



# 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, September 17, 2013

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Special Tax Assessments

- 1 [RLH TA 13-549](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1312A, Assessment No. 138535 at 699 IVY AVENUE EAST.  
  
**Sponsors:** Bostrom  
  
*No show; approve the assessment.*  
  
**Referred to the City Council due back on 10/2/2013**
  
- 2 [RLH TA 13-590](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 915 AGATE STREET.  
  
**Sponsors:** Brendmoen  
  
*No show; approve the assessment.*  
  
**Referred to the City Council due back on 1/2/2014**
  
- 3 [RLH TA 13-593](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 621 ARLINGTON AVENUE EAST.  
  
**Sponsors:** Bostrom  
  
*Delete the assessment.*  
  
*RE: 621 Arlington Avenue East (Single Family)*  
  
*Lan Tran's husband appeared; Lan Tran is the owner.*  
  
*Inspector Joe Yannarely:*
  - vacant lot - city razed the house in Dec 2011
  - tall grass & weed Notice sent Jul 5, Jul 9
  - re-checked Jul 9 and found in noncompliance; Work Order sent
  - work done Jul 11, 2013 at a cost of \$160 + \$160 service charge = \$320

*Appellant:*

- first letter they received
- bought the lot in Jun 2013, around the 10th
- since then, they cut the grass twice
- they just need to know what they need to do as owners

*Ms. Moermond:*

- Appellant bought it in Jun 2013
- this Notice went out in the month of Jul
- Notice was sent to the previous owner while the Appellant owned the property
- Appellant did not receive Notice
- will recommend that this assessment be deleted

**Referred to the City Council due back on 1/2/2014**

- 4      [RLH TA 13-555](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 212 BAKER STREET EAST.

**Sponsors:**      Thune

*Need to check on returned mail.*

*RE: 212 Baker Street East (Duplex)*

*Julie Ross, owner, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order sent Jul 3, 2013; compliance date Jul 9
- re-checked Jul 9; Work Order sent to remove broken chair, plastic recycling, household items, brush, etc. from yard areas, driveway, boulevard and public sidewalk
- work done Jul 11, 2013 for a cost of \$288 + \$160 service charge = \$448
- sent to Alexander and Julie Ross, 10005 Fox Run Rd, Woodbury; and Occupant
- no returned mail
- consistent Orders written from Mar 2011 - Jul 2013
- no photos

*Ms. Ross:*

- rental property
- they have been working with the tenant about staying on top of that
- when they get the Orders, they notify the tenant to rectify it; if they can't get a hold of her, they send someone out to take care of it
- on this particular one - the first Notice they received was Jul 10, 2013 saying the re-inspection was Jul 16, 2013
- they received another Notice on Jul 16, 2013
- she did not receive the Jul 3rd one
- if this clean-up happened Jul 11, why did they get another one for the same thing on

*Ms. Moermond:*

- it looks like there's 2 separate Orders going on here

*Ms. Seeley:*

- one is an Excessive Consumption, dated Jul 10, Jul 16, and Jul 23
- apparently, Orders went out Jul 3; re-checked it and sent a Work Order (on

garbage); and an Excessive Consumption at the same time (on leaving trash containers out in the street)

VIDEO

Ms. Ross:

- that was very enlightening - the trash that was inside their fence and what their kids play with - that no one can see because it's completely blocked off; they can't have any toys or anything out? Their kids do play in that area  
- I would never have considered that to be anything that would affect the city or..; I would consider that "private"

Ms. Moermond:

- the Order says "these things are in the yard area, driveway, boulevard and public sidewalk"  
- you can always call the inspector about what's on the Order

Ms. Ross:

- but to pay the city to clean up the private area of their yard doesn't make sense because that's not anything that anyone but them can see

Ms. Moermond:

- it is covered in the Order and if there was a question about that, the inspector can be asked about it  
- it would be a nuisance to find garbage inside that play area  
- we see some broken things  
- can ask the inspector what can be stored inside and what can be stored outside  
- notices that in this case, the city has to tell you to clean up the yard but when you do get Orders, you have a history of taking care of them  
- will lay this over for 2 weeks for staff to check the returned mail situation  
- if there's no returned mail, she will recommend approval  
- if there is returned mail, she will recommend deletion

Ms. Ross:

- the tenants have people in the neighborhood who don't want them there so if they have their trash containers at the end of the street, the neighbors will call and we'll need to go over and move the containers

Ms. Moermond:

- checked Ms. Ross' notices and said that they were charges for the inspections; the dates almost don't matter as long as they're in the general time period  
- the cost of removing items from the backyard does not increase the assessment  
- suggested that she go to check on the property more frequently

**Laid Over to the Legislative Hearings due back on 10/1/2013**

- 5 [RLH TA 13-589](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1401 Assessment No. 148800 at 16 CITY VIEW LANE.

**Sponsors:** Thune

Delete the assessment; VB file should have been closed last year.

**Referred to the City Council due back on 1/2/2014**

- 6 [RLH TA 13-569](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 1512 CONCORDIA

AVENUE.

**Sponsors:** Khaliq

*Delete the assessment; VB file closed within 60 days of anniversary.*

**Referred to the City Council due back on 1/2/2014**

7 [RLH TA 13-580](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1245 COOK AVENUE EAST.

**Sponsors:** Bostrom

*Delete the assessment.*

*RE: 1245 Cook Avenue East (Single Family)*

*Michael J Novak and Angie Bunce, owners, appeared.*

*Fire Inspector Leanna Shaff:*

- *Fire Certificate of Occupancy Inspection fees*
- *cost: \$170 + \$155 service charge = \$325*
- *it was approved on it's initial inspection on Mar 19, 2013*
- *bill dates: Mar 21, 2013 and Apr 22, 2013*
- *Order and Billing were sent to the previous responsible party, Eric E Katz, 2137 4th St, White Bear Lake, MN*
- *sale date: May 17, 2013*
- *property has an "A" rating*

*Ms. Bunce:*

- *at closing, the previous owner signed a statement that there was no pending assessments*

*Ms. Moermond:*

- *it's also incumbent upon the seller to tell you that there's existing Orders on the property*
- *you have a Fire Certificate of Occupancy that's good for 5 years*

*Ms. Shaff:*

- *but they don't need a C of O; it's owner-occupied*

*Ms. Moermond:*

- *will recommend the City Council delete this assessment*

**Referred to the City Council due back on 1/2/2014**

8 [RLH TA 13-546](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1240 DALE STREET NORTH.

**Sponsors:** Brendmoen

*Reduce the assessment from \$325 to \$170. Per DSI staff, billing not received by owner.*

**Referred to the City Council due back on 1/2/2014**

- 9 [RLH TA 13-557](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1039 DESOTO STREET.
- Sponsors:** Brendmoen
- No show; approve the assessment.*
- Referred to the City Council due back on 1/2/2014**
- 10 [RLH TA 13-582](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 987 EDGERTON STREET.
- Sponsors:** Brendmoen
- Delete the assessment.*
- RE: 987 Edgerton Street (Duplex)*
- Pearl Weems, owner, and her sons, Albert Weems and Jason Weems, appeared.*
- Inspector Paula Seeley:*
- Summary Abatement issued Jul 17, 2013; compliance date Jul 22
  - re-checked Jul 23; Work Order sent
  - work done: Jul 24, 2013 for a cost of \$160 + \$160 service charge = \$320
  - sent to: Pearl M. Weems, 7625 Eberhart Ave S, Chicago, IL 60619-2411 and Melissa Weems, 2318 Montana Ave E, Maplewood, MN 55119-3148
  - notes: litter near alley; cut and remove tall grass, weeds and rank plant growth along the sidewalks and near the alley
  - no returned mail
  - photos and VIDEO
- Viewed VIDEO*
- Albert Weems:*
- commented that he didn't see what the guy cut; it looks the same and they are being charged for it
  - they take care of their property
- Jason Weems:*
- they were on their way to cutting
  - he heard something happening outside and thought that it probably was Albert
  - when he came downstairs - 15 minutes later - the guy was gone and Albert said that it wasn't him
  - when Albert came home, they finished the rest of the yard
  - they called Ms. Seeley and she said that if they had called earlier, she would have given them leniency
  - he took photos of other properties around theirs; some grass has been growing for a year and nothing has been done about it
- Ms. Moermond:*
- that property has not always been taken good care of; there was a time when it was a complete mess, however, there was little work done by the Parks crew.
- Ms. Seeley:*

- Albert asked her to send the SA directly to the lower tenant for the debris that was outside her door and to remove her van from an unapproved surface; and she did that - it's been fairly clean

- on her Order she wrote: tall weeds and rank plant growth along the sidewalk and near the alley; she did not see in the VIDEO that the Parks guy had cut that down; so, she would recommend this assessment be deleted

- she asked that Ms. Seeley go back out in a couple of weeks to check it out

**Referred to the City Council due back on 1/2/2014**

11 [RLH TA 13-585](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 25 EMPIRE DRIVE.

**Sponsors:** Khaliq

*Approve the assessment and spread the payments over 5 years.*

*RE: 25 Empire Drive (Gen 1-story walkup ofc-B-Commercial)*

*Sally Higgins, American Indian Family and Children's Services, appeared.*

*Ms. Higgins:*

*- the Registered Vacant Building fee had been deferred for 6 months and that time is up*

*Ms. Moermond:*

*- will not recommend that it be deferred again*

*- Ms. Higgins can talk with the City Council about it*

*- if it is helpful, she can spread the payments over 5 years*

*- just call us if you want to talk to the Council on Jan 2, 2014*

*- will recommend approval of the assessment spread over 5 years*

**Referred to the City Council due back on 1/2/2014**

12 [RLH TA 13-559](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1039 HUDSON ROAD.

**Sponsors:** Lantry

*Reduce the assessment from \$496 to \$225 and spread the payments over 2 years.*

*RE: 1039 Hudson Road (Vacant Land-Residential-A)*

*Leo Ng, owner, appeared.*

*Inspector Paula Seeley:*

*- Summary Abatement Order issued Jul 9; compliance Jul 15*

*- re-checked Jul 15, 2013; Work Order sent*

*- work done Jul 16, 2013 for a cost of \$336 + \$160 service charge = \$496*

*- no returned mail*

*- sent to Leo Ng, 1857 Third St E and Occupant*

*- notes: mattresses, rear property area, alley*

*- photo*

*- no history*

Mr. Ng:

- didn't receive any Notice this time
- VIDEO - mattresses, brush pile, garbage

Mr. Ng:

- if he would have known about it, he would have removed it
- the day after Labor Day, he removed a whole big truck full of branches
- he goes by often but since Mar 9, 2013, when someone broke into his house, came into his bedroom and knocked him on his head and he had 10 stitches, it slowed him down somewhat
- never received Notice on this
- no one else opens the mail at his house; it's only he and his mother who live there
- he has removed a lot of stuff that's been dumped there: tires, mattresses, etc.

Ms. Moermond:

- in this case, it looks like something that's been there for a very long time
- Notice was sent to the correct address; there was no returned mail
- Mr. Ng has taken care of the dumping in the past
- she will recommend that the assessment be reduced to \$225 payable over 2 years
- she will also point out to the Councilmember that he has always taken care of the dumping here and she may look at this differently

**Referred to the City Council due back on 1/2/2014**

**13**     [RLH TA 13-558](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 518 IDAHO AVENUE EAST.

**Sponsors:**        Brendmoen

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

**14**     [RLH TA 13-560](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 890 IGLEHART AVENUE.

**Sponsors:**        Khaliq

*Delete the assessment.*

*RE: 890 Iglehart Avenue (Single Family)*

*Michael Martinson appeared on behalf of the owner, Sylvia Schwarz.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued Jul 19, 2013; compliance date Jul 24
- re-checked Jul 24; Work Order sent
- work done Jul 29 for a cost of \$274 + \$160 service charge = \$434
- no returned mail
- sent to Sylvia Schwarz, 890 Iglehart; and Occupant
- note: specifically, 2 bags full of construction debris in street near curb
- probably there was no permit

*Mr. Martinson:*

- as soon as they got the Notice to remove, they called Waste Management to pick up the bags; they gave him a 5-day window but when they got there to pick them up,

*the city had already picked them up*  
*- Ms. Schwarz did get a permit for the work being done*

*VIDEO - 2 green bags of construction debris*

*Ms. Moermond:*  
*- will recommend that this assessment be deleted; the bags are on public property, not private property*

**Referred to the City Council due back on 1/2/2014**

- 15     [RLH TA 13-578](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 651 IVY AVENUE EAST.

**Sponsors:**     Bostrom

*Approve the assessment.*

*RE: 649-651 Ivy Avenue East (Two Family Dwelling)*

*Bob Wicker, has Power of Attorney for owner, Jerome Koslowski (Power of Attorney was scanned into the record)*

*Fire Inspector Leanna Shaff:*  
*- Fire Certificate of Occupancy Inspection cost of \$200 + \$155 service charge = \$355*  
*- gold card returned by Jerome Koslowski, listed as owner*  
*- date of Orders: 12-21-13; compliance date 3-29-13*  
*- billing dates: 4-2-13 and 5-2-13*  
*- no returned mail*  
*- sent to Jerome Koslowski, 5263 St. Croix Trail S, Afton, MN*

*Mr. Wicker:*  
*- appealing because they (Stratford Woodlane Inc) are not in possession of the property and never have been; they don't own the property and never have owned the property*  
*- it says Stratford Woodlane Inc on the assessment*

*Ms. Moermond:*  
*- but if you don't own the property, then, it's not your assessment*  
*- this sounds like a title issue that you need to square away with the county*

*Mr. Wicker:*  
*- it's not a title issue because they took a Contract for Deed to file a bankruptcy case; what happened is that he's continued possession of the property and we can't get him to release us; at this time, it's a legal dispute; we're not in possession of the property, therefore, we couldn't pay for the assessment and we don't have any opportunity to clean-up the property because we are not allowed on the property*  
*- they are trying to get off the Contract for Deed and his legal counsel has promised them that they would cancel it*  
*- we are waiting for the cancellation*  
*- this is a dump*  
*- Mr. Koslowski claims that people are dumping on the property*  
*- they are caught in a situation and they don't want any problems with the City of St. Paul*  
*- they don't have possession, they can't step onto the property, etc., and yet, they get all the bills; Ms. Seeley says that Koslowski is getting them but he's not getting them,*



we are  
- we aren't responsible for this  
- asking the city to send the bills to Koslowski, not to them

Ms. Moermond:  
- how does it happen that Ramsey County lists you as the owner?

Mr. Wicker:  
- Koslowski had a 2nd mortgage on this property for \$200,000; he had a 1st mortgage for \$40,000; we got rid of the 2nd mortgage for him; in order to do that, we took a Contract for Deed; when it was over, it was a bankruptcy case  
- they did register that Contract for Deed and now, we have asked him to break the Contract

Ms. Moermond:  
- this sounds like a private dispute; not a city matter  
- the Certificate of Occupancy fee attaches to the property itself  
- will recommend approval of this assessment

**Referred to the City Council due back on 1/2/2014**

- 16 [RLH TA 13-553](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1884 IVY AVENUE EAST.

**Sponsors:** Bostrom

*Delete the assessment; orders sent to incorrect address. (No hearing necessary)*

**Referred to the City Council due back on 1/2/2014**

- 17 [RLH TA 13-577](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1887 LACROSSE AVENUE.

**Sponsors:** Bostrom

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 18 [RLH TA 13-588](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 423 LAFOND AVENUE.

**Sponsors:** Khaliq

*Delete the assessment; VB file closed less than 60 days after anniversary. (No hearing necessary)*

**Referred to the City Council due back on 1/2/2014**

- 19 [RLH TA 13-561](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 309 LAWSON AVENUE EAST.

**Sponsors:** Brendmoen

*Delete the assessment.*

*RE: 309 Lawson Avenue East (Duplex)*

*Jeremy Baer, owner, appeared.*

*Inspector Paula Seeley:*

- *Summary Abatement Order sent Jun 28, 2013; compliance date Jul 3*
- *re-checked Jul 3; Work Order sent*
- *work done Jul 5, 2013 for a cost of \$288 + \$160 service charge = \$448*
- *sent to Jeremy Baer, 313 Lawson Ave E, St. Paul*
- *no returned mail*
- *notes: bags of garbage on the ground by side door and in rear yard near alley*
- *Apr 4, 2013: they did a pre-authorized work order to remove yard waste, sofa, garbage, tire*

*Mr. Baer:*

- *regarding the extra bags, he provided a statement from his trash service hauler showing that he paid to have them removed; there are 2 separate charges for special bag removal on Jul 3, 2013 (13 bags) and on the 17th, there were 5 extra bags removed*
- *he is not sure as to what was picked up*
- *he is trying to show that he is trying to keep it cleaned-up: he's paid for extra garbage removed*
- *he's not sure what was there on Jul 5th when the city came to clean up*

*Ms. Moermond:*

- *the Order went out Jun 28, 2013*
- *the Allied Waste Invoice says that on Jul 3, 2013, they did extra bag clean-up*
- *something different shows up in the photo on Jul 3, 2013*
- *she thinks that it's a different pile*

*VIDEO*

- *looks as though something different was cleaned-up than what the Orders were written on*
- *will recommend this assessment be deleted*

**Referred to the City Council due back on 1/2/2014**

- 20**     [RLH TA 13-592](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 486 LAWSON AVENUE WEST.

**Sponsors:**     Brendmoen

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 21**     [RLH TA 13-562](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1084 LEXINGTON PARKWAY NORTH.

**Sponsors:**     Brendmoen

*Need to determine if owner or City is responsible for cleaning up the sidewalk obstructing Lexington.*

Charles Boyd, owner, appeared.

Paula Seeley:

-Summary abatement order sent July 10, compliance date of July 22nd, rechecked on July 24, work order sent to cut back bushes  
-work done on July 25 for cost of \$448.00. No mail returned. Orders sent to Charles Boyd, 1084 Lexington Pkwy and to the occupant.  
-Summary Abatement reads: plants obstructing public sidewalks on Lexington. Please trim bushes/plants so sidewalk is clear full width. Please properly dispose of trimmings. There are photos.

Ms. Moermond:

-questioned why appealing.

Mr. Boyd:

-it's public property

Ms. Moermond:

-yes and no. The sidewalk is the responsibility of the owner.

Mr. Boyd:

-only way to get to sidewalk is go a 1/10 of a mile to get to it.  
-my house is about 50 ft above the street from Jessamine  
-has to go all the way down from Jessamine, go 1/2 a block over to do shoveling  
-been there since 1997; never have done it  
-it's like asking Excel Energy to come down to clear the sidewalk

Ms. Moermond:

-there has been few properties like this, esp. on hills where back or side of the property abuts other streets

Mr. Boyd:

-it's in front of my property which I don't have access to

Ms. Moermond:

-surprised there has not been order for snow on the sidewalk

Paula Seeley:

-there has been; on April 5, 2011 - Loose trash on east and west sides of Lexington by RR bridge Sent To: PW Street Maintenance. File was closed.  
-Like another one on Bates

Mr. Boyd:

-would have to get a trailer or pick-up to maintain the property  
-there is a 6'12" pitch above 40 ft

Paula Seeley:

-Essling pulled up on GISMO  
-just trimming the trees, not the whole side

Mr. Boyd:

-thinking neighbor called and complained

Ms. Moermond:

-City doesn't care about who called in  
-situation is with the right-of-way and the right-of-way is on your property but still your

property

Mr. Boyd:

-don't think so. My property only goes 40 ft west of \_\_\_\_\_ on both sides which is public right-of-way

Ms. Moermond:

-very unusual.  
-asked that inspector check

Paula Seeley:

-has an aerial view right now (viewing aerial)

Ms. Moermond:

-asked that Mr. Boyd bring in a survey to demonstrate the position  
-getting from Joel Essling that he took a look at it and determined it's part of Mr. Boyd's property

Paula Seeley:

-has aerial map showing from the side of the street all the way to property line of Lexington is 56 ft. Seemed like public right-of-way.

Ms. Moermond:

-will layover for 2 weeks to have DSI staff draw it up and get aerial  
-will find out who owns it and go from there  
-welcome to attend; otherwise, can email  
-anything Mr. Boyd can provide will help

**Laid Over to the Legislative Hearings due back on 10/1/2013**

**22**     [RLH TA 13-563](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1040 MACKUBIN STREET.

**Sponsors:**     Brendmoen

Approve the assessment.

RE: 1040 Mackubin Street (Vacant Lot-Residential)

Howard Merrill, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Jul 23, 2013; compliance date Jul 29  
- re-checked Jul 29; Work Order sent  
- work done Jul 31, 2014 for a cost of \$504 + \$160 service charge = \$664  
- this is 2: 1) to remove debris, rubbish in the street; cut tall grass and weeds; and 2) cut and properly dispose of overgrown brush on vacant lot

Mr. Merrill:

- appealing because he doesn't think that Inspector Essling gave me an opportunity to respond to the Order; not reasonable time  
- he left a message for Mr. Essling; he was out of the Office on Jul 18; on Jul 23, he saw Mr. Essling and discussed this; he said that he had sent new Notices with a compliance date of 7-29; he also suggested that Mr. Merrill appeal it  
- on the Mon after that, he had his landscape person mow the area  
- Mr. Essling said that he had sent Notices on all his properties

- he came down to file and appeal and they told him it was too late to appeal; the city had already done the work
- last year, Mr. Essling Ordered him to cut grass on property that was not his but he took care of that later on
- this year, he gave him Notice on all his properties
- previous inspectors have said that if you have a problem with the time allotted to get the job done, just call and he would give an extension on it; this inspector doesn't do that
- he didn't even have the Orders when the city crew was out there cutting

Ms. Moermond:

- the Order was issued Jul 23, a Tue and the city did the work Jul 31, Wed of the following week

VIDEO

Mr. Merrill:

- interesting VIDEO; actually, where you see refuse truck coming down the street; he offered to pick that stuff up for me; the city did not pick that up, at all; he picked up all that was dumped there
- furthermore, he didn't see anything that needed to be cut by the city; they cut the whole thing; they removed brush that was on the blvd - though it was his responsibility

Ms. Moermond:

- the blvd is a right-of-way across your property; it does not belong to the public; the blvd, the sidewalk - that all belongs to you
- right-of-way means that I can walk across getting from here to the next place

Mr. Merrill:

- Inspector Essling told him that he was not only responsible for the blvd, but also into the middle of the street
- some big logs and brush was dumped in the street; he told me that I was responsible for that, too; finally, he turned it around and said that he'd get Public Works to pick up the stuff
- inspector also told him that the street right-of-way was his responsibility
- there was not enough opportunity between the time I talked with Mr. Essling and when the city came out

VIDEO was viewed again (Appellant didn't see any brush)

VIDEO was viewed for the 3rd time, per Appellant (a couple broken branches)

Ms. Moermond:

- Orders indicate that there were materials all over the place
- it looks like Mr. Merrill did 2/3 of what was required; the city did the rest
- that was a pile of brush
- there was adequate opportunity; a week was provided
- it was definitely a city crew who did it not someone you hired
- next stop is the City Council Public Hearing Jan 2, 2014

**Referred to the City Council due back on 1/2/2014**

**23**     [RLH TA 13-564](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 823 MARGARET STREET.

**Sponsors:**         Lantry

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 24**     [RLH TA 13-568](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 1554 MIDWAY PARKWAY.

**Sponsors:**     Stark

*Delete the assessment; waiver onfile. (No hearing necessary)*

**Referred to the City Council due back on 1/2/2014**

- 25**     [RLH TA 13-576](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1882 MINNEHAHA AVENUE EAST.

**Sponsors:**     Bostrom

*Approve the assessment.*

*RE: 1882 Minnehaha Avenue East (Single Family)*

*No one appeared.*

*Inspector Joe Yannarely:*

- tall grass and weeds assessment*
- gold card returned by Cathy Hwang, Bayshore Industries*
- Orders written Jul 15, 2013; compliance date Jul 19 (sent Sep 16, 2013)*
- re-checked Jul 19; Work Order sent*
- work done Jul 22, 2013 for a cost of \$160 + \$160 service charge = \$320*
- has attached all the letters that were sent*
- according to her letter, she said that she updated her address with DSI, Code Enforcement: 3202 Pebble Trace Drive, Houston, TX 77068*

*Ms. Mai Vang:*

- Irvine CA was their previous address; they say they didn't receive Notice (see attached email)*

*Ms. Moermond:*

- will recommend approval of this assessment; Notice was sent to the owner of record at the time*

**Referred to the City Council due back on 1/2/2014**

- 26**     [RLH TA 13-587](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 1160 MONTREAL AVENUE. (To be laid over to February 5, 2014 Public Hearing)

**Sponsors:**     Tolbert

*If owner can get the Code Compliance Certificate issued to him by Feb 5, 2014, the Legislative Hearing Officer will recommend cutting the Vacant Building fee in half and have the payments spread over 2 years.*

*RE: 1160 Montreal Avenue (Single Family)*

Luther T. Johnson, owner, appeared.

Inspector Joe Yannarely:

- Category 2 Vacant Building file was opened Jun 5, 2012
- active Code Compliance Report dated Apr 9, 2013
- currently, there are no active permits
- single family dwelling on the same lot shared with 1848 7th St W (owner occupied duplex)
- no history of nuisances
- cost of the VB fee: \$1440 + \$155 service charge = \$1595

Mr. Johnson:

- was here last Jan because he had this \$1500 fee to pay and was refused; he paid the inspection fee and \$350 ... and got 4 different contractors to bid on the work to be done
- he is the primary care giver of his oldest son, who has a malignant brain tumor that re-occurred in Apr 2013 and since then, he's been taking him in for radiation, chemo, therapy; and he was going to lose the property because he couldn't make the mortgage payments for 1 full year; then, exactly one year ago, he got a loan modification that gave him a fixed interest rate and principle reduction
- during the course of keeping up mortgage payments, he exhausted every bit of savings, money that he had (liquid assets) and now, with his son's condition, his financial situation is sort of grim
- he plans to keep the property but he doesn't have the additional funds until this fall for the \$12,000-\$15,000 worth of contractor fees
- basically, the house is in very good shape; the work is all very minor
- he pays the taxes and the services are paid up to date
- the lot is maintained
- rather than pay more fees to the city, he'd rather pay for contractors' fees
- he went to get a loan from his bank but now, his credit rating is bad, he could get only \$2,000; so, this fall, he will have a source of income to do the final work
- is asking for an extension to the end of the year, if possible
- it's a vacant building but he lives right there and takes care of it

Ms. Moermond:

- City Council Public Hearing is scheduled for Jan 2, 2014
- the fee covers the time period from Jun 2013 - Jun 2014
- if Mr. Johnson can get this done by Jan 2, 2014, she can recommend taking off a large piece of this fee
- at the Jan 2, 2014 CCPH, she will ask that the City Council lay this matter over to Feb 5, 2014 and if he can get the Code Compliance Certificate issued by then, she will cut the fee in half, payable over 2 years
- Mr. Yannarely, permits should be allowed to be pulled

**Referred to the City Council due back on 1/2/2014**

**27**     [RLH TA 13-575](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 147 MORTON STREET WEST.

**Sponsors:**     Thune

9/18/13: owner called and stated he missed hearing; rescheduled to 10/1/13.

No show-approve the assessment.

Laid Over to the Legislative Hearings due back on 10/1/2013

- 28     [RLH TA 13-550](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 187 OXFORD STREET SOUTH.

**Sponsors:**     Thune

*Delete the assessment; orders were sent to incorrect address per DSI staff. (No hearing necessary)*

**Referred to the City Council due back on 1/2/2014**

- 29     [RLH TA 13-545](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 440 PRIOR AVENUE NORTH.

**Sponsors:**     Stark

*Reduce the assessment from \$335 to \$180. Billing was not received by owner per DSI staff. Therefore, service/administrative charge portion of the assessment should not be charged.*

**Referred to the City Council due back on 1/2/2014**

- 30     [RLH TA 13-586](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 1361 REANEY AVENUE.

**Sponsors:**     Lantry

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 31     [RLH TA 13-573](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 187 ROBIE STREET WEST.

**Sponsors:**     Thune

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 32     [RLH TA 13-581](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 113 SARATOGA STREET NORTH.

**Sponsors:**     Khaliq

*Approve the assessment and spread the payments over 3 years.*

*RE: 113 Saratoga Street North (Church/Synagogue)*

*Nikolai Abudulof appeared on behalf of Father John, who was supposed to be here*



but his father passed away and he had to go to TX.

*Fire Inspector Leanna Shaff:*

- Fire Certificate of Occupancy assessment for \$270 + \$155 service charge = \$425
- date of Orders: Nov 21, 2012; Jan 30, 2013 and Apr 5, 2013
- billing dates: Apr 8, 2013 and May 8, 2013
- sent to Holy Trinity, Father John Migram, 1201 Hathaway St N, Mpls

*Mr. Abudulof:*

- was asked to let you know that the church is not being used at the moment
- asking if the fee can be reduced because the church is not being used this year

*Ms. Shaff:*

- it's on a 2-year cycle

*Ms. Moermond:*

- the building is better off having a C of O than not
- she will recommend approval of this assessment payable over 3 years

**Referred to the City Council due back on 1/2/2014**

- 33**     [RLH TA 13-551](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 414 SEVENTH STREET WEST.

**Sponsors:**     Thune

*Delete the assessment; waiver on file. (No hearing was necessary)*

**Referred to the City Council due back on 1/2/2014**

- 34**     [RLH TA 13-591](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 2000 SAINT CLAIR AVENUE.

**Sponsors:**     Tolbert

*Delete the assessment.*

*RE: 2000 St. Clair Avenue (Single Family)*

*Elizabeth Cherek, owner, appeared.*

*Fire Inspector Leanna Shaff:*

- Fire Certificate of Occupancy fee of \$230 + \$155 service charge = \$385
- suggested a reduction on it: take out the "no entry" fee
- total assessment should be \$325
- Orders dated Dec 20, 2012 and Jan 10, 2013
- Code Compliance date is May 13, 2013
- Billing dates: May 15, 2013; Jun 14, 2013
- no returned mail
- sent to Michael and Carey Skinner, 11030 Santa Monica Blvd #207, Los Angeles CA 90025-7514
- Inspector Cassidy closed this file when he received the residential heating report on May 13, 2013

*Ms. Cherek:*

- purchased the house May 12, 2013 from the Skinners
- provided proof
- when she called DSI, they said they she shouldn't have to pay the assessment

*Ms. Moermond:*

- will recommend that this assessment be deleted
- this property should have been removed from the Fire Certificate of Occupancy Program; there was notification that it was owner-occupied before the conclusion of the C of O process

**Referred to the City Council due back on 1/2/2014**

- 35**     [RLH TA 13-574](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1130 ST. PAUL AVENUE.

**Sponsors:**     Tolbert

*Delete the assessment; per DSI staff duplicate C of O folders on same property. Owner paid on one already. (No hearing was necessary)*

**Referred to the City Council due back on 1/2/2014**

- 36**     [RLH TA 13-571](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 968 SHERBURNE AVENUE.

**Sponsors:**     Khaliq

*Reduce the assessment from \$355 to \$200.*

*RE: 968 Sherburne Avenue (Duplex)*

*Margaret Uriah, MFO Property Holdings LLC, and Jaqueline Ricks, owner, appeared.*

*Fire Inspector Leanna Shaff:*

- Fire Certificate of Occupancy fee of \$200 + service charge of \$155 = \$355
- date of Orders is Nov 16, 2012; Dec 14, 2012 and Feb 26, 2013
- compliance date: Mar 14, 2013
- Billing Dates: Mar 25, 2013 and Apr 17, 2013
- no returned mail
- sent to MFO Properties, 501 N. Dale St, Ste 300

*Ms. Ricks:*

- don't have a copy
- she was away last week
- Ms. Ricks called and they said there were no bills due
- just didn't receive a bill for it; they have received other ones
- they'd be happy to pay for it
- Ms. Shaff provided a copy

*Ms. Moermond:*

- the billing notices she has copies of Mar 25 and Apr 17 both show \$200 - she sees 2 bills for the correct amount
- she sees that the one that went before was for an incorrect amount
- the letter that goes with the assessment and gold card says that Ms. Ricks always pays on time

- she will ask staff to double check the records and talk with the inspector

*Ms. Shaff:*

- it would be impossible to talk with the inspector; he's been relocated to Florida

*Ms. Moermond:*

- in light of that, she will recommend deleting the service charge to get the cost down to \$200

- after the Council has ratified this, Ms. Ricks will get a bill from Real Estate in Jan 2014; she suggested that it get paid at that time

**Referred to the City Council due back on 1/2/2014**

- 37**     [RLH TA 13-583](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. 148800 at 755 THIRD STREET EAST.

**Sponsors:**     Bostrom

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 38**     [RLH TA 13-547](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1171 THOMAS AVENUE.

**Sponsors:**     Stark

*Reduce the assessment from \$325 to \$170. (Deleting service charge due to owner not receiving invoices)*

**Referred to the City Council due back on 1/2/2014**

- 39**     [RLH TA 13-554](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 1276 UNIVERSITY AVENUE WEST.

**Sponsors:**     Khaliq

*Delete the assessment; per DSI staff owner graffiti letter never sent to owner.*

**Referred to the City Council due back on 1/2/2014**

- 40**     [RLH TA 13-552](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 2389 UNIVERSITY AVENUE WEST.

**Sponsors:**     Stark

*Delete the assessment; waiver on file.*

**Referred to the City Council due back on 1/2/2014**

- 41**     [RLH TA 13-567](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401P, Assessment No. 148400 at 445 WACOUTA STREET.

**Sponsors:** Thune

*Owner will send in waiver form.*

**Laid Over to the Legislative Hearings due back on 10/1/2013**

- 42**     [RLH TA 13-570](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 601 WESTERN AVENUE NORTH.

**Sponsors:** Khaliq

*Delete the assessment lacking video from Public Works.*

*RE: 601 Western Avenue North (R4/B2)*

*Almena Samatar, owner, appeared.*

*Inspector Joe Yannarely:*

- tall grass and weeds letter sent Jul 16, 2013; compliance date Jul 20*
- re-checked Jul 22 and found in noncompliance; Work Order sent*
- work done Jul 23, 2013 for a cost of \$80 + \$160 service charge = \$240*
- No VIDEO available*

*Ms. Samatar:*

- she has a Notice for a clean-up*

*Ms. Moermond:*

- regardless of the situation; there is not adequate documentation provided by the work crew; no available VIDEO*
- she will recommend this assessment be deleted*

**Referred to the City Council due back on 1/2/2014**

- 43**     [RLH TA 13-603](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 1087 WESTERN AVENUE NORTH.

**Sponsors:** Brendmoen

*Reduce the assessment from \$325 to \$170. (Per DSI staff, billing was not received at correct address. Note that address change in Amanda 2007 and cannot track why and how it was sent to old address).*

**Referred to the City Council due back on 1/2/2014**

- 44**     [RLH TA 13-565](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1050 WILSON AVENUE. (To be laid over to February 5, 2014 City Council Public Hearing)

**Sponsors:** Lantry

*12/11/13: Owner called and stated he will be out of town and wants to reschedule. Rescheduled to February 5, 2014. No more continuance.*

Approve the assessment.

RE: 1050 Wilson Avenue (Single Family)

Paul Bruggeman, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order sent Jul 2, 2013; compliance Date Jul 9
- Re-checked Jul 10; Work Order sent
- work done Jul 11, 2013 for a cost of \$338 + \$160 service charge = \$498
- no returned mail
- sent to Al Kenard, Mahtomedi; and Occupant
- clean-up

Mr. Bruggeman:

- closed on property Jul 27, 2013
- never received any Notices

Ms. Moermond:

- Orders were sent to the previous owner but it was during their period of ownership (they owned the property; they should have cleaned it up; the assessment fee for them not cleaning up attaches to the property)
- according to MN State Law, it was incumbent upon them to disclose this at the time of closing; evidently, they did not
- you inherit the debt of the property when you purchased it
- will recommend that this assessment be approved
- encouraged Mr. Bruggeman to contact his realtor/previous owner

**Referred to the City Council due back on 1/2/2014**

- 45     [RLH TA 13-594](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1312, Assessment No. 138819 at 387 WINSLOW AVENUE.

**Sponsors:**     Thune

*Delete the assessment; per DSI staff property was owned by VA during the time of the assessment. (No hearing necessary)*

**Referred to the City Council due back on 10/2/2013**

- 46     [RLH TA 13-566](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1748 YORKSHIRE AVENUE.

**Sponsors:**     Tolbert

*No show - approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 47     [RLH TA 13-598](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 1230 REANEY AVENUE.

**Sponsors:**     Lantry

*Approve the assessment. (Appellant may review video at DSI office.)*

RE: 1230 Reaney Avenue (Single Family)

Keith Lor appeared.

Mr. Lor:

- his wife, Lora Vang, owns this property

Inspector Paula Seeley:

- Summary Abatement Order issued Jul 1, 2013; compliance date Jul 10 (tire, branches, car hood, jugs and scattered paper, bottles and cans  
 - sent to Prospect Partnership LLC, 1042 Jessamine Ave E and Occupant  
 - re-checked Jul 11; Work Order sent  
 - work done Jul 112  
 - clean-up and tall grass and weeds cost: \$448 + \$180 service charge = \$728

Mr. Lor:

- wife has owned it for only a year (Aug 2012)  
 - she owns it with friends (Prospect Partnership LLC)  
 - since this has been going on, they have evicted the tenants  
 - most of the problems came from complaints from neighbors  
 - they are looking to sell this property  
 - they will touch up the property and sell it  
 - the problem has rectified; they are asking for a reduction in the excessive cost  
 - would like to see the VIDEO

Ms. Moermond:

- the cost is attributable to the clean-up and it's a valid assessment  
 - there is no reason to decrease it  
 - it is the owner's responsibility  
 - since Appellant was a walk-in today, staff did not bring along the VIDEO  
 - can go to the Department of Safety and Inspections (DSI) to watch it  
 - call Ms. Seeley to set up a time to see the VIDEO

**Referred to the City Council due back on 1/2/2014**

48 [RLH TA 13-599](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 909 ROSE AVENUE EAST.

**Sponsors:** Bostrom

STAFF REPORT: LHO to review video. Recommendation is forthcoming.

Stephanie Wells, tenant, appeared.

Ms. Moermond:

-questioned if appellant is the owner

Ms. Wells:

-a tenant  
 -owner out of town, told me to come

Ms. Paula Seeley:

-Summary abatement issued on July 2, with compliance date of July 8, recheck July 8, noncompliance- work order sent  
 -cost is \$896.00; Summary abatement order says trash on the ground near containers,

cutting rank growth and grass, and cut back bushes obstructing alley right of way.  
walk-in, no video  
-has photos on the computer

Ms. Moermond:  
-questioned why appealing

Ms. Wells:  
-appealing the amount. Amount here says \$448.00. You said \$896, that sounds like double.

Ms. Moermond:  
-that would be admin fee attached

Ms. Seeley:  
-there are two separate ones  
-one related to the grass and one to trash  
-I am the inspector in this

Ms. Moermond:  
-questioned if Ms. Wells has the letter with her  
-2 things going on: twig and brush removal  
-total of \$736 for the brush removal and twig

Ms. Wells:  
-it says 1 x \$288. how did they come up with \$736  
-that's more than 2x

Ms. Moermond:  
-this is an error. the multiplier they put in there is wrong.  
-seen this before coming from Real Estate Office where the digit 1 pops in there  
-can send out correct bill

Ms. Wells:  
-questioned if any way to get it lower or reduce it

Ms. Moermond:  
-looks like work was done  
-wants to see video before making a decision

Ms. Wells:  
-responsible for the yard and don't have \$900; single mom

Ms. Moermond:  
-will want to see video  
-questioned if Ms. Wells got notice from the landlord.

Ms. Wells:  
-landlord called on Sunday. told landlord will get it done on day off which was Wednesday.  
-went to do clean up at 9:30 and City crew had already been there

Ms. Moermond:  
-will watch video  
-will email Ms. Wells

**Laid Over to the Legislative Hearings due back on 10/1/2013**

49     [RLH TA 13-600](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1401A, Assessment No. 148500 at 810 BUFFALO STREET.

Sponsors:            Brendmoen

*Delete the assessment. (Need to check on previous assessments for possible deletions.)*

*810 Buffalo Street (Duplex)*

*David Barlage, owner, appeared.*

*Inspector Joe Yannarely:*

- clean up on a Vacant Building*
- Summary Abatement issued May 30, 2013*
- remove improperly stored garbage, rubbish, discarded furniture; and to cut tall grass and weeds and rank plant growth*
- sent to 810 Buffalo St, c/o Dave Barlage; had no VB information at that time*
- compliance date Jun 5*
- re-checked on Jun 5 and found in noncompliance; Work Order issued to Parks*
- work done Jun 6, 2013 for a total cost of \$696*

*Mr. Barlage:*

- apologized for not giving notice; just found it in the mailbox at 810 Buffalo on Fri*
- he bought the property a couple of years ago*
- he wanted to move in but since it's zoned as a duplex, he needs to have professional contractors to work on it, which he cannot afford, so he's been saving up to get that all done so he can move in*
- he shovels snow and mows the grass - takes care of the property*
- he did have some things stored at the property: some radiators, which he couldn't get into the house because they are too heavy; he had them hidden in the back yard and chained to a tree*
- he has monitored the property since he's owned it and he never has gotten any notices*
- lives on Indiana Ave, Brooklyn Center and he's never gotten any Notices there*

*Mr. Yannarely:*

- cannot tell if the DSI has a VB registration on file; he needs to check*

*Inspector Paula Seeley:*

- a Work Order just went out yesterday to clean it up*

*Mr. Yannarely:*

- the Summary Abatement went out Sep 10, 2013 and was not sent to his address*

*Ms. Moermond:*

- Mr. Barlage filled out a VB form letting the city know that he owned it and provided his contact information*
- Ramsey County tax records say that his address is 810 Buffalo St (their official address of the owner)*
- encouraged Mr. Barlage talk to Ramsey County Property Tax Records; they can fix that*
- Mr. Barlage filled out the VB form but that information did not get picked up by the city when these Orders were issued and therefore, she will recommend deletion of this assessment*



*Mr. Barlage:*

- he has quite a few; he came here Fri to discuss some of these
- he called Councilmember Brendmoen but she hasn't gotten back to him yet

*Mr. Yannarely:*

- doesn't know why the system is not picking up the information; he will check and make sure it's added
- recommends that this assessment is deleted
- became a Cat 2 Vacant Building on Nov 20, 2006
- there are Excessive Consumptions, too; and lots of returned mail back in Nov 2011 from Barlage

*Inspector Paula Seeley:*

- a Work Order went out yesterday; maybe we should call Mike Kalas to put a hold on it for a day or so

*Mr. Barlage:*

- has a list of the previous assessments; Ms. Moermond scanned the list
- he was going to report the items stolen that the city took; he thought scappers had taken them

*Ms. Moermond:*

- she can't deal with the VB fee assessment now, it went out Nov 2011; that time period has long since expired but she can deal with the clean-ups
- she and DSI staff will review this and put together a resolution to Delete some of it; the VB fees are water under the bridge
- she will contact Mr. Barlage by email
- his mailing address is 5615 Indiana Ave N, Mpls

**Referred to the City Council due back on 1/2/2014**

- 50**     [RLH TA 13-544](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1401, Assessment No. 148200 at 2282 COMO AVENUE.

**Sponsors:**     Stark

*Delete the assessment; payment received at Real Estate Office.*

**Referred to the City Council due back on 1/2/2014**

### Staff Reports

- 51**     [SR 13-65](#)     Reviewing Request of Kao Nou Fang for Appealed Special Tax Assessment for Real Estate Project No. VB1309, Assessment No. 138812 at 945 FREMONT AVENUE.

**Sponsors:**     Lantry

*Approve the assessment.*

*HUD owned it but when new owner bought the property, the assessment goes with the property.*

**Received and Filed**

- 52**     [RLH TA 13-369](#)     Ratifying the Appealed Special Tax Assessment for Real Estate

Project No. VB1307B, Assessment No. 138818 at 401 SELBY AVENUE. (Public hearing continued from June 19 and August 21)

**Sponsors:** Carter III

*Need inspection done.*

**Referred to the City Council due back on 10/2/2013**

### Special Tax Assessment Rolls

- 53**    [RLH AR 13-86](#)    Ratifying the assessments for Collection of Certificate of Occupancy Fees billed March 21 to May 23, 2013. (File No. CRT1401, Assessment No. 148200)
- Sponsors:**    Lantry
- Referred to the City Council due back on 1/2/2014**
- 54**    [RLH AR 13-87](#)    Ratifying the assessments for Collection of Vacant Building Fees billed November 8, 2012 to May 17, 2013. (File No. VB1401, Assessment No. 148800)
- Sponsors:**    Lantry
- Referred to the City Council due back on 1/2/2014**
- 55**    [RLH AR 13-88](#)    Ratifying the assessments for Graffiti Removal Services from April 22 to July 10, 2013. (File No. J1401P, Assessment No. 148400)
- Sponsors:**    Lantry
- Referred to the City Council due back on 1/2/2014**
- 56**    [RLH AR 13-89](#)    Ratifying the assessments for Property Clean Up Services from June 28 to July 31, 2013. (File No. J1401A, Assessment No. 148500)
- Sponsors:**    Lantry
- Referred to the City Council due back on 1/2/2014**
- 57**    [RLH AR 13-90](#)    Ratifying the assessments for Trash Hauling Services from July 3 to 31, 2013. (File No. J1401G, Assessment No. 148700)
- Sponsors:**    Lantry
- Referred to the City Council due back on 1/2/2014**

### 11:00 a.m. Hearings

#### Summary Abatement Orders

- 58**    [RLH SAO 13-41](#)    Appeal of Linda Snyder to a Notice to Cut Tall Grass and/or Weeds at

2026 GOODRICH AVENUE.

**Sponsors:** Stark

*9/24/23: Scott St. Martin called and stated that the issue had been resolved; therefore, the appeal is withdrawn by the dept.*

*9/17/13: Owner no show at hearing - deny the appeal.*

**Withdrawn**

#### **Orders To Vacate, Condemnations and Revocations**

- 59**    [RLH VO 13-44](#)    Appeal of Ogheueovoh Gbejeowoh to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1148 MAGNOLIA AVENUE EAST.

**Sponsors:**    Bostrom

**Laid Over to the Legislative Hearings due back on 9/24/2013**

#### **1:30 p.m. Hearings**

#### **Correction Orders (NONE)**

#### **Fire Certificates of Occupancy**

- 60**    [RLH FCO 13-199](#)    Appeal of Mary Martin to a Fire Inspection Correction Notice at 1204 GRAND AVENUE.

**Sponsors:**    Thune

*Grant the appeal.*

*RE: 1204 Grand Avenue (Single Family)*

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Correction Notice dated Jul 29, 2009*
- Inspector Sebastian Megdal indicated this building had a change in use from a business to a residence*
- looking back, a C of O was approved in 2010 by Inspector Jim Perruca*
- Jun 11, 2007, the Fire C of O was approved by Fire Inspector Bob Rexheisen (no longer with DSI); he indicated that the business was closed; shows 1204 Grand is owned by Mary E. Martin and it's her address of record (if she ever wanted to re-open her home-based business, she could do so without having to go through a full code compliance inspection*

*Ms. Moermond:*

- will recommend that City Council grant her appeal*

**Referred to the City Council due back on 10/2/2013**

- 61**    [RLH FCO 13-219](#)    Appeal of Emily Sundseth to a Fire Inspection Correction Notice at 598 CAPITOL BOULEVARD.

**Sponsors:** Lantry

*Grant until November 1, 2013 to come into compliance with the driveway by adding more class 5 and make clean boundaries between the gravel and grass.*

*RE: 598 Capitol Boulevard (Single Family)*

*Emily Sundseth, owner, appeared.*

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Jeremy Hall dated Sep 12, 2013*
- all deficiencies have been taken care of except for the driveway, which is class 5*
- photos in file*
- also inspected without any changes in 2011 and approved by Inspector Mike Cassidy*

*Ms. Sundseth:*

- the parking area has never been paved*
- they put in fresh class when they lived there, probably 6 years ago and can do it again*

*Ms. Moermond:*

- photos show significant vegetatio growth in the gravel*
- need clear boundary lines - clean, distinct definition of grass and driveway*
- fresh class 5 is needed*
- will recommend granting an extension to Nov 1, 2013*

**Referred to the City Council due back on 10/2/2013**

**62**     [RLH FCO  
13-216](#)

Appeal of Dave Roeser to a Fire Inspection Correction Notice at 1505 COMO AVENUE.

**Sponsors:** Stark

*Forthcoming. Building official will need to conduct an inspection.*

*RE: 1505 Como Avenue (Duplex)*

*Dave Roeser and wife, DeeJay, appeared.*

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Correction list, dated Jul 9, 2013 by Inspector Lisa Martin*
- 11 code violations*
- appealed is the fact that the Orders listed more and different items than had been discussed during the inspection*
- he sees no deviation between the Orders dated, Jul 9, Aug 28 and Sep 13*

*Mr. Roeser:*

- they are new to this*
- bought this bank foreclosed duplex 4+ years ago with the idea that their son would live there while he went to college*
- they met with the inspector*
- when they got the list, there were a lot of other things attached to it than were discussed during the inspection; and things that had been done before they bought the house: water heater, egress windows, etc.*

- they took notes based on their time with the inspector; the deficiency list was significantly different
- now, they have to go back and get a permit for work that was done before they owned the building; that hadn't been discussed while she was there; she looked at the egress windows and said, "Excellent!" however, when they got the report, it said the egress windows needed to get permitted....
- they have been able to finish most of these things

Mr. Neis:

- explanation: an inspector can't see the full scope of everything that's going on with the building until they get back to the office; there, they can see what permits were pulled by which contractors, what work has been done and when, etc. and they can compare it to what they saw at the property
- before Fire approves a Certificate of Occupancy, an inspector needs to make sure that there are no open permits or violations within the property
- when the inspector went back to the office to write the Orders, she noticed that back the building was approved in Apr 2008 by Inspector Tu Her; then, permits were pulled in Jun 2008 to replace a liner, re-connect a boiler, water heating and venting; some work was done, however, the inspector at the time wrote Orders because that work had not been done properly - those permits were never finalized (were pulled after the previous inspection); so, obviously, Ms. Martin would have to write those up because that's a concern for the occupants of the building

Ms. Roeser:

- they purchased the building after that and were told that things were clear; where does the responsibility lie because they acquired it after that

Mr. Neis:

- there was a Truth in Sale of Housing (TISH) Inspection done in May 2008 but that's not a report that the city is responsible for
- the building had a valid Certificate of Occupancy; however, the permits were pulled and the installations were done after that C of O was approved

Mr. Roeser:

- they will definitely take care of all the safety issues
- it's hard to get someone to pull permits if someone else did the work; no one wants to be responsible for what was there and for what someone else did

Mr. Neis:

- Sep 10, 2008 - it was noted that a permit was pulled to add to bedrooms in the basement; Dec 10, 2008, DSI was contacted, "Per owner, we are financially unable to proceed with the project." DSI then closed out the building permit in regards to the basement remodel; Inspector Martin wrote an Order to discontinue the basement area as sleeping rooms because the city doesn't know if the work that was done under that permit was properly completed because it was never finalized/approved
- no other permits were pulled
- it also looks like a half kitchen may have been added

Mr. Roeser:

- they put a refrigerator down there so instead of the students having little refrigerators all over the house (it looks like a half kitchen)
- he is going to have a hard time to get a workman to come in and pull permits for someone else's work
- #3 - wasn't sure what was meant "repair/replace and maintain exterior sidewalks" but nothing was pointed out

*Ms. Moermond:*

*- looking at the photo, it looks like there's some crumbling sidewalk that needs to be taken care of*

*Mr. Neis:*

*- there are 4 egress windows in the basement  
- it really looks like there's a mini apartment down there*

*Mr. Roeser:*

*- the house is an upper/lower duplex with the basement being part of the lower duplex  
- the kitchen is on the main floor of the lower unit and it is used by the 4 tenants  
- the upper unit has its own kitchen  
- the basement has only a refrigerator and sink; they are not supposed to cook down there; they have milk and cereal down there for breakfast; all the cooking is done on main floor for the lower unit*

*Mr. Neis:*

*- this basement should not be used until all permits are re-obtained, finalized and properly approved  
- some electrical work may need to be done; some plumbing too*

*Ms. Moermond:*

*- in 2008, the C of O was issued  
- a permit is pulled to do work in the basement  
- the permit is withdrawn because the owner is going into foreclosure  
- the bank sells it to the Roesers  
- there's no way to figure out if the work was done, was done correctly  
- the Roesers were given a C of O at their Closing that had been issued prior to this work having been done*

*Mr. Roeser:*

*- he's just trying to figure out how to move forward  
- someone's coming on the chimney liner piece; also the dryer venting*

*Ms. Moermond:*

*- first thing, Mr. Roeser needs to pull a building permit  
- maybe the contractor and he can discuss this with the building inspector to figure how this can be done in the least invasive way  
- she will call Steve Ubl, Sr Building Official / Sr Trades Inspector, 651/266-9021, and tell him about the history  
- Mr. Ubl needs to do a walk thru to see if what's been installed was done so correctly  
- will lay this over for a couple of weeks*

*Mr. Neis:*

*- they can check out what's remaining on the re-inspection (the Roesers won't get charged for the extra inspection)*

**Laid Over to the Legislative Hearings due back on 10/1/2013**

**63**     [RLH FCO  
13-217](#)

Appeal of Mark Albrecht to a Correction Notice - Complaint Inspection  
at 355 MARIA AVENUE.

**Sponsors:**     Lantry

Grant the appeal.

*RE: 355 Maria Avenue (Multi-Family)*

*Mark Albrecht, owner, appeared along with Jim Notebaart, who shares this driveway.*

*Mr. Albrecht:*

*- entered photos*

*Fire Inspector A. J. Neis:*

*- this is quite a quandary*

*- appeal is for a complaint inspection in response to a referral received in regards to access the property at 359-361 Maria*

*- last year there was an appeal heard here in regards to the demolition of a garage at 359 Maria where the previous owner had demoed most of the garage but 3 sides were standing; Ms. Moermond granted the appeal for a year, to have it removed completely*

*- complaint may have come through Zoning easement and Heritage Preservation Commission (HPC) interview in regards to how 359 Maria was going to provide the off-street parking requirements*

*- in addition, the only way they can access that garage, reasonably, for demolition would be to access it through the 355 Maria - 667 5th St E shared driveway*

*- the only other way to do the demolition would be done would be to take the garage down brick by brick and enter in and out of the apartment units at 359 Maria to complete that requirement*

*- talked with Ms. Tilley in Zoning today as well as researching the extensive paper files to see if there was any type of easement or anything granted but he wasn't able to find anything; Ms. Tilley indicated that it's possible that back then it could have been a hand-shake agreement between the owners to have access but the city has no record of it*

*- it looks as though the property at 359 Maria was constructed as a double lot in 1885*

*- according to Ms. Tilley, it sounds as though this is more of a dispute between the property owners on how they can obtain access*

*- if there is no easement on file 359 Maria would have to apply for a variance to not have any off-street parking (the solution that Zoning came up with)*

*Mr. Albrecht:*

*- when he received this letter, he called Inspector Sean Westenhofer, who said that there is a legal easement going through there, although Mr. Albrecht can't find any record of that in his abstract*

*- his parents have owned this property for 35 years*

*- he has seen the guy removed the wood structure on that garage; there's just a shell left now; he and Jim told the guy he could have temporary access to remove the shell (Mr. Albrecht can move his dumpster in order for equipment to get in there to remove the shell of that garage)*

*- this is basically a question of access to the backyard for the off-street parking; they really do not want that because it will get too busy; if some legal access is granted there, some way, he believes that it will just be a circus of activity just from the nature of that house- the history of it*

*- he has 20 units and he has no off-street parking*

*Ms. Moermond:*

*- Mr. Albrecht is at 355 Maria and the photo is of the west dirt lot*

*Mr. Albrecht:*

*- it gets so muddy in there, so, he puts in gravel; there's a seating area at which some of his tenants sit and play cards, etc.*

*- it's not really a dirt lot; there's asphalt where the garage structure was - the grass is*

*finally growing some places; it's actually fairly nice back there*

*Ms. Moermond:*

- *wants to see an aerial photo of it (Mr. Neis pulled up a black and white)*
- *half of that driveway is owned by Mr. Notebaart*
- *is not understanding this Order in the context of this property*

*Mr. Albrecht:*

- *basically, if you allow them an easement through there.....*
- *is not sure what the Historical Society is requiring them to rebuild or what*
- *they applied for a permit to remove that concrete structure because Fire and Safety wanted them to remove it*
- *he thinks that triggered the Historical Society to ask about what was being removed, which started all of this happening*

*Mr. Notebaart:*

- *both he and Mr. Albrecht would allow the folks at 359 to have access in order to tear down the remaining part of the structure*
- *it's the issue of them having regular access for a parking lot behind the building; a road going through there*
- *the number of police reports of the past ownership for 3 years was over 100 calls*
- *they are both neutral about their removing the rest of the garage but strong about them having permanent access*
- *he has suffered double burglaries related to the house; a couple of his windows were shot out by the kids who were shooting pellet guns from that house*
- *he has spoken with 3 or 4 policemen; it's a troubled house*
- *so giving access back there simply perpetuates drug dealing, etc.*
- *the owner of 359 Maria has not provided any documentation of an easement (Mr. Albrecht can't find anything in his records)*

*Mr. Neis:*

- *they have nothing to show that access would/could be allowable nor could they, legally, order it at this time*

*Ms. Moermond:*

- *will recommend that City Council grant this appeal*

**Referred to the City Council due back on 10/2/2013**

## 2:30 p.m. Hearings

- 64**     [RLH VBR 13-55](#)     Appeal of Herbert Zwirn to a Vacant Building Registration Notice at 1240 RICE STREET.

**Sponsors:**     Brendmoen

*Waive the VB fee for 6 weeks for owner to get property in compliance and LHO will recommend that property be out of the Vacant Building Program. If not in compliance, the property will be in the Vacant Building Registration.*

*RE: 1240 Rice Street (Single Family)*

*Herbert Zwirn, owner, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

- *Inspector Kalas has been monitoring the exterior of this dwelling since Jul 27, 2011*



as a preliminary Vacant Building; in that time, they haven't found anything except a few tall grass and weeds complaints; other than that, the property has been maintained

- it has remained vacant for 2 years, so Inspector Kalas changed it to a Category 1 VB, which generated the \$1440 VB fee

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy inspection was scheduled in 2012; Inspector Spiering received a phone call from the property owner that it was for sale, so, he felt that an inspection was not necessary; in an attempt to perform the inspection, he saw a "For Sale" sign posted in the front yard and scheduled one final inspection; then, sent it over to VB, who opened up a preliminary file

Mr. Zwirn:

- he bought the house around 2005 for his nephew, initially, who was going through a divorce (he wanted to help him re-establish himself)

- the house showed it's age; they were going to rehab it

- then, his nephew got involved with the wrong crowd, so Mr. Zwirn had to evict him

- his nephew did substantial damage to the property after he was evicted, so Mr. Zwirn had to rehab it

- made over \$55,000 in improvements to the property

- he maintains the property, religiously, on the weekends

- he has had it painted, inside and out; so everything is done up to code

- he is a product specialist in the construction trade, so he knows what to look for

- property has been up for sale about 3 - 4 years; initially, it was appraised at \$180,000 but with the problems with the economy, etc., it has continually declined in value; he has had to drop the price and is currently underwater on it; he doesn't need additional financial pressures on this property

- Mar 2013, he sold his primary residence in Moundsview and applied for a homestead on this property but he is having issues getting the homestead because for 25 years, he has had P.O. boxes as his main address

- he has personal property stored in this residence right now; the garage is completely filled

- most of his time is either spent on the road or taking care of his mother at her house (his father passed away a few years ago; his mother is a cancer survivor)

- he doesn't think that it's justified having this property classified as "vacant" and he is doing what he can to comply and also trying to be creative in trying to sell it

Mr. Neis:

- idea: if Fire is allowed access to inspect and the property is in as good of a condition as he says, we can give him a valid Fire Certificate of Occupancy (\$140-\$160) and it can be used in lieu of a TISH; so, if he can't sell the property, then, he can rent it

Mr. Zwirn:

- a representative of the Fire Dept went through the property about 2 years ago and he has had a gentleman from your dept go through last year to just do a walk through because you wanted to verify that no one was living there

- when he had it put up for sale, initially, 2009-2010, he had a complete inspection on the property and paid a couple hundred dollars for that (TISH, 2009)

Ms. Moermond:

- is looking at a letter that went to Mr. Zwirn in Oct 2012 with a couple of exterior notes on it but the first thing is "to allow access to the interior" which tells her that the Fire inspector did not walk through the inside (Mr. Zwirn: I responded to that and he

did)

- it's a year later and Fire wants a fresh inspection

Mr. Neis:

- sees that Inspector Spiering was there Sep 2012 and Jan 2013 but doesn't show that he actually gained access

- a TISH report was done in 2009 that indicates low head room in the basement (not habitable space); missing knockouts of electrical boxes and improper wiring methods; improper bath tub waste line - may not be vented

Ms. Moermond:

- sounds like we need a Fire C of O inspector in there

- if he gets his Fire C of O, someone can move in tomorrow

- she would prefer to keep him out of the VB Program but he does meet the definition; the building has been empty for 2 years

- even a building that's in great condition, a vacant building goes into the VB Program after 365 days (much longer than what the code allows)

- getting the Fire C of O - providing assurance to the city that things are in good shape, will get him out of the VB Program for now

Mr. Zwirn:

- since he sold his main residence, he started to move some personal property over to this one; he doesn't want the furniture, etc. to create any miscommunication with the inspector; his full intent was to homestead this property but that it also causing a problem; he needs direction

Mr. Neis:

- he will do the inspection so that there's no miscommunication; he will contact Mr. Zwirn to set up a time

Ms. Moermond:

- if this Fire C of O is re-instated in 6 weeks, Mr. Zwirn can stay out of the VB Program

Mr. Dornfeld:

- will hold the VB fee for 6 weeks

**Referred to the City Council due back on 10/2/2013**

### Vacant Building Registrations

- 65     [RLH VBR 13-46](#)     Appeal of Donna Sue and Steve Flanders to a Vacant Building Registration Requirement at 707 EDMUND AVENUE.

**Sponsors:**             Khaliq

*The property remains a VB Category 1 and owner needs to get Fire Certificate reinstated within 30 days. VB fee has gone to assessment and owner would need to appeal and LHO can recommend prorating the VB fees.*

*RE: 707 Edmund Avenue (Duplex)*

*Donna Sue and Steven Flanders, owners, appeared.*

*Fire Inspector A. J. Neis:*

*- Update: Revocation of a Fire Certificate of Occupancy and Order to Vacate, dated*

*Feb 20, 2013 by Fire Inspector Bill Beumer*

- property owners live in the back house and there's a duplex in the front portion of the property
- owner has been doing extensive repairs to the duplex, beginning in 2008, so that his daughter can live there
- property was vacant when inspection started sometime ago
- Inspector Beumer was giving them time
- LH requested Mr. Neis to take a look at what work has been done
- there have been great strides made; however, much still needs to be done; the owner is doing a very good job
- is concerned about with stucco porches and decks getting buttoned up before the snow flies
- owner is working with heating contractor to replace the old octopus with asbestos
- expects all the work completed within the next 30 days
- work is in accordance with minimum compliance

*Mr. Flanders:*

- he has hired contractors, gotten permits
- Thu some is coming to take out the old furnace, safely; once it's all out, he will call Standard to put in the new heating system
- has been working extensively to get the things done that were discussed at last hearing
- he's been focusing on the inside; basement had an excessive amount of work (limestone walls were falling apart and they are happy to have them patched up)
- all permits have been pulled except for the furnace installation

*Ms. Moermond:*

- is convinced that we can go with restoring the Fire C of O instead of going with the full code compliance inspection (Mr. Neis: is comfortable with that, also)

*Mr. Flanders:*

- he uses the upstairs of the duplex as his office
- he has had to take half of his retirement money to do all of this work
- he would not rent it to anyone until all is finished and approved
- even if his daughter lives there, it will be rental

*Mr. Dornfeld:*

- the VB fee has gone to assessment as of Aug 29, 2013; maybe a proration or something could be arranged

*Ms. Moermond:*

- will look for the C of O to be re-instated as a sign that the Flanders have finished the rehab
- this will still be treated as a Cat 1 VB so that the furnace contractor can pull a permit without a problem (Mr. Flanders: Standard told him that they have already pulled the permit)
- the VB fee is an annual fee (May 4, 2013 - May 4, 2014)
- Mr. Dornfeld suggested that fee be prorated so that the Flanders won't pay for the full year; however, the mailing Notices have already been sent out so, she asked that they send in the GOLD CARD to appeal it and she will be happy to prorate it
- the maintenance of an on-going Fire C of O for this property can be discussed on-going; it's all on the same parcel; on the condition that a direct family member lives there (same parcel-same household), she could see letting them out of the Fire C of O Program but if someone else moves into that house, then, you need to remain in the Fire C of O Program

Neis:

- suggested the Flanders go down to Ramsey County Property Records on 90 Plato Blvd; there is a special exception where you can have dual homesteads in a situations like this with special circumstances (daughter living at the property); there you can apply for a "dual homestead"
- may require a note from the doctor stating it's the only unit with a main floor bathroom (pretty good argument)

Ms. Moermond:

- benchmark: need to get the Fire C of O re-instated
- property needs to be maintained
- Mr. Neis would like to do one final walk through

**Referred to the City Council due back on 10/2/2013**

- 66     [RLH VBR 13-53](#)     Appeal of Gary Blair to a Vacant Building Registration Notice at 1820 STILLWATER AVENUE.

**Sponsors:**       Lantry

*Per owner's request, rescheduled.*

**Laid Over to the Legislative Hearings due back on 10/22/2013**

- 67     [RLH VBR 13-52](#)     Appeal of Jason Maxwell-Wiggins to a Vacant Building Registration Notice at 690 WATSON AVENUE.

**Sponsors:**       Thune

*Grant until November 1, 2013 to come into compliance.*

*RE: 690 Watson Avenue (Single Family)*

*Jason Maxwell-Wiggins, owner, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

- received a tall grass/weeds in a vacancy complaint Aug 6, 2013
- inspector Ed Smith followed up on that complaint Aug 7 and documented the tall grass and weeds; the building also appeared vacant
- there was no answer at the door and he looked through the windows noticing some gutting or stripping; also studs
- there are no photos
- Mr. Smith transferred the file to Vacant Building Inspector Senty, who went out Aug 8, 2013 and documented the house was unoccupied; secured by normal means; front concrete steps were deteriorating with no handrail; rot and damaged trim; unapproved damaged light fixture; unfinished door installation; exposed wood surfaces; missing roof flashing; damaged and deteriorated storm with screen windows
- he posted photos in Amanda and posted placards front and rear of house
- also, he documented that the 3-seasoned porch attached to the garage was open to entry and showed some roof covering deterioration; also rotted and damaged roof boards and fascia
- due to the house being unoccupied with multiple code violations all generated by neighborhood complaints, Inspector Senty opened a Category 2 VB file

*Mr. Maxwell-Wiggins:*

- bought the house for his bi-polar brother, who had gone through a bad divorce; his wife got an Order from the judge and drained his bank account; left him homeless
- it had been inspected by St. Paul in Dec 2012; he bought it Jan 2013
- his brother was living there and then he went back to his wife but Mr. Maxwell-Wiggins didn't know about it
- in Jul he got a letter saying the grass needed to be cut, so he called his brother to ask him why the grass hadn't been cut
- the next day he got a letter saying it was a Category 2 Vacant Building but from his understanding, the building has to be vacant for a year or so and it's been vacant for weeks
- the house was in foreclosure when he bought it for cash
- the neighbors were upset with the previous owners and there was conflict with his brother
- at first, he was just going to leave the house and then when his brother gets kicked out again and he's homeless, he'd have a place to go but now, he can't do anything with it - he can't sell it; he can't rent it
- the upstairs has some book shelves but there's no exposed beams to his knowledge; there were some beds but he took them out
- his brother did clear out the first floor
- now, he needs to decide if he wants to keep it for his brother as a fallback; probably not
- carpet people are coming tomorrow; he's changing out the water heater; furnace, etc.

Mr. Dornfeld:

- that inspection he had was a Truth in Sale of Housing (TISH) back in Dec 2012; it was not done by our city inspectors
- there's a fairly detailed TISH; so, maybe instead of a code compliance, he could work of the B's on the TISH
- he's pulled a permit to remove that tank or boiler in the basement, etc.
- the key is that the place is safe for the next person to live there

Mr. Maxwell-Wiggins:

- it's frustrating; just 9 months ago, the house was fine and it wasn't empty; it wasn't a VB; it's a working class house - the bathroom needs some work
- he plans to get the things done but he's very busy and it's not going to happen quickly; he is leaving for Europe next week but most of the things will be addressed
- for him, it's an empty house so spending thousands of dollars on some program that he didn't know existed isn't necessarily a fun thing for him but most things will be addressed
- he doesn't know if the house needs a brand new roof or... it doesn't look that bad to him but he's not an inspector
- the siding is kind of in rough shape
- he will get more of the interior stuff done: plumbing, finish the electrical things, carpeting
- probably, his goal will be to finish this and sell it
- his timeline is probably 6 weeks; he's arranged for much of the work to be done
- the electrical people have already come; there is no income limitations
- he's taking out all the tile in the bathroom, etc.

Ms. Moermond:

- if the Appellant decides to rent it, it will need a Fire Certificate of Occupancy; if he sells it, it will need a TISH or Fire C of O and the VB fee is hanging over him
- her goal is to have it be safe housing with full disclosure to the buyer
- we need to focus on getting this done quickly so that it's not a neighborhood burden
- property maintenance needs to be upheld

- Mr. Neis will do an inspection out there tomorrow at 9 am to get a fresh set of C of O Orders (in order for the Appellant to get the Fire C of O)
- permits do need to be pulled for the work
- have the C of O by Nov 1, 2013 to have the VB fee held
- we'll make it a Cat 1 VB until Nov 1, 2013 in order to pull permits to get all the work done
- won't need to come back to LH
- if project is not done, we will process the VB fee
- grant an extension to Nov 1 to come into compliance

**Referred to the City Council due back on 10/2/2013**

## Other

## Staff Reports

68 [RLH FCO 13-213](#) Appeal of John Semmer to a Fire Certificate of Occupancy Approval with Corrections at 785 ASHLAND AVENUE.

**Sponsors:** Khaliq

*Deny the appeal; however, the issue is moot.*

*RE: 785 Ashland Avenue (Three/Four Family)*

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Correction Notice issued earlier this month
- all repairs had been done except for the driveway
- a class 5 driveway has been installed; it was put in after a garage had been torn down
- since his inspection, the owner has put in additional class 5 and defined the lines
- photos in file
- alley is paved; however, there are more than one driveways in the vicinity of this house that also have class 5 driveways very similar to this style (it's not out of character for the neighborhood)
- it has been recently laid with distinctive lines (just where the parking space was)
- was being adequately maintained

*Ms. Moermond:*

- the driveway is being maintained
- appeal is denied; however, the issue is moot

**Referred to the City Council due back on 10/2/2013**