



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
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651-266-8585

Tuesday, May 17, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 16-239** Ratifying the Appealed Special Tax Assessment for Property at 370 AURORA AVENUE (File No. J1601V, Assessment No. 168000).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 7/6/2016

- 2 [RLH TA 16-242](#) Ratifying the Appealed Special Tax Assessment for Property at 1025 BRADLEY STEET (File No. J1601V, Assessment No. 168000).

Sponsors: Brendmoen

Song Vang (owner) appeared; Also Mr. Snowden Herr (interpreter)

Inspector Paula Seeley:

-Vehicle Abatement orders sent September 23, 2015, compliance date of September 28th, rechecked on 28th, towed [unclear when]. Indicates tabs were from 2014. Also trash issues going on.

Ms. Vang:

-Indicates she is the owner of the property, but it is a rental, and the vehicle belonged to the tenants.

-She dealt with the trash, and told the tenants they needed to move the truck, they said they no longer wanted the truck.

Ms. Moermond

-Questions why this truck with old tabs sitting on her private property, was given notice and talked to the tenants, questions why the financial responsibility would come back to the city and not with her or the tenants.

Ms. Vang:

-Even when the truck was towed, I was accused by the tenant that I was the one who towed it.

Ms. Moermond:

-Indicates that yes, she could have towed it, because she had orders to take care of

the problem

Ms. Vang :

-Didn't want to tow it because of other expenses, and asked the tenant to do it instead. They never notified me in any way, who towed it away.

Ms. Moermond:

-This seems to be a private matter between her and her tenants

Ms. Vang:

-Tenants were rude. When they moved they left trash in the garage and she paid for the cost to remove the trash. She questions why the city goes after her instead of the owner of the car.

Ms. Moermond:

-When you have a nuisance vehicle on private property, the responsibility is with the property owner to take care of it.

-Explains to her the best way to have handled this was to call the police department and have them write a tag on it and get a managers tow. Marcia asks Ms. Seeley to explain the process.

Ms. Seeley:

-If in the future you get an order on a vehicle, somebody should call her or the general police number, saying you got this order, then the police will write a citation out, and you can call a tow service and they will remove it for nothing.

Ms. Moermond:

-(to Ms. Seeley) asks about the history of Code violations

Ms. Seeley:

-Yes October....more orders in May. There is quite a bit of history.

Ms. Vang:

-I spent a lot of money cleaning up the trash and fixing up the house. I don't know how I'm going to go after [tenants] for costs.

Ms. Moermond:

-That's a private contractual arrangement. I need to hold you responsible, not taxpayers. Recommendation: approval. Then explains that if property owner objects to her recommendations, she can go before City Council, and information on times and dates is in letter she received.

Approve the assessment.

Referred to the City Council due back on 7/6/2016

3 [RLH TA 15-555](#)

Ratifying the Appealed Special Tax Assessment for Property at 923 BURR STREET. (File No. J1603A, Assessment No. 168502; amended to File No. J1603A1, Assessment No. 168513) (Public hearing continued from January 20) (Amend to delete assessment)

Sponsors: Brendmoen

Trang Phan, daughter of owner, Phong Pham, appeared. Also Mr. Snowden Herr (interpreter)

Ms. Moermond:

-we had a hearing before, and laid the matter over to get additional information, and there was a request for an interpreter. Asks if she wants the entire report fresh?

Ms Phan:

-it's up to you, they told me to come back so I did

Joe Yannarely, DSI/Code Enforcement

-Summary Abatement issued August 13, 2015, compliance date of August 19th, rechecked August 20th, and a summary abatement done on August 21st for total assessment of \$478.00 (\$318 for SA + Service fee of \$160 . Letter sent to Fannie Mae and Phong Pham, 2204 McAfee Street, Maplewood.

Ms. Moermond:

-(to Ms. Phan) When did your family acquire the property?

Ms Phan:

-About July 2015

Watch video of cleanup

Ms. Moermond:

-I'm seeing a couple things in the minutes from before, and at one point it says orders were sent to Fannie Mae and Phong Pham, can you tell me why your family didn't do the cleanup?

Ms Phan:

-She is the daughter of the owner, at the time they got the orders her brother was moving from 263 Wilson into this house, and then he traveled for 2 weeks. Because the house is old, we couldn't do it right away. Says she's sorry because she didn't know, though that because it was on her property. Her brother didn't get any letter or order, they thought someone stole the items.

Ms. Moermond:

-Asks her if the rehab is done on the property, and ready to move into.

Ms Phan:

-No, not done

Ms. Moermond:

-Explains when they met in December, the idea was to use the cost of this as an incentive to get the work done more quickly.

Ms Phan:

-Tried to get it done, but there's still lots of things to do. After they met last time, she tried to learn what was her responsibility.

Mr. Yanarely

-here has been no history on the property since

Ms. Moermond:

-Put it on the council agenda for June 15th at 5:30. If the property is done then I'm going to recommend that this gets cut in half, taking into account that this is all new to you. At the same time, I want this as an incentive to get the job done, we will go in half if it can get done by then, otherwise I will recommend the whole assessment.

Ms Phan:

-Can maybe move in end of June

Ms. Moermond:

-June 15th is the date I'm giving you, including code compliance certificate. You can move in whenever you want. It's an incentive.

Ms Phan:

-Questions that at the last hearing Legislative Hearing officer said it will go away if there are no more violations. Now she has to pay half.

Ms. Moermond:

-When we talked in December, the hope was that when we sat down today we'd be all done, and we're not. If you can get them to finish, you'll save yourself the money, if you can't you won't.

Approve the assessment.

FOLLOW-UP 6/14/16: In reviewing the record, I believe I may have given mixed messages about deleting and/or decreasing the assessment. As there have been no code violations since the first hearing, a condition for deleting the assessment has been met and I am amending my recommendation. MM

Referred to the City Council due back on 6/15/2016

- 4 [RLH TA 16-255](#) Ratifying the Appealed Special Tax Assessment for Property at 1021 CASE AVENUE. (File No. J1609A, Assessment No. 168525)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 6/15/2016

- 5 [RLH TA 16-238](#) Ratifying the Appealed Special Tax Assessment for Property at 942 ELEANOR AVENUE. (File No. J1609E, Assessment No.168313)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 7/6/2016

- 6 [RLH TA 16-241](#) Deleting the Appealed Special Tax Assessment for Property at 1008 GROTTO STREET NORTH (File No. CRT1609, Assessment No. 168209).

Sponsors: Brendmoen

Delete the assessment. Fee was received and processed at DSI. (No hearing necessary)

Referred to the City Council due back on 7/6/2016

- 7 [RLH TA 16-252](#) Ratifying the Appealed Special Tax Assessment for Property at 497 HOPKINS STREET. (File No. VB1607D, Assessment No. 168819)

Sponsors: Brendmoen

It got referred by Council on May 4 per owner's request but no show at May 17 Legislative Hearing so approve the assessment.

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

- 8 [RLH TA 16-254](#) Ratifying the Appealed Special Tax Assessment for Property at 1552 HURON STREET. (File No. CRT1609, Assessment No. 168209)

Sponsors: Stark

Approve; no show.

Referred to the City Council due back on 7/6/2016

- 9 [RLH TA 16-243](#) Ratifying the Appealed Special Tax Assessment for Property at 321 JENKS AVENUE (File No. J1601V, Assessment No. 168000).

Sponsors: Brendmoen

Approve; no show.

6/20/16: LHO emailed Impound Lot to get cost detail. They came back cost of \$830 versus \$1,615.68. Assessment reduced accordingly.

Referred to the City Council due back on 7/6/2016

- 10 [RLH TA 16-251](#) Ratifying the Appealed Special Tax Assessment for Property at 1446 LAFOND AVENUE. (File No. J1601V, Assessment No. 168000)

Sponsors: Stark

Mr. Andrew Meyers appeared, current owner.

Inspector Paula Seeley:

-Vehicle abatement order. Orders were sent March 9th, Compliance Date of March 16th, 2015, rechecked May 12th, and work was done May 15th, for a cost of \$598.68. No returned mail, orders sent to Annie Smith at 1446 LaFond and to occupant. Vehicle with 2014 tabs. 2 Prior EC's to that, the first set of orders was a vehicle abatement, but he kept going back ECing them, then it got towed.

Mr. Meyers:

-He's hoping to get waive orders, had just purchased the property in March. When they ran a title search in March, it didn't show up. He closed on March 14th. Towed in July, but didn't post until March 11th of this year, so when a title search was ran it didn't pull up. Doesn't know why it was 10 months later. Posted to City 4 days before I purchased it

Ms. Moermond

-Questions whether he has approached the seller. Its incumbent upon the sellers to share the pending things, it should be covered under a standard mortgage agreement

Mr. Meyers:

-Questioned why it was posted 10 months later. Happened in July, wasn't posted until March.

Ms. Moermond

-This is from the police impound lot, so all the assessments I'm seeing today are from the last year. They didn't process until after January, when they had an auction. At the same time, they should have told you.

Inspector Seeley

-If he purchased the property in March, it sat there for 2 months

Ms. Moermond

-Clarified it was March of 2016, a year later. This is a previous owner problem from months earlier, and the police weren't timely in processing.

-At the same time, costs were incurred, so City tax base as a whole is having to pick it up.

-Asks Mr. Meyer if he is on the Lafond Address

Mr. Meyer

-Indicates that it is rehab, and is vacant.

Ms. Moermond

-Hard case. Realtor tried to do due diligence, but seller wasn't forthcoming with what they should have been. That's where the responsibility lies. It would have been great had the police processed this more quickly. I'm going to recommend the council approve the assessment, and we will make a note in the record as to what the situation was with time delay.

-Because the tow took place last May, a year ago; did the owner have bills?

-Indicates she will talk to City Attorney, as you're not the only one affected this way, but you are a new owner. Asks Meyer to leave name and number, and Mai Vang will get a hold of you if there's a change.

-Asks him to get City any transaction information, to get on record. He bought it as a foreclosure.

Approve the assessment.

Referred to the City Council due back on 7/6/2016

- 11** [RLH TA 16-259](#) Ratifying the Appealed Special Tax Assessment for Property at 122 LYTON PLACE. (File No. VB1609, Assessment No. 168810)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 6/15/2016

- 12** [RLH TA 16-248](#) Ratifying the Appealed Special Tax Assessment for Property at 981 MARSHALL AVENUE. (File No. J1609A, Assessment No. 168525)

Sponsors: Thao

Appellant missed the hearing on May 3; called to reschedule so layover to May 17 Legislative Hearing. He also missed the May 17 hearing. No more continuances. Approve the assessment.

Referred to the City Council due back on 6/15/2016

- 13 [RLH TA 16-257](#) Ratifying the Appealed Special Tax Assessment for Property at 550 MINNEHAHA AVENUE WEST. (File No. VB1609, Assessment No. 168810)

Sponsors: Thao

Approve; no show. (2x)

Referred to the City Council due back on 6/15/2016

- 14 [RLH TA 16-260](#) Deleting the Appealed Special Tax Assessment for Property at 1200 RICE STREET (File No. J1608B, Assessment No. 168107).

Sponsors: Brendmoen

Delete the assessment. There is no record of a boarding taken place at this vacant lot and there was no invoice. (No hearing necessary)

Referred to the City Council due back on 7/6/2016

- 15 [RLH TA 16-261](#) Ratifying the Appealed Special Tax Assessment for Property at 1258 RICE STREET. (File No. VB1610, Assessment No. 168811)

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 6/15/2016

- 16 [RLH TA 16-229](#) Ratifying the Appealed Special Tax Assessment for Property at 1054 ROSE AVENUE EAST. (File No. J1609A, Assessment No. 168525) (Public hearing to be continued to October 5, 2016) (Amended to File No. J1609A2, Assessment No. 168533)

Sponsors: Bostrom

Mr. Joseph Thao appeared, owner

Mr. Snowden Herr, interpreter

Paula Seeley, inspector

-Summary abatement, Feb 1st, with a compliance date of February 8th, rechecked on 8th. Work was done on Feb 9th for \$504.00. No mail returned, sent to occupant and Joseph Thao 1054 Rose, for garage door panels, tables and other materials on east side of garage.

Watched video of clean up done

Ms. Moermond

-Questions that the cement stayed

Ms. Seeley:

-Indicates yes, it was landscaping rock

Ms. Moermond asks interpreter to summarize paperwork for Mr. Thao

Mr. Thao

-He thought it was stolen, by somebody else. He thought that was not a cleaning, that's why he's here today. He was dumfounded because the property was given to him by his cousin in October, and this one guy who collects junk offered to purchase it. He indicated that he still wanted it, and not long after the items on the property disappeared, so he thought it was stolen by someone else.

Ms. Moermond:

-Asks if Mr. Thao received the order mailed to him at 1054 on Feb 1

Mr. Thao

-Says he didn't receive the order. Didn't receive anything until he received the bill. He never assumed it was cleaned up by the City, he thought it was stolen.

-He didn't think it was cleaned up by the City because it was only partially cleaned up. They took the metal tables, and there is still a bunch of unwanted property there. He thought it was stolen because it was selective, only certain items. Didn't realize what happened until he got the letter and called the number and was told it was cleaned by the City.

Ms. Moermond

-(to Ms. Seeley), Summary Abatement for Feb 1, sometimes there are other orders issued, what orders were issued on this? Was it just one letter, or other letters?

Ms. Seeley

-Just the one letter. Inspector Westenhoffer.

Ms. Moermond:

-When we look at the video, it shows some things remain. Letter said table, garage door panes and other materials on east side of garage.

Ms. Seeley

-I think the blocks were left because of the fence.

Watched the Video again

Inspector Lisa Martin:

-Ladder and some landscape blocks left, deemed to have value

Mr. Thao

-Says only the things that have value were removed, not the other things

Ms. Moermond

-There's some difference of opinion about what had value and what didn't

Mr. Thao

-Dumfounded they took those things, because his definition of clean is they would take everything there, but they selectively chose to remove the table and panels. He was going to use the garage panes, so since items were selectively removed that's why he believed it was stolen, not removed by the City.

Ms. Moermond:

-Asked Mr. Thao if he lived there, he says yes

-Asks Ms. Seeley what kind of history is on the property

Ms. Seeley

-April 2014, garbage, that's about it. One snow and ice complaint, done by owner. Did a cleanup too, in 2014.

Ms Moermond

-The items that were selected for cleanup weren't random. The letter lists them specifically. And because Mr. Thao keeps coming back to the fact that it seemed random, and they were listed. She's sympathetic to Mr. Thao, which weighs in your favor.

-Asks Mr. Thao how they manage mail at his home, in terms of making sure things are translated.

Mr. Thao

-Has not had a translator, he called the city and was told what happened. He didn't get to understand the letter.

-Indicates in the future he will make sure to have someone read it.

-Moved in November 2014

Ms Moermond

-Going to ask the city to lay the matter over to Oct 5, 2016. If there is no more complaints on the property, no more needs for cleanup, she will recommend it gets deleted. Thinks he made a reasonable argument that he didn't know there were orders on it.

Layover to October 5 Public Hearing and if no further violations, will delete the assessment.

Referred to the City Council due back on 6/15/2016

17 [RLH TA 16-218](#)

Deleting the Appealed Special Tax Assessment for Property at 1124 SELBY AVENUE. (File No. J1609A, Assessment No. 168525)

Sponsors: Thao

Mr. Jonathan Anderson, owner, appeared

Inspector Paula Seeley

-This was a snow and ice complaint, orders were sent Feb 11th with a compliance date of Feb 13th. It was reinspected on Feb 17th, the work was done on Feb 18th for \$320.00. Sent to occupant and Mr. Anderson at 1124 Selby. Photos indicate how ice and snow covered, and compacted it was

Mr. Anderson

-It was confusing. I had no mail to say this, he contacted the post office asking where my mail was. Has the letter stating the date of the 11th, contacted the post office as of the 15th.

Ms. Moermond

-Asks for clarification that he lives at the address

Mr. Anderson

-Yes. He contacted the post office saying he had no mail, they said he should, but he didn't not even junk mail. For almost a week there was no mail. Said there wasn't a substantial amount of snow that that would be the reason the mail wasn't being delivered. Mail did come, after the 18th when the removal was done. He thought maybe the neighbors did it. Once he got the mail, he talked to Rick Gavin, he requested photos for months, they were never given to him until May 16th afternoon. -He has 2 children, mother in Stillwater, and he is back and forth.

-He knew it was going to warm up according to the weather, and he was out of salt, but knowing it was warming up he was going to try and get it removed after that, but then it was already done.

-The weather the week following was in the 40s.

-Lived there for 10 years, never had this issue before.

-Says he has photos from the 19th, the next day, and shows it's already melting the next morning.

Ms. Moermond

-Looking at the snow and ice in pictures, the most recent snowfall affecting your sidewalk, Feb 11th an inch fell, and week prior Feb 2nd, almost 9 inches fell. Both those created the mess indicated in the photographs. She understands the notification issue, and hears that, but says he should have gone out to buy some ice melt. Neighbors clearly took care of their sidewalks.

-Asks Ms. Seeley to pull up a history

Ms. Seeley

-There's not much history

Can't play video because it wasn't finalized. There are photos

Ms. Moermond

-Recommends this gets deleted.

Delete the assessment.

Referred to the City Council due back on 6/15/2016

18 [RLH TA 16-237](#)

Deleting the Appealed Special Tax Assessment for Property at 287 SIDNEY STREET EAST. (File No. J1601V, Assessment No. 168000)

Sponsors: Prince

Mr. Ian Colville, representative and managing member/owner of Ccf2 LLC

Paula Seeley, Inspector

-Vehicle abatement sent May 21, compliance date of June 1st, Rechecked June 3rd. For amount \$3600.68 Sent to Bohland Property, 300 bates and to occupant at 287 Sidney, for black Oldsmobile with expired tabs from 2014.

Mr. Colville

-Asks what definition of an abandoned vehicle, anything with expired tabs?

Ms. Moermond

-Very expired. 90 days on private property.

Mr. Colville

-Got first notice on April 27th, 3 weeks ago. The amount shocked them, but more than that they never received notice. They bought it on the 14th, went to old owner on the 21st, who was terribly disorganized, and they never got the notice.

-Got property from Tom Bohland (Bohland properties)

Ms. Seeley

-\$3540 for storage, it was in impound for a long time. Only sold \$100. It was all towing and impound for that many months.

Ms. Moermond

-Has already talked to the impound lot about this, and has concerns about the duration on this one. As do they. Expect that there will be an assessment for these costs, but this current amount isn't reflective of what a normal cost would be.

Mr. Colville

-Questions that the notice not being sent to current owner doesn't affect it? They bought in May 14, 2015, and a week after the notice went to old owner. They never received any notice, they act on these things quickly.

Ms. Leanna Shaff, Fire inspector

-Certificate of Occupancy was updated with correct information as of June 1, 2015. Toni Wickstrom (works for Mr. Colville) was quick about getting it in

Ms. Moermond:

-Recommend to Council assessment gets deleted. Notice went to old owner during period of ownership.

Delete the assessment.

Referred to the City Council due back on 7/6/2016

19 [RLH TA 16-245](#)

Ratifying the Appealed Special Tax Assessment for Property at 1820 STILLWATER AVENUE (File No. CRT1609, Assessment No. 168209).

Sponsors: Prince

Mr. Gary Blair, owner

Leanna Shaff, Fire Inspector

-Fire Certificate of Occupancy. Single family dwelling. \$196, fee, \$155 service charge, total being \$351.00. Mr. Blair returned the gold card. A little bit of history, has been here before, given until Sept 1 to comply with driveway orders. Prior C of O was revoked on September 4, 2015 because work wasn't done. Given a new compliance date December 28 of 2015. All mail sent to Mr. Blair at 1769 Ranier in St. Paul.

-There is one current certificate on the property, this one resulted in opening the Certificate of Occupancy for noncompliance, rather than giving a misdemeanor citation.

Mr. Blair

-Paid the initial \$169 fee, for the inspection. When he spoke with Ms. Moermond last time, most of the things had already been completed. Due to errors by inspection office, discrepancies in paperwork, inspector indicated he made errors, Mr. Blair feels this is the reason it was put into vacancy. Made some phone calls and got reports that weren't correct. Sent certified mail to parties involved, including Legislative Hearing office. Says most of the information was inaccurate. Nothing seems to be happening in October because the work had already been completed in September.

Ms. Shaff

-Shows Ms. Moermond photo dated September 25th.

Mr. Blair

*-Had a safety pole that needed to be put in by Excel,
-shed needed to be tore down, which was done after our first meeting*

-gradient for parking, and the venting in basement. Letter dated april 29th.
-July 28th, after 2nd inspection. Inspector said all that's left is the driveway and parking area, and the excel pole
-Sept 15th got a letter revoking C of O.
-Excel said the pole wasn't needed, inspector said it was, he got excel to put the pole in, which was done August 21, well before the letter was even sent, September 15th.
-The September 15th letter also indicated items that weren't on previous letters.
-The added items on the 3rd letter weren't correct, everything had been completed- the shed, smoke detector, carbon monoxide detector had been done in March. These items weren't correct.
-Things were put on, taken off, put on but all taken care of in a timely fashion. Faxed Hearing office a letter from the driveway company on September 3rd saying they were having trouble due to the wet season, and should be scheduled in about 2 weeks. I sent this to the inspector too.
-Driveway not being complete isn't a safety issue
-Questions why he needs to pay for a 2nd inspection because he ran over time? If that's the reason he understands, but he doesn't understand why he had so many complications.

Ms. Moermond:

-(to Inspector Shaff), we're talking about a bill for specific dates, and im looking at this it says September 4, 2015 for \$196 and doesn't list any additional inspection dates.

Ms. Shaff

-It wouldn't. What happened was when Council determined the date, Mr. Blair indicated he didn't comply by that date. Our pictures show there was no driveway.
-Rather than a misdemeanor citation, we chose to revoke the C of O for noncompliance.
-That would be the inspection date, she went out herself and approved the fire C of C so it wouldn't show a reinspection, would just show an initial date.
-Mr. Blair approved the charges with correction from July 28, 2015. The correction being the driveway. That one is paid. When we revoked the C of O, he doesn't have one anymore, so it's required to comply. It gave him time to get it done, with the penalty being another C of O fee, rather than a citation.

Mr. Blair

-Has a clear C of O, he tried to get an extension because of the weather. It wasn't more than 2 weeks later he got it done, prior to that everything got done timely, there was no negligence.
-It was postponed due to rain, he tried to get it done. Tried to call and couldn't reach anyone, talked to inspector who said he can't do anything and he'd have to contact Council.

Ms. Shaff shows Marcia pictures of the snow covered driveway on the day of her approval. Mr. Blair and Ms. Moermond looked at photos. Blair submitted a letter he said to Ms. Moermond outlining the dates and letters, Ms. Moermond offers to scan and put in record.

Ms. Moermond

-The work wasn't done on deadline. WE did the hearing back on July, orders were issued prior to July. The question is whether or not a reasonable cost for enforcement happened. She understands that there is other stuff going on that wasn't resolved by Mr. Blair's way of thinking. We have compliance, and certificate issued. The C of O fee, which is the extra cost of being non-compliant is the \$196.00. The \$155 gets added on for the appeals process, basically. She recommends halving that amount, which decreases that cost to \$77. The reinstatement fee is a legitimate cost.

Mr. Blair

-Appreciates her working with him. He's not at fault of trying to get this done in a timely fashion, there was confusion and misrepresentation about what was happening. Without that he feels the \$196 fee wouldn't be there. The only additional inspection was when Shaff came out to look at the driveway. There was no cost involved; it was an error because he'd already paid it.

-He didn't think because he was a couple weeks late that was the reason for the fee, he thought it was the other things mentioned in the letter.

Ms. Moermond

-We did not have compliance at that time. No benefit to splitting hairs, but things that the reason for revocation is justified. When the council makes a decision the department is responsible for enforcing deadlines, not renegotiating.

Recommendation: reducing admin fee by half. Total assessment: \$273.50 (from \$351). Send letter ratifying assessment amount after public hearing.

Reduce assessment from \$351.00 to \$273.50 (cut service charge in half)

Referred to the City Council due back on 7/6/2016

- 20** [RLH TA 16-236](#) Deleting the Appealed Special Tax Assessment for Property at 130 SYCAMORE STREET EAST. (File No. VB1609, Assessment No. 168810)

Sponsors: Brendmoen

Mr. Raymond Aguirre, owner, appeared

Mr Joseph Yannarely, DSI/Code Enforcement

-Renewal of Vacant Building Fee, anniversary date of January 30th, 2012. Code compliance date of May 6th, just over 3 months past the anniversary date.

Mr. Aguirre shows his code compliance certificate.

Ms. Moermond

-I'm going to recommend your assessment gets deleted. Connect with Elizabeth Munich to get the names spelled correctly.

Delete the assessment.

Referred to the City Council due back on 6/15/2016

- 21** **RLH TA 16-262** Ratifying the Appealed Special Tax Assessment for Property at 435 VAN BUREN AVENUE (File No. J1608B, Assessment No. 168107).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 7/6/2016

- 22** [RLH TA 16-244](#) Ratifying the Appealed Special Tax Assessment for Property at 1047

WESTMINSTER STREET (File No. J1601V, Assessment No. 168000).

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 7/6/2016

23 [RLH TA 16-247](#)

Ratifying the Appealed Special Tax Assessment for Property at 1905 WILSON AVENUE (File No. CRT1609, Assessment No. 168209).

Sponsors: Prince

Mr. Richard Menz, owner, appearing.

Doug, appeared along with Mr. Menz

Leanna Shaff, Fire Inspector:

-Fire C of O inspection for a 41 unit building. Cost is \$1104.00, service charge of \$155, total assessment \$1259.00. Letter sent on August 17th, 2015. Compliance Date was January 7th, 2016. No returned mail. All letters sent to Richard Menz and 1905 Wilson Ave.

-History: this assessment as far as cost is the fire C of O and a reinspection charge.

-In dispute is owner wanted to self-certify 4 carbon monoxide alarms. Can't be done due to state statute; has gas boilers and dryers, but no monitored alarm system, along with unit 204 were the cause of the last inspection.

-Apt. 204 was found not to be vacated until last inspection.

-Mr. Menz is disputing having to pay the reinspection fee, for the carbon monoxide alarm certification and also unit 204.

-She explains what is meant by self – certifying alarms. State statute 299F requires all residential units to have carbon monoxide alarms. Previously if you had all electric appliances, you could certify saying you didn't need one. This building has gas dryers and boilers. To not have alarms in each unit, you need to have a centralized alarm system, and it has to be monitored by a central station. Rather than updating alarm panel, they chose to have carbon monoxide alarms in each unit.

-When Mr. Menz spoke to me on the phone, apartment 204 was going to turn, unfortunately while it's still occupied it's not being turned, thus the necessity for the 3rd visit was both for the Carbon monoxide alarms and to make sure work was done in apartment.

Mr Menz

-Appealing C of O fee, has never had a 3rd inspection charge, been in business 50 years.

-Mr. Thomas, previous inspector, said they just needed an exemption in 2013. 2015 filed the same thing with the city. Provided these forms, along with other forms, to Mr. Kline on first visit.

-When Kline came back for 2nd visit, there was no mention of carbon monoxide sensors. Everything went through on the 2nd visit. There was a re-inspection for everything, including apartment 204.

-When Kline came apt 204 was vacant, but they left a lot of stuff. It was being turned, plates were off walls and it was being painted. They vacated a week prior. Except for the one carpet in the room, the apt was being turned. No safety problems

-Unrealistic to shampoo carpet while its being turned. Doug talked to Kline who indicted he wouldn't need to come back to verify carpets were cleaned, had understanding there wouldn't be a re-inspection fee.

-A few weeks later they found out the Carbon monoxide alarms would have to be installed. It was after the 2nd inspection they got letter saying they needed the

alarms.

-Spent \$1,000's putting in alarms, it was re-inspected, 204 had new residents.

-It isn't justified to charge us that much to clean the carpet.

Ms. Moermond

-Questions Ms. Shaff that the other cause for re-inspection would be unit 204, and on the carbon monoxide issues on the 2nd set of orders, not on the first, and the inspector at the beginning not engaging the carbon monoxide issue

Ms. Shaff

-Indicates it doesn't appear he did. If you're given an exemption, you assume the person has the understanding of what they're doing. Says this was a good catch, it's not tied into the system and they do need the carbon monoxide alarms.

-Doesn't know what happened in the past, but this inspection was viewed this way.

Mr. Menz

-The pre-inspection checklist says nothing about carbon monoxide in the building anywhere. No idea it was even required. Since apartments done have any gas burning appliances they thought they were fine.

Ms. Moermond

-Regulations change over time, enforcement people change. Getting work done and reinforcements aren't judgements in and of themselves. Not a perfect transition from one inspector to a next. Wants to credit them with some money and split the re-inspection and admin fee. They're still accountable for part of it. Takes into account there were changes and unexpected extra work, but that inspector was right in asking for additional information.

Mr. Menz

-It wasn't their responsibility, or mistakes. City is still making money, they're losing money. I didn't expect to have to pay the charges. Aren't excepting any responsibility, but if that's what it is that's fine.

Recommendation: Split the re-inspection and the admin fee, for a new total of \$844 down from \$1,259.00

Reduce the assessment from \$1259.00 to \$844 (half service charge and half reinspection charge)

Referred to the City Council due back on 7/6/2016

24 [RLH TA 16-258](#)

Deleting the Appealed Special Tax Assessment for Property at 796 WINSLOW STREET WEST. (File No. J1608B, Assessment No. 168107)

Sponsors: Noecker

Sharrel Waxon, owner appeared

Mr. Joe Yanarelli, Inspector

-Emergency boarding requested by SPPD January 6th to secure a building after a burglary. Fee was \$425.

Ms. Waxon

-Not a burglary, a home invasion. 6 men in her house, with guns. SPPD asked if she wanted home secured, she lives by herself. She had no where to go.

-May have been told there was a fee, but after everything else doesn't remember.

-The people screwed into the door from the outside, so anyone with a screw driver could have gotten in.

-Had to have someone else come out the next day to board it from the inside so anyone couldn't just enter the house.

Ms. Moermond

-Has police report and has heard more often than no that the police don't remember to tell people that there is a cost. You aren't given an opportunity to reflect on that cost.

Mr. Yanarely agrees, they don't normally tell people.

Ms. Moermond

-Since you weren't definitively told cost, recommends to delete the cost of the charges.

Ms. Waxon

-Asks about expediting process, she is putting house on market Friday, wants proof it's clear.

Delete the assessment.

Referred to the City Council due back on 7/6/2016

- 25** [RLH TA 16-256](#) Ratifying the Appealed Special Tax Assessment for Property at 1739 YORK AVENUE. (File No. J1609A, Assessment No. 168525)

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 6/7/2016

Special Tax Assessments - ROLLS

- 26** **RLH AR 16-34** Ratifying Collection of Fire Certificate of Occupancy fees billed during December 15 to January 12, 2016. (File No. CRT1609, Assessment No. 168209)

Sponsors: Stark

Referred to the City Council due back on 7/6/2016

- 27** **RLH AR 16-35** Ratifying Excessive Use of Inspection/Abatement services billed during December 21 to January 12, 2016. (File No. J1609E, Assessment No. 168313)

Sponsors: Stark

Referred to the City Council due back on 7/6/2016

- 28** [RLH AR 16-36](#) Ratifying the assessments for Boarding and/or Securing services during November 2015 at 837 FOURTH STREET EAST. (File No. J1606B1, Assessment No. 168108)

Sponsors: Stark

- 29 RLH AR 16-37 Ratifying Boarding and/or Securing services during January 2016. (File No. J1608B, Assessment No. 168107)

Sponsors: Stark

Referred to the City Council due back on 7/6/2016

- 30 RLH AR 16-38 Ratifying Towing of Abandoned Vehicle services during April to December 2015. (File No. J1601V, Assessment No. 168000)

Sponsors: Stark

Referred to the City Council due back on 7/6/2016

11:00 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 31 RLH VO 16-20 Appeal of Jim McEnroe to a Notice of Condemnation Unfit for Human Habitation Order Order to Vacate at 2121 REANEY AVENUE.

Sponsors: Prince

Jim McEnroe, owner appeared, along with Gaile McEnroe, friend

Inspector Lisa Martin

-Previously condemned, in hearings previously, Ms. Moermond had asked for someone to look at measurements for the 2nd floor. Westenhoffer went out. Condemnation property.

-May 6th the owner didn't want them to take any photographs

-From outside there was hanging electrical wires, not much has changed. Broken windows, garage untouched.

-From 2012 mechanical contractor couldn't hook up forced air unit to illegal 2nd unit in basement.

-Original inspection had a tenant on the main floor, Yaya diatta was out and couldn't get in.

-Appears just owners are there, no tenants

Ms. Moermond

-This is an illegal 2nd unit, dilapidated and unsanitary conditions.

Mr. McEnroe

-Put \$1,000's of dollars into property, new furnace dryer and windows. Asks why he didn't get mins from last meeting.

Ms. Moermond

-Explains the mins are online, was an assumption that he'd look there

Mr. McEnroe

-Bought the house as having a separate apartment and was misrepresented.

-Jut paid \$4,000 to fix the walls and damage from previous tenant.

-Currently lives there alone. Trying to prepare to rent it out. Has current bids from electricians and plumbers, will cost him about \$15,000.

-Still waiting on variance for loft to see if it can be a bedroom.

-He will tear down garage when he has the funds

Ms. McEnroe

-The reason for the most recent inspection was because of the 3rd level variance.

Already knew about the garage

-If it cannot be a 3rd bedroom it will change claim to Keller Williams

Mr. McEnroe

-Says he was sold a 4 bedroom, 2 bath home, and it isn't.

-Says Mr. Westenhoffer came over for window measurements, he never said they couldn't take pictures.

Ms. Moermond

-Principle violations are the ones the order to vacate is around, the illegal duplex piece

Mr. McEnroe

-Says its not an illegal duplex

Paula Seeley-

R4 single family, never been a variance filed. Yaya Diatta and zoning want everything out of the basement, and cap water and gas.

Ms. Moermond

-Has conversed with zoning and attorney in past, and it wasn't stated that way. Says it doesn't make sense when you can have a wet bar and a microwave. Questions how they're making that determination.

-Recommends appeal is granted on condemnation order to vacate, but that the orders themselves stand and still need to be addressed.

-Using heavy duty order to vacate doesn't need to be done here. Deconverting from duplex to single family. She doesn't mind the stove or refrigerator. Need to clarify what zonings concerns are before he starts paying contractors.

Mr. McEnroe

-After last hearing, you said I could keep the kitchen and I paid for the permit to have the oven hooked up

Ms. Moermond

-In terms of ceiling height you need to talk to city's building official, Steve Ulbs (266-9021).

Mr. McEnroe

-The basement is the main issue for him. Spending money, needs to know whether he should keep putting money in. The loft is important, but he needs to know whether he can keep the stove.

Ms. Moermond

-Indicates her opinion differs, and may not prevail. Layover for 2 weeks, and hopefully she will have an answer on the stove.

-Asks Mr. McEnroe to get in a work plan with how he's going to tackle corrections. Put dates on the paper with the process.

-Asks him to try and contact Steve Ubl during those 2 weeks

Grant the appeal on the condemnation (Item 1); Layover for owner to provide work plans with timelines for repairs to the other violations with exception to Item 16 (ceiling height issue in the attic) which has been referred to the building official, Steve Ubl.

Laid Over to the Legislative Hearings due back on 6/7/2016

Summary Abatement Orders

32 [RLH SAO 16-15](#) Appeal of Clifford Scott to a Summary Abatement Order at 434 FRY STREET.

Sponsors: Stark

Clifford Scott, owner, appeared

Inspector Lisa Martin

-Property has a lot of exterior photos, firewood needs to be stacked in a safe manner; can't exceed 5' in height and be closer than 10' to any building. Garage is filled with firewood.

-We have fire concerns inside structure

-Woodburning stove in basement, next to bed

-Excessive storage in property

-No fire and smoke alarms

-She put a referral in to Ramsey County house calls, they're going to bring smoke alarms and getting Mr. Scott a dumpster. Excessive firewood.

-Owner is willing to work with us

Ms. Moermond

-Summary abatement for firewood and tree stumps in yard. Additional photos we learned a lot, and a better idea of whats going on in the interior.

-Moermond asks Ms. Martin if any orders on the interior.

Ms. Martin

-Yes, they will be given to Mr. Scott today, they were also mailed, in order to get resources. Hopefully by Monday will have dumpster.

-May 23rd deadline, due to severity

-Other occupants of home, some are disabled, which is why we want it resolved quickly.

Ms. Moermond asks Mr. Scott who lives there with him

Mr. Scott

-William and Dean they both live there. One is disabled.

Ms. Moermond asks Mr. Scott of his ability to get the place cleaned out, and asks if he needs help understanding the orders.

Mr. Scott and Lisa Martin go in hallway to discuss the orders. Ms Moermond indicates she is curious about his ability with his housemates to get the unsanitary condition issues addressed and any excessive clutter and fire hazard issues addressed.

Thinks that the repair could be done by workplan.

There is a recess while they meet in the hallway.

Ms. Martin

-Mr. Scott is willing to work with Ramsey County. He will call them today to get a dumpster set up. Kitchen is the focus

-One tenant will help, and has other friends to help. Prefers friends doing it.

-Explained to Mr. Scott aht progress needs to be done by May 23rd, then we can extend the vacate date.

-As far as exterior, most of the firewood is stacked neatly, the issue is the height

-She is waiting to hear the total amount of wood allowed on the property.

-Mr. Scott won't use the wood stove until this is rectified.

-Her concern is the interior vs. the exterior.

Ms. Moermond

-In front of her today is the wood outside, must create a deadline for that.

-Seems to be secondary to the problems inside.

Mr. Scott indicates he doesn't wish to appeal

Ms. Moermond

-Tells Mr. Scott he has 10 days to appeal the order to vacate.

-She is giving him 3 weeks to deal with the wood storage on the outside, which is June 13th.

-Will go before City Council June 1st

-Mai Vang will give him this information in a letter, he can appeal just as he did for the wood for the order to vacate. But again, he only has 10 days

Grant 3 weeks to come into compliance with the wood storage on the outside and grant until June 13, 2016 for interior items.

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

- 33** [RLH SAO 16-17](#) Appeal of John & Sue Bydzovsky to a Summary Abatement Order at 782 JENKS AVENUE.

Sponsors: Bostrom

Appeal has been withdrawn; inspector and appellant came to an agreement on extension of time.

Withdrawn

Correction Orders

- 34** **RLH CO 16-3** Appeal of Robert Arnold, Ashland Property, LLC to a Correction Order at 443 ASHLAND AVENUE.

Sponsors: Thao

Jeff Arnold, property manager, Ashland Investments LLC, owner, appeared

Previously laid over for the water resources person to look at case.

Ms. Paula Seeley, inspector

-Joe Spah, Dan Haak looked, the message I got was the basement wasn't properly waterproofed

-They felt the cracks in the alley pavement don't have anything to with their water problem

-The issue is their draining the sump pump into the alley and causing ice build up.

Mr. Arnold

-Was under the impression he would get a call from the people coming out to show

them around, and never did

-He happened to be on site one day, and met with Greg who happened to be out laying more asphalt. Only contact from city officials we got.

-They did an experiment to see whether water was coming from alley or sump pump, or rain. They temporarily ran sump pump out to Arundel. In 40 days, pumping only ground water, they pumped in excess of 70,000 gallons of water, around 100 gallons a day.

-During the big rain from April 27th to 29th saw a significant increase in water being pumped out, then it drops back to baseline

-When Greg came out, he was able to open an abandoned utility vault. His assessment was that it was still an active telephone vault. His observation was the same as our engineer, that the vault is acting as a giant cistern, slowly leaking next to his building.

Ms. Moermond

-Asks Ms. Seeley to repeat the information about water proofing basement. Asks Mr. Arnold if he is okay with that

Mr Arnold indicates there is still the issue of the sump pump.

Ms. Seeley

-The basement wasn't properly waterproofed, the alley cracks aren't the problem.

Mr. Arnold indicates his engineer disagrees

Ms. Moermond

-Questions why the phone call wasn't made. Asks Mai Vang for her to set it up, so there are 2 public works employees out there, and a manager from Ch 45 uses, and also Mr. Arnold's crew. She will be there too.

Mr. Arnold

-Indicates he came expecting a report on who was there and what was done, because he never heard anything.

Ms. Moermond

-Indicates the meeting is the best way to do it, then her understanding is much better.

-Recommends laying over until June 21, with a meeting by June 17th.

Layover so that a site visit can be conducted by Dept staff and Appellant and his engineer.

Laid Over to the Legislative Hearings due back on 6/21/2016

35 [RLH CO 16-5](#)

Appeal of Lejing Wang and Gretchen Vanderlinden Wang to a Correction Notice at 885 CALIFORNIA AVENUE WEST.

Sponsors: Brendmoen

Lejing Wang, owner, appeared

Ms. Moermond

-Asks Ms. Martin how the determination was made that it was being used as a Duplex

Lisa Martin, inspector

-They received a complaint being used as a duplex, had a 2nd kitchen.

-Had a lease and was renting to someone.

-Inspection indicated it had 2 kitchens, 2 dining rooms, 2 bathrooms, 2 entrances.

-January 2016 given letter saying they needed to cap off water, and remove sink. Yaya Diatta was out there last week, and we asked for clarification of what needs to be removed.

-Current owners purchased vacant, and a lot of work was done previously without permits.

Ms. Moermond

-You can have all of that as long as its accessible to itself.

Ms Martin

-States that he moved the stove and one of the doors. Stove on upper level was removed. Pulled a permit for drying venting. Just a zoning issue now.

Mr. Wang

-Indicates there is a renter, but they share the entire space. He submitted a copy of the lease, it was for a 2 bedroom, 2 bathroom.

Ms. Moermond

-Wanted a complete statement about what was used as a determination this was a duplex.

-The key would be any lease that Mr. Wang would have had, which he didn't, or completely separate entrances with spaces locked from one another.

-The fact there are multiple rooms where eating takes place or food prepared isn't enough to tell me it's a duplex. Doesn't meet standard of legislative code.

-Just spoke with Peter Warner, zoning attorney, who agrees. The fact that there is an extra kitchen doesn't give me pause.

-Recommend: it is #1 in correction notice, doesn't actually list any part of the code for which there was a violation.

-Recommend granting appeal on item number one in order. Number two, gave a deadline of compliance by June 1st. They just need to call the contractor and have the permit for the dryer closed.

Referred to the City Council due back on 6/15/2016

36 [RLH CO 16-12](#)

Appeal of Gene Marault to a Correction Notice at 937 CHARLES AVENUE.

Sponsors: Thao

Deny the appeal; no show.

Referred to the City Council due back on 6/15/2016

37 [RLH CO 16-16](#)

Appeal of Shoua T. Khang to a Correction Notice at 861 HUDSON ROAD.

Sponsors: Prince

Ms. Moermond exits, Nhia Vang as hearing officer

*Cynthia Perron, tax owner of 726 Plum, and Beverly Perron, appeared
Shoua Khang, owner of 861 Hudson, appeared.*

Ms. C Perron

-Indicates she wont hear back from their surveyor until later this week due to the rain last week. Cost them \$1,000.

Ms. Nhia Vang

- Mr. Khang submitted survey himself, a site inspection.
- Requests the surveyor put their stamp and their name on the survey.
- According to this survey the Plum street fence is 1-3" over the old Hudson Road property.

Christine Boulware, Heritage Preservation Commission

- Indicates typically we see it drawn out with lot size, looks like this was done on a Ramsey county map. Depends on what Mr. Khang paid for.

Mr. Khang (Mai Vang interpreted)

- He only did a partial survey, to do a description and then setting up stakes and photos, didn't do the drawing one.

Ms. Boulware

- indicates he would need one, since the other property is doing on. It is to his benefit if there is a conflict.

Ms. C. Perron

- Asks what the purpose of the retaining wall surpassing the entire block.
- Who owes them lateral support

Ms. Nhia Vang

- That is a private matter, a court issue. The only question before her is who is responsible for the wall.

Ms. Paula Seeley, inspector

- Steve Ubl says whosever soil the wall is holding back, is who it belongs to

Ms. Boulware

- Case by case property, right now only one is deemed deteriorated
- Some sections done by concrete, which is earlier, some are contour block
- Doesn't have history of property records yet, permits weren't done back then so its hard to trace
- Style of material is what makes it stand out.

Mr. Khang

- PED told him he can just do the stake and description. He talked to Chue.

Ms. Boulware

- Paul Dubriel (PED) and herself told him about surveyors.
- Here we have photos and measurements, seeing them on a map would be good
- Can wait to see where it lines up with what the other surveyor finds; they shouldn't be in conflict.
- If there is conflict Mr. Khang's surveyor would need to do a map survey.

Ms. Nhia Vang

- Indicates she would like them both to have a mapped survey.
- Recommends laying over until June 7th, 11:00 to talk about the surveys.
- Asks both parties to send her and Ms. Boulware a copy of the surveys ahead of time.

Ms. C Perron

- Thinks this is unfair, they didn't know about it being HPC area
- They bought in 2002

Ms. Boulware

-Done before TISH, so may not have been a requirement to disclose at that time.

Ms. Nhia Vang

-Questions whether anyone has done anything about stabilizing the retaining walls.

Ms. Boulware

-Suggests an erosion tarp for the area in case we get more rain

Layover to further discuss the retaining wall; owner to provide a drawing by the surveyor (survey was incomplete); Neighbors at 726 Plum St will need to submit a survey as well.

Laid Over to the Legislative Hearings due back on 6/7/2016

38 [RLH CO 16-13](#)

Appeal of Cynthia M. Perron to a Correction Notice at 726 PLUM STREET.

Sponsors: Prince

Ms. Moermond exits, Nhia Vang as hearing officer

Cynthia Perron, tax owner of 726 Plum, and Beverly Perron, appeared
Shoua Khang, owner of 861 Hudson, appeared.

Ms. C Perron

-Indicates she wont hear back from their surveyor until later this week due to the rain last week. Cost them \$1,000.

Ms. Nhia Vang

-Mr. Khang submitted survey himself, a site inspection.

-Requests the surveyor put their stamp and their name on the survey.

-According to this survey the Plum street fence ia 1-3" over the old Hudson Road property.

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Mr. Khang (Mai Vang interpreted)

-He only did a partial survey, to do a description and then setting up stakes and photos, didn't do the drawing one.

Ms. Boulware

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Ms. C. Perron

-Asks what the purpose of the raining wall surpassing the entire block.

-Who owes them lateral support

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-That is a private matter, a court issue. The only question before her is who is responsible for the wall.

Ms. Paula Seeley, inspector

-Steve Ubl says whosever soil the wall is holding back, is who it belongs to

Ms. Boulware

- Case by case property, right now only one is deemed deteriorated
- Some sections done by concrete, which is earlier, some are contour block
- Doesn't have history of property records yet, permits weren't done back then so its hard to trace
- Style of material is what makes it stand out.

Mr. Khang

- PED told him he can just do the stake and description. He talked to Chue.

Ms. Boulware

- Paul Dubriel (PED) and herself told him about surveyors.
- Here we have photos and measurements, seeing them on a map would be good
- Can wait to see where it lines up with what the other surveyor finds; they shouldn't be in conflict.
- If there is conflict Mr. Khang's surveyor would need to do a map survey.

Ms. Nhia Vang

- Indicates she would like them both to have a mapped survey.
- Recommends laying over until June 7th, 11:00 to talk about the surveys.
- Asks both parties to send her and Ms. Boulware a copy of the surveys ahead of time.

Ms. C Perron

- Thinks this is unfair, they didn't know about it being HPC area
- They bought in 2002

Ms. Boulware

- Done before TISH, so may not have been a requirement to disclose at that time.

Ms. Nhia Vang

- Questions whether anyone has done anything about stabilizing the retaining walls.

Ms. Boulware

- Suggests an erosion tarp for the area in case we get more rain

Layover to further discuss the retaining wall; Owner at 861 Hudson needs to provide a drawing by the surveyor (survey was incomplete); Neighbors at 726 Plum St will need to submit a survey as well.

Laid Over to the Legislative Hearings due back on 6/7/2016

39 [RLH CO 16-10](#)

Appeal of Alena Kulp to a Correction Notice at 528 SHERBURNE AVENUE.

Sponsors: Thao

Deny the appeal; no show.

Note in STAMP indicated that after appeal was denied, owner presented site plan to Zoning and parking area is now paved.

Referred to the City Council due back on 6/15/2016

1:30 p.m. Hearings**Fire Certificates of Occupancy**

- 40 [RLH FCO 16-47](#) Appeal of Karl Benson, Cooks of Crocus Hill, to a Fire Inspection Correction Notice at 877 GRAND AVENUE.

Sponsors: Noecker

Karl Benson, Cooks of Crocus Hill, appeared.

Fire Inspector A.J. Neis:

- *This was layed over so that Fire Protection Engineer, Angie Wiese could go take a look at the premises.*
- *Ms. Wiese went out to the property yesterday, May 16th, and identified that the ranges in question are not a Type 1 hood system, which would be required for commercial operations, which this case is.*
- *Although this isn't Type 1, it is properly welded, which would allow for cleaning purposes.*
- *Ms. Wiese would not be opposed to having the appeal granted with some conditions, without having to install the fire supression system. Those conditions being the following: a) a written statement describing the use of the ranges, and b) a preventative maintenance schedule.*

Ms. Nhia Vang:

- *Need clarification, the conditions Ms. Weise wants in writing are: the two types of ranges and what their use will be?*
- *So Mr. Benson is going to define what purpose each will be used for?*

Mr. Neis:

- *We'd like to see a menu, showing that the range will be used for minimal preparation and some demonstration, but any major commercial operations will be done on their range with the approved system, which is directly behind these refered to ranges.*
- *Conditioned that they will be using these referenced ranges for minimal use of animal and deep fat frying, and keeping to the preventative maintenance schedule.*

Ms. Nhia Vang:

- *A menu is attached, so would that satisty that condition?*

Mr. Neis:

- *Yes, that would satisfy that condition.*

Ms. Nhia Vang:

- *What is she looking for in terms of preventative maintenance?*

Mr. Neis:

- *My understanding is that their current routine 6 month schedule, would be consistent with the code requirement for a commercial hood. And that would be fine.*

Mr. Benson:

- *Yes, twice a year.*

Ms. Nhia Vang:

- I will recommend granting Mr. Benson's appeal with these agreed upon conditions.

Mr. Benson:

- Should I send in the records of our inspections?

Mr. Neis:

- We won't require that, we will just look at the inspection tags upon our inspection.

Referred to the City Council due back on 6/15/2016

41 [RLH FCO 16-40](#) Appeal of Richard A. Cardenas to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 66 NINTH STREET EAST.

Sponsors: Noecker

Richard A. Cardenas, owner, appeared.

Ms. Nhia Vang:

- This is a layover from May 3rd.

Ms. Shaff:

- The appellant has removed the required door closer unit assembly, and was given some guidance on where to call/who to contact to see what the options were.

- At the last hearing you, Ms. Vang, talked about talking to the building official and some other entities to see what could be done, and here we are today.

Mr. Cardenas:

- I've spoken with Commissioner Ortega's office, and they contacted CM Noecker's office, and I've also called them, but I haven't heard anything back from them, trying to find out if there are any ways that they can be of help to me.

- I've done some research and found that there are some loan programs for accessibility, however if your income is over \$1,800/mo on Social Security, you are ineligible.

- The cost I've been finding for this work would be \$2,500 to \$3,000, and would be a system with battery backup.

Ms. Vang:

- who did you get bids from?

Mr. Cardenas:

- I got these from some contractors as well as research online.

- I'm still waiting to hear back from CM Noecker's office

Ms. Vang:

- Since this has been layed over 3 times now, and there has been time to explore options and financial resources, I feel as though it would be irresponsible of me to allow that door to continue on in it's current status, because then I am jeopardizing not only you, but your neighbors as well.

- I want to put a timeline to get you into compliance, and I spoke with Mr. Ubl, who gave me some resources that may help you. He said that it may be in your best interest to speak with some hardware companies, as they have some expertise and may be able to guide you. I have 2 here that I researched that could comply with what you're thinking of doing.

- Maybe your association or home insurance company may be able to help you with some resources.

- I'll recommend 90 days to come into compliance, and if you need more time after that, then you can speak with the building official to request more time.

Referred to the City Council due back on 6/15/2016

- 42 [RLH FCO 16-60](#) Appeal of Joe Smith to a Fire Certificate of Occupancy Approval with Corrections at 318 KING STREET WEST.

Sponsors: Noecker

Fire Inspector A.J. Neis:

- Spoke with the appellant and advised them that they didn't need to come to the hearing.
- Spoke with appellant and building official, Steve Ubl regarding this unvented roof system. Because it is such a large project, Steve Ubl wouldn't be opposed to monitoring the progress of the project, and have DSI close out the complaint, as the appellant is working through the permitting process.
- Has advised the owner that he needs to provide an exact workplan of when the project will be completed.
- Appellant had previously talked about being finished sometime in 2017, and I told him that that's conditioned on there being no leaks or anything.
- The building department will monitor this project that is being done in phases, and since it is being inspected and there is work in progress, there is nothing that would prevent the permit from being closed out, because he is making steady progress.

Ms. Nhia Vang:

- I will grant the appeal in this matter.

Referred to the City Council due back on 6/15/2016

- 43 [RLH CO 16-18](#) Appeal of Darren Jakel to a Fire Inspection Correction Order at 1306 ALTON STREET.

Sponsors: Tolbert

Rescheduled to May 24th per owner's request.

Laid Over to the Legislative Hearings due back on 5/24/2016

- 44 [RLH FCO 16-67](#) Appeal of Christina Torres to a Fire Inspection Correction Notice at 1248 ARKWRIGHT STREET.

Sponsors: Brendmoen

Christina Torres, owner, appeared

Fire Inspector A.J. Neis:

- Fire Inspection Correction Notice dated April 21st, due for re-inspection on May 24th, 2016 by Fire Inspector Dan Klein.
- The only thing being appealed here is the ceiling height of the second floor.
- The indication on this item is to stop using the second floor as a sleeping area. There are no measurements in the orders or appeal.
- There are no height requirements, but based on the photos this appears to be an old attic/storage area that was converted into an unimproved bedroom at some point, which would not be uncommon for this style of house.
- Need to get exact ceiling height measurements, to say if this can be used as a sleeping area.

Ms. Torres:

- I have pictures with the measurements.

Mr. Neis:

- It says here that the tallest point is 7 feet 4 inches, and goes down to 5 feet.
- How long have you owned the house?

Ms. Torres:

- Since 2004

Mr. Neis:

- I wouldn't be surprised if this had been used as a bedroom prior to her ownership.
- I don't have accurate measurements from the inspector to make a decision whether or not to allow this to be used.
- Is there heat upstairs?

Ms. Torres:

- Yes, there's radiator heat.

Ms. Nhia Vang:

- Can I suggest that we lay this over to allow staff to go back and do the measurements.

Mr. Neis:

- Yes. I apologize that the inspector didn't do this while he was there documenting this.

Ms. Torres:

- Inspector told us that we needed to move the people out of that area immediately.
- We then spoke to his manager, who told us we would have at least until May 24th, the re-inspection date.
- The original inspector was supposed to come back to take measurements, but didn't show up. So we spoke with the manager again, who told us this may be able to be grandfathered in, and told us to appeal.
- We've had renters using that space for sleeping for 3 years now, and it was sold to us under that premise.
- When the inspector came out and told us we had 24 hours to move the beds, the family that is renting, became concerned and started to move out and found a new place to move to. They will be moving out at the end of June.

Ms. Vang:

- I would recommend that you discontinue use of that space until we work this out, since we don't know if it's acceptable as of yet.
- The issue of whether or not it can be grandfathered in or granted a variance, that would need to be explored and can only be granted by the building official at this point.
- I'm going to have Mr. Neis follow up to do the calculations to see if it meets the criteria to be used for sleeping space.

Mr. Neis:

- Supervisor Shaff would have been the manager you spoke with.
- I'm not opposed to it being in use if this is being layed over.
- This is something we need to take better measurements of.

Ms. Vang:

- I think it best for safety reasons to discontinue use for now until we can determine if this can be used as a habitable space.
- I'm going to lay this matter over until June 7th.

Laid Over to the Legislative Hearings due back on 6/7/2016**45** [RLH FCO 16-71](#) Appeal of Jeremy Lostetter to a Correction Notice-Complaint Inspection at 1410 BRENDA AVENUE.

Sponsors: Stark

Jeremy Lostetter, owner, appeared

Fire Inspector, A.J. Neis:

- *Correction Notice due to a complaint generated on May 3rd, 2016.*
- *Complaint was that there was mold in the bathroom, roof was leaking in the kitchen and pantry of second floor unit.*
- *Inspected and verified by Fire Inspector Laura Huseby, in which she identified some code violations on the property.*
- *I don't believe the violations themselves are being appealed, but more clarification to what the violations were, and looking for explanation of short deadline without full clarity of violations.*
- *While inspecting, Ms. Huseby noted that there is a building warning on the file showing that the furnace and water heater were installed without permits, so that was added to the orders.*

Mr. Lostetter:

- *I felt like I had to appeal, because I value my reputation, and the actions DSI has taken and the severity of actions that they threaten to take if I don't quickly comply with unclear and overlapping orders from 2 DSI inspectors, make it clear I need to protect myself.*
- *Since I filed this appeal, I received another notice from a different DSI inspector.*
- *When Lisa Martin inspected the basement common areas and upper unit of my building as part of a routine inspection last year and was then a no-show to inspect the lower unit, issued no Correction Orders and directed me to call AJ Neis. I concluded that DSI must be short on resources, and it's inspection of most of my building, including the furnace and other utilities in the basement gave enough confidence to conclude my building was low-risk.*
- *However I realized the real reason for DSI's actions was disorganization. When with no prior notice to me, DSI conducted another inspection of my building this year, and incorrectly told my tenants when I was not there, that the building had never previously been inspected.*
- *The corrections arising from that inspection, that were ordered in a Correction Notice dated May 5th, 2016 from Inspector Huseby were not always clear.*
- *City Code requires that they be clear. Chapter 34.21 section 1(c) states orders for correction must specify the violation which exists and the remedial action required.*
- *Short deadline set, with severe penalties if not complied with.*
- *Deficiency noted for not allowing access to all parts of the property. If I'd had notice of the inspection, I would have made sure that the inspector had access to all parts of the property. Again, unclear as to which part the inspector didn't have access to, because both tenants said they interacted with the inspector.*
- *Received another notice dated May 13th, repeating an order from the May 5th order, giving shorter deadline. Felt like retaliation for filing appeal on May 11th.*
- *Second notice is in violation of City Code to stay enforcement pending appeal.*

Ms. Nhia Vang:

- *Can I verify, are the May 5th and May 13th Correction Notices the same?*

Mr. Neis:

- *Typically what happens is that once an inspector identifies a code violation, the next step is to notify the appropriate trade inspectors, which in this case would have been*

- a water heater and furnace, being the mechanical and plumbing inspector.
- Subsequently when they receive notice of the violation, the letter that you received was our "canned letter" that is automatically generated once violations are identified.
 - It's not a retaliatory process, it's a standard automated process.
 - Building Warning folder is opened up by those trade inspectors, to show when a contractor does come in to open permits for this work that it was previously done without permit.
 - Again, the threat of legal action is on all of these "canned letters" and that language is added by our City Attorneys. Law states that we have to advise that they can appeal, and also what the consequences would be if they failed to comply.
 - Mr. Lostetter is correct on the fact this file was put on transition, due to inspectors switching work assignment. This was originally supposed to be handled by Inspector Lisa Martin, when she was working under Fire, but around that time she transferred to Code Enforcement. So the appointments that were sent to you, basically fell through the cracks.
 - When that happens, we send out the appointment letters, but I'm assuming there were no violations on the property that we identified, so those inspections don't become priority to get done compared to those that we know have outstanding violations.
 - What did make this come back to fruition, was that somebody called our office with a complaint. Had we not received the complaint, it may not have been inspected for another year or two. But once there's a complaint, it becomes a priority to inspect at best within 24 hours.
 - C of O process was never completed prior to this, and would have stayed in limbo until we got caught up again.
 - Once violations were identified, it became a matter of needing to finish the C of O process, which Inspector Huseby indicated and we are doing now.
 - What we need is for a licensed contractor to pull the required permits and make sure that the water heater and furnace are properly installed under permit, and then have the mechanical and plumbing inspector sign off on that work.

Mr. Lostetter:

- That's the first I've heard of the water heater, I thought it was only the furnace installation, and I have evidence of permits for the furnace.

Mr. Neis:

- If you have documentation of that permit for the furnace, I'd be happy to look at it because we don't have anything on file.
- If it's documented, we can take care of that now.

Mr. Lostetter:

- Previous owner installed furnace. Here are the notes that American Heating and Air Conditioning charged them for the permits. Listing from purchase of home, also shows new forced air furnace.

Mr. Neis:

- This doesn't provide proof that permits were pulled, it only shows that the previous owner was charged by the contractor for the cost of permits.
- Contractors will charge the owner and say that the cost of permits for the City is this much, and then they do the work without it, but keep the money.
- I see that you purchased a home in good faith, and had reason to believe that the work was done properly.
- We can't reasonably come to a solution requesting Mr. Lostetter to provide a permit for work that was done prior to his ownership 10 years ago, when codes have changes twice since then.
- What I'd like to do is personally go out and see the date stamps on the furnace and

water heater, and if they're accurate, to require the owner to provide an ORSAT test.

Mr. Lostetter:

- Wants to be sure that the May 13th notice can be appealed.

Mr. Neis:

- If the things we're addressing right now can be done, such as the ORSAT test so Inspectors Chaplain and Jacobs can close their files, then we don't need to separately address the May 13th notice.

Mr. Lostetter:

- Would like to negotiate a new deadline for the other items. Ms. Huseby has been working with him to clarify the other items.
- Would like to clarify the complaint that the roof was leaking. Can provide proof that it's not leaking. And wants that removed from the website.

Mr. Neis:

- That complaint can't legally be removed. It's part of public record.
- Inspector noted blue tarp around chimney and water damage in the kitchen pantry ceiling.

Mr. Lostetter:

- It has already been addressed.

Mr. Neis:

- Will look upon re-inspection and also look for the tarp to be gone.

Mr. Lostetter:

- Wants a notice stating that DSI was mistaken in stating that the building hadn't previously been inspected.

Mr. Neis:

- On March 11, 2015, only Unit 2 and the basement were inspected, so that comment was correct, as Unit 1 was not inspected due to unsecured dog.
- I will issue a letter that those areas and Unit 2 were inspected, but not Unit 1.
- Can't make an inspector enter a unit if they are uncomfortable with an unsecured animal.

Ms. Vang:

- Layover until June 14th.

Laid Over to the Legislative Hearings due back on 6/14/2016

46 [RLH FCO 16-53](#)

Appeal of Justin Bloyer, Quetico Property Management, to a Correction Notice-Complaint Inspection at 46 GEORGE STREET WEST.

Sponsors: Noecker

Justin Bloyer, owner, appeared

Fire Inspector A.J. Neis:

- A Fire Certificate of Occupancy Correction Notice regarding a driveway issue.
- Driveway appears to be half concrete half Class V
- Code says needs to be paved with durable dustless surfacing.
- Appears that the driveway has deteriorated and Class V was filled in.
- Newer garage. Driveway looks to have been extended further when that was built.

Mr. Bloyer:

- Purchased building in 2007 off of the Vacant Building list.
- Assuming that the double garage was built at some point and instead of extending the pavement, Class V was brought in instead.
- Was hoping this could be grandfathered in, allowing the impervious surface to stay in place, because this issue wasn't called out in the past 3 Certificate of Occupancy inspections.

Ms. Nhia Vang:

- When I see that there is a greater percentage that has already been paved, it makes it hard to say that it was ever only gravel. I'd have to say that you'd need to pave it, because it doesn't appear that it's ever only been gravel.
- My recommendation to City Council would be to pave and maintain it.

Grant until July 1, 2016 for patching of the parking surface and May 16, 2017 for permanent paving of the parking driveway.

Referred to the City Council due back on 6/15/2016

47 [RLH FCO 16-70](#) Appeal of Gerald Chapman to a Fire Inspection Correction Notice at 1819 MARSHALL AVENUE.

Sponsors: Stark

Gerald Chapman, owner, appeared

Fire Inspector A.J. Neis:

- Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Robert Corey.
- What's being appealed is Item #2 for units 1 and 5. Using closets as bedroom
- Efficiency apartments with closet approximately the size of a bedroom. Tenants often place bed in that space to save living space.
- Issue is that Code requires all sleeping rooms to have an escape window directly to the outside.
- We've allowed the beds to remain in this area, because there is a patio door in the living space, with the condition that the doorway to this closet area is not covered or obstructed in any way, and that it's clear and readily visible.
- The doors need to be removed, which they have been. There can be no curtain or anything used to cover the door.
- Can allow the closet to continue to be used for the bed, as long as there is no screening blocking that doorway.

Ms. Vang:

- How often do you do a walkthrough with tenants to make sure they aren't blocking the doors?

Mr. Chapman:

- We try every 6 months to a year.
- We didn't know until now that this needed to be enforced, but now we know.

Mr. Neis:

- You could simply add it to the lease from now on.

Ms. Vang:

- I'll grant your appeal.

Referred to the City Council due back on 6/15/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 48 [RLH VBR 16-28](#) Appeal of Donald J. Klemmer to a Summary Abatement Order, Vehicle Abatement Order, and Vacant Building Registration Notice at 1060 AVON STREET NORTH.

Sponsors: Brendmoen

Donald Klemmer, owner, appeared

Ms. Marcia Moermond:

- This is a Summary Abatement for securing the building, a Vehicle Abatement and Vacant Building Registration Notice

Vacant Building Inspector Matt Dornfeld:

- Started in January 2012 due to a high volume of neighborhood complaints to Council offices, St. Paul Police Department and Department of Safety and Inspections.

- Since January 2012, there have been 44 complaints to DSI, and 21 SPPD calls ranging from garbage/refuse, junk, scrap metal, discarded metal, household items being stored in the yard. Scrapmetal business being run out of the house, abandoned and inoperable vehicles stored on the property, parking on lawn, tall grass and weeds, loud and disorderly conduct, terroristic threats, water shutoffs, gas and electric shutoffs, tampering with electrical meter, and hoarding.

- Originally condemned August 19, 2013 for gas and electric shutoff for unpaid Xcel Energy bill.

- Made a Category II Vacant Building on August 20th, 2013 and placarded.

- Someone hung a deceased animal carcass over the placards, covering them from public view.

- September 10, 2013, Mr. Klemmer appealed Vacant Building Category II status and was given until September 13, 2013 to have the electrical service restored. If in compliance, the condemnation and Vacant Building Category II status would be lifted.

- Mr. Klemmer did comply and the condemnation and Vacant Building status were lifted on September 13, 2013.

- Since September 13, 2013, there have been 33 complaints received by DSI about 1060 Avon St.

- The most recent complaint received on February 11, 2016 described 1060 Avon as a fire hazard to all living there, house is full, hoarder, rooms full of stuff, pathways full. Front door boarded from inside. Fire alarms unplugged, windows screwed shut. Meth smoking people causing traffic all night. Please inspect.

- On February 12, 2016, Code Inspector Supervisor, Lisa Martin followed up on complaint. Spoke with Mr. Klemmer and arranged an interior inspection.

- February 17th, 2016, Mr. Klemmer called Ms. Martin to reschedule.

- February 22nd, 2016, Mr. Klemmer called to reschedule again. He said he would meet on February 23rd.

- February 23rd, 2016, Ms. Martin arrived for scheduled appointment, and there was no answer at the home. She called Mr. Klemmer who said he was in Owatonna, but his son was supposed to be there for the inspection.

- Ms. Martin explained that she would refer back to the Code Enforcement manager for further enforcement. She took photos of vehicles and junk in driveway, torn screens, damaged front door, side door hooked from the inside. Mr. Klemmer said

he'd be home the following night, and questioned the legality of the inspection.

- February 24, 2016, Mr. Klemmer failed to appear. SPPD officer called Mr. Klemmer and explained to him that he was in non-compliance, and this will result in further enforcement action. Mr. Klemmer said he understood. Ms. Martin left a message for Mr. Klemmer at 8:00 a.m. telling him to call her, or he would be charged an Excessive Consumption fine for yesterday's missed inspection. The debris was still in the driveway. He called back and rescheduled for the following day.

- February 26, 2016, Ms. Martin met owner. He moved one trailer and one vehicle off site, needs parts for one vehicle that won't start. Interior is clutter filled, and Ms. Martin offered services such as a dumpster, but he feels he can have everything done in 30 days. Water is on, heat works. Basement is packed, fire hazard, will discuss timeframe with Code Enforcement Manager Steve Magner.

- March 21, 2016, Mr. Klemmer hasn't removed vehicle or debris from driveway. He said it'd all be gone today. Back yard has items from the basement and two trucks full of stuff.

-March 23, 2016, promises to move things from driveway to have a dumpster delivered from HouseCalls.

- March 24, 2016, slowly making progress. Called Ericka at Ramsey County to deliver dumpster. Extend orders to April 11, 2016.

- April 18, 2016, no response at door or on phone for either Ms. Martin or Officer. At Noon, Mr Klemmer called Officer stating he didn't know how he'd missed them as he had been home

- April 21, 2016, Ms. Martin agreed to meet PO at property, but there was no response and door was locked from the inside. Ericka from Ramsey County will have dumpster picked up due to unresponsiveness from Mr. Klemmer.

- April 22, 2016, Mr. Klemmer did not show up for inspection. Ms. Martin will be upholding the condemnation and sending to Vacant Building Program

- April 25, 2016, Vacant Building file opened.

Ms. Moermond:

- Mr. Klemmer what are you looking to do, why are you appealing?

Mr. Klemmer:

- Wants the condemnation and vacant building status lifted. When the hoarding condition was brought to my attention, there was no proper paper work stating so. There was no documentation stating how much is too much. There are no guidelines to how many things you can have in your home.

- My water had gotten shut off at this time, and the City told me I needed to have the utilities fixed, which I did, and I notified Mr. Smith that it was back on.

- Mr. Smith refused to remove the placard still, and explained that somebody complained about me having a hoarding condition.

- I hadn't received anything stating that I had a condemnation placard for a hoarding condition, and only was notified that there was a problem that the water had been shut off.

Ms. Moermond:

- The order in question now in this appeal, is the one from February 29th, 2016. And that one does list excessive interior storage, blocked entrances, doors, windows, fire hazards, excessive combustibles. They wanted more clearance around the furnace and the water heaters etc.. So that is the list being questioned now.

Mr. Klemmer:

- I don't feel like the City went about proper procedure to address a hoarding condition.

- The original complaint was for the water. And I corrected the matter, but the placard was never removed.

Mr. Dornfeld:

- *The property was condemned for lack of water.*
- *The condemnation was lifted by Inspector Smith when the water was restored.*
- *Inspector Martin followed up on a hoarding complaint that started on February 12, and that's when this chain of events started. And that resulted in her condemning your property on February 29 and allowed you to work through that until transferring to Vacant Building Program on April 25. Giving you an extra 2 months.*

Mr. Klemmer:

- *She never should have been there in the first place. No proper procedure was followed. The placard was never removed from my door, it's still there.*

Mr. Dornfeld:

- *Mr. Smith removed the placard and I have the letter here stating so, if you'd like to see it.*

Mr. Klemmer:

- *I want to see it, because I never got any letter. Never got a notice of correction, but I did it all anyways and everything is done.*

Ms. Moermond:

- *So you're saying that all of these things are corrected? and the vehicle?*

Mr. Klemmer:

- *Yes, and the vehicle is driveable.*

Ms. Moermond:

- *On the day that this was sent to Vacant Building Program Mr. Dornfeld, how did Inspector Martin make a determination that there was not compliance with the order?*

Mr. Dornfeld:

- *After continuous attempts to check that Mr. Klemmer had been making progress and having gotten him a dumpster, Ms. Martin tried to find compliance, but was unable to find any verifiable compliance over about 2 months.*

Mr. Klemmer:

- *Is there a time limit for these types of things? You're asking me to throw away 15 years of my life.*

Ms. Moermond:

- *That's not what was being asked. It was being asked that the volume be decreased, whether throwing it away, storing it somewhere, giving it away, but somehow getting it under control so that it doesn't present a fire hazard.*

Mr. Klemmer:

- *Where are the guidelines for how many things you can have in your home?*

Ms. Moermond:

- *That is what I don't see, but what I do see are these appeals, where we discuss how we can help get these types of problems under control to make them safe. Having access to windows and doors to be able to get out, having clearance around the furnace and water heater are basic, and listed in the orders as concerns.*
- *If you contacted Ms. Martin and couldn't get it, then I'm here to help with those issues to get help from all of the resources we can pull together to make a plan. But that has come and gone from February until the end of April, when no verifiable*

compliance efforts were made.

- I am going to recommend to the City Council that they deny your appeal on each of these three matters, the securing of the structure, the vehicle needs to be addressed by June 1st, the vacant building registration fee will be billed out.

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

3:00 p.m. Hearings

Other

- 49 RLH OA 16-5** Appeal of Kay Owen, Owen Masonry on behalf of Michelle Wessely & Tim Mick to a Denial of a Fence Variance at 565 ARLINGTON AVENUE WEST.

Sponsors: Brendmoen

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 5/24/2016