



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
Mary Erickson, Hearing Secretary
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Tuesday, October 4, 2011

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 11-358](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113G, Assessment No. 118122 at 475 SAINT CLAIR AVENUE.

Sponsors: Thune

Written statement was submitted to the hearing officer for her review. After reviewing the written statement, Ms. Moermond recommended reducing the assessment from \$425.00 to \$212.50.

RE: 475 St. Clair Ave (apartments)

No one appeared.

Ms. Mai Vang:

- Sep 7, 2011 - Ms. Moermond reduced the assessment from \$525 to \$262*
- MM approved J1111G*
- MM approved J1110G*
- MM approved J1113P*

Ms. Moermond:

- will reduce this assessment (J1113G) from \$425 to \$212.50*

Referred to the City Council due back on 10/5/2011

- 2 [RLH TA 11-377](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1113, Assessment No. 118119 at 224 GROTTO STREET NORTH.

Sponsors: Carter III

Approve the assessment payable over three years.

RE: 224 Grotto St N (single family)

Arlene Vann, owner, appeared.

Inspector Joe Yannarely:

- Cat 2 VB opened May 17, 2011 after Condemnation of C of O Program
- VB fee \$1,100 + \$135 service charge = \$1,235

Ms. Moermond:

- looks like a water shut-off

Ms. Vann:

- wants to understand what's going on with her property
- lived at 224 Grotto since 1997
- 2nd week there was a lot of garbage next to her garage; so she called the City-it ended up being on her property so she got a citation; this was the first of many problems
- she moved from this house because she was miserable there for 14 yrs because of the different neighbors that lived next door
- after she moved out, she started getting water damage in the house
- American Ins came in and assessed the damage; she needed to pay \$500 deductible and they would pay the rest (it would always be about \$1,200-\$1,300 more than they were willing to pay - so she never got it taken care of)
- in the interim, she has had a lot of people come in and do the work (band aid jobs to keep the water from dripping)
- the water is still shut off
- Sep 23, 2011- she was showing the house to someone who wanted to buy it and she found the sheetrock was pulled off, frames of the doors were pulled off, ceiling was down, kitchen was damaged, the rug was pulled up, door knobs were pulled off - so the buyer said it would take about \$50,000-\$75,000 to repair that - she called the police
- her mortgage company kept switching programs on her
- she called the Water Dept after hearing very loud noises in her pipes; they came out and shut off the water because she requested it
- Water kept sending her bills and said that she had asked for the water to be turned back on, which she had not done
- the water damage came from the roof
- the electricity also was shut off
- no one else has ever lived there except her
- with the extensive water damage, she gave the keys to someone who was trying to repair it (later she found the house destroyed and items stolen)
- now, she doesn't know what to do with the house

Ms. Moermond:

- sounds as though there's double housing payments here; lots of water damage and other significant damage, etc.
- this is a registered VB so selling it would require a Code Compliance inspection before it could be sold
- originally, it was put into the VB program because of water shut-off
- housing deteriorates when no one lives there
- appellant needs to decide what she's going to do
- here, we have the VB fee - you pay the VB fee for the upcoming year (mid May 2011 - mid May 2012)
- it can be paid now or it can go to tax - payable of 2-3 yrs but this fee will come every year
- you're not moving in
- will recommend approving this assessment payable over 3 years

Referred to the City Council due back on 10/5/2011

Sponsors: Carter III

Approve the assessment.

RE: 1336 Dayton Ave (conversion)

No one appeared.

Ms. Mai Vang:

- we have no phone number listed for the owner
- owner called Councilmember Carter and asked that it be referred back to LH

Ms. Moermond:

- J1114A - clean-up - tall grass and weeds

Inspector Paula Seeley:

- complaint came in
- Orders issued May 19, 2011; compliance May 22, 2011; re-checked May 24, 2011
- Work Order sent May 26, 2011 to Thomas Connelly, 1336 Dayton and Occupant

Viewed Video

Ms. Moermond:

- very high grass and overgrown
- will recommend approval of the assessment

- 4 **RLH TA 11-289** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1115A, Assessment No. 118103 at 1254 RAYMOND AVENUE. (Public hearing continued from September 21)

Sponsors: Stark

Delete the assessment.

RE: 1254 Raymond Ave (apartments)

Lavonne Hill, owner, appeared.

Inspector Paula Seeley:

- tall grass and weeds Orders sent May 26, 2011; compliance date of May 29; rechecked Jun 7
- Work done Jun 9 for a cost of \$160 plus service charge \$140 for total = \$300
- Orders sent to Lavonne Ann Hill, 406 Pleasant Dr, Hastings, MN and Occupant
- entered photo; no video
- the crew said lawn had been partially mowed

Ms. Hill:

- they had everything stolen from the garage, even the doors so, she gave up trying to keep a lawn mower
- Jim brought his lawn mower from home when she got the Orders (just got 1 Order) and mowed the grass
- they hired a lawn care company and the first day they came, the City crew had come just before them; they said the grass had been chopped (asked if the City has people who know how to cut grass)
- didn't get first letter

Ms. Moermond:

- asked why Ms. Hill hadn't called the City when she got the Orders to say that she was looking for someone to do the mowing and you need a little extra time
- not convinced that Ms. Hill got it done in a timely manner
- there was a full 10 days in between when the Orders were issued and when the work was done, so the grass got very tall
- there's no video to document how tall the grass was when the crew arrived
- will recommend this assessment be deleted

Referred to the City Council due back on 10/5/2011

- 5 **RLH TA 11-389** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1113G, Assessment No. 118122 at 863 ROSE AVENUE EAST.

Sponsors: Bostrom

Reduce the assessment from \$290 to \$145, payable over two years.

RE: 863 Rose Ave (single family) (J1113G)

Charles Belcher, owner, appeared.

Bill Gronan, American Disabilities advocate, appeared, for people with hidden disabilities

Inspector Pauls Seeley:

- complaint came in that Mr. Belcher didn't have trash service - there were several bags along the side of house
- trash hauling service assessment - work done during Jul 2011
- Orders sent Jun 3 with compliance Jun 7; re-checked Jun 30- still no trash service
- issued a WO for City hauler
- owner called and said he had trash service, so she removed the containers
- drop off container + 2 weeks service + pick-up container = \$290
- container dropped of Jun 30 and pick-up Jul 13, 2011
- no returned mail
- back yard was full of things; interior has been corrected

Mr. Belcher:

- trash container was there for only 3-4 days (he had it removed), before it was ever used
- he called Allied Waste for trash service and asked them to call the people who set out this container; they said they'd take care of it right away
- doesn't know how the City can charge for 2 weeks
- neighbor has found some of his letters in her mail box; he also gets other's mail
- has been very ill; is getting better
- couple of his tenants that had been living upstairs had caused him a lot of problems; he finally evicted them
- since they are gone, things are much better

Ms. Moermond:

- inspector said there was a problem the beginning of Jun which led to them writing Orders saying owner needed to get regular garbage hauling service
- it wasn't until the end of Jun that it was re-checked, even though the deadline was Jun 7 (3 weeks passed)
- the City's obligation is to send Notices and Orders, etc, to the owner on record, according to Ramsey County and they did in this case

Mr. Gronan:

- Mr. Belcher has a reading disorder, which interferes with daily living activities that require reading skills
- when the reading disorder is not taken in account, in his understanding, it's a violation of the American Disabilities Act
- he would need someone whom he could trust and who understands his condition, who could interpret the reading material in verbal form
- as far as he knows, none of this was available for Mr. Belcher
- he is here to help the system, to perhaps, not commit any errors in processing these issues
- ethically, disabilities should be taken into account
- administration of the Minneapolis and most likely, Saint Paul, doesn't know who takes care of American with Disabilities Act - the inability to access the system has jeopardized a lot of people with hidden disabilities

Ms. Moermond:

- how would the City even know that an accommodation was necessary if communication was made early on?
- the City is only obligated to provide service equally to people with disabilities; it doesn't apply to enforcement matters
- it strikes her as a stretch to say that someone is not responsible for mowing his own lawn because he couldn't read the notice
- people are responsible for getting Orders, Notices, letters, etc, translated into a format that they can understand; the City cannot assume anything about anyone's ability to understand an Order, Notice, letter, etc, that is sent
- people are responsible for requesting an interpreter from the City if they need one; in this case, there was no request for service
- is unconvinced that ADA applies to this matter, especially in the light that there was no request for services
- also doesn't think ADA applies to enforcement matters and that there would be a different level of enforcement for people with disabilities than for other people
- if someone needed assistance during this hearing, she would make sure they received assistance in understanding the proceedings
- will recommend reducing the assessment from \$290 to \$145, payable over 2 years
- appellant can go to CC tomorrow at 5:30
- City has a program that allows people with disability/senior status put off paying the assessment
- asked Ms. Vang to amend the Resolution that's on at 5:30 pm Oct 5, 2011 CC agenda to include this assessment (apply to both rolls)

Referred to the City Council due back on 10/5/2011

1:30 p.m. Hearings

Window Variances: Hearing Required

- | | | |
|---|--------------------------------|------------------------------------------------------------------------------------------------------------------------|
| 6 | RLH WP 11-83 | Appeal of Yong Yia Vue to an Egress Window Non-Compliance Determination at 912 DUCHESS STREET. |
| | <u>Sponsors:</u> | Bostrom |
| 7 | RLH FOW 11-172 | Appeal of Nick T. Carlson to a Fire Certificate of Occupancy Inspection Correction Notice at 705 GERANIUM AVENUE EAST. |
| | <u>Sponsors:</u> | Bostrom |

- 8 [RLH FOW
11-167](#) Appeal of Mark Syrstad to a Fire Certificate of Occupancy Inspection Correction Notice at 1121 EARL STREET.

Sponsors: Bostrom

- 9 [RLH WP 11-71](#) Appeal of Paul Yang and Por T. Yang to a Building Permit at 1047 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

Fire Certificates of Occupancy

- 10 [RLH FCO
11-410](#) Appeal of Jeffrey Zopf to a Correction Notice-Complaint Inspection at 1386 FURNESS PARKWAY.

Sponsors: Bostrom

- 11 [RLH FCO
11-395](#) Appeal of Marcia and Philip Liniewicz to a Correction Notice-Complaint Inspection at 255 COLBORNE STREET.

Sponsors: Thune

- 12 [RLH FCO
11-394](#) Appeal of James H. Gardner to a Correction Notice-Complaint Inspection and Fire Inspection Correction Notice at 1222 SCHEFFER AVENUE.

Sponsors: Harris

- 13 [RLH FCO
11-387](#) Appeal of Jessica L. Teske to a Fire Certificate of Occupancy Correction Notice at 2053 REANEY AVENUE.

Sponsors: Lantry

- 14 [RLH FCO
11-418](#) Appeal of Bruce Ford to a Fire Certificate of Occupancy Inspection Correction Notice at 811 SHERBURNE AVENUE.

Sponsors: Carter III

- 15 [RLH CO 11-19](#) Appeal of Father John Magramm, Orthodox Church of the Resurrection of Christ, to a Code Compliance Report at 758 SIXTH STREET EAST.

Sponsors: Lantry

- 16 [RLH FCO
11-408](#) Appeal of Randy Schichel to a Fire Certificate of Occupancy Inspection Correction Notice at 1079 WESTERN AVENUE NORTH.

Sponsors: Helgen

- 17 [RLH FCO
11-325](#) Appeal of Thomas L. Corrigan to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1689 STILLWATER AVENUE.

Sponsors: Bostrom

- 18 [RLH FCO
11-331](#) Appeal of Stephen Ersfeld to a Fire Certificate of Occupancy Inspection Correction Notice at 1736 NEBRASKA AVENUE EAST.

 Sponsors: Bostrom
- 19 [RLH FCO
11-383](#) Appeal of Brad Nilles/Calabash Properties to a Fire Certificate of Occupancy Correction Notice at 732 MARSHALL AVENUE.

 Sponsors: Carter III
- 20 RLH FCO
11-366 Appeal of Joseph J. Skelly to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1231 KENNARD STREET.
- 21 RLH FCO
11-381 Appeal of Andrew Dick to a Fire Certificate of Occupancy Correction Notice at 693 YORK AVENUE.

 Sponsors: Bostrom

2:30 p.m. Hearings

Vacant Building Registrations

- 22 [RLH VBR 11-77](#) Appeal of Giti Irani to a Vacant Building Registration Notice at 605 HATCH AVENUE.

 Sponsors: Helgen
- 23 [RLH VBR 11-74](#) Appeal of Walter Azizi to a Vacant Building Registration Requirement at 924 SHERBURNE AVENUE.

 Sponsors: Carter III
- 24 [RLH VBR 11-61](#) Appeal of Gholamreza Ashrafzadehkian to a Vacant Building Registration Notice plus Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1119 ARUNDEL STREET.

 Sponsors: Helgen
- 25 [RLH VBR 11-75](#) Appeal of Sue H. Clarin to a Vacant Building Registration Notice and Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1674 MARION STREET.

 Sponsors: Helgen

Staff Reports

- 26 [SR 11-76](#)
- 27 [RLH OA 11-4](#) Appeal of Terry L. Fransen to an Inspection Appointment at 658 PLUM STREET.

 Sponsors: Lantry

- 28 [RLH FCO 11-66](#) Appeal of Brett J. Horttor to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 637 HAZEL STREET NORTH.
Sponsors: Lantry
- 29 [RLH RR 11-56](#) Ordering the rehabilitation or razing and removal of the structures at 591 MACKUBIN STREET within fifteen (15) days after the September 21, 2011, City Council Public Hearing.
Sponsors: Carter III

Window Variances: No Hearing Necessary

- 30 [RLH FOW 11-180](#) Appeal of Xu Yajcherthao to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1091 BEECH STREET.
Sponsors: Lantry
- 31 [RLH WP 11-76](#) Appeal of Blia Lee to an Egress Window Non-Compliance Determination at 1672 CONWAY STREET.
Sponsors: Lantry
- 32 [RLH FOW 11-178](#) Appeal of Steve Gaertner, on behalf of Channel Properties, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1767 FORD PARKWAY.
Sponsors: Harris
- 33 [RLH FOW 11-179](#) Appeal of Steve Gaertner, on behalf of Channel Properties, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 326 WHEELOCK PARKWAY EAST.
Sponsors: Helgen
- 34 [RLH FOW 11-169](#) Appeal of Floyd Johnson to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 503 FOREST STREET.
Sponsors: Lantry
- 35 [RLH FOW 11-164](#) Appeal of Shirley Olson to a Fire Certificate of Occupancy Correction Notice at 528-530 FRONTENAC PLACE.
Sponsors: Stark
- 36 [RLH WP 11-75](#) Appeal of Renewal by Andersen, on behalf of Connie Smith, to two Egress Window Non-Compliance Determinations at 176 OTIS AVENUE.
Sponsors: Stark
- 37 [RLH FOW 11-175](#) Appeal of Rev. Howard Googins to a Fire Certificate of Occupancy Inspection Correction Notice at 830 PORTLAND AVENUE.

Sponsors: Carter III

- 38 [RLH FOW
11-159](#) Appeal of Robert Fenlon to a Fire Certificate of Occupancy Correction Notice at 2222 SCHEFFER AVENUE.

Sponsors: Harris

- 39 [RLH FOW
11-170](#) Appeal of Alex Galonska, on behalf of Tia Park LLC, to a Fire Certificate of Occupancy Inspection Correction Notice at 1025 YORK AVENUE.

Sponsors: Bostrom

- 40 [RLH WP 11-82](#) Appeal of Tim Braun, Public Housing Agency, to an Egress Window Non-Compliance Determination at 1584 TIMBERLAKE ROAD #A, 1588 TIMBERLAKE ROAD #A, 1604 TIMBERLAKE ROAD #G, 1612 TIMBERLAKE ROAD #G AND 1636 TIMBERLAKE ROAD #G.

Sponsors: Helgen