



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final-revised

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
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651-266-8585

Tuesday, December 15, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 15-603](#) Ratifying the Appealed Special Tax Assessment for Property at 1008 COOK AVENUE EAST (File No. J1604G, Assessment No. 168703).

Sponsors: Bostrom

Approve; no show.

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

- 2 [RLH TA 15-604](#) Ratifying the Appealed Special Tax Assessment for Property at 605 DALE STREET NORTH (File No. VB1601, Assessment No. 16880).

Sponsors: Thao

Delete the assessment as the property has been demolished. (No hearing necessary)

Referred to the City Council due back on 1/6/2016

- 3 [RLH TA 15-576](#) Ratifying the Appealed Special Tax Assessment for Property at 1450 DALE STREET NORTH (File No. J1604A, Assessment No. 168503).

Sponsors: Brendmoen

*Rose F. Ntambwe, owner, appeared along with Bob Marley, who lives at this address and is Ms. Ntambwe's nephew.
Swahili interpreter was provided.*

Inspector Paula Seeley:
-Summary Abatement Order issued Aug 10, 2015; compliance Aug 17; re-checked Aug 17, 19 and 31, 2015
-work done Sep 1, 2015 for a cost of \$372 + \$160 service charge = \$532
-sent to Rose F. Ntambwe, 1450 Dale St. N; and to the Occupant
-no returned mail
-the yard is very full
-in bold letters: Remove all refuse, wood piles and other material from back yard, top of deck and underneath deck on the side of the house

-asked Ms Moermond to read Inspector's Comments on the Worksheet

Ms. Moermond read Comments:

-Inspector noted that the owner called the call center very angry and wanted to meet with inspector out at the property. Inspector contacted SPPD who went to the property with the inspector; owner upset that neighbors called in the junk in the back yard and staircase. Upon arrival, there was a block female in the yard; owner said she had a hammer and was going to hit him with it; SPPD spoke with the female. Inspector asked the owner when he would be done with cleaning up the yard; he said on 8/19/15. Property was re-inspected on 8/19/15 - still a large amount of storage in yard; photos were taken. Property was re-inspected on 8/31/15, no attempt by owner to clean or remove piles of refuse. Photos were taken and a work order was sent to Parks.

Mr. Marley:

-he was going to donate those items that the city crew took; the neighbor was going to help him remove the items on Sep 2
-the woman at the house when the inspector came was Mr. Marley's friend, who was also helping him donate
-there was a person from the government who said he was going to take the wood but he never did and then, they brought charges against me; people from the government came to the property..... and I told her I was going to wait for law enforcement to tell me the reasons; that's what has led to this request
-he does not rent the house from Rose; he lives there and is just helping Rose take care of it
-Rose works for foster cars and doesn't live at home

Ms. Ntambwe:

-we were fixing the roof of the building and they came and took all those materials; they took so many things away; all the tools and items were taken away by the city; this picture doesn't show clearly

VIDEO - city crew removed scrap materials, wood pile, refuse and things around the deck; scrap wood, junk, buckets, more debris on the pallet deck and side of yard; a little debris by the rear deck; man on crew stated, "We will be leaving the tools."

Ms. Moermond:

-asked how he and Rose communicate about these things; the Order went to owner, Rose Ntambwe

Mr. Marley:

-I was the one to donate the items; Salvation Army was on the way to pick up
-we were not getting all those letters and he wasn't at the house everyday; he was busy with school

Ms. Moermond:

-so you saw the letter telling you to Remove all those items

Ms. Ntambwe:

-some items already were taken when he called me and told me; I called for an extension and no one called me back
-I don't live there; I have other kids, too; foster kids ages 0 - 14

Ms. Moermond:

-so, you asked for an extension and you got an extension - (Ms. Ntambwe: they didn't call me) - (Mr. Marley: I called them and they picked up the phone)

Ms. Moermond:

-but you met them on site with the inspector - (Mr. Marley: I met them twice; they were talking about the tree that was cut down; they were not coming to talk about the items; they came to talk about the tree; I go to school to learn how to take videos and to speak English; I have someone helping me with English but I can speak to some extent and I read a little English

Ms. Ntambwe:

-I live at 884 Hyacinth; I left this property in Feb 2015

Ms. Moermond:

-there was a big clean up done on this property and she understands that those items were of value to you but the Orders were clear and it wasn't taken care of; then, it was 2 weeks before the city came to remove the items - (Ms. Ntambwe: they told me that the things I needed I should put in the tent but they came and took everything)

Inspector Lisa Martin:

*-this has been an ongoing issue with vehicles, too
-she thinks this is a rental property*

Mr. Marley:

-there is no rental property; I don't pay

Ms. Moermond:

*-the question is, "Does the owner live there and if not, does the building need a Certificate of Occupancy?"
-addressing Ms. Ntambwe: "you said that you haven't been there since Feb" and "Were you aware of the vehicle situation?"*

Ms. Ntambwe:

*-I live there but left because of the children
-that is my property and is my house; I moved out because of the children*

Mr. Marley:

-there is one vehicle there and it's being fixed; the drive shaft was broken; that vehicle is insured, too

Ms. Martin:

*-there are 4 vehicles on site; one is inoperable; one is blocking the alley way - (Mr. Marley: I have 2 vehicles there)
-be aware of the 4 vehicles: 3 on the property and one half way into the alley way; she advised that they should have current tabs and be parked on an approved surface; they need to be fully assembled and not open to entry*

Ms. Moermond:

-there was also a Correction Notice issued Jun 11, 2015 concerning piles of fire wood, etc.

Ms. Martin:

-there is also another regarding garbage

Ms. Moermond:

-due to the poor history on this property and the difficulty dealing with you on site with police presence, she is recommending approval of this assessment; she would be more sympathetic if the police didn't need to be called

-you need to maintain this property and pay attention to the letters that come from the city
-this is likely a financial issue with you so she will have the payments spread over 2 years
-you can go to the City Council Public Hearing on this matter, Feb 3, 2016
-a letter will be sent confirming today's outcome

Approve and spread over 2 years.

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

- 4 [RLH TA 15-556](#) Deleting the Appealed Special Tax Assessment for Property at 2000 ENERGY PARK DRIVE (File No. J1603P, Assessment No. 168402).

Sponsors: Stark

Delete; waiver on file.

Referred to the City Council due back on 1/20/2016

- 5 [RLH TA 15-611](#) Ratifying the Appealed Special Tax Assessment for Property at 668 FOURTH STREET EAST (File No. J1604E, Assessment No. 168303).

Sponsors: Finney

Approve; no show.

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

- 6 [RLH TA 15-578](#) Ratifying the Appealed Special Tax Assessment for Property at 310 GEORGE STREET WEST (File No. J1604A, Assessment No. 168503).

Sponsors: Thune

Rescheduled twice, no show. Approve the assessment.

12-23-15: Owner called again to reschedule saying he was sick and couldn't make it to the hearing. Rescheduled to Jan 5 for the last time.

Laid Over to the Legislative Hearings due back on 1/5/2016

- 7 [RLH TA 15-607](#) Deleting the Appealed Special Tax Assessment for Property at 157 GRANITE STREET (File No. J1604P, Assessment No. 168403).

Sponsors: Brendmoen

Delete; waiver on file.

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

- 8 [RLH TA 15-618](#) Deleting the Appealed Special Tax Assessment for Property at 1115 GREENBRIER STREET (File No. CRT1604, Assessment No. 168203).

Sponsors: Bostrom

Delete; payment received and processed at DSI.

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

- 9 [RLH TA 15-602](#) Deleting the Appealed Special Tax Assessment for Property at 372 HAWTHORNE AVENUE EAST (File No. J1604A, Assessment No. 168503).

Sponsors: Brendmoen

Sing Thao, CCJV 2 LLC, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order issued Sep 7 for tall grass & weeds; compliance Sep 11; re-checked Sep 15
-work done Sep 16 for a cost of \$160 + \$160 = \$320
-no returned mail
-sent to Occupant and US Bank, 350 Highland Dr, Lewisville TX*

Mr. Thao:

*-purchased the end of Jun 2015
-there's a lot of work being done to rehab; still working on it
-people are constantly coming into the property working
-shocked that they didn't get Notice for this*

Ms. Moermond:

*-your company was not on the list of people who got this Notice; the previous owner got the Notice
-you did not get proper legal Notice
-will recommend deletion*

Delete the assessment.

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

- 10 [RLH TA 15-587](#) Ratifying the Appealed Special Tax Assessment for Property at 354 HOPE STREET (File No. J1604G, Assessment No. 168703).

Sponsors: Prince

Owner did not appear on Dec 1. Tenant called and wanted to be heard so rescheduled matter to December 15. Tenant did not appear. After the Dec 15 hearing, tenant called to reschedule again; told tenant to go to Council public hearing. Approve the assessment.

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

- 11 [RLH TA 15-573](#) Ratifying the Appealed Special Tax Assessment for Property at 354 HOPE STREET (File No. J1604A, Assessment No. 168503).

Sponsors: Prince

Owner did not appear on Dec 1. Tenant called and wanted to be heard so rescheduled matter to December 15. Tenant did not appear. After the Dec 15 hearing, tenant called to reschedule again; told tenant to go to Council public hearing. Approve the assessment.

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

- 12 [RLH TA 15-612](#) Deleting the Appealed Special Tax Assessment for Property at 493 LYNNHURST AVENUE WEST (File No. J1604P, Assessment No. 168403).

Sponsors: Stark

Robert McLean, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Graffiti Order issued Sep 17; compliance Sep 22
-graffiti crew went out Sep 26 and removed it for a cost of \$40.46 + \$160 service charge = \$200.46
-no returned mail
-inspector's supervisor spoke with owner, who claims that he removed the graffiti himself and he refused to fill out a waiver*

Ms. Moermond:

-these photos are very bad

Mr. McLean:

-would like to see a photo from before the Notice was sent

Ms. Moermond:

-she can't see in the photo clearly that the graffiti has been removed

Mr. McLean:

*-I removed a big graffiti face; someone painted a face there; but more importantly,,,,,,
-had photos of his house and 499 Lynnhurst Ave W (attached to record)*

Ms. Moermond:

*-for the record, what she just saw in the photo 2 different retaining walls facing the sidewalk; one is made of brick (493) and the other one is made of wood - landscaping timbers (499)
-the photo in the record from Parks looks like it's on timbers
-the photo that Mr. McLean has shown is clearly graffiti on the brick that had been cleaned up; but that same tagger must have hit the neighbor (499), as well and Parks photo was of the neighbors (499)
-given that, she will recommend that this assessment be deleted*

Delete the assessment.

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

- 13 [RLH TA 15-588](#) Deleting the Appealed Special Tax Assessment for Property at 501 LYNNHURST AVENUE WEST (File No. J1603B, Assessment No. 168102).

Sponsors: Stark

Beth Friend, owner, appeared.

Inspector Joe Yannarely:

-boarding

-boarding assessment; police report attached
-officers responding to a burglary alarm and walked thru the property key holder identified as Eric Bain Peltoniemi
-they discovered 3 computers missing and when they left, they said that they would help secure the building
-they contacted RESPRO to respond and assist Mr. Peltoniemi secure the broken window for a cost of \$271.95 + \$160 = \$431.95

Ms. Friend:

-appealing because no one ever said to Eric, her staff member, that we would be charged to call a private company to come and board up a window; he stayed there and called me; I came to the property and we waited until we could call somebody to come and actually replace the glass and fix the window, etc.
-we had no idea at all, by someone asking us, "Would you like this boarded up?" At 4:30 am, his first response was, "Yes, of course; we want to prevent any other break-ins and keep the office secure."
-she thinks that it's in somebody's responsibility to say, "If we call this person to come and put a piece of plywood in a square, it will cost you....."

Ms. Moermond:

-it's the call up cost we're looking at

Ms. Friend:

-but the reality is if you're uninformed of that fully.....

Ms. Moermond:

-I get that and ... staff attached the police report for that evening; I want to scan that report to see if we can get any clues from that; if we can't, I'm going to track down the officer; they are supposed to inform people that it will cost something; I'm very surprised that it wasn't communicated but I need to confirm what they say

Ms. Friend:

-and the DSI administrative fee is ... for what?

Ms. Moermond:

-the DSI administrative fee has to do with DSI administrators; they manage the contract with the boarding contractor

Ms. Friend:

-this may not be within your purview but as a small business owner, where survival is, seriously, a struggle, that when we are a victim of a crime and are broken into and we already have loss of equipment.. to just sort of have fees put onto us because we were a victim of a crime.... it feels like a little over kill and it feels unfair, really; we're not a corporation; we're a small 33 year old record label that has always been in St. Paul; now, we're victimized and also, what for us, is a significant amount of money to pay

Ms. Moermond:

-is on your side; needs to figure out some documentation
-she has multiple police reports to scan
Paused for a moment to read the police reports
-there's no mention of board, so she will recommend deleting this assessment

Delete the assessment.

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

- 14 [RLH TA 15-613](#) Ratifying the Appealed Special Tax Assessment for Property at 1727 MARSHALL AVENUE (File No. J1604E, Assessment No. 168303). (Continue to June 1, 2016.)
- Sponsors:** Stark
- Steven Navin, tax owner, appeared.*
- Inspector Paula Seeley:*
- Excessive Consumption fee
 - Summary Abatement sent Jul 10; compliance Jul 16; re-checked Jul 21; Work Order sent
 - work was done by owner prior to Parks crew arriving on Jul 24
 - Notice sent to John T. Navin, 3762 Labore Rd, White Bear Lake and Occupant
 - no returned mail
 - PAEC bill for work done after compliance date
 - remove brush, branches, rocks, rubble located behind garage near alley
 - history: previous complaints of garbage/rubbish; snow walk
- Mr. Navin:*
- said he didn't get this Notice; whenever he's gotten a notice before, he has usually taken care of it
 - he lives there and has for 50 years
 - he tries to be a good neighbor; and tries to keep a tight ship
- Ms. Moermond:*
- photos show rubble, brush along garage and alley (Jul 9 photo)
 - you got rid of it after the compliance date but are being charged for the crew's trip out there
 - will go to City Council Public Hearing Feb 3, 2016
 - if, for 4 months, there are no same or similar problems here, she will recommend a deletion of this assessment
- Layover for 4 months and if no same or similar, then will delete the assessment.*
- Referred to the City Council due back on 2/3/2016**
- 15 [RLH TA 15-614](#) Ratifying the Appealed Special Tax Assessment for Property at 893 RANDOLPH AVENUE (File No. J1604E, Assessment No. 168303).
- Sponsors:** Thune
- Approve; no show.*
- Referred to the City Council due back on 2/3/2016**
- 16 [RLH TA 15-583](#) Ratifying the Appealed Special Tax Assessment for Property at 1177 SEVENTH STREET WEST (File No. J1604A, Assessment No. 168503).
- Sponsors:** Thune
- Recommendation is approval.*
- On December 22, Inspector Rick Gavin called on a follow-up request by the hearing officer relating to the tgw. Inspector Gavin indicated he went out there, found that the grass was over 10 inches tall and sent order to whomever the owner was at that time.*

(It was Paul Gatto-MCM)

Property has been maintained since purchase in August when purchased, but for this incident. No record of returned mail. Owner insists no notice received. Recommend approval of assessment. MCM

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

- 17 [RLH TA 15-584](#) Deleting the Appealed Special Tax Assessment for Property at 1126 SHERBURNE AVENUE (File No. J1604A, Assessment No. 168503).

Sponsors: Stark

Ian P. Bakke, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order issued Sep 1; compliance Sep 8; re-checked Sep 8
-work done Sep 10 for a cost of \$158 + \$160 service charge = \$318
-no mail returned
-sent to Rachel S. Ose, 1126 Sherburne Ave and Occupant
-remove futon from front yard*

Mr. Bakke:

*-he purchased this property Aug 28, 2015
-he heard that the Notice was sent to Rachel; she is the previous owner
-the futon was probably there for a long time*

Ms. Moermond:

-will recommend deleting this assessment due to improper notification

Delete the assessment.

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

- 18 [RLH TA 15-620](#) Ratifying the Appealed Special Tax Assessment for Property at 1130 SHEBURNE AVENUE (File No. J1604E, Assessment No. 168303).

Sponsors: Stark

Micah Pace, owner, appeared.

Inspector Paula Seeley:

*-Excessive Consumption fee
-Summary Abatement Order issued May 26; compliance Jun 24; re-checked Aug 6
-Orders sent to Travis R. Jensen and Rachel Jensen, 1130 Sherburne Ave
-EC sent to Deutsche Bank, 3815 S West Temple, Salt Lake City, UT
-Excessive Consumption fee for failure to repair roof; was granted an extension for a while*

Mr. Pace:

*-purchased property Sep 8, 2015
-have been working on it
-will be selling it after fixing it up*

Ms. Moermond:

-this preceded your ownership but it's associated with the property; you bought the pending assessments, as well

-will recommend approval of this assessment

Approve the assessment.

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

- 19 [RLH TA 15-609](#) Ratifying the Appealed Special Tax Assessment for Property at 649 SMITH AVENUE SOUTH (File No. J1604E, Assessment No. 168303).

Sponsors: Thune

Approve; no show.

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

- 20 [RLH TA 15-615](#) Deleting the Appealed Special Tax Assessment for Property at 567 STRYKER AVENUE (File No. J1604P, Assessment No. 168403).

Sponsors: Thune

Delete; waiver on file.

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

- 21 [RLH TA 15-606](#) Ratifying the Appealed Special Tax Assessment for Property at 330 TORONTO STREET (File No. J1604E, Assessment No. 168303).

Sponsors: Thune

Approve; no show.

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

- 22 [RLH TA 15-567](#) Ratifying the Appealed Special Tax Assessment for Property at 1745 UNIVERSITY AVENUE WEST (File No. CRT1603, Assessment No. 168202).

Sponsors: Stark

Scott Coggins, 1745 University LLC, owner, appeared.

Mr. Coggins:

-there wasn't an inspector here the first time; then, we needed more information

-he provided his information; we were transferring emails

Fire Inspector Leanna Shaff:

-follow up report: yesterday, she met with Inspector Perucca

-as of this morning, she forwarded Ms. Moermond an email from Inspector Perucca:

"Originally, back in 2012, the MN Dept of Education had issues of how the City of St. Paul's Certificate of Occupancy read. They require that the occupancy type be listed on the certificate. The contact person at that time also wanted each educational occupancy to have their own Certificate of Occupancy. Since that time, the person I contacted has left and 2 other people have been in his position. The current person, Jennifer Charles, only wishes that the Certificate of Occupancy has the occupancy type on the C of O. Having this information, the property at 1745 University Ave W may return to one Certificate of Occupancy for the entire building. The total square

footage of the building is 64,000 sq.ft. The Commercial fee for the buildings between 49,000 - 17,999 sq.ft. is \$700."

Ms. Moermond:

-so, at the state level, we have 3 different people giving different answers over time

Ms. Shaff:

-has had the opportunity to speak with Mr. Coggins; she apologized for a whole lot of miscommunication and wrong information

-the Fire Certificate of Occupancy bill will be \$700; there are no additional inspection fees

-they will dismantle the 2nd C of O and it will be one until the state changes it's mind again

Mr. Coggins:

-he appreciates the apology

-he noted that he has already paid some money (\$448); in order for the schools to get their lease-saved money, it all had to be approved

-he wants to make sure that the \$448 is taken off the bill; he'd like to take care of it separately rather than have it go onto his property taxes

Ms. Moermond:

-you will get an invoice in the mail after this is adopted at the City Council Public Hearing Jan 20, 2016; if that invoice goes unpaid, then, it will roll onto the 2017 taxes; if you pay the invoice, it will not show up at all

-asked Ms. Shaff to provide documentation: proof of payment and we can handle it thru the assessment process; the refund can be handled thru a decreased assessment

Mr. Coggins:

-asked for an email as to how this will be handled

-suggested that no matter who's in charge, there are guidelines, specifically for charter schools - they have a check-off list and need a Certificate of Occupancy Group E

Ms. Moermond:

-we will get this straightened out; apologized for the confusion

-you will owe around \$252 (Ms. Shaff noted that the new bill was \$700)

Reduce the assessment from \$827 to \$252.00 (New total assessment is \$700; Appellant already paid \$448).

Referred to the City Council due back on 1/20/2016

23 [RLH TA 15-566](#)

Ratifying the Appealed Special Tax Assessment for Property at 936 WESTMINSTER STREET (File No. J1603E, Assessment No. 168302).

Ms. Moermond:

-Laid Over to watch the VIDEO

-the work was definitely done by the city crew

-will approve the assessment

Approve the assessment.

Referred to the City Council due back on 1/20/2016

24 [RLH TA 15-619](#) Ratifying the Appealed Special Tax Assessment for Property at 786 WHEELLOCK PARKWAY EAST (File No. J1604E, Assessment No. 168303).

Sponsors: Bostrom

David Tomfohrde, owner, appeared.

Inspector Joe Yannarely:

-Excessive Consumption

-Summary Abatement Order issued Jul 15; compliance Jul 20; re-checked Jul 24; Work Order sent

-work was done by owner, which generated an Excessive Consumption of city services' fee of \$120 + \$35 = \$155

-there's an extensive history of Work Orders and EC's; another is currently pending
-apparently 2 SAs were sent regarding cutting the grass and over hanging vegetation in alley

Mr. Tomfohrde:

-it was cleaned up by me

Ms. Moermond:

-you did it but not by the deadline; so, a crew was sent out and this fee is for the trip charge (crew being deployed)

Mr. Tomfohrde:

-his neighbor is a _____; he took part of his fence down because he didn't like the design

-then, he started to park his car in my driveway; Mr. Tomfohrde asked, "What's this?" Neighbor said, "I'll make you a deal: I'll take care of your yard work and you'll let me park in your driveway for free." I said, "That sounds good to me."

-so, I got a previous letter - he hadn't mowed the back yard at all; he did mow the front; when Mr. Tomfohrde confronted him, he said, "Well, my back is too bad, so, I can't mow; my wife does it and she can't mow your whole yard." This is the guy who tore out my fence. I'm aggravated

Ms. Moermond:

-so, this is a Registered VB and the parking is curious to her

Mr. Yannarely:

-you cannot park at a Registered VB; of course, Mr. Tomfohrde can park there if he were there doing things, like repairs

Mr. Tomfohrde:

-he's appealing that VB because he has an office upstairs; I haven't slept there since Sep, end of Aug; but I'm there 3-5 days a week

Ms. Moermond:

-that's another discussion

-anniversary day for this VB is May 9, 2014 (opened VB file)

-asked if he had filed an appeal for it

Mr. Tomfohrde:

-he got a letter; said he filled out the bottom of the page and sent it in; hasn't heard back

Mr. Yannarely:

-there have been a lot of Work Orders on your property and some EC
 -Mr. Singerhouse is the VB inspector on your property and he will want to talk with you about your using the property

Mr. Tomfohrde:

-has left about 6 messages for Mr. Singerhouse and he's gotten 1 call back and that was after a truck was stolen

Mr. Yannarely:

-that is unlike Mr. Singerhouse; he's usually very good at returning calls
 -you are violating the code by using the VB as office space

Ms. Moermond:

-it's not supposed to be occupied until it gets its certificate of compliance with the codes
 -first you need to fill out the code compliance inspection application; then, the trades inspectors will come thru and let you know what you need to do to bring the building up to minimum standards; when those repairs are completed and approved, you can get a certificate to occupy the property

Mr. Tomfohrde:

-the house is not vacant; I'm there; this is my official address
 -on the form I said, "This is not a vacant house; I have an office in here; I'm here 3-5 days a week" I gave my phone number and contact info and I didn't get anything back
 -there's no sign on the house saying it's a Registered Vacant Building

Inspector Paula Seeley:

-she has been working with that property for a long time; and the placard is gone; she's been wondering what happened

Ms. Moermond:

-Mr. Singerhouse is in the office up until 9 am; Mr. Yannarely will call him and tell him to contact Mr. Tomfohrde about this (8 am or 9 am at 651/338-4238)
 -will recommend approval of this assessment
 -you will contact Mr. Singerhouse tomorrow about the VB status and get some specific instructions

Approve the assessment.

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

10:00 a.m. Hearings

- 25 [RLH TA 15-610](#) Ratifying the Appealed Special Tax Assessment for Property at 572 VAN BUREN AVENUE (File No. VB1604, Assessment No. 168803). (Continue public hearing to August 3, 2016.)

Sponsors: Thao

Lien Kim Dang, owner; Cong Hoang, Vietnamese interpreter; Diem Cao, Social Worker and Tony Nguyen, licensed general contractor, appeared.

Inspector Joe Yannarely:

-complicated situation here
 -annual Vacant Building fee of \$2,025 + \$155 service charge = \$2,180

-has been a Category 2 VB since Sep 20, 2012
-there's a history of Orders
-Inspector Dornfeld's Notes: code compliance inspection of May 21, 2013 has expired; the permits are outdated; the conditions are such that he was contemplating doing a building deficiency inspection on it

Mr. Hoang:

-she just submitted a code compliance inspection application; has copy
-rehab ballpark figure: \$15,000 to bring up to code
-they have looked at the old code compliance inspection report

Ms. Moermond:

-when this house was Condemned, Ms. Dang moved across the street to live with the neighbor but that neighbor moved away; so, where are you staying now?
-asked if she had \$15,000 saved to pay for the rehab

Ms. Dang:

-she lives with her sister right now
-I have no savings or anything; she would borrow the money from her sister

Ms. Moermond:

-the building conditions are bad enough here that the Vacant Building inspector thinks it's best to proceed with a demolition
-we can get more current information and talk about ways this can be fixed; it's usually about how much money it will take to fix it
-with the help of your social worker, I want you to think about a long term housing solution; she remembers a time when Ms. Dang was out there with scissors trying to take care of the grass
-you need to think about your long term best interest
-you also could consider fixing the house and selling it; then, you could pay her sister back and you may have some additional money to look for something that will be easier to manage in the long term

Ms. Dang:

-I do have a lawn mower now
-she hopes to move back into the house; the house already has water, electricity and heat
-now, her children can come to help her with the house

Ms. Moermond:

-the inside of the house had significant sanitation issues; there was a jar with maggots in it up to the top

Mr. Nguyen:

-most of the code compliance from 2013 shows that she lived in the house in unsanitary conditions; there was also an illegal bedroom
-she goes to our church and she doesn't have a lot of money; we are just trying to help her out
-he tried to convince her to move into different housing but her passion is here in this house
-he wants to help her and is doing the rehab at cost; we plan to gut the house (throw away everything and make it clean) and bring it up to code
-she had way too much stuff
-he put out traps for rats and got them
-she plans to throw away everything
-we and other people from the church will be helping out, too

Ms. Cao:

-social worker with Wilder

-has been trying to convince her to move so she doesn't have to manage the building
- long term housing but she is very attached to the place and she has a lot of mental health issues; she loves to garden and she loves the yard

-her son has also moved closer to her; hoping he will monitor every day activities

-she is very attached and we can see her need to be at a place of her own

-she doesn't have a lot of income and has already paid off the house

-we will try to get community members to work on it for her for the next few months, would you be able to prorate the fee for her because she has already invested in borrowing the money to fix it

Mr. Hoang:

-she is hoping that her son will move back with her when we fix up the house

Ms. Moermond:

-she would consider prorating

-is she aware that the property value will exceed the amount of the loan she needs to take once the property is fixed up; she could walk away with a profit to be able to cover rental or assisted living costs

Ms. Cao:

-she is trying to work with her; she does get health nurse visits and people have to have residency to continue the service

Ms. Moermond:

-at the Feb 3 City Council Public Hearing, she will ask the Council to continue the matter for 6 months; we can discuss prorating the fee at that time; we will have a good idea then about how long it took to get it fixed and she can adjust the fee accordingly; and in the meantime, she won't be getting a bill

Mr. Nguyen:

-he can do the inside work during the winter and save the exterior work for spring

Ms. Moermond:

-her long term concern is that we may be looking at a Condemnation again in the future; that she won't be able to manage on her own

-will LAY this OVER for 6 months

Layover for 6 months for owner to get the repairs done on the building.

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

Special Tax Assessments - Rolls

- 26 [RLH AR 15-94](#) Ratifying Collection of Fire Certificate of Occupancy fees billed during July 14 to 31, 2015. (File No. CRT1604, Assessment No. 168203)
Sponsors: Stark
Referred to the City Council due back on 2/3/2016
- 27 [RLH AR 15-96](#) Ratifying Excessive Inspection/Abatement services billed during July 23 to August 21, 2015. (File No. J1604E, Assessment No. 168303)

Sponsors: Stark

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

- 28 [RLH AR 15-97](#) Ratifying Graffiti Removal services during September 9 to October 6, 2015. (File No. J1604P, Assessment No. 168403)

Sponsors: Stark

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

- 29 [RLH AR 15-98](#) Ratifying Tree Removal services during August 2015. (File No. 1601T, Assessment No. 169000)

Sponsors: Stark

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

11:00 a.m. Hearings

Summary Abatement Orders

- 30 [RLH SAO 15-78](#) Appeal of Kanongyang Vue to a Summary and Vehicle Abatement Order at 948 BRADLEY STREET.

Sponsors: Brendmoen

Kanongyang Vue, tax owner, appeared. Mai Vang interpreted.

Ms. Moermond:

-she committed to look into what the Ordinance said on whether or not this could be a use with a minor change in the Ordinance or where we should be with that

-she looked this over and considered it carefully

-she is looked at more of a processing center for vegetables that aren't grown on that parcel, so, she doesn't see this as a question of urban agriculture; she sees it as a question of processing food, which is not allowable in a residential district; if it were for food grown only there, we'd be talking about a much smaller volume and we would not be talking about the need for a large panel van - a pick-up truck could accommodate

-for that reason, she doesn't think it's a good candidate to recommend a variance on urban agriculture - the volume is too great

-she will recommend that the panel van has to be relocated by Jan 1, 2016; and it can't come back for the purpose of processing vegetables (no washing of vegetables; no storing of van)

-the deadline on the yard clean up is Jan 11, 2016

Ms. Vue:

-the van is currently stored at the garden for the winter

-and, she has removed all of the materials that were in the yard; asked if an inspector had been out to check

-she was not aware that you are not allowed to have the trash can lids unclosed; she paid more attention and was observing other neighbors to see what their's look like and she noticed that they are overflowing, as well; she feels that she's being picked on

Ms. Moermond:

- enforcement is stayed during appeal
- she sympathizes but it can't be allowed in a residential area in the city

Inspector Paula Seeley:

- she can attest to enforcement happening directly across the street for containers that are not closed; and 2 houses on the other side of the street constantly have overflowing trash cans

Ms. Vue:

- she is planning to go to the City Council Public Hearing to contest these issues (Jan 6, 2016)

Ms. Moermond:

- if you want to put anything in front of the City Council, give it to use earlier so we can give it to them before to read

Deny the appeal on the Vehicle Abatement Order; deny the appeal on the Summary Abatement Order noting that owner has come into compliance.

Referred to the City Council due back on 1/6/2016

31 [RLH SAO 15-74](#) Appeal of Eric Schroeder to a Summary Abatement Order at 386 SARATOGA STREET SOUTH.

Sponsors: Tolbert

Eric Schroeder, owner, appeared.

Ms. Moermond:

- reviewed the photos
- asked if Mr. Schroeder applied for a ROW Encroachment Permit

Mr. Schroeder:

- yes, he did; they said, "No"
- provided the letter that he thinks everyone was cc'd
- wanted to know the nature of the complaint that precipitated this process

Ms. Moermond:

- it doesn't matter who complained; we need to investigate any and all complaints, then, make a determination of whether it is a code violation or not

Mr. Schroeder:

- all the neighbors are fine with it
- having trouble understanding how this is getting in somebody's way without knowing the nature beside the code violation
- he considers it a community asset; his neighbors consider it a community asset
- he just doesn't see how this causes an issue; no one has complained to him about it
- there are other things in ROW of places; he doesn't understand the differentiation between a bus stop and a bench for the bus stop that's in the ROW that could also be run into; could be tipped over, etc.

Ms. Moermond:

- it's a construction on a ROW that requires an Encroachment Permit
- asked staff if they knew anything about this ROW Encroachment Permit denial

Ms. Seeley:

-this came in from Ordinance Enforcement; it said that planters need to be moved back from the curb; although she doesn't think that Ordinance Enforcement deals with Encroachment permits

Ms. Martin:

-thinks it would be a problem getting out of her vehicle if she were to park right next to the planter; it's too high

Ms. Moermond:

Grant until April 15, 2016 for owner to move the wooden structure 2 feet back from the curb or wooden wall may stay on same footprint, but its height must be reduced to 6 inches for a 2 feet distance from the curb.

Referred to the City Council due back on 1/20/2016

Correction Orders

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

12:00 p.m. Hearings

Remove/Repair Orders

- 32 [SR 15-113](#) Reviewing request for Council to reconsider its Order to Remove or Repair the Structures at 929 SEVENTH STREET WEST.

Sponsors: Thune

Laid Over to the Legislative Hearings due back on 12/22/2015

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 33 [RLH FCO 15-340](#) Appeal of Evelyn Morales to a Correction Notice - Foster Care Inspection at 945 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

Evelyn Morales, owner, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector James Perucca

-foster care inspection

-#4 is being appealed

-he spoke with Mr. Perucca re: these Orders

-clarification: normally, he'd be asking to Withdraw the Orders on two of the bedrooms based on the fact that the inspector has some discretion based on the

code; his calculation came up to 145.5 sq.ft., which is only 1/2 sq.ft. off allowable for a 3rd occupant; the other room is 99 sq.ft., which is only 1 sq.ft. allowable for a 2 occupant; in a normal Fire C of O inspection, this Order would never have been written; however, one bedroom on the west measures 93.5 sq.ft. - they will be asking for a 6 1/2 sq.ft. variance on it, which would allow 2 occupants
 -since these Orders have already been written up, he would not be opposed to Withdraw that Order, so that this would not be an issue for future inspections

Ms. Morales:

-has had a license for foster children for 1 1/2 yrs; she has 1 biological daughter and currently, has 2 foster children
 -she remodeled the basement room into a bedroom for which she is requesting a variance for 2 occupants; she usually has 3 foster children and is looking to have more; requesting 2 occupants for her basement bedroom for her 2 foster children; they have their own bathroom downstairs
 -wants the main floor smaller west bedroom is for her biological daughter
 -wants the upper bedroom approved for 2 occupants

Ms. Moermond:

-main floor master bedroom is approved for up to 3 occupants
 -smaller west main floor bedroom is approved for up to 2 people
 -basement bedroom is approved for 2 people
 -upper level bedroom is approved for 2 people
 -City Council Public Hearing Jan 20, 2016
 -it's in the record and it will be noted for future inspections

Grant variances for the following in Item 4:

-main floor master bedroom - allowing up to three people
 -smaller west bedroom - allowing up to two people
 -basement bedroom - allowing up to two people
 -upper level bedroom - allowing up to two people

Referred to the City Council due back on 1/20/2016

34 [RLH FCO
15-341](#)

Appeal of Robert Eggenberger to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1050 LAFOND AVENUE. (also 1048 and 1052 Lafond Avenue)

Sponsors: Thao

Robert Eggenberger, owner, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Michael Urmann
 -complaint came in from Section 8 inspection - the Appellant was looking to use this room as a bedroom; Section 8 would not grant a variance unless the city issued a variance on this ceiling height issue
 -Inspector Urmann took measurements and found that the ceiling was 6'8" over 3/4 of the floor area

Mr. Eggenberger:

-the ceiling ht has been the same since he's owned the property; has owned it for 13 years; no modifications/alterations have been made
 -has been a Section 8 before but apparently, there's been a code change or something.. ...
 -the ceiling does not come to a point; it has a level top and he is 6' tall and has no

*problem getting to any part of the room
-this room is not the only bedroom in the unit*

*Ms. Moermond:
-the Order reads "the Upper Unit;" it doesn't talk about a specific bedroom*

*Mr. Neis:
-asked if he had previously lived in this unit*

*Mr. Eggenberger:
-"No"*

*Mr. Neis:
-is looking back at previous inspection histories previous to Mr. Eggenberger's
ownership and this was always an approved triplex
-looking at the file, we have always approved it as a triplex; was inspected multiple
times by our office
-this is a 2-bedroom upper unit
-it also appears that permits were pulled to install windows on the property,
which.....*

*Ms. Moermond:
-"yes"
-will go ahead and recommend the Council grant this appeal*

Grant a variance on the ceiling height in the upper unit.

Referred to the City Council due back on 1/20/2016

35 [RLH FCO
15-333](#)

Appeal of Mark Grondahl to a Fire Inspection Correction Notice at
1654-56 MCAFEE STREET.

Sponsors: Bostrom

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 1/5/2016

36 [RLH FCO
15-338](#)

Appeal of Chris Holbrook to a Fire Inspection Correction Notice at 680
MINNEHAHA AVENUE WEST.

Sponsors: Thao

Chris Holbrook, owner, appeared.

*Fire Inspector A.J. Neis:
-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Laura
Huseby
-the driveway is being appealed - parking lot at rear of lot was identified as gravel
-photos - it appears there is a concrete slab or driveway and then maybe the gravel
was added to extend the driveway or he sees some work that could be done on
the gravel and driveway as well*

*Mr. Holbrook:
-there is no garage; thinks that there used to be a small 1-car garage years ago and
why there's concrete along the edges
-has had this 15 years; always been a gravel parking space*

-the neighbor has a 1-car garage; his entire back yard is gravel and that's all his stuff in the pictures

-he does not live here; the tenant upstairs used that space for parking; the guy downstairs doesn't have a car

Ms. Moermond:

-needs him to clean up the space, considerably; the gravel is really degraded and it doesn't have clean edges; there's weeds growing up the middle of it

-she is looking for clean boundaries; whether you use landscaping timbers, etc, the fresh gravel should not be able to migrate

-this is not a good time of the year to do this work

-will grant an extension to Jun 15, 2016

Grant until June 15, 2016 for the parking space and retaining wall to come into compliance.

Referred to the City Council due back on 1/20/2016

2:30 p.m. Hearings

Vacant Building Registrations

3:00 p.m. Hearings

Other

- 37** [RLH OA 15-15](#) Appeal of Ronald Okenfuss to a Request For Fence Variance at 928 COMO AVENUE.

Sponsors: Brendmoen

Grant the appeal. (No hearing necessary.)

Referred to the City Council due back on 1/20/2016