



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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Mary Erickson, Hearing Secretary
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651-266-8560

Tuesday, November 8, 2011

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 11-80](#) Ordering the rehabilitation or razing and removal of the structures at 910 EDMUND AVENUE within fifteen (15) days after the November 16, 2011, City Council Public Hearing.

Sponsors: Carter III

To be referred back to Legislative Hearing on December 13, 2011 and City Council Public Hearing on January 4, 2012.

RE: 910 Edmund Ave (multi-family)

No one appeared.

Steve Magner, Vacant Buildings:

- Layover - heard at LH Oct 25, 2011

- read ltr dated Nov 1, 2011 (No one appeared on behalf of the property owners or the bank. Marcia Moermond, LH officer, recommended continuing the matter to Nov 8, 2011 at 9 am in Rm 330. If you are interested in this property, you may attend the hearing. This matter is scheduled for Public Hearing Nov 16, 2011 in the Council Chambers at 5:30 pm. Sincerely, Mai Vang)

- WO as recently as Oct 3, 2011

Amy Spong, Heritage Preservation Commission (HPC):

- has no update

- notes say that Mai Vang will send an email to PED

Ms. Moermond:

- email from Michelle Vojacek to Mai Vang says, "The property has no foreclosure proceedings of record. It appears the owner purchased as a foreclosure in 2008."

- owner appears to have walked away from the property, although taxes are current

- bond isn't posted

- City has been doing all of the clean-up

- VB fees only paid by assessment

- looks as though MERS has the mortgage on it

- 4 units

- CCPH Nov 16, 2011

- will ask the City Council to Lay this over for 1 month
- LH Dec 13, 2011 (CCPH Jan 4, 2012)

Referred to the City Council due back on 11/16/2011

- 2 **RLH RR 11-83** Ordering the rehabilitation or razing and removal of the structures at 1187 EDGERTON STREET within fifteen (15) days after the December 7, 2011, City Council Public Hearing.

Sponsors: Helgen

RE: 1187 Edgerton St (single family)

Lan Nguyen, owners sister, appeared.

Steve Magner, Vacant Buildings:

- two-story wood frame single-family dwelling with detached 2-stall garage on lot 8,712 sq ft
- vacant since Oct 10, 2007
- current owner Van Nguyen per Ramsey County
- Aug 31, 2011 inspection conducted; list of deficiencies developed; photos taken
- Order to Abate Nuisance Bldg posted Sep 12, 2011; compliance date Oct 12, 2011
- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code
- estimated market value \$14,900 on land; \$35,100 on bldg
- taxes are current
- VB fees were paid by check Sep 22, 2011
- Code Compliance Inspection done Oct 15, 2010 has expired; however, Jim Seeger recommended that the current Code Compliance Report be extended and the existing bldg permit be continued. He also indicated that approval be given for the issuance of elect, plumb and heating permits under the ownership of Van Nguyen
- \$5,000 Performance Deposit posted Oct 12, 2011
- 7 SAs; 7 WOs for garbage/rubbish; boarding/securing; snow/ice; grass/weeds
- estimated cost to repair exceeds \$60,000; estimated cost of demolition exceeds \$11,000
- DSI is seeking a Resolution to Remove the bldg / grant of time under the bond to complete the project (been vacant since 2007)
- an active issued bldg permit since Sep 2009; plumbing permit pending from 11-4-11; elect permit active issued from 10-19-11; still needed - mechanical permit for heat and air

Amy Spong, Heritage Preservation Commission (HPC):

- built 1910 as a frame constructed worker's cottage
- original bldg permit says it's a one-story; Sanborn Insurance maps notes it's 1 1/2 story; now, it's clearly a 2-story
- it's had an addition over the front porch; both porches have been enclosed
- there was also a 2-story rear addition at some point
- siding covers original clapboard; non-original windows and doors
- front and rear entry porches have been altered
- located within 2011 Legacy Survey area for Payne Phalen; not identified as being a potential historic resource, nor as part of a potential historic district
- demolition would not have an adverse affect
- vacant lot next door looks as though it was always vacant; also, another vacant lot across the street (never built on)

Ms. Nguyen:

- sister is in N Carolina right now
- her sister is asking for more time (couple months) so that she can complete the rehab
- a lot is already done; still need all walls to be put in

Ms. Moermond:

- there's good action being taken (taxes paid; \$5,000; Code Compliance Inspection done; permits are pulled)
- City Council is reviewing it for demolition
- she needs to see a Work Plan with timelines; estimates of overall project costs; proof of financial ability to cover those costs; bids by Nov 28, 2011
- if the estimate is lower than \$60,000, MM will want to see the different contractors' bids so that she can review and approve a lower amount
- if that's approved after it's reviewed, she will ask the City Council to grant more time to finish it; but if the Work Plan, etc, is not approved, she will recommend the bldg be demolished
- CCPH Dec 7, 2011
- Appellant will get a letter confirming today's actions

Referred to the City Council due back on 12/7/2011

- 3 **RLH RR 11-81** Ordering the rehabilitation or razing and removal of the structures at 11 MARYLAND AVENUE EAST within fifteen (15) days after the December 7, 2011, City Council Public Hearing.

Sponsors: Helgen

Remove within 15 days with no option for repair.

RE: 11 Maryland Ave E (single family)

No one appeared.

Steve Magner, Vacant Buildings:

- one-story wood frame single-family dwelling with detached 2-stall garage on lot 3,049 sq ft
- vacant since Dec 23, 2010
- current property owner listed Vong Thao and Ka Z Lee per Ramsey County
- Aug 31, 2011 inspection conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Bldg posted Sep 12, 2011; compliance date Oct 12, 2011
- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code
- estimated market value \$14,500 on land; \$91,600 on bldg
- taxes are current
- VB fees paid by assessment Feb 18, 2011
- Code Compliance inspection not done
- \$5,000 Performance Bond not posted
- 4 SA since 2010; 4 WO for garbage/rubbish; grass/weeds
- estimated cost to repair exceeds \$75,000; estimated cost to demolish exceeds \$12,000
- DSI is seeking a Resolution to Remove the bldg within 15 days

Ms. Moermond:

- had a big fire; there's a sign on bldg that says it's an arson investigation (no follow-up on that or conclusion)

- looks as though owner is not going to do anything with it
- bank and foreclosure attorneys are listed
- owner stopped paying mortgage

Amy Spong, Heritage Preservation Commission (HPC):

- stucco 1 story rambler type house built 1946
- it's in the North End but not part of any recent survey work
- classified perhaps as infill that wasn't consistent with the established nhbd character
- demolition would not have an adverse affect

Ms. Moermond:

- will recommend removal within 15 days with no option for repair

Referred to the City Council due back on 12/7/2011

- 4 RLH RR 11-84** Ordering the rehabilitation or razing and removal of the structures at 1180-1184 SEVENTH STREET EAST within fifteen (15) days after the December 7, 2011, City Council Public Hearing.

Sponsors: Lantry

Remove the building within 120 days.

RE: 1180-1184 7th St E (tavern/cafe)

Kris Kujala and Paul Scharf, Ramsey County, appeared.

Steve Magner, Vacant Buildings:

- two-story commercial bld on lost 3,049 sq ft (Pub East)
- vacant since Feb 18, 2010
- current owner is State of MN Trust Exempt per Ramsey County
- Aug 30, 2011, inspection conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken
- Order to Abate Nuisance Bldg posted Sep 6, 2011; compliance date Oct 6, 2011
- as of this day, the property remains in a condition which comprises a nuisance as defined by legislative code
- estimated market value \$35,100 on land; \$104,300 on bldg
- tax forfeited Aug 2, 2011
- VB fees paid by assessment Mar 23, 2011
- team inspection done May 5, 2010
- as of Nov 4, 2011, \$5,000 Performance Deposit not posted
- 7 SAs since 2010; 7 WOs issued for garbage/rubbish; snow/ice; vehicles
- estimated cost to repair \$150,000; estimated cost to demolish \$20,000 - \$25,000
- background: bar that's had quite a bit of action by City; subsequently, the license for alcohol sales was revoked by City; according to St. Paul's ordinances, that use can not be re-established there

Ms. Kujala:

- have looked at it and it doesn't fit the parameters of their 4R Program
- PED / HRA may have some use/plans for it; they have some interest in some of the sites in and around there; they have acquired the old Globe Industries property (PED)
- their recommendation would be to enter it into their Deconstruction / Removal Program
- it's set up as an old bar with an old wooden bar but it's not grand by any means
- it appears as if it's a newer bar set-up with booths on the opposite side of the long rail of a bar; maybe a dance floor on one side

- there's some evidence of a tin ceiling up above a false ceiling
- will look at those things in a Management Plan (recovery)
- need approx 120 days to deconstruct / remove

Amy Spong, Heritage Preservation Commission (HPC):

- was a commercial store front bldg built 1926 - frame construction (now stucco and Perma Stone)
- originally, the Joseph Schlitz Brewing Company Bar (important socially); has not been researched
- bldg has significance but no integrity (need both integrity and significance in order to be eligible for any historic designation)
- can not tell what it looked like originally
- across the street from the brick store front bldg which was the Jacob Schmidt Brewing Company Bar (housed male workers, too)
- important in the Hamms Country Neighborhood
- Twin Cities Railway Trolley Bldg also near there
- demolition would have no adverse affect
- has no interior photos; suggests that some be obtained
- not in an historic district; although, it's in Dayton's Bluff Neighborhood

Ms. Moermond:

- asked how long Ramsey County would need to do the Removal of the bldg considering all they need for investigation, if the City orders this bldg razed?
- will recommend 120 days removal from Dec 7, 2011
- Ms. Spong will set up a site visit to get interior photos to send to the Historic Society (cost: \$500 - \$600)
- Ms. Spong will get back to Ms. Moermond regarding her determination on documentation

Referred to the City Council due back on 12/7/2011

- 5 [RLH RR 11-65](#) Ordering the rehabilitation or razing and removal of the structures at 698 FOURTH STREET EAST within fifteen (15) days after the October 19, 2011, City Council Public Hearing. (Public hearing continued from October 19; to be continued to March 7, 2012)

Sponsors: Lantry

Continue Public Hearing to March 7, 2012.

RE: 698 4th St E (single family)

Kris Kujala and Paul Scharf, Ramsey County, appeared.

Ms. Moermond:

- HPC reviewed this;
- a demo permit had not been pulled; Ramsey County has it now
- it's a State of MN Tax Exempt property
- will be on Ramsey County's Forfeiture List which will be done end of Nov 2011
- CCPH Dec 7, 2011

Ms. Kujala:

- got a call from Ellen Biales, Council President Lantry's Office
- when she spoke with Ms. Biales, she told Ellen that the best thing for this property, if PED/HRA wanted to preserve it, was to acquire it immediately after they receive the Forfeiture List (within 60 days of receiving the list)

- they need to get a City Council Resolution to Ms. Kujala with an application to acquire it
- once the County Bd approves the HRA application, then HRA needs a plan with timelines to get that property re-developed

Ms. Moermond:

- will construct the Order in a way that allows HRA to have a planning / review process for rehab or bid it out; and give them a timeline in which to execute that
- the County Bd needs to review and approve the application
- possible the County Bd could react to City's request by Mar 1, 2012
- will recommend at CCPH Dec 7, 2011, continue this matter to Mar 7, 2012

Referred to the City Council due back on 12/7/2011

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RLH RR 11-61

Ordering the razing and removal of the structures at 499 LYNNHURST AVENUE WEST within fifteen (15) days after the October 5, 2011 City Council public hearing. (Public hearing continued from November 2, 2011; to be referred back to Legislative Hearing on November 22, 2011 and City Council public hearing on December 21, 2011)

Sponsors: Stark

To be referred back to Legislative Hearing on December 21, 2011 for the following conditions to be met: 1) maintain the property; 2) obtain a code compliance inspection; 3) provide a lockbox on the door; 4) pay the vacant building fee due December 1, 2011; 5) initiate a short redemption time period; 6) plans to de-convert from duplex to single family dwelling; and 7) conduct a survey of parcel at all structures on site and any redevelopment must require the contractor or developer to bring the parcel into compliance in accordance with all city ordinances requirement.

RE: 499 Lynnhurst Ave W (duplex)

No one appeared.

Ms. Moermond:

- Layover - First Place Bank wants to do a rehab; they hired Sarah Adams, Reiter Schiller, to represent them; they are not in possession of the property at this time. She informed them that if they post a \$5,000 Performance Deposit, she would give them a week or two to begin shortened redemption action within the courts
- will put this on the agenda again
- will send a letter to them outlining the City's expectations at this point
- CCPH Nov 16, 2011
- at this juncture, she will recommend a Layover of 1 month from Nov 16, during which time they would need to maintain the property; order a Code Compliance Inspection immediately so that it can be done within the time period; point out in the letter that if they follow the instructions on the application for Code Compliance, including putting a lockbox on the door, it will expedite matters considerably; pay VB fee due Dec 1, 2011; initiate shortened redemption time period; a plan to address title issues (a bldg on this property is also on the adjacent property); conduct a survey of parce; redevelopment must comply with all City ordinances and codes
- entered VB Program Dec 2010
- a nbr says that part of the bldg is on his property

Steve Magner, Vacant Buildings:

- Performance Deposit was received Nov 3, 2011 (requirement to get the Layover)
- this is listed as a duplex on 5,200 sq ft (not enough); zoned RM2

- zoning in that area probably allows for a higher density; however, he thinks it needs to meet the requirements of the square footage
- this structure should be correlating with the adjacent structures
- as part of a rehab plan, we should require a survey of the parcel and all structures on the site and that any redevelopment plan must require the developer to bring the parcel back into compliance with all City ordinances, including set-backs and codes; i.e, Chap 34 touches on the use of the site when it talks about impervious area; and currently, the City would never allow a structure to cover the whole parcel (this parcel is 80%-90% covered)
- most developers see this as a duplex and figure how much money they will get out of it; and removing the garage would mean they can't rent it out; he can't see a developer wanting to remove anything
- these additions were very likely built without permits
- if it's going to be fixed, the City needs to be clear about the City's expectations - that its' returned to the pre-additions footprint
- will check the records to see if there are any variances / permits for any additions

Amy Spong, Herigate Preservation Commission (HPC):

- it was built as a single-family house on a wedge-shaped lot, part of Union Park
- can the City go in a Abate a particular nuisance (nuisance part of a bldg)? Do we have to take the whole thing?
- has anyone gone back to look at the old files?
- it looks as though the owner owned both lots and just kept building
- the original Queen Anne structure is in line with neighboring property
- currently, there's no one inquiring about this bldg; it can't be sold, as is
- it would look more attractive and viable if all this added stuff wasn't there
- maybe the City can help to get rid of some of these issues
- there may be 3 units in the main house (there's fire escape ladders coming from the attic floor)
- this was mapped as part of the Central Corridor Cultural Resource Survey
- will check with Ramsey County Historical Society to see if they have something that the City doesn't have access to

Ms. Moermond:

- Mai Vang will create a skeletal letter; Ms. Moermond will fill in the rest and send it off to Ms. Spong and Mr. Magner to review before it is sent to First Place Bank's representative

Referred to the City Council due back on 11/16/2011

- 7 **RLH OA 11-14** Making recommendation to Ramsey County on the application of Rabbi Bendet, on behalf of Chabad Academy, for repurchase of tax forfeited property at 1758 FORD PARKWAY.

Sponsors: Harris

Allow for repurchase of the property.

RE: 1758 Ford Parkway (church/synagogue)

Ms. Moermond:

- application for repurchase of property from Rabbi Bendet on behalf of Chabad Academy
- delinquent taxes: \$5,600
- is this a nuisance property or are there other concerns about the application for repurchase

Steve Magner, Vacant Buildings:

- there's a C of O pending as of Nov 7, 2011
- a complaint put it into the system: referral from Fire (they conducted a school fire drill and the system was disabled - to do the drill, they flipped the disabled switch back to normal; to silence the alarm, they had to switch back to disabled; they tried to re-set but the system would not re-set; the Principal said they are working with the alarm company to get a new system; I informed them that the inspector would be contacting them shortly - they need to have a functional alarm system ASAP)
- Fire Prevention is working on that
- prior to that, SA for snow/ice in 2009 WO completed by owner
- nothing else prior to 2005

Ms. Moermond:

- history of police visits to the property is pretty insignificant (couple graffiti incidences in 2006)
- will recommend the county allow for the re-purchase of this property

Referred to the City Council due back on 12/7/2011

- 8 **RLH OA 11-15** Making recommendation to Ramsey County on the application of Rabbi Moshe Feller, on behalf of Upepr Midwest Merkos Jewish Education Association, for repurchase of tax forfeited property at 1780 FORD PARKWAY.

Sponsors: Harris

Allow for repurchase of the property.

RE: 1780 Ford Parkway (double dwelling)

Ms. Moermond:

- applicant is Rabbi Feller on behalf of Upper Midwest Merkos Jewish Education Association for repurchase of property
- delinquent taxes: \$1,800

Steve Magner, Vacant Buildings:

- pending C of O
- last action prior to that was a garbage complaint 2009; WO done by City
- no other actions

Ms. Moermond:

- sees no police calls
- will recommend the County allow for repurchase of this property

Referred to the City Council due back on 12/7/2011

- 9 **RLH OA 11-16** Making recommendation to Ramsey County on the application of Jonathon Palmer, on behalf of Hallie Q. Brown Community Center, Inc., for repurchase of tax forfeited property at 569 IGLEHART AVENUE.

Sponsors: Carter III

Allow for repurchase of property.

RE: 569 Iglehart Ave (misc-H-Utility & other)

Ms. Moermond:

- application of Jonathan Palmer on behalf of Hallie Q Brown Community Center Inc for repurchase of forfeited property
- no delinquent taxes
- unoccupied parcel thought to have been a City parcel

Steve Magner, Vacant Buildings:

- Jan 2011 - complaint about a trash can in the middle of the street but it wasn't even the right address; no action needed
- no other history for this address

Ms. Moermond:

- will recommend County allow for repurchase of this property

Referred to the City Council due back on 12/7/2011

10 [RLH OA 11-18](#)

Making recommendation to Ramsey County on the application of Emilia & Modesto E Reyes for repurchase of tax forfeited property at 446 ROBERT STREET SOUTH.

Sponsors: Thune

RE: 446 Robert St S (vacant lot)

Ms. Moermond:

- application of Emilia and Modesto E Reyes for repurchase of tax forfeited property
- outstanding delinquent taxes: \$4,000
- vacant land; did not qualify for Confession of Judgment payment plan

Steve Magner, Vacant Buildings:

- 3 complaints of snow in a tight period in 2008
- 2 WO for snow 2007-08 snow season: both done by Parks
- tall grass/weeds in 2007 - WO - done by owner
- nothing since 2008
- would like opportunity to find out what this may be used for (parking?)

Ms. Moermond:

- a pattern of not acting on City Orders
- has sporadic history of police calls associated with unmanaged property (all in 2001); drugs, graffiti, domestic, and disturbance
- will LAYOVER for 2 weeks (LH Nov 22, 2011)

Laid Over to the Legislative Hearings due back on 11/22/2011

11 [RLH OA 11-17](#)

Making recommendation to Ramsey County on the application of Nhia Xiong Vang for repurchase of tax forfeited property at 781 SEVENTH STREET EAST.

Sponsors: Lantry

RE: 781 7th St E (grocery/convenience)

Ms. Moermond:

- application of Nhia Xiong Vang for repurchase of tax forfeited property
- outstanding delinquent taxes: \$30,000

Steve Magner, Vacant Buildings:

- APW Meat and Groceries (corner of 7 St E and Hope)
- food license

- 2009 - complaint tall grass/weeds; was in compliance when re-checked
- they had compliance re-checks for tobacco licenses
- assumes this store is still operating; will speak with licensing folks at DSI to see if there are any outstanding issues

Ms. Moermond:

- will LAYOVER for 2 weeks (LH Nov 22, 2011)

Laid Over to the Legislative Hearings due back on 11/22/2011

- 12 **RLH OA 11-13** Making recommendation to Ramsey County on the application of Emad Yousef Abed, on behalf of RKL Landholding LLC, for repurchase of tax forfeited property at 1493 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Deny repurchase of the property by this applicant.

RE: 1493 University Ave W (office/retail complex)

Kris Kujala and John Scharf, Ramsey County, appeared.

Ms. Moermond:

- application of Emad Yousef Abed on behalf of RKL Landholding LLC for repurchase of tax forfeited property
- outstanding delinquent taxes: \$174,000

Ms. Kujala;

- since the bldg was razed, she hasn't seen a very good history of property ownership and maintenance
- still need to deal with someone cutting thru the fence to gain access for parking

Inspector Joel Essling, Code Enforcement:

- most recent complaint is about parking on an unapproved surface
- gone back to the County
- County will make arrangements to secure or increase the fence to prevent parking on the property
- 10 WOs since Jan 2010 but none since County took possession (Aug 2011)

Steve Magner, Vacant Buildings:

- prior to that, it was a VB which the City subsequently had to raze; it was a nuisance and dangerous structure
- prior to that, the bldg had 2 substantial fires and had been a Vacant Building since 2005

Ms. Moermond:

- based on it's substantial history of code enforcement problems, she will recommend that the CC recommend the County not allow the repurchase of this property for this applicant

Referred to the City Council due back on 12/7/2011

- 13 **RLH OA 11-12** Making recommendation to Ramsey County on the application of Steve McCluskey on behalf of McCluskey-Stoll Investments LLC, for repurchase of tax forfeited property at 1595 VAN BUREN AVENUE.

Sponsors: Stark

RE: 1595 Van Buren Ave (three/four family)

Ms. Moermond:

- application for Steve McCluskey on behalf of McCluskey-Stoll Investments LLC for repurchase of tax forfeited property
- outstanding delinquent taxes: \$11,000
- some police calls - not too bad: a couple domestics in 2010 (report and advised); disturbance 2011; sporadic and older

Steve Magner, Vacant Buildings:

- 2-story Class C - 3 residential units
- Aug 31, 2011 complaint re: multi-unit house has created 5+ parking spaces in back yard (some on old garage landing; some in yard) - Zoning has this under review right now
- DSI would be inspecting on a yearly basis because it's a Category C bldg
- prior to the Aug 31, 2011 complaint, there's bldg permit activity in 2009; snow/ice, garbage complaint 2009- both resulting in WOs for the same owner (City performed clean-ups there)
- 2007 - was VB; signed off 2009
- current owner did rehab; it remained Cat C because it had been a VB
- hasn't been inspected since 2009

Ms. Moermond:

- will LAYOVER for 2 weeks (LH Nov 22, 2011)

Laid Over to the Legislative Hearings due back on 11/22/2011

11:00 a.m. Hearings

Summary Abatement Orders

- 14 [RLH SAO 11-34](#) Appeal of Christopher Stampley to a Vehicle Abatement Order at 755 AURORA AVENUE #2.
- Sponsors:** Carter III
- Property owner in compliance.*
- Per Inspector Joel Essling*
- Withdrawn**
- 15 [RLH SAO 11-37](#) Appeal of Clifford Scott to a Summary Abatement Order at 434 FRY STREET.
- Sponsors:** Stark
- RE: 434 Fry St (single family)*
- Clifford Scott, owner, appeared.*
- Inspector Joel Essling:*
- nuisance storage and a Condemnation
 - SA originally issued Aug 23, 2011 for exterior storage, nuisance, refuse, debris
 - Mr. Scott started working to clear the property and was doing fairly well; then, things came to halt

- Inspector Ed Smith advised him that not only was the exterior an issue but the interior would also need inspecting
- Oct 26, 2011 SA issued regarding exterior storage (large amount of fire wood on property)
- additionally, the interior of house as viewed from the exterior showing a large amount of storage, refuse, piles of debris in kitchen (there is walking space)
- Mr. Essling was not able to get back to the property before the hearing but he is willing to work with Mr. Scott if he has shown progress as he says on the appeal
- Mr. Scott is going to take a couple days off work to take care of it
- compliance date on SA and the Vacate date for the Condemnation have passed; asked for an extension of 2 weeks - check progress at that time
- if significant progress has been made, more time can be granted
- re-inspection Monday, Nov 21, 2011 at 7 am; will send ltr

Mr. Scott:

- as of today, he will be moving another large amount of fire wood; a truck is arriving that will be loaded and removed today
- hopefully, at that point, he will just have what he needs for winter heating (his primary fuel), which will obviously dwindle as winter passes
- other things are being worked on and he just needs more time to comply
- he's been clearing out the back porch and the deck, etc.

Ms. Moermond:

- will LAYOVER for 2 weeks to LH Nov 22, 2011 to check on progress.

Laid Over to the Legislative Hearings due back on 11/22/2011

- 16 [RLH SAO 11-33](#) Appeal of Jay Palda, Palda and Sons, Inc., to a Summary Abatement Order at 1462 DAYTON AVENUE.

Sponsors: Carter III

RE: 1462 Dayton Ave (general retain & Svc)

Jay Palda, Palda and Sons, Inc, appeared.

Inspector Joel Essling:

- zoned commercial- highway/heavy sewer
- this is re: illegal dumping
- Dayton Ave is a 1-block street here; it's accessible from Marshall by Albert and Pascal
- long history of illegal dumping on this street
- in the past, Public Works would clean-up the illegal dumping; however, due to budget constraints, they are no longer willing to do it
- he suggested to Mr. Palda that he appeal this SA so that, possibly, someone in the CC office might be able to talk with the Councilmember and possibly, expedite the vacating of this street (then, perhaps, the illegal dumping would be removed by PW)
- there may have been an attempt to vacate it in the past; it's an unapproved street
- it's not in the public right-of-way but as far as PW is concerned, on an unapproved street, the property owner's responsibility goes to the middle of the street; although, this dumping is actually on the blvd
- apparently, the City does plow this street but he thinks they plow it because it's more convenient as they are going thru to plow it than to lift the plow
- Mr. Essling has lived in this nbhd most of his life and this company has been there since the 50s; they take care of their property; it's just one of the biggest illegal dumping spots in the city
- explained that unapproved means that it's not paved and that PW is not maintaining

the pavement itself

Mr. Palda:

- an application to vacate has not yet been made; however, he would be willing to pursue an application to vacate along with his nbrs (Cross Town Auto; Home Oil)
- Mr. Essling says it's an unapproved street, yet he's being assessed for Right-of-Way Maintenance (\$3,245.14) and for Storm Sewer (\$2,122.60) of which he has none for that street; they have been paying that since 1955
- it's hard to tell but the road on Dayton was an asphalt street; over the course of years, it has crumbled up (oil/sand mix)

Ms. Moermond:

- it would be great if Mr. Palda pursued the application to vacate; she will accommodate that
- will LAYOVER for 2 weeks
- she will talk with the Legislative Aide in Ward 1 to see if he can look into this and move action forward
- if we can't get PW to get there in that time period, we will need to ask the Appellant to do the clean-up

Laid Over to the Legislative Hearings due back on 11/22/2011

- 17 [RLH SAO 11-35](#) Appeal of Michael R. Smieja to a Summary Abatement Order at 1639 WOODBRIDGE STREET.

Sponsors: Helgen

RE: 1639 Woodbridge St (single family)

Michael Smieja, owner, appeared.

Inspector Joel Essling:

- nuisance exterior storage
- SA issued Oct 28, 2011; compliance Nov 4, 2011; rechecked it yesterday (photos)
- inspector states that there has been quite a bit of improvement; the main storage (photos) is in front of the property - visible from the street
- cage-type structure in the rear, not accessory structure; essentially, from the City's perspective, all that storage is outside (if it were in a garage, there would be no problem)
- is willing to work with Mr. Smieja since he's been making progress

Ms. Smieja:

- explained what's in photos: deer stands; old race car which is being restored for the Old Timers' Races - it was his old race car for 65, 66, and 67 Camero
- he repurchased the race car and now is restoring it to it's original state to use in the Old Timers' Races
- cage-type structure used to be a dog kennel; cement slab underneath
- explained that he couldn't clean-up too much when he got the letter because his wife went in for an ultra-sound; they found a heart flutter (Wed); on Fri, she had another procedure where they found she had a defective heart valve; Mon morning, Oct 24, she had open heart surgery and was in the hospital for one week (he spent every night and nearly every day there); he brought her home last Fri; now, he can really get to work on it
- his grandson just came home from Iraq (his mother died when he was 1 1/2 yr; his dad died when he was 13 yrs old) - he has the truck up in Ely right now
- his grandson will be bring the truck back the middle of this month (the truck is the only thing he has left from mom and dad)

- asked if it would be permissible to put a curtain around the cage on the cement slab (Ms. Moermond answered, "No; that would not be an actual bldg for storage")

Ms. Moermond:

- explained that if the cement slab were to be used as storage, it would need an enclosed structure built on it; or the storage would need to be removed
- asked Mr. Essling if he'd be willing to work on an abatement plan with Mr. Smieja (with deadlines)
- Mr. Smieja doesn't need to come back Nov 22 if they email an acceptable plan to Ms. Moermond
- will LAYOVER for 2 weeks (LH Nov 22) to come up with a plan

Laid Over to the Legislative Hearings due back on 11/22/2011

Orders To Vacate, Condemnations and Revocations

- 18 [RLH VO 11-91](#) Appeal of David Busch, DRB #24 LLC, to a Fire Certificate of Occupancy Inspection Correction Notice at 727 CHARLES AVENUE (appealing condemnation of upper unit).

Sponsors: Carter III

Grant the appeal on the condemnation and order to vacate provided compliance with the balance of the correction order.

RE: 727 Charles Ave (duplex)

David Busch, responsible party, and contractor appeared.

Fire Inspector Mike Urmann:

- met with contractor for the property and handed the letter to the owner this morning
- added Orders and entered them
- quite a bit of work is being done in Unit now
- re-inspection for property: tomorrow, Nov 9, 2011
- will close out Order tomorrow if everything is done
- clarified that the Unit didn't get Condemned because of the tenant; the Unit got Condemned because of an agreement with Mr. Busch's staff he met on site about the Unit having to be rehabbed and it was only a Condemnation of that Unit
- at this time, he would not Condemn that Unit
- those things were not taken off that list because he was specifically advised by this hearing not to do a re-inspection, just do a consult for the 2nd floor
- only difference is that these Orders specify the "Upper Unit"

Mr. Busch:

- his only question from before was whether it was appropriate to have the Order of Condemnation
- revised Orders didn't clear up questions he had; just got them and can't tell what's new and what's old
- many of these items have already been solved but are still on this list
- his contractor is here to tell you that nothing came to his attention in the re-inspection that would indicate this bldg qualifies for Condemnation in any fashion
- this was held over; Ms. Moermond stayed the Order of Condemnation in order to get more clarity as to why it should be Condemned and he finds no new information in the revised Orders that indicates it should be Condemned
- as you remember, this was damage caused by a tenant who then called the inspector to have it Condemned so she didn't have to pay rent or damages for the

work she created

- *he is strongly in objection to any Condemnation of this property because it sets a terrible precedent*
- *MM had asked for specificity as to why it deserved to be Condemned and he sees nothing in the revised Orders that is any more specific than when this started 2 weeks ago*
- *is not in agreement with the Correction Orders but he thinks they will do all those things; they do not agree that the garage needs to have power run to it because it's not used by tenants; his staff, Pat Ware, never consented to a Condemnation; he would like to have this re-inspected and new Orders issued if there is anything that remains to be done; his contractor thinks that no permits were needed for the work that was done; and the plumber said that fixing a seal on a pea trap would also not require a permit*
- *he would like to come away with a Withdrawal of any Condemnation Order*
- *the rest he will solve*

Pat Ware:

- *at the time of inspection, Mr. Urmann told her that he was going to put a list together and give it to her at the end of his inspection*
- *when they got to the upstairs unit and Mr. Urmann saw how many things were going to be on the list, he said, "There's so many things that I believe I'm just going to have to Condemn the Unit." She did not say that it was fine with her; she said, "What else can we do?" She didn't know she had a choice; she didn't know she'd be agreeing to a Condemnation; she would never agree to that. Mr. Urmann had said at the last hearing that she agreed to it and she wanted to go on record that she didn't agree to it; she wanted a list of repairs to start working on.*

Ms. Moermond:

- *CCPH Nov 16, 2011*
- *will recommend granting the appeal on the Condemnation / Order to Vacate understanding that the Correction Order will move forward*

Referred to the City Council due back on 11/16/2011

- 19 RLH VO 11-101** Appeal of Deanna Williamson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 989 BURR STREET.

Sponsors: Helgen

RE: 989 Burr St (triplex)

Deanna Williamson, owner, appeared.

Fire Inspector Mike Urmann:

- *going on for a long time re repairs that have been needed on the property*
- *original Orders - Aug 2010- it was a C property at that time, went thru the process and it became due again this year*
- *started as a C of O inspection, then an approval was issued with Corrections Dec 2010; because exterior repairs couldn't be done in winter, owner said it would be done in spring-summer 2011 but it wasn't*
- *have yet to gain interior access*
- *entered email from owner stating that they were going to homestead the property and move in; but this is not about homesteading, it's about owner-occupancy which they don't believe is the case in this situation*

Ms. Williamson:

- *purchased 1 yr ago; exterior needs work; interior has been worked on first*

(plumbing issues were taken care of)

- as they were trying to upgrade the exterior, people tried to get inside the bldg - some break-ins
- inspector has been inside the property several times (one time when no Notice had been received)
- another time, inspector came out while Ms. Williamson was in the hospital
- the last time inspector sent a letter saying she'd be out on the 14th, Ms. Williamson sent her an email to cancel that inspection because there was no way she was able to get the workers in to do what the inspector had wanted them to do
- has 2 properties in Saint Paul and she is new at this; she is now realizing that the inspectors are taking these separately; these properties were inspected one right after the other and both are requiring major repairs
- Inspector Booker did clear the inside; still had exterior to do last fall and it was getting too late to finish it
- she hired Century Pro, which agreed to come the summer of 2011 to take care of this property
- she had also hired them to do her house in Midway and they tried to paint too late in the year so the paint cracked; they had to go back and do that correctly; they are still working on that
- in the meantime, she has tried to find additional funding
- got a call from SPARC, which has agreed to help her with materials
- has had a difficult time trying to get both projects done
- Burr's exterior estimate is \$42,000 (Century Pro had agreed to do just painting and patching for \$12,000); she'd prefer to do something more lasting
- she's not trying to avoid it; she has over \$40,000 in her Midway project +
- others are trying to help her out at the other project
- her husband works and they have 6 children; she's doing the best she can
- this summer, she was very ill, in and out of the hospital
- Kimberly Williams is going to try to help her manage on Burr
- someone informed her tenants that they have to be removed from the property and so they removed themselves and caused significant damage because they were upset that they had to go; they moved while she was in the hospital
- recently, her downstairs tenants have also moved
- she was going to homestead the property because there is funding for homesteading - if you are actually in the property and you stay there
- last year she searched for funding but there's nothing left for investors
- she can only do so much; getting pulled between 2 properties
- would like to get a list of what she needs to have repaired/done so that when they come, she knows what she's supposed to have done (there's pre-inspection check list on the City's website - look up Fire Certificate of Occupancy)

Ms. Moermond:

- why was the C of O issued if these exterior issues weren't resolved (Mr. Urmann: it was Dec of the yr and these were exterior repairs; the C of O was granted approval if exterior was done by spring. Policy: we won't hold C of O off for exterior issues that are basically non-structural issues, only for interior issues)
- would like to see a Work Plan with timelines for addressing exterior issues
- need to get an inspector on inside (appellant wants to hold off for another week because some things are not yet fixed)
- inspector appointment in 1-2 weeks
- she would like to see both interior and exterior inspection reports and a Work Plan for addressing the exterior items
- this has been Revoked for the entire bldg; the sooner you can get an inspector in there, the faster the Revocation can be lifted

Referred to the City Council due back on 12/7/2011

20 RLH VO 11-102 Appeal of Carlton Morris to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 387 GRAND AVENUE.

Sponsors: Thune

Grant the appeal with the conditions that water heater is in compliance by January 1, 2012 and fire alarm by April 1, 2012. If Appellant is not in compliance, the property will be condemned.

RE: 387 Grand Ave (two-family)

Carlton Morris, owner, appeared.

Fire Inspector Mike Urmann:

- Revocation
- appeal was heard Oct 3, 2011 with specific compliance date of Oct 17, 2011
- failing compliance on that date, the C of O was Revoked and Orders issued

Ms. Moermond:

- Mr. Morris had called and asked for additional time
- she looked at original appeal and the minutes from LH discussion; at that time, the items weren't addressed at all

Mr. Morris:

- appealed a quasi-plumbing issue: water in the pit
- Ms. Moermond had him work with Water inspector, who said it didn't look like a pipe
- since then, he's been running the humidifier and all that water is gone
- when Mr. Beumer came out, he pulled some of the stuff out of the it and he saw that it was just dry flakes; it's a done deal
- new issue: the hard wire alarm for which he is asking for an extension
- when he got the Revocation, the electrician he was working with handed him off to someone else because he had a lot of work before the 17th
- the next elect has pulled the permit and he's trying to get him in; plumber has pulled permit
- someone looked at the water heater and told Mr. Morris that a lot of his plumbing isn't going to pass inspection
- he called Rick Jacobs who told him that he needs to have a liner put in to his chimney (\$2,000-\$3,500); needs financing
- plumber said he wouldn't address the job unless he could do everything right
- he is just trying to get time to do all these extra issues
- he hasn't brought this to his tenants' attention because he feels that they should not be forced to move while they are trying to get this work done ASAP
- asking for Ms. Moermond's leniency; needs time to get things done right
- work will be done within the next 1 1/2 months, for sure

Ms. Moermond:

- plumber permit on water heater needs to be closed out; must be done by Jan 1, 2012
- fire alarm system must be done by Apr 1, 2012

Mr. Urmann:

- noted that had the water heater been installed with permit, the contractor would have caught that the chimney needed a liner

Ms. Moermond:

- will grant appeal, conditioned upon the venting of the water heater being addressed by Jan 1, 2012 and fire alarm system by Apr 1, 2012

- if after Jan 1, 2012, the venting of water heater is not set up properly, the C of O will be Revoked and if after Apr 1, 2012, the fire alarm system hasn't been installed, the C of O will be Revoked

Referred to the City Council due back on 12/7/2011

21 **RLH VO 11-99** Appeal of George Warner, Esq., on behalf of Hassan Tetteh, to a Certificate of Occupancy Revocation and Order to Vacate 934 JUNO AVENUE.

Sponsors: Thune

Waive the vacant building fee until January 1, 2012. If not in compliance, the VB fees will be assessed. Inspector will need to gain access to the interior and will provide a new list to address both the exterior and interior, including the tree.

RE: 934 Juno Ave (duplex)

George Warner, attorney, on behalf of Hassan Tetteh; and Mark Hulsey, realtor, appeared.

Fire Inspector Mike Urmann:

- issue of property that had gone thru foreclosure
- was occupied by a tenant who was not approved by the landowner
- bldg is in need of repair; in foreclosure with legal issues
- unoccupied at this time so the life safety issue isn't there; it just needs to go thru this process

Mr. Warner:

- Dr. Tetteh is a heart surgeon in U.S. Navy and is currently in Afghanistan
- when he was in Twin Cities for medical training, he bought some rental properties of which this was one
- he then had to go to the East Coast for the military and this property went into foreclosure
- sheriff's sale - 2009 - Dr. Tetteh just didn't have time to devote his attention to this property; it fell into disrepair
- unfortunately, the tenant at the property became a hold-over tenant, who took advantage of the foreclosure process to live there rent free
- several months ago, Dr. Tetteh contact Mr. Warner when these matters came to light
- Mr. Warner investigated / determined that there should not have been a foreclosure because Dr. Tetteh's on active duty with U.S. Military; foreclosure was improper
- Mr. Warner began discussions with the mortgage company's attorney to rescind or undue the foreclosure
- Judge Guzman has issued an Order putting Dr. Tetteh back into title; foreclosure part is fixed
- Dr. Tetteh educated Mr. Warner of the abuses of the tenants so, got a rit of restitution and evicted the tenant from the property
- he and Mr. Hulsey are trying to help Dr. Tetteh repair the property
- there has been significant monies spent and corrective action taken place
- they believe that if inspected today, the property would likely pass but unfortunately, it's now a Cat 2 property and the C of O has been Revoked
- Dr. Tetteh would like to get the C of O back ASAP, get a good tenant in there to take care of the property and to ultimately, sell it in the not too distant future
- remaining issue: restoring utilities
- they want the bldg to be able to be occupied
- City staff actually suggested to Dr. Tetteh that he appeal this (Mr. Urmann said that was true, per inspector)

- understands that the largest problem was the hold-over tenant, who wouldn't allow inspection staff nor repair people to gain access to the property

Ms. Moermond:

- has a note about a dead tree that needs to come out of the yard (addressed to Fannie Mae); she printed it for Mr. Warner
- need to get rid of the tree
- will recommend the VB fee be waived thru Jan 1, 2012 if appellant gets the C of O re-instated
- looks as though the original Condemnation was for gas and elect shut-off
- looks as though an inspector has not been inside the bldg - need to get an inspector in there to do an inspection
- contact Inspector Rick Gain for appointment date; Appellant will get a new list with interior items that need to be addressed
- interior, exterior, along with tree removal all need to be addressed by Jan 1, 2012
- will get a letter about today's proceedings

Referred to the City Council due back on 12/7/2011

22 RLH VO 11-107 Appeal of Antonio Grajeda to a Condemnation and Order to Vacate at 569 LAFOND AVENUE.

Sponsors: Carter III

Grant the appeal on the condemnation and order to vacate on the condition that the items are completed by the close of business on December 9, 2011. Ms. Moermond indicated that a extermination report regarding mice be sent to her office.

RE: 569 Lafond Ave (duplex)

Antonio Grajeda, owner, and Cassandra Tidwell, appeared.

Fire Inspector Mike Urmann:

- Condemnation / Order to Vacate
- bldg in disrepair and Inspector noted work being done to rehab without permit
- photos attached to file
- Orders not complied with and no action taken, legally, to correct them including extermination by a licensed exterminator (large infestation of cockroaches throughout bldg which caused occupant to vacate)
- noncompliance appears to be an on-going problem (recollection of inspector)

Mr. Grajeda and Ms. Tidwell:

- lived next door to this property 2 yrs ago; now lives in Savage
- didn't get Notice (first 2 letters from Fire Inspector went to 581 Lafond Ave and they live in Savage, MN)
- had they received Notice, they would have completely complied with Orders
- they weren't aware of any problems, including extermination
- they finally received a letter from Dennis Senty on Oct 27, 2011; Ms. Tidwell went to speak with him at his office on Oct 28, 2011, who said that she needed to speak with Lisa Martin; she called Ms. Martin who did not want to hear anything she had to say about her letters going to the wrong address and Mr. Senty's both were sent to their address in Savage and 581 Lafond
- Mr. Grajeda divorced in 2009 and 581 Lafond was his previous address (ex-wife currently lives there and she did not forward the letters to him)
- house has since been exterminated by a licensed exterminator (provided receipt)
- furnace has had the test yesterday
- Inspector came out Oct 7 and had gone only upstairs (those tenants claimed

cockroach infestation when it came time for the 2nd month's rent); her brother's had lived there since Jan 15, 2011 and this tenant had been staying there since Jul 4, 2011, without them knowing about it; when her brothers had been asked to move because of nonpayment, Mr. Grajeda found this person, plus another; and he asked them to leave; they never came up with first month's rent and damage deposit even though she said she had it when she asked if she could rent the apt after her brothers couldn't pay the rent; she and her boyfriend begged Mr. Grajeda - that welfare emergency assistance would be paying the \$800 deposit and \$800 first month's rent; Mr. Grajeda felt bad for them and gave them a couple days; welfare came thru

- at no time was there any mention of the cockroaches
- on the third day, he gave them a Final Notice warning letter for late rent payment (if rent is not paid by the 4th, on Oct 5, 2011, he'd be filing for eviction)
- that's when the roach thing came up; Mr. Grajeda told them he would have the roaches taken care of
- Mr. Grajeda went to the apt; he could hear them talking but they wouldn't open the door; later, they would start an argument and beg for a few more days to move out of there
- originally, tenant moved in Sep 1, 2011
- downstairs tenants moved out Oct 15, 2011 (they moved into another of Mr. Grajeda's property on East Side)
- inspector came Oct 20, 2011 and it was still a mess in there; kids had put holes in the wall; Ms. Tidwell's brother was doing clean-up in one bedroom when inspector came - no repairs were being done
- a licensed exterminator came in - there are no more roaches; he is returning to take care of the mice
- Mr. Senty gave her a copy of the letter dated Oct 20, 2011 with deficiency list
- only thing left in Unit is normal maintenance
- tenants had removed smoke detectors and carbon monoxide detectors (are now re-installed)
- had been granted an appeal for 2nd fl windows in 2009
- he spent \$40,000 in 2007 to bring everything up to code
- haven't done anything to walls because inspectors may have us rip sheet rock off to see underneath
- everything has been removed from the units; they are empty
- Oct 31, 2010 Mr. Grajeda's younger brother passed away unexpectedly in Texas; they left Nov 1 to go down for the funeral and returned Nov 6, 2011
- had Faxed to Inspector Martin: exterminator receipt, smoke alarm and carbon monoxide affidavit, furnace test
- provided copy of window variance (LH Jul 22, 2009) for Unit 1 and Unit 2 (4-inch variances on height)

Mr. Urmann:

- Appellant needs to fill out application as they are required to under Chapter 40 and provide with current address
- the photos show that there is more than just minor damage to the walls (lathe and plaster has been removed); will be more than a \$500 repair and that's why a permit is required pulled by a licensed contractor
- will Withdraw Order on windows (LH Jul 22, 2009)

Ms. Moermond:

- concerned about the plaster on walls - get a bldg permit to address that; take photos of the walls and take them to get bldg permit; if it's just bldg related work, Mr. Grajeda can do that himself
- for electrical work, you need to have a licensed electrician pull the permit and do the work
- will recommend granting the appeal on the condemnation and order to vacate on

the condition that the repairs are completed by the close of business on December 9, 2011 under permit, if necessary

- send receipt from the extermination regarding mice to her office

Referred to the City Council due back on 12/7/2011

- 23 **RLH VO 11-104** Appeal of Michael Dupont to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1658 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Deny the appeal and grant an extension to December 31, 2011 for permit sign-off.

RE: 1658 Maryland Ave E (single family)

Michael Dupont, tenant, appeared (son-in-law of owner)

Fire Inspector Mike Urmann:

- not much on list

- not an owner-occupied property; son-in-law of owner lives there

- still have smoke detector affidavit and dryer vent outstanding

- letter sent Sep 14, 2011

- first appointment letter went out Jan 24 for Feb 15, 2011 inspection

- order for dryer vent has been out since Apr 14, 2011

Mr. Dupont:

- Mr. Thomas showed up in Feb 2011 to inspect; list of deficiencies was provided; then, most of work was fixed

- for what was not done, he Revoked the C of O; father-in-law called to get another inspection

- Mr. Thomas came back to do another inspection not very long ago; have 2 items left on deficiency list

- he was unaware of when this was supposed to be taken care; he had a note on his door saying, "the C of O is being Revoked on Oct 31, 2011"

- they couldn't live there anymore, so he filed an appeal

- he spoke with his inlaws and they said they sent in the the smoke detector affidavit (inspector says he doesn't have it)

- the first time Inspector Thomas came throuh, he said that they just needed a smooth metal piping instead of the accordian style; (he didn't mention permit or contractor) so, Mr. Dupont went ahead and installed it; 2nd time Inspector Thomas said, "You can't just do it yourself"

- dryer exhaust duct - he called some contractors to get the ball rolling on this stuff - they said the owner of property needs to call them to handle it - can't come until after Thanksgiving - inlaws are getting a contractor to fix it (done by Dec)

Ms. Moermond:

- need to have this taken care of by close of business Dec 2, 2011; if there's a finaled mechanical permit in the system, it's done; if not, we'll go with a Vacate of Dec 31, 2011

- owner needs to fill out smoke detector affidavit, sign it and send it in

- contractor will pull permit for dryer vent, do the work and then the work will get inspected by the City (he needs to call in to get a final inspection)

Referred to the City Council due back on 12/7/2011

- 24 **RLH VO 11-100** Appeal of Patrice Swaser to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 20 SYCAMORE STREET EAST.

Sponsors: Carter III

Appellant missed hearing. Called to reschedule.

RE: 20 Sycamore St E (single family)

Patrice Swaser, Appellant, called to reschedule

Kay Wittgenstein, Ramsey County Public Health House Calls Program, appeared to find out the outcome of the hearing because they were to be vacate yesterday and they have not yet left the premises. Has not met with the tenant.

Fire Inspector Mike Urmann:

- *per the inspector, nothing has been done inside the Unit*
- *tenants still refuse to give the owner access to do any of the work*
- *tenants have a rather large dog*

Ms. Moermond:

- *troubled when she hears that tenant doesn't provide access when the owner can actually require access*
- *owner may be looking for the City to act to vacate the Unit rather than the owner having to go thru an eviction process*

Laid Over to the Legislative Hearings due back on 11/15/2011

1:30 p.m. Hearings

Correction Orders

25 RLH CO 11-23 Appeal of Donald Moschkau to a Correction Order at 410 MAPLE STREET.

Sponsors: Lantry

Deny the appeal and grant an extension for one month to clean up the debris and until June 30, 2012 to repair the retaining wall under permit.

RE: 410 Maple St (single family)

Donald Moschkau, owner, appeared.

Amy Spong, Heritage Preservation Commission (HPC):

- *a Correction Notice has gone out*
- *is in the Dayton's Bluff Historic District: any repair work needs to comply with HPC*
- *was an old limestone retaining wall that collapsed*
- *other areas of the wall have been patched with a stone that HPC does not approve*
- *needs an HPC application and approval*

Steve Magner, Vacant Buildings:

- *wall is over 4 feet so it will need a permit*
- *owner at 410 Maple doesn't believe it's his wall; although it's retaining their property*

from the adjacent property

- the property directly to the west is a newer multi-unit bldg which has a limestone wall that's retaining the dirt going up 7th St and it goes along the side of the bldg towards 410 Maple, then, it transitions to a newer wall (the property of the 7th St address); Ms. Spong thinks this newer wall was erected without review and approval
- DSI believes that 410 Maple owns this wall (opinion of Mr. Magner, Ms. Seeley and Mr. Ubl)
- that wall goes alongside of 410 and starts to wrap around (there is a consistent limestone wall that fronts the sidewalk to 410 Maple)

Referred to the City Council due back on 12/7/2011

Fire Certificates of Occupancy

Laid over items

- 26 **RLH FOW** Appeal of Paoze Her and Song Lor to a Fire Certificate of Occupancy
11-210 Correction Notice at 1631 BIRMINGHAM STREET.
- Sponsors: Bostrom
- Deny the appeal on the egress bedroom windows and grant an extension for 90 days to bring the windows into compliance.*
- Referred to the City Council due back on 12/7/2011**
- 27 **RLH FCO** Appeal of Darlene Hoppe to a Fire Certificate of Occupancy Inspection
11-433 Correction Notice at 1152 MARION STREET.
- Sponsors: Helgen
- Items to be completed immediately: 14, 15, 16, 18, 21, 24, 25, 26, 28, 29, 31, and 33; grant extension to November 22, 2011 to address any rotting boards on siding of the house; and grant an extension to June 30, 2012 for the exterior painting items.*
- RE: 1152 Marion St (duplex)*
- Darlene Hoppe, owner, and daughter-in-law appeared.*
- Ms. Moermond:*
- this was laid over for 2 weeks to get inspector input and a Work Plan
- Fire Inspector Mike Urmann:*
- per inspector, repairs to the exterior are an on-going issue
 - extensive photos in file
 - inspector asks for access to interior to do the full Certificate of Occupancy Compliance Inspection
 - today, inspector was in the area for another inspection and noted that none of the exterior work for this property had been addressed
 - inspector also sent email to Ms. Moermond saying that no work has been completed or complied with and no Work Plan has been submitted for the property
 - anything electrical, mechanical, plumbing requires a licensed contractor pull permits; anything that's building related (construction, walls, etc.) needs a permit if the dollar cost exceeds \$500 (full job cost including contractor's fee and labor)
 - identified most critical items on Sep 9 list, which should be done by Nov 22, 2011: ##14, 15, 16, 18, 21, 24, 25, 26, 28, 29, 31, 32, 33; when this list is complete, contact

Inspector Lisa Martin

Ms. Hoppe:

- entered a contractor estimate (scanned)
- provided names and phone numbers of 2 of the licensed people they are hiring

Daughter-in-law:

- this was brought to her attention 2 wks ago; family decided to get involved and help her out
- she took a look at the bid of \$13,000 is unbelievable and half of the items on the bid has nothing to do with what needs to be done (she thinks he wants to take advantage of her mother-in-law)
- wants to go over list (Sep 9, 2011 Orders) and have everything explained
- they need time, a long extension
- they have hired a main contractor
- family can do some of the work
- what needs permits? Orders say "may need a permit" not "needs a permit" (Ms. Moermond said that "may need" usually means "does need")
- renter occupying lower level will be out Jan 1, 2012; then, they will finish work downstairs
- after finishing downstairs, the tenant in upper level will move downstairs so that they can work on the upstairs

Ms. Moermond:

- the fuel equipment test (ORSAT) will require an outsider
- sleeping isn't allowed in basement
- asked Mr. Urmann to identify the most critical items on list of Sep 9
- the short list needs to be done Nov 22, 2011 along with rotted exterior boards, holes in siding
- items that need to be done Feb 1, 2012 (lower unit and shared space): done by Feb 1, 2012
- peeling paint on exterior can wait until Jun 30, 2012

Referred to the City Council due back on 12/7/2011

- 28 [RLH FCO 11-467](#) Appeal of Kyle Dalton to a Fire Certificate of Occupancy Inspection Correction Notice at 1020 PACIFIC STREET.

Sponsors: Lantry

- 29 [RLH FCO 11-473](#) Appeal of Terrance Luther to a Fire Certificate of Occupancy Correction Notice at 119 WINNIPEG AVENUE.

Sponsors: Helgen

Window Variances: Hearing Required

- 30 **RLH WP 11-100** Appeal of Bob Shackelford to an Egress Window Non-Compliance Determination at 1403 SCHEFFER AVENUE.

Sponsors: Harris

Grant a 1-inch variance on the openable height of two double hung egress bedroom window replacement measuring 23 inches high by 40 inches wide; grant a 1-inch variance on the openable height of two double hung egress bedroom window replacement measuring 23 inches high by 30 inches wide; deny a variance on egress

replacement windows measuring 13.42 inches wide by 32 inches high.

Referred to the City Council due back on 12/7/2011

Fire Certificates of Occupancy

- 31 **RLH FCO** Appeal of Brent Hybben to a Fire Certificate of Occupancy Approval With
11-477 Corrections at 967 EUCLID STREET.

Sponsors: Lantry

No show; deny the appeal.

Referred to the City Council due back on 12/7/2011

- 32 **RLH FCO** Appeal of John R. Rupp to a Re-Inspection Fire Certificate of Occupancy
11-476 With Deficiencies at 426 SUMMIT AVENUE.

Sponsors: Thune

Deny the appeal and grant an extension to July 30, 2012 for compliance.

RE: 426 Summit Ave (club/association hall)

John Rupp appeared.

Amy Spong, Heritage Preservation Commission (HPC):

- appeal on a Fire C of O which rather alarmed her a little (about damaged structural members)*
- they have temporary beams and scaffolding*
- there's parking on this deck and there's a study by an engineer saying that this is an OK load for the structural support system (letter from Project Works, Professional Engineer, says they reviewed the area of parking. They used an anticipated load of a Toyota Celera vehicle, estimated weight 3,500 lbs. "It's their opinion that the general arrangement and sizing of the shoring members meet the requirements of the applicable standards and specs and will provide adequate capacity for parking a vehicle in the space. Our review is limited to the shoring below the intended parking area.")*
- she has an outstanding application on that bldg - the owner has never provided information to her (from this past spring or summer)*
- there's a big awning and a deck structure along the back curved area where people sit out; and with all the snow we had last year, it literally, crashed down on the awning, so he took awning away and started re-building the deck without permits*
- she has been speaking with Mr. Rupp regarding this and he was going to install a big metal roof opposed to a fabric awning to which she had some hesitation; then, he changed his mind*
- he still needs a permit for work already done on the deck*
- it was re-inspected Sep 16, 2011 by Inspector Mitch Imbertson - she will call him for info*

Referred to the City Council due back on 12/7/2011

- 33 **RLH FCO**
11-483 Appeal of Barbara J. Liberty to an Updated, Rescheduled Fire Inspection Correction Notice at 1530 CONCORDIA AVENUE.
- Sponsors:** Carter III
- Deny the appeal and grant an extension to January 1, 2012 for compliance.*
- Referred to the City Council due back on 12/7/2011**
- 34 **RLH FCO**
11-493 Appeal of owners Linnea Forsell, Jeff Johnson, and Lucy Johnson; LJJ Properties; to a Fire Certificate of Occupancy Inspection Correction Notice at 1106 SEVENTH STREET WEST.
- Sponsors:** Thune
- Address Immediate concerns for Items 1, 3, 4, 5, 6, 7, 8, 12, 13, 22 and 23; lay over to December 13, 2011 at 3:30 p.m. for the following items: 1,6, 7, 12, 22 and 23.*
- Laid Over to the Legislative Hearings due back on 12/13/2011**
- 35 **RLH FCO**
11-484 Appeal of TJK Properties, Inc., to a Correction Notice-Reinspection Complaint and Inspection Appointment at 1625 HEWITT AVENUE.
- Sponsors:** Stark

2:30 p.m. Hearings

Vacant Building Registrations (None)

Staff Reports

- 36 **RLH FCO**
11-451 Appeal of Daniel Jesse to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1767 DAYTON AVENUE.
- Sponsors:** Stark
- 37 **RLH WP 11-101** Appeal of Adaptable Builders (Julie Dale), on behalf of Michael Sellers, to an Egress Window Non-Compliance Determination at 1336 HARTFORD AVENUE.
- Sponsors:** Harris
- On November 1, 2011 at the Property Code Hearing, Marcia Moermond, Legislative Hearing Officer requested that contractor for owner provide manufacture specs for her review. On November 10, 2011, Ms. Moermond reviewed the email provided by contractor and based on the documentation, Ms. Moermond recommended that the City Council grant a 3.5 variance on the openable width of the replacement egress bedroom window(s) measuring 36.63 inches high by 16.52 inches wide.*
- Referred to the City Council due back on 12/7/2011**

Window Variances: No Hearing Necessary

- 38 **RLH WP 11-104** Appeal of Harmony Homes Inc., on behalf of Alvaro Alonso, to an Egress

Window Non-Compliance Determination at 1900 BOHLAND AVENUE.

Sponsors: Harris

No hearing necessary; grant a 7.75-inch variance on the openable height of one double hung egress bedroom window measuring 16.25 inches high by 35 inches wide.

Referred to the City Council due back on 12/7/2011

39 [RLH FOW
11-219](#)

Appeal of Doug Remly to a Fire Certificate of Occupancy Correction Notice at 308 CLARENCE STREET.

Sponsors: Lantry

No hearing necessary; grant a 4-inch variance on the openable width of the egress window in the basement bedroom; grant the appeal on the building permit issue for the window installation; grant a 2-inch variance on the openable height and 1-inch variance on the openable width of the egress window in the main floor north bedroom; and grant a 4-inch variance on the openable height of the egress window in the upper floor bedroom.

Referred to the City Council due back on 12/7/2011

40 [RLH WP 11-102](#)

Appeal of Ramsey County Department of Public Health (Daniel Schmidt), on behalf of Jeff Manders, to an Egress Window Non-Compliance Determination at 1808 HYACINTH AVENUE EAST.

Sponsors: Bostrom

No hearing necessary; grant a 2-inch variance on the openable height of two double hung replacement egress bedroom windows measuring 22 inches high by 23.2 inches wide.

Referred to the City Council due back on 12/7/2011

41 [RLH WP 11-99](#)

Appeal of Michael Sellers to an Egress Window Non-Compliance Determination at 798 LAKE STREET.

Sponsors: Lantry

No hearing necessary; grant a 5-inch variance on the openable height of the egress windows in all bedrooms. Please note that you don't need to apply for a window permit for the windows.

Referred to the City Council due back on 12/7/2011

42 [RLH WP 11-103](#)

Appeal of Richard Kedrowski to an Egress Window Non-Compliance Determination at 1190 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

No hearing necessary; grant a 4-inch variance on the openable height of two slider replacement egress bedroom windows measuring 23.6 inches high by 20.65 inches wide.

Referred to the City Council due back on 12/7/2011

43 [RLH WP 11-98](#)

Appeal of Ted Ryden to an Egress Window Non-Compliance Determination

at 1011 MATILDA STREET.

Sponsors: Helgen

No hearing necessary; grant a .5-inch variance on the openable width of one 2-section sliders replacement egress bedroom windows measuring 36 9/16 inches high by 19.5 inches wide.

Referred to the City Council due back on 12/7/2011

- 44 [RLH WP 11-107](#) Appeal of A Pane in the Glass Construction LLC, on behalf of Angela Polacek, to an Egress Window Non-Compliance Determination at 2248 MATTERHORN LANE.

Sponsors: Lantry

No hearing necessary; grant a 3-inch variance on the openable width of one 2-lite slider egress bedroom windows measuring 38.25 inches high by 17.125 inches wide.

Referred to the City Council due back on 12/7/2011

- 45 [RLH WP 11-108](#) Appeal of A Pane In The Glass Construction, on behalf of Dan Notch, to an Egress Window Non-Compliance Determination at 1115 NORTON STREET.

Sponsors: Helgen

No hearing necessary; grant a 3.5-inch variance on the openable width of two sliders replacement egress bedroom windows and one casement replacement egress window in bathroom measuring 33.06 inches high by 16.5 inches wide.

Referred to the City Council due back on 12/7/2011

- 46 [RLH FOW 11-227](#) Appeal of Khamphiou Vang to a Fire Certificate of Occupancy Correction Notice at 728 ROSE AVENUE EAST.

Sponsors: Bostrom

No hearing necessary; grant a 2-inch variance on the openable height of the egress windows in the 2nd floor east and north bedrooms.

Referred to the City Council due back on 12/7/2011