



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*

Tuesday, January 26, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 15-13](#) Ordering the razing and removal of the structures at 870 FULLER AVENUE within fifteen (15) days after the June 3, 2015, City Council Public Hearing. (To be referred back to Legislative Hearing on January 26)

Sponsors: Thao

*Laura Krenz, Lindquist & Vennum LLP, appeared representing E. Diane Smith, owner, who also appeared with Leanna Smith, E. Diane's daughter.
Greg Finzell, Rondo Community Land Trust and Andy Barnett, NeighborWorks, appeared.*

*Inspector Steve Magner, Vacant Buildings:
-read letter dated Dec 23, 2015 to Laura Krenz from Mai Vang (attached)*

*Ms. Moermond:
-Ms. Krenz sent a letter that updated on work happening with the Smith family; you met at Rondo Land Trust with Ms. Smith and Malik Davis*

*Mr. Finzell:
-we pulled everyone together and met at Golden Thyme Coffee; Malik; Ms. Smith and her daughter; Andy Barnett; Ms. Krenz; and Rondo's Board Chair were there; we walked through all of the issues; it was clear that Malik and his family want to do the rehab; Ms. Smith was tired of the whole thing but, at the same time, willing to sign over her interest to get the house rehabbed; it was clear that James Smith, TX, was the key to this; everyone decided that we needed to get a hold of James to either move forward with whatever he decides or it doesn't move forward; James has to sign the papers before anything can happen*

*Ms. Krenz:
-he had called James; they had planned for Ms. Smith and Mr. Davis' wife to be here today
-thinks they've made a lot of progress; they are definitely interested
-Ms. Smith is tired and she would like to see this resolved
-we spent a significant amount of time tracking down James; now, we have a direct contact with him through Ms. Smith's son, Summer, who also, apparently, is on good*

terms with James

-their goal is to get a Power of Attorney from James so that Summer can act on his behalf

-she provided the Power of Attorney to Summer this past week; he hadn't been able to get that back yet from James (spoke with him yesterday afternoon)

-the problem is that there's no where for James to go to print that out

-Summer has told her that James trusts him and is willing to appoint him as his Power of Attorney

Ms. Moermond:

-once that signature is secured, the family can go forward with probate action, which will take some length of time

Ms. Krenz:

-we haven't filed that paperwork yet because we don't have an address for James; once we have Summer appointed, we can use his address

Mr. Finzell:

-even though it will take some time, we do have a plan; and locating James was the key and that has happened

Ms. Moermond:

-once the Power of Attorney is here and we can figure out if they're clear of medical assistance liens on the property, then, we can go forward while it's in the probate process

-at that point, the property would have to be signed over to Rondo and Rondo would either facilitate the rehab or there would need to be a private contract between the seller and the buyer; and the buyer would do the rehab on the house; when the rehab was done, the buyer would accept title (the rehab would have to occur when it was still in Ms. Smith's name); thinks that's doable

-is there a way for them to get some remuneration in this whole process - was it discussed?

Mr. Finzell:

-it was discussed and the Davis' are open to sorting that out with the Smith family

Ms. Krenz:

-we didn't get into those details without James' cooperation

Ms. Moermond:

-how about getting James' signature within 1 month?

Ms. Krenz:

-that's fair; if we can't get it by then,....

Mr. Finzell:

-we've made progress and Summer and others clearly understands that the clock is ticking

Ms. Moermond:

-will LAY this OVER to Feb 23, 2016 LH

Ms. Vang:

-said that Ms. E. Diane Smith's letters are being returned; can we get her new address on the clip board?

Ms. Moermond:

Layover to give E Dianne Smith via her attorney a chance to get signature from James Oliver so that she can move forward with the probate plan and possible rehab plan.

Laid Over to the Legislative Hearings due back on 2/23/2016

2 [SR 15-139](#)

Reviewing request for Council to reconsider its Order to Remove or Repair the Structures at 2227 BEECH STREET.

Sponsors: Finney

Jared Kemper, Attorney with Dykema Law Firm, appeared o/b/o Ocwen, servicer for Bank of America, owner. Altisource is the REO.

Inspector Steve Magner, Vacant Buildings:

-read letter dated Dec 9, 2015 from Mai Vang into the record (attached)

Ms. Moermond:

-so, we have the \$5,000 Performance Deposit posted (Dec 2015)

-what about everything else?

Mr. Kemper:

-bids were made for the scope of the repairs

-in the past 2 weeks, the servicing rights for the old loan, that's now been foreclosed, transferred to a different company called Shell Point Mortgage Servicing; they have been instructed the status of where things stand with the city; his communication with them about 2 weeks ago was that we had the deposit in and he forward them 2 bids for repairs; he thinks the bids came in around \$43,000

-it's not in Ocwen's hands anymore; it's in Shell Point's; he hasn't been retained by them but he wanted to appear today so that there wasn't any confusion about what was going on

-now, it's out of his hands but he knows that there were directives made to teams, internally, at Shell Point to get on this, to develop and work plan and the financial affidavit

-even though, he is not here today on behalf of Shell Point because he hasn't been formally retained but is hoping that he will be

-is hoping that some additional time can be granted so that he can put this in front of them, urging them to get moving on what is yet needed

-maybe 2 weeks; so, he can find out if he will still be involved and if so, he can help guide the process

Ms. Moermond:

-the goal of this whole discussion has been to make a determination on whether Council should put a stay in place on the demo because your folks didn't open their mail to figure out that this action was going on, or to grant time for the rehab

-we started this Dec 8, 2015 and six weeks later, we are not much further ahead

-we have the deposit but not a work plan, a letter of commitment or the money

-wants to put this in front of the City Council Feb 17, 2016

-if Shell Point wants to fix this, they can get materials to her office by Feb 10, 2016

-the resolution she will put together for Council consideration will be a recommendation to deny the request for a stay (initial language she will start with); she will amend it if she gets the additional materials: work plan, letter of commitment from a bank officer/financial affidavit specific to this property and to the amount it will take to fix it

Mr. Magner:

-if they presented a work plan within the next couple of weeks, would they be submitting the existing bids; they may get new bids because they have a different vendor; would that be part of the requirement - to submit bids

Ms. Moermond:

*-she would like to see the bids from the contractor that they are going to use
-we have a deadline
-if they want to do something, they need to submit those documents
-you will have the responsibility to communicate with Shell Point*

Mr. Magner:

-for the record, - for the action that the city is taking against this property, if the City Council votes to remove the structure and we remove it, our assumption is that you, previously working for Ocwen, is passing this information on because we no ability to contact Shell Point at this time because we don't have any information; we'd be more than happy to send them a copy of the next letter if you can provide us contact information

Mr. Kemper:

-in no uncertain terms, he will pass this communication on to Shell Point

Ms. Moermond:

A new Resolution will go before Council on February 17, 2016 denying owner's request for a stay of enforcement of Council File No. RR 15-37 ordering the rehabilitation or razing and the demolition of the property based on conditions having not met; however, if plans, bids, financial information, affidavit of commitment are submitted and approved by the new servicer, Shell Point, prior to Feb 17 Public Hearing, the Legislative Hearing Officer may amend the resolution.

Received and Filed

Staff Reports

- 3 RLH OA 16-1** Making recommendation to Ramsey County on the application of Maurice Nins for repurchase of tax forfeited property at 1040 SELBY AVENUE.

Sponsors: Thao

Ms. Moermond:

*-read Repurchase application letter from Maurice Nins into the record (attached)
-delinquent taxes at the time of forfeiture on Aug 1, 20115 was \$72,227.50
-Mr. Nins states that he's ready to bring the property back up to code*

Inspector Steve Magner, Vacant Buildings:

*-is struck at the amount of taxes
-we Revoked the Certificate Of Occupancy; currently, it's a Category 1 Vacant Building
-is concerned as to the ability of the applicant to rehabilitate the property and get a C of O based on the cost; there's a large dollar amount of taxes plus there will very likely be work that needs to be done
-there is some criminal activity out there*

Ms. Moermond:

-Feb 2015, someone called in that there was a substantial amount of soffit missing from the building, which currently is housing squirrels and a large flock of pigeons
 -there's a long history here in the last 5 years - a lot going on
 -when she called for police call info, she just asked about the 1040 side, not about 1042; what she sees makes her think that there's more information to be had

Mr. Magner:

-it's high risk

-wondering if we should gather more information, maybe Lay if Over

Ms. Moermond:

-will Lay this Over to Feb 9, 2016 LH

-asked Mai to get police calls for 1042 Selby

Need to gather more information.

Laid Over to the Legislative Hearings due back on 2/9/2016

11:00 a.m. Hearings

Summary Abatement Orders

Correction Orders

- 4 [RLH CO 16-1](#) Appeal of John & Lee Mannillo to a Correction Order at 1335 BEECHWOOD PLACE.
- Sponsors:** Tolbert
- Grant the appeal provided owner continues to maintain the shrubs above the fence at its current height, width and depths and the pool cover must be in place at all times when it's not in use.*
- Referred to the City Council due back on 2/17/2016**
- 5 [RLH CO 16-3](#) Appeal of Robert Arnold, Ashland Property, LLC to a Correction Order at 443 ASHLAND AVENUE.
- Sponsors:** Thao
- Jeff Arnold, property manager, appeared for Robert Arnold, Ashland Property LLC, owner.*
- Inspector Lisa Martin:*
- complaint re: severe ice build-up in an alley public ROW*
- Jan 11, 2016, we wrote Orders to Ashland Property LLC, 1833 Eagle Rldge Dr, Apt 1, Mendota Heights, 55118; and to Ashland Investments C/O Bob Arnold, PO Box 16447, Saint Paul 55116*
- Orders read: Discharge of water has created a build up of ice on public sidewalk and alley resulting in a hazardous condition. Discontinue the discharge of water onto public sidewalk/alley*
- under Chap 45, this situation is interfering and renders dangerous for passage of the public right of way for this property*
- inspector went out yesterday and took more photos, showing that this condition has not been abated at this point and it is a serious condition; has not been salted,*

sanded or taken care of

-photos

-the sump pumps are draining into the alley area causing the ice build up

-in the appeal, they understand and regret that it is occurring but he claims that there's some water leaking into the basement of this apartment complex; he attached photos, as well

-perhaps a structural engineer will need to take a look and provide a solution to alleviate this situation

Mr. Arnold:

-there's been an increasing problem of water infiltrating their basement for over 20 years now; it has gotten worse in the last few years; they feel as though the structural integrity is not sufficient to keep the water flowing all the way to the street; so, quite a bit of rain water/ground water that's in the alley goes into the cracks that are in the alley and saturating the soil under and around their building

-their boiler room is fairly deep down under the alley surface, so they get lots and lots of water in their basement and the only way they can get it out is with sump pumps; they've noticed that the amount of water they have to pump out seems to be increasing each year as the condition of the alley deteriorates

-they have 2 sump pumps going; they have started to discharge them to the existing drain pipes for their roof drain; he is surprised that this keeps going on in the winter

-there was a situation of an abandoned utility vault owned by Xcel Energy in the alley, that was holding a lot of water, which continued to seep into the ground; this summer we noticed a large hole developing around the manhole cover; they worked with Lori Lemke in Public Works, who was able to get Xcel out there to dig it down, fill it with class 5 and seal it really good; it helped alleviate certain problems, like very heavy rains; it reduced the speed with which the water came into their basement but it did not eliminate it; he feels like that was a good start to solve the problem and if the rest of the alley surface could be made water tight, that also would help a lot; there's a problem of ponding where the alley meets the street on Arundel, so, even in the summer, the water ponds there; since the street is not sloped properly all the way to the sewer drain, water goes out there, quite a bit pools at the end of the alley on Arundel before making its way to the storm drain; in the winter, it sits there and freezes

Ms. Martin:

-she talked with the Sr. Plumbing inspector and Public Works; this is a situation where the volume of water discharged by the sump pumps is causing the issue; PW has patched that alley area several times (normal routine maintenance);

-depending upon what a structural engineer thinks is the best route to go as far as repairs, it would either fall under a permit with the plumbing dept if they have to do some piping on the inside of the building or a permit through Public Works if there's exterior repairs that need to be done, such as a possible catch basin somewhere on the property, that would need to be maintained

-the other issue is that they are getting water into the basement - as far as the C of O, it's open right now and will be re-checked in May

-we need to find a way to keep the water off the ROW but also out of the basement (standing water shown in photos)

Mr. Arnold:

-note on the patching done by PW: they've come out a couple times and it's been fairly light patching; one time, they put down a small asphalt slope by the edge of the building; their building butts right up to the alley (built in the 1920's; hardly any setbacks); only lawn is in the front of the building

-when PW came out to do the patching - one time they did a little bit of asphalt right along the edge of our building that really had no effect on the amount of water coming

in; another time, PW came out and patched a few of the cracks around the utility vault and manhole cover that also had little effect; when they have patched the cracks, it hadn't lasted even a year
-usually, they put the snow on the blvd grass area
-one of the other neighbors organizes alley snow plowing; he's not sure where the driver puts the snow

Ms. Martin:

-the amount of water being discharged by the sump pumps has a little bit to do with the patching not holding (vicious cycle)

Mr. Arnold:

-the surface of that part of the alley is not brick; it's concrete; they have tried a longer rain leader to get past those cracks; it's helped some

Ms. Moermond:

-thinks that if you haven't already done so, it's time to talk with a hydrologist and a structural engineer
-it's an engineering type consideration
-and, ground water levels seem to be high this year

Mr. Arnold:

-the reason he brought this appeal is mostly to bring attention to the deterioration of the alley; it seems like there's not much he can do to fully solve the problem
-this has been a persistent problem over the years

Ms. Moermond:

-get an engineer over there to take a look at the situation, which will help a lot to devise a solution
-in the meantime, she is concerned about ice development and how that can be managed

Mr. Arnold:

-he will instruct his outside maintenance man to sand and salt everyday; also, break up the ice with a chipper

Ms. Moermond:

-we can talk with PW and our people; however, she thinks that they need to be reacting to a proposal and not rebuilding the alley without a longer term solution in mind; the engineer needs to figure out what can be done on your end and then, what can be done on the part of the city; she thinks that the problem won't be solved unless both parties are working on this

Mr. Arnold:

-noted that a few years ago, the alley across Arundel caved in and a garbage truck fell into it; he is very concerned that something similar will happen on their alley, looking at the way the blocks are moving around; he would rather not be reacting to a garbage truck falling into the alley

Ms. Moermond:

-you get an engineer to look at your side of things
-I'll alert PW that there's a concern there; they also have engineers
-the city's action will be in reaction of what your engineer says
-she thinks this can be solved; she has seen it before

Mr. Arnold:

-they were contemplating discharging the water somewhere else but the discharge pipe going to their front yard would be about 120 feet long; they just don't have enough yard to discharge this water from that corner of the building

Ms. Moermond:

-will give you one month to get an engineer out there and get some feed back

-LAYOVER to Feb 23, LH at 11 am

-in the meantime, she has your commitment to salt, sand and break up the ice

Layover so owner can hire a structural engineer. In the meantime, owner needs to salt, sand and break the ice at the area where the water discharges onto the public alley and sidewalk.

Laid Over to the Legislative Hearings due back on 2/23/2016

6 [RLH CO 16-4](#)

Appeal of Terry Londroche to a Correction Order at 37 HATCH AVENUE WEST.

Sponsors: Brendmoen

Terry Londroche, owner, appeared.

Inspector Lisa Martin:

-Orders issued Jan 21, 2016 - residential parking on unapproved surface; all residential parking surfaces shall be paved with asphalt, concrete or other suitable surfacing as determined by Zoning Enforcement; cease parking on unapproved surfaces; for more information on installation on an approved parking surface, contact Zoning Enforcement...

-site plan was to be done by Jan 25, 2016 by Inspector Stephan Suon

Mr. Londroche:

-entered a letter from his uncle stating that it has always been a parking area from the time his grandparents owned the property; the 2nd signature on there is his mother's, who was married to his father Arthur at the time, when his grandparents purchased the property

-the 2nd document is from the local residents that says the same thing, adding that it has always been gravel or class 5

-should be considered grandfathered-in

Ms. Moermond:

-she is not worried about the class 5 but it needs to be maintained and not migrate over the entire yard; the boundaries should be clean and neat

Mr. Londroche:

-the city required my father to put a curb in between the parking area and the yard, which is still there; apparently, the inspector did not see that

-after he purchased the property, he installed a fence along that point, dividing the yard from the parking area

-drew a diagram of his yard, including the parking area, driveway, fences, curb, etc.

-his is a 2-piece parcel

Ms. Moermond:

-as long as this is in a good state of maintenance, she is fine with it

-will recommend granting this appeal; however, the brush needs to be cleaned up and taken to a compost site, although, not pressing

Grant the appeal. NOTE: Owner should clean up the brush piles.

Referred to the City Council due back on 2/17/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 7 [RLH VO 16-4](#) Appeal of Tim Hanson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 740 STEWART AVENUE.

Sponsors: Thune

Fire Inspector A.J. Neis:

-he spoke with Inspector Justin Elvestad and the reason for the Revocation/Order to Vacate is due to long term noncompliance; he was also having difficulty gaining entry into the building

-the owner is ill and has been in and out of the hospital, the reason for the long term noncompliance

-owner is asking for additional times

-Inspector Elvestad recently updated the Orders; some of the work has been completed; was newly put into Amanda after this appeal was filed

-Inspector will be conducting an inspection next week

-the heating equipment test was supposed to be done sooner than Feb 1 and he was to submit work plan with deadlines on how the repairs will get done

-this is a 4-unit building; the owner lives in one of the units

-doesn't know why the owner is not here today

Ms. Moermond:

-read the minutes from the previous LH

-on Jan 12, she had asked that an inspector go in; we needed a work plan, including dealing with the commercial vehicles and the fuel burning equipment test sooner than FEB 1

-no work plan

Mr. Neis:

-looking at new set of Orders; it's down to 7 items from 13; heating report has not yet been done

-on the Jan 21st inspection, we still had: remove all small business equipment, including wood pallets, pallet jacks, siding materials, ladders, planks; store rain gutters

-Inspector wrote commercial vehicles under zoning; and another under exterior storage (not taken care of)

-still have driveway issue; until #4 door closer; heating report; relocate dumpster from at least 5 ft away from combustible walls; fire extinguishers need to be serviced

Ms. Moermond:

-at last hearing, he said fire extinguishers were done; he said door closer for #4 was also done

Mr. Neis:

-the inspector verified on Jan 21, that these items were not done

Ms. Moermond:

-did the inspector add anything to the list

Mr. Neis:

-nothing was added and the Order for allowing access has since been removed

Ms. Moermond:

-he has to get the fuel burning equipment test and the Work Plan with timelines in by Feb 1

-asked why these Orders were not referred to Code Enforcement

Mr. Neis:

-doesn't have an answer for that

Ms. Moermond:

Grant until February 1 for owner to provide a work plan with timelines and get fuel burning testing done. Items 1 and 2 will be transferred to Code Enforcement with a compliance date of no later than February 17, 2016. Also the dumpster (Item 6) needs to be relocated. If those items are addressed, will grant until July 1, 2016 for the driveway issue.

Referred to the City Council due back on 2/17/2016

8 RLH VO 16-6

Appeal of Paul Ziezulewicz, SMRLS, for Alicia Garcia to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 287 PAGE STREET EAST.

Sponsors: Noecker

Paul Ziezulewicz, SMRLS; Alicia Garcia, Appellant (upper unit); and Steve Medland, tenant living in lower unit, appeared.

Mr. Ziezulewicz:

-Ms. Garcia is his client; she, her husband and 6 children (ages 18, 15, 14, 11, 7, and 4) live in the upper unit

-Steve Medland lives in the lower unit

-he advised Mr. Bernier's attorney of the hearing today

Fire Inspector A.J. Neis:

-Revocation of the Fire Certificate of Occupancy/Order to Vacate issued by Inspector George Niemeyer after a complaint was received about the basement, bathroom and laundry room had old carpet padding and a bunch of junk piling up in the basement area

-several code violations were identified within the building; and identified that the building was again in use as an illegal duplex

-2010, this property was cited for illegal use as a duplex; the Order was complied with turning it back to a single family dwelling; subsequently, it was re-certified in ____ (had a retaining wall in the back that was heard previously with Mr. Bernier; he and his neighbor were arguing about who it belonged to); the property is supposed to be a single-family dwelling; it has been converted back into an unapproved duplex, between 2012 and now

-this has been a common theme with this property owner; one of the arguments commonly heard is that it's not a duplex; it's an accessory dwelling unit; as a result, the people who rent are unaware that the housing is not a legal duplex

-Sean Westenhofer wrote Orders in 2010 that cited: Discontinue use of illegal duplex; move tenant from basement up to unused mail floor; contact zoning department to change occupancy from single family to duplex

-having spoken with Inspector Niemeyer, it's his understanding that in situations like this, we often condemn a building; he did not identify that there were any immediately life-safety concerns; there's a little bit of overcrowding with the amount of

children; some easily correctible code violations that are done
-he spoke briefly with the Appellant and their attorney prior to the hearing; they said that they are completing some of the work, as well, in hopes to be able to stay a little longer - looking for time

Mr. Ziezulewicz:

-Ms. Garcia and husband have 6 children; we are asking for a few extra months before vacating this unit; asking that they can stay, at least, until the end of the school year
-Ms. Garcia had some trouble with a hernia a few years back, which makes it very hard for her to move in such a short period of time
-they also do not think that the problems warrant such a quick vacate date; there's no threat of any life-safety issues; importantly, the Garcia have taken it upon themselves to address a large number of these repair issues; items 1-3, 6, 11, 12, & 13 have been resolved by the family
-understand that #16 is a problem - overcrowding; 2 minors are sleeping in a room that's 63 sq.ft; they were thinking that they could move 1 minor to the NW bedroom (120 sq.ft.), which is currently occupied by only 1 person; and perhaps, the 4-yr old could stay in the 63 sq.ft. bedroom
-Ms. Garcia has expressed that her parents have room for the kids at their house, if need be and she'd be willing to go that far; and the 18-year old is pretty close to finding a place of his own
-his clients didn't cause any of these problems and moving so quickly would be greatly disruptive for them

Mr. Medland:

-this house was his parents and grandparents house; we moved there in the early 1960s; it was always our pride and joy; after his parents passed away, he was still working but the construction business went boom (he had been a construction worker), and now, he couldn't keep up the payments; so, the house went into foreclosure; at that time, Bill Bernier wanted to buy it; he said that I could live downstairs; he was going to convert the upstairs and he was going to get everything approved from the city; that happened but I never knew that they had Revoked the duplex license from him; he never told me anything about that; if I had known earlier, I would have moved out; now, he's 66 years old and I need a little bit more time; he wants to moved into senior assisted apartments; he's on the waiting list
-Alicia and he have formed a good friendship; the door that divides their units it always open; she can come down anytime to do the laundry; there is no conflict between us
-he has lived there for 35 years
-he just needs time to find a place in a senior apartment
-it officially turned into a duplex when Mr. Bernier bought it
-before that, it was a single family dwelling; his parents lived upstairs; his grandparents lived downstairs

Ms. Garcia:

-she wasn't aware that city code and Section 8 code are different
-when she moved into this property in 2011, Section 8 approved it as a 4-bedroom unit; she had no idea that the other room was not a legal sleeping room

Mr. Ziezulewicz:

-added that there is an unlawful detainer action pending right now; Ms. Garcia and her husband withheld rent from Mr. Bernier after there were numerous repair problems; we had a trial on that; have a final hearing regarding the referee's decision this Thu; he expects some rent abatement from her decision, likely an expungement; the money is escrowed with the court, so, she's all current

Mr. Neis:

-DSI Office asks whatever that determination is, that the C of O remain in the Revoked status because of it's still an illegal occupancy by definition

Ms. Garcia:

-she did not get the furnace checked; she did pay for the furnace to be cleaned- the air ducts (Oct 2015); when the furnace was on, the smoke alarm went off

Mr. Medland:

-Mr. Bernier had someone come out in 2012 to check the CO of the furnace

Ms. Moermond:

-is not feeling great about the furnace; you'll need to get that checked ASAP (\$120 if there aren't any repairs)

Mr. Ziezulewicz:

-could ask the court to release some of that money to Ms. Garcia, if needed

Ms. Moermond:

*-I don't want you to go through any more of the winter with a bad furnace kicking in
-any licensed contractor (competence card licensed for St. Paul) can do the CO test
-smoke detector affidavit; check smoke detectors with Mr. Niemeyer*

Ms. Garcia:

-she bought a CO and smoke detectors

Ms. Moermond:

*-get the furnace checked and repaired, if necessary; Ms. Leanna Shaff can oversee it
-deadline of 2 weeks on that: Feb 9, 2016
-sees this big hole in the ceiling*

Mr. Medland:

-that's downstairs; Mr. Bernier had trouble with the drain from the upstairs tub; he brought in a sewer cleaned but they had to change the piping all around and had to make the hole bigger to they could go in and work; then, Mr. Bernier never had it repaired

Ms. Moermond:

*-the situation with Mr. Bernier is not going to get better
-City Council has ruled on this several times with different properties; in none of those cases were they at all sympathetic to his position; they, in fact, have expressed their disapproval with how he would rent places as duplexes and then put people in them and put the city in a position of having to do enforcement to decrease the number of units so that he doesn't have to go through the expense of following through
-will grant until Apr 4 to Vacate if you get the furnace taken care of
-come to the City Council Public Hearing on Feb 17 if you want more time, maybe to the end of the school year; ask them
-she will brief the Councilmember
-notify her about the furnace test up to Feb 17 in the morning; no later than that
-the C of O remains Revoked at this time; you can take down the Revocation placard
-remember for additional time, you must go to the Feb 17 Council mtg*

Grant until April 4, 2016 for the property to be vacated. The fuel burning test needs to be in compliance by February 17, 2016. Tenants can take down the Revocation placard. Grant until April 4, 2016 for the property to be vacated. The fuel burning test needs to be in compliance by February 17, 2016.

Referred to the City Council due back on 3/2/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 9 [RLH FCO 16-14](#) Appeal of Charles Mccarty to a Fire Certificate of Occupancy Correction Notice at 1734 SEVENTH STREET EAST.

Sponsors: Prince

Fire Inspector Leanna Shaff:

-update

-went there yesterday and got access to the garage; it's been pretty cleaned out

-garage is not in good shape; a lot of rotted wood & peeling paint

-photos

-sidewalk hasn't been shoveled

-put in a new CO alarm; has a permit for the window and exterior wall; told him to call the building inspector to get that finalized

-permit was pulled on patio door

Ms. Moermond:

Given the progress owner has made and the life safety issues addressed, grant an extension until June 1, 2016 for Items 1, 2, 6. Permits pulled must be finalized by March 1, 2016. Fire inspector noted that sidewalk has not been shoveled. This will be referred to Code Enforcement for enforcement.

Referred to the City Council due back on 2/17/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 10 [RLH VBR 16-4](#) Appeal of Dana DeMaster to a Vacant Building Registration Notice at 1642 BLAIR AVENUE.

Sponsors: Stark

Dana DeMaster, owner, appeared.

Ms. DeMaster:

-the short sale has fallen through

-they decided to do the foreclosure; it's going back to the bank

Ms. Moermond:

-thinks that Michelle Vojacek had an opportunity to talk with their attorney

-yes, it should be a Registered Vacant Building

Ms. DeMaster:

-they are currently maintaining the sidewalks - shoveling; if things proceed into spring/summer, they also have mowing taken care of

Ms. Moermond:

-the next thing is the VB fee, which will eventually become an assessment onto the property taxes

-since it's going back to the bank, it will be in the program for a full year, at least, so it doesn't make sense to make a rehab plan

-she will recommend that the City Council deny the appeal on the VB registration; you will be billed for that; when the bill goes unpaid, it will be forwarded to become a tax assessment (4-6 weeks); at that time, you will get a letter scheduling a hearing, here, and later with the City Council; if the bill goes unpaid, it will roll onto the property taxes the following year

Deny the appeal.

Referred to the City Council due back on 2/17/2016

**11 RLH VBR
15-106**

Appeal of Ian Houmas, Adonis Eco Housing, to a Vacant Building Registration Fee Warning Fee Requirement at 1036 MINNEHAHA AVENUE EAST.

Sponsors: Bostrom

No one appeared.

Matt Dornfeld:

-electrical got red tagged

-we gave them 30 days to get C of O reinstated

Ms. Moermond:

-what is going on with the appointments here

Ms. Vang

-Scott Renstrom stated inspector was sick one day and requesting that legislative hearing be rescheduled so that reinspection can be held

Ms. Moermond:

-there were appointments noted for Jan 14, Jan 20 and Jan 25

-did the inspection on Jan 25 happened

Ms. Vang:

-reading emails sent between Leanna Shaff and James Thomas

-was trying to pull January 25 inspection but it was not in STAMP yet

-computer will not allow to send letter

Ms. Moermond:

-put this on February 9

Laid Over to the Legislative Hearings due back on 2/9/2016

12 [RLH VBR 15-93](#)

Appeal of Marcus Landrum to a Vacant Building Registration Renewal Notice at 1308 VICTORIA STREET NORTH.

Sponsors: Brendmoen

Layover so an inspection can be scheduled for Steve Ubl, Matt Dornfeld and Marcia Moermond to inspect the property.

Laid Over to the Legislative Hearings due back on 3/29/2016

13 [RLH VBR 16-3](#) Appeal of Kaojia Vang to a Vacant Building Registration Renewal Notice at 286 STINSON STREET.

Sponsors: Thao

Kaojia Vang, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

*-Inspector Mike Kalis opened a Category 2 Vacant Building file on Jan 20, 2015
-Ms. Vang went through our Sale Review process and was approved Oct 16, 2015
-plumbing and building permits are open; not electrical or mechanical
-property has been maintained and not a nuisance to the city
-here to discuss the VB fee that's past due*

Ms. Vang:

*-officially closed right before Thanksgiving; after that, they got contracting bids and since have hired all the contractors
-the heating guy is out of the country right now; due back sometime this week
-she anticipate being done within the next 4 months*

Ms. Moermond:

*-this bill covers from now until Jan 2017
-if you have it done by Jul 1, she will recommend cutting the VB fee in half
-she will deny your appeal today and it will become a question of special assessment for property taxes; you'll get a letter - send in the yellow card and we'll talk again
-you can pull permits, so, work on it; if you get it done more quickly, she can give you more credit*

Deny the appeal and let the VB fee go into assessment.

Referred to the City Council due back on 2/17/2016