend reducing the assessment to \$500 and dividing it over 5 years*
 - *the did need to gain entry*
 - *we got rid of the second visit by RESPRO*
 - *suggested that she go to the City Council Public Hearing*
 - *encouraged her to check out whether her mom qualifies for a disability deferment (Real Estate Division, 1100 CHA)*
- Referred to the City Council due back on 9/3/2014**
- 13 [RLH TA 14-433](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 1120 PAYNE AVENUE.

Sponsors: Bostrom

Delete. This is an assessment for excessive consumption of code enforcement services. However, the inspection this refers to is for a pre-authorized work order, so the inspection would not have occurred in that case. The Parks crew would actually be the next ones on the scene.

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

14 [RLH TA 14-438](#)

ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 310 SHERMAN STREET.

Sponsors: Thune

Approve the assessment.

On or about April 18, 2014 at 2101 hours, Officers were sent to 310 Sherman Avenue on an alarm. Alarm originated at a basement window. Upon officers' arrival, they saw a broken window (pushed inwards) at the basement level, southeast corner of the building. Key holder was notified and arrived on the scene and gave officer access key to the rear door. Officer collected the window from the building with key holder's permission and called for a board up crew to secure the window opening. Key holder was ok'd with the City crew boarding up the window opening.

RE: 310 Sherman Street (Office-Administrative)

Charles Kosse, Art Farm Inc, owner, appeared.

Mr. Kosse:

- their office had been broken into in Apr and they had to have it boarded; what exactly is the \$160 administrative fee for?

Ms. Moermond:

- it's the processing fee at the city to turn it from a bill into an assessment

Mr. Yannarely:

- there was no emergency fee in this case

Mr. Kosse:

*- luckily, the guy that broke in came back for his drugs so, the police just picked him up in the parking lot when he came back; he left everything laying next to the building
- the alarm company called him to come down to the building
- the window was kicked in; the police cleared the building first before they him go in to see what was missing*

Ms. Moermond:

- in this case, you are the responsible party who was on the scene

Mr. Kosse:

*- I told SPPD to go ahead and do the boarding
- he has no problem paying for it*

Ms. Moermond:

- will recommend approval of this assessment

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

- 15 [RLH TA 14-381](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1410, Assessment No. 148210 at 439 THOMAS AVENUE.

Sponsors: Thao

No show - approve.

RE: 439 Thomas Avenue (Single Family)

Fire Inspector Leanna Shaff:

- *Fire Certificate of Occupancy on mercantile building*
- *cost: \$180 + \$155 service charge = \$335*
- *date of Orders: Nov 18, 2013*
- *approved with Corrections: Jan 24, 2014*
- *billing dates: 1/28 and 2/27/14*
- *corrections were done on May 28, 2014*
- *no returned mail*
- *this property has 2 Fire C of Os: 1) garage, storing facility; and 2) store*
- *the garage C of O was paid; the store was not*
- *sent to Sharing Korner, 439 Thomas, St. Paul*
- *Ms. Brent does not think that she should have to pay this; they are a nonprofit and rely on donations; they didn't get enough donated to pay the bill*
- *each building on a property gets a separate C of O, except on residences*

Ms. Moermond:

- *the city cannot take into account whether this is owned by a for profit, nonprofit, etc; this is an assessment*
- *will recommend approval of the assessment*

Referred to the City Council due back on 8/6/2014

Special Tax Assessments - APPEALS BY LETTER

- 16 [RLH TA 14-428](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 303 CLEVELAND AVENUE SOUTH.

Sponsors: Tolbert

Delete.

RE: 303 CLeveland Avenue South (Duplex)

Mai received a lengthy email letter from Deborah Cerkovnik, owner (attached).

Inspector Paula Seeley:

- *Excessive Consumption*
- *Snow letter sent Feb 7, 2014; compliance Feb 8; re-checked Feb 12*
- *comment: sidewalk snow blown but still has compacted snow*
- *another Summary Abatement was sent Feb 12 with compliance Feb 20*
- *Parks crew came Feb 25*
- *comment: sidewalk continued to be soft, uneven, bumpy,,,*
- *Work Order sent but when crew went out, it had been done by owner*
- *still generated a PAEC for a cost of \$120 + \$35 service charge = \$155*

- no returned mail
- photos don't look that bad; looks like she really made an attempt; they hired a professional service to remove the snow and ice (copies of checks are included in email); salt was put down

Ms. Moermond:

- it was a long time between when the Orders were written initially and when the crew went out
- the temperatures were very low between Feb 7 - 12; no accumulation of snow
- there was a significant accumulation of snow between Feb 12 and Feb 25
- doesn't know whether it was cleared or not
- will recommend deletion

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

17 [RLH TA 14-429](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410B, Assessment No. 148109 at 920 SELBY AVENUE (AKA 163 MILTON STREET NORTH & 922, 924, 926 SELBY AVENUE).

Sponsors: Thao

Approve. (Appellant stated she was going to appeal by letter. There was no written statement submitted.)

Police report indicated that on or about April 17, 2014 01:54 a.m., police squad was dispatched to the scene of a burglary alarm. Upon officers' arrival, they noticed glass front door was shattered and also noticed a brick on the ground inside of the business, Sense of Style Hair Salon. They also noticed footprints in the snow going south behind the business and followed the footprints for a block. Suspect got into a vehicle. Officers returned to the business and cleared the scene w/o incident. Officer dispatch the key holder/owner and was advised that owner is about an hour out. Officer requested Channel 5 to send out a boarding crew to secure the front door since the owner was not at the scene. The fee was not charged as an emergency call out despite the hour.

RE: 920 Selby Avenue (Club/Association Hall)

Inspector Paula Seeley:

- Boarding
- Apr 17, 2014: SPPD request securing of 1 opening with 1 board 2x4x8
- Respro was out there at 4:20 am on 4-17-14
- cost: \$26.95 + \$160 service charge = \$186.95
- comments: property owner called saying that she will be appealing by letter
- there's a lengthy police report (burglary) - attached

Ms. Moermond:

- SPPD showed up at 2 am; left scene at 3 am; they talked to owner who said they were an hour out
- Respro was there at 4:20 am
- will recommend approval of this assessment
- note: there was no emergency fee attached to this

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

18 [RLH TA 14-435](#)

Ratifying the Appealed Special Tax Assessment for Real Estate

Project No. CRT1411, Assessment No. 148212 at 919 TUSCARORA AVENUE.

Sponsors: Thune

Approve the assessment.

RE: 919 Tuscarora Avenue (Single Family)

No one appeared.

Fire Inspector Leanna Shaff:

- *appealed by email from Rodger A. Bradford, owner*
- *Fire Certificate of Occupancy cost: \$170 + \$155 service charge = \$325*
- *dates: appointment letter 7/29/13*
- *C of O letter sent 9/9/13 to Mike Thomas, 830 James Ave, St. Paul*
- *C of O letter sent 9/12/13 and 12/5/13 to Rodger Bradford, 2608 Edwards Ave, El Cerrito, CA*
- *billing dates: 2/11/14 and 3/11/14*
- *Mr. Bradford is contesting the administrative fee; he is happy to pay the original cost (email attached)*

Ms. Moermond:

- *on the final notice of the bill, it indicates that payment must be received in this office no later than Mar 28, 2014 or the fee invoiced plus administrative costs will be submitted for assessment to your property tax*
- *clearly disclosed*
- *will recommend approval of the assessment*

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

Staff Reports

19 [RLH TA 14-389](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410A, Assessment No. 148532 at 386 MAPLE STREET.

Sponsors: Lantry

Approve the assessment.

RE: 386 Maple Street (Duplex)

Inspector Paula Seeley:

- *property owner appealed the Work Order on the shed*
- *sent Summary Abatement Order and gave her until the 30th; then, found it unsecured; so, she issued another SA Order and ended up doing a Work Order on the 27th*

Ms. Moermond:

- *will recommend approval of this assessment*
- *the work was done by city crew and it was the work that was described in the SA Order*
- *they can file a claim for an valuables that they think were taken*

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

- 20 [RLH TA 14-390](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1410G, Assessment No. 148710 at 1549 SEVENTH STREET EAST.
- Sponsors:** Bostrom
- Reduce assessment from \$240 to \$150.*
- RE: 1549 Seventh Street (Single Family)*
- Inspector Paula Seeley:*
- I sent LH email*
 - confirmation from Advanced Disposal saying that Robert Thao has had garbage service start Apr 6, 2014*
 - Parks ended their service Apr 23, 2014*
 - could probably delete a portion*
- Ms. Moermond:*
- is not clear why there's all those different Work Order numbers*
- Ms. Seeley:*
- there maybe another assessment coming*
- Ms. Moermond:*
- 4 weeks of service: Apr 2; Apr 9; Apr 16 and Apr 23; so, there's one that occurred during the time period when he didn't have service*
 - not sure whether Mr. Thao communicated to the city right away that he had gotten service*
 - a pick-up, a drop-off and 1 week of service*
 - will recommend reducing this assessment to \$150*
- Referred to the City Council due back on 8/20/2014**

Special Tax Assessments - FOR DELETION

- 21 [RLH TA 14-424](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 631 ALBERT STREET NORTH.
- Sponsors:** Stark
- Delete as payment was received at DSI. (clerical error - change in personnel)*
- Referred to the City Council due back on 9/3/2014**
- 22 [RLH TA 14-425](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 1505 HOYT AVENUE EAST.
- Sponsors:** Bostrom
- Delete as payment was received at DSI. (clerical error - change in personnel)*
- Referred to the City Council due back on 9/3/2014**

- 23 [RLH TA 14-440](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405E, Assessment No. 148310 at 147 MARIA AVENUE.
- Sponsors: Lantry
- Delete; payment was received by Office of Financial Service. (No hearing necessary)*
- Referred to the City Council due back on 9/3/2014**
- 24 [RLH TA 14-421](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 1285 PARK STREET.
- Sponsors: Brendmoen
- Delete as payment was received at DSI. (clerical error - change in personnel)*
- Referred to the City Council due back on 9/3/2014**
- 25 [RLH TA 14-422](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1411, Assessment No. 148212 at 1635 THIRD STREET EAST.
- Sponsors: Lantry
- Delete as payment was received at DSI. (clerical error - change in personnel)*
- Referred to the City Council due back on 9/3/2014**

Special Tax Assessments - ROLLS

- 26 [RLH AR 14-53](#) Ratifying the assessments for Collection of Certificate of Occupancy fees billed February 11 to March 10, 2014. (File No. CRT1411, Assessment No. 148212)
- Sponsors: Lantry
- Referred to the City Council due back on 9/3/2014**
- 27 [RLH AR 14-54](#) Ratifying the assessments for Excessive Use of Inspection services billed February 7 to March 28, 2014. (File No. J1405E, Assessment No. 148310)
- Sponsors: Lantry
- Referred to the City Council due back on 9/3/2014**
- 28 [RLH AR 14-55](#) Ratifying the assessments for Boarding and/or Securing services during April 2014. (File No. J1410B, Assessment No. 148109)
- Sponsors: Lantry

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

- 29 [RLH AR 14-56](#) Ratifying the assessments for Graffiti Removal services from April 10 to May 2, 2014. (File No. J1409P, Assessment No. 148408)

Sponsors: Lantry

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

11:00 a.m. Hearings

Summary Abatement Orders

- 30 [RLH SAO 14-27](#) Appeal of Dan Treadwell to a Summary Abatement Order at 1497 BIRMINGHAM STREET.

Sponsors: Bostrom

Inspector gave owner an extension. (No hearing necessary)

Withdrawn

- 31 [RLH VO 14-31](#) Appeal of Anton Soukhanov to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1280 SEVENTH STREET WEST.

Sponsors: Thune

Deny the appeal and grant an extension until August 8 for all items to come into compliance by the owner. Vacate date for tenants is September 1, 2014.

RE: 1280 Seventh Street West (Apartments)

Anton Soukhanov, owner, appeared; tenant/caretaker, Kelly Kdahl and Linda Pittman, tenant in #4, also appeared.

Fire Inspector Leanna Shaff:

- started Mar 13, 2014 with a referral about trash everywhere; mattresses in back of truck that was not moved all winter; lots of people coming and going; Unit #2 is overcrowded

- she inspected Unit #2 on Mar 13; Mar 27; and Apr 15, she transferred it to the Fire Certificate of Occupancy Program; there have been numerous inspections

- property owner was given until Apr 15 to resolve the driveway/parking issue; it hasn't been resolved; no site plan was submitted; specific requirements were to cut down to 3 parking spaces, clear delineation of area, site plan approval and maintain the building = none of which has happened

- Orders continue to be relatively the same although the building is fluid; each time she goes there, there are issues and no compliance; smoke detectors don't work and CO alarms don't work; guardrail continues to not be repaired; wood trim is rotted; paint peeling; some has been marginally addressed but the workmanship is poor; there are numerous safety issues: door closers don't work; the rear door on one unit now has a double cylinder deadbolt, which is specifically prohibited in the code

- because of continued noncompliance with the City Council's Orders, she Revoked the Certificate of Occupancy

Mr. Soukhanov:

- it's important to see the whole picture, so, his caretaker/tenant is here to talk about what he has done during the past 7 months
- he evicted one of the worst tenants and remodeled 2 units, etc.

Ms. Kdahl:

- when this started, Ms. Shaff had some things that needed to be done and Mr. Soukhanov hired people to scrap the exterior and to fill in concrete in the back
- the guardrail in back is perfect
- smoke detectors: Ms. Shaff asked her and another tenant to take down the ones in their dining rooms; however, another tenant was allowed to keep hers up
- she has been keeping the hallways and yard clean; and she fixes things that are easily fixed
- yesterday, he took the list and went to the store and came back with 8 bags of items like outlets, etc.; he got rails for the back; locks for the front door; door closers; etc.
- 4 families are living there; each family has children; no one wants to move; it was pretty embarrassing when Ms. Shaff tagged the building
- all smoke detectors, CO alarms have new batteries
- nothing else regarding safety needs to be done after all the items bought yesterday are installed

Mr. Soukhanov:

- has spent about \$5,000 in the last 2 1/2 months; he listed amounts for individual items
- he gets paid every 2 weeks and all he makes goes toward this property
- most items are cosmetic; some can be done today
- door closer issue: some doors require sanding down and he is working on that
- did not know that dead bolts were in violation
- asking the city to work with him in getting this done
- is hiring an electrician to replace the outlets; originally, he thought Ms. Shaff meant to replace the outlet covers
- is begging his tenants to not take the batteries out of the smoke detectors and CO alarms; and to replace them when necessary
- they can get all the safety issues done very quickly so there's no reason to kick out 4 families with kids in the next 2 weeks
- all this can be done by the end of the month

Ms. Moermond:

- timeline is Aug 1, 2014 to get this done
- 1) she has to go with the Orders and codes with respect to safety; the perceived safety on the part of a tenant is not something she can go with as a meaningful measure; 2) Ms. Kdahl is a tenant on the property and she needs to take into account that there is a financial relationship between the two of you and Ms. Kdahl has a vested interest in this topic, the same as the landlord has a vested interest; so, she needs to take what Ms. Kdahl is saying with a grain of salt (just because of that); 3) she is hearing that a lot of deferred maintenance items need to be taking care of - basic kinds of repairs - the cost of doing business
- she can't concern herself with Mr. Soukhanov's private financial investment; it doesn't have to do with the safety of the building
- tenants need to be held accountable for making sure the smoke detectors and CO alarms have working batteries; one tenant can compromise the entire building by acting irresponsibly

Mr. Soukhanov:

- needs clarification on smoke detectors/CO alarms; they tried to add extras but Ms. Shaff told them to remove the extras or they would get a fine; he does not understand

where in the code it says that they cannot have extras
- the doors are fine but they need to be sanded down on some of the top corners because that's where they are catching and that's why they aren't closing completely; they have pressurized latches that make the door close but the door catches (old building tilting); the doors are not broken or in bad condition
- he will email photos of the doors

Ms. Shaff:

- smoke detectors are not required in dining rooms
- clarified that if a smoke detector is installed, it must function... must be in working order....batteries must be inside
- in this particular building, a smoke detector is required: directly outside sleeping rooms; in side sleeping rooms and one in the hall
- CO alarms are required within 10 feet of each room used for sleeping
- the electrician needs to pull a permit; it needs to be finalized
- concerned that the last inspection cycle in 2013 took 5 inspections in 7 months to complete the process and inspector noted that the property owner doesn't show up for inspections; in 2010, it took 6 inspections over 8 months; again, property owner not showing up for inspections
- also concerned about the appeal about parking in the back - City Council Orders

Ms. Kdahl:

- had another smoke detector in her dining area; Ms. Shaff asked her to take it down, so she did, so that she would not get fined; Ms Shaff said that she could get a \$50 fine if she put it back up (she felt safer having another smoke detector up)

Ms. Moermond:

- it's not a fine; it would be listed in the Correction Order; there's no fine associated with it
- she heard the inspector say that tampering with a smoke detector could result in a criminal citation; the presence of one that's operational is not an issue

Ms. Pittman:

- her kitchen and dining area is connected and her smoke detector is in the middle of that area
- we were told that we need a smoke detector near the bedrooms, too
- she, too, feels safer where it's at instead of moving it further down the hallway
- she does not know how many smoke detectors should be in each apartment
- all is fine in her apartment; only issue she had was a missing window screen, which she does have now
- she wants to stay in her home; she is happy there

Mr. Soukhanov:

- he thinks that he can comply with everything on the list but there are items that he is appealing
- wants to appeal the gravel driveway

Ms. Moermond:

- the City Council has already made a determination on the driveway; we are done with that
- it's a matter of enforcement at this juncture; she will not revisit the issue
- you have had clear direction on this; you were allowed to keep a Class 5 surface under a number of conditions including a site plan being approved and a clear and distinct separation of driveway and yard
- you need to file a site plan and go through the site plan review to get it approved

Mr. Soukhanov:

- other items he's appealing ---
- #15 - bathroom door: it does not bind; they sanded it before the re-inspection and it failed; has photos and a VIDEO that shows it opens and closes smoothly (Ms. Moermond: the VIDEO does not demonstrate that)
- #14 - Unit 2: smoke detector is operable; we tested it (Ms. Moermond: it was make operable while inspector was there but it needs to be operable at all times)
- #1 - "Provide and maintain foundation elements to adequately support this building at all points" When he refinanced, he had a structural engineer come out to check the foundation and all was fine. For some reason, he still failed #1; he will have the structural engineer email the city with the results; the foundation is fine (Ms. Shaff: is not sure that it's a structural issue; it looks like concrete, masonry fix that's required; he put patches over it but it's crumbling and that's less than professional)
- that's not part of the foundation
- that stuff you see is skirting
- #20 - Unit 4 kitchen: repair and maintain the countertop in an approved manner; showed photos of knife marks and a little cracked part (Ms. Moermond: she's reading repair and maintain, not replace; use a C-clamp and some serious glue)
- #23 - provide documentation of extermination; there is no reason to be cited for this, tenants agreed; he has mouse traps inside and outside always because he doesn't want the problems to start (Ms. Shaff: in the beginning, she was told by the tenants that there were mice in the building)

Ms. Kdahl:

- she has had no complaints about mice or bugs in the last 3 months

Ms. Moermond:

- the code on the foundation issue: the problem is that the Order is called out under a part of the code that is not technically correct but it's close; 34.09a, there are several sections that would apply to having holes and crumbling in the skirting; 34.09 1b covers it

Mr. Soukhanov:

- front door: it's been repaired and the lock is fine; have VIDEO of it opening and closing (Ms. Moermond: it's been addressed)
- #5 - repair and maintain door frame: has been repaired (Ms. Moermond: OK)
- he emailed the Smoke Detector Affidavit right away after the inspection to Ms. Shaff but he got tagged again

Ms. Shaff:

- he emailed that while she was out on inspection at his place; she doesn't get those emails in the field
- he signed it saying that he had taken care of all those things but when she got to his place, they were not all functioning

Ms. Moermond:

- you are responsible for keeping that taken care of; inspectors can write a Criminal Citation on that along
- the Order to Vacate is for long-term noncompliance of the Orders
- your Deadline is Aug 8, 2014 to come into compliance
- City Council Public Hearing Aug 6, 2014
- since you haven't come into compliance with the existing City Council decision on the parking surface that was made some months ago with a Jul 15, 2014 deadline; enforcement should be forthcoming
- if you have compliance on everything, you can maintain occupancy
- you will get a letter confirming

(Later that morning)

Mr. Soukhanov:

- 3 of his tenants have decided to move out but they want a small extension to Aug 30, 2014, so that they have enough time to find a place
- he will break the lease with them

Ms. Shaff:

- has not problem with the tenants leaving on Aug 30, 2014

Ms. Moermond:

- Mr. Soukhanov still has a compliance date of Aug 8, 2014
- if his tenants agree to continue to live there after Mr. Soukhanov comes into compliance, she is fine with that
- if he is not in compliance, the tenants vacate date will be Sep 1, 2014, Labor Day

Referred to the City Council due back on 8/6/2014

Orders To Vacate, Condemnations and Revocations - Code Enforcement

- 32** [RLH VO 14-29](#) Appeal of Julianna Warn to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 615 THOMAS AVENUE.

Sponsors: Thao

Deny the appeal.

RE: 615 Thomas Avenue (Single Family)

Julianne Warn and her husband, Marlin David Warn, Occupants, appeared. (James Franklin Wessels, the listed owner, is deceased; they are in the process of putting the house in Ms. Warn's name and remodeling it)

Inspector Paula Seeley:

- Inspector Kaisersatt was called out by the St. Paul Police Dept Jul 15, 2014
- the electricity was shut-off and they were using a generator; there were no working smoke detectors or CO alarms; considerable clutter and debris throughout the house; unsanitary condition; open junction box in upstairs hallway; missing handrail on second floor; exterior: old household furniture, recycling materials, etc
- Inspector Condemned immediately because it was a life-safety issue (using a generator)
- she called Xcel this morning and the electricity is still off
- she suggested that they contact Kay Wittgenstein, House Calls, to see if they can hook them up with some agencies to get the electricity back on

Ms. Moermond:

- based on her review of the photos, is wondering why the unsanitary conditions or accumulation of clutter wasn't called out as a principle violation because of unclear access to windows and doors

Ms. Seeley:

- Inspector Kaisersatt is in the learning process

Mr. Warn:

- when the police came into their house, they destroyed it; they threw all of their stuff

everywhere

- their house has never been messy
- the police threw everything from one room to the other; then, after they destroyed the house, they called the city to come and inspect
- he is nearly finished remodeling the back stairway going up, got the railing in; took the junction box out because that's where the smoke alarm is going
- the house has always been in excellent condition; house is immaculate
- they is no debris outside except for the recycling

Ms. Warn:

- the Dr. filled out papers so that they can get the electric back on; he uses a nebulizer
- Xcel balance is approximately \$2,000

Ms. Seeley:

- since Ms. Warn has been on energy assistance before, the chances of getting it again are better
- there's a question of whether this should be in the C of O Program

Ms. Warn:

- her father just passed; he had refinanced it twice
- they are going through a bank right now to see if the house can be put into his name; he's on disability
- have been living there 15 years now
- they didn't know that a generator was illegal
- the house is all organized

Ms. Seeley:

- the police may have done that when they executed the warrant

Ms. Warn:

- no arrest was made but she and her sister-in-law and the children were in handcuffs
- everything would be straightened up if Inspector Seeley came right now
- Inspector Kaisersatt took the Condemned sign off so that they could stay there

Ms. Seeley:

- is sure that the house is cleaned up but the electricity is still off

(to be continued in 15 minutes)

Mr. Warn:

- they would like to stay in their home
- they are working on getting the electricity back on; they have half the money
- they bought new smoke detectors for the house; and CO alarm
- the whole back stairway has been re-built; rail has been put back on

Ms. Moermond:

- gave them the information for House Calls Program
- the generator cannot be used (Mr. Warn: it was taken off the property; it had been in a well-ventilated shed)
- when the electricity has been restored, call the inspector to take a look to confirm
- the other items on the list are secondary; you can go back into the house to work on those from 8 am - 8 pm (can't cook, watch TV, etc.)
- Fire C of O Program or owner-occupied?? She would like to see a copy of the will - for intent, in the short term; in the long term, it will need to get probated (Mr. Warn: he has a copy of the will)

- when the electricity has been restored and the smoke detectors/CO alarms are installed correctly, you can move back in and call Inspector Kaisersatt to re-issue Orders for the rest of it
- Call Kay Wittgenstein, House Calls, and this can be done quickly; it's doable
- talk to Xcel about Mr. Warn's disability (Mr. Warn: he faxed a letter from the Dr. already); follow up with a phone call

Referred to the City Council due back on 8/6/2014

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations - Fire Orders

- 33 [RLH VO 14-28](#) Appeal of Kenneth D. Firkus to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 661 ASHLAND AVENUE.

Sponsors: Thao

Deny the appeal and grant an extension until September 12, 2014 for compliance.

RE: 661 Ashland Avenue (Two Family)

Kenneth Firkus, owner, appeared.

Fire Inspector Leanna Shaff:

- Revocation and Order to Vacate
- Aug 27, 2013, the Legislative Hearing Officer reinstated the Fire Certificate of Occupancy approved with Corrections and granted an extension to Jun 30, 2014 on the exterior
- there were 2 items on the list that were to be completed by Jun 30; now, it's Jul 22
- appealed today is the exterior garage and the deteriorated siding; it is not in compliance with the requirements set forth'
- photos

Mr. Firkus:

- he is here not to appeal or dispute this but to ask for an extension on a couple of the other listed items
- he put in an appeal after the Revocation as a precautionary measure in case he was not able to achieve item #1 and #2 before the deadline
- today, after he got here, he realized that he had not brought his paperwork; he had it printed it out in Room #310
- Jun 30 Order has 4 items (which surprised him)
- #1 & #2 - last Aug he had gotten an excellent bid for siding; when he came around this spring and took in the whole scope of the project, he increased the bid from \$12,000 to \$30,000; there was more work than he had expected, etc., etc
- as of Fri, painters have come out and repaired the siding on the house and garage and both are painted; however, there are 2 pieces of trim on the roof dormers that have come off; and the steps leading up to the house (not on the list) are crumbling; he feels that if the inspector writes that up when he comes Jul 30, he tenants may face eviction and he doesn't want that to happen, so he wants to get that fixed, too
- he does not have photos of the siding repaired and painted but that is taken care of
- he can't repair those dormers himself

Ms. Moermond:

- so, all is done except for the dormer trim and the crumbling front steps

Mr. Firkus:

- when he went to look for painting contractors to get the painting done before the Jul 30 deadline, both sources were out until Sep, which made him very nervous because this work needed to be done before Jul 30 - that's why he filed another appeal; however, he was able to get it done
- now, he doesn't know if he'll be able to get a contractor before Jul 30 to repair the dormers
- it will be difficult to find a contractor who will come out to install only 2 small pieces of trim

Ms. Moermond:

- will recommend that City Council grant until Sep 12, 2014 to come into compliance

Referred to the City Council due back on 8/6/2014

34 RLH VO 14-32

Appeal of Zia Her Xiong to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 492 BLAIR AVENUE.

Sponsors: Thao

8/8/14: Husband of Zia Her Xiong called and stated that his brother has decided not to live there but that his mom will be residing at the property. I advised him to write a letter stating the same to our office for Ms. Moermond's review at the 8/26 hearing.

Grant on the condemnation as power is restored. Laid over to get owner's decision on whether or not brother or mom will be added to title to be out of the Fire C of O Program.

RE: 492 Blair Avenue (Single Family)

Zia Her Xiong, owner, and her husband appeared. (Mai Vang interpreted.)

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy Condemnation by Inspector Scott Perrier
- since that time, Inspector Perrier spoke with Xcel; property owner had paid the bill
- they are Withdrawing the Order
- from what she understands, Ms. Xiong's husband wants to move his mother and brother into the property
- they want to appeal being out of the Fire C of O Program
- Ms. Xiong's listed address is 476 Van Buren Ave

Ms. Xiong:

- Ms. Xiong's husband's mother is on welfare and disability; his brother works (this is a different brother from the one who had lived there when the electricity was shut-off)
- the husband's mom is not dependent on him
- they were on vacation and weren't aware that the electricity had been shut-off

Ms. Moermond:

- this looks more like a rental situation than an extension of your household

Ms. Xiong:

- the house is homesteaded by Phan Xiong, the one brother who moved out
- the house is paid for; the mom and brother would be responsible for the utilities and other bills

Ms. Shaff:

- there's a difference between a homesteader and owner-occupied
- if the mother or brother, who's moving into the house, would put their name on the deed/title, then, it would be owner-occupied; that would need to be registered with the county

Ms. Moermond:

- there is no Order to Vacate anymore since the electricity have been restored
- will LAY this OVER for 1 month to give them a chance to think about their options
- she is considering getting them out of the C of O Program but she needs additional information to make that decision

Ms. Xiong:

- they went through the code compliance inspection in 2012; back stairway was approved

Ms. Shaff:

- the code compliance inspection is
- good for 1 year only
- some things still need to be fixed: stairway; yard needs to be kept clean

Ms. Moermond:

- if you added a brother to the title, this would be out of the C of O Program
- you have 1 month to figure out if he wants to add the brother/mom to the title or want to do that; and in the meantime, he does not need to address this list
- the unsafe stairway needs to be addressed and picking up the yard
- wants an inspector to make a judgment on the back stairway
- but no access needs to be provided during this 1 month LAYOVER
- Ms. Xiong needs to let the LH know what she decides
- if mom just moves in, she would consider this part of the same household

Laid Over to the Legislative Hearings due back on 8/26/2014

35 [RLH VO 14-30](#)

Appeal of Keren Orr to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 362 SHERBURNE AVENUE.

Sponsors: Thao

Grant the appeal. (Inspector will re-issue the Order to the adjacent property and owner at 362 Sherburne with a 30 day deadline.)

RE: 362 Sherburne Avenue (Single Family)

Keren Orr, Owner, appeared.

Fire Inspector Leanna Shaff:

- the last Fire Certificate of Occupancy was approved with Corrections in Jul 2013 by Inspector Jeremy Hall
- the driveway surface issue was given an extension to Jun 30, 2014

Ms. Orr:

- the driveway is jointly owned with the adjacent property to her right at #360 Sherburne
- the person who was living in the house moved out a couple of weeks ago
- she has had problems contacting the owner; she hears that the bank owns it
- she is looking to get this resolved; for the person/bank who owns it to come together with her and get it fixed
- she has a good tenant and she does not want for her to move just because of this

Ms. Moermond:

- asked if Driveway Orders had also been written for 360 Sherburne

Ms. Shaff:

- Orders were not written for the driveway of 360

Ms. Moermond:

- looks like 360 is owned by Houselink LLC

- we will work on a set of Orders for both addresses with a 30-day deadline with each other's contact information in the Orders

- asked that Ms. Orr's Orders be re-issued

- will recommend this appeal be granted

- you will not be Revoked nor have to Vacate

- let Inspector Hall know that you will be coming into compliance

- a letter will be sent to confirm

Referred to the City Council due back on 8/6/2014

1:30 p.m. Hearings

Fire Certificates of Occupancy

36

[RLH FCO
14-102](#)

Appeal of Joe Genereux to a Fire Inspection Correction Notice at 208 CHARLES AVENUE.

Sponsors: Thao

Grant extension for garage roof repair to June 1, 2015 and October 1, 2014 for the furnace ORSAT testing as wells as the rest of the items.

RE: 208 Charles Avenue (Duplex)

Joe Genereux, owner, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice dated Jul 7, 2014 by Fire Inspector Jeremy Hall

- the building received a Class B classification

- appealed is #5: provide heating facility test report (ORSAT) by a licensed contractor; he is asking to not have to do the ORSAT for this cycle

- previously, he was given a Class C grade in 2012

- the ORSAT is required whenever the Fire C of O inspection is conducted or within 1 year of the inspection

- the last reports were done in Feb 2012 and Aug 2012

Mr. Genereux:

- he doesn't disagree with any of the factual description

- his concern: he installed these furnaces in the late 1980s; he understands the regime of inspections has changed over the years but when the furnaces were inspected 2 years ago, there were no mechanical problems with them; there was a structural problem - the contractor did not have an outside combustion air source for the furnace in the 2nd floor unit, which they installed (a vent in the wall)

- total costs for those inspections was \$430

- since there was no mechanical problems, he would like not to have to endure that

significant cost for those furnace inspections again at this time; he will be happy to do them for the next Fire C of O inspection cycle

- he would like to be relieved from this expense

Ms. Moermond:

- the requirement is that the inspections be conducted on an annual basis

- she has seen many cases with furnace problems that had developed

- common problems: cracked heat exchanger and bird nesting

Mr. Genereux:

- but if the structure is a Class A, it's inspected only every 5 years

- to his knowledge, the furnaces were not inspected before 2012 for this purpose

- if he were a Class A, the furnaces would be inspected only every 5 years

- he understands the requirement but the cost is high

Ms. Moermond:

- will recommend the City Council deny this appeal

- it's an annual requirement

- it's been 2 years since your last inspection; it seems reasonable to be tested before the next heating season

- will recommend granting an extension to Oct 1, 2014 for the ORSAT

Mr. Genereux:

- roof: inspector said he would work with him on that

- shingles are just old and need replacement; the roof is not leaking; inspector said it could wait until fall

Mr. Neis:

- is not opposed to letting the roof go until spring 2015

Ms. Moermond:

- will recommend granting an extension to Jun 1, 2015 for roof repair

Referred to the City Council due back on 8/6/2014

37 [RLH FCO 14-96](#) Appeal of Faye Sparks to a Fire Inspection Correction Notice at 374 CHEROKEE AVENUE.

Sponsors: Thune

Grant until September 1, 2014 for compliance.

RE: 374 Cherokee Avenue (Single Family)

Faye E. Sparks, owner, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice dated Jun 24, 2014 by Fire Inspector Sean Westenhofer

- appealed is looking for some relief; needs more time to get it all done

- initially, it was purchased for her elderly father and her brother

- this is nothing in the Orders that asks for anything more than general maintenance and repair

Ms. Sparks:

- had the house for 12 years; bought it for her father; she fixed up the house and then, her father passed away, which was at the time when the housing bubble burst,

so it was either foreclosure or rent it out
 - has had no problem with inspections since she started to rent it
 - she was not at the property when Mr. Westenhofer came to inspect; house hadn't been inspected for 5 years
 - she was taken aback when she saw this list
 - roof had been replaced the year before she bought it so she would never have thought that she was going to have to think about re-roofing it already
 - built in 1925
 - trying to figure out a way to pay for all of this; she makes no money on rental
 - is looking for time to be able to come up with the finances to make those major repairs

Ms. Moermond:

- explained that Ms. Sparks doesn't need to replace items when it says to "repair/replace"
 - will recommend granting an extension to Sep 1, 2014 to come into compliance
 - notes for the record that Sparks used state Capitol as business address, state senate stationery and the tone of your appeal suggested, that by way of your role staffing a committee at the Senate, you think there was something inappropriate in the enforcement of the laws; and, each of these is an exercise in poor judgement.

Referred to the City Council due back on 8/6/2014

38 [RLH FCO 14-100](#)

Appeal of Joe Crosby to a Fire Inspection Correction Notice at 952 GRAND AVENUE.

Sponsors: Thune

Per owner's request, rescheduled to 7/29/14.

Laid Over to the Legislative Hearings due back on 7/29/2014

39 [RLH FCO 14-105](#)

Appeal of Mary-Megan Ehrmantraut for Lexington Kids Child Care to a Correction Notice - Child Care Center Inspection at 701 LEXINGTON PARKWAY NORTH.

Sponsors: Stark

Laid Over to the Legislative Hearings due back on 8/5/2014

40 [RLH FCO 14-97](#)

Appeal of Mr. & Mrs. Jansen to a Fire Inspection Correction Notice at 610 ST. ALBANS STREET NORTH.

Sponsors: Thao

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 8/5/2014

41 [RLH FCO 14-94](#)

Appeal of Angela Laskowski, Riverview at Upper Landing, to a Fire Inspection Correction Notice at 360 SPRING STREET.

Sponsors: Thune

Appellant to provide documentation/information about the Magic Pak systems to LHO. LHO will talk to senior mechanical and building inspectors for feedback.

RE: 360 Spring Street (Multi-Family)

Angela Laskowski and Joe Videle, Riverview at Upper Landing, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice dated Jun 19, 2014 by Fire Inspector Jeremy Hall*
- appealed is the ORSAT Test requirement*
- unique newer large building - heating unit in each apartment; 177 units in this building; 177 in the other building*
- would need 344 ORSAT tests; approximately \$30,000*
- building received a Class A rating*
- CO alarms are state requirements; the city enforces it*
- in the past, we've allowed these large buildings to space out the inspections; maybe 1 floor each year*

Ms. Laskowski:

- got a bid from a contractor for 1/2 hour per unit test: range up to \$100,000*
- this heating system isn't a standard heating system that you'd put into a residential house; it's a commercial grade heating system; the CO alarm is built right in and the CO is not adjustable (it's not like a boiler); everything is built into the Magic Pak System*

Mr. Neis:

- specifically, in this situation, with Magic Paks there's no adjustments that can be made on CO; it's either venting and working properly or it isn't*
- this test is to ensure that it's working properly*

Ms. Laskowski:

- is proposing that they submit an affidavit that says they are trusting their preventative maintenance program, working with Xcel Energy; their on site staff is certified with Xcel to do testing on other projects in their community; are asking that their staff do their own testing*
- they understand the need for safety and that this test helps to ensure that but this particular test doesn't seem to apply to their heating system so it seems inefficient to do it*

Ms. Moermond:

- needs to know more about the Magic Pak System - in depth information*
- there may be an alternative testing procedure for this system*
- pluck from the website those things that support this appeal*
- she will need to get this information and then talk with the Chief Mechanical Inspector and also the building official, Steve Ubl to see what they think about it*
- will LAY this OVER for 1 month to Aug 19, 2014 at 1:30 pm*

Laid Over to the Legislative Hearings due back on 8/19/2014

2:30 p.m. Hearings

Vacant Building Registrations

- 42** [RLH VBR 14-55](#) Appeal of Stephen Dick to a Vacant Building Registration Fee at 764 CONCORD STREET.

Sponsors: Thune

Waive the Vacant Building fee for 90 days.

RE: 764 Concord Avenue (Single Family)

Stephen Dick, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- Inspector Dennis Senty opened a Category 2 Vacant Building Apr 12, 2012*
- referred from the Fire Certificate of Occupancy Program*
- Oct 25, 2013 - Mr. Dick went through the Sale Review Process and was approved*
- permits are currently open; work is in progress; property is being maintained*
- Mr. Dick is here today to ask for an extension on the VB fee*

Mr. Dick:

- acquired the property Oct 2013*
- he thought he's be done by now*
- main issue that delayed things was that there was a septic system on the property which was not on the code compliance list*
- when they found out that it had a septic system, they required him to fill it in and connect to city sewer*
- this property is on the line between South St. Paul and St. Paul and each city couldn't figure how he was to connect to the city sewer (it went back and forth and took a very long time)*
- then, he had to re-do all the plumbing*
- mechanical permit is finalized*
- plumbing inspection was to have taken place Fri*
- electrical is still open*
- then Jim Seeger will need to final*
- expects to be done in 3 weeks*

Mr. Dornfeld:

- permits pulled:*
- plumbing on 12/27/13*
- electrical 11/20/13*
- building 10/31/13*
- warm air - finalized*

Ms. Moermond:

- sound like you're really close*
- will recommend the VB fee be waived for 90 days*

Referred to the City Council due back on 8/6/2014

43 [RLH VBR 14-56](#) Appeal of Bich Lien Nguyen to a Vacant Building Registration Renewal Notice at 1577 MARION STREET.

Sponsors: Brendmoen

Waive the VB fee for 90 days.

RE: 1577 Marion Street (Single Family)

Thang Nguyen appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- Category 2 Vacant Building file was opened by Inspector Mike Kalas on Jul 23, 2013
- was referred by Fire Inspection
- the Nguyen family went through the Sale Review process and was approved Dec 20, 2013
- all 4 permits are currently open: building, mechanical, warm air, plumbing; electrical permit has been finalized
- VB fee is due tomorrow, Jul 23
- property has not been a nuisance; it's been maintained and secured

Mr. Nguyen:

- it's done but he needs to replace the roof on the garage and some other work
- will be finished in 90 days

Ms. Moermond:

- if it's done in 90 days, there will be no VB fee
- waive the VB fee for 90 days

Referred to the City Council due back on 8/6/2014

- 44** [RLH SAO 14-26](#) Appeal of Bruce A. Olstad to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate, Correction Notice and Summary Abatement Order at 1497 MATILDA STREET.

Sponsors: Brendmoen

Inspector to do inspection follow-up on exterior violations and the yard must be completely cleaned up; repairs are underway, LHO can look at longer deadline and removing the vacate date.

RE: 1497 Matilda Street (Single Family)

Bruce Olstad, owner, appeared.

Matt Dornfeld, Vacant Buildings:

- complaint came in from Ward 5 on May 30, 2014; Inspector Paula Seeley responded
- inspector's notes: entire yard and a portion of city-owner property is full of junk from huge metal items, excess wood, barrels, tires, 2 deteriorated hot tubs, drain tile, vehicle parts, metal storage crates full of rubbish, pallets, etc. (list too long to describe; see photos)
- she spoke with a Glen, who lives there; she told him it would all have to go
- several vehicles have expired tabs
- roof has tarp on it
- soffit and fascia damage
- she advised that a building inspector take a look at the house
- Mr. Olstad states that he has cancer; his daughter also lives there
- Jun 23, 2014: Inspector Ed Smith did a follow-up inspection with Mr. Magner and noted that some progress had been made but not much
- photos
- an Excessive Consumption Order was issued at that time
- waiting for Mr. Magner to get back from vacation to discuss further action
- gas is shut-off
- Jul 2, 2014: per Xcel, gas service is still off
- Inspector Smith Condemned the property on Jul 2 for material endangerment, lack of basic facilities, lack of general maintenance
- posted Vacate Placard Jul 2, 2014

Mr. Olstad:

- the gas was never off; it's been on the whole time; he has a bill showing that the gas was on
- everything in the back yard is all gone
- now, he has only the materials that he is using to work on the house; he is getting ready to do the roof; has the shingles there
- he told them that after the 1st, he'd be pulling a permit for the roof and repairs; then, they Condemned it because of the gas shut off

Ms. Moermond:

- inevitably, it's Xcel that notifies the city about shut-offs and the city does take Xcel's word for it

Mr. Dornfeld:

- Jul 7, 2014 - Inspector Smith notes that Xcel has been restored but the Condemnation will remain in effect due to the lack of maintenance of the exterior of the structure
- Mr. Magner, apparently, told the property owner to file an appeal of the Condemnation and the Summary Abatement to clean up the yard
- the SA to clean up yard went out May 30, 2014; a Work Order was not issued because of the progress he has made and his health is challenging
- he was out there last week and a major clean-up has been done on the city portion and much of the yard

Mr. Olstad:

- he is working to repair the roof, soffit and fascia; put in new windows and then, replace the siding
- he is getting help to do the repairs; he can do a lot of the detail work himself
- the back of the yard is cleaned out; most of the materials in the yard now are materials that he will be using to fix things; some other stuff yet - not a lot
- he is not a scrapper but he did haul away 2 small trailer loads of metal
- the tarp is on the roof because when they did the roof before, they didn't put metal in the valleys and it started to get bad so he wanted to make sure that it didn't leak through
- he is living at the property; has lived there for 19 years
- will need to start radiation and chemo

Ms. Moermond:

- the gas is back on; was her biggest concern
- the next biggest thing in her view has to do with the soundness of the structure
- then, it's the yard (nuisance issue for the neighborhood)
- she asked Mr. Dornfeld to cancel this SA and issue a fresh Summary Abatement Order (needs new eyes since much has been done)
- go out and be clear about what the expectations are for getting things out of the yard
- the things that are in the yard for repair may not actually be allowed to be there (need to be in a garage or shed if not using right away)
- she is looking for a plan on the house repair
- come back in a week with a plan
- will Lay this Over for 1 week
- she doesn't know right now that the exterior violations should be considered as a principal violation, justifying Condemnation

Mr. Dornfeld:

- wasn't able to get close to the house because Mr. Olstad has a large Malmut in the

yard that prevented him from getting too close

- he thinks that there's some rotted wood and definite issues with the roof covering
- he will be on vacation next week but Inspectors Kalas, Singerhouse and Magner will be doing follow-ups
- have not yet opened up a VB file yet
- get the permits and get started on the roof work
- pull a general building permit at 375 Jackson St (Mr. Olstad: he's talked with Virgil)
- continue to work with a 2-week deadline on having full compliance on the yard and up and going on remodeling the house

Ms. Moermond:

- she'd like more information; needs specifics on the roof (there is severe wood rot in the Orders)
- let's talk in 2 weeks and if we have some significant progress, like the yard completely taken care of and the repairs underway, then, she can look at a longer deadline
- LAYOVER for 2 weeks
- have yard completely cleaned-up and repairs underway

Laid Over to the Legislative Hearings due back on 8/5/2014

Other

45 [RLH OA 14-13](#) Appeal of Elizabeth Sampair to a Denial of an Application for a Fence Variance at 1845 GRAHAM AVENUE.

Sponsors: Tolbert

Grant an 18-inch variance in fence height for the length of the fence separating the deck areas of this and the adjacent property; the balance of the fence shall not exceed 6.5 feet, per SPLC 33.07.

RE: 1845 Graham Avenue (Single Family)

Elizabeth A. Sampair, owner, and Tom appeared.

Ms. Moermond:

- there is no staff report
- she has an appeal

Ms. Sampair:

- submitted her Order of Denial of a fence permit
- her deck and neighbor's deck face each other
- want something to separate that would also look good

Ms. Moermond:

- Mai Vang will scan the Order of Denial

Tom:

- entered a sketch of their proposed idea of something separating the views from deck to deck
- 16 foot length of the fence - increase it's height by adding lattice or planters, etc. (cut the view so that they aren't staring at each other)
- standard 6'6" fence between the yards; then have two eight foot sections to limit the view from door to door
- all work will be professionally done

Ms. Moermond:

- asked if they brought the design to Steve Ubl

Tom and Ms. Sampair:

- they talked to Michael _____ on the phone and he said to file and appeal and bring in some pictures, sketch, etc.

Ms. Moermond:

- she is comfortable allowing the fence to become 8 feet if the top 2 feet are decorative between the 2 decks

- will recommend the City Council grant a variance

Referred to the City Council due back on 8/6/2014