

MINUTES OF THE LEGISLATIVE HEARING

Excerpt Pertaining to J1102A Property Clean-Ups from July 30 to August 12, 2010

October 5, 2010

1692 Wilson Avenue (J1102A) – *Rescheduled to October 19, 2010 at owner's request.*

2172 Ann Arbor Street (J1102A) – *Approve the assessment.*

Jean Norris, mother to Katherine Norris, tenant, appeared.

Ms. Moermond asked for a staff report. Mr. Essling reported that the summary abatement order was issued on July 23, 2010 for removal of tires with a compliance date of July 30, 2010. Property was found non-compliant on July 30, 2010. A work order was sent to Parks. Clean up and removal of ten (10) tires performed on August 3, 2010. Total assessment is \$500.

Ms. Norris said that her daughter was 21, 5'2" in stature, and was out of town at the time of the summary abatement order. The tires were not hers but were being dumped by others. Upon receipt of the order, sufficient time had passed that the daughter Katherine Norris took the tires from the alley and threw them over a privacy fence into a yard not used until a better solution could be found. When Ms. Norris decided to retrieve the tires from the unused yard, they were gone. It was confirmed that the City took them but the Norris' were not sure how the City got in.

A video was played showing the ten (10) tires strewn about an unkempt yard before being removed.

Ms. Norris had intended to remove the tires, but before she got the chance, the City came and removed them. She is surprised they are being assessed because she didn't know they were coming; there was no note about their coming. Ms. Norris said that she doesn't know if people are simply abandoning their tires onto the property but \$500 sounds too high for an assessment. Ms. Moermond responded that the abatement order provided for a week which is reasonable for the work to be performed; but since the work was not done, the order indicated whom to contact under the circumstances. Ms. Norris said the deadline was already passed.

Mr. Essling reported that there had been complaints of ten (10) tires for over two (2) months. Ms. Moermond said that the owners need to maintain the property. Ms. Norris said that the timeframe and amount is unfair and that she understood they should pay something, but not that much.

Ms. Moermond recommended the assessment be approved based on the time allowed and cost for the work performed.

935 Arcade (J1102A) – *Approve the assessment.*

Pan Young appeared.

Ms. Moermond asked for a staff report. Mr. Yannarely reported that this property is a category II vacant building with a summary abatement issued to remove pallets, mattresses, and general refuse on August 3, 2010. The compliance date of August 7, 2010 was checked on August 9, 2010, and a work order sent to Parks. Cleanup was performed on August 11, 2010.

A video was played that showed a mattress and pallets before being removed.

Ms. Moermond asked Ms. Young the reason she was appealing. Ms. Young said that the refuse was removed around the 12th and then on the 14th of August 2010. Ms. Young said she was there cleaning up weeds on the corner. Ms. Moermond said the work was done on the 11th. Ms. Young said the cleanup was performed by her nephew and brothers. Ms. Moermond asked if they did remove some items, but not those in the video. Ms. Young said she had a receipt for a dumpster. The work was performed. She cleaned up the weeds on the 14th. Ms. Moermond said that all we are talking about are the pallets, mattresses and general refuse. Ms. Moermond suggested that the nephew and brother were cleaning up different things. The three things listed in the order were cleaned up by the City crew. Ms. Young said that cannot be possible. She said they removed a lot of stuff, though. Ms. Moermond said that they must have removed other stuff, since the video shows the City did the cleanup, and it is time stamped. Mr. Essling said that workers were on site removing fridge and pallets, per the inspector, and some of the original nuisance was still there. Mr. Yannarely said a work order for tall grass and weeds was sent and it was done by the owner. Ms. Moermond said that both things were true. Ms. Moermond recommended approving the assessment as items were clearly removed by City as shown in the video.

1736 Margaret Street (J1102A) – *Reduce the assessment from \$300 to \$150. Grant extension on garage abatement (forthcoming) until November 30, 2010.*

David Jones appeared.

Ms. Moermond asked for a staff report. Mr. Essling reported that a summary abatement had been issued on August 5, 2010 for failure to cut grass with a compliance date of August 8, 2010. It was checked on August 11, 2010, with a work order sent to Parks which performed the work on August 12, 2010.

Ms. Moermond asked Mr. Jones why he was appealing to which he replied that he wasn't sure if he was. Mr. Jones said that they charged him \$300 and put it on his property taxes. They were out there again for his garage and rank vegetation. This has been going on for 20 years. Mr. Jones wants to wait until his grass is healthy, then cut it and rake it. Mr. Jones said that he keeps getting threatening letters but usually cuts the grass before the deadline. Mr. Jones said that the issue this year was that we had so much rain, which he couldn't control and it was difficult waiting for the right time. Mr. Jones' lawnmower does not function properly when cutting wet grass; it packs up. Mr. Jones tried mowing along the forty (40) feet of boulevard but before he was two-thirds done, the mower died four (4) times. Mr. Jones said that he was eighty (80) years old and his health is not what it used to be. Mr. Jones said the City didn't wait; they trashed it and it looked awful. Mr. Jones called DSI and said they can't mow when it is wet.

Mr. Jones said his garage needs painting. He has enlisted the aid of a contractor and he may want to paint or put up new siding. Mr. Jones thought the estimate may be around \$2500. He said the rank vegetation is beyond his control; that a neighbor's tree overhangs his property and drops seeds and pods onto his yard. Mr. Jones paid \$200 last year to have the tree trimmed but the debris was not hauled away. He said that the reason he hasn't painted the garage yet is because he wants to wait until October when it is dry and there are no bugs. Mr. Jones said he had surgery and is limited in what he can do; plus it was hot so he called a contractor.

Ms. Moermond asked about the summary abatement order on the garage. Mr. Essling said that it was for painting the garage with a compliance date of October 25, 2010. Mr. Essling said that there were ten (10) work orders for tall grass and weeds since 2005, four (4) in 2010, all but two of which were done by the owner.

A video was played showing the tall grass and weeds over eight (8) inches tall in the front, back and along the boulevard before and after it was mowed by the City.

Mr. Jones said that in the video, his apple tree branches were cut off as well. He asked why no one comes and talks to him. No one has knowledge of what goes on. Ms. Moermond asked if he had called the City. Mr. Jones said he had called every year for twenty-three (23) years. He called Jack Reardon. Mr. Jones said the City is not in communication with him. Ms. Moermond said that Mr. Jones has gotten two (2) work orders for tall grass and weeds this year but in the past had always taken care of the work orders himself. Mr. Jones said it is not because he is rebellious. Ms. Moermond recommended reducing the assessment by half from \$300 to \$150. Ms. Moermond asked Mr. Jones if he was appealing the deadline on the garage and if he would like more time. Mr. Jones said he didn't know whether to paint or reside. He was waiting on the contractor. Ms. Moermond asked if it will be done this fall. Mr. Jones expects that Jack Reardon will be driving by to check on it. He said that there are some rotten wood boards that need replacing. Mr. Jones added that his neighbor blows snow against his garage.

Ms. Moermond recommended granting an extension to November 30, 2010 on the painting or re-siding of the garage.

2236 4th Street East (J1102A) – Reduce the assessment from \$644 to \$500.

Dan Stluka appeared.

Ms. Moermond asked for a staff report. Mr. Essling reported that two (2) work orders were combined into one (1) work order and issued July 13, 2010. One for tall grass and weeds and the other for refuse (scrap wood, trash bags). Compliance was requested by July 19, 2010 and checked on July 27, 2010, with a work order sent to Parks. The work was performed August 2, 2010. There is only one (1) fee for both which saved the Appellant \$140.

Mr. Stluka said that he wasn't around in June and July, but made arrangements with friends and family. Spent a whole week cleaning the yard, and readied a pile to be taken to the compost center, but it was closed. The following Monday, Mr. Stluka noticed that cleanup had taken place. Mr. Stluka admitted fault. He knows that he is responsible for maintaining the property. He made a good faith effort and has a good relationship with his neighbors. Mr. Stluka had made a couple of trips to a refuse center off Plato. He was hoping for a reduction in the

assessment. He said that any reduction would be put back into the landscaping project currently underway.

A video was played showing the backyard with scrap wood, a window leaning against a wall, tall grass and weeds, piles of yard debris, and bags of brush before and after being cleaned up by Parks.

Ms. Moermond asked staff if they had a summary abatement order. Mr. Essling reported that there is a pending assessment for a vehicle towed by the police. Mr. Essling reported the fees as \$260 + \$160 + \$140 + \$56 + \$28 for total of \$644. Ms. Moermond recommended reducing the assessment from \$644 to \$500.

1775 Sixth Street – *reduce assessment from \$456 to \$228 (good faith effort).*

Margaret Uriah, Hamline Property Management, representing DLK Property, appeared.

Ms. Moermond asked for a staff report. Mr. Essling said that a summary abatement was issued on July 27, 2010 for garbage, clothing on the sidewalk and in the garage. A summary abatement was issued to Daniel Coopman (spelling?) with a compliance date of July 30, 2010. The property was checked on July 30, 2010, and a work order sent to Parks; the work was performed on August 2, 2010. Total assessment is \$456, of which \$56 is for yardage (volume).

Inspectors said that there was trash overflowing the container(s) onto the sidewalk so they called the owner. Ms. Uriah said that she was trying to get some help. She was hired by DLK to evict tenants on the property. Ms. Uriah paid for fourteen (14) bags of garbage, and removed stuff all the way up until that time. She said that she has been cleaning up since January 30 but there were problem tenants. The property was empty for a month, but not now, due to financial problems.

A video was played that shows trash overflowing container(s) and several bags of trash before and after the City cleaned it up.

Ms. Uriah said that the assessment of \$456 was for three (3) bags of garbage. She said that they were working back and forth and would respond within the hour if informed of trash. Ms. Moermond asked where the garbage was. Ms. Seeley said that she was the inspector on this and that there had been a lot of garbage blocking the sidewalk but that Ms. Uriah had cleaned most of it up. Ms. Moermond asked when the regular trash pick was. Ms. Seeley responded that it was Tuesday. Ms. Moermond said August 7 is a Monday.

Ms. Moermond recommended reducing the assessment from \$456 to \$228 due to a good faith effort.

930 Duchess – approve the assessment.

Susan Bender, Property Manager, and Mary Torgeson, Owner, appeared.

Ms. Moermond asked for a staff report. Mr. Essling reported that a summary abatement order was issued on July 30, 2010 with a compliance date of August 4, 2010. The property was rechecked twice, once on August 4, 2010 and again on August 10, 2010. A work order was sent to Parks and the work was performed on August 11, 2010. The order was for clean up of refuse and debris not in a container. Total assessment is \$428. A work order for tall grass and weeds was also issued, but was found in compliance. Breakdown of fees is \$260 + \$140 + \$128 for \$428. \$28 is for yardage.

Ms. Bender said that she never received the first letter. Staff said it was sent to David R. Johnson, occupant, and GMT, c/o Mary Torgeson. Ms. Bender said Mr. Johnson is not the owner.

A video was played showing refuse and rubbish in the back yard and the City cleaned it up.

Ms. Torgeson said that back taxes had to be paid and then Mr. Johnson's name will be removed. The property is being purchased under contract and back taxes are the responsibility of the tax owner. Ms. Bender said that she would constantly go over and clean up the property. Ms. Bender said that she worked with the tenants and took pick-up trucks over to haul away trash. Ms. Bender finally threatened eviction; it was such a problem. Ms. Bender asked for a reduction of the assessment due to a good faith effort.

Ms. Moermond said that the letters went to GMT and the c/o was Mary Torgeson, so notice was provided. Ms. Moermond recommended approving the assessment.

617 Ruth (J1102A) - delete the assessment per DSI.

1115 Minnehaha Avenue East (J1102A) – no show; approve the assessment.

701 Geranium Avenue East (J1102A) – no show; approve the assessment.

1045 Bush Avenue (J1102A) – no show; approve the assessment.

1295 Kent Street (J1102A) – no show; approve the assessment.

October 19, 2010

J1012A1 Benefits, cost and expenses for property cleanup on private property.

61 Cook Avenue West (J1012A1)

No one appeared; Ms. Moermond recommended approving the assessment.