



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### 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, June 20, 2017

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Special Tax Assessments

- 1 [RLH TA 17-241](#) Ratifying the Appealed Special Tax Assessment for Property at 1322 RICE STREET. (File No. J1708B, Assessment No. 178110)

**Sponsors:** Brendmoen

*Forthcoming.*

*MM Notes: after reviewing the police report, it was clear an effort was made to contact the keybox holder at the time. Subsequently, police contacted him to get the video and he reported the video is only maintained for 48 hours, so it was gone by the time they connected. Although, I can't imagine why he didn't pull the video already if he had it. Anyway, as an effort to contact was made and some work securing the property was done, I'll recommend approval.*

**Referred to the City Council due back on 7/19/2017**

- 2 **RLH TA 17-276** Ratifying the Appealed Special Tax Assessment for Property at 438-442 BEACON AVENUE. (File No. J1709E, Assessment No. 178312)

**Sponsors:** Stark

*Krishna C. Ponugoti, owner, appeared.*

*Supervisor Paula Seeley:*

*-PAEC for not removing snow on time*

*-Orders sent Jan 19, 2017 - a 24-hour time limit; re-checked Jan 20; no work had been done*

*-cost: \$120 + \$35 = \$155*

*-there's been 1 previous snow violation in the past 12 months*

*-we usually give 48 hours on snow; we are doing things the new way; we're counting the snow violations from last year; so, if a 2nd violation comes up, the time period is shortened to 24 hours*

*Mr. Ponugoti:*

*-I didn't understand what this Notice meant*

*-this is a vacant lot; I bought it in Dec 2016; so, the previous violations on snow were*

*not under my ownership; the lot was foreclosed - the bank owned it before me; and, I didn't get any letter in the mail*

*Ms. Seeley:*

*-he is correct; he didn't own the property before Dec 2016*

*Ms. Moermond:*

*-I'm going to recommend this gets deleted; I just need to find out, for the record, when the previous 1 case happened*

*Ms. Seeley:*

*-the previous snow letter went out Dec 19, 2016 - noticed sent to Krishna Ponugoti*

*Mr. Ponugoti:*

*-I did not pay any fine for that; there was an address issue; the address wasn't updated in your system; so, it the mail sent to the vacant lot address*

*Ms. Moermond:*

*-that sometimes happens*

*-any other violations on the property?*

*Ms. Seeley:*

*-the City Council wanted a faster turn around on these repeat offenders*

*-the city did remove the snow on Dec 26 & charged him*

*-Feb 1, 2017 there was a vehicle on the lot, which he removed*

*-Feb 23, 2017 there was a grocery cart on the property (was at the last LH; it was not deleted)*

*Mr. Krishna:*

*-I bought the property in Dec & the.....*

*Ms. Moermond:*

*-those ones aren't being counted against you; the only thing being counted against you is a violation of yours*

*Mr. Ponugoti:*

*-but I didn't get any mail at the address where I live; I wasn't notified.. if I wasn't notified the first time, it probably shouldn't count as a repeat offense*

*Ms. Seeley:*

*-in Dec, the Order went to Steven Burnstein, 1904.....; Ramsey County had him down as the owner*

*Ms. Moermond:*

*-looking for the snow letter that was the basis of this, date should be Jan 18; the question is to whom was that addressed*

*-we have returned mail but it doesn't say what was returned*

*Mr. Ponugoti:*

*-I got the car one; the shopping cart one & I got this*

*Mai Vang:*

*-the snow letter, Jan 18 went to the Occupant; Krishna Ponugoti at 442 Beacon*

*Ms. Moermond:*

*-will recommend that this gets Deleted*

*Delete the assessment.*

**Referred to the City Council due back on 8/2/2017**

- 3      [RLH TA 17-267](#)      Deleting the Appealed Special Tax Assessment for Property at 1560 CANFIELD AVENUE. (File No. VB1712, Assessment No. 178816)

**Sponsors:**      Stark

*City Council waived the fee for 120 days on May 17, 2017 under File No. RLH TA 17-267; fee was sent to assessment and staff recommends deleting the assessment.*

**Referred to the City Council due back on 8/2/2017**

- 4      [RLH TA 17-285](#)      Ratifying the Appealed Special Tax Assessment for Property at 294 CHARLES AVENUE. (File No. J1710B, Assessment No. 178312)

**Sponsors:**      Thao

*Approve; no show.*

**Referred to the City Council due back on 8/2/2017**

- 5      **RLH TA 17-273**      Ratifying the Appealed Special Tax Assessment for Property at 689 CONWAY STREET. (File No. VB1712, Assessment No. 178816)

**Sponsors:**      Prince

*Per Aaron Rubenstein's (owner representative) request, rescheduled to July 18.*

**Laid Over to the Legislative Hearings due back on 7/18/2017**

- 6      [RLH TA 17-288](#)      Ratifying the Appealed Special Tax Assessment for Property at 925 FIFTH STREET EAST. (File No. J1709E, Assessment No. 178312)

**Sponsors:**      Prince

*Approve; no show.*

**Referred to the City Council due back on 8/2/2017**

- 7      [RLH TA 17-254](#)      Ratifying the Appealed Special Tax Assessment for Property at 171 GRANITE STREET. (File No. J1712A, Assessment No. 178517)

**Sponsors:**      Brendmoen

*Approve; no show.*

**Referred to the City Council due back on 7/19/2017**

- 8      **RLH TA 17-282**      Ratifying the Appealed Special Tax Assessment for Property at 787 HOWELL STREET NORTH. (File No. J1709E, Assessment No. 178312)

**Sponsors:**      Stark

*Approve; no show.*

**Referred to the City Council due back on 8/2/2017**

- 9 [RLH TA 17-272](#) Deleting the Appealed Special Tax Assessment for Property at 678 JESSAMINE AVENUE EAST. (File No. VB1712, Assessment No. 178816)

**Sponsors:** Bostrom

*Rehab completed in less than 2 months past anniversary and extension was requested but not entered correctly. Delete the assessment.*

**Referred to the City Council due back on 8/2/2017**

- 10 [RLH TA 17-278](#) Ratifying the Appealed Special Tax Assessment for Property at 2041 LAUREL AVENUE. (File No. CRT1710, Assessment No. 178210) (To be referred to Legislative Hearing on August 15; Council public hearing to be continued to September 6)

**Sponsors:** Stark

*To be referred back to Legislative Hearing to Legislative Hearing on August 15, 2017 and to continue Public Hearing to September 6, 2017.*

**Referred to the City Council due back on 8/2/2017**

- 11 [RLH TA 17-275](#) Deleting the Appealed Special Tax Assessment for Property at 905 MARION STREET. (File No. J1709E, Assessment No. 178312)

**Sponsors:** Thao

*Inspector John Ross had issued orders that should have not been sent to the owner. Shawn Krueger is the new owner and there were previous orders that should not have generated an excessive inspection; delete the assessment.*

**Referred to the City Council due back on 8/2/2017**

- 12 [RLH TA 17-260](#) Ratifying the Appealed Special Tax Assessment for Property at 525 MARYLAND AVENUE EAST. (File No. J1707E, Assessment No. 178307) (Amend to delete the assessment)

**Sponsors:** Brendmoen

*Ruby Nguyen, owner, appeared.*

*Supervisor Paula Seeley:*

*-Excessive Consumption fee continued from Jun 6 LH (requested by owner)*

*-PAEC cost of \$120 + \$35 service charge = \$155*

*-failure to comply by re-check date*

*-Orders sent Nov 17, 2016; compliance Nov 22; re-checked Nov 22*

*-work crew went out but work had been done by owner, which generated a PAEC*

*-no returned mail*

*Ms. Nguyen:*

*-I have 2 tickets for 1 incident; I was here last time in Apr or May & we were talking about this; I thought it was decided that 1 would be taken off*

*Mai Vang searched the records; found that one had already been paid for (adopted Apr 19) (re-check date was Nov 22)*

*Ms. Moermond:  
-this one should be deleted*

*Delete the assessment.*

**Referred to the City Council due back on 6/21/2017**

- 13**     [RLH TA 17-284](#)     Ratifying the Appealed Special Tax Assessment for Property at 544 MINNEHAHA AVENUE WEST. (File No. J1710B, Assessment No. 178112)

**Sponsors:**     Brendmoen

*Approve; no show.*

**Referred to the City Council due back on 8/2/2017**

- 14**     [RLH TA 17-286](#)     Ratifying the Appealed Special Tax Assessment for Property at 1657 MINNEHAHA AVENUE EAST. (File No. J1709E, Assessment No. 178312)

**Sponsors:**     Prince

*Approve; no show.*

**Referred to the City Council due back on 8/2/2017**

- 15**     [RLH TA 17-274](#)     Ratifying the Appealed Special Tax Assessment for Property at 1289 OSCEOLA AVENUE. (File No. VB1712, Assessment No. 178816)

**Sponsors:**     Tolbert

*Sean Keats & Mark Fearing appeared.*

*Supervisor Joe Yannarely, Vacant Buildings:  
-Category 2 Vacant Building; file opened Jan 5, 2015  
-current code compliance inspection report  
-permits are pulled  
-Annual Registered VB fee for \$2085 + \$155 = \$2240*

*Mr. Keats:  
-I didn't purchase the property until Feb 24, 2017; the time period in question is from Nov 10, 2016 - Feb 27, 2017; technically, I owned the property for only 3 days of that time  
-Mark & I work with a title company; he does the due diligence & I purchase the property*

*Mr. Fearing:  
-our understanding of this, working with Executive Title, is that there were no assessments on the property for them to find; so, we wrote a Purchase Agreement that says seller to pay all assessments; we go through the closing & there are no assessments on the property; everything is clear; then, 3 days later, this is on the*

*property & Sean is assessed a whole year's VB fee*

*Ms. Moermond:*

*-explained: this is not a fine; it's a fee for the service of running the VB Program; it's calculated based on the amount of money it takes to run the VB Program divided by the number of properties in the VB Program; you're paying for people to go around & check on the property to make sure that it's boarded, secure, etc.  
-at the time that you closed in Feb, it had not come forward as an assessment yet; that's why it didn't show up for the title company; it was simply a bill; that bill would have been mailed to the previous owner & it is incumbent upon that owner to disclose to the buyer any bills, existing Orders on the property & other kinds of liens*

*Mr. Fearing:*

*-their was no bill produced because the seller was a government entity: Fannie Mae  
-there was no fee, no assessment, no bill, no notification; there was nothing of record at all*

*Ms. Moermond:*

*-so, you got a 90-day VB waiver because it was Fannie Mae property*

*Mr. Yannarely:*

*-a 90-fee waiver was entered Jan 29, 2017; we continue to waive fees if it's owned by Fannie or Freddie*

*Ms. Moermond:*

*-we can't bill the federal government; and they don't even have to tell you that it's a reg VB  
-so, here you are holding the bag; what we normally do is waive the fee for a limited period for the new owner to get on his feet with the rehab  
-I need to know what your plan is for completing the rehab  
-I'm interested in prorating this annual VB fee; this fee covers the time period from Jan 5, 2017 - Jan 25, 2018; it's a forwards bill  
-you have your code compliance insp done; you have permits pulled*

*Mr. Keats:*

*-I'm in the permit process right now working with Steve in DSI; my permit application process has been in the system about 6 weeks; I applied on May 16, 2017; I'm going to put a new build on that property; in past experience, it's taken any where from 8-12 weeks to get the permits; I can't do much with the property until I get that, of course  
-there's a house on the property that we're going to demo & then we'll put a new single-family house on the property  
-I want to verify that all my new plans for the house go thru; then, I'll demo what's there & start to build new*

*Mr. Yannarely:*

*-on May 31 - approved; Larry Soderholm; new single family house on tear down lot; R4 zone; District 14; contractor intends to keep existing steps down front yard, meet setbacks; looks like Soderholm approved it on May 31*

*Mr. Keats:*

*-I've been working with Steve Grandstrand; he said that he's getting to it; I've dealt with him before & usually after that comment, it's a couple weeks until he calls me with the final approval*

*Mr. Yannarely:*

*-the design review is done; construction management received; erosion control has*

*been approved; water utilities have been approved; Public Works sewer approved; looks like it's close*

*Ms. Moermond:  
-City Council Public Hearing Aug 2*

*If a demolition permit is pulled by August 2 and demo initiated, the vacant building fee will be reduced from \$2240 to \$250. If not, will reduce fee to \$500.*

**Referred to the City Council due back on 8/2/2017**

- 16     [RLH TA 17-283](#)     Ratifying the Appealed Special Tax Assessment for Property at 1850 SEVENTH STREET EAST. (File No. VB1712, Assessment No. 178312)

**Sponsors:**     Prince

*Approve; no show.*

**Referred to the City Council due back on 8/2/2017**

- 17     [RLH TA 17-265](#)     Ratifying the Appealed Special Tax Assessment for Property at 389 SHERBURNE AVENUE. (File No. J1712A, Assessment No. 178517) (To be referred to Legislative Hearing on August 1; Council public hearing to be continued to August 16)

**Sponsors:**     Thao

*Owner missed hearings on 6/6/17 and 6/20/17; advised owner to attend 7/19/17 public hearing and he stated he won't be able to make it. Referred owner to Ward 1. (Note, Ward 1 has indicated they will refer back to Legislative Hearing)*

*Public hearing July 19, 2017 (to be referred back to Legislative Hearing on August 1, 2017 and to continue public hearing to August 16)*

**Referred to the City Council due back on 7/19/2017**

- 18     [RLH TA 17-271](#)     Ratifying the Appealed Special Tax Assessment for Property at 657 SHERBURNE AVENUE. (File No. J1707E, Assessment No. 178307)

**Sponsors:**     Thao

*Aychoeun Tea, owner, appeared.*

*Supervisor Paula Seeley:*

*-Category 2 Vacant Building Excessive Consumption fee of \$120 + \$35 = \$155*

*-vehicles on unapproved surfaces: boats, trailers*

*-Orders sent Dec 1, 2016; compliance Dec 6; re-checked Dec 6; at that time, Ms. Tea called & said that she needed 2 weeks to get the cars licensed & moved to the street*

*-sent to: Aychoeun Tea, 5761 33rd Ave S, unit 11, Mpls*

*-no returned mail; photos; lots of debris in yard*

*-Dec 14, 2016 - vehicles parked on unapproved surface; and EC was sent rather than tow due to fence around the property*

*Ms. Tea:*

*-I called Insp Martin before the due date & asked if I could work with my inspector; she said it was OK but when the inspector came the next week, there was too much*

snow & he could not get into my bldg; I went to the office and she gave me one more week

-I didn't get the... ..

Supervisor Lisa Martin:

-read insp Hesse notes: Dec 1: I called PW to pick up mattresses in alley; found cars parked in yard; sent Correction Notice; sent referral to C of O

-Dec 6, owner called me & asked for 2 weeks to get cars licensed & moved onto street

-Dec 14, abandoned vehicles and/or parked on unapproved surface; EC sent rather than tow due to fence around property; unable to retrieve license plate numbers; the alley was blocked with vehicles upon attempt;

re-inspection; spoke to property owner Dec 21, who requested more time; he gave her until Jan 3, 2017

-on Jan 3, property was in compliance

Ms. Moermond:

-this is a charge because the work wasn't done by the deadline, which had been extended by a week already;

then, there was another extension (no other charge)

Ms. Tea:

-I talked to Insp Martin & she said that I could work with the male inspector & if he passed me, then, she would not charge me; I would be OK; and he passed me

-I have no tenant; I called both times

Ms. Martin:

-yes, if you were in compliance, then, you wouldn't be charged again

-when Dan went out, the vehicle had tabs on it

Ms. Moermond:

-have there been Orders on the property since then?

Ms. Martin:

-SA issued Feb 23; gave 1 week extension to clean up yard; gave another extension to clean up yard

Supervisor Joe Yannarely, Vacant Buildings:

-they suspect illegal occupancy

Ms. Moermond:

-where are you staying?

Ms. Tea:

-I have no place to live.... I stay with my sister; sorry, I don't want to cry

Ms. Moermond:

-I understand

-if no same/similar violation through Oct 18, 2017, I will delete this assessment

-asked if she's talked with anyone about fixing up her home

Ms. Tea:

-got the code compliance inspection; have no more money to fix up

-organizations always say that I don't qualify for loans; my credit too low

-now, foreclosing



Ms. Moermond:  
-provided some resources; Mai wrote down a list  
-asked where the VB fee was at / & can she pull permits?

Mr. Yannarely:  
-VB fee due Jan 31; has 90-day VB fee waiver

Ms. Moermond:  
-to Joe, put a note in the system to allow permits to be pulled

Layover to October 18, 2017 and if no same or similar violation(s), will delete the assessment.

**Referred to the City Council due back on 6/21/2017 (Layover to October 18 for no same or similar violations, will delete)**

- 19     [RLH TA 17-270](#)     Ratifying the Appealed Special Tax Assessment for Property at 771 UNIVERSITY AVENUE WEST. (File No. J1712A, Assessment No. 178517)

**Sponsors:**     Thao

*Chris Hagen, Model Cities, owner, appeared.*

Supervisor Joe Yannarely:  
-this is a clean-up at this VB  
-Summary Abatement Order was issued Mar 7, 2017; compliance Mar 13;  
re-checked Mar 14  
-work done Mar 21 for a cost of \$316 + \$162 service charge = \$478  
-there were 4 work orders in the last 6 months; there were more SAs

Mr. Hagen:  
-this is the first time I've been here; it's all new to me  
-I didn't have this on my desk until Fri Mar 10; then we had the weekend; we had someone go out there on Mar 14; he removed furniture, tires & the trash that was left behind the bldg; then, we get this & the service date was Mar 21; so, I'm not sure if between those times there was more trash that accumulated; I called in trying to get the before & after pictures, but...

VIDEO - crew removed rubbish & scattered from rear yard

Ms. Moermond:  
-looks like the majority of stuff had already been picked up by your guys but there was some trash left  
-it was a good faith effort  
-will reduce to \$100

Reduce from \$478 to \$100 for good faith effort.

**Referred to the City Council due back on 7/19/2017**

- 20     [RLH TA 17-290](#)     Deleting the Appealed Special Tax Assessment for Property at 771 UNIVERSITY AVENUE WEST. (File No. J1710B, Assessment No. 178112)

**Sponsors:**     Thao

*Chris Hagen, Model Cities, owner, appeared.*

*Supervisor Joe Yannarely, Vacant Buildings:*

*-secured the back door open to entry; door frame broken (3 clips)  
-a work order sent Mar 14 by Inspector Kalis (treated like an SA)  
-cost: \$15 + \$162 service charge = \$177 (no emergency call up)  
-Mar 13 Insp Kalis' notes: back door open; door frame broken; I called RESPRO to secure & sent SA to clean yard*

*Mr. Hagen:*

*-it had been reported by a neighbor that there were people living in the property; I don't know if we went out before you guys were there but I went out there with a police officer to search the house; then, latter that day, I boarded up the front windows & while we were there, we secured the back door with screws; I felt that we had done the work; I didn't see clips when we were there*

*Mr. Yannarely:*

*-they could have come back & kicked-in the door again  
-I see that Parks cut the grass on May 18 after an SA was sent May 9  
-a garbage & work order was also sent on May 16*

*Mr. Hagen:*

*-we have a contractor who cuts grass regularly*

*Ms. Moermond:*

*-you've got some management issues*

*Mr. Hagen:*

*-tell me about it  
-the property fills up with trash almost on a daily basis; it's impossible to keep up with  
-this property is in the process of being sold in Jul; & I think the new buyer intends to demolish the house*

*Ms. Moermond:*

*-you did some securement; the crew was there & also did some securement  
-I'm going to recommend that this boarding assessment gets deleted*

*Delete this assessment.*

**Referred to the City Council due back on 8/2/2017**

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

- 21 RLH AR 17-54** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during January 11 to February 10, 2017. (File No. CRT1710, Assessment No. 178210)

**Sponsors:** Stark

**Referred to the City Council due back on 8/2/2017**

- 22 RLH AR 17-55** Ratifying the assessments for Excessive Use of Inspection/Abatement services billed during January 20 to February 17, 2017. (File No. J1709E, Assessment No. 178312)

Sponsors: Stark

Referred to the City Council due back on 8/2/2017

- 23 RLH AR 17-56 Ratifying the assessments for Boarding and/or Securing services during March 2017. (File No. J1710B, Assessment No. 178112)

Sponsors: Stark

Referred to the City Council due back on 8/2/2017

- 24 RLH AR 17-57 Ratifying the assessments for Collection of Vacant Building Registration fees billed during November 10, 2016 to February 27, 2017. (File No. VB1712, Assessment No. 178816)

Sponsors: Stark

Referred to the City Council due back on 8/2/2017

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 25 [RLH SAO 17-62](#) Appeal of William H. Crowder to a Notice to Cut Tall Grass and/or Weeds at 1084 SELBY AVENUE.

Sponsors: Thao

*William H. Crowder and Ann K. Leppanen, owners, appeared.*

*Supervisor Lisa Martin:*

*-this was a notice to cut tall grass & weeds issued Jun 9, 2017; reinspection after Jun 13; the appeal was filed*

*-inspector took photographs yesterday - in file*

*Ms. Moermond:*

*-photo shows that the blvd has been cut*

*-asked Mai Vang to pull last year's Summary Abatement Order*

*Mr. Crowder:*

*-my question is what has changed since you issued your recommendation last year?*

*We followed it & yet, the city has issued an identical abatement order; the question in my mind is "What has changed?"*

*-there is still the issue of all the surrounding properties still having the same/similar vegetation issues*

*-the plants are the same; if I remember correctly, last year in July, you had said that the plants on the blvd had to be cut down to 18 inches & that had to be done by the end of the season; in last Sep, I cut them down to 2 inches (brought photos)*

*-exhibit 1 - across the street; shot of the blvd from the next door neighbor*

*-exhibit 2 - some of the wild flowers growing on our side of the sidewalk; the middle shot is the blvd - I put up wire fences to keep people from walking on it; bottom picture shows some of the wildflowers*

*-exhibit 3 - more of the same; the bottom shot shows ferns & pitcher plants*

*-I have it set up so that I get flowering plants from mid-May thru the summer*

*-exhibit 4 - shows similar pattern of plant vegetation in the neighborhood; across the*

street;

-exhibit 5 - 2 houses up there are plants along the blvd; bottom photo is looking up our front sidewalk

-central point: "What has changed?" we agreed; it was painful on my part because I had to cut down a certain amount of my prairie

-apparently, the city is now trying to get a 2nd bite of that apple because if you notice, the citations are identical

Ms. Moermond:

-my guess is that's not the case; my guess is that there isn't enough coordination & communication to achieve any sort of a 2nd bite at the apple; it just happened that someone called it in & the computer automatically generated a letter; and that there was no more thought to it than that

Mr. Crowder:

-that may be but if the city is going to make us jump thru these hoops.....

Ms. Moermond:

-I hear what you're saying but I don't think that anybody thought about this; there should have been a flag on it but, for various reasons, it was just automatic

Mr. Crowder:

-we are asking for this to go away

Ms. Moermond:

-we talked specifically about the problem being the blvd and visibility issues, a public safety concern; beyond that, it looks like the appeal was granted for what's going on inside the yard; to some people, that may not look like a garden at all; it may look as though it's overgrown weeds/garden, etc.

-you have argued and shown that these are purposeful plantings, some of which are native; in this case, again, I'm going to look at public safety concerns: visibility is maintained on the blvd; plantings are at a low height

-I will recommend that your appeal is granted

Ms. Martin:

-when neighbors call & complain about tall grass & weeds or snow on sidewalks, the letters are automatically generated; we don't even send out an inspector; the letter is just sent automatically

-if you happen to get another letter, feel free to give me a call from 6:30-8:30 am; then, we can perhaps, just close it to save you from filing another appeal

Mr. Crowder:

-the letter was dated Fri, Jun 9; we didn't get it until Wed Jun 14; I ran down here quickly to file the appeal because that was late & I didn't the lawn mowers to come out & cut things down

Ms. Leppanen:

-the website actually says that all email concerns will be investigated; if a violation is found, a compliance letter goes out; so, it put us in an awkward situation of having to respond & tie up everyone's time

-the other piece is that I never receive notice; I didn't receive notice last year & I didn't receive notice this year; we got Occupant (I don't read Occupant things) and Bill got the letter & I don't open his mail; he'd been at our house in Utah & I just send his mail there; we had a 2 week delay right there; it shows that I'm getting cc'd but there's no actual mail being cc'd to me; so, if you could put a note in the file that I also get a letter addressed to me, so that I know to call Ms. Martin....

*Ms. Moermond:*

*-the computer pulls names/addresses out of the Ramsey Co Tax Records data base*

*Grant the appeal on the inside of the yard; the area between the sidewalk and street must be maintained at a height of less than 18 inches.*

**Referred to the City Council due back on 7/19/2017**

- 26**     [RLH SAO 17-39](#)     Making finding on the appealed nuisance abatement ordered for 1469 ALBANY AVENUE in Council File RLH SAO 17-27. (Legislative Hearing on June 20)

**Sponsors:**     Stark

*Supervisor Lisa Martin:*

*-do you want me to issue a new Summary Abatement for the grass & weeds?*

*Ms. Moermond:*

*-the balance of the overgrown & dead vegetation is one thing*

*-was the TGW addressed & come back again?*

*Ms. Martin:*

*-the problem is that the majority of the property is overgrown weeds with some hostas & other plants in between; overgrown vegetation covering the entire front of this property*

*-when we send Orders to the work crew, they want specific orders on what, exactly, they are supposed to cut down & I don't know much about*

*-these photos were done yesterday; photos were discussed (new bricks laid out where the garage was; maybe pavers or ... no permit pulled for a new garage; she could be using it for a parking space; don't see a site plan; there's an open permit for demolition, which has not been finalized)*

*Ms. Moermond:*

*-I think that we need to focus on a clear path for emergency personnel*

*-go ahead & issue a SA for TGW*

*-the garage has been abated even though permit hasn't been finalized*

*-the overgrown vegetation has not been abated*

*-there needs to be direction given for making a clear path in & out of the house*

*-send a work order after CCPH tomorrow*

*The nuisance/dangerous garage structure was removed/abated. However, overgrown and dead vegetation has not been removed and is blocking egress and is not abated.*

**Referred to the City Council due back on 6/21/2017**

- 27**     [RLH SAO 17-55](#)     Making finding on the appealed nuisance abatement ordered for 746 CASE AVENUE in Council File RLH SAO 17-50.

**Sponsors:**     Bostrom

*Ms. Moermond:*

*-the inspector has sent an email saying that the nuisance condition has been abated; vehicle removed.*

*The nuisance condition of the abandoned vehicle was abated.*

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Referred to the City Council due back on 6/21/2017

## Correction Orders

### 11:30 a.m. Hearings

#### Orders To Vacate, Condemnations and Revocations

- 28 [RLH VO 17-17](#) Appeal of Kathleen Schmiegl to a Denial of Fire Certificate of Occupancy and Order to Vacate at 422 JESSAMINE AVENUE EAST.

**Sponsors:** Brendmoen

*Fire Supervisor Leanna Shaff:*

*-Staff Report only*

*-this was in hearings before where Ms. Schmiegl was required to show some ownership in the property in order to be excused from the Fire C of O Program; she failed to do so by the required date so, I took enforcement action*

*-Ms. Schmiegl hired an attorney and it looks as though they've been successful in getting the property owner, who is incarcerated, to sign off for Ms. Schmiegl to be part owner; we have photo copies & are waiting for the originals; when they get those, they will record them with Ramsey Co*

*Ms. Moermond:*

*-will Lay the matter Over to Jul 18, 2017 to make sure that it gets recorded*

*Layover to confirm name change on deed is recorded.*

**Laid Over to the Legislative Hearings due back on 7/18/2017**

### 1:30 p.m. Hearings

#### Fire Certificates of Occupancy

- 29 [RLH FCO 17-92](#) Appeal of Andrew D. Parker; Parker, Daniels, Kibort LLC; on behalf of Louis Frillman, to a Correction Notice-Complaint Inspection at 461 HOLLY AVENUE.

**Sponsors:** Thao

*No one appeared.*

*Ms. Moermond:*

*-they want a different compliance date*

*-painting, repairing a handrail, soffit & fascia*

*Fire Supervisor Leanna Shaff:*

*-good photos in system*

*Ms. Moermond:*

*-concerned about handrail - it should be repaired on a tighter timeline than the other stuff*

*Ms. Shaff:*

*-last picture shows handrail/guardrail; looks like there's some rotted wood  
-I would not be opposed to giving a longer period of time*

*Ms. Moermond:*

*-items need to be repaired/painted by Sep 1, 2017*

*Grant an extension to September 1, 2017 for compliance.*

**Referred to the City Council due back on 7/19/2017**

- 30**     [RLH FCO 17-95](#)     Appeal of John Denn, FCF Properties, to a Correction Notice -  
Complaint Inspection at 1310 PARK STREET.

**Sponsors:**     Brendmoen

*No one appeared.*

*Ms. Moermond:*

*-there are bedbugs in several units & in common areas  
-it will need to be treated  
-we need documentation of extermination  
-the inspector will be working with the Appellant*

*Fire Supervisor Leanna Shaff:*

*-FCF Properties has quite a few properties & at \$1800 a pop to heat a unit, he  
decided to spend \$6500 on heaters & will be doing his own extermination; he has  
been treating the units in question  
-I asked about the corridors; he said it would easily be done  
-he said that they keep documentation of when they do the extermination treatments  
-he agreed to provide documentation so, I'm good with that*

*Ms. Moermond:*

*-so, providing documentation of extermination does not imply that the documentation  
comes from a 2nd or 3rd party; documentation can come from building management  
knowing that they have the right tools & they keep track  
-they said that they'll be done by Jun 30*

*Ms. Shaff:*

*-I have no reason to doubt that*

*Ms. Moermond:*

*-so, we just need to clarify the documentation*

*Grant the appeal on the condition that owner provide documentation of extermination.*

**Referred to the City Council due back on 7/19/2017**

- 31**     [RLH FCO 17-94](#)     Appeal of Ker Vue to a Re-Inspection Fire Certificate of Occupancy  
With Deficiencies at 793 RANDOLPH AVENUE.

**Sponsors:**     Noecker

*6/20/17: Deny the appeal. (No one appeared).*

*6/22/17: Appellant called front desk and stated he/she never received date of  
hearing. Rescheduled to June 27.*

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Laid Over to the Legislative Hearings due back on 6/27/2017

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 32 [RLH RR 17-23](#) Making finding on the appealed substantial abatement ordered for 129 JESSAMINE AVENUE EAST in Council File RLH RR 16-28.

**Sponsors:** Brendmoen

*Joe Collins, Housing Hub; and Attorney Kyle Gabriel, representing 129 Jessamine LLC, appeared.*

*Ms. Moermond:*

*-today we are reviewing plans for the proposed completion of the rehab  
-we asked for a number of things to come forward; you have new materials with you (entered financials & work plan)*

*Supervisor Joe Yannarely, Vacant Buildings:*

*-I have nothing new to add  
-asked Ms. Moermond if she's been in contact with Jim Seeger*

*Ms. Moermond:*

*-all we learned from Mr. Seeger was that it was 65% complete  
-the letter that Mai Vang sent to you confirmed that on Jun 13, I recommended that the Council grant you an additional 90-days to complete the project provided that you bring in the necessary Work Plan including contractor payments, information, timelines & evidence of financing for the repairs  
-we questioned what was going on with the existing permits & the existing contractors; where is all of that at & what are these documents telling me?*

*Mr. Collins:*

*-there was a bond issue, so they froze all permits  
-plumbing permit - the plumber is waiting to start; he won't start unless he gets a permit; as soon as he can get that, he can rough it in within 2-3 days; then, we can complete the walls, get sheet rock done & start mudding*

*Ms. Moermond:*

*-the other permits had been pulled but work had come to a stop*

*Mr. Collins:*

*-electrical has gotten as far as they could: rough-in, boxes, wires pulled; the sheet rock is up; what needs to be done is mud, taped, painted; then they can do the finish work (fixtures, outlets)  
-the electrical contractor who is currently on the job will be finishing the job  
-there are half & half payments; it's more than half; the reason the contractors haven't come back is because work hasn't progressed to a point where they can continue their work; same thing with HVAC  
-dealing with Thomas Rodriguez, their old contractor - he is still kind of in the picture; he has \$91,300 in it & was representing the general contractor, Kline Group Remodeling; I'm trying to work with him to get things done; if he doesn't progress, I will get the blessing from Dr. Morales to boot him off site & deal with the contractors who are in place already; I have had luck getting the current contractors to come back to finish the work*



*Mr. Gabriel:*

*-part of what we're doing with Mr. Rodriguez in the last week was trying to get all the contractor information of those involved to get a handle on that; that's why he's not been fully removed from the project*

*Mr. Collins:*

*-I think that Dr. Morales is to a point where he knows that he is out some money but has enough to finish the project*

*Ms. Moermond paused to review the materials that were entered*

*Ms. Moermond:*

*-while reviewing the information, I noticed that it provides a summary of the financing for the project, including the affidavit from Dr. Morales that he will be financing this but I don't have actual account information; I do have bank accounts referenced along with Nelson Capital information; I was looking to add to the record specific account balance information that showed that the dollars are in place; he did mention a mortgage (?)*

*Mr. Gabriel:*

*-I have copies of existing mortgages from US Bank  
-in terms of account balances, I have an account snapshot for Central Medical Clinic PLLC, a wholly owned entity of Dr. Morales demonstrating that he does have access to the funds  
-we have a number of entities that are involved in this; a kind of hierarchy structure with Nelson Capital at the top, which holds ownership in a number of subsidiaries down below including 129 Jessamine LLC, 4301 Virginia LLC, Humboldt LLC, Central Medical LLC - can show a balance here today; if we need balances for other accounts, I can get those for you*

*Ms. Moermond:*

*-if an account is being referenced as a source of financing to do the rehab, I would need to know the account exists and has those dollars available*

*Mr. Gabriel:*

*-entered account snapshot for Central Medical & the 2 mortgage packages that are cross-collateralized together, both of which involve this property in particular; one showing a \$30,000 revolving line of credit; and one showing a \$52,000 mortgage & note payment...*

*Mr. Collins:*

*-it's 70% complete; they're are now siding the house*

*Ms. Moermond:*

*-this gives me an update on where you're at with the punch list; it doesn't give me a work plan..... you're saying that the bldg will be done by Aug 30, 2017; for electrical: Jul 28, 2017; plumbing completed Jun 23, 2017 if they can start tomorrow  
-I'm nervous about Mr. Rodriguez being involved; he's holding the \$91,000 that he's been paid to do the work that is not yet complete & he's responsible for paying the subs; and we have timelines that you've put together for the subs to finish the work; have you talked with them?*

*Mr. Collins:*

*-yes; I called the contractors about payments & they were fine with coming back out; if there's a change order, it would be extra*

Mr. Gabriel:

-to clarify, my understanding is that what remains to be completed & paid for amounts to roughly \$33,500 & that's what would still need to be paid for the work that has not yet been undertaken, which is why we came up with the \$50,000 guaranteed payment, roughly 150% -gives us some room if we have some issues that pop up

Ms. Moermond:

-I'm going to give these agreements a read-thru before I give you a final answer  
-I'm a little concerned about the vagueness of this Thomas' participation & how that's going to effect the progress because his participation has really screwed up the project to date

-a grant of time would be to Sep 6, 2017 to complete the project or the \$5000 performance deposit would be forfeited; that date is exactly 1 year following the original grant of 180 days from the City Council - it would be two 180-day time periods, essentially; and under Chapter 33, Legislative Code, is a times-up moment  
-Mai Vang will contact you in the morning; I think this will be OK

Mr. Yannarely:

-can we allow permits for the plumbing?

Ms. Moermond:

-on City Council's agenda tomorrow; the resolution will be amended to grant time thru Sep 6, 2017 to complete the project; & I will recommend that they continue the performance deposit  
-permits can be pulled

Grant extension to September 6, 2017 for completion of rehabilitation or forfeiture of performance deposit.

**Referred to the City Council due back on 6/21/2017**

**33**     [RLH VO 17-16](#)

Appeal of Christopher Eggers to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate 939 BURR STREET.

**Sponsors:**     Brendmoen

Mr. Eggers arrived later when hearing was already over.

Ms. Moermond:

-I'm going to recommend that the Council deny this appeal  
-note: this is the second vacate order; the first was based on a Revocation of the C of O; the Council already dealt with that file & ordered the property vacated by Jul 1, 2017 unless a C of O responsible party could be identified  
-after that, the water was shut off so, there was an emergency vacate order based on lack of water service; this is an appeal of that emergency condemnation and it gets the property sent to the VB Program more quickly than Jul 1, 2017  
-I told them they could not occupy it pending the outcome of this appeal so, it should be unoccupied right now

Supervisor Joe Yannarely:

-it appears occupied; Jun 16: "Building still occupied with no answer; scattered refuse, debris, junk, overflowing containers; sent Summary Abatement Order"

Ms. Moermond:

-it should be empty; shag him out of there

Mr. Yannarely:  
-I guess we'll have to board it up  
-but it is to be a Cat 2 VB (?)

Ms. Moermond:  
-absolutely, because of the Condemnation

*The emergency condemnation is lifted because water is back on; however, the property has been sent to Vacant Building Program as a Category 2 and a code compliance inspection is required; the building may not be occupied.*

**Referred to the City Council due back on 7/19/2017**

**34**     [RLH VBR 17-47](#)     Appeal of Ryan Plumedahl, ADE Leasing, to a Vacant Building Registration Notice at 650 SNELLING AVENUE NORTH.

**Sponsors:**     Stark

*Ryan Plumedahl, Sr. Accountant, appeared o/b/o ADE Leasing.*

*Supervisor Joe Yannarely, Vacant Buildings:  
-this property got hit hard by dumping, TGW, graffiti so, they made it a Vacant Building; it did not come over from Fire  
-it was found empty with nuisance conditions*

Ms. Moermond:  
-your appeal says, "Transition of renters; building was never actually vacant"

Mr. Plumedahl:  
-Valvoline is the tenant in there right now doing business; that's what I was told by one of the partners of ADE Leasing  
-I brought the 2 lease agreements: 1) Jiffy Lube was in there for 25 years; their lease ended Feb 28, 2017; and 2) Valvoline's lease started Mar 1, 2017 (there was a transition period of them moving into the bldg); they signed this lease agreement at the end of Mar; the partner told me that they are actually in the bldg now

Mr. Yannarely:  
-stepped out to call Supervisor Matt Dornfeld

Ms. Moermond:  
-happy to look at Valvoline's lease  
-the reports that we've gotten are clear that there's nobody there; I'm suspecting that you have a lease but you don't have a tenant who is occupying that space

Mr. Yannarely:  
-Matt will drive by presently & call back in 5-10 minutes

*(took next case while waiting for Matt to return Joe's call)*

-no return call yet

Ms. Moermond:  
-typically, I'd do a 90-day VB fee waiver for someone to get out of the VB Program but there's some implications here for the Certificate of Occupancy for the property; I think it's best if we clear that up  
-this business is a high hazard use & most definitely needs a Certificate of Occupancy and a current responsible party; you need to make sure that doesn't get

*messed up*

*-you lose your C of O when you enter the VB Program; so, it would need to be re-established*

*Mr. Yannarely:*

*-Matt says, "No sign of occupancy; secured; graffiti, loose litter & trash strewn on the corner of the lot;" sent a photo*

*Ms. Moermond:*

*-you have a vacant bldg & a 90-day VB fee waiver  
-you need to get someone out there to take care of the graffiti  
-who is the property manager for this property?*

*Mr. Plumedahl:*

*-the partner told me that the tenant is responsible for having their own property management*

*Ms. Moermond:*

*-if the graffiti isn't taken care of by the tenant, the city will take care of it & there will be a charge for that service; it will become an assessment onto the property  
-you will get a letter & a Summary Abatement Notice will go out to the owner of record*

*Waive the vacant building fee for 90 days.*

**Referred to the City Council due back on 7/19/2017**

### 3:00 p.m. Hearings

#### Other

- 35     [RLH OA 17-12](#)     Appeal of Jenna & Allen Sipe to a Denial of a Fence Variance at 706 CANTON STREET.

**Sponsors:**     Noecker

*Jenna Schwartz & Allen Sipe, owners, appeared.*

*re: fence variance*

*Ms. Moermond:*

*-I don't have a staff report; hoping you have photos  
-Appellants entered their photos  
-I have the denial permit  
-I went to the city's mapping system to check property lines  
-where do you want to erect the fence & how high do you want it?*

*Ms. Schwartz:*

*-showed Ms. Moermond where they want to erect the 6 ft privacy fence  
-Mike Palm suggested doing a 45 degree angle at the front corner to help deal with the blind spot, which we are willing to do  
-there's a bike path along the property that was installed last year  
-there's new apartments on each side of us; there's the bike path; & recently, they put in a dog park, too; the activity there has increased a great deal during the 6 years that we've lived there*

*Ms. Moermond:*

*-pulled up the plat map to check if these are two 40 ft lots & they are  
-the code says that you can't have anything higher than 2 feet within 10 feet of the  
corner; I want to go back further than that & condition you getting a privacy fence on  
a deeper cut off that corner*

*Ms. Schwartz:*

*-it's a weird set up; we have the bike path there; we also don't have a sidewalk  
directly in front of that lot; we have many people who just loiter there; there's a berry  
tree where people stop  
-I have gone to every Ft. Road Federation meeting to try to get a stop sign installed  
there because cars come speeding up that hill very fast from Shepard Rd*

*Ms. Moermond:*

*-you can put the fence that far forward but you need to do a 20 ft cut off the corner at  
a 45 degree angle*

*Ms. Schwartz:*

*-that allows a little piece of property; asked if she could put in a small low rock garden  
there*

*Ms. Moermond:*

*-yes  
-I will run this plan by the Councilmember first; will let you know if she won't allow it  
-you will get a letter*

*Grant the appeal on the condition that the wrought iron fence remains and the privacy  
fence may not encroach within 20 feet of the property corner at Canton St and Otto  
Ave. Note, this corner area may not be developed to obscure view at 2 feet or  
higher.*

**Referred to the City Council due back on 7/19/2017**