



# 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, January 7, 2014

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Special Tax Assessments

- 1 [RLH TA 14-2](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 1560 ARLINGTON AVENUE EAST.

**Sponsors:** Bostrom

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

*RE: 1560 Arlington Avenue East (Single Family)*

*Ajah Petersen, owner, appeared along with a sign language interpreter, Paul Hines.*

*Inspector Paula Seeley:*

- *Summary Abatement Order for failure to maintain exterior property indicating "bushes obstructing alley right-of-way; cut back inside property line"*
- *Oct 3, 2013, a complaint about tall grass and weeds was received; (the grass was addressed by owner)*
- *SA sent Oct 3, 2013; compliance Oct 10; re-checked Oct 11; Work Order sent*
- *sent to Ajah Petersen, 1560 Arlington; and Occupant*
- *work done Oct 11, 2013 for a cost of \$316 + \$160 service charge = \$476*
- *history includes: ongoing Orders for snow/ice; Orders for tall grass & weeds in addition to other exterior issues*
- *have had about 8 sets of Orders during 2013 (6 snows; 1 tall grass & weeds; 1 bushes in alley)*
- *no mail was returned on any of the Orders for the past 8 months*

*Ms. Petersen:*

- *she did not receive a Notice about the bushes and of the back yard; no one told her about the bushes in the alley, just about those around the house*
- *she only received information about the house and the yard; there was no mention of the alley*
- *she doesn't feel that she should be responsible for the charges because she didn't receive the information*
- *she did receive the mail; it said to trim the grass, weeds and the bushes around the house and I cleaned that up; it never said anything about the alley*

*Ms. Moermond:*

- *looking at the Order and it says: "Bushes obstructing alley right-of-way; cut back inside property line"*

Ms. Petersen:

- I didn't see anything about the alley; only about around the house

Ms. Moermond:

- there's quite a long history of send you mail and none of it has come back, including this Order  
- she can't agree that there was not proper legal notification; the letter confirms that

Ms. Petersen:

- as a deaf person, I don't read English very well; sign language is my main language; it's hard for me to understand when I'm reading a letter

Ms. Moermond:

- the tall grass and weeds letters talks about the entire yard  
- the letter that talks about the bushes speaks immediately about the alley  
- the city does interpret all of the Orders if there's a request to do so; the phone numbers are on the Orders  
- you can call and get an interpreter

Ms. Petersen:

- so, if I call and ask for an interpreter, I can get someone to explain this? (Ms. Moermond: Yes)  
- I don't feel that this is fair to charge this amount

Ms. Moermond:

- will recommend approval of this assessment divided over 5 years  
- City Council Public Hearing will be Feb 19, 2014  
- suggests that Ms. Petersen go to the CCPH  
- Ms. Moermond will make sure that there's a sign language interpreter for her; please call ahead if you decide not to come

**Referred to the City Council due back on 2/19/2014**

**2**      [RLH TA 14-12](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 2340 BUFORD AVENUE.

**Sponsors:**      Stark

*Reduce the assessment from \$448 to \$298.*

*RE: 2340 Buford Avenue (Single Family)*

*Barbara S. Sibley, owner, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued Sep 26, 2013; compliance Oct 4; re-checked Oct 8; Work Order sent  
- work done Oct 10, 2013 for a cost of \$288 + \$160 = \$448  
- sent to Barbara Sibley, 2340 Buford Ave; and Occupant  
- no returned mail  
- notes: cut vegetation in the front yard and blvd; bushes growing over and obstructing the public sidewalk; over 36 inches  
- the inspector posted the exact wording from Chapter 105.04 of the code on Boulevard Plantings  
- photos taken Oct 8, 2013

Ms. Sibley:  
- she did clear the sidewalk

VIDEO- they cut the obstructing vegetation; took back about 1 foot on either side

Ms. Moermond:  
- surprised that the height was not handled; the Order says "Plantings may not exceed 36 inches in height;" thinks she saw 4 feet

Ms. Sibley:  
- she understood that she was to clear the sidewalk  
- at the end of each growing season, she cuts it all down  
- next year, she will be planting grass on all of the blvd; no more plantings there

Ms. Moermond:  
- would like to give some credit for a good faith effort  
- will recommend reducing the assessment by \$150  
- City Council Public Hearing Feb 19, 2014

**Referred to the City Council due back on 2/19/2014**

**3**      [RLH TA 14-11](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 91 COOK AVENUE WEST.

**Sponsors:**      Brendmoen

Reduce the assessment from \$504 to \$404.

RE: 91 Cook Avenue West (Single Family)

Ken Thoma, D. F Renovation LLC, owner, appeared.

Inspector Paula Seeley:  
- Summary Abatement issued Oct 3, 2013; compliance Oct 8; re-checked Oct 8;  
Work Order sent  
- work done by Parks Oct 10, 2013 for a cost of \$344 + \$160 service charge = \$504  
- sent to D. F. Renovation LLC, 7205 Woodstock Curve, Bloomington, MN  
- SA: including removing mattress/box spring, wood furniture and misc refuse on the boulevard and yard areas  
- no returned mail  
- photo

Mr. Thoma:  
- when he got the Notice, he went over there with a pick-up truck and cleaned up on the blvd and hauled it away

VIDEO - yard debris, scrap wood, container, underneath decks etc.

Ms. Moermond:  
- Mr. Thoma addressed what was on the blvd but not the rest  
- the Order says both the blvd and the yard; "on the blvd and in yard areas"  
- she can see that he made an effort but there was still a lot to do  
- will recommend the assessment be decreased by \$100  
- suggested Mr. Thoma go to the City Council Public Hearing Feb 19, 2014 if he wants more of a reduction

Mr. Thoma:

- he spoke with the inspector, who told him it was only the blvd

Ms. Seeley:

- Oct 3 inspector notes, "Spoke to property owner and told him that the hauler service must be in his name; he said that the tenant was moving out; garbage man said that renter called and ended service"

- Oct 8 notes: "Refuse off the blvd but around the yard area including the trash container not licensed with Saint Paul"

- photos

Ms. Moermond:

- the lion's share of the materials was in the yard

- will recommend reducing to \$404

**Referred to the City Council due back on 2/19/2014**

- 4 [RLH TA 14-13](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 581 COOK AVENUE EAST.

**Sponsors:** Bostrom

No show - approve the assessment.

**Referred to the City Council due back on 2/19/2014**

- 5 [RLH TA 14-10](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 941 CYPRESS STREET.

**Sponsors:** Bostrom

*STAFF REPORT: Forthcoming on the clean up - need clarification from Rich Singerhouse on the conversation he had with Appellant; delete the tall grass and weeds assessment for \$160.*

RE: 941 Cypress Street (Single Family)

Vadim Komisarchik appeared.

Inspector Paula Seeley:

- Summary Abatement Order (removal of fire debris, furniture, household items, junk, glass, wood, car parts, bags of refuse in the yard and driveway; and cut tall grass and weeds) issued Sep 25, 2013 ; compliance Oct 1; re-checked Oct 7; Work Order sent - work done Oct 9, 2013 for a cost of \$858 + \$160 service charge = \$1018

- 2 Work Orders: 1) cutting tall grass and weeds; and 2) major clean-up

- it's a Category 1 Vacant Building - fire damaged since Sep 25, 2013; Condemned and referred by Brian Tonnacour of Fire; combination of fire debris and rubbish from the people who were moving out

- has photos

Mr. Komisarchik:

- the fire happened and then, they had to move out

- he thinks that, according to the letter he got, the city is over-charging by \$160

Ms. Moermond:

- checked it out and took a copy; the letter says: \$698 X 1 = \$858 (Clean-up=\$698; DSI admin=\$120; Real Estate=\$35; Attorney=\$5)

- double checked the hourly charge

Mr. Komisarchik:

- pictures show the garbage but I was there and my guy cleaned-up the garbage  
- the fire damage is not really relevant to this case because he was asked by the city (VB guy) to clean the outside of the perimeter; they were always in constant communication with the dept; he notified them as soon as they cleaned-up the garbage on the exterior

VIDEO - showed furniture, car parts, clothing, junk, broken glass, debris, etc. in yard and driveway

Mr. Komisarchik:

- he spoke with Rich Singerhouse who told him to clean-up the outside of the yard; we weren't allowed to touch the inside of the yard because we might get sued by the tenants

Ms. Moermond:

- The Order say "Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubbish, tires, brush, etc., from yard areas; bags of refuse"

Mr. Komisarchik:

- we weren't allowed to touch the articles inside the yard; some of those looked in usable condition

Ms. Moermond:

- this is a valid clean-up

Mr. Komisarchik:

- he listened to his attorney's legal advise - don't touch the things inside the fence  
- he kept the tenants' items for 28-30 days on purpose so that there wouldn't be any issues afterwards  
- he contacted Rich Singerhouse multiple times about that (you can talk to him about that)

VIDEO for tall grass and weeds (minor)

Ms. Moermond:

- will recommend the assessment for tall grass and weeds to be deleted  
- will talk with Rich Singerhouse via email about what's inside the backyard to see what he had said  
- is inclined to recommend approval of the clean-up assessment unless Mr. Slingerhouse says that he talked only about the exterior in the front (the Order as it's written now, in her view, covers the interior of the back yard, as well)  
- forthcoming

**Laid Over to the Legislative Hearings due back on 1/21/2014**

**6**      [RLH TA 14-14](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 1141 DALE STREET.

**Sponsors:**      Brendmoen

No show - approve the assessment.

**Referred to the City Council due back on 2/19/2014**

- 7 [RLH TA 14-15](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 291 EDMUND AVENUE.

**Sponsors:** Thao

*Reduce the assessment from \$320 to \$220.*

*RE: 291 Edmund Avenue (Single Family)*

*Vincent Tran, older brother of Tuong Tran, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued for tall grass and weeds Oct 8, 2013; compliance Oct 12; re-checked Oct 17; Work Order sent*
- work done Oct 18, 2013 for a cost of \$160 + \$160 service charge = \$320*
- no returned mail*
- sent to Tuong Vi Tran, 2545 Edgerton St, Little Canada, MN; Tuong Tran, 475 Cleveland Ave N, Ste 303, St. Paul; and Occupant*

*VIDEO*

*Mr. Tran:*

- his sister is appealing because they did not receive any Order from the city*
- her correct address is the Little Canada address*

*Ms. Moermond:*

- the letter from the city was sent Oct 8 but the crew didn't go out to cut the tall grass and weeds until Oct 18 (10 days in between); you had at least a week to respond to those Orders; the city didn't get any mail returned*

*Mr. Tran:*

- did not receive any type of letter from the city; only received the letter about the hearing about 10 days ago*
- there's been no change in ownership*

*Ms. Seeley:*

- there's not a lot of history*
- a lot of permits were pulled in 2010; all finalized*

*Ms. Moermond:*

- sees evidence that the Notice was sent*
- there was no returned mail*
- the mail went to 2 correct addresses*
- the property has been maintained; not many Orders have been sent in the past*
- the Certificate of Occupancy Inspection Orders have been minor*
- VIDEO showed very tall grass and weeds*
- will recommend reducing this assessment by \$100*

**Referred to the City Council due back on 2/19/2014**

- 8 [RLH TA 14-9](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 466 EDMUND AVENUE.

**Sponsors:** Thao

*Approve the assessment.*

RE: 466 Edmund Avenue (Single Family)

Vadim Komisarchik appeared.

Inspector Paula Seeley:

- Summary Abatement Orders sent Oct 10, 2013; compliance Oct 16
- re-checked Oct 16; Work Order sent
- work done Oct 17, 2013 for a cost of \$338 + \$160 service charge = \$498
- no returned mail
- sent to On Time Contractors Real Estate Division LLC, 809 Main St, Hopkins, MN; and Occupant
- bold letters: including removing the chair with TV in the rear yard that has a free sign. It is illegal to place items on the city right-of-way blvd or alley "for free;" dispose of or donate
- photos of free stuff

Mr. Komisarchik:

- they got the letter and the notified the tenant but apparently, she didn't do what she was supposed to do; she also received the letter
- is hoping the city will reduce the fee because it is extremely high; \$498 is a stiff price for something that takes 5-10 minutes to do

Ms. Moermond:

- the city doesn't want to pick up the garbage in your yard so they are charging you for every paper clip associated with the clean-up
- she doesn't think that Saint Paul taxpayers should be covering this expense on his land
- this is the owner's responsibility to make sure that these things are taken care of
- the city can't involve itself in a private lease agreement

**Referred to the City Council due back on 2/19/2014**

- 9      [RLH TA 14-16](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 1004 EUCLID STREET.

**Sponsors:**      Lantry

*No show; approve the assessment.*

**Referred to the City Council due back on 2/19/2014**

- 10      [RLH TA 14-8](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 878 FREMONT AVENUE.

**Sponsors:**      Lantry

*Laid over per owner's request.*

**Laid Over to the Legislative Hearings due back on 1/21/2014**

- 11      [RLH TA 14-3](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 99 GERANIUM AVENUE WEST.

**Sponsors:**      Brendmoen

*Approve the assessment.*

*RE: 99 Geranium Avenue West (Single Family)*

*Tim Hansen, Heartland Credit Union, appeared.*

*Mr. Hansen:*

*- they had held the mortgage for the owner of this property, which recently went through the foreclosure process*

*Inspector Paula Seeley:*

*- clean-up*

*- Summary Abatement Order Aug 22, 2013; compliance Aug 30*

*- re-checked Aug 30; Work Order sent*

*- work done Sep 3 for a cost of \$496 + \$160 service charge = \$656*

*- sent to Lisa Cortez, 15584 Empress Ave N, Unit 7, Hugo; and Occupant*

*- SA: rubbish; tall grass and weeds; and All windows and doors will be boarded after 8-30-13*

*- no returned mail*

*- breakdown of charges: clean-up \$336; cut grass/weeds \$160; DSI service charge \$160*

*- Category 2 Vacant Building referred from Fire Certificate of Occupancy; filed opened Aug 6, 2013*

*- property ownership updated by Ramsey County Taxation on Dec 21, 2013 after the fact to Heartland Credit Union, 500 Main Street, Ste 100, New Brighton, MN*

*Mr. Hansen:*

*- his main concern is the Registered Vacant Building fee, not the clean-up; he is not disputing the clean-up fee*

*- sheriff's sale Jun 6, 2013; redemption period until Dec 6, 2013*

*- until Dec 6, the Credit Union didn't have access to the property; they didn't receive the Notices*

*- from Jun 6, they had a 3rd party doing inspections on the property for them*

*- the inspection reports indicate that through Aug 14, 2013, the property was occupied; there were tenants*

*- is curious if the VB fee can be prorated*

*Ms. Moermond:*

*- VIDEO on the clean-up*

*- VIDEO on tall grass and weeds*

*Mr. Hansen:*

*- they have records showing that someone was living in the house up until, at least, Aug 14, 2013*

*Ms. Seeley:*

*- sees a comment in the record from Aug 1, 2013: "went to property; enforced Vacate; tenant was under the understanding that he could stay until Dec 13, 2013; re-inspected, 3 deficiencies abated; reviewed file again with A. J. Neis; reviewed minutes from Appeals Court; called tenant back and explained to the tenant that he had to Vacate today"*

*Ms. Moermond:*

*- questioned whether there was an Order that led to it being called a VB*

*Ms. Vicki Sheffer:*

*- Jun 20, 2013, it was Revoked/Condemned; is not referred to the Vacant Building Program until Aug 6, 2013; there was no previous VB file*

- first Revocation letter was dated May 24, 2013; it listed deficiencies: 1) provide a fuel burning equipment safety test; 2) smoke detector affidavit; and 3) allow the inspector to gain access and inspect the building
- there were several appointment letters
- the last Revocation letter was dated Jun 20, 2013; it had 14 items on the deficiency list (exterior garage; screens missing; interior basement-mold and mildew; floor tile in kitchen; extension cords, ceiling in bedroom; smoke detector affidavit; smoke detectors outside sleeping areas; and fuel burning equipment safety test)
- there is no Code Compliance Inspection Report
- there is a TISH Report, Dec 27, 2013; it notes that the building is a Cat 2 Registered VB

Ms. Moermond:

- so on Jun 20, 2013, the city Condemned and Ordered Vacated and 6 weeks later or so, DSI staff and Fire Inspections, who did the Condemnation sent the building over to the VB Program because the Corrections hadn't been taken care of
- sounds like Lisa Cortez put tenants back into the building after it was Condemned

Mr. Hansen:

- they didn't know that she was renting it out
- Dec 6, 2013, they had representatives out there with their realtor; the home is already on the market
- things were left in the house; they hired a company to clean it up to be sold

Ms. Moermond:

- will recommend approval of the clean-up, tall grass and weeds assessment
- re the Vacant Building regulations: when a building is Condemned or has it's Certificate of Occupancy Revoked (this C of O was Revoked and the only Condemnable condition was that the gas got shut-off; the other deficiencies are things that can be repaired or remedied but there's been long-term noncompliance); once the place is empty, the city would give it 6 weeks and then send the file to the VB Program and it would show up as a Category 2 VB, which means that when it's sold, you have to have a Code Compliance Inspection, disclosing what the problems are (here, we don't have one); you have the Truth in Sale of Housing Report (TISH), which does disclose to a potential buyer that it is a Cat 2 VB; allowing access to the building is problematic
- she wants to make this as easy as she can to get this building fixed; wants to create an incentive to get it fixed sooner
- will Lay this VB assessment Over for 2 weeks to get a report from Fire Inspectors to determine whether or not a Code Compliance Inspection is needed

**Referred to the City Council due back on 1/15/2014**

**12**      [RLH TA 14-21](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1404, Assessment No. 148803 at 99 GERANIUM AVENUE WEST.

**Sponsors:**            Brendmoen

Laid over to get Fire Inspection staff information on the interior condition of the building.

RE: 99 Geranium Avenue West (Single Family)

Tim Hansen, Heartland Credit Union, appeared.

Mr. Hansen:

- they had held the mortgage for the owner of this property, which recently went

*through the foreclosure process*

*Inspector Paula Seeley:*

- *clean-up*
- *Summary Abatement Order Aug 22, 2013; compliance Aug 30*
- *re-checked Aug 30; Work Order sent*
- *work done Sep 3 for a cost of \$496 + \$160 service charge = \$656*
- *sent to Lisa Cortez, 15584 Empress Ave N, Unit 7, Hugo; and Occupant*
- *SA: rubbish; tall grass and weeds; and All windows and doors will be boarded after 8-30-13*
- *no returned mail*
- *breakdown of charges: clean-up \$336; cut grass/weeds \$160; DSI service charge \$160*
- *Category 2 Vacant Building referred from Fire Certificate of Occupancy; filed opened Aug 6, 2013*
- *property ownership updated by Ramsey County Taxation on Dec 21, 2013 after the fact to Heartland Credit Union, 500 Main Street, Ste 100, New Brighton, MN*

*Mr. Hansen:*

- *his main concern is the Registered Vacant Building fee, not the clean-up; he is not disputing the clean-up fee*
- *sheriff's sale Jun 6, 2013; redemption period until Dec 6, 2013*
- *until Dec 6, the Credit Union didn't have access to the property; they didn't receive the Notices*
- *from Jun 6, they had a 3rd party doing inspections on the property for them*
- *the inspection reports indicate that through Aug 14, 2013, the property was occupied; there were tenants*
- *is curious if the VB fee can be prorated*

*Ms. Moermond:*

- *VIDEO on the clean-up*
- *VIDEO on tall grass and weeds*

*Mr. Hansen:*

- *they have records showing that someone was living in the house up until, at least, Aug 14, 2013*

*Ms. Seeley:*

- *sees a comment in the record from Aug 1, 2013: "went to property; enforced Vacate; tenant was under the understanding that he could stay until Dec 13, 2013; re-inspected, 3 deficiencies abated; reviewed file again with A. J. Neis; reviewed minutes from Appeals Court; called tenant back and explained to the tenant that he had to Vacate today"*

*Ms. Moermond:*

- *questioned whether there was an Order that led to it being called a VB*

*Ms. Vicki Sheffer:*

- *Jun 20, 2013, it was Revoked/Condemned; is not referred to the Vacant Building Program until Aug 6, 2013; there was no previous VB file*
- *first Revocation letter was dated May 24, 2013; it listed deficiencies: 1) provide a fuel burning equipment safety test; 2) smoke detector affidavit; and 3) allow the inspector to gain access and inspect the building*
- *there were several appointment letters*
- *the last Revocation letter was dated Jun 20, 2013; it had 14 items on the deficiency list (exterior garage; screens missing; interior basement-mold and mildew; floor tile in*

*kitchen; extension cords, ceiling in bedroom; smoke detector affidavit; smoke detectors outside sleeping areas; and fuel burning equipment safety test)*  
 - there is no Code Compliance Inspection Report  
 - there is a TISH Report, Dec 27, 2013; it notes that the building is a Cat 2 Registered VB

*Ms. Moermond:*

*- so on Jun 20, 2013, the city Condemned and Ordered Vacated and 6 weeks later or so, DSI staff and Fire Inspections, who did the Condemnation sent the building over to the VB Program because the Corrections hadn't been taken care of*  
*- sounds like Lisa Cortez put tenants back into the building after it was Condemned*

*Mr. Hansen:*

*- they didn't know that she was renting it out*  
*- Dec 6, 2013, they had representatives out there with their realtor; the home is already on the market*  
*- things were left in the house; they hired a company to clean it up to be sold*

*Ms. Moermond:*

*- will recommend approval of the clean-up, tall grass and weeds assessment*  
*- re the Vacant Building regulations: when a building is Condemned or has it's Certificate of Occupancy Revoked (this C of O was Revoked and the only Condemnable condition was that the gas got shut-off; the other deficiencies are things that can be repaired or remedied but there's been long-term noncompliance); once the place is empty, the city would give it 6 weeks and then send the file to the VB Program and it would show up as a Category 2 VB, which means that when it's sold, you have to have a Code Compliance Inspection, disclosing what the problems are (here, we don't have one); you have the Truth in Sale of Housing Report (TISH), which does disclose to a potential buyer that it is a Cat 2 VB; allowing access to the building is problematic*  
*- she wants to make this as easy as she can to get this building fixed; wants to create an incentive to get it fixed sooner*  
*- will Lay this VB assessment Over for 2 weeks to get a report from Fire Inspectors to determine whether or not a Code Compliance Inspection is needed*

**Laid Over to the Legislative Hearings due back on 1/21/2014**

- 13**     [RLH TA 14-19](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 226 GROTTO STREET NORTH.

**Sponsors:**     Thao

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 1/21/2014**

- 14**     [RLH TA 14-4](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404G, Assessment No. 148703 at 1171 LAWSON AVENUE EAST.

**Sponsors:**     Bostrom

*No show; approve the assessment.*

**Referred to the City Council due back on 2/19/2014**

- 15**     [RLH TA 14-6](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 1152 MARION STREET.

**Sponsors:** Brendmoen

*Rescheduled per Margaret Uriah's request.*

**Laid Over to the Legislative Hearings due back on 1/21/2014**

**16** [RLH TA 14-17](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 955 MINNEHAHA AVENUE WEST.

**Sponsors:** Thao

*Recommmend assessment be decreased by half as a good faith effort was made to address the dumping, but not the tall grass.*

*Forthcoming. Owner to get police report to inspector for review.*

*RE: 955 Minnehaha Avenue West (Church/Synagogue/Temple)*

*Julie Fedyk, Director of Day Care, Al Ihsan Islamic Center Inc, appeared.*

*Inspector Paula Seeley:*

- *Summary Abatement Order to remove a mattress on Chatsworth blvd; cut tall grass and weeds on the property -commercial bldg, Minnehaha Shopping Center; cut tall grass and weeds on Chatsworth blvd from Englewood up to but not including auto repair at 975 Minnehaha Ave; cut 1 more swath inside public sidewalk along Chatsworth; cut tall grass south of building between 955 and 975 Minnehaha Ave*
- *Orders sent Oct 9, 2013; compliance Oct 17; re-check Oct 17 - mattress was gone but now there is a tire and litter on Chatsworth blvd, grass over 8" on Chatsworth blvd; rank plant growth over 8" on hill between Chatsworth public sidewalk and building; and south of building between 955 Minnehaha and 975 Minnehaha; Work Order sent*
- *work done Oct 24, 2013 for a cost of \$188 + \$160 service charge = \$348*
- *no returned mail*
- *sent to Al Ihsan Islamic Center Inc and Occupant at 959 Minnehaha Ave W; and 689 Dale St N*

*Ms. Fedyk:*

- *the Day Care is not responsible for any of this but they are not appealing the cutting of the grass because she thinks that they didn't understand that that was their responsibility and their property*
- *she is appealing the mattress, tires (several times during the summer, they had people just dumping stuff in their parking lot)*
- *they called the police and they made a report but nothing happened*
- *they called the city who said that they couldn't do anything about it*
- *so, it cost them several hundred dollars to have those things picked up and removed and there doesn't seem to be anything they can do about it*
- *she is here because she needs to tell someone that this (dumping) keeps happening to them; none of that was theirs and yet they are responsible*
- *they even found the names of people who dumped it; the Police Report has their name*

*Ms. Moermond:*

- *asked to have the Police Report checked (Ms. Seeley said that without a date, it would be very difficult for her to get a Police Report)*
- *asked Ms. Fedyk to take a business card and email in the date*
- *when she looks at the photos of the space, it doesn't look well maintained; there's*

*tall grass and weeds coming up through the black top and she sees beer bottles in the grass*

*Ms. Fedyk:*

- that's from the auto people and other auto people from the other side*
- she is an advocate for their Day Care and it's been an issue; she is training the people to pick up their garbage; the children go through the parking lot once a month and pick up the garbage that's left there*
- they had breakfast, lunch and dinner there for the children*
- it's really hard to train everyone*
- this is part of the old Minnehaha Mall, connected to the Mosque*

*Ms. Moermond:*

- the best advice she can give is to be proactive; if the exterior isn't maintained well, it kind of draws dumping*
- motion lighting; fake cameras or real cameras (Ms. Fedyk: they did put in a real camera)*
- signs that say, "No Dumping" "Under Surveillance"*
- she will track down the Police Report (find names)*

*Ms. Seeley:*

- you can call 266-8989 to tell them that you were illegally dumped on; give them the name of the person who dumped from what you've found and Ms. Seeley will go out and make sure they have trash service because the majority of time, those people don't have trash service*

*Ms. Moermond:*

- recommendation is forthcoming*

**Referred to the City Council due back on 2/19/2014**

- 17**     [RLH TA 14-5](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1404, Assessment No. 148803 at 1166 ROSS AVENUE.

**Sponsors:**     Bostrom

*Delete the assessment per Steve Magner; building was razed by owner.*

**Referred to the City Council due back on 2/19/2014**

- 18**     [RLH TA 13-739](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 683 SHERBURNE AVENUE.

**Sponsors:**     Thao

*Approve the assessment. (DSI staff to provide breakdown of costs to Appellant.)*

*RE: 683 Sherburne Avenue (Multi-Family)*

*Luke Shields, Advanced Disposal, appeared with Ken Hertz, attorney, representing Bee Vee LLC*

*Inspector Paula Seeley:*

- Summary Abatement Order sent Sep 19, 2013; compliance Sep 23*
- re-checked Sep 23; Work Order sent*
- work done Sep 24 for a cost of \$392 + \$160 service charge = \$552*
- no returned mail*

- comments: provide garbage service; noted that there was an insufficient number of cans available; trash was scattered on the ground
- re-inspector Oct 1, 2013 and a 2-yard dumpster was present
- sent to Bee Vee LLC, 3853 Central Ave NE, Columbia Heights MN; and Bee Vee, 21301 Furman St NE, Wyoming MN
- has photos of mattresses; overflowing dumpsters and garbage all over the ground

Mr. Hertz:

- Bee Vee LLC purchased the property from Bee Vue, previous owner, on Jul 29, 2013
- Mr. Hertz, is Bee Vee LLC's attorney
- the partners of Bee Vee LLC do not include Bee Vue
- the contact person is Mary Durkop, manager of the property
- new owners purchased it in Jul and used Coolidge Trash Service; then made arrangements with Mr. Shields for Advanced Disposal taking over
- contracts were put into place with the same number of containers as before
- he thinks that there was trash lying around in the interim when the new service was replacing the previous service
- their containers were placed Sep 18, 2013
- he thinks that when the previous company came to take the dumpsters, they just didn't remove all the garbage

VIDEO

Mr. Shields:

- on the contract, they ordered two 2-yard containers; 683 and 685 were the addresses; there's 2 buildings; the second 2-yard container was placed on the other side of that building; the tenants continued to use that area, so they had enough service but they didn't know that the container was on the other side of the building for that week
- pick up day is Wed
- when they realized the confusion, they put both containers in the same place; and more recently, changed to a 4-yard dumpster

Ms. Moermond:

- about the timing: Advanced Disposal drops off containers Sep 18; city got a complaint and issued Orders Sep 19; compliance date was Sep 23 and the city cleaned it up on Tue, Sep 24 and Advanced Disposal pick-up day was Sep 25
- proper notification was given to the owner of record
- raw garbage was the complaint
- will recommend approval
- Mr. Shields requested a copy of a breakdown of the charges
- City Council Public Hearing Jan 15, 2014

**Referred to the City Council due back on 1/15/2014**

**19**     [RLH TA 14-18](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 678 THOMAS AVENUE.

**Sponsors:**        Thao

Approve the assessment.

RE: 678 Thomas Avenue (Duplex)

Philip Black appeared.

Inspector Paula Seeley:

- Summary Abatement Order dated Sep 26, 2013; compliance Oct 3; re-checked Oct 3; Work Order sent
- work done Oct 7, 2013 for a cost of \$414 + \$160 service charge = \$574
- no returned mail
- sent to Skoogle Inc., 28800 Linden Ave, Lindstrom MN; and Guardian Property Management, 708 Cleveland Ave SW, Ste 160, New Brighton, MN
- including carpet, refuse west side of garage near alley

VIDEO - carpet, debris, mattresses, near alley; bags of trash, full containers, chair, etc.

Mr. Black:

- he received 1 Notice that said to get rid of stuff near the garage and furniture in front of the garage; and some garbage; doesn't know if there are 2 Notices
- he took care of it
- he talked to the inspector, who said that he didn't do a good enough job trimming the bushes; the piles of bushes were going to be picked up an hour later

Ms. Seeley:

- there are 2 different Orders: 1) Sep 26, 2013; and 2) Inspector Skally was out there on brush obstructing the sidewalk and mattresses in alley on Oct 17 (an Excessive Consumption letter was sent at that time for not being in compliance)
- there a previous Order from Aug 8, 2013
- 3 times on tall grass and weeds complaint

Ms. Moermond:

- the Order in question (Sep 26) says to "Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc. from yard areas, INCLUDING: carpet/refuse west of garage near alley."
- that covers everything
- there was no returned mail
- the Order was sent to him secondhand from the owner; owner will get the bill
- will recommend approval of this assessment

**Referred to the City Council due back on 2/19/2014**

20 [RLH TA 14-7](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 767 UNIVERSITY AVENUE WEST.

**Sponsors:** Thao

Delete the assessment per DSI recommendation due to no photos and no language in Summary Abatement Order. (No hearing necessary)

**Referred to the City Council due back on 2/19/2014**

21 [RLH TA 14-22](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 699 VAN BUREN AVENUE.

**Sponsors:** Thao

Reduce the assessment from \$448 to \$200.

RE: 699 Van Buren Avenue (Single Family)

*Keith Malmer, Jaguar Capital LLC, owner, appeared.*

*Inspector Paula Seeley:*

- *Summary Abatement Order issued Oct 16, 2013; compliance Oct 21; re-checked Oct 22; Work Order sent*
- *work done Oct 24 for a cost of \$288 + \$160 service charge = \$448*
- *no returned mail*
- *sent to Jaguar Capital LLC, 8511 Carriage Hill Rd, Savage MN; and Jaguar Capital, c/o Keith Malmer, 523 Quinmer Ave N, Lakeland MN*
- *SA: including piles of clothing, papers, cardboard, couches, box spring, misc refuse on the ground north of the garage; children's swimming pool*

*Mr. Malmer:*

- *is appealing because they didn't get those Notices*
- *is not sure what the city cleaned-up*
- *he was working with inspections; there were some belongings in the garage that inspections wanted removed*
- *his partner is the Savage address*

*Ms. Moermond:*

- *printed out the Orders that were sent*

*VIDEO - picked up loose and scattered on the apron; pile of clothing; junk scattered*

*Mr. Malmer:*

- *that didn't look like much*
- *what he thinks happened: a tenant wanted to move in but before she was able to be transferred from Mpls Section 8 Public Housing to Saint Paul, she needed a place to store some of her belongings; he let her store them in the garage; she then decided not to move in because the rent they wanted was more than what she vouchered for; so, he was stuck with her property in his garage and working with inspections, who wanted it removed - especially, the box spring and mattress; when the new tenant eventually moved in, she wanted to use the garage; so, they needed to get rid of the previous potential tenant's belongings, who had come and rifled thru her stuff and took the valuable things but left the rest; he allowed the new tenant to use what she wanted from what had been left and to use the garage; she was going to dispose of what she didn't want of the other person's belongings*
- *he talked with the new tenant about what was left; the tenant told him that she hired a guy to haul it away; he took the money, hauled some of the stuff away and promised to come back for the rest but didn't*

*Ms. Seeley:*

- *inspector noted on Oct 11, 2013: remove all furniture from the garage and secure the garage*
- *no city crew went into the garage to remove things*

*Ms. Moermond:*

- *a good faith effort was made to address this issue*
- *will recommend reducing this assessment to \$200 based on the video*
- *the Real Estate Office will send out a bill to the Savage address*

**Referred to the City Council due back on 2/19/2014**

**22**     [RLH TA 14-23](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 419 SHERBURNE AVENUE.

**Sponsors:**     Thao

*Delete the assessment due to returned mail.*

*RE: 419 Sherburne Avenue (Single Family)*

*Moises Romo, owner and occupant, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued Sep 27, 2013; compliance Oct 3; re-checked Oct 3; Work Order sent*
- indicated: including removing scrap wood along the rear of the house and on west side of garage and yard waste*
- work done Oct 7, 2013 for a cost of \$364 + \$160 service charge = \$524*
- sent to owner, 419 Sherburne Ave; Kyle Kohlberg, 745 Crystal Lake Rd E, Burnsville; and occupant*
- there was returned mail Oct 7 from 419 Sherburne*

*Ms. Moermond:*

- there was returned mail*
- will recommend deleting this assessment*

**Referred to the City Council due back on 2/19/2014**

**23**     [RLH TA 14-24](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404A, Assessment No. 148503 at 1021 SIMS AVENUE.

**Sponsors:**     Bostrom

*Delete the assessment since Ramsey County didn't have their records updated.*

*RE: 1021 Sims Avenue (Duplex)*

*Darrell Lewis, DE Lewis Companies LLC, owner, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued Oct 14, 2013; compliance Oct 18; was a pre-authorized Work Order*
- Work done for a cost of \$366 + \$160 service charge = \$526*
- no returned mail*
- sent to Buy Rite Companies LLC, 2515 White Bear Ave N, Ste 121, St. Paul; Buy Rite Companies LLC, 708 Cleveland Ave N, Ste 116, New Brighton*
- indicated large pile of rubbish on garage apron*
- she was the inspector*

*Mr. Lewis:*

- he is not Buy Rite Properties*
- he is DE Lewis Properties LLC; he bought it from Buy Rite on Jul 2, 2013 (Contract for Deed)*
- it was registered with the county; working through Midwest Guarantee Title*
- he did not get those Notices; everything was going to Buy Rite and Mr. Alan Peterson, owner of Buy Rite, would contact him; he emailed Mr. Lewis on the 17th about this; his son said that he cleaned some of the stuff up; when he got back into town, he drove by and noticed that everything was cleaned up on the 20th*

*Ms. Moermond:*

- looks like the county didn't get their records updated quickly enough*
- will recommend this assessment be deleted*

Referred to the City Council due back on 2/19/2014

### Special Tax Assessment Rolls

- 24 [RLH AR 13-127](#) Ratifying Collection of Vacant Building fees billed September 10, 2012 to August 21, 2013. (File No. VB1404, Assessment No. 148803)  
**Sponsors:** Lantry  
Referred to the City Council due back on 2/19/2014
- 25 [RLH AR 13-128](#) Ratifying Property Clean Up services during October 2 to October 31, 2013. (File No. J1404A, Assessment No. 148503)  
**Sponsors:** Lantry  
Referred to the City Council due back on 2/19/2014
- 26 [RLH AR 13-129](#) Ratifying Trash Hauling services during October 3 to October 30, 2013. (File No. J1404G, Assessment No. 148703)  
**Sponsors:** Lantry  
Referred to the City Council due back on 2/19/2014
- 27 [RLH AR 13-130](#) Ratifying Graffiti Removal services during October 8 to October 12, 2013. (File No. J1404P, Assessment No. 148403)  
**Sponsors:** Lantry  
Referred to the City Council due back on 2/19/2014

### 11:00 a.m. Hearings

#### Summary Abatement Orders

- 28 [RLH SAO 14-1](#) Appeal of Margarita Garcia to a Summary Abatement Order at 641 BEDFORD STREET.  
**Sponsors:** Brendmoen  
  
*Grant the appeal on the Summary Abatement Order. Approve the Excessive Consumption fee of \$120 but will let it go through as a tax assessment. DSI staff to delay another 30 days before sending bill to Real Estate Office.*  
  
*RE: 641 Bedford Street (Single Family)*  
  
*Margarita Garcia, co-owner with Salvador Duran Mondragon, appeared. (Laura Carroll interpreted.)*  
  
*Inspector Paula Seeley:*  
*- Summary Abatement Order issued Dec 17, 2013 - indicated: tire, table, chair, air conditioner, sink, bags of cans in the yard, rubbish in trailer in driveway; Compliance Dec 23*  
*- Ms. Garcia filled her appeal*

- Ms. Seeley issued an Excessive Consumption fee for a multiple on Dec 17, 2013 also due to sending them 2 previous Summary Abatements in Nov 2013  
- complaint came in from the City Council about an illegal car business; she was out there Nov 20, 2013 and ran 7 different plates in the driveway; none belonged to this address; she believes that there is an illegal car business going on here, maybe working on repairs, unless Ms. Garcia can provide her with the names of all the car owners

Ms. Moermond:

- questioned if any of these vehicles were in a condition that would justify a Vehicle Abatement Order?

Ms. Seeley:

- maybe 1 or 2 and they took care of them

Ms. Moermond:

- she cannot concern herself with the illegal business here; that's documentation for a licensing action  
- she will concern herself today with the Summary Abatement Order and the Excessive Consumption Order

Ms. Garcia:

- about the cars - her nephew went to Mexico and he left them in charge of the cars at the house  
- she had a friend who didn't have an apartment and asked if she could store her all of her things at their house; after it was there for a day, it snowed and then, they couldn't get rid of everything  
- now, it's cleaned

Ms. Moermond:

- will recommend that this appeal be granted because the work was completed during the stay of enforcement  
- the Excessive Consumption fee is because there have been 3 Orders within 12 months  
- when an inspector gets called out because someone has complained about a situation, and the city has had 3 founded complaints within a year, the city would charge an Excessive Consumption fee (too many inspector visits for 1 property)  
- will recommend approval of the EC fee  
- because this was under appeal, she will ask DSI if they could grant an extra month for payment of this bill before it gets processed as an assessment

Ms. Seeley:

- Connie sends these bills over to Tanya when they are ready to go; she just sent a few months' worth about 1 month ago; believes that Connie sends them over quarterly

Ms. Moermond:

- if the Excessive Consumption fee gets paid based on this bill, it's just for that amount - \$120; if we wait to pay the bill and it gets sent forth to be put onto the taxes because it wasn't paid, there will be fees attached to it that are greater than the size of the bill, (\$150 service charge); so, you want to get the bill paid before those extra fees get attached  
- she wants to give Ms. Garcia an extra month to pay the \$120 bill beyond what they would otherwise give her (she will call DSI to communicate that to them)  
- added that if someone is repairing vehicles at her property, that is against the law; you can repair your own vehicle there but you can't run any kind of a business there;

*he can't repair other peoples' cars there; if car repair is going on there, it has to end because enforcement people will be looking into it; suggested that she take care of that immediately*

**Referred to the City Council due back on 2/5/2014**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 29 [RLH VO 14-1](#) Appeal of David Leventhal, Cecil's Delicatessen, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 651 CLEVELAND AVENUE SOUTH.

**Sponsors:** Tolbert

*Grant the appeal on the revocation and order to vacate; deny the appeal on the occupancy load of 80 until the front swing of door is in compliance.*

*RE: 651 Cleveland Avenue South - Cecil's - (C-Restaurant)*

*Brad Hall appeared on behalf of David Leventhal.*

*Fire Inspector Leanna Shaff:*

- *Fire Certificate of Occupancy Revocation / Order to Vacate*
- *they didn't make the extended deadline that been decided by the Council, for the work that was supposed to be done - changing the door swing in the vestibule, etc.*
- *permit is currently open*
- *Inspector Skow-Fiske says, "Work shall be finalized and approved under permit; until permit has been finalized and approved, the occupant load shall be 49."*
- *Code: when there's one exit, occupancy is less than 50*

*Mr. Hall:*

- *asked for an extension until the weather gets a little better*
- *he originally sent a letter to Ms. Skow-Fiske asking for an extension until better weather to open up the wall and put in a new vestibule but she declined*
- *they had a posted occupancy of 80, which was recently brought down to 49; they want to bring that up to 80 again*
- *the chairs are in the basement; there still are tables for 49 up there*
- *he had originally asked for an extension sometime after April 2014*

*Ms. Moermond:*

- *the original deadline was the end of 2012*
- *ran a copy of the original resolution for Mr. Hall*
- *the first set of items had to do with increasing the occupancy to 75*
- *the item to get occupancy up to 80 was to change the foyer and the swing of the door*
- *if a sprinkler were installed (not required), occupancy could be increased to 85*

*Mr. Hall:*

- *no work has been done on the entry vestibule*
- *glass work was completed about 3 weeks ago*
- *permits were issued by the city on the 12th*
- *exiting is the same as it has been since the 40s: through the kitchen to the back door; the back was changed 5 years ago: a screen door swing*

*Ms. Moermond:*

- will recommend granting the appeal on the Revocation/Order to Vacate
- will recommend denying the appeal on the occupancy load of 80 (remains at 49) until the front door is taken care of
- until the permit is finalized, the front exit is compromised
- there's no deadline; when you get that permit closed and finalized, the occupancy load can go back up to 80
- can ask the City Council about it next Wed Jan 15, 2014 Public Hearing

**Referred to the City Council due back on 1/15/2014**

## 1:30 p.m. Hearings

### Correction Orders

- 30**     [RLH CO 13-34](#)     Appeal of Robin Magee to a Correction Notice at 466 MARSHALL AVENUE.

**Sponsors:**     Thao

*Last request for rescheduling.*

**Referred to the City Council due back on 1/15/2014**

- 31**     [RLH FCO 14-1](#)     Appeal of Steven Ambli, Lift Pro, to a Fire Inspection Correction Notice at 2554 COMO AVENUE.

**Sponsors:**     Stark

*Grant until March 3, 2014 to reduce the storage height of all stored materials to 12 feet high or less in Unit 7.*

*RE: 2554 Como Avenue (General Retail & Service-B-Commercial)*

*Steven Ambli, Lift Pro-Unit 7, appeared.*

*Fire Inspector A.J. Neis:*

- Fire Certificate of Occupancy Correction Notice Dec 17, 2013
- this building has had appeals before; however, an appeal for this unit is new
- appealed is "to reduce and maintain a storage height of 12 feet or less; reduce the aisle stacks of pallets to 6 feet high or less"
- Fire Code: "Combustible storage in a nondiscript building cannot be higher than 12 feet" and due to the extreme fire hazard of pallets, "can be no higher than 6 feet"
- inspector tried to take photos; however, the tenant refused him permission to take photos at the time of the inspection
- the inspector's notes do not say how high the storage is—just that it needs to be reduced
- Mr. Neis was in the building a few years ago; and the ceilings are quite high, so the stacks could easily be over 12 feet high

*Mr. Ambli:*

- is looking for a possible compromise or to allow the storage to remain as is
- he brought along photographs; his warehouse person held a 12 foot plank set up against the stacks
- south warehouse and north warehouse are separated by a path and a fire wall
- south warehouse stores wire rope, associated parts and a work space

-north warehouse stores synthetics, mainly cordage and webbing, used for industrial application for making lifting slings

Mr. Neis and Ms. Moermond viewed the photos as Mr. Ambli explained

Mr. Ambli:

-the top level is approximately 15 feet high; their forklift can go up only 15 feet plus a fraction

-there's a peeked portion of 25-30 feet

Mr. Neis:

-you also can't have any storage within 24 inches from the roof structure, either

-there are noncombustible items on combustible pallets

-the inspector wrote only one of the Orders, to reduce it to below 12 inches because that would also make it in compliance with the 24 inch minimum from the ceiling

Mr. Ambli:

-the storage racks are backed to the wall but not affixed to the wall

-some obsolete items are stacked higher up so that they are out of the way

-racks need to be located so that forklifts can access the materials stored on them

-asked if there were any fire protection system that could be used in lieu of a sprinkler system (he'd love to have a sprinkler system but the landlord is not for that)

Mr. Neis:

-unfortunately, no

-and, with a sprinkler system, there needs to be a 3-foot separation between the system and storage

-sprinkler systems are figured on flow calculation based on the density (what can be stored and how high)

-this building is also attached to a bar and a nightclub

-there are multiple occupancies within this building, so, the Fire Code has to be looked at frequently

-there is adequate fire separation; between a lot of these spaces, it's a 1-hour fire separation and it would not be required for several of them (same type of occupancies)

Mr. Ambli:

-there's still another 50-100 feet from this space to the bar itself

-there are residential units above the bar

Ms. Moermond:

-this conversation is essentially about the storage on the top shelves of the racks

-looks as though these cardboard boxes are all the way to the ceiling

-even the shortest rack looks to be 11'6", so none of these top shelves will be useable

Mr. Ambli:

-we will lose racking space; it'll be a hardship

-he does have a contingency plan if he loses his appeal but he will survive

-asked for an extension to comply and to develop a new flow plan if he loses his appeal

Ms. Moermond:

-will grant until Mar 3, 2014 to reduce the storage height of all stored materials to 12 feet high or less in Unit 7

-if Mr. Ambli needs more time, let her know at least a week before the City Council Public Hearing to be held on Feb 5, 2014

-a letter will be sent confirming today's results  
-an inspector will come out on Jan 21, 2014 for the other items

**Referred to the City Council due back on 2/5/2014**

## Fire Certificates of Occupancy

## 2:30 p.m. Hearings

## Vacant Building Registrations

### 32 [RLH VBR 14-2](#) Appeal of Truong Mai to a Vacant Building Registration Fee at 995 ARCADE STREET.

**Sponsors:** Bostrom

*Waive the Vacant Building fee to March 15, 2014 to get work done on the building. If work is done and permit(s), if any, are finalized, Ms. Moermond will recommend prorating the Vacant Building fee.*

*RE: 995 Arcade Street (Commercial/Apartment-B-Commercial)*

*Truong Mai, owner, appeared.*

*Inspector Rich Singerhouse:*

- a Category 2 Vacant Building file was opened Sep 14, 2010
- Certificate of Occupancy Team Inspection conducted Apr 12, 2011
- there was a 90-day VB fee waiver on Sep 20, 2013
- a 30-day VB fee waiver on Dec 12, 2013
- believes the Appellant is here for another VB fee waiver

*Mr. Mai:*

- he quickly called a licensed electrical contractor after he got the inspection Report and it took 3 months before he finally got it finalized
- it will take about 2 more months for the warm air inspectors
- 3 permits are finalized: warm air ventilation; electrical; plumbing

*Ms. Moermond:*

- she sees 2 open warm air permits (one valued at \$1,000; the other at \$2,000-this one isn't done yet)
- a mechanical one is open for \$2,000; gas
- so, the mechanical and gas permits are pulled
- everything else is finalized, including the building permit

*Mr. Mai:*

- he doesn't trust what the contractors tell him anymore; they tell you they are coming soon but they don't come until much later

*Ms. Moermond:*

- if the work gets done in 2 months, she will recommend that this Vacant Building fee be cut in half
- send in the yellow card when the letter for tax assessment comes; call our office and we will cut this in half for Mr. Mai
- we will put a note in your file, too.

Referred to the City Council due back on 2/5/2014

33 [RLH VBR 14-1](#)

Appeal of Sengleuame Pahoua Ly to a Vacant Building Registration Renewal Notice at 755 THIRD STREET EAST.

**Sponsors:** Lantry

*Waive the Vacant Building fee to July 14, 2014 to get work done on the building. If the work is done, Ms. Moermond will reduce the Vacant Building fee in half.*

*RE: 755 Third Street East (Single Family)*

*Sengleuame Pahoua Ly, owner, appeared.*

*Inspector Rich Singerhouse:*

*-Category 1 Vacant Building file opened Jan 14, 2010; it was changed to Cat 2 VB on Feb 23, 2012*

*-Code Compliance Inspection done Jun 27, 2013*

*-a 90-day waiver was given Jan 9, 2013*

*-a 30-day waiver was given Apr 26, 2013*

*-another 30-day waiver was given May 28, 2013*

*-anniversary date is Jan 14*

*-the Vacant Building fee covers the time period from Jan 9, 2013 – Jan 9, 2014*

*-the VB bill went out in Dec 2013 for the 2013-2014 year*

*-the Jan 14, 2012 to Jan 14, 2013 VB fee was assessed*

*Ms. Mai Vang:*

*-City Council approved the Jan 14, 2012 – Jan 14, 2013 VB fee on Jan 2, 2014*

*Mr. Ly:*

*- is asking for help*

*- bought the house from HUD in Jun 2012 and he wants to live there; it's not for investment*

*- he doesn't have the money to fix it up right now*

*- he is financially underwater*

*- he owns another house in Oakdale; has 4 children*

*- he has not pulled any permits*

*- said that he hasn't seen the Code Compliance Inspection Report*

*Mr. Singerhouse:*

*- the report it addressed to you at 7201 Upper 36th St N*

*Mr. Ly:*

*- "Yes, I did see it after the inspection but before that I had no idea..."*

*- talked to Dave Nelmark and he said that Mr. Ly had to pay for the inspection*

*Ms. Moermond:*

*- has owned property for 18 months and no permits have been pulled*

*- he already has received 3 waivers*

*- asked how will things change in 2014?*

*Mr. Ly:*

*- his goal is to put income tax refund money into the house; right now, it too cold to do anything*

*- water, electric and gas are on*

*Mr. Singerhouse:*

- there are no Orders on the property; it's being maintained
- there were a few under the HUD ownership (last one 7-26-12)

*Ms. Moermond:*

- wants to create an incentive for Mr. Ly to get this done sooner than later
- is willing to look at cutting the VB assessment in half if the work is done by Jul 14, 2014 and he has the Certificate of Code Compliance
- asked Mr. Ly to send in the yellow card when the bill comes from the city
- we will note this and Mr. Singerhouse is going to talk to the people at the DSI counter, who work on issuing permits, letting them know that she has asked that he get his permits issued even though this VB fee isn't paid
- if the work is done, half the VB fee will be gone; if the work isn't done by Jul 14, he will get the whole fee
- need to have the electrical, plumbing and heating contractors pull permits; some permits can be pulled by Mr. Ly-building permits, especially (Jim Seeger will be able to help with this; Mr. Singerhouse gave him Mr. Seeger's phone number)
- once the job is done, the city inspector will come and make sure the work's been done right
- recommended that Mr. Ly call a couple of contractors for each trade to get bids

**Referred to the City Council due back on 2/5/2014**