



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final-revised

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer

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651-266-8585

Tuesday, August 9, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 **RLH RR 15-44** Ordering the rehabilitation or razing and removal of the structures at 689 CONWAY STREET within fifteen (15) days after the December 16, 2015, City Council Public Hearing.

Sponsors: Prince

Attachments:

- 689 Conway St.OTA 9-11-15
- 689 Conway St.PH 10-23-15
- 689 Conway St.SHPO Form 10-16-15
- 689 Conway St.Code Compliance Inspection 11-4-15
- 689 Conway St.Photos Doc 1.9-8-15
- 689 Conway St.Photos Doc 2.9-8-15
- 689 Conway St.Photos Doc 3.9-8-15
- 689 Conway St.Email-Cliff Carey.11-24-15
- 689 Conway St.Email-DuPaul.11-16-15
- 689 Conway St.HPC Staff Rpt.11-13-15
- 689 Conway St.Email-Brostrom.11-18-15
- 689 Conway St.HPC Res.11-18-15
- 689 Conway St.HPC Packet for CC
- 689 Conway St.Dockry R-R Ltr.11-30-15
- 689 Conway St.chain emails.1-13-16
- 689 Conway St.Contractor bid.12-8-15
- 689 Conway St.Dockry R-R Ltr.1-13-16
- 689 Conway St.Dockry R-R Ltr.3-24-16
- 689 Conway St.Work Plan & Budget 6-28-16
- 689 CONWAY STREET- Donation Agreement v2-signed
- 689 Conway - Addendum 2a signed
- 689 Conway - Addendum 3 signed
- 689 Conway St.Dockry R-R Ltr.6-30-16
- 689 Conway St.Financial Budget estimate.8-9-16
- 689 Conway St.Rubenstein R-R Ltr.8-11-16

*Aaron Rubenstein, Historic St. Paul appeared
John Dockry, Wells Fargo Bank also appeared.*

Ms. Moermond:

- 8 different hearings, probably should meet, so close, have transferred property as of last Friday, August 5th 2016. Still working on Scope of work.

Mr. Rubenstein:

-Still refining plans, and scope of work. Submitted June 28th, but still refining, the financing is expected later this month by Twin Cities Land Bank. Has a copy of development budget. Timeline is to start in September or October, expected 6-9 months.

Ms. Moermond:

- Presumably Twin Cities Land Bank will have revised version for its consideration w/in next couple weeks?

Mr. Rubenstein:

- It goes to a committee for approval.

Ms. Moermond:

- You need to have your info in by when?

Mr. Rubenstein:

-Believes it has already been submitted

Ms. Moermond:

- As soon as they give their approval, you're ready to go?

Mr. Rubenstein:

-yes

Ms. Moermond:

-They are talking in august?

Mr. Rubenstein:

- yes

Ms. Moermond:

-Do you have a date?

Mr. Rubenstein:

- No, Carol Carey was unexpectedly delayed out of town, she's been shepherding that part.

Ms. Moermond:

- Trying to find a day to finalize work plan, etc, to have a final hearing, so it can go off to City Council as a ready to go deal. If you wanted to start in September, ideally I could put in front of them by September 7th, if you had your materials. The next date is Sept 21 for Public Hearing.

Mr. Rubenstein:

- Would it work for Carol or I to get back to you later today with one of those 2 dates?

Ms. Moermond:

- Sure, also we are going to need the materials ahead of time, so Inspector Magner and I can approve and review before they hit council. Can probably be done by email at this point since we've seen draft materials.

-Some clarification on process of going to council, and timeline was done.

- I need to have without fail, the money to pay for the project, work plans, scope of work, performance deposit of 5k. Do we have that?

Mr. Dockry:

- Yes it has been posted, months ago. Passing torch to Historic St. Paul for the remainder of the issues before legislative hearing, but will stay on deposit with the City.

Inspector Magner:

-Does Historic St Paul believe they can finish project in 180 days?

Mr. Rubenstein:

-Carol Carey said she thought it would take 6-9 months to finish.

Ms. Moermond:

- It's about the expiration on performance deposits being 6 months. Right now, we have a deposit posted 3 months ago, obviously good for another 3 months. The

building official has discretion to extend the performance deposit if more than 50% of the work is done. I think it's hard as a non-profit, since you will need bids etc., that doesn't involve swinging hammers. How do we Band-Aid the performance deposit?

Mr. Dockry:

- I thought it was 180 days from the day it was approved, but its 6 months form date of deposit? He wants to stay in fairly close discussions with Historic St. Paul then, my client certainly wants their 5K back.

Ms. Moermond:

- I will speak to City Attorney about any "noodling" in the phrasing in the resolution too, since this is a unique situation.

Amy Spong, Historic Preservation Commission:

-One of the notes is about removing the asbestos siding—Are you planning on doing that before getting bids? You'll get a more accurate bid if the non-historic siding is removed.

Mr. Rubenstein:

- It hasn't been decided

Ms. Spong:

-My question is can we get the approval for siding removal done before the rest?

Ms. Moermond:

-I'm uncomfortable with setting precedent

Ms. Spong:

- Issuing a partial demolition?

Ms. Moermond:

- If that's the way it's done, but if a building permit is issued, there's been a specific step in a direction without a completion of what we would normally require.

Ms. Spong:

-We have done a partial demolition permit in past, if we know it's in anticipation of a rehab. I think we can go with just a partial demolition

Ms. Moermond:

-Let me check with City Attorney. I'm uneasy without the criteria being met. I don't want mixed messages, but I can I try and get it out the door more quickly

Ms. Spong:

-With the scope of work concerns, I think this is one thing that would work to help narrow it.

Ms. Moermond:

-That is a modification to your scope of work that I'm sure you're willing to do, sounds like HPC staff is willing to work with you. Can you get us materials by August 26th?

Mr. Rubenstein:

-He will check with bank and let Ms. Moermond know this afternoon.

Carol Carey and Aaron Rubenstein asked that this be heard on September 21 Public Hearing.

Appellant to provide scope of work and final financial documentation for the rehab of the structure by August 26.

Laid Over to the Legislative Hearings due back on 9/27/2016

- 2** [RLH RR 16-26](#) Ordering the rehabilitation or razing and removal of the structures at 451 GOODHUE STREET within fifteen (15) days after the August 17, 2016, City Council Public Hearing.

Sponsors: Noecker

Attachments: [451 Goodhue St.OTA 5-18-16](#)
 [451 Goodhue St.PH 6-24-16](#)
 [451 Goodhue St.SHPO Form 5-27-16](#)
 [451 Goodhue St.Photos 5-13-16 #1](#)
 [451 Goodhue St.Photos 5-13-16 #2](#)
 [451 Goodhue St.Neighbor Ltr-Financial Statement-list of rehab.7-26-16](#)
 [451 Goodhue St.Newmanville R-R Ltr.7-27-16](#)
 [451 Goodhue St.Newmainville Email.8-1-16](#)
 [451 Goodhue St.Newmanville R-R Ltr.8-11-16](#)

Inspector Magner, DSI:

*-Francis Newmainville, she sent an email: Thank you for talking to me on Friday, thank you for the help, wants building torn down and want the City to do it.
 -Long story short, her ability to get property cleaned out and hire a contractor doesn't have the desire or ability to do it at this point in time.
 -City will hire a contractor and process the assessment.*

Ms. Moermond:

-That's where I am with it too. Last time I spoke she was debating whether to hire a contractor or have the City do it.

Remove within 15 days with no option for repair. (Note, owner wishes for building to be removed.)

Referred to the City Council due back on 8/17/2016

- 3** [RLH RR 16-11](#) Ordering the rehabilitation or razing and removal of the structures at 1698 LAFOND AVENUE within fifteen (15) days after the April 6, 2016, City Council Public Hearing. (To be referred back to Legislative Hearing on May 10)

Sponsors: Stark

Attachments: [1698 Lafond Ave.OTA 1-22-16](#)
[1698 Lafond Ave.PH 2-5-16](#)
[1698 Lafond Ave.Administrative Search Warrant 12-8-15](#)
[1698 Lafond Ave.Photos 2-2-11](#)
[1698 Lafond Ave.Photos 3-31-11](#)
[1698 Lafond Ave.Photos 12-10-15](#)
[1698 Lafond Ave.Photos 1-20-16](#)
[1698 Lafond Ave.Exp Code Compl Rep 12-19-11](#)
[1698 Lafond Ave.SHPO Form 2-11-16](#)
[1698 Lafond Ave.Ayd Ltr.3-25-16](#)
[1698 Lafond Ave.chain emails.3-21-16](#)
[1698 Lafond Ave.Rescheduled chain emails.4-15-16](#)
[1698 Lafond Ave.Vang email to Ayd.5-6-16](#)
[1698 Lafond Ave.ramsey county payment plan info.5-10-16](#)
[1698 Lafond Ave.Ayd email to Vang.5-9-16](#)
[1698 Lafond Ave.email.5-19-16](#)
[1698 Lafond Ave.Ayd emails.5-22-16](#)
[1698 Lafond Ave.Ayd Ltr.5-12-16](#)
[1698 Lafond Ave.Confession of Judgment.5-24-16](#)
[1698 Lafond Ave.Ayd emails.5-30-16](#)
[1698 Lafond Ave.Summary Abatement Order.5-24-16](#)
[1698 Lafond Ave.Ayd emails.6-1-16](#)
[1698 Lafond Ave.Ayd emails #2.6-1-16](#)
[1698 Lafond Ave.Ayd Ltr.6-1-16](#)
[1698 Lafond Ave.Photo.5-31-16](#)
[1698 Lafond Ave.Photo.6-14-16](#)
[1698 Lafond Ave.Ayd Ltr.6-15-16](#)
[1698 Lafond SA 5-24-16](#)
[1698 Lafond photos1 6-23-16](#)
[1698 Lafond photos2 6-23-16](#)
[1698 Lafond photos3 6-23-16](#)
[1698 Lafond Ave.Ayd Ltr.7-14-16](#)
[1698 Lafond Ave R-R Ltr.8-11-16](#)

Richard Ayd, Property Owner appeared
Lauren Lightner, Ramsey County appeared
Greg Finzell, Rondo Community Land Trust appeared
Becky Errigo, Neighborworks Home Partners appeared

Ms. Moermond:
-Maybe the last visit on this case? What have we got?

Mr. Ayd:

- A lot of things have been accomplished this week, I have applied for and been accepted for a new senior building called The Cambric on E 7th and Bates, it's just being finished now, signing of lease on Thursday 8/11/16. Will be moving in slowly, it's still not completed. Exterior is finished and they are working on interior. I don't want to go back to my bungalow.

-I have contacted quite a few companies: Homeward Road, Rondo Land Trust, Neighborworks, Homeward Road. They have all had tours with inspectors. I was there the day that Homevestors was there. I didn't even know about the other ones being set up, but I haven't heard back from any of the companies.

-Homevestors heard back from but never heard any plan or offer or bid or anything. Ms. Lightner has been very helpful in keeping in contact with these companies, I don't want to make her uncomfortable cause it's not her job. But I want the best value for my property.

Ms. Moerland:

-This is a category 3 vacant building, in your case also a dangerous, title can't be transferred until the nuisance is abated. Exception would be transfer to HRA or sister agency (specific non-profit). Neighborworks or Rondo Land Trust both fall into these category, that could receive title and pay you. Homevestors as purchaser would need a contract approve by the city that demonstrates title wouldn't transfer until after conditions have been abated.

-We're coming to the end of my willingness to work on the project. We have to pull the trigger on getting this done.

-To Inspector Magner- the code compliance inspection, after the inspectors did the walk through and after the clean out, does that in any way change your rehab estimate for the building?

Inspector Magner:

-Based on the original summary amount?

Ms. Moermond:

-Yes, original estimate was that it exceeds \$50,000.

Mr. Magner:

-Still his opinion that there is going to need to be quite a bit of cleanup to create a livable standard in the house. Sometimes hard to pinpoint without doing more investigation than even the code compliance. Had conversation with Greg Finzell, besides the 2 area of the dwelling that that have water, bathroom and kitchen, it's clear those areas need to be gutted to see if they have mold, the determination of whether it goes beyond into bedrooms, etc, and see. Problem is more investigation requires code compliance repairs to those areas, once you start putting holes in walls. Hard to put costs up front until you get into the project.

Ms. Moermond:

- Can I be specific? So if for example, the kitchen it was found mice in the vent system, and then water left residual mold, once the wall is open it may or may not be code compliant, and the electrical running near the vent may or may not be compliant

Mr. Mangner:

-Correct

Ms. Moermond:

- We don't have an estimate

Mr. Ayd:

- He is currently at 1757 Thomas, renting. Lease there goes through Sept 30th. Moving into 720 E 7th street, has a month to gradually move in.

Ms. Moermond:

-You are moving and are busy, and you can get help moving, and it is a clean house, not hoarded house. If you sell the property now you have money to start your new life, a nest egg moving forward.

-If you don't sell the city will demolish, and there will be an assessment on the property of at least 15k, in addition to the 5k spent doing the interior cleanout. It is in your interest to get a couple thousand ahead. I don't know at all what their offers would be to you, my purpose is to say, move with some speed on this and come to a conclusion with it.

Mr. Ayd:

-I think I've done just about everything I can. I'm waiting to hear back from these companies. He's not going back to his house, he's been accepted at a senior building

Ms. Moermond:

-I know, and I need you to keep moving, because this has been a very long time, and the clock of building that is in this kind of shape and slated for demo. Because of your circumstances we slowed things down and make sure you have had time to do these things along the way, and now we need to cross the finish line.

Ms. Lightner:

-The company that she contacted who went out, said they were willing to go forward, but would only offer 5k cash, Bruce Hoffman, and Mr. Ayd didn't feel very good about that. You could owe the city potentially 15k.

Mr. Ayd:

-When I heard 5k I was shocked, I looked at my tax statement, I looked at land value, and housing structure value, and estimated total.

Ms. Moermond:

-I can help you interpret number quickly. Structure total, for the buildings I look at, the structure value at Ramsey county is usually wrong. Structural value itself is not a useful number for this type of situation. What's the parcel worth? 21,600 on the land, and at this point

Mr. Ayd:

-indicates all the taxes are caught up, hasn't paid previous

Ms. Moermond:

-when you sit down at a closing, what in one way is \$21,600 is in another way, that piece of land minus cost of abatement, outstanding taxes, if the house is demolished, then the value of the parcel becomes zero or negative, due to cost of demolition. Moving and keeping the building there if possible, and rehabbing, is the money route for you. Zero dollars to something. The best way to satisfy your own sense is to hear from a variety of people.

Mr. Ayd:

-And I haven't heard back from them.

Ms. Moermond:

-We have representatives from RCLT and also Neighborworks, I glance over there only because I know they are there and they have experience

Inspector Magner:

- I was just wondering if we want to hear from those parties to see, I know our staff met with them, we've discussed with Mr. Finzell, but I don't know where we're at.

Mr. Finzell and Ms. Errigo come up to desk

Inspector Manger:

-Reads from Mai Vang's letter after last LH, indicates there were lots of discussion at last hearing, I thought it was clear that people were going to reach out to these groups. There were a number of emails from Mr. Ayd, there was an email the other day that Richard was unaware of what's transgressed.

-Since we have a good relationship with these agencies, they reached out to see code compliance and get a tour of property, whether Richard knew about this or not I didn't think it was a question, I thought we had made those referrals so my expectation they would tell him. The city isn't doing this on its own behalf, they're doing it on Richard's behalf, because under Chapter 33 of the legislative code, he is allowed to sell to one of those 2 agencies or the HRA. So I just wanted to make sure that was clear.

Ms. Errigo:

-Sidenote, I did research on assessments, and want to make sure I'm clear, I show about \$16k of special levied and pending assessment, which includes the 5k of boarding and cleanout. And did see note about working out payment plan for taxes. Any unpaid portion of taxes get passed along?

Mr. Magner:

-Title wont transfer until all taxes are rectified. So basically any proceeds from the sale would go first to pay County, etc, unless someone is bringing a separate check.

Ms. Errigo:

-In process of working out rehab budget, and determining where we can find funds to offset cost

Mr. Finzell:

- We are concerned about what potentially is in the walls. Clearly the house can be cleaned, wood work and nice floors, but because of the past and current condition, it's an unknown whether there is mold in walls, we would need to work that into the budget, we need to be assured that when we go to sell we have addressed any mold or issues in the wall.

Mr. Ayd:

-I had SPARK when it still existed, to help with roof or windows, and they also did a lead assessment on paint. He knows lead isn't an issue.

Mr. Finzell:

-That's the unknown, It would help us in determining the budget if there was a collective way to figure out what's the in walls

Mr. Ayd:

-Walls are plaster, not drywall, and it is hardwood floors.

Ms. Moermond:

-it sounds like you would want to choose several locations to remove section of plaster, see studs and see if it can be tested for mold, etc.

Mr. Finzell and Ms Errigo:

-yes

Mr. Ayd:

-I was moved December 9th, at that time I did have heat and electricity. Sometime over the winter the furnace went out. Pipe in the kitchen froze and the kitchen sink backs to basement stair wall, the wall going down into basement has crumbled and I received a 2k water bill.

-Somehow water had been running continuously, he wasn't there and didn't know it had frozen and broken and having a 2k leakage. Also has water bill that needs to be paid. But everything worked, gas electricity, etc, up until I had to move.

Ms. Lightner:

-Homevestors was concerned there was a sewage backup

Mr Ayd:

-I never went in the basement, but I think it did happen. Odor has gone down quite a bit, I left windows on 2nd floor open. I think in the kitchen I had lots of bag and boxes, and they had become saturated and collapsed, so there was some leakage in the kitchen. Didn't look like anything happened in the bathroom. The kitchen sink and basement, easy to access it.

Ms. Moermond:

-Ms. Errigo, ball is in your court, sounds like you are the one most interested in doing this. What's your timeline?

Ms. Errigo:

-We're looking at a decision the first week of September, after the holiday.

Ms. Moermond:

-So what I will do is lay over to Sept 13th to hear from Ms. Errigo, if you are good to go that means you have board approval and money. I know you know what needs to be done in these cases.

-To My Ayd: If there is someone else who is considering, they need to come forward at the same time or before that date.

-We will go for Sept 13th, you will have an offer at that point or sooner if there is one.

Ms. Errigo to provide information about the board committee's approval and financial plan for the rehab.

Laid Over to the Legislative Hearings due back on 9/13/2016

4 [RLH RR 16-29](#)

Ordering the rehabilitation or razing and removal of the structures at 201 SNELLING AVENUE NORTH within fifteen (15) days after the August 17, 2016, City Council Public Hearing.

Sponsors: Stark

Attachments: [201 Snelling Ave N.OTA 5-18-16](#)
[201 Snelling Ave N.PH 6-24-16](#)
[201 Snelling Ave N.SHPO Form 6-7-16](#)
[201 Snelling Ave. N.Photos 5-13-16 #1](#)
[201 Snelling Ave. N.Photos 5-13-16 #2](#)
[201 Snelling Ave. N.Photos 7-1-15](#)
[201 Snelling Ave N.Owner Photos.7-26-16](#)
[201 Snelling Ave N.chain emails.7-26-16](#)
[201 Snelling Ave N.Nadimi R-R Ltr.7-27-16](#)

Mr. Magner:

-Spoke with zoning staff downstairs. Parking lot is approved and they can move forward, with conditions, but STAMP says pending approval. I've verified this with Larry Zangs.

- It is approved, we can just rescind the resolution, they've already completed what we need to do (remove the building)

Withdrawing the proposed order for buildings removal and file will be archived.

Parking plan has been approved by Zoning and building was removed; so Order has been withdrawn by DSI.

Withdrawn

- 5** [RLH RR 16-33](#) Ordering the rehabilitation or razing and removal of the structures at 1530 CHARLES AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing.

Sponsors: Stark

Attachments: [1530 Charles Ave.OTA 6-8-16](#)
[1530 Charles Ave.PH 7-8-16](#)
[1530 Charles Ave.SHPO Form 6-13-16](#)
[1530 Charles Ave.Photos.8-27-15](#)
[1530 Charles Ave.Photos #1.6-2-16](#)
[1530 Charles Ave.Photos #2.6-2-16](#)
[1530 Charles Ave.Photos.7-19-16](#)
[1530 Charles Ave.FTA R-R Ltr.8-10-16](#)
[1530 Charles Ave.Chain emails.8-18-16](#)
[1530 Charles Ave.Email Chain.9-7-16](#)

Property owner did not show.

Anthony Miller showed on behalf of Bank's subcontractor.

Inspector Magner:

-The building is a one-and-one-half story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 4,356 square feet. According to our files, it has

been a vacant building since August 27, 2015.

-The current property owner is Jim F. Thomas per AMANDA and Ramsey County Property records.

-On June 1, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on June 8, 2016 with a compliance date of July 8, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$19,400 on the land and \$86,900 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees are due and owing.

-As of August 5, 2016, a Code Compliance Inspection has not been done.

-As of August 5, 2016, the \$5,000 performance deposit has not been posted.

-There have been nine (9) SUMMARY ABATEMENT NOTICES since 2015.

-There have been eight (8) WORK ORDERS issued for:

oGarbage/rubbish

oBoarding/securing

oGrass/weeds

oSnow/ice

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$12,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Amy Spong, Historic Preservation Committee:

-We don't know a whole lot because there was no index permit card, can't find original building permit. Built in 1911, this is Hamline-Midway neighborhood, last time surveyed was 1980's, so its considered out of date. Fortunately we do have grant money to start surveying, but we don't have those findings until 2017. We are dealing with a lack of any historic survey info for property.

-It is consistent with construction period, concrete block porch piers, early 3 over 1 windows, original siding is covered up with synthetic siding. Does appear to be some trim present, soffits and fascia, but interior has some trim and hardwood floors.

-I can't say anything about whether it has potential to be part of future historic district. Also research about any persons or historic events at this property. Encouraging rehab on general principle with the detailing still present.

Ms. Moermond:

-How did this come to become on the Vacant building list.

Inspector Magner, DSI:

-August 26th, 2015 inspector opened VBR

Ms. Moermond:

-Where are we in the foreclosure process?

Mr. Miller:

-As far as I know it's in pre-foreclosure.

Ms. Moermond:

-Has there been a sheriff's sale?

Mr. Miller:

-Not yet, whatever actions happened from the day the bank yanked it

Ms. Moermond:

-Someone stopped making payments. But nothing had been done yet.

Mr. Miller:

-So this property came into my work que,

Ms. Moermond:

-Does National Asset Protection Agency (NAPA) have a contract with Alt-source?

Mr. Miller:

-Yes, they are the big entity aside from the bank who owns the property. I started getting work orders for 1530 Charles, they had recently, I submitted the bid to go out and clean lot up.

- That's when he started going, about a month and a month and a half ago. The bank has to make the calls to issue the work order, who talks with Alt-source, and then they send them to national asset protection agency.

Mr. Magner:

-The issue here is the city is issuing an order to abate to owners of this property- US bank and AltSource, and the local owner. Did anyone send you here today?

Mr. Miller: yes, I was sent by NAPA, a contractor for AltSource

Mr. Magner:

-What we see here is ultimately if US bank and will process foreclosure, if they want to save their asset, they need to go back to their channels and get their local foreclosing attorney to the table, so we have an avenue to communicate with them. They're the ones with the authority to make decisions and follow through with them. You need to tell AltSource that to tell their local attorney. They won't come here unless US bank or AltSource tells them to come here. You need to feed that back up the channel. Since they aren't here at this hearing, they're kind of behind the 8 ball already.

Mr. Miller:

-It makes sense, I'm in building preservation, I was under the impression that they sent me work orders to bid to repair and replace siding roof and windows. I don't do that, so I subbed it out, with a third party. Due to age of property there may be asbestos, which came back yes there is asbestos. I gave that info to NAPA to say there is asbestos but still needs to be lab tested.

Mr. Magner:

-We see situations where servicer where they will send a local contractor.

Mr. Miller:

-It's on the bank to do their due diligence

Mr. Magner:

-It's your diligence to tell them, it's not the city's problem to wait for their bureaucracy. It starts by sending the legal representative. Communicate the information back.

Mr. Miller:

-So you're familiar with the process, and dealing with people like myself, so I just need to tell NAPA that I took some pictures, required by the bank, and they need to contact the US bank and they need to contact their local foreclosure attorney.

Ms. Moermond:

-Had they sent an attorney to this room, a bank VP or someone with authority, I would be saying I need you to: maintain property from now on, I need you to post a 5k performance deposit, I need you to go get a code compliance list, and what you get if you do basics is laying over for a couple weeks. I don't have any of that, if they are interested they need to come to public hearing with City Council, and they can send it back into hearing with me.

-We send letters out outlining this, so that people know exactly what recommendation is to City Council.

-She's recommending removal in 15 days from this hearing, and they can come to public hearing to testify. Sometimes that's enough to get people to show up.

Remove the building within 15 days with no option for repair. Owner did not appear.

Referred to the City Council due back on 9/7/2016

6 [RLH RR 16-34](#)

Ordering the rehabilitation or razing and removal of the structures at 656 DESOTO STREET within fifteen (15) days after the September 7, 2016, City Council Public Hearing.

Sponsors: Brendmoen

Attachments: [656 Desoto St.OTA 5-31-16](#)
[656 Desoto St.PH 7-8-16](#)
[656 Desoto St.Expired Code Compliance 11-8-12](#)
[656 Desoto St.SHPO Form 6-7-16](#)
[656 Desoto St.Photos.9-6-12](#)
[656 Desoto St.Photos #1.5-19-16](#)
[656 Desoto St.Photos #2.5-19-16](#)
[656 Desoto St.Photos #3.5-19-16](#)

Inspector Magner, DSI:

-The building is a one-and-one-half story, wood frame, single-family dwelling with an attached two-stall garage on a lot of 7,405 square feet. According to our files, it has been a vacant building since September 6, 2012.

-The current property owner is Vone X. Moua (deceased) per AMANDA and Ramsey County Property records.

-On May 18, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 31, 2016 with a compliance date of June 30, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$8,400 on the land and \$31,600 on the building.

-Real estate taxes for 2015 are delinquent in the amount of \$8,331.95; taxes for 2016 have not been paid. The property is scheduled for tax forfeiture in 2017.

-The Vacant Building registration fees were paid by assessment on September 30, 2015.

-A Code Compliance Inspection was done on November 8, 2012 and has since expired.

-As of August 5, 2016, the \$5,000 performance deposit has not been posted.

-There have been thirty-two (32) SUMMARY ABATEMENT NOTICES since 2012.
 -There have been twenty (20) WORK ORDERS issued for: Garbage/rubbish;
 Boarding/securing; Grass/weeds; Snow/ice
 -Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish is \$12,000 to \$15,000.
 -DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Ms. Moermond:

-What do we know about this tiny house?

Ms. Spong, Historic Preservation Commission:

-Circa 1883, no exact date. This is the Payne neighborhood, last surveyed in 2011, this property was not called out just upon looking at it, and it is very plain. Never originally had a front porch. There are early wood shingles on the building, but doesn't fit with original style. Right across the street in 2011 there were 2 properties highlighted, so staff would say there's no potential as a historic resource.

Recommend building removal within 15 days, with no option for rehabilitation.

Remove within 15 days with no option for repair. No one appeared.

Referred to the City Council due back on 9/7/2016

7 [RLH RR 16-35](#)

Ordering the rehabilitation or razing and removal of the structures at 1242 HEWITT AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing.

Sponsors: Stark

Attachments: [1242 Hewitt Ave.OTA 6-8-16](#)
 [1242 Hewitt Ave.PH 7-8-16](#)
 [1242 Hewitt Ave.SHPO Form 6-13-16](#)
 [1242 Hewitt Ave.Photos.4-15-14](#)
 [1242 Hewitt Ave.Photos #1.6-2-16](#)
 [1242 Hewitt Ave.Photos #2.6-2-16](#)
 [1242 Hewitt Ave.FTA R-R Ltr.8-10-16](#)
 [1242 Hewitt Ave.Shelton R-R Ltr.8-25-16](#)

Inspector Magner, DSI:

-The building is a two-story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 5,227 square feet. According to our files, it has been a vacant building since April 15, 2014.
 -The current property owner is Verlee J. Klimek (deceased) per AMANDA and Ramsey County Property records.
 -On June 1, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on June 8, 2016 with a compliance date of July 8, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$25,500 on the land and \$132,400 on the building.
 -Real estate taxes are current.
 -The Vacant Building registration fees were paid by assessment on May 6, 2016.
 -As of August 5, 2016, a Code Compliance Inspection has not been done.
 -As of August 5, 2016, the \$5,000 performance deposit has not been posted.
 -There have been six (6) SUMMARY ABATEMENT NOTICES since 2014.
 -There have been five (5) WORK ORDERS issued for: Garbage/rubbish; Boarding/securing; Grass/weeds;
 -Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$12,000.
 -DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Ms. Spong, Historic Preservation Commission:

-This is a Queen Anne style house from 1913, certainly representative of the area, stately home.
 -Non historic siding, maybe covering up earlier siding, early footprint and form still present. Hamline Midway neighborhood, survey from 1983, not up to date.
 -There is potential, but we don't know where those districts may be identified in this neighborhood. Timing is not so good; we want to minimize loss of structure.
 -We haven't issued an RFP yet, so I would recommend that if decision is to remove right before survey, if we could get a heads up to do some documentation and more research.

Ms. Moermond:

-Problem with this property is we don't seem to have anything but a deceased owner, so that makes it hard to do much. But, I will go ahead---send me language on how you want it phrased.

Ms. Spong:

-I'm almost wondering if too, there's been a lot of neighborhood awareness, district councils, etc., they might even have some information that we don't have. So, maybe we should reach out to them as well.

Ms. Moermond:

- I have no one here speaking for the property, and the request to document for historic purposes, and that should be incorporated into resolution before Council.
 -If someone comes forward on behalf of the property that's great, but right now it looks like it will continue to deteriorate.
 -I can do a 2 week layover to communicate to Hamline-Midway if they want to do some outreach. The property will need to be probated.
 -Let's let it go to City Council, and I will call the Hamline-Midway to see what their capacity is.
 -SEPT 7th is city council date

Remove the building within 15 days with no option for repair. No one appeared.

Referred to the City Council due back on 9/7/2016

8 [RLH RR 16-36](#)

Ordering the rehabilitation or razing and removal of the structures at 106 KING STREET EAST within fifteen (15) days after the September 7, 2016, City Council Public Hearing.

Sponsors: Noecker

Attachments: [106 King St E.OTA 5-23-16](#)
[106 King St E.PH 7-8-16](#)
[106 King St E.Expired Code Compliance 5-31-16](#)
[106 King St E.SHPO 7-26-16](#)
[106 King St E.Photos.4-30-13](#)
[106 King St E.Photos.5-19-16](#)
[106 King St E.Morgan R-R Ltr.8-11-16](#)
[106 King St E.Morgan R-R Ltr.8-24-16](#)
[106 King St E.WorkPlan-Bids-Financing.Submitted 8-23-16](#)
[106 King St E.Morgan email.9-6-16](#)
[106 King St E.Plumbing Bid.8-24-16](#)
[106 King St E.Work Schedule.9-6-16](#)
[106 King St E.CCI Report.9-7-16](#)

Lauron and Molly Morgan, property owners appeared

Inspector Magner, DSI:

-The building is a one-and-one-half story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 5,227 square feet. According to our files, it has been a vacant building since May 1, 2013.

-The current property owner is Lauron Morgan and Molly Morgan per AMANDA and Ramsey County Property records.

-On May 18, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 23, 2016 with a compliance date of June 22, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$15,500 on the land and \$66,000 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees were paid by assessment on June 3, 2016.

-A Code Compliance Inspection was done on May 31, 2013 and has since expired.

-As of August 5, 2016, the \$5,000 performance deposit has not been posted.

-There have been five (5) SUMMARY ABATEMENT NOTICES since 2013.

-There have been three (3) WORK ORDERS issued for:

- oBoarding/securing*
- oGrass/weeds*

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$12,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Ms. Spong, Historic Preservation Commission:

-Henry Lange house was built by owner who was a mason, we don't have a lot of history, the last time this was surveyed was in 1983, this property was inventoried at

this time; it has inventory number of RASPC4092. Need to get a clean copy. There is no original permit. There are a group of masons that were fairly representative in their buildings. It does have nice detailing. Victorian. Sometimes being painted is being part of the history, it has been painted. I would say the '83 survey, it didn't id it further in the final report, but I believe this would warrant and updated neighborhood survey to id the mason houses in the west side. Given what we know, it does have potential for historic resources. We don't have any plans in the near future to survey this neighborhood. Recommend forward to HPC and consider as a potential for historic resources

Ms. Moermond:

-Mr & Mrs Morgan, what is it you guys would like to do. It looks like 2013 things came to stop, but you continued to maintain property with a hiccup or two.

Ms. Morgan:

- Surveyed in May, we didn't own property yet. We bought in November of 2013.

That's when we go the assessments for mowing etc, we didn't actually own yet but we paid them.

-Massive flooding occurred during those winter months. Months of standing water in basement, which caused mold problems, but weren't part of the original assessment. Due to vacancy, the animal population of neighborhood had moved into basement and first floor.

-BROUGHT PICTURES form when it was condemned.

Ms. Moermond:

-I want to see all this, and I want to flip to the last chapter. You want to live here?

Mr. Morgan:

-We want to live there, want to do it right.

Ms. Moermond:

-We're going to rush a little bit. What I would like to come out of this process with, this is conversation number one, I am guessing if I were in your shoes I may not know about the financial resources to someone working on a historic rehab. There are some really good ones.

-Amy Spong is a super resource on some of that. This morning Aaron Rubenstein, he is from Historic St. Paul, so what I foresee is us working with you to get things pulled together so you can push through this and taking into account MN winters and exterior things can't happen then, looking at a work plan that can conquer this thing.

-I have people who look at this as more of a project, the 2000 annual fee should be enough to convince you this is a bad hobby, and after you get your code compliance you will have projects forever. I need you get this out of a nuisance standing.

Ms. Morgan:

-I have contracts ready to start end of September on roof and siding

Ms. Moermond:

-You need a new code compliance. They can't pull permits until the house gets out of nuisance.

Ms. Spong:

-Can I ask who your mason is?

Mr. Morgan:

-Mike Whey out of England

Ms. Spong:

- Who is doing the actual work?

Ms. Morgan:

-Right now we are paint stripping. We haven't found a repainter.

Ms. Spong:

-It may need to be repainted again. I'd be happy to get you contacts. I can get you people who understand. Historic brick is definitely different than modern.

Ms. Moermond:

-what is it this fall you wanted to have done?

Ms. Morgan:

-roof, soffit, gutters, painting

Mr. Magner:

-3rd from the bottom category – new paint is where?

Ms. Morgan:

-from the black line, up

Mr. Magner:

-so you're covering over the existing paint, and the new paint is going to be what?

Ms. Morgan:

-a fully acrylic paint.

Ms. Spong:

-I'm surprised that someone would tell you to do that.

Mr. Magner:

-You think that for the first 100 years it was unpainted?

Ms. Morgan:

-The other houses in the neighborhood of his are unpainted.

Mr. Manger:

-So your concern is you want to get the whole outside weathertight and aesthetically pleasing.

Ms. Morgan:

-We wanted to do outside first, but got inside and found all the structural issues, so all our budget went to that. Also water issues.

Ms. Moermond:

-This is scheduled to go in front of City Council on Sept 7th. Which means it's possible for permits to be pulled right after that.

-Conditions: get your code compliance application in right away, and I'll ask the building official to get it done right away. We're going to have to have the 5k performance deposit.

-These pictures are informative, but not a work plan, I need to see a work plan and proof of the financial means to execute it. Be mindful of work plan is about getting done with code compliance list, it is not about the finer finishing of the structure. It's about getting the city off your back and not paying 2k in VBR fees. Other stuff can happen, but trades work needs to get done so city can go away.

-Ms. Spong, Historic St. Paul, are all resources. I know you wanted to go more slowly. I want to see when you put together your work plan, is get an electrician to do a walk through and get a bid on the punch list, based on those bids I will know what the budget needs to be.

- I want to set it up so you and I talk in 2 weeks' time, so we can talk before it hits city council, so we can figure out things so you can pull permits. I need to have a package to give to them that is complete, and treat your project the same as others, I want it to succeed but I need the pieces before permits

Ms. Morgan:

-So you need bids for each code compliance thing. We have all bids from 2 years ago.

Ms. Moermond:

-You need a new code compliance inspection. Has anything changed from the building being releveled?

Mr. Magner:

-There was a code compliance done, and we see there were permits for sewer and water replacement. And we don't have building permit, and structural repairs have been done, so code compliance needs to be redone. Probably double fee-ing you for not getting a permit originally. This is a state requirement. Mr. Seeger will re-inspect and check with his boss, it's up to him.

Owners to meet the following conditions:

- 1) apply for a new code compliance inspection;
- 2) provide bids;
- 3) provide work plans with timelines;
- 4) post the \$5,000 performance deposit; and
- 5) provide financial documentation or loans dedicating the funds for the rehab

Laid Over to the Legislative Hearings due back on 8/23/2016

11:00 a.m. Hearings

Summary Abatement Orders

- 9 [RLH SAO 16-21](#) Appeal of Gan Mizrachi-Monti to a Summary Abatement Order at 76 WHEELLOCK PARKWAY EAST.

Sponsors: Brendmoen

Attachments: [76 Wheelock Parkway E.appeal.07-15-16](#)
[76 E Wheelock Pkwy.photos.07-07-16](#)
[76 Wheelock Pkwy E.Aerial.2015](#)
[76 Wheelock Pkwy E.Martin Email Fwd.8-1-16](#)
[76 Wheelock Pkwy.Building Survey.07-29-2016](#)
[76 Wheelock Pkwy E.Plan.07-28-2016](#)
[76 Wheelock Pkwy E.Mizrachi Ltr.8-7-16](#)
[76 Wheelock Pkwy E.Mizrachi-Monti Ltr.8-11-16](#)

Gan Mizrachi-Monti, owner, appeared.

Mr. Monti :

-I didn't realize you wanted me to actually write a plan. I'm sorry.

Ms. Moermond:

- Reads the last letter. I guess you could imagine that didn't mean in writing. I assumed it would be.

Mr. Monti:

- I can do it orally. After I met with you last week, I visited with Permits and Larry Zangs, it was apparent there were some discrepancies about the 2 story structure. This was clarified immediately after last week's hearing. In addition, I received a follow up email from Steve Grandstrom on Sunday and he indicated there is some additional paperwork he has to do, there were contours in the survey I submitted, so I'm only waiting for the paperwork to get the permit issued. Difficult to give a certain date due to construction, but I'm immediately working on the issues in the abatement order. Materials and stonework have to be used later as the finish work. I decided to speed up use by using it in accessory structure ASAP and as far as a date, I'm looking at November 30th to have all the materials mitigate

Ms. Moermond:

- including the trailer

Monti:

-yes, but I have a question. I need to the trailer through Nov 30th, is there not a specific permit I can get for the trailer?

Ms. Moermond:

- You would need to ask DSI, I'm not aware of one. If you were to get this permittee, this would be different.

-Recommending deadline of December 1, 2016 for the elimination of all onsite storage, as well as trailer.

Grant to December 1, 2016 to remove all on-site storage of construction materials, including the trailer, unless approved by Zoning to allow the trailer to remain on site under permit.

Referred to the City Council due back on 9/7/2016

- 10** [RLH SAO 16-27](#) Appeal of Tamiko V. Trott-Binns and Michael A. Binns to a Summary Abatement Order at 764 Carroll Avenue.

Sponsors: Thao

Attachments: [764 Carroll Ave.appeal.8-1-16](#)

[764 Carroll Ave.photos.8-1-16](#)

Ms. Martin:

-the SA issued to the property has been closed, they are having behavioral issues with the apartment building across the street. Gave them Inspector Schaff's number, and my number.

Ms. Moermond :

-add back in and then withdraw officially

Issue has been resolved. Appeal withdrawn by Dept. Behavior issue across the street; refer issue to Fire C of O inspector.

Withdrawn

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 11 [RLH VO 16-34](#) Appeal of Hugh Wegwerth to a Fire Certificate of Occupancy Revocation and Order to Vacate at 898 SIXTH STREET EAST.

Sponsors: Prince

Attachments: [898 6th Street E.appeal.07-29-16](#)
[898 Sixth St E.Photos.8-1-16](#)
[898 Sixth St E.Wegwerth Ltr.8-11-16](#)

Hugh Wegwerth, owner, appeared

Ms. Moermond:

– Revocation of certificate of occupancy and order to vacate

Inspector Neis:

-Thee inspection for all the work to be in compliance is due August 16th, order issued July 25, 2016, reason for vacate was long term noncompliance.

Ms. Moermond:

-When did the inspection cycle begin?

Mr. Neis:

– May 20th, 2016, by Inspector Thomas. There as a note made July 12th that the inspector tried to explain to owner that carpet wouldn't pass and walls needed further repair. Carpet and wall cracks still needed. Photographs in file. This has been going on for almost 3 months now.

Mr. Wegwerth:

– agrees everything on the order needs to be fixed. He's asking for an extension. Current renter is leaving end of September, she's rough on the rental. Bed bugs, cockroaches, washer dryer, etc. Every time he goes there there's another violation. -He has asked that the tenant has not use extension cord. He doesn't want to put new carpet in while she's in there. Once she moves out he is going to replace everything.

Mr. Neis:

- There is a history of quick compliance.

Mr. Wegwerth –

-Also dealing with 2 other rental property rehabs, he's tried to clean the rugs, now inspector says it needs to be replaced.

Ms. Moermond:

- How is it that she's leaving? Eviction, lease is done with?

Mr. Wegwerth :

-We've mutually agreed to terminate the lease. She's sect 8, she will be moving out end of September. By mid October I'll have it fixed up.

Ms. Moermond:

-let's set it up your deadline for completing repairs is October 14th. Inspector can send letter at that time with a date and time for inspection.

Grant to October 14, 2016 for compliance.

Referred to the City Council due back on 9/7/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 12 [RLH FCO
16-115](#) Appeal of Steven Lee to a Fire Inspection Correction Notice at 1836 MECHANIC AVENUE.

Sponsors: Bostrom

Attachments: [1836 Mechanic Ave.appeal.7-25-16](#)
[1836 Mechanic Ave.Photos.7-26-16](#)
[1836 Mechanic Ave.Lee Ltr.8-11-16](#)

Property owner cannot be at a hearing as he's out of town for a few weeks.

-Inspector Schaff, DSI, staff report: fire inspection correction notice, inspected July 26th by Inspector Pettiford, shingles are curling on garage, and the smoke detector affidavit.

-PO is appealing the shingles.(reads appeal) I will be changing shingles w/in the next couple years, would like to do it all at the same time. I can change them all by 2018.

-Then one job and one permit.

Ms. Moermond:

-This is a class A property, GRANT THE APPEAL, and it can be picked up at next c of O cycle if it continues. It is the hearing officer's hope the work will be concluded by 2018.

Grant the appeal, anticipating that the roof shingles will be in compliance in 2018 when the next Fire C of O cycle is due.

Referred to the City Council due back on 9/7/2016

- 13 [RLH FCO
16-123](#) Appeal of Angelic Powell to a Correction Notice-Complaint Inspection at 1320 MARSHALL AVENUE.

Sponsors: Thao

Attachments: [1320 Marshall Ave.appeal.8-1-16](#)
[1320 Marshall Ave.Photos.8-3-16](#)
[1320 Marshall Ave.Powell-Logan Ltr.8-11-16](#)

Angelic Powell appeared, with husband, George Logan III

Staff report form Inspector Shaff:

-This is a referral complaint inspection, took place on July 21, by Inspector Cassidy. There are 7 deficiencies in the orders, it has a provisional fire O of C, it has not had its C of O done yet. I'm not sure if all the orders are being appealed, or any one in particular

Ms. Powell:

-Been our family home, dad lived there for 40 years. He passed away on May 31st, house has been homesteaded, wife (her mom) is still living there.

Mr. Logan:

-Asking for time to fix corrections, because we didn't know all this was taken place until we got the notice, it's been homesteaded. Went to bank yesterday to get a loan to fix the things, got an email saying it will take a while for the loan to go through

Ms. Powell:

-Rebuilding Together has been approved, because mother is low income. Ms. Powell took mortgage out on the home, so Dad wouldn't lose home.

Ms. Moermond:

- Here is why I'm pushing on this. This isn't a property that we want to see in the certificate of occupancy program. This is a family property where you have made a mortgage decision to help parents keep home.

-However, not being in the Fir C of O Programs won't make a difference in the order on the exterior stairs, that needs to be taken care of whether its rental or owner occupied. As far as additional time, she has no problem whatsoever. Do you think you can have this taken care of?

Ms. Powell:

-Contractors came out yesterday to get an estimate to you, but I don't have them yet.

Ms. Moermond:

- If it's not done by thanksgiving, it won't be done in 2016, because of the weather and it's a concrete project. What's your ability to just take care the steps?

Mr. Logan:

-Not a problem, once we get the loan.

Ms. Powell:

-Accepted to this program, but they don't have the funding right now, so that's why they went to get the loan. Didn't know about this, it's been a lot with father passing and mother possibly being kicked out. Has email on phone from Tim Hughes at Alliance bank.

Ms. Moermond:

-Need to give you a deadline, deadline in December 1st for cement and masonry work (retaining wall and steps), screens and broken window, the other exterior item is painting for the garage, willing to go into next year for the paint. Painting deadline July 1st, 2017.

This should not be in the C of O program.

Ms. Shaff:

- I'd prefer to refer it over to code enforcement

Ms. Powell:

-What does that mean?

Ms. Moermond:

-Ms. Shaff focuses on C of O properties, and we're talking about sending it over to someone who deals with owner occupied properties. My condolences and have a good rest of your day.

Grant the appeal for owners to be released from the Fire C of O Program; however, owners still need to correct the following items: missing/torn screens throughout, broken windows, entry front steps and retaining wall by December 1, 2016; painting of the garage by July 1, 2017 (Items 1 and 2 are withdrawn). The Order is being transferred to Code Enforcement for follow-up inspection.

Referred to the City Council due back on 9/7/2016

14 [RLH FCO
16-127](#)

Appeal of Dan Olson to a Fire Inspection Correction Notice at 1931 NORTONIA AVENUE.

Sponsors: Prince

Attachments: [1931 Nortonia Ave.appeal.8-3-16](#)
[1931 Nortonia Ave.photos.7-19-16](#)
[1931 Nortonia Ave.Olson Ltr.8-11-16](#)
[1931 Nortonia Ave.Driveway Photo.8-9-16](#)

Dan Olson, owner, appeared

Inspector Shaff, DSI staff report:

- The fire certificate of occupancy inspection done July 19th by Inspector Klein, looks like what's being appealed today is driveway and its surface.

Ms. Moermond:

-You bought this as a turnkey rental, so you thought everything had been approved for a rental property, there are far worse driveways

Ms. Shaff:

-this is the first fire c of o inspection

Mr. Olson:

-he's both the owner and employee. He owns and has them manages it, he works for them.

Ms. Shaff:

-This is the first inspection, we've got the driveway, some garbage/refuse outside, maintaing a minimum 30" in front of electrical panels, dryer vent, leak in plumbing, reducing occupants to 4 non-related adults.

Ms. Moermond:

-But you're only appealing the driveway?

Mr. Olson:

-Yes, everything else is being fixed
He brings his own picture of full driveway.

Ms. Moermond hands picture to Ms. Schaff and has her look at it.

Ms. Moermond:

-Long term, I'm sure you knew it needed work, but I'm sure it wasn't in your short term budget.

Mr. Olson:

-I bought from previous owner, who never filed anything with the city. They would have been found when the previous owner did it, if they did it

Ms. Schaff:

- I'll look at TISH report, being this is the first inspection with us

Ms. Moermond:

-As I look at this, I am looking at the cracks and crack repair and thinking, so many times people go to repair the cracks and the end result is worse than what you started with. If done well it can buy you a few years.

Mr. Olson:

-they quoted me 1900 to fix those couple cracks. A vendor the company uses, came through

Ms. Moermond:

- we're talking property maintenance

Mr. Olson:

-this has been flipped

Ms. Moermond:

- For this C of O cycle, I can see granting your appeal on this item. I can also see the next time you go through a C of O, the cracks will be worse, and you'll be looking at more serious repairs. In your own best interest as to how to deal with them so it doesn't get worse.

-For now we will grant it, but revisit it the next C of O cycle. By then I mean in 2 years when you're re- inspected. July 2018.

Grant the appeal on the driveway issue until the next Fire C of O cycle.

Referred to the City Council due back on 9/7/2016

**15 RLH FCO
16-118**

Appeal of Mark Cemensky to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 2156 SAINT ANTHONY AVENUE.

Sponsors: Stark

Attachments: 2156 St. Anthony Ave.appeal.7-25-16
2156 Saint Anthony Ave.Photos.8-2-16 #1
2156 Saint Anthony Ave.Photos.8-2-16 #2
2156 Saint Anthony Ave.Cemensky Ltr.8-11-16
2156 St Anthony Ave.Photos.8-22-16
2156 Saint Anthony Ave.Cemensky Ltr.8-25-16

Mark Cemensky, owner/landlord, appeared.

Inspector Schaff, DSI staff report:

-Re-inspection of Fire C of O conducted July 22nd by inspector Rob Corrie. There were 2 items left on the list, all parking spaces should be paved, need site plan before.

Ms. Moermond:

-parking on grass basically

Mr. Cemensky:

-they have had class 5 surface parking, it looks like there's grass.

Ms. Moermond:

-this one is sinking, this one has vines growing around it.

Mr. Cemensky:

-you can see there's gravel there. It's the recycled asphalt, black.

Ms. Schaff:

-There's some vehicles that were part of the orders, and he does note there was 3 vehicles in the back. This inspection cycle started back in January with a no entry, Call on March 8th from PO for change in date, correction orders were done in June. Been going on for a while.

Mr. Cemensky:

-We've had an issue getting letters going to the right address. Been dealing directly with people from the City, for a change of address, and the inspectors have been nice as far as it. As far as this issue, does it need to be better maintained? Yes. Should there be 3 cars back there? No, there should be only two. We've put borders on it on other properties, and the concrete parking bumpers to make it a defined line.

Ms. Moermond:

-Honestly, the structure behind the house, you have a chain link fence and a red shed, and then the nice new privacy fence is the neighbors. I'm afraid I can't come to the conclusion this was class 5 or some sort of asphalt mix base, its more lawn then surface and I don't know what that surface is.

Mr. Cemensky:

- I can bring you a sample

Ms. Moermond:

- I'd rather have an inspector out there. This isn't acceptable parking surface the way its set up. I don't know you'd be allowed 3 parking spaces, that needs to be looked at by site plan.

Mr. Cemensky:

-when was the last time that was inspected?

Ms. Schaff:

- last C of O was June 2nd of 2014, since then there's been some other stuff.

Mr. Cemensky:

-at the time it was inspected, they've been using it as parking for years.

Ms. Moermond:

-I'm not thinking that. I'm wondering what the correct type of surface, and what kind of area can be used as parking. Whatever boundaries that might have existed at one point are so far eroded, and wanting to have that looked at for some sort of determination

Ms. Schaff:

-I think it would be better that Supervisor Nies accompany inspector Corey.

Ms. Moermond:

- then we can get a good sense of location, type of material, etc. And you want to do 2 parking spaces, and this is a single family home?

Mr. Cemensky:

-yes

Ms. Moermond:

-I don't foresee that being an issue

Ms. Schaff:

-as long as it meets setbacks, clearly delineated so we don't have migration if that's an issue

Ms. Moermond:

-you guys will set that up and I'll have better information

Ms. Schaff:

-you need to call Mr. Corey.

Recommendation is forthcoming. AJ Neis & Robert Corey will revisit the site to determine parking spaces allowable and the type of materials already in place. (A hearing may not be necessary)

Laid Over to the Legislative Hearings due back on 8/23/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 16** [RLH VBR 16-51](#) Appeal of Jason Nyquist to a Vacant Building Registration Requirement at 1623 RANDOLPH AVENUE.

Sponsors: Tolbert

Attachments: [1623 Randolph Ave.appeal.08-04-16](#)
[1623 Randolph Ave.Photos.7-8-15](#)
[1623 Randolph Ave.Nyquist Ltr.8-11-16](#)

Jason Nyquist, owner, appeared

Ms. Moermond:

-my job is to hear the appeal, and then make a recommendation for the CC based on the appeal, if you agree you can be done, if you aren't okay with what I'm recommending, you have the opportunity to talk directly to council

Staff report from Inspector Dornfeld:

- Opened as Cat 2 VB, on July 8th, 2015 by inspector Dennis Sentey, issued SA to have house secured. Recheck found house to be secured and maintained. Mr. Nyquist purchased the home around June 24, 2016, at the sale review process wasn't approved due to VB fee being incomplete. That is partially why we are here, on July 25th, 2016 inspector Diane Gavin entered a 90 day VBF waiver, as of last Friday. Mr. Magner and Mr. Soley revoked the VB fee extension, deemed it to be on its original path. We are here today to appeal that fee that was due back in July.

Ms. Moermond:

-Ms. Gavin probably shouldn't have given you the waiver because she didn't have the authority to do that. I'm comfortable to do a 90 day waiver, and that should be plenty of time to get permits pulled.

Mr. Nyquist:

-bank did a majority of structural work, just plumbing and electrical, should only take 2 weeks to get it done once permits are done

Ms. Moermond:

-if it's done in the 90 days you won't get a bill, otherwise it would be as a tax assessment.

-If that happens, return the gold card to appeal. It's really common for me to reduce VBF assessment, proportional to the amount of time you were in the program. Need to know that is out there if you miss the goal of being done in 90 days.

Mr. Dornfeld:

- I'm emailing Reid now, to tell him what happened, I recommend calling him in the morning and making sure everyone is on the same page.

Mr. Nyquist:

-he does have the paperwork for the sale.

Mr. Dornfeld:

-should be able to pull permits w/in the hour

Ms. Moermond:

-we're all about making an incentive at this point in the game.

Waive the VB fee for 90 days.

Referred to the City Council due back on 9/7/2016