



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED 310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102

MAY 11 2015

Telephone: (651) 266-8585

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number Check 5675)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, May 26, 2015

Time 1:30 PM

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 2115 Summit Ave. City: St. Paul State: MN Zip: 55105
(Anderson Student Centers, University of St. Thomas)

Appellant/Applicant: Colin Brownlow Email brow6404@stthomas.edu

Phone Numbers: Business 651-962-6533 Residence _____ Cell 952-240-0486

Signature: [Signature] Date: 5/8/2015

Name of Owner (if other than Appellant): University of St. Thomas

Mailing Address if Not Appellant's: see attached business card

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O see attached letter
- Summary/Vehicle Abatement _____
- Fire C of O Deficiency List/Correction _____
- Code Enforcement Correction Notice _____
- Vacant Building Registration _____
- Other (Fence Variance, Code Compliance, etc.) _____



UNIVERSITY of ST. THOMAS

Colin S. Brownlow, M.S.

*Director of Environmental Health and Safety
Physical Plant Services*

Mail PHP, 2115 Summit Avenue
St. Paul, MN 55105-1096 U.S.A.

Telephone: 1 (651) 962-6533

Facsimile: 1 (651) 962-6540

brow6404@stthomas.edu www.stthomas.edu



Mail PHP
2115 Summit Avenue
St. Paul, MN 55105 – 1096

Telephone: (651) 962-6533
Facsimile: (651) 962-6540

May 8, 2015

Legislative Hearing Officer
Saint Paul City Council – Legislative Hearing
310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102

Subject: Application for Appeal of Fire CofO Deficiency List, Ref. #117894

Dear Legislative Hearing Officer,

The University of St. Thomas was issued a Fire Certificate of Occupancy with Deficiencies letter (May 4, 2015) for the Anderson Student Center, located on the university's St. Paul Campus, by Fire Inspector Ms. Kris Skow Fiske.

The deficiency letter lists the deficiencies, SPLC citations for the deficiencies and the corrective actions as follows:

“DEFICIENCY LIST

1. 358 CUSTODIAL ROOM - ANDERSON - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Patch hole in wall and cover the insulation. Insulation shall not be exposed.
2. 360 ELECTRICAL ROOM - ANDERSON - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Patch hole by conduit and cover the insulation. Insulation shall not be exposed.”

The two SPLC codes cited have identical language, and require that interior walls and ceilings be maintained in sound condition and a professional state of maintenance and repair. The University contends that walls with these two spaces are in sound condition and a professional state of maintenance and repair.

The Anderson Student Center building was completed and issued a Certificate of Occupancy by the City of St. Paul in 2010. The rooms in question are a custodial closet (Room 358) and an electrical room (Room 360). The location of the rooms is shown in the attached Figure 1. Figure 2 shows the two rooms and adjacent rooms as well as details of fire walls and non-rated partition walls. Photo 1 shows the doors to these two rooms and the hallway off which they are located.

The Fire CofO deficiencies refer to electrical and communications conduit penetrations through the south wall of Room 360 and through the north and south walls of Room 358. The penetrations and walls are shown in the attached Photos 2, 3 and 4.

The University asserts and contends the following:

1. The walls penetrated by the conduit are non-rated partition walls. They are not sealed to the ceiling deck. There are gaps between the roof deck and the top of the walls. Figures 1 and 2 clearly show the walls are non-rated. Holes in the walls for conduit penetrations do not affect the fire or structural integrity of these rooms or the building.
2. The conduit penetrations are part of the original construction of the building. Building construction management was provided by Opus Design Build, LLC. API Electric (since purchased by Hunt Electric) was the electrical subcontractor for the building and did all electrical installation work. Installation of all electrical and communications conduit was done by licensed electricians and overseen by one of the largest and most reputable construction firms in the state. We would suggest that by definition the installation of the conduit was done in professional manner.
3. The building electrical and mechanical plans were reviewed by the City of St. Paul prior to and during building construction. The building itself was inspected by the City prior to its completion and issuance of the Certificate of Occupancy in 2010. City inspectors had ample opportunity to object, if they felt that installation of conduit in these rooms did not comply with city codes.
4. The rooms in question are a custodial closet and electrical closet. The rooms are not intended for regular occupancy, they are not visible to the general public, and have restricted access (custodial and maintenance personnel only). The holes in the upper part of the walls of these two rooms in no way impacts the comfort and safety of building occupants, nor does it create any public nuisance or detract from the visual appearance of the building interior.

The University of St. Thomas takes compliance with city codes, fire and building codes very seriously. We do however object to apparently trivial and overbroad citations which do not serve to improve fire safety, preserve structural building integrity or improve the comfort and esthetic appearance of our buildings. We respectfully request that the two deficiencies be voided.

Should you have any questions, please do not hesitate to contact me at 651-962-6533 or by e-mail at brow6404@stthomas.edu.

Best Regards,



Colin S. Brownlow, MS
Director of Environmental Health and Safety

C: James Brummer, AVP Facilities Management



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

May 4, 2015

College Of St Thomas
2115 Summit Ave
St Paul MN 55105-1048

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
2115 SUMMIT AVE BLDG UST
Ref. # 117894

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on January 27, 2015. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

A re-inspection will be made on May 28, 2015 at 9:30 AM.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

DEFICIENCY LIST

1. 358 CUSTODIAL ROOM - ANDERSON - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Patch hole in wall and cover the insulation. Insulation shall not be exposed.
2. 360 ELECTRICAL ROOM - ANDERSON - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Patch hole by conduit and cover the insulation. Insulation shall not be exposed.

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at kris.skow-fiske@ci.stpaul.mn.us or call me at 651-266-8949 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,
Kris Skow-Fiske
Fire Inspector

08/31/09	PRICING SET
10/15/09	SCHEMATIC SET
12/11/09	CONTRACT SET
02/22/10	MEP BID SET
02/23/10	SITE PLAN SUBMITTAL
03/04/10	H.P.C. SUBMITTAL
03/15/10	SITE PLAN SUBMITTAL
03/26/10	SHELL PERMIT SET
06/01/10	CONSTRUCTION SET
08/20/10	INT. PERMIT/G.R. 1
11/10/10	GEN. REV. 2
02/10/11	GEN. REV. 3
05/19/11	GEN. REV. 4
12/16/11	FINAL DRAWINGS

JOB NUMBER	30000100 (10006100)
PROJECT NUMBER	30000
DATE	03/26/10
PROJECT MANAGER	J. MERTENS / C. LARSON
DRAWN BY	J. RADEMACHER
CHECKED BY	E. SCHNEIDER/J. RADEMACHER

• Errors may occur in the transmission of electronic files. The Opus companies are not responsible for any claims, damages or expenses arising out of the unauthorized use of the information contained in electronic files.

• Electronic files may not accurately reflect the final as-built conditions. It is the responsibility of the user to verify all layouts, dimensions and other related information.

• This document may not be used or copied without prior written consent.
© All rights reserved.

Prepared For
OPUS
Opus Design Build, L.L.C.
10350 Bren Road West
Minnetonka, MN 55343
952-556-4444
952-556-4529

PROJECT
**UNIV. OF ST. THOMAS
ANDERSON
STUDENT CENTER**

LOCATION
ST. PAUL, MN

SHEET TITLE
**LEVEL 3
FLOOR PLAN**

SHEET NUMBER
FINAL
17/16/11
A2.03

GENERAL NOTES

- PROVIDE MOLD & MOISTURE RESISTANCE GYPSUM BOARD AT ALL TOILET AND JANITOR ROOM PARTITIONS UNLESS NOTED OTHERWISE.
- "AC" DENOTES ACOUSTICAL BATT INSULATION FULL HEIGHT OF PARTITION.
- "F.E.C." DENOTES FIRE EXTINGUISHER CABINET LOCATION, VERIFY FINAL LOCATION WITH LOCAL FIRE DEPARTMENT.
- ALL WOOD BLOCKING AND FRAMING TO BE FIRE RESISTANT.
- EACH TRADE IS RESPONSIBLE FOR FIRESTOPPING AROUND THEIR PENETRATION THRU A RATED WALL OR FLOOR. EACH TRADE TO PROVIDE DETAILS OF FIRE STOPS.
- ALL PLAN DIMENSIONS ARE NOMINAL TO FACE OF FINISH WALL UNLESS NOTED OTHERWISE. SEE PARTITION SCHEDULE FOR ACTUAL PARTITION SIZES.
- ALL PRIVATE OFFICES TO HAVE DOOR HOOK INSTALLED ON BACK SIDE OF DOOR (U.N.O.) - MOUNT AT 54" A.F.F.

(X) PLAN NOTES

- DOORS ON HOLD-OPENS - TIED TO FIRE DETECTION SYSTEM TO RELEASE AND CLOSE ON ACTIVATION OF FIRE DETECTION, FIRE ALARM OR WATER FLOW ALARM PER NFPA 80 AND A.H.J.
- ATRIUM ENCLOSURE - FULL HEIGHT GLASS WALL WITH WINDOW APPLICATION SPRINKLER PROTECTION BOTH SIDES OF GLASS WHERE A WALKWAY EXISTS - PER IBC SECTION 404.5 (EXCEPTION 1) & N.E.S. REPORT NER-516 SEE FIRE PROTECTION DRAWINGS.
- HOT WATER BASEBOARD RADIATION REGISTERS - SEE MECH.
- PROVIDE OPERABLE WINDOW, WITH LOCK
- CENTER PARTITION ON WINDOW MULLION, SEE DETAIL 5/AS.05
- PARTITION ABOVE TO STRUCTURE
- 4" CMU TO UNDERSIDE OF CEILING.
- 4" CMU FROM F.F. TO 4'-0" A.F.F.
- S.S. QUARK MITER, SEE DETAIL 18/AB.08
- PROVIDE CLOTHES ROD & PLAIN SHELF
- 2'-0"x2'-0" RATED ACCESS PANEL ABOVE CEILING FOR ACCESS TO GREASE DUCT CLEAN-OUT
- PROVIDE WALL MOUNTED COAT HOOK RACK AT LOCATION INDICATED - HOOK QUANTITY AS INDICATED ON PLAN - INSTALL WITH HOOKS AT 54" A.F.F.

PARTITION SCHEDULE

USE

- A = 3 5/8" METAL STUD PARTITION
- B = 6" METAL STUD PARTITION
- C = 8" METAL STUD PARTITION
- D = METAL STUD CHASE WALL
- E = METAL STUD SOUND WALL
- F = METAL STUD FURRING
- G = 2 1/2" METAL STUD PARTITION
- M = MASONRY WALL
- S = SHAFT WALL

MODIFIER

WHERE USED

- A = PARTITION TO UNDERSIDE OF CEILING
- B = EXT. CYP. B.O.P. ABOVE CEILING
- C = STUDS & CYP. B.O.P. TO 6" ABOVE CEILING
- D = GYPSUM BOARD ON ONE SIDE ONLY
- E = 2 1/2" C-H STUD
- F = 4'-0" HIGH PARTITION

RATING

WHERE USED

- 1 = 1 HOUR RATED
- 2 = 2 HOUR RATED
- 3 = 3 HOUR RATED

GENERAL WALL NOTES

- FOR PARTITION TYPES SCHEDULE - SEE SHEET AB.01
- NOTE: ALL PARTITIONS ARE TO BE PARTITION TYPE UNLESS NOTED OTHERWISE.

PLAN INDICATIONS

- NON-RATED PARTITION / WALL
- PARTITION W/ ACOUSTICAL BATT INSUL.
- 1 HOUR RATED PARTITION / WALL
- 2 HOUR RATED PARTITION / WALL
- 3 HOUR RATED PARTITION / WALL

SYMBOLS KEY

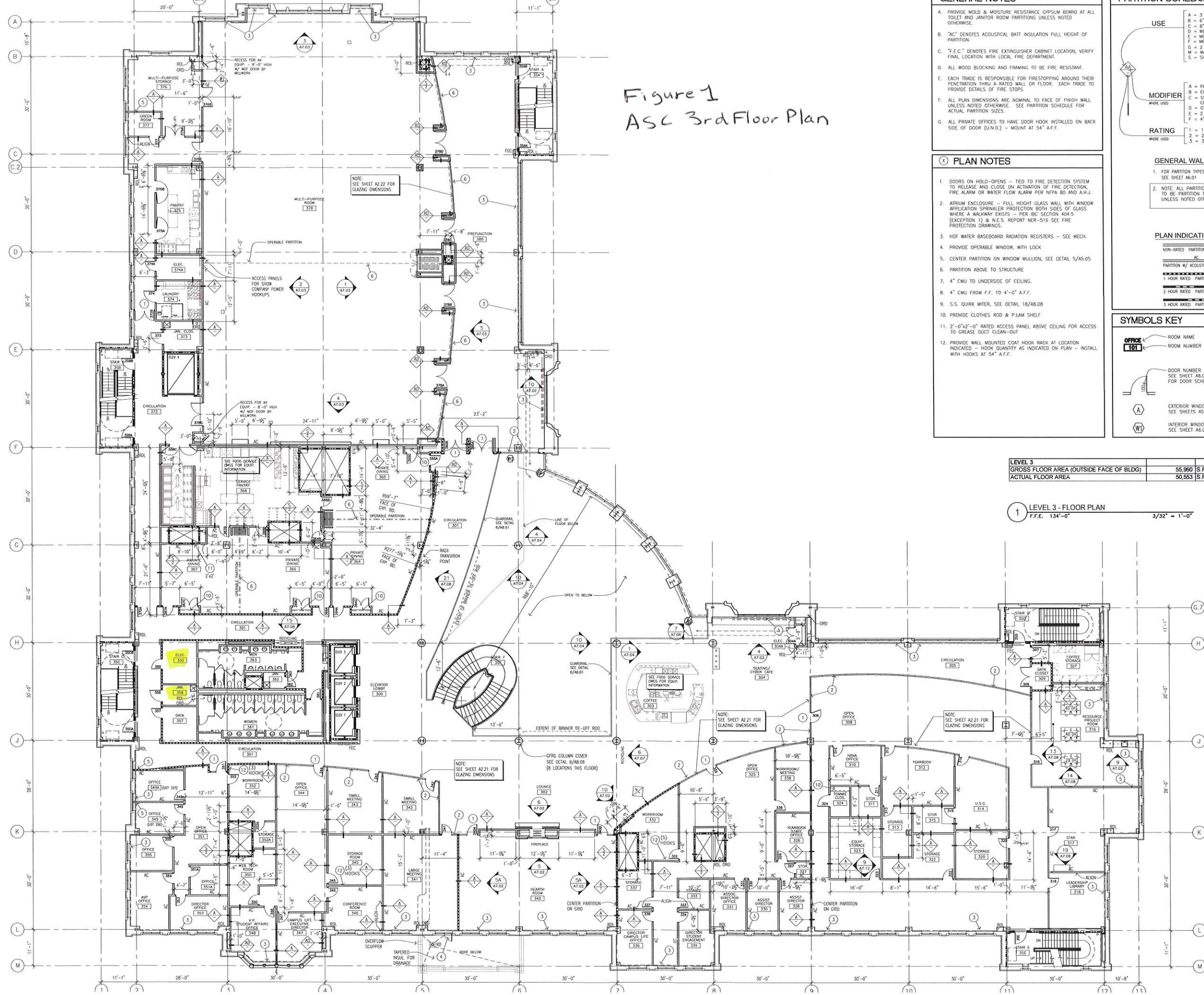
- OFFICE 101 - ROOM NAME
- 101 - ROOM NUMBER
- DOOR NUMBER - SEE SHEET AS.02 FOR DOOR SCHEDULE
- 100 - EXTERIOR WINDOW TYPE SEE SHEETS AS.15 - AS.19
- W1 - INTERIOR WINDOW TYPE SEE SHEET A6.04

LEVEL 3 GROSS FLOOR AREA (OUTSIDE FACE OF BLDG)	56,960 S.F.
ACTUAL FLOOR AREA	50,553 S.F.

1 LEVEL 3 - FLOOR PLAN
F.F.E. 134'-0" 3/32" = 1'-0"



Figure 1
ASC 3rd Floor Plan



U:\A\B\... \G:\10006100\Arch\A2-03_10006100.dwg [A2-03] January 23, 2012 - 9:50am jrademach

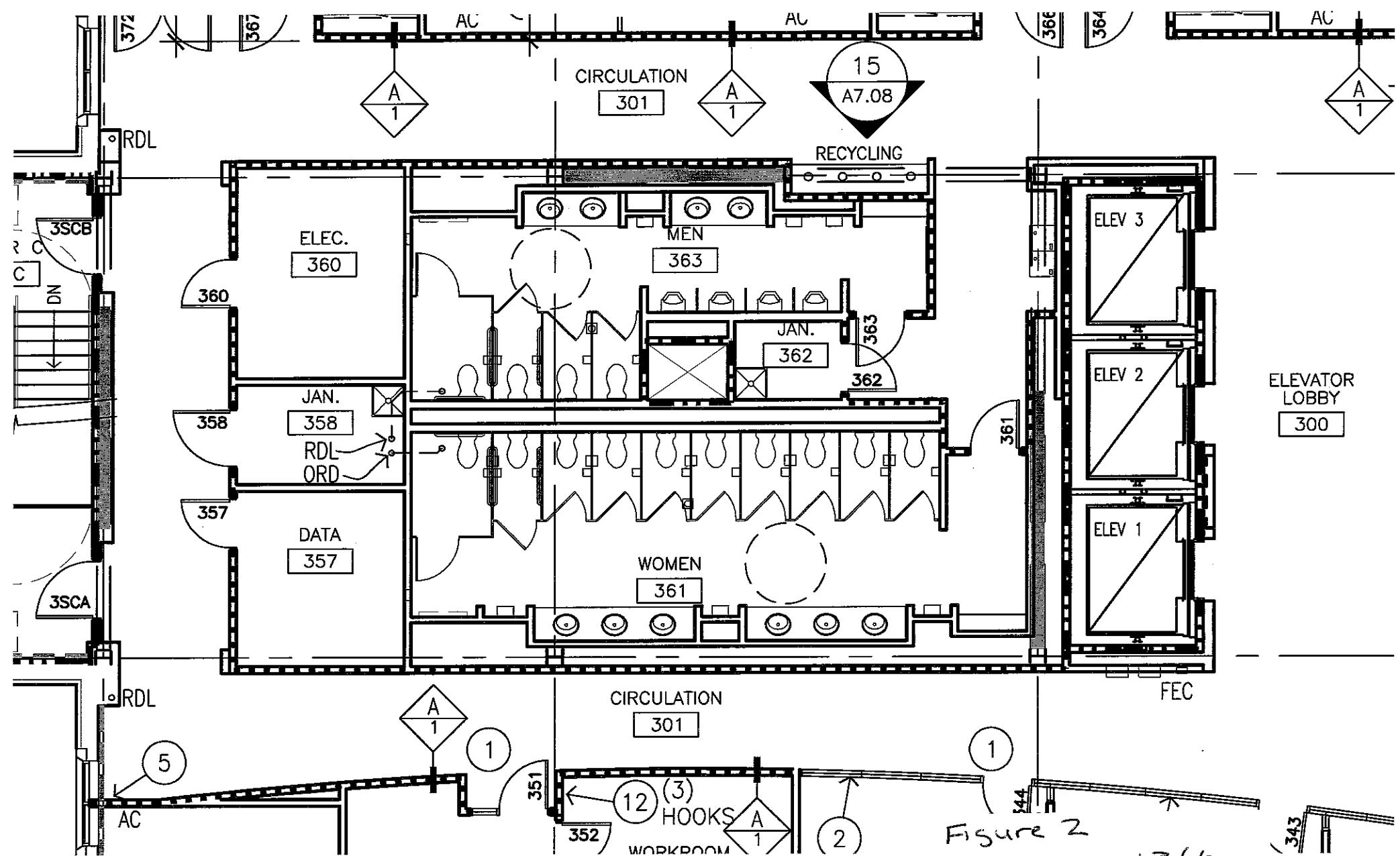
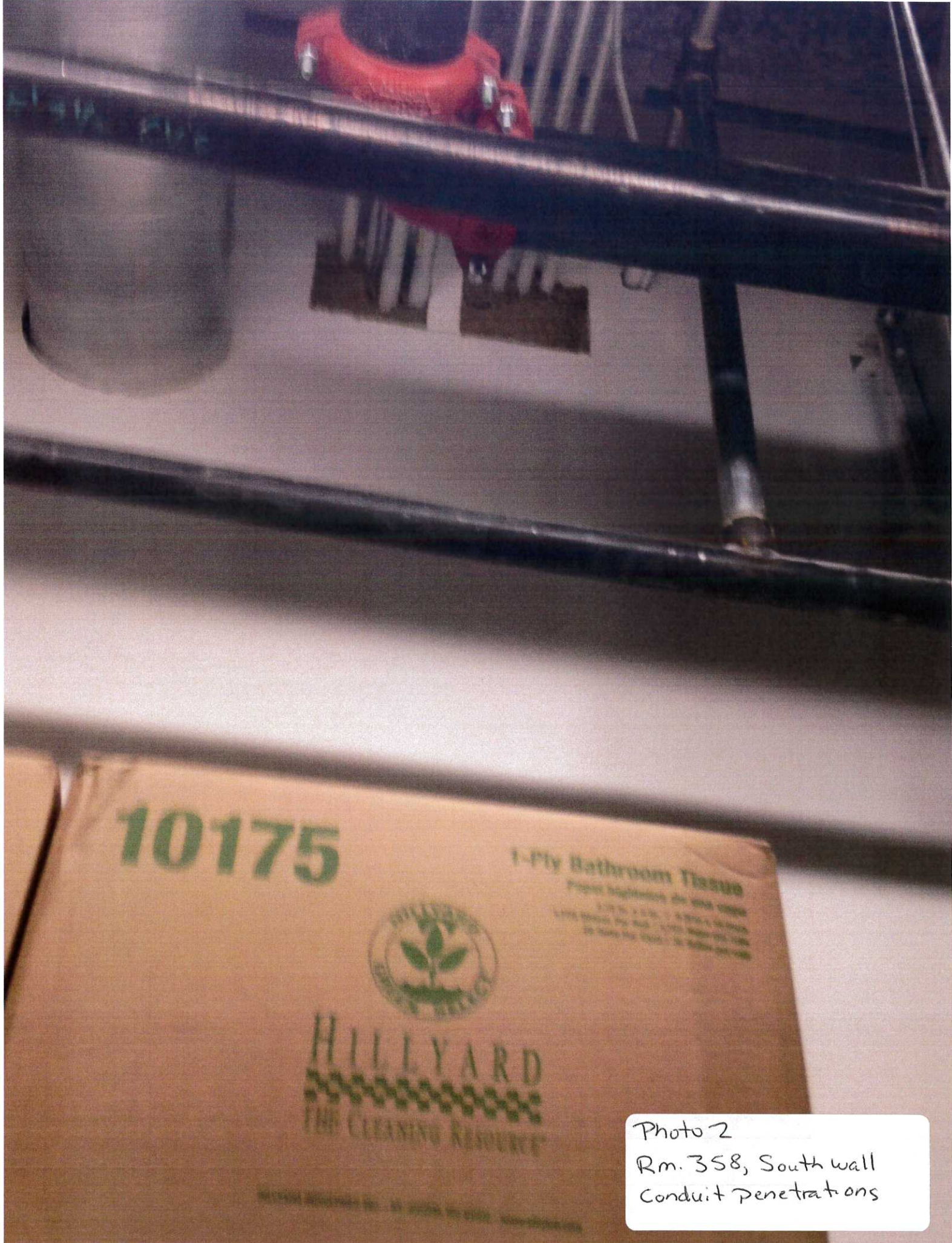


Figure 2
 Room 358 & 360
 Detail



Photo 1.
Back hallway showing
entrances to Rooms
360 & 358



10175

1-Ply Bathroom Tissue



HILLYARD
THE CLEANING RESOURCE

Photo 2
Rm. 358, South wall
Conduit penetrations

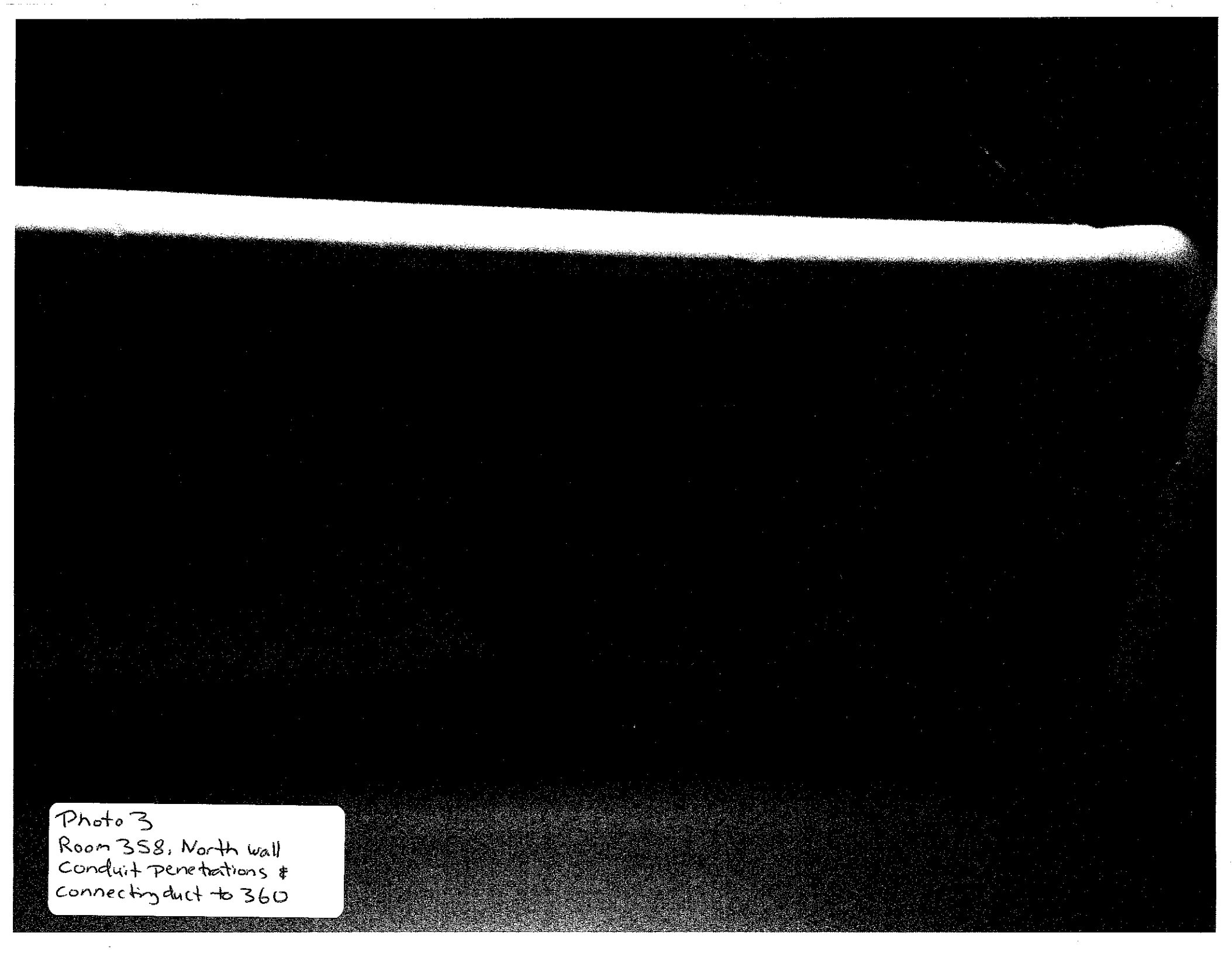


Photo 3
Room 358, North wall
Conduit Penetrations &
connecting duct to 360

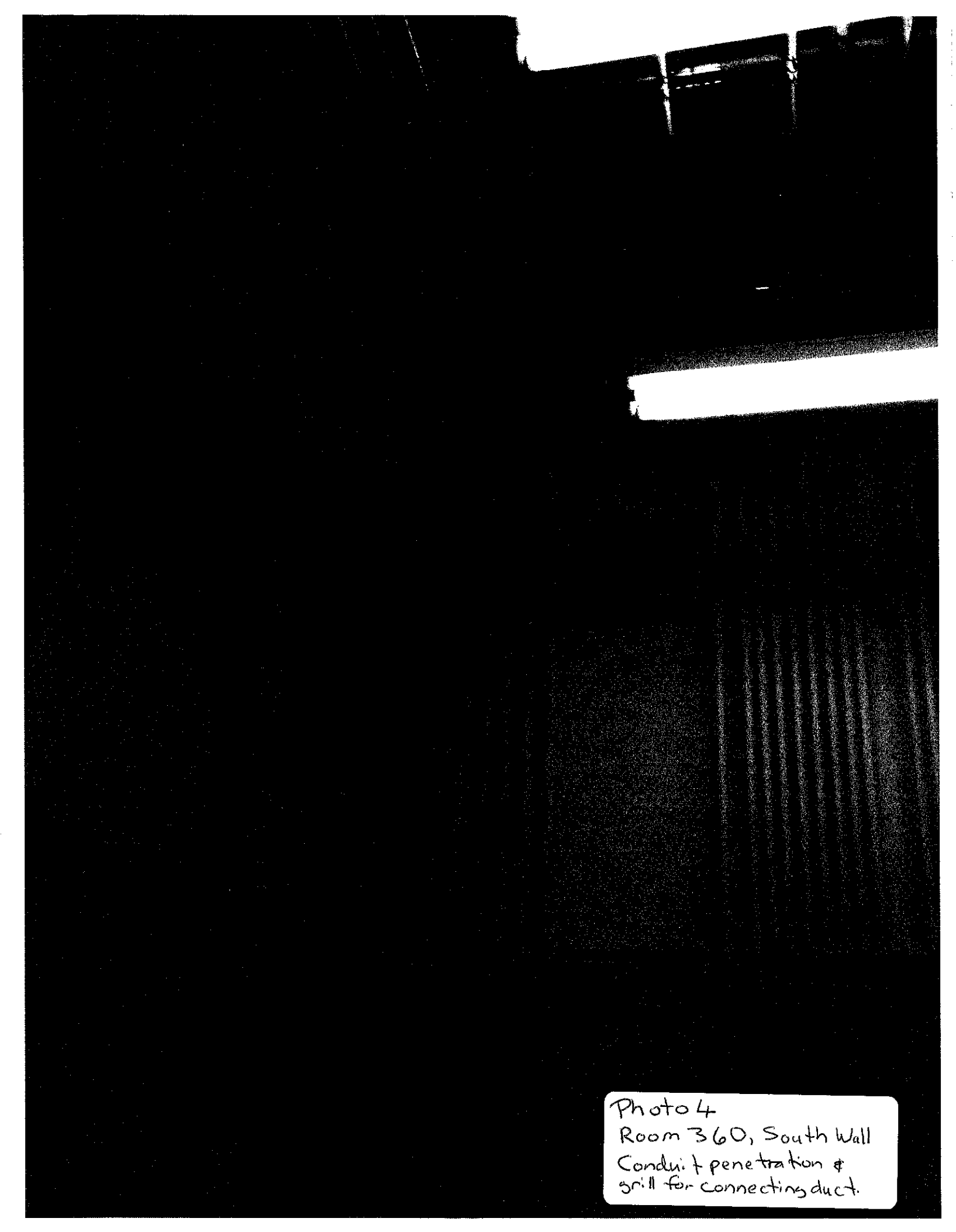




A dark, grainy photograph of a wall. A horizontal light-colored strip is visible near the top right. The rest of the image is mostly black with some vertical streaks.





Photo 4
Room 360, South Wall
Conduit penetration &
grill for connecting duct.

Go Back

 **Technology & Reference Desk Assist**  Minneapolis & St. Paul, Minnesot
 Pending Approval  Hiring Official: Brian Hill

2013-1579

Detail Broadcast Questions **Approval** Workflow


   

6. Click the pencil icon to open the approval fields

Detail

7. Click on the magnifying glass to open up the global list




8. Select Student Employment and click "Apply Global List"

Student Employment

Apply Global List




9. Student Employment will show up in green as the approver

Approver

 **Student Employment**

10. Click "Begin Approvals" to initiate an email to the Student Employment inbox that your requisition is ready for review

Detail Broadcast Questions **Approval**

 Clear List  **Begin Approvals**  Save

11. Student Employment will review your requisition and notify you when the position has been posted.

Best,
Dara

Brownlow, Colin S.

From: Lundquist, Dara J.
Sent: Thursday, May 07, 2015 1:34 PM
To: Quale, Patricia C.
Cc: Brownlow, Colin S.; Human Resources - Student Employment
Subject: RE: Environmental Health and Safety Intern

Hi Pat,

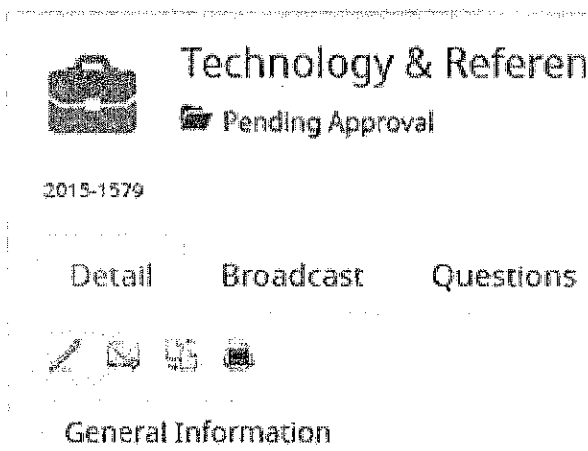
I am sorry for the confusion. Once a job is approved by HR and posted, in order to post a new job with the same information, the old one has to be closed and a new one created/copied from the old req. The job you are referring to was originally posted on 4/13/2015, and then per an email from you on 4/16/2015, we removed it from the web after the five business day minimum. It was still marked as "open" which is why it is showing up in your queue. I am assuming the frustration you are encountering is that you are trying to reinitiate the status of an old job. We don't "repost" the same job.

I have closed the old job in TMS and copied the requisition, placing it in your pending queue. Please follow the directions below make any changes/edits needed and to initiate the approval request to student employment. As always, please feel free to give me a call if you have further questions.

In the future, if you would like to post a job, just let us know and we will copy any old requisitions and do the same – put it in your pending queue to edit.

To edit and resubmit the new Environmental Health & Safety Intern:

1. Log into TMS and enter your login information
2. You will find the pending requisition on the right hand side of the screen under "My Pending Jobs"; click on the title of the requisition
3. Select the pencil icon to open up the editable fields within the requisition



4. After you have made your changes, select the save button towards the top right of the screen



5. Click on the "Approval" tab

Dara Lundquist

HR Talent Management Specialist
University of St. Thomas
2115 Summit Ave. AQU 217
St. Paul, MN 55105
651-962-6575
Lund0203@stthomas.edu

From: Quale, Patricia C.
Sent: Thursday, May 07, 2015 12:25 PM
To: Human Resources - Student Employment; Lundquist, Dara J.
Cc: Brownlow, Colin S.
Subject: Environmental Health and Safety Intern

I am trying to find out why this student position has not be posted on the student employment web page. I have submitted it three times and each time it gets hung up on "skipped front desk".

I have posted it the same way I post all of our other student positions and all of them are on the web page. Would you please help me with this so we can get this job posted.

Thank You,

Pat Quale

Office Coordinator
Facilities Management
pcquale@stthomas.edu
University of St. Thomas
651-962-6535

Foss, Katie (CI-StPaul)

From: Foss, Katie (CI-StPaul)
Sent: Monday, May 11, 2015 1:46 PM
To: 'brow6404@stthomas.edu'
Subject: 2115 Summit Ave. - Application for Appeal

Mr. Brownlow –

This e-mail serves to notify you that we have received your Application for Appeal of a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 2115 Summit Avenue and that we have scheduled a legislative hearing for you to attend to address this matter. The hearing is scheduled to take place on Tuesday, May 19, 2015 at 1:30 p.m. in Room 330 City Hall, at 15 W. Kellogg Blvd., St. Paul, MN 55102.

Please feel free to contact the Appeals Line with any questions, at (651) 266-8585.

Thank you,
Katie Foss
15 W. Kellogg Blvd.
Room 330
St. Paul, MN 55102
(651) 266-8560

Foss, Katie (CI-StPaul)

From: Foss, Katie (CI-StPaul)
Sent: Monday, May 11, 2015 1:56 PM
To: 'Brownlow, Colin S.'
Subject: RE: 2115 Summit Ave. - Application for Appeal

Seeing that you will be out of the office until May 18th, we will reschedule the legislative hearing to address your Application of Appeal regarding 2115 Summit Avenue, to take place on Tuesday, May 26, 2015. The location will remain the same, 15 W. Kellogg Blvd., Room 330, St. Paul, MN 55102.

Thank you,

Katie Foss
City Council Offices
15 W. Kellogg Blvd.
Room 330
St. Paul, MN 55102
(651) 266-8560

From: Brownlow, Colin S. [<mailto:brow6404@stthomas.edu>]
Sent: Monday, May 11, 2015 1:46 PM
To: Foss, Katie (CI-StPaul)
Subject: Automatic reply: 2115 Summit Ave. - Application for Appeal

I will be out of the office beginning Monday, May 11 and will not be returning until Monday, May 18. If this is an urgent matter, please call Pat Quale at 651-962-6535.

Thank you

Colin Brownlow