



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final - Final-revised

### Legislative Hearings

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

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Tuesday, December 20, 2016

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Special Tax Assessments

- 1 [RLH TA 16-513](#) Ratifying the Appealed Special Tax Assessment for Property at 750 AURORA AVENUE. (File No. VB1703, Assessment No. 178803)  
  
**Sponsors:** Thao  
  
*Approve; no show*  
  
*This was laid over to see where things are with the repairs. From DSI's record, there are still many active permits. Approve.*  
  
**Referred to the City Council; due back on 1/4/2017**
  
- 2 [RLH TA 16-523](#) Ratifying the Appealed Special Tax Assessment for Property at 1185 REANEY AVENUE. (File No. J1702A, Assessment No.178501)  
  
**Sponsors:** Prince  
  
*Janet M Eldred, owner, and Petra Fager, property manager, appeared.*  
  
*Ms. Fager:*  
*-one of the reasons that you had us return was because I applied for the Fire Inspection but it never was processed and we didn't know that we didn't have the Provisional C of O & that no one knew; so, the Notices were going to the tenant & to the owner at the property; so, Jan wasn't getting a Notice & I wasn't getting a Notice -the tenants did move the original garbage from Jul but they had some garbage in a truck bed that we saw in the VIDEO, then, it was removed; the bagster had already been removed by us*  
*-until we received the Notice of Assessment, we didn't realize that any work had actually been done in the summer; and in the fall, there was a car parked on the grass on the alley with a mattress on it; we did resolve those items after meeting with you and prior to this meeting*  
*-I do believe it's still down as a Provisional rental license; & I believe Jan was able to get her occupancy straightened out so that she shows residing at Edgerton instead of Reaney*  
  
*Ms. Moermond:*  
*-asking Ms. Seeley, is that what we have in the system now?*

Ms. Seeley:

-looks like it was modified by Maynard on Aug 8 after the fact

Ms. Moermond:

-the hearing was on Nov 8, 2016

-do we have mail going to Edgerton now & to the Occupant?

Ms. Seeley:

-yes; 1188 Edgerton & then to Petra Fager, 2100 Ford Pkwy, Ste 201

Ms. Moermond:

-OK

-because you followed through on that, I will cut the assessment in half & spread it over 3 years

-proper Notice was given to the owners of record that were available but it did get corrected

-you did do what you committed to doing

Assessment reduced from \$316 to a total of \$158 and spread over a three year period.

**Referred to the City Council; due back on 1/18/2017**

**3**      [RLH TA 16-575](#)

Ratifying the Appealed Special Tax Assessment for Property at 1255 ASHLAND AVENUE. (File No. CRT1704, Assessment No. 178203)

**Sponsors:**      Thao

Lara M Merrill, owner & property mgr, appeared.

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy unpaid fees on a triplex

-Cost: \$247 + \$155 service charge = \$402

-sent appointment letter Jun 20, 2016;

-compliance Jul 20, 2016

-billing dates: Jul 27 & Aug 20

-no returned mail

-sent to: Four Corners Properties of MN, PO Box 26, Waseca MN

-Ramsey Co shows Four Corners as the owner of record

Ms. Merrill:

-this is not a triplex; it's a duplex since 2009

-I grabbed old file: in 2009 it was purchased as a triplex as a Cat 2 VB; then, brought back to a duplex

-I did let the city know immediately that it's a duplex

-in my notes: I spoke with Mr. Owens in the fall of 2009; he took care of this

-later, it popped up again as a triplex; so, I filled out a form on Jackson

Ms. Moermond:

-what made the inspector draw the conclusion that it was a triplex?

Ms. Merrill:

-I do restoration work and this isn't the first time that I've brought a house back to its original status (from duplex to single family; from triplex to duplex, etc)

-I had made 3 attempts to straighten this one out

-Inspector Cassidy sent me an email on the day after inspection on Jul 20 about a

lock box; so, I took a picture of my lockbox and sent it; he said that he'd would see what this was about; he came back & said that I didn't have an appropriate lock box for a triplex; I said, "Well, you know it's not a triplex; it's a duplex" - he inspected from the top to the basement when he did the inspection

-this gold card came in the mail -was a Sunday, I called Insp Cassidy and asked what was going on with all these fees? and it's still listed as a triplex? He told me to call Elizabeth Munich; I called but her voice mail said that she was out until Tue; then, I was connected to Zoning; I left a voice mail; ultimately, I found out that I had to do this hearing to go forward

-the house is a duplex; not a triplex - that's the first issue

-I was told to do the form again; another said, just go to assessments...

-other thing: I live at 1255 Ashland Ave; I get my mail there & I have an address at my business in Mpls; I get the property tax statements, water bills, all of that.... but this is not the first time that,.... it's in the Contract for Deed process; I was originally with Four Corners

-I pay the mortgage, taxes, etc.

Ms. Moermond:

-now, you are distinct from Four Corners?

Ms. Merrill:

-I am no longer with Four Corners but originally, I was

-I bought this property on my own & am living in one of the units

Ms. Moermond:

-unless, a Recorder tells me that your name is on this property, you don't own it

Ms. Merrill:

-officially, you're right but I am the responsible party; and for years I always did all the bookkeeping, etc. for all the properties I managed but I don't any more

-I called Maynard, he said the bill was coming in the mail

-I never received the invoice to pay the C of O; it went to Waseca

Ms. Moermond:

-because they are the owners of record

Ms. Merrill:

-what are the next steps to having the duplex status?

-we didn't even have a re-inspection; it's a good standing property; and when I got this for \$400+ & I hadn't gotten anything in the mail, I was frustrated; so, I'm here

-ultimately, I'd just like to pay for the duplex fee

-this purchasing process should wrap-up in Jan 2017

Ms. Shaff:

-on Sep18, 2009, the Certificate of Code Compliance lists this as a multi-family residential; on Oct 15, 2009, Inspector Isabel inspected 2 out of 3 units

-Jul 20, 2016 Inspector Cassidy inspected 2 out of 3 units (typically, if there's an owner-occupied unit, we may not.... but then, it's the owner of record

-I have nothing here that says it's anything other than a triplex

-we don't require key boxes on duplexes

-we would not inspect an owner-occupied unit of a triplex; otherwise, it's all the same

Ms. Moermond:

-I don't have affirmation from anyone at DSI about duplex status; it sounds like the ball's been passed around

-asked about the physical arrangement and are there 3 floors?

Ms. Merrill:

- now, it's 2 units; there's a 2-bed main level; the upstairs unit is 2 floors with 4 bed & 2 baths
- in 2009 before the rehab, it was 3 levels with 3 units (#1, #2, #3)
- inspectors came out and signed off on it as a duplex

Ms. Shaff:

- bldg permit 2009: "requires no structural work;" it does say, "3 units" on each of those
- electrical & plumbing permits also in 2009

Ms. Moermond:

- I am fine with getting rid of the admin fee (\$155)
- the problem is that you are not the owner of record; you are an occupant
- the fee is a triplex fee; when the rehab was done, the permits were pulled for work on a triplex
- I don't know how the 2nd & 3rd floor became merged into 1 unit

Ms. Merrill:

- some previous owner at some point had taken the very top floor, attic, & turned it into a unit (bed, bath, kit & living room); the bath remains, the bed remains, the living remains, but where there was a kit, that became a bed - all part of Unit #2 now
- I've been thru this before with other properties - converting them back; I thought it was pretty simple

Ms. Moermond:

- I'm going to ask you to demonstrate your ownership position of this property & I will be willing to look at this as an owner-occupied
- I want an inspector to go back, preferably the bldg insp who signed off on the bldg permit, to go back & make sure of the duplex status - confirm it (I think that it's a Jim Seeger property; Ms. Merrill: yes, it was); and close the file on it properly
- we will look at the number of units going forward

Ms. Merrill:

- while Insp Cassidy & I were in the basement, he asked, "Where's the other unit?" and I said, "What are you talking about?" He said, "I have it as a triplex;" I said, "They really need to update their paperwork;" and I didn't think anything of it; I said, "There's only 2" and he said, "OK"
- is the form I filled out not in the record?

Ms. Moermond:

- get this ownership situation squared away
- I want the bldg insp to look at this
- we'll communicate by email to let you know of the finding

Assessment reduced from \$402 to a total of \$247. The owner should demonstrate with Ramsey County by January 20, 2017 that she is the owner of the property.

**Referred to the City Council; due back on 2/1/2017**

**4**      [RLH TA 16-584](#)

Ratifying the Appealed Special Tax Assessment for Property at 80 BELVIDERE STREET EAST. (File No. J1702E, Assessment No. 178301)

**Sponsors:**            Noecker

*Approve; no show*

**Referred to the City Council; due back on 2/1/2017**

- 5     [RLH TA 16-577](#)     Ratifying the Appealed Special Tax Assessment for Property at 1110 BUSH AVENUE. (File No. CRT1703, Assessment No. 178202)

**Sponsors:**     Prince

*Approve; no show*

**Referred to the City Council; due back on 2/1/2017**

- 6     [RLH TA 16-586](#)     Ratifying the Appealed Special Tax Assessment for Property at 1781 BUSH AVENUE. (File No. CRT1703, Assessment No. 178202)

**Sponsors:**     Prince

*Approve; no show*

**Referred to the City Council; due back on 2/1/2017**

- 7     [RLH TA 16-578](#)     Ratifying the Appealed Special Tax Assessment for Property at 360 CLIFTON STREET. (File No. CRT1704, Assessment No. 178203)

**Sponsors:**     Noecker

*Greg Lehman appeared.*

*Ms. Moermond:*

*-this is for Sandy's Pet Grooming location*

*Mr. Lehman:*

*-yes; that's her building; I don't even own the bldg; I haven't owned the bldg for over 10 years*

*-let's get a staff report and then find out why you are here instead of Sandy*

*Fire Supervisor Leanna Shaff:*

*-these are unpaid Fire Certificate of Occupancy fees on a business*

*-cost: \$180 + \$155 service charge = \$335*

*-gold card was returned by Mr. Lehman*

*-we sent out appointment letters: May 15, 27 & Jun 9, 2016*

*-complied with Jun 23, 2016*

*-billing dates: Aug 5 & Sep 5, 2016*

*-no returned mail*

*-all mail sent to: Sandy's Pet Grooming, 360 Clifton St*

*-Ramsey County rolls say that Mr. Lehman is the owner and that Sandra Belisle is the tax payer; so, I'm guessing this is on a contract*

*Mr. Lehman:*

*-her contract ends Jan 5, 2017; so, right now, she's the owner; and she's not renewing her contract*

*-I'm appealing because I don't own the bldg at that time; I didn't occupy the bldg at that time; I haven't paid any taxes on that bldg for over 10 years; and all of a sudden, I get this letter to pay for the C of O*

*Ms. Moermond:*

*-through the benefit of selling on a Contract for Deed, you are inheriting a Certificate of Occupancy; this is a benefit accrued to the bldg under the previous ownership, which isn't quite the previous ownership yet  
-you have the C of O which means that the bldg can be transferred and used right away for a purpose that you have the Certificate for*

*Mr. Lehman:*

*-Ms. Belisle is not talking with me; she owes me a bunch of money; hopefully, she'll be out by the 5th; I've already sent her a 60-day Notice  
-she is still open & running the business*

*Ms. Shaff:*

*-the C of O follows the bldg unless there's a different use; it needs to go through a different process for a different use*

*Mr. Lehman:*

*-what if I get rid of the commercial status & make it residential?*

*Ms. Shaff:*

*-you'll need to go thru a whole different process thru the city; there may be some different requirements*

*Ms. Moermond:*

*-a good conversation to have with the counter staff at DSI, 375 Jackson Street, 2nd floor  
-for this particular thing, proper Notice was given to the owner of record at the time the services were rendered; proper billing did occur; the bill went unpaid so, it carries forward to become an assessment onto the taxes; the benefit does carry over for 3 years if you want to rent it out as a pet grooming place*

*Approve.*

**Referred to the City Council; due back on 2/1/2017**

**8**      [RLH TA 17-2](#)

Deleting the Appealed Special Tax Assessment for Property at 1319-1321 DAYTON AVENUE. (File No. VB1704, Assessment No. 178804)

**Sponsors:**      Thao

*Appearing:*

*Dan Kufus, appeared representing Lutheran Social Services, conservator.  
Corrine Neal, tenant in 1319 Dayton is Ms. Carter's grandson  
Benita Carruthers, Corrine Neal's oldest daughter  
Hubert Darnell Steel, tenant in 1321 Dayton*

*Fire Inspector Leanna Shaff:*

*-the last C of O was a history C of O on May 23, 2013 and it was closed as an owner occupied duplex, which it doesn't look that way now & nothing has been applied for*

*Ms. Moermond:*

*-we have a Vacant Building fee  
-we had the C of O Revoked, is that the beginning of the story?*

*Ms. Shaff:*

*-no; as far as we know, this was an owner-occupied property*

*Inspector Joe Yannarely, Vacant Buildings:*

*-I talked with Mr. Kalis on the phone & he thought that it came over as a Revoked Unoccupied but all he has in his notes is: Opening a Cat 1 VB; received it from area inspector; electric off in Unit #2 (assuming 1321 side)*

*Ms. Shaff:*

*-it needs a C of O*

*Mr. Yannarely:*

*-apparently, it doesn't; it's not a VB any more*

*Ms. Neal:*

*-it hasn't been a VB; I've been there for over 25 years in 1319 Dayton*

*Mr. Yannarely:*

*-1321 was vacant for a while and that's why Mr. Kalis made it a Cat 1 VB (just the unit, which is 1321)*

*Mr. Yannarely:*

*-the owner of record is Carolyn Carter, 1605 Eustis Street, Unit 310, St. Paul*

*Ms. Moermond:*

*-anything else remarkable in this file?*

*Mr. Yannarely:*

*-just that Mr. Kalis said that the exterior looks fine and it's been maintained*

*Ms. Moermond:*

*-all that we have is that shut-off; when did it occur?*

*Mr. Yannarely:*

*-Jul 28 is when Mr. Kalis opened it due to the electric shut-off*

*Mr. Kufus:*

*-Carolyn Carter, owner, is under a guardianship & a conservatorship through Ramsey Co Probate Court; Lutheran Social Services was appointed conservator*

*-Ms. Carter is on Medical Assistance; that's why Luth Social Services is serving as conservator*

*-she moved into a nursing home from her owner-occupied duplex; at that time, there was pending litigation brought by Ms. Neal on the theory of adverse possession; they ended up settling the case - had approvals from the Probate Court; and then, we settled it in District Court (entered copy of Order) signed by Ramsey Co Attorney's Office Judge Ausom & Probate Order approving that she is under a guardianship & conservatorship allowing Luth Social Services..... (documents were scanned)*

*-Mr. Steele has the right of first refusal for occupancy for the upper unit; he has the right of first refusal to purchase the property after .....; he lives at 1321 Dayton; moved in about 2 years ago, during litigation*

*Ms. Moermond:*

*-1319 (Ms. Neal) the downstairs unit #1: had been on a payment program with Xcel, had problems and got turned off temporarily; it got restored; that triggered a series of events that ended up here*

*Mr. Kufus:*

*-Ms. Carter is still on medical assistance and Luth Social Service received this*

*Notice; things have been relatively quiet since settlement*

*Ms. Moermond:*

*-this was complicated coming in but very easy going out  
-the appeal is granted; the VB fee is going away; this should not be a registered vacant bldg*

*Delete the assessment; unit is occupied and vb file was closed. It should not have been a registered vacant building.*

**Referred to the City Council due back on 1/18/2017**

- 9**      [RLH TA 16-590](#)      Deleting the Appealed Special Tax Assessment for Property at 279 GEORGE STREET WEST. (File No. J1702E, Assessment No. 178301)

**Sponsors:**      Noecker

*Jonathan Miller, owner, appeared.*

*Inspector Joe Yannarely:*

*-this is an Excessive Consumption of city services  
-Summary Abatement issued Jun 3 for TGW; compliance Jun 7; re-checked Jun 9  
-work order issued; when crew arrived Jun 10, it was found to be done by owner  
-cost: \$120 + \$35 service charge = \$155  
-property has been a VB for 1 1/2 years (from Jul 2015 - Oct 2016)  
-a few incidences of summary abatements*

*Mr. Miller:*

*-I remodeled the property; I met with you at LH a couple months back re the Cat 2 VB status  
-purchased property May 25, 2016 and could not touch the property until I was told by DSI that I could work on it*

*Ms. Moermond:*

*-tall grass & weeds*

*Mr. Miller:*

*-May 26 I went to DSI & paid all of the fees; spoke to Mr. Soley and asked what I should do; he said to wait for everything to go thru until I could touch the property (bldg); so, I did not touch anything; I was not aware that there was a SA to cut the grass  
-I pride myself on keeping things taken care of  
-I did not receive any notification*

*Mr. Yannarely:*

*-the SA did not go to Mr. Miller; he did not own the property then*

*Ms. Moermond:*

*-he didn't own the property; didn't get Orders  
-there were no subsequent Orders to his ownership  
-will DELETE the assessment*

*Delete the assessment.*

**Referred to the City Council due back on 2/1/2017**



- 10 [RLH TA 16-591](#) Deleting the Appealed Special Tax Assessment for Property at 1889 IOWA AVENUE EAST, (File No.VB1703, Assessment No.178803)
- Sponsors:** Bostrom
- No one appeared.*
- Inspector Joe Yannarely, Vacant Buildings:*  
-Vacant Bldg fee; anniversary date Aug 15  
-rehab was completed Oct 1, 2016 - 45 days after the VB file was opened  
-City Council Public Hearing is Jan 4, 2017  
-the worksheet was sent late this morning  
-recommends deletion
- Ms. Moermond:*
- Delete assessment.*
- Referred to the City Council; due back on 1/4/2017**
- 11 [RLH TA 16-576](#) Deleting the Appealed Special Tax Assessment for Property at 823 LAUREL AVENUE. (File No. CRT1704, Assessment No. 178203)
- Sponsors:** Thao
- Reduce assessment from \$414 to a total of \$259. No one appeared. (Delete service charge; inspector error.)*
- Referred to the City Council; due back on 2/1/2017**
- 12 [RLH TA 16-581](#) Ratifying the Appealed Special Tax Assessment for Property at 652 MAGNOLIA AVENUE EAST. (File No. J1702E, Assessment No. 178301)
- Sponsors:** Bostrom
- Approve; no show*
- Referred to the City Council; due back on 2/1/2017**
- 13 [RLH TA 16-579](#) Ratifying the Appealed Special Tax Assessment for Property at 550 MINNEHAHA AVENUE WEST. (File No. J1703A, Assessment No. 178502)
- Sponsors:** Thao
- Loyace Foreman, Jr, Community Enhancement Group LLC, owner, appeared.*
- Inspector Joe Yannarely, Vacant Buildings:*  
-550 Minnehaha Ave W; also known as 774 University
- Mr. Foreman Jr:*  
-yes
- Mr. Yannarely:*  
-Summary Abatement Order issued Sep 13; compliance Sep 19; re-checked Sep 19  
-work done Sep 21 for a cost of \$160 + \$160 service charge = \$320

*-for cutting tall grass & weeds*

*VIDEO - crew cut tall grass & weeds*

*Mr. Foreman Jr:*

*-I'm appealing because I didn't get the Notice; the LLC secretary should have gotten the Notice resigned, went on maternity leave and did not forward any information about a Notice from the city*

*-the first I heard about the city having to cut the grass was when I got this Notice a couple of weeks ago when I called in*

*-we had hired a landscaper, who did the back of the property; but in the front, they put in new grass & plants; they cut down everything; when they finished, a handyman was supposed to take over; I remember that tall grass situation and thought, "Well, the handyman is supposed to have this taken care of; if he doesn't do it by tomorrow, I will take care of it myself;" when I went back to the property, the grass was cut; I assumed that the handyman had done it; I didn't know that the city had gotten involved*

*-my plea is ignorance & mercy*

*-I'd like to see it reduced as much as possible*

*-this is our first project as a developer (nonprofit); our end goal is to create great quality housing in Frogtown & other struggling neighborhoods & to help people get into home ownership*

*Ms. Moermond:*

*-it looks like the city is sending you Orders at least once a month do to something*

*Mr. Foreman Jr:*

*-yes; a lot of that has to do with trash & rubbish removal; we are constantly getting dumped on; I'm on my 5th dumpster at this property delivered Thu & as the driver for this company was pulling in to drop off the dumpster, someone was pulling up (he got a picture of them in a dump truck) dumping mattresses at the back of the property; when he pulled up, they drove off; they circled the block 3 times before they actually stopped trying to dump stuff at the property; that's what we're up against; we've been trying to keep up*

*-we want to do the right thing but this is just more & more money; can I get a break here?*

*Ms. Moermond:*

*-the Notices go to the owner of record with Ramsey County*

*-have you got that squared away?*

*Mr. Foreman Jr:*

*-we do; it's just been a break down of process; I told them that from now on, I'll be the person responsible*

*-this is a single family house; we are rehabbing; we are almost done*

*-we will be selling it*

*Mr. Yannarely:*

*-they are almost all finalized*

*Ms. Moermond:*

*-the work was Ordered; the work was done by the city*

*-the miscommunication was unfortunate*

*-will recommend approval*

*Approve the assessment.*

Referred to the City Council; due back on 1/18/2017

14 [RLH TA 17-20](#)

Ratifying the Appealed Special Tax Assessment for Property at 544 MINNEHAHA AVENUE WEST. (File No. J1703A, Assessment No. 178502)

**Sponsors:** Thao

*Loyace Foreman, Community Enhancement Group LLC, owner, appeared.*

*Mr. Foreman:*

*-544 Minnehaha Ave W this isn't on the agenda today; is there any way that we could address that too?*

*Ms. Moermond:*

*-what is the issue on that?*

*Mr. Foreman:*

*-again, Notices never came; all I have is.....*

*-it's the same as for 550 Minnehaha Ave W & it says*

*Inspector Joe Yannarely, Vacant Buildings:*

*-it's another VB*

*-there's a lot of stuff on this (VB being assess; property clean-ups 1703A & 1706A; one for tall grass & weeds, one for clean-up yard)*

*PAUSE to figure this out*

*Ms. Moermond:*

*-this is 1703A is scheduled for today; goes in front of CCPH Jan 18, 2017*

*Mr. Yannarely:*

*-that was scheduled Dec 6*

*Ms. Moermond:*

*-from the top, what do we have*

*Mr. Yannarely:*

*-Summary Abatement Order was written Inspector Mike Kalis on Aug 24, 2016; compliance Aug 30 (cut & remove tall grass, weeds & rank plant growth from yard, blvd & alley areas); I do not see garbage & rubbish on that*

*-Sep 1, 2016, re-checked and per Mr. Magner, issue Work Orders to cut TGW & remove junk, refuse & loose little from yard areas; the Work Order was issued by Insp Matt Dornfeld*

*-sent to Community Enhancement Group LLC, 774 Univ Ave W*

*-the work for garbage & rubbish was done Sep 8, 2016 by Parks*

*-the work for TGW was done Sep 7, 2016 by Parks*

*Ms. Moermond:*

*-this is definitely something that I would want to take a look at because 2 weeks elapsed between when the Abatement Order was written on Aug 24 and the crew showed up to mow the lawn on Sep 7; so, how tall are we talking?*

*-in terms of the garbage & rubbish, again, I want to know what the crew picked up*

*-what's the total amount of money for this?*

*Mr. Yannarely:*

-\$608 total

Mr. Foreman:

-I would like some relief for my nonprofit (on the admin fee)  
 -I didn't know the Notice process; for whatever reason, we have gotten the inspectors to call to tell us when they see a problem & then they give us date to comply  
 -this is my first project; I don't know the city's process; I'm just trying to play by the rules the best I can

Ms. Moermond:

-I need to get better information; I need to see the VIDEO  
 -we will view the VIDEO on Jan 3, 2017 LH  
 -you are welcome to come, if you'd like or you can make an appointment with DSI to watch the Video at their office  
 -will Lay this Over to Jan 3, 2017 LH

**Laid Over to the Legislative Hearings due back on 1/3/2017**

- 15 [RLH TA 16-580](#) Ratifying the Appealed Special Tax Assessment for Property at 1784 MINNEHAHA AVENUE WEST. (File No. CRT1704, Assessment No. 178203)

**Sponsors:** Stark

Reduce assessment from \$510.50 to a total of \$355.00. No one appeared. (Billing incorrect due to inspector error.)

**Referred to the City Council; due back on 2/1/2017**

- 16 [RLH TA 16-583](#) Deleting the Appealed Special Tax Assessment for Property at 1438 PASCAL STREET NORTH. (File No. J1702E, Assessment No. 178301)

**Sponsors:** Stark

Paula Lee Roberts appeared.

Ms. Roberts:

-I am John Roberts' (owner) ex-spouse; his daughter & I live in the house  
 -this is John's second home & we live in the house

Inspector Paula Seeley:

-Excessive Consumption charge  
 -TGW Order sent Jun 13; compliance Jun 17; re-checked Jun 17  
 -work order sent; crew found that it had been done by owner  
 -PAEC cost: \$120 + \$35 service charge = \$155  
 -sent to: Occupant & John H Roberts at this address  
 -no returned mail  
 -no history

Ms. Roberts:

-house was purchased May 20, 2016; it had been vacant for over a year before that; he came from out of state to purchase the house; we moved into it in Jul 2016; we had a crew come out and do the yard work; it was cut the day that he bought the house because the previous owner cut the grass the day before he bought the house, May 19; on May 20, he signed to buy the house  
 -on Jun 20, they came out to cut the grass and we took care of the yard

*-I doubt that the grass was 8 inches tall; it wasn't even a month; do you have pictures/proof?*

*-Ms. Moermond showed her the photo with the foot length ruler nearly all covered with the length of the grass*

*-we didn't live there yet*

*Ms. Moermond:*

*-the code says that the owner of record is responsible for maintaining the property*

*-you've taken care of it since you've been there; there are no issues*

*Ms. Roberts:*

*-Mr. Roberts lives in Georgia; it's his second home; his daughter is going to school here*

*Ms. Seeley:*

*-this property should probably be in the Certificate of Occupancy Program then*

*Ms. Moermond:*

*-and you're his wife though*

*-will recommend deletion of this assessment*

*Delete the assessment.*

**Referred to the City Council; due back on 2/1/2017**

**17**     [RLH TA 16-582](#)

Deleting the Appealed Special Tax Assessment for Property at 848 THOMAS AVENUE. (File No. J1702E, Assessment No. 178301)

**Sponsors:**     Thao

*Delete the assessment.*

*Mary Moua, owner, appeared.*

*Inspector Paula Seeley:*

*-Excessive Consumption charge*

*-Summary Abatement for TGW issued Jun 9; compliance Jun 13; re-checked Jun 13*

*-Work Order issued; crew found that it was done by owner*

*-PAEC fine \$120 + \$35 service charge - \$155*

*-sent to Charles P Johnson, 5948 Garwood Rd N, Brooklyn Park MN; and Occupant*

*Ms. Moua:*

*-new owner as of Sep 14, 2016*

*-I didn't get a Notice before I purchased the house; I thought all assessments had been paid for; when I got this in the mail, I was shocked*

*Ms. Moermond:*

*-go to your realtor, who can be responsible for talking to the title people, or whomever is appropriate*

*-the mortgage agreements you signed said that they would disclose the official pending assessment but also existing Orders & other fees, etc. that would be forthcoming*

*-obviously, it wasn't disclosed*

*-this is a private matter*

*-will recommend approval*

*Approve the assessment.*

Referred to the City Council; due back on 2/1/2017

- 18 [RLH TA 16-589](#) Ratifying the Appealed Special Tax Assessment for Property at 544 UNIVERSITY AVENUE WEST. (File No. J1702E, Assessment No. 178301)

**Sponsors:** Thao

*Laid over to the Legislative Hearing on January 3, 2017*

Laid Over to the Legislative Hearings; due back on 1/3/2017

- 19 [RLH TA 16-587](#) Ratifying the Appealed Special Tax Assessment for Property at 453 WHITE BEAR AVENUE NORTH. (File No. CRT1703, Assessment No. 178202)

**Sponsors:** Prince

*Michaelene Spence, owner, appeared.*

*Fire Supervisor Leanna Shaff:*

*-Fire Certificate of Occupancy single family unpaid fees*

*-cost: \$303 + \$155 service charge = \$458*

*-appointment letter sent: 4-25-16*

*-deficiency letters sent: 5-16, 6-7 & 6-14-16*

*-complied with Jul 1, 2016*

*-billing dates: 6-5 & 8-4-16*

*-no returned mail*

*-all mail was sent to property owner at the time: Lynette Harrington, 11630 Little Kettle River Blvd NE, Columbus MN*

*-STAMP updated the new owner with Ramsey Co on 7-16-16*

*-we got a responsible party update on 8-16-16*

*-when this property was sold, there was no TISH Report*

*Ms. Spence:*

*-purchased property May 29, 2016*

*-I had been renting the property prior to that*

*-in 2015, we applied for a Fire C of O because we own & operate a transitional house for women out of this facility and they said that they were too backed up to do the Fire C of O, so they gave us a temporary C of O for \$100+; early in 2016, maybe around May, they came back, again, we're not going to be able to get to your property so, we will charge you this \$100+ fee but within a month, they came back and said that they had time to do the full C of O Inspection; so, what I thought that I was here for was that they had billed me for the full Fire C of O fee and the temporary fee but it was so close in time, that I felt I shouldn't have to pay a temp fee and then 45 days later do the full Fire C of O*

*Ms. Shaff:*

*-the interesting thing is that the provisional fee, when it gets sent to assessments, is removed from the billing*

*Ms. Moermond:*

*-it's not on the bill*

*-who's the seller? Remember the realtors involved?*

*Ms. Spence:*

*-we did our own transaction; made our own Purchase Agreement; the owner was a woman that I had been renting the house from since 2013*

*Ms. Shaff:*

*-in 2014, the provisional fee was paid but the 2015 & 2016 fees were not paid; they were removed when sent to assessments*

*Ms. Spence:*

*-I came to the hearing because I thought that the provisional fee was on the bill but it's not*

*Ms. Moermond:*

*-will recommend approval of this assessment*

**Referred to the City Council; due back on 2/1/2017**

- 20     [RLH TA 16-571](#)     Ratifying the Appealed Special Tax Assessment for Property at 1764 YORK AVENUE. (File No. CRT1704, Assessment No. 178203)

**Sponsors:**     Bostrom

*Approve; no show*

**Referred to the City Council; due back on 2/1/2017**

#### **Staff Reports**

- 21     [RLH TA 16-563](#)     Deleting the Appealed Special Tax Assessment for Property at 1 IRVINE PARK, UNIT 1A. (File No. CRT1702, Assessment No. 178201)

**Sponsors:**     Noecker

*Delete assessment.*

*DSI records show approved on 05/27/16, but no time or mileage attached in file. Approved in error.*

*No hearing necessary.*

**Referred to the City Council; due back on 1/4/2017**

#### **Special Tax Assessments - ROLLS**

- 22     [RLH AR 16-90](#)     Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during June 24 to July 8, 2016. (File No. CRT1703, Assessment No. 178202)

**Sponsors:**     Stark

**Referred to the City Council; due back on 2/1/2017**

- 23     [RLH AR 16-91](#)     Ratifying the assessments for Graffiti Removal during August 23 to September 1, 2016. (File No. J1703P, Assessment No. 178402)

**Sponsors:** Stark

Referred to the City Council; due back on 2/1/2017

- 24 [RLH AR 16-92](#) Ratifying the assessments for Excessive Use of Inspection/Abatement services billed during May 23 to June 22, 2016. (File No. J1702E, Assessment No. 178301)

**Sponsors:** Stark

Referred to the City Council; due back on 2/1/2017

- 25 [RLH AR 16-93](#) Ratifying the assessments for Tree Removal service from August 2016. (File No. 1701T, Assessment No. 179000)

**Sponsors:** Stark

Referred to the City Council; due back on 2/1/2017

- 26 [RLH AR 16-98](#) Ratifying the assessments for Collection of Fire Certificate of Occupancy Fees billed during July 11 to August 6, 2016. (File No. CRT1704, Assessment No. 178203)

**Sponsors:** Stark

Referred to the City Council; due back on 2/1/2017

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 27 [RLH SAO 16-57](#) Appeal of Joseph Zimlich to a Summary Abatement Order at 880 ROSE AVENUE EAST.

**Sponsors:** Bostrom

*Joseph Zimlich, owner, appeared.  
Mr. Zimlich entered his photos.*

*Inspector Paula Seeley:  
-our office got a complaint on the 2nd story addition of the garage; it appears to be leaning toward the street & may collapse; it's in the back of the home facing the cross street; we dealt with this 2 years ago when a complaint came in from Jim Seeger - about structural integrity*

*Ms. Moermond:  
-when you describe the 2nd story addition; it looks to me like it's open; this is not an addition onto the bldg; this is really an outdoor area; the walls are made of lattice where there are walls; otherwise, it's open air; I don't know if a bldg permit was pulled for the construction of this area*

*Mr. Zimlich:  
-this was done way back in 1950*



Ms. Seeley:

-Nathan was there/his notes: needs approved structural plans; properly repair lateral shiff; needs approved frost footings to transfer load from the roof to the ground; completely remove all products; allow access for proper inspection; he called me and left a message in which he said that he couldn't really do a good inspection due to the huge load at the top; he recommends that Ubl also look at this

Ms. Moermond:

-so everything needs to come off in order for it to be inspected; then, they can determine whether or not the structure itself has some damage associated with the weight that it's been bearing

Ms. Seeley:

-when he was out there earlier on Jan 15, 2016, he wrote: the permit it still open; need to repair & support beam with footings on garage; double up every other joist over I-beam; I believe that wasn't done  
-there are stairs going up there; you can hand stuff down

Ms. Moermond:

-this looks so much the same as it did the last time I saw it; what's going on?

Mr. Zimlich:

-I think that it's even a little bit worse; we've been doing this for 5 years with St. Casmir's  
-I got involved because our church is going to have it's 125th anniversary of polish parish in 2017; five years ago, when the fire marshal came into the church, the 4 or 6 basement windows on the long side of the church were all sealed with masonry blocks; the fire marshal said that, in case of a fire, there would be no access for the water hoses on the sides of the church, they would have to go thru the front door or the back door, which would cause a delay, which could cause the 100-year old beams underneath to burn & create a towering inferno  
-running on each side of the basement of the church are the storage rooms, where all of the Fall Festival stuff was stored (frames for the 6 ft booths; carry out boxes; paper plates; napkins; etc.) and the fire marshal did not approve; he said that we needed to get all of those materials out of there  
-so, the church asked if we could store the stuff at my house; originally, only the light stuff was to be stored on the deck; however, every year they added more; 3 years ago, I took out a permit to install more structural support; since then, all donations have been coming to my house

Ms. Moermond:

-viewing Mr. Zimlich's photos: "You took flattering pictures of your yard

Mr. Zimlich:

-the yard is cleaned up, as you can see; I made it a point that it was cleaned up on Dec 1, 2016

Ms. Moermond:

-the Order also say, "above the garage & deck of the garage"

Mr. Zimlich:

-I checked with Paula and she said, "Fine; you did good but your problem is all of that stuff on your deck" and that's what's gotta go  
-the inspector came out yesterday  
-the garage was originally a barn; there's a hay loft upstairs; barn & horses were down below; where the side deck is now was where the carriage was; the car port

was added on in the 1950's

-with this weight, it has steel beams on it but there's been a shift in the 100 year old garage; it could be due to the fact of all that extra weight

Ms. Moermond:

-it will be good to have our bldg inspector and bldg official sort out

-what's your plan for getting that deck cleaned off?

Mr. Zimlich:

-the Pastor & I want to solve this problem and we've eliminated a lot of weight as of yesterday; others have volunteered to take much of the material

-after talking with the inspector, he said to take Paula's recommendation and take it all out; then, the problem will be gone

Ms. Moermond:

-I heard Inspector Seeley say that Inspector Nathan Braun said that he would not be able to assess the decking properly until all of those things were off of it; after his assessment, he could say that holding all that weight for all these years has compromised the decking and you may not have a viable deck/roof; I want to be prepared for that possibility, as well

Mr. Zimlich:

-we out those permits 2 years ago to double up all those joists to make sure that it would hold up

-Inspector Seeley said that I need to get an extension

Ms. Moermond:

-today, let's concentrate on getting all of that stuff off the deck and everything else that needs to be out of the exterior area of the yard out

Mr. Zimlich:

-could you hold off on what's under the patio so that I can concentrate, mainly, on what's on top

Ms. Moermond:

-my concern is that what we do with what's underneath the decking affects the inspector's ability to inspect the stability of the deck; we need to get the bldg inspector to look at the structure and to do so, he needs access to not only the top but also, the bottom; all that stuff needs to be gone

-I'm also concerned because this is the 2nd time that we have talked about cleaning out this space and it's worse now than it was before; and it's because you are a sweet gentleman, who wants to help your fellow parishioners by storing this on your property; that's laudable & wonderful

-another concern is the ice & snow that can build up on that decking; it's dangerous during this time of the year

-I'd like to find an appropriate deadline for cleaning off the top and the bottom needs to be cleared out

-if that isn't done by the deadline, there are 2 things that can happen: 1) another Excessive Consumption bill; and 2) the city will remove those things from your property and charge you for the cost of sending out a work crew to remove those items (at least \$260/hr; plus a cubic yard charge; extra cost for hazardous materials; and extra for tires, etc.)

-I want you to understand the gravity of the situation

-I want caution/hazard tape around this area; I need a bldg inspector to tell me that it's not hazardous; I need a thorough analysis

Ms. Seeley:

-I could go out there with Mr. Ubl on Fri, Dec 23, 2016

-not only is there stuff above the garage; I have never looked inside the garage; are there items inside the garage, too?

Mr. Zimlich:

-that's where some of the items went when I cleaned up the yard

Ms. Seeley:

-that's going to have to be cleaned out, too

Ms. Moermond:

-we need an exit strategy & we're not going to figure that out right now; I want to hop in the car & go to look at this with Brian Karpen, the city's structural engineer and Steve Ubl, the city's building official to get some advise; it could be that special equipment needs to be brought in for everybody's safety

-I would like the area taped & no work to be done

-we'll get out there this week if either one of them is in the office

Mr. Zimlich:

-I will be around this week

Ms. Moermond:

-we will call you; I will make myself available to the inspectors' calendars; I don't want to screw things up for you but I know that there's a problem here and I have a public responsibility with that knowledge; and I know that is hasn't been resolved to date -until professional eyes look at it, I don't want it on my head or on your head

Recommendation forthcoming.

**Referred to the City Council; due back on 1/4/2017**

## Correction Orders

- 28     [RLH CO 16-43](#)     Appeal of Mackonnen Hidru to a Correction Notice - Complaint Inspection at 242 CONGRESS STREET EAST/469 ANITA STREET.

**Sponsors:**     Noecker

*Mackonnen Hidru, owner, appeared.*

*Fire Inspector Leanna Shaff:*

*-this was originally an owner-occupied property separate from 469 Anita, which is a store owned by the Appellant, who was supposedly living at 242 Congress*

*-Inspector Spiering found a lot of code violations but went for the top ones: low heat (thermostat quite broken up and behind refrigerator; no weather stripping on lower level door & you can see daylight); smoke detector & CO alarm issues which were resolved on Fri; however, this home does not have a Fire Certificate of Occupancy; it has never been applied for and it is being rented out; the Appellant says that he lives there; his driver's license shows this as his address but he does not live there; it's currently being rented out to 3 people (inspector say & spoke with these people)*

*-on Fri, the inspector writes: thermostat was replaced; they are in the process of removing the red tagged range and capping the gas line; he gave the Appellant a Fire C of O application & advised him to complete the form & return it to our office; again, the Appellant stated that he was not renting out the property; the occupants are friends of his; earlier, the occupants had told the inspector that they were paying*

*\$800/mo rent; the Appellant says that they are just paying for the utilities  
-from all that we can see, this house is definitely rented out to 3 individuals; it needs a  
Fire C of O; it has multiple code violations  
-is concerned - there's a TISH on the house from Mar 2016*

*Mr. Hidru:*

*-the house is on the market  
-I would like an extension to do the repairs*

*Ms. Moermond:*

*-it's confusing how this property fits together with the neighboring address  
-in the computer system with the city, 469 Anita is a little shop; it looks like we have 1  
parcel on the corner of Anita & Congress; the residential property faces Congress;  
the commercial property faces Anita but it's the same rectangular parcel with 2  
different bldgs with 2 different uses; and they are distinct structures  
-just a couple of items were checked; there wasn't a full C of O inspection done*

*Ms. Shaff:*

*-it was a referral; it was very convoluted because, first of all it's confusing & the  
owner does not live there  
-it's my intention that we get an application and do a full C of O because there's a lot  
of code violations; we need to vacate this house as quickly as possible (worried  
about the people who live there)*

*Ms. Moermond:*

*-the given deadline in the Orders was Dec 16, 2016; today is Dec 20  
-how long do you want to finish what's in the Orders at this time - the door work?*

*Mr. Hidru:*

*-10-14 days to finish the door; this door leads to a porch; I only have time on  
weekends*

*Ms. Shaff:*

*-I will check with Inspector Niemeyer to go out there*

*Ms. Moermond:*

*-I'll give you until Dec 30, 2016 or the house must be Vacated  
-I'm not trusting of this situation  
-I would like to make sure, if necessary, that we have an interpreter on site for the  
inspection because I think that your tenants don't speak English*

*Mr. Hidru:*

*-the tenants do speak English but I don't know whether or not they know their rights*

*Ms. Moermond:*

*-I don't believe that you live there, except for perhaps on a serial basis; and that this  
is actually a functional rental; when the inspector goes to see if the door is repaired,  
he will look at the situation & determine whether a full Fire C of O should be  
scheduled or additional Orders about vacating a house that doesn't have a C of O  
should be written  
-the inspector believes that they are renters*

*Ms. Shaff:*

*-I would like to suggest that we don't wait until next Fri; I'd like the deadline for the  
door earlier in the week; the inspector is available on Tue afternoon*

*Ms. Moermond:*

*-so, a week instead of 10-14 days; your inspection appointment will be 2 pm Tue Dec 27, 2016 to make sure that the door is fixed & that your Fire C of O application is handed in*

*Extension granted to February 28, 2017. Inspection to occur week of December 27, 2016 to confirm critical life safety issues have been addressed.*

**Referred to the City Council; due back on 1/18/2017**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 30 [RLH VO 16-53](#) Appeal of Lisa Hollingsworth, SMRLS, o/b/o Khadijia Green, tenant, to a Fire Certificate of Occupancy Revocation and Order to Vacate at 925 COOK AVENUE EAST.

**Sponsors:** Bostrom

*Lisa Hollingsworth, SMRLS, and Kristen Holms appeared o/b/o Khadkija Green.*

*Fire Inspector Leanna Shaff:*

*-long term noncompliance*

*-neither the property owner or tenant is here today*

*-single family home that sits on a double lot with 2 garages that are rented to other entities; I'm the inspector*

*-this started Aug 18, 2016 - house violations & you can't rent garages out to others than the tenant of the home on the property because it's a different use*

*Ms. Hollingsworth:*

*-my client wants more time*

*-we filed an escrow action and after we filed an escrow action, the landlord filed an eviction action; we prevailed in the rent escrow action; the eviction is still hanging out there because it wasn't addressed, so we filed for expungement on the eviction action but it won't be heard until Jan 11, 2017; vacate on this is scheduled for Jan 3*

*-my clients are a large multi-generational family: grandmother, 1 daughter and they take care of adult children with special needs of another adult daughter; there's also a young child there; so, it will be challenging for them to find a new place that accommodates their needs within their price range, especially, with an eviction on their record*

*-we discussed this with Ms. Shaff, who has agreed that she would not oppose a request for the end of Feb, which is when their lease is up anyway & they were planning to move at that time*

*Ms. Moermond:*

*-are you going to undertake some of the repairs?*

*Ms. Hollingsworth:*

*-no, for the repairs that are ordered, we did not ask for an administrator to be appointed because my clients don't want to take over the long term responsibility for the repairs themselves but they were awarded money back for an abatement; and they were awarded perspective rent abatement, hopefully, to put some pressure on the landlord to start addressing some of these things but it does not appear that he is particularly engaged in resolving the issues*

*-the list does not include many life-safety items  
-I think the clients are paying for garbage service*

*Ms. Shaff:*

*-back porch roof line where it meets the house is not flashed properly; a piece of siding is missing; when it rains, it leaks into the back porch - nothing interior  
-history: snow walk in Jan  
-no behavioral problems*

*Ms. Moermond:*

*-basic dilapidation things but not dangerous; deferred maintenance  
-OK; the appeal is granted in this case; applies only to this occupancy  
-vacate date extended to Feb 28, 2017 or repairs completed*

*Extension granted to February 28, 2017 to bring the property into compliance or the property vacated.*

**Referred to the City Council; due back on 1/18/2017**

- 31**     [RLH VO 16-54](#)     Appeal of Kristin Holmes, Attorney with Southern Minnesota Regional Legal Services (SMRLS), on behalf of Stacy Given, to a condemnation placard on the building at 970 REANEY AVENUE.

**Sponsors:**     Prince

*Appeal withdrawn per Kristin Holmes, Southern Minnesota Regional Legal Services.  
Note: Unit 4 was not condemned as the other units in the building.*

**Withdrawn**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 32**     [RLH FCO 16-212](#)     Appeal of Kimberley Intel, Angel Properties, to a Fire Inspection Correction Notice at 1123 EDGERTON STREET.

**Sponsors:**     Brendmoen

*Kimberley Intel, Angel Properties LLC, owner, appeared with her significant other, (Harvey) Mark Newman.*

*Fire Supervisor A J Neis:*

*-Fire Inspection Correction Notice  
-multiple code violations  
-the requirement to be in the Fire Certificate of Occupancy Program is being appealed  
-letter from Appellant is attached  
-this house had been purchase for the owners' adult son, where he's been residing for about 10 years (they prefer not to disclose the reasons); looks as though there is care giving between the owners' and their son, who resides there  
-the property meets the definition of non-owner occupied home, which would be required to be in the Fire C of O Program  
-house is registered to Angel Properties LLC  
-even if the appeal were granted, there are still code deficiencies, which need to be taken care of & followed up on by Code Enforcement*

*Ms. Mintel:*

*-we'd like to take the property out of the Fire C of O Program  
-she understands that it falls under that definition; however, they bought the home for her son in 2006, who was 22 at the time; his intention was to switch & get the mortgage in his name but he has not been able to do that; he has some emotional disorders that are not allowing him to be able to manage his life as someone without problems would; so, I've kept the property in my name  
-the reason that it's in the name of Angel Properties LLC (I'm sole proprietor) is because I do have a rental property in Chisago City also under that business name  
-my son pays the monthly payments to me; so, I make the mortgage payments; then, he pays the sewer & water to me and the assessment charges & I pay them because he's not able to manage those kinds of things by himself  
-I do not have keys for the property; because of his disability, he doesn't want me to have keys to the property; he feels like this whole thing (inspection process) is violating his civil rights & he's mad at me that this is happening; he doesn't have the comprehension of how this all works; we're at a point where he won't even talk to me; he's so upset & anxious about this inspection; in his mind, this is extremely stressful; he has social anxiety; if he knows that there's something coming up or a deadline, he gets works up in his head and he just can't handle it  
-now, for the reinspection, he wasn't even going to let anyone in the house; he said to Brian, the fire inspector, "The only reason I even let you in is because I was afraid my mom was going to have felony charges against her;" or whatever it says on the sheet  
-he's really, really, really upset*

*Ms. Moermond:*

*-that's not the first time that I've heard that; it's very common*

*Mr. Newmann:*

*-additionally, Kimberley keeps a connection to her son thru the means of helping him with the house; it would be so much easier to let it go but Ricky doesn't really have very good options, otherwise  
-of course, we don't think that his civil rights are being violated; the point is - there's just a human factor here & he's not your typical young man who's 32; he struggles*

*Ms. Moermond:*

*-I assume that he's received an official diagnosis at some point because from what I'm hearing, he has a disability & has talked with a professional over the course of time, who has been in a position to diagnose or identify symptoms of a type of emotional disorder*

*(Ms. Mintel explained off the record, as requested by Ms. Moermond.)*

*Ms. Moermond:*

*-I am comfortable recommending to the City Council that this property be released from the Fire C of O Program and that appeal granted  
-this house does function as the second location of one larger household; the owner is the occupant's mother and she is the sole proprietor of the company, who's name appears as the owner  
-with respect to the exterior repairs, I will come up with a deadline shortly  
-the interior repairs don't look to be too bad (photos)*

*Ms. Mintel:*

*-I went thru the house with the inspector  
-my son said that he'd take care of all the cover plates*

*Ms. Moermond:*

*-put together a plan with a handyman about getting the other things done  
-has he gotten the old recyclables & old appliances out of the basement?*

*Ms. Mintel:*

*-he said that the other washer & dryer down there are his & he doesn't want to get rid of them; he wants to keep them; no one should make me get rid of my stuff  
-his basement is not finished off; it just has the furnace & a cement floor; his washer & dryer are located against the wall; there's plenty of room to walk around; the basement is not used except for doing the laundry*

*Ms. Moermond:*

*-with plenty of room to walk around, I'm comfortable with it remaining there*

*Mr. Neis:*

*-I'm not opposed to the washer & dryer; since they're not in use, they're not much of a hazard (they are metal & most likely, will not start on fire); however, the recyclables have to go*

*Ms. Mintel:*

*-he said that he would get rid of the recyclables; but I have not been back into the house; he won't even talk to me at this point*

*Ms. Moermond:*

*-put together a Work Plan; I'm not seeing anything that's horrible here; it's very generic exterior repair (regular deterioration kind of work)*

*Mr. Neis:*

*-except for the garage; it's pretty bowed in*

*Ms. Mintel:*

*-the garage has been that way since we bought the property; the handyman that I just had look at it said that the problem is that the alley goes into the last person's garage & driveway area; and the road right there - is kind of slowly pushing into the garage to bow that side; eventually, I'd like to tear it down; but the handyman said that if I do that, I'll create all kinds of problems for my neighbor's driveway because the garage is right on the....*

*Ms. Moermond:*

*-there's nothing that we can do right now about the garage; evaluating the drainage impact of removing the bldg would be something that the bldg official would want to do when you go to pull a bldg permit because you are responsible for not eroding onto the neighbors' property & taking appropriate measures that it wouldn't happen  
-break the Work Plan down by the order of when your guy thinks that he can do these things*

*Ms. Mintel:*

*-I got an estimate*

*Ms. Moermond:*

*-the garage will need a different kind of professional  
-the lawn mower (fuel burning equipment should not be inside the house); maybe lock it up in the garage*

*Ms. Mintel:*

*-maybe we can take it until summer comes*



*Ms. Moermond:*

- let's talk about the Work Plan (email it to me) of the exterior again in 3 weeks (LH Agenda for Jan 10, 2017); maybe you won't need to come downtown*
- garage: Deadline for someone having looked/reviewed/evaluated by a structural engineer or a general contractor by Mar 1, 2017; if the review is positive, we'll look at it again in 2 years; if the assessment comes back as a "big problem," we will need to deal with it*
- you can hold off on installing a new garage door*
- interior items: -the lawn mower needs to come off the porch immediately*

*Mr. Newmann:*

- with respect to his personal matters, with your experience in these situations, what kind of assurances could we give him to assure him that the people who are coming by are there to help.....*

*Ms. Moermond:*

- it's hard because sometimes, it's like a fun house with mirrors - the reality isn't reflected the way it actually is*

*Mr. Neis:*

- provided them with his card to discuss off line*

*Ms. Moermond:*

- we can get inspectors to come who will be "out of uniform" to do the follow up; this will go to Supervisor Paula Seeley, Code Enforcement*
- stop at the front deck & get a number for another resource: Lauren Lightner, Public Health Dept, for people with housing issues/crisis, mental illness, etc; she may have some resources*

*Laid over to January 10, 2017 Legislative Hearing for the following to be done: 1) the property is released from the Fire Certificate of Occupancy program; 2) the lawn mower is to be removed immediately from the porch; 3) provide a work plan with timelines by January 10, 2017 for bringing the property into compliance; and 4) obtain an evaluation of the garage's structural integrity by appropriate industry professionals by March 1, 2017.*

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

**33 RLH FCO  
16-213**

Appeal of Ted Casper and Mike Runyon dba Shamrock's Bar and Grill, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 995 SEVENTH STREET WEST.

**Sponsors:** Noecker

*Ted Casper & Mike Runyon, Shamrocks Bar, owners, appeared.*

*Fire Inspector A J Neis:*

- Fire Certificate of Occupancy Correction Notice for Shamrocks Bar (re-inspection)*
- rest of items have been pretty much completed*
- appealed is #1: kitchen basement opening*
- I have been in contact with Ms. Skow-Fiske's supervisor*
- there's an opening between 2 bldgs that was added so piping & approaches for waste & beverage dispenser lines could be attached along with the walk-in cooler; that opening had been cut; yet there were plans, initially, that clearly indicated that the wall had to be maintained; however, it's been that way for a long time - had been missed by the inspector; plans indicate that the occupancy separation needs to be*

*sealed*

*-spoke with Appellants before the hearing & looking at the photos, it does look challenging to do; they, obviously, want to comply; it's a matter of what can be done  
-photos & bldg plans attached*

*Ms. Moermond:*

*-are there plans that were submitted that show how these lines would be run without having an infiltration thru the wall? and Were those approved by DSI?*

*Mr. Neis:*

*-no; that level of detail would not be covered under permit*

*Mr. Runyon:*

*-this hole in the wall was there since before we bought the bldg; evidently, there was an agreement between the 2 landlords that owned the bldg before us to use it as extra storage*

*-we took over one bldg in 2006 - the hole was there; in 2008, we bought the adjacent bldg*

*-in 2009, we did a major remodel on the restaurant: put in new bathrooms, party facilities on new adjacent bldg (987); at that time, those piping lines for the beer coolers, etc, was brought in*

*-inspections either missed that or approved it at that time; for the last 7-8 years, it's been fine*

*-it's a very unique hole in the wall; structurally, it's sound*

*-how do we get thru this now? There's thousands of dollars worth of plumbing & piping, etc, that go thru there*

*-now, the pin numbers of the 2 bldgs have been connected; and the property taxes are under 1 bldg now; it's considered the same use*

*Ms. Moermond:*

*-ownership-wise or platting-wise or anything; this is all about "use"*

*Mr. Runyon:*

*-at the time of the remodel, we were required to put 2-hour fire separations in the ceilings*

*Mr. Casper:*

*-at this time, we might be just asking for an extension of time to figure out a solution; I don't know if that exists; we did kick around some ideas before this meeting started; we'll have to get contractors in there to help us figure it out*

*Mr. Neis:*

*-looking at the original plans from the remodel; it actually is only a 1-hour fire separation; so, that's a good things; I don't know how that was missed*

*-the issue is once you get over a certain square footage, the sprinkler requirements kick in and because of that, the agreement that was done to not sprinkle the bldg was to provide that separation, which would then, forgo the sprinkler requirement (on the first floor)*

*-I wish I had an answer*

*Mr. Casper:*

*-I think that it would be easy for an inspector to come down into our basement and get turned around down there & not know exactly where that access was; I'm sure it was missed for that reason; realistically, people get lost in that place all the time*

*Ms. Moermond:*

-maybe the solution is a question about an equivalency  
 -this is also a question about the bldg inspector not having reviewed the plans adequately; & maybe Mr. Ubl needs to have a look-see at it  
 -have them draw up a couple different options for measures that would be equivalent to separating it by 1 hour, then, get some comment on it

Mr. Neis:

-for a 1 hour fire separation - you need a 1 piece of 5/8 type X on each side  
 -for a 2 hour fire separation - you are either adding concrete or brick or double up with 2 pieces of 5/8 on each side  
 -I will be in contact with Ms. Wiese & Mr. Ubl; & copy Ms. Moermond; I will explain that you probably won't be able to get a 36 in door in there

Ms. Moermond:

-we're looking for maximum safety out of an imperfect situation  
 -so, you guys are going to draw some things up and send them in  
 -I will continue this for 1 month to give you a chance to talk with some folks  
 -I will be copied  
 -then, I will give you some time to execute the plan  
 -if more time is needed, I will give you more time  
 -Lay Over to Jan 24, 2017 LH

**Laid Over to the Legislative Hearings 1/24/2017**

34 [RLH FCO](#)  
[16-215](#)

Appeal of Leo H. Reck to a Correction Notice - Complaint Inspection at 1119 SIXTH STREET EAST.

**Sponsors:** Prince

Leo H Reck, owner, appeared.

Fire Supervisor A J Neis:

-Correction Notice to a complaint inspection issued by Fire Inspector Joe Brown  
 -item being appealed: provide suitable ground cover for front & back yards; it's too cold & there's snow on the ground; looking for an extension to Spring 2017

Ms. Moermond:

-looking at your backyard, there's 3 tiers  
 -do you want to have parking on the lowest tier near the garage?

Mr. Reck:

-that's a shed back there and it's the upper area  
 -there is a sign in the alley that says, "No Parking"

Ms. Moermond:

-will grant extension to Jul 1, 2017

Appeal granted; property to be brought into compliance by July 1, 2017.

**Referred to the City Council; due back on 1/18/2017**

## 2:30 p.m. Hearings

### Vacant Building Registrations

35 [RLH SAO 16-55](#) Appeal of Paul Belmonte to a Summary Abatement Order at 632 LEXINGTON PARKWAY NORTH.

Sponsors: Thao

*Paul Belmonte, owner, appeared.*

*Fire Inspector A J Neis:*

*-this was previously a C of O property & we use the lowest number to cover both addresses (632-634)*

*Inspector Matt Dornfeld, Vacant Buildings:*

*-this was made a Category 2 Vacant Building Apr 14, 2016 per a Fire Inspection C of O Revocation*

*-at the time of my inspection on Apr 13, 2016, the duplex appeared to me to be vacant & was secured; I posted placards and took exterior photos; there've been numerous re-checks since Apr 2016*

*-to the best of my knowledge, I believe that 632 Lexington Pkwy N remains vacant; however, I cannot confirm the same for 634; we believe that 634 is occupied*

*Ms. Neis:*

*-this has been thru multiple appeals and ratified by the City Council*

*-it was made very clear at the last hearing that this would remain a Cat 2 VB & a code compliance inspection was needed*

*-I believe that the VB fee had been waived for 90 days; we are passed that mark now and the VB fee is due*

*-the C of O was Revoked for multiple code violations; the owner had ample time within the Fire C of O process to get the work done but he failed to do so, which is acknowledged by the Council Office & our office; and should remain a Cat 2 VB*

*Ms. Moermond:*

*-I was understanding that this building has to be secured*

*Mr. Dornfeld:*

*-I believe & DSI believes that 634 Lexington Pkwy N is currently occupied as a Cat 2 VB*

*-we issued the Order to Vacate & Secure; both sides of the bldg were to be vacated*

*Ms. Moermond:*

*-in reviewing the record, there needs to be a fire separation between the garages and the living units, period; whether or not there is a car in the garage*

*Mr. Neis:*

*-correct; the car issue was "get rid of the car & we'll give you an extension on getting that fire separation completed;" we gave extension after extension; the car finally was removed; we gave another extension to get the plan in place & do the fix; Mr. Belmonte assured, as he had multiple, multiple times to be done by a date certain; however, it never got done*

*-Councilmember Thao was involved, we gave an additional extension; still not done; then, it was moved to the VB Program; another appeal after that; he was told to get a code compliance inspection report; which had not been done; then, the fees had been waived for 90 days - we are just a little passed that at this point*

*-Mr. Belmonte said that the house is homesteaded now; I just looked at Ramsey Co/STAMP records & both say that it is not homesteaded (2016 & 2017 property tax records)*

*Ms. Moermond:*

*-homesteading has nothing to do with this; that's not the issue; it's a construct of the bldg issue*

*-your appeal: This is being appealed because they told me I could not stay there because it does not meet the code for the City of St. Paul. In 2014, they gave me a letter saying I have to do this & do that; & it's already done. Now, they tell me I can't live there. It is no longer a rental unit. It is homesteaded now; it is my residence.*

*Mr. Belmonte:*

*-when they gave me a choice to remove the car or to fire block it...*

*Ms. Moermond:*

*-that wasn't a choice*

*Mr. Belmonte:*

*-then, they should have sent me another letter telling me to fire block it; I never got that letter*

*-I have the letter with me; it says "of remove the car"*

*Mr. Neis:*

*-this was made very clear in the last appeals hearing; the exact argument was made by Mr. Belmonte; it was explained to him (I believe his sister/tenant also was here when that was explained); the permit for the fire blocking is still active/issued; I explained to him on the premise what needed to be done; I believe someone from district council even came out to try to assist in advising him to fill out applications for funds available to get him financial help; all of which he, simply, just refused to do*

*Mr. Belmonte:*

*-I didn't refuse; I don't qualify for that; I know, automatically that I don't qualify*

*Mr. Neis:*

*-however, there were no applications made to determine whether he did or didn't qualify*

*Mr. Belmonte:*

*-what's my safety issues; I got all new copper gas...I put new furnaces in; put all new copper tubing from the furnaces to the gas stoves, dryer; I wouldn't have had to do that; I could have put in galvanized; I got all ground faults in there; the electrician who came out & OK'd my furnace said that the electrical is perfect; what's the safety issues of why I can't live there?*

*Ms. Moermond:*

*-we just did & you ignored it; it was the fire separation between the garages & the living units*

*Mr. Belmonte:*

*-interrupting....they gave me a choice (he kept on interrupting)*

*Ms. Moermond:*

*-the Resolution of the City Council says, "whereas the Legislative Hearing Officer recommends that the City Council grant until Mar 31, 2016 to come into compliance with the fire separation in Unit 364; once in compliance, the owner must remove the vehicle from Unit 632 to Unit 634 in order to extend time for the rest of the repairs;" there is no "or"*

*Mr. Belmonte:*

*-instead of moving it back & forth, I just removed the car to be done with it*

Ms. Moermond:

-that wasn't the way to be done with it

Mr. Belmonte:

-I got the letter

-let's just go to the next Council meeting

Ms. Moermond:

-OK

(discussion ensued re: Morris vs Sax, etc.)

-right now, I would like you to do the fire separation; get that action taken care of

-I'm not going to have these other arguments with you

-City Council Public Hearing Jan 18

-I will recommend that they deny your appeal

Appeal denied.

**Referred to the City Council; due back on 1/18/2017**

**36**     [RLH VBR 16-92](#)

Appeal of Lois YellowThunder to a Vacant Building Notice at 1395 RANDOLPH AVENUE.

**Sponsors:**     Tolbert

*Lois Yellowthunder, owner, appeared along with her husband, Robert Beutel.*

*Inspector Matt Dornfeld, Vacant Buildings:*

*-this was Condemned Dec 12, 2016 by code enforcement inspector Lisa Martin*

*-her notes: I was granted permission from Ms. Hannah Yellowthunder to inspect 1395 Randolph Ave and the garage; I was cautioned that there are needles throughout the home; I found blood in the kitchen from apparent stabbing last night; gross unsanitary conditions including dog feces in the home, rotting garbage, bathroom torn apart; I found the smell to be overwhelming; police were on the scene executing a search warrant; arrests were made; the garage is packed with tires and debris; the yard has wood, cardboard & junk, etc. throughout; sending Summary Abatement Order to abate the nuisances throughout the yard & any combustible material in the garage; I Condemned the property on site & transferred it to the Vacant Building Program*

*-Dec 12, 2016, I opened a Category 2 VB file & was authorized by Mr. Magner & SPPD to have the property immediately vacated & boarded; however, I got in contact with the property owner, Ms. Lois Yellowthunder, & we spoke for quite some time on the phone; she explained the situation as she sees it; she also provided that document, as well; it was determined that we were going to allow her half a day, at least until 3 pm on Dec 13 to vacate the property (her daughter) & change the locks (we requested a lock smith to do that work); to my knowledge, that work has been done; property has been vacated; Ms. Yellowthunder has been 100% cooperative as far as staying in communication with me, asking the right questions & certainly, following thru with our/SPPD demands*

*-currently, the property is Condemned & in the VB Program as Cat 2*

*-we discussed had the discussed the exterior of the property; we will be getting that taken care of and that's not under appeal*

Mr. Beutel:

*-asked that his wife be given a copy of the Orders; they haven't seen them*

Ms. Yellowthunder:

*-I got the VB registration Notice  
-Commended Mr. Dornfeld for being so helpful in explaining the process  
-as of now, we have removed feces, garbage, all of that is gone; the tires are in the garage; we have removed a lot of the other materials in the garage already; we have removed a lot of the trash in the house & some of the furniture; we are will underway with clearing the property, totally*

*Mr. Dornfeld:*

*-I think that we can focus 100% on the status of the Condemnation & the categorization of the VB & the VB fee*

*Ms. Moermond:*

*-Dec 16 deadline has come & gone & the work isn't done but they are actively trying to do the work; I want to make sure that we get an extension on the record so that we have it covered*

*Mr. Dornfeld:*

*-I have documented in the system that progress has been and is being made on the exterior  
-thinks that our documentation was sent to 1395 Randolph but Lois Yellowthunder does not live there so there could be some delay or it could have been intercepted by someone at 1395*

*Ms. Yellowthunder: (attached)*

*-after speaking with Mr. Dornfeld, I went to 1395 and someone must have picked up the mail; Mr. Dornfeld explained that, legally, it has to be sent to the address in question & the owner's address on record*

*-what is being appealed is the Condemnation & the VB Registration*

*-background:*

*-purchased property Jul 30, 2013; my intent was that her daughter & her infant granddaughter would eventually be able to buy the house from me; the house was in a safe, stable neighborhood; during this summer, I became increasingly concerned about the condition of her daughter, realizing that she was getting deeper in very dangerous drugs; she was very concerned about the welfare of her granddaughter, age 13; my daughter admitted to using those dangerous drugs to me; I was also concerned about the property; I retained a criminal law & family law attorney, Richard Ohlenberg in mid summer 2016; I repeatedly requested access to the house so that I could look it over, and the key to the house; those requests were denied by my daughter; at the end of Aug, I removed my granddaughter from 1395 Randolph Ave & took her to live with me & my husband; my daughter Hannah gave me Power of Attorney for her health care, school & travel*

*-then, I retained a second attorney, Andrew Carlson, an eviction attorney; and on Sep 30, 2016, I gave Hannah a Notice to Vacate the premise by Oct 31, 2016 (attached); during the next 1 1/2 months, I returned to the house for a few times for my granddaughter's possessions; the house was messy but habitable; no feces, blood or garbage in the house*

*-Oct 15 my daughter came to my home and physically assaulted me when I denied her request to take her daughter back to 1395 Randolph over night; I applied for an OFP for myself & my granddaughter; it was granted on Nov 14 (attachment #2)*

*-Nov 17 my eviction case was heard in Housing Court; Hannah did not appear; a decision & order was issued for a Writ of Recovery to be issued Nov 30, 2016 (attachment #3);*

*-coincidentally, when all of this happened with SPPD & the inspection, I had applied for & received the Writ of Recovery & took the Writ to the Sheriff's Office to arrange for the sheriff to remove my daughter from the premises; I was delayed in obtaining this Writ because my mother had become critically ill and died in California; and I had*

to go out to CA until Dec 10

-Dec 12 upon returning from the sheriff's office, I learned that the police had been called to the house; there had been a stabbing; SPPD found blood, human feces, drugs, drug paraphernalia; my house had been Condemned; my daughter Hannah was given an Order to Vacate by 10 am the next day; and that my house was being registered as vacant property; I contacted Mr. Dornfeld, who helped me understand the process, while providing me with information; we ran into problems with being provided with the packet of information of the Orders because of the address issue  
-Summary: Hannah's drug addiction, her illegal lodging of violent drug users, her refusal to give me access to the house, and the unfortunate delay in executing the Writ of Recovery because of my mother's death created conditions of uninhabitability, over which I had no control until last Tue. I immediately took action to exclude the occupants and to secure the property with the help of St. Paul Police Officers because after I talked to Mr. Dornfeld, my husband & I came - we had the locksmith to do what I told Mr. Dornfeld I would do; my daughter appeared; she would not give my husband access to the house; she wa threatening him, yelling, screaming obscenities at him; we called SPPD and they supervised her packing 4 bags & leaving the house; she moved to another drug house at 1403 Randolph; but I immediately cleaned up the garbage, feces; we closed & secured the windows; I've engaged contractors to bring the property up to code; I've also brought in a contractor; this is minimally the work that will be done (attached); my intention all along has been to sell the property immediately but I did want to fix it up because I need to get some money for the property, which will go toward raising my granddaughter; I also contacted the bldg inspector myself because we're probably 2 days from clearing the house of all it's contents; then, under the eviction law, we must store my daughter's possessions for 60 days; that's why, today, we were clearing out part of the garage so that we could remove the furniture from the house & put it into the garage where we would store it for 60 days; we're planning a Mar sale

Mr. Dornfeld:

-I am 100% in favor of waiving the VB fee for as long as you feel necessary  
-I've not been inside the property  
-Inspector Martin took some photos

Ms. Moermond:

-you are taking actions to get things going  
-when a property is Condemned, there's no gray; it becomes a Registered Vacant Building that requires a code compliance inspection (trades); they create a punch list (thinks it will be light) to bring the property up to minimum standards; that inspection can be used as a substitute for the TISH, which you need to sell the house  
-I will recommend a 90-day waiver on the VB fee and you'll be able to pull permits; if you get the house done in 90 days, the VB fee will be deleted; if you go longer, it will come forward as an assessment and I can prorate that

Ms. Yellowthunder:

-what does this mean in terms of the house being Condemned & the VB registration?

Ms. Moermond:

-the Condemnation will be cleared when the house is fixed; fill out the Code Compliance Inspection application and also the Registered VB form

Appeal granted and vacant building fee waived until March 30, 2017.

**Referred to the City Council; due back on 1/18/2017**



Vehicle Abatement Order, Summary Abatement Order and Vacant Building Registration Notice at 418 SHERBURNE AVENUE.

Sponsors: Thao

*Dorothy E Gherity, owner, appeared along with her daughters, Elizabeth Gherity and Dorothy Zimmerman.*

*Inspector Matt Dornfeld, Vacant Buildings:*

*-this has multiple elements*

*-St Paul Fire Dept incident report Dec 6, 2016: Fire Dept was dispatched for a reported structure fire; fire fighters arrive to find a small fire in the dining room; they extinguished the fire and performed overhaul; the occupant was home at the time of the fire and noticed smoke while in the basement; he turned off all breakers at the fuse panel and evacuated; he denies performing any hot work, using any appliances or smoking today in the area of origin; there are no appliances plugged in near the area of origin; a small meth gas torch was found near the area of origin; carelessly discarded smoking materials were found all throughout the home but not in the immediate area of origin; the home was extremely dirty and disorganized with a significant amount of dirt from the basement having been deposited on the first floor; the ignition source of the fire was properly discarded; smoking materials were in open-flamed device; the first material ignited was probably ordinary combustibles present in the house; the act that brought them together was probably careless disposal of smoking materials or careless use of an open-flamed device; classification of fire cause is undetermined*

*-while inspecting this fire, Fire Dept went into the basement & found that the foundation had been severely compromised by possibly a jack-hammer or some type of construction tool that can work its way thru cement (unrelated to the fire)*

*Fire Supervisor A J Neis:*

*-the night of the fire, he was notified by Ramsey Co Dispatch requesting response to the scene; I was not available that evening but responded the next morning when he was able to make contact with the fire investigator; I was advised that it was a relatively small fire with substantial smoke damage; they contacted DSI because of concern about the basement foundation - how badly it had been compromised; when they spoke with the occupant about it, he had possible aspirations put a swimming pool down there*

*-I never made entry, just advising what the investigator said that the occupant's intent was to put some kind of pool down there (photos); basement was taken apart; there was concern about the structural stability & based on that & the photos, I immediately emailed Mr. Dornfeld & Steve Magner recommending that typically, when a bldg undergoes a fire, it becomes a Cat 1 VB with fire exception; however, due to the severity of the foundation, I recommended that it should probably be a Cat 3 VB; he made it a Cat 2 VB, no knowing the actual conditions; it should be evaluated by a structural engineer*

*Ms. Dorothy Gherity:*

*-that was my youngest son living there*

*-he spit in my face & threatened to hit me if I didn't leave the house at the end of Oct 2016; so, I left the house & when he kicked me out, he was going to fix the foundation; I have receipts for \$750+ worth of a material called vinyl patch; when I left, he had the one wall all fixed; it was cracked*

*-I was going over every other day to get the mail & check on things; however, my car was rear ended on the day after Thanksgiving, Elizabeth took her over the next day that she had off and he assaulted her & locked her out of the house*

*-I knew my son was messy but I didn't know what he had done in the basement*

*-I bought a new stove & refrigerator in Sep 2016*

*-he didn't even let me know that there had been a fire but the windows were boarded up; then, I got him to let me in and then he told me there was a fire and it was Condemned*

*Ms. Elizabeth Gherity:*

*-apparently, he had pulled out all of the boards and the neighbor said that they saw him burning them in the back yard*

*Ms. Zimmerman:*

*-we were there on Sat and re-boarded it  
-we did not call the police*

*Ms. Dorothy Gherity:*

*-on Fri, we bought protection Orders; they were served to him Fri afternoon*

*Ms. Zimmerman:*

*-he was removed by the sheriff on Fri; currently, he is in custody*

*Ms. Dorothy Gherity:*

*-they thought that they were dealing with an extremely mentally ill person  
-at this point, I need the VB fee waived; I don't have a house; I don't have any furniture; I have the clothes on my back; and I'm staying at Elizabeth's house; after he got the restraining Order, he showed up at her house & was beating on the door and we called 911; by the time they came, he had already left*

*Ms. Elizabeth Gherity:*

*-he ripped the electrical meter off my house; the officer was able to re-attach it & restore power; Xcel is coming out today to assess it to see if there was any further damage  
-we got into mom's house Fri night & once we saw the condition of the house - he broke all of the utilities so we had all the utilities shut off for fear that something would happen and our nbrs would be hurt*

*Ms. Dorothy Gherity:*

*-he broke everything in the house; there's not one window left in the house; he damaged everything - my brand new stove & refrigerator  
-we've been in contact with homeowners insurance; we plan to demo the house; contractor's said they'd like to wait until spring; they are very far behind; estimate around \$15,000 - when the weather warms up*

*Ms. Zimmerman:*

*-I don't think that he knows where I live; I think that he's schizophrenic but it doesn't help that he's also very heavy meth user  
-he's gone thru treatment, go out about 2 years ago & was clean; under a month, he was back on it*

*Ms. Dorothy Gherity:*

*-I don't know about the drugs because he's normal to me; I don't know what the drug smells like*

*Ms. Elizabeth Gherity:*

*-he was abusing you for a long time*

*Mr. Dornfeld:*

*-the city will do our best to monitor the house but we can't physically be there on a daily basis; this will be at the top of the list*

*-I'll advise our inspectors to drive by*

*Ms. Moermond:*

*-the boat is on your property; if you want it gone; call & talk to Parking Enforcement; they can help you*

*-let's get more than 1 bid for the demo; call Joe Yannarely 266-1920; he manages all the demos for the city; he has a list of who's licensed in the City of St. Paul; you can get that list*

*Ms. Zimmerman:*

*-he is scheduled to go to court again on Dec 28 but there's nothing that will keep him in there and we are worried about that - we'll have to buy more plywood & board again*

*-we've been in contact with the crisis line and they said, "If you can convince him to come in, we would like to evaluate him.....he needs mental health treatment"*

*Ms. Dorothy Gherity:*

*-he thinks that it's his house and that no one has a right to kick him out of his house*

*-his name is John Gherity III, he's 6'2", dirty blonde hair, blue eyes, skinny/lanky*

*-the house is structurally unsound*

*Mr. Dornfeld:*

*-I can recommend a 'people warning' on that property*

*-he won't stay there very long without having the electricity on*

*Ms. Elizabeth Gherity:*

*-asked for photos; I think the house is worse now that when the Fire Dept was there; everything that wasn't broken, he broke, including all of the windows, etc.*

*-have you seen the photos that we took on Sat?*

*Mr. Dornfeld:*

*-we can initiate the demolition & do it for you, if you'd like; we would put the demo out to bidders and would take the lowest bidder*

*Ms. Moermond:*

*-follow up with Mr. Dornfeld; if you do the demo on your own or if you want us to pursue it*

*-provided them with the VB Registration form for contact info*

*-get the boat towed; call parking enforcement*

*-will recommend that the Council waive the VB fee for 90 days; by that time, if you want to do the demo yourself, have the bldg down or at least, have the permit for the demo; if not, we will deal with it when it becomes a proposed property tax assessment*

*Ms. Dorothy Gherity:*

*-when the house is torn down, do the property taxes go down?*

*Ms. Moermond:*

*-yes; what you could do right now if you have time for another phone call is to let the Ramsey County Assessor know that there was a fire and that your bldg value has gone down to almost nothing; they will re-calculate your property taxes*

*Ms. Dorothy Gherity:*

*-I was waiting for the title to come; I just paid off the mortgage Oct 18, 2016*

*Ms. Zimmerman:*

-we have a neighbor across the street who's interested in buying the property

Ms. Moermond:

-please screw the garage doors shut

-you can be on the property from 8 am - 8 pm; I'm worried about your safety in the house

-if something comes up in 90 days, let me know, we can go farther & figure it out

-you are trying to find a demo contractor; contact Joe Yannarely for a list; get bids

Ms. Gherity:

-right now, we're waiting for the homeowners insurance to come back with what they need to have happen

-the adjuster called yesterday & asked if he could get into the house; I said that we could bring over a portable drill to get him in but he was entering at his own risk; it was not recommended by the Fire Dept that anyone go in there

Mr. Neis:

-based on what I'm being told, I'm going to coordinate with the Fire Dept and get the Dangerous Building Placards posted

Mr. Dornfeld:

-I will post VB placards

Ms. Moermond:

Appeal granted on vacant building fee; the fee is waived until March 30, 2017.

Extension is granted to January 15, 2017 to come into compliance with the Vehicle Abatement Order.

**Referred to the City Council; due back on 1/18/2017**

## Staff Reports

- 38     [RLH VBR 16-70](#)     Appeal of Kenneth Cobb to a Vacant Building Registration Fee at 512 CENTRAL AVENUE WEST.

**Sponsors:**     Thao

*No one appeared.*

Ms. Moermond:

-there was a question of documentation of ownership for Kenneth Cobb

-he had provided 1 page of a probate report and it wasn't clear that it documented that he was the owner or that the owner had been processed

-Ms. Mai Vang went upstairs to the Civil desk and we got the rest of the paperwork involved; and we are convinced that he is the owner of record, so he can proceed as such

-our records will reflect that

-he can pull permits, etc, as the owner would do

-will recommend a 90-day waiver on the Vacant Building fee

Inspector Matt Dornfeld:

-I will make note of that

-he's very difficult to get a hold of

-documents have been attached to the Legistar file

*Appeal granted and vacant building fee waived until March 30, 2017.*

**Referred to the City Council; due back on 1/18/2017**

- 39**     [RLH VBR 16-74](#)     Appeal of Greg VanWert to a Fire Inspection Correction Notice and Vacant Building Registration Notice at 295 LARCH STREET.

**Sponsors:**     Thao

*Inspector Matt Dornfeld:*

*-the Vacant Building portion of this was closed out last week*

*-all permits have been finalized*

*Fire Supervisor A J Neis:*

*-I have nothing on it*

*Ms. Moermond:*

*Appeal granted; it's out of the Vacant Building Program. Appeal granted on Fire certificate of occupancy for allowable use.*

**Referred to the City Council; due back on 1/18/2017**