



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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651-266-8585

Tuesday, October 4, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 16-481](#) Ratifying the Appealed Special Tax Assessment for Property at 961 WILSON AVENUE. (File No. VB1615, Assessment No. 168822). (Amended to delete)

Sponsors: Prince

Delete the assessment and if appellant is not done with the repairs by December 1, 2016, DSI will re-bill.

Xai Lor, owner, appeared.

Inspector Joe Yannarely, Vacant Buildings:

-this duplex has been a Category 2 Vacant Building since May 6, 2013

-multiple permits have been finalized

-they're very close to finishing

-they are 2 days short of 5 months past the anniversary date

-VB fee \$2085 + \$155 = \$2240

-today is the first of the plumbing inspections

-961 is already finalized; 963 still needs some work

-asks to have the VB fee waived

Ms. Moermond:

-will recommend deleting the assessment

-if you are not done with the repairs by Dec 1, 2016, DSI will re-bill

Referred to the City Council due back on 10/5/2016

- 2 [RLH TA 16-496](#) Ratifying the Appealed Special Tax Assessment for Property at 321 ARBOR STREET (File No. J1701A, Assessment No. 178500).

Sponsors: Noecker

Paul R Ference, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued for tall grass & weeds on Jun 24, 2016;

compliance Jun 29; re-checked Jun 29
-work done Jun 30 for a cost of \$160 + \$160 service charge = \$320
-quite a bit of history on property
-sent to Occupant and to Paul R. Ference at this address
-no returned mail

VIDEO - crew cut grass/weeds over 8 inches

Mr. Ference:

-I'm miffed because they cut down my red current bush; it's a large plant
-additionally, I'm replacing my front lawn with sedums; it grows only 4 inches high; it doesn't look like grass and one might think that it's a weed; I also had sedum album and another sedum but sedum album did not take off like I was expecting it to
-there was nothing in the lawn over 8 inches high except for the red current bush

Ms. Moermond:

-looking at the photo, I do think it was over 8 inches tall (appellant took a look); seeing sedum, dandelions, etc.

Mr. Ference:

-the bush is not in the photos; the bush cost me \$25 at Lightner's on Randolph
-another thing, are you sure that it wasn't cut on Jul 5 because I remember working on it over the holiday weekend
-I didn't think that there was a lot of work to be done; and I'm miffed because I lost my red current bush but since it's not in the VIDEO, maybe someone else took out took out my bush
-I should have called earlier; the timing doesn't make sense
-I think my assessment should be less because of damage to my property

Ms. Moermond:

-why didn't you appeal this Order

Mr. Ference:

-I didn't know that I could do that

Ms. Seeley:

-we've had 2 more SAs for grass since then

Mr. Ference:

-I was a bit miffed after that happened and ignored my lawn

Ms. Moermond:

-will recommend approval
-fill out a claim form for recompense for your red current bush

VIDEO one more time

Mr. Ference introduced a photo dated Jul 4, 2016 of that section of my lawn

Ms. Moermond:

-I'm looking at a different area a week later; I'm not at all sure where you're going here; are you saying that the crew didn't do the work?

Mr. Ference:

-I'm saying that the work was not done on Jun 30 but on Jul 5

Ms. Seeley & Inspector Lisa Martin:

-that is correct; there was a correction to the 5th, which gave you more time to cut the grass

-you were supposed to be in compliance on Jun 29

Mr. Ference:

-I called the inspector at 8:05 am on Jul 5 but he was out on vacation

Ms. Moermond:

-so, the Order went out Jun 24 and almost 2 weeks later on Jul 5, the crew arrived and the work still wasn't done

Approve the assessment.

Referred to the City Council due back on 1/4/2017

- 3** [RLH TA 16-467](#) Ratifying the Appealed Special Tax Assessment for Property at 1564 BEECH STREET (File No. J1701A, Assessment No. 178500).

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 1/4/2017

- 4** [RLH TA 16-482](#) Ratifying the Appealed Special Tax Assessment for Property at 955 BRADLEY STREET (File No. J1701A, Assessment No. 178500).

Sponsors: Brendmoen

Phil Beaumia, property manager, Osaka Homes MN First LLC, appeared.

Inspector Joe Yannarely:

-this is a Category 2 Vacant Building that has been in the VB Program since Feb 5, 2016

-since then, we've had 4 Work Orders and 1 Excessive Consumption

-this particular Summary Abatement was issued Jul 14, 2016; compliance Jul 21; re-checked Jul 21

-remove scrap wood, rubbish, bag of refuse, contents of containers, etc, in all yard areas/next to the house

-work done Jul 22 for a cost of \$288 + \$160 = \$448

-sent to Osaka Homes MN First LLC, 1350 Lagoon Ave Ste 830, Mpls, MN; and Occupant

VIDEO - city removed scrap wood, refuse, trash & debris in yard

Mr. Beaumia:

-we did a trash-out after it became a VB; I had pictures not having anything in the yard; I see in the Video that there was stuff - don't know who put it there

-any consideration on a reduction would be appreciated but I can see the work was done

-we are either trying to sell or rehab; we've had multiple contractors out there to provide rehab bids; no quotes have come back yet; we've had a couple of investors walk

through the property to buy it, as well; no offers yet

Ms. Moermond:

-that's what I'm stuck with; the city did the work
-will recommend approval

Approve the assessment.

Referred to the City Council due back on 1/4/2017

- 5 [RLH TA 16-480](#) Ratifying the Appealed Special Tax Assessment for Property at 1292 CLARENCE STREET. (File No. J1612E, Assessment No. 168322). (Amended to delete)

Sponsors: Bostrom

Cindy Vang, owner, appeared. (Mai Vang interpreted.)

Inspector Paula Seeley:

-PAEC for failure to remove debris by compliance/recheck date
-Orders sent Apr 14; compliance Apr 21; rechecked Apr 21
-work done by owner
-cost: \$120 + \$35 = \$155
-sent to Occupant; Cindy V Thao; and Cindy Vang all at this address
-in capital letters: Remove the remaining section of the recliner & debris from the drive way
-no history on the property

Ms. Vang:

-I found the recliner on the blvd & she moved it to her trash area; the recliner was not hers so she didn't remove it
-when I got the Notice, I removed it

Ms. Moermond:

-there's no history on the property; you are taking care of it
-I will Delete this assessment because of the good history & because the chair was dumped onto your property

Ms. Vang:

-asked if she was responsible for items that are dumped onto her property?

Ms. Moermond:

-yes, you are responsible; if you can figure out who did the dumping, SPPD can be helpful
-more lighting; real/fake cameras may help

Ms. Seeley:

-advised she put up cameras & signage saying, "This place is under surveillance"
-she can also call SPPD; once the owner has contacted SPPD, Enforcement Code will call Public Works to pick it up

Ms. Vang:

-there is no alley way for this property

Ms. Moermond:

-call the city if you have concerns

Delete the assessment.

Referred to the City Council due back on 10/5/2016

- 6 [RLH TA 16-483](#) Deleting the Appealed Special Tax Assessment for Property at 2092 DAYTON AVENUE (File No. VB1702, Assessment No. 178801).

Sponsors: Stark

Delete the assessment; code compliance inspection was issued 34 days after the anniversary date. (No hearing necessary)

Referred to the City Council due back on 1/4/2017

- 7 [RLH TA 16-358](#) Ratifying the Appealed Special Tax Assessment for Property at 715 EDGERTON STREET. (File No. J1612A, Assessment No. 168530; amended File No. J1612A1, Assessment No. 168548) (Public hearing continued from September 21)

Sponsors: Brendmoen

Approve; no show.

Appellant contacted the Front Desk to reschedule. Denied due to two missed hearings; will need to contest at Public Hearing.

Referred to the City Council due back on 10/19/2016

- 8 [RLH TA 16-456](#) Ratifying the Appealed Special Tax Assessment for Property at 1267 ENGLEWOOD AVENUE (File No. VB1701, Assessment No.178800).

Sponsors: Stark

Approve; no show.

Referred to the City Council due back on 1/4/2017

- 9 **RLH TA 16-468** Ratifying the Appealed Special Tax Assessment for Property at 1003 EUCLID STREET (File No. J1701A, Assessment No. 178500).

Sponsors: Prince

Rescheduled per owner's request. Owner may sent in written letter for her appeal.

Laid Over to the Legislative Hearings due back on 10/18/2016

- 10 **RLH TA 16-487** Ratifying the Appealed Special Tax Assessment for Property at 279 GEORGE STREET WEST (File No. VB1702, Assessment No. 178801).

Sponsors: Noecker

Jon Miller, Milnas Companies LLP, owner, appeared.

Inspector Joe Yannarely:

-this has been a Category 2 Vacant Building since Jul 9, 2016
-Mr. Miller took possession on May 25, 2016
-we have 3 permits finalized; the bldg permit remains open; Mr. Seeger noted yesterday that corrections are required
-since May, there's been 3 Summary Abatements, 1 Work Order and 1 Excessive Consumption
-cost: \$2085 + \$155 = \$2240

Mr. Miller:

-I am super close to finishing
-Mr. Seeger did an inspection last month; there very 4 very small items to complete; will finish up those items this week
-began work Jul 1, 2016
-photos
-took possession May 25, 2016; on May 26, I went down to DSI & spoke with Reid Soley, paid fees & ordered the Code Compliance Inspection
-Jun 30, 2016, I got green light from Mr. Soley
-Jul 1, we applied for permits & began work
-to date, I've put roughly \$45,000 into the property and maintained it's integrity

Ms. Moermond:

-City Council Public Hearing will be Jan 4, 2017
-is happy to decrease the assessment proportionately to how much time you spent in the VB Program this year; right now, you're in for 3 months; it probably will be 4 months before you get the last things signed off/taken care of

Mr. Miller:

-I plan to be done this week; most are done; I just need to call for final inspection
-all trade permits have been signed off except for the 4 items with Mr. Seeger

Ms. Moermond:

-will Lay the matter over to see how this goes

Mr. Yannarely:

-yes, all signed off except for bldg - 4 items

Ms. Moermond:

-LO for 1 month to Nov 15, 2016; then, we will figure it out the right amount

Mr. Miller:

-I'd like to be present; it's the first time I've done anything like this in St. Paul

Laid Over to the Legislative Hearings due back on 11/15/2016

11 [RLH TA 16-494](#)

Deleting the Appealed Special Tax Assessment for Property at 956 GERANIUM AVENUE EAST. (File No. J1612B1, Assessment No. 168113)

Sponsors: Bostrom

Delete the assessment because abatement order was sent to previous owner during current owner's ownership. (No hearing necessary).

Public hearing to be continued to October 19 since TA was not on Agenda for Oct 5.

Referred to the City Council due back on 10/19/2016

- 12 [RLH TA 16-464](#) Deleting the Appealed Special Tax Assessment for Property at 1806 LACROSSE AVE (File No. J1701A, Assessment No. 178500).

Sponsors: Bostrom

Delete the assessment. There is illegal dumping here a lot and the owner has now put fake camera, motion detector and sign. (No hearing necessary)

Referred to the City Council due back on 1/4/2017

- 13 [RLH TA 16-478](#) Deleting the Appealed Special Tax Assessment for Property at 600 LAFAYETTE ROAD (File No. VB1702, Assessment No. 178801).

Sponsors: Brendmoen

Delete the assessment; building is being demolished. (No hearing necessary)

Referred to the City Council due back on 1/4/2017

- 14 [RLH TA 16-463](#) Ratifying the Appealed Special Tax Assessment for Property at 895 LAWSON AVENUE EAST (File No. J1701A, Assessment No. 178500).

Sponsors: Bostrom

Michael Wong, owner, appeared. Mai Vang interpreted.

Inspector Paula Seeley:

-Summary Abatement Order issued Jun 29, 2016; compliance date Jul 6; re-checked Jul 6

-work done Jul 6 for a cost of \$316 + \$160 service charge = \$476

-no returned mail

-sent to Occupant; Michael Wong, PO Box 6783, St. Paul; and Michael B Wong, 432 Geranium Ave, St. Paul

-remove dog feces in front yard, cans, buckets and improper storage near rear door

-history: TGW complaint Jun 28, 2016 - done by owner

Mr. Wong:

-I told a friend to go and remove the stuff; he noticed where it was and when he tried to remove it, the renters wouldn't let him, so, when he came back over there to re-check, he saw that it was gone so, he thought that the renters had removed it

VIDEO - crew removed buckets, cans & improperly stored stuff from the rear

Mai Vang:

-I asked Mr. Wong why he hadn't contacted the inspector and he said that he didn't know that he could do that

Ms. Moermond:

-Inspector Seeley, in the future if an Order come up on this property and the renters won't work with him, call SPPD, show the Orders to the police, who will tell the renters to remove whatever

Ms. Moermond:

-on the day that this SA was written, a TGW Order was also written; the TGW were addressed and I'm assuming that the dog feces problem was addressed before the lawn was mowed

-provided photos for Appellant

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 1/4/2017

- 15 **RLH TA 16-488** Ratifying the Appealed Special Tax Assessment for Property at 1406 MINNEHAHA AVENUE WEST (File No. VB1702, Assessment No. 178801).

Sponsors: Stark

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 10/18/2016

- 16 [RLH TA 16-474](#) Deleting the Appealed Special Tax Assessment for Property at 775 MONTANA AVENUE EAST (File No. VB1702, Assessment No. 178801).

Sponsors: Bostrom

Property rehab is complete and VB fee waiver was not properly recorded. It should have been closed within the 2 months of the anniversary and waiver should have been in place. (No hearing necessary).

Referred to the City Council due back on 1/4/2017

- 17 [RLH TA 16-479](#) Ratifying the Appealed Special Tax Assessment for Property at 1951 MONTANA AVENUE EAST (File No. J1701A, Assessment No. 178500).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/4/2017

- 18 [RLH TA 16-475](#) Ratifying the Appealed Special Tax Assessment for Property at 1959 NORTONIA AVENUE (File No. J1701A, Assessment No. 178500).

Sponsors: Prince

Walter Huehn, owner, appeared

Inspector Paula Seeley:

-SA Order sent Jun 29, 2016; compliance Jul 6; re-checked Jul 11; the debris was still there so and Excessive Consumption fee was sent; re-checked again Jul 22; still there so Work Order sent

-work done Jul 26, 2016 for a cost of \$158 + \$160 service charge = \$318

-inspector deleted the EC fine but the cost of the cleanup stands

-sent to Occupant; and Walter Huehn at this address
-remove debris including the fridge, mattress, box spring & rails from the blvd & driveway
-no returned mail
-no history on property
-don't see a fridge in the photo

VIDEO - removed refrigerator from driveway

Ms. Moermond:
-only the refrigerator was left?

Mr. Huehn:
-I had it out on the blvd; when I got the letter, I removed it from the blvd and I had the idea to make a trailer out of it; I came home with the saw to cut it down so that I could put it on the trailer that I built but my refrigerator was gone
-I thought they just wanted it off the blvd; the only place I had to work on it was in the driveway; it was an empty steel box; very easy to move; I had plans to do something with it; I intended to repurpose it
-I had a sign on the hospital bed "Free"
-I talked with someone who said that she'd waive the EC fee but I should come to this hearing to try to get the other fee waived

Ms. Moermond:
-who waived what fee?

Mr. Huehn:
-the disposal fee

Mr. Seeley:
-first he got an EC; we gave him the benefit of the doubt; we went back later, it was still there
-Sean Westenhofer was the inspector; I don't know who deleted the EC

Mr. Huehn:
-I want the removal fee dismissed;

Ms. Moermond:
-that's not happening

Mr. Huehn:
-why? I tried to get the fridge back; it was in the yard at Hamline & Jessamine; apparently, didn't know where it went to but it was in the Hamline yard

Ms. Moermond:
-at the end of Jun, there was an Order to take care of the refrigerator; and the bed; the bed was not outside; and looking at the VIDEO, the refrigerator is still there; out of all the things that could be outside, refrigerators & freezers are the most troublesome for me; I'm actually really concerned that the inspector let this go on for so long

Ms. Seeley:
-I think that Inspector Westenhofer sent the Orders and Inspector Sureen did the re-check; she probably asked me and I probably told her to EC it

Ms. Moermond:

-I also know that kids get into refrigerators

Mr. Huehn:

-there was no door and nothing in it; it was just a steel box & I was trying to repurpose it - to make a trailer for my ATV

Ms. Moermond:

-the Order was a month before

Mr. Huehn:

-it took 10 days to get the first letter; I had it off the blvd and on my personal property and I was working on it to repurpose it; I worked on it in the driveway because I don't have room in the garage

Ms. Moermond:

-it wasn't OK; the Order says "including removing the fridge, mattress, box spring and rails from blvd & driveway;" that's on the driveway; and it's not OK to be stored outside

Mr. Huehn:

-I had money invested to try to do something with it; now, it's going to cost me more money and I'm out

Ms. Moermond:

*-if you would have told the inspector your plans, he would have told you to get it into your garage while you work on it or put it away in the garage
-will recommend approval*

Approve the assessment.

Referred to the City Council due back on 1/4/2017

- 19 RLH TA 16-466** Ratifying the Appealed Special Tax Assessment for Property at 698 ORANGE AVENUE EAST (File No. J1701A, Assessment No. 178500).

Sponsors: Bostrom

Owner did not appear.

10/5/16: Daughter called obo mom, Bright Naw and stated she missed the hearing and thought it was October 5 and wishes to reschedule. Rescheduled to Oct 18. Daughter will be interpreting for mom.

Laid Over to the Legislative Hearings due back on 10/18/2016

- 20 RLH TA 16-469** Ratifying the Appealed Special Tax Assessment for Property at 1697 ORANGE AVENUE EAST (File No. J1701A, Assessment No. 178500).

Sponsors: Bostrom

May Xiong, One Property Group Inc, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order issued Jun 22 and again Jun 29, 2016; first compliance Jun 29; next compliance Jul 7; re-checked Jul 7
-work done Jul 7, 2016 for a cost of \$372 + \$160 = \$532
-no returned mail*

-sent to Occupant; and Robert Nicholas McLaughlin, 1697 Orange Ave E
-failure to cut back bushes obstructing the alley

Ms. Xiong:

-acquired the property Jul 14, 2016
-never received any of those Notices; if I had known I'd have taken care of it right away

VIDEO - crew removed over grown vegetation along the property line and cut it back from the alley way

Ms. Moermond:

-there was no disclosure; your realtor can go after him (both realtors can talk); we can get you the Orders and the photos now
-will recommend approval

Ms. Seeley:

-you can get a copy of the Video from Cable from \$25

Ms. Moermond:

-we viewed the VIDEO again while the Appellant copied it to her phone
-City Council Public Hearing Jan 4, 2017

Approve the assessment.

Referred to the City Council due back on 1/4/2017

- 21** [RLH TA 16-465](#) Ratifying the Appealed Special Tax Assessment for Property at 1722 RACE STREET. (File No. J1614A, Assessment No. 168537) (Legislative Hearing on October 4)

Sponsors: Tolbert

Approve; no show.

Referred to the City Council due back on 10/5/2016

- 22** [RLH TA 16-489](#) Ratifying the Appealed Special Tax Assessment for Property at 373 RUTH STREET NORTH (File No. VB1702A, Assessment No. 178802).

Sponsors: Prince

David Iselewa, CPEC Exchange 40719 LLC, owner appeared.

Ms. Moermond:

-we have a letter from Brams Engineering LLC talking about the MN Pollution Control Agency (MPCA) Petroleum Brownfields Program and that you were enrolled in that program for cleanup of this site in Jul 2016

-second to last sentence says, "Based on the original Subject Property's construction schedule, construction at the site would have started after the MPCA Petroleum Brownfields Program approval on Sep 1, 2016."

-what does that mean, 'would have started'?

Mr. Iselewa:

-the reason why we haven't started is because there have been a lot of delays

Ms. Moermond:

*-will leave this to Inspector Yannarely to investigate
-the city is looking for getting rid of the curb cuts and pulling up the cement & asphalt from this site because currently, there isn't a use or a plan submitted or anything; hopefully, you can get that work done; I don't know what it encompasses
-the City Council Resolution says that you have to remove the bldg and you have to clear the site
-we also have new stuff going on but it can't get going because the cleanup hasn't yet happened; that cleanup is delaying clearing the site
-a decision needs to be made about enforcement of that order; the implication of that is that the city would go and clear the site (pull all the pavement & curb cuts, etc) and charge you for it*

Mr. Yannarely:

-I don't see any site plan yet

Mr. Iselewa:

-we have all the plans in place; the project mgr said they would do it all; it wouldn't make sense to start

Mr. Yannarely:

-to start action doesn't make sense but you still could have a plan in place until the MPCA clears you

Mr. Iselewa:

-we have a plan in place

Mr. Yannarely:

-but you haven't submitted it to anyone in site plan review

Ms. Moermond:

*-a decision needs to be made on whether the city goes in and clears the site or whether you submit a plan showing that you are in control of the situation
-go to DSI's front desk and say you need a site plan review for your plans
-will recommend the Vacant Building fee be deleted; the building has been razed; it was on the site for only a tiny part of the year*

Delete the assessment. Building was razed.

Referred to the City Council due back on 1/4/2017

- 23** [RLH TA 16-485](#) Ratifying the Appealed Special Tax Assessment for Property at 1551 RUTH STREET (File No. VB1702, Assessment No. 178801).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/4/2017

- 24** **RLH TA 16-495** Ratifying the Appealed Special Tax Assessment for Property at 526 ST ALBANS STREET NORTH (File No. J1701A, Assessment No. 178500).

Sponsors: Thao

Stephen P Filing, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Ordered issued Jun 23, 2016 for tall grass & weeds; compliance date Jun 27; re-checked Jun 27
-work done Jun 28 for a cost of \$160 + \$160 service charge = \$320
-sent to Stephen P Filing, 1076 Hague Ave, St. Paul and Occupant
-no returned mail
-it's vacant land
-history: 3 TGW complaints since 2014 (done by owner); garbage/rubbish & snow & ice complaints in 2014*

VIDEO - crew mowed tall grass & weeds over 8 inches high

Mr. Filing:

*-I haven't owned this land very long
-they are OK with part of this
-I was in Wisconsin; my dad had some seizures; when I came back I didn't see that Notice but I went over to mow and it was already mowed; I asked the person across the street and she said that someone had come yesterday and mowed it
-on the 29th, we got a note that said "You owe \$120;" and we paid the \$120; after that, I didn't know anything about this until it said there's dumping and some other stuff - and I wasn't even aware of it; we paid the \$120 because it said it was \$160/hour and the lot is only 32 x 75; we paid the \$120 back on Jul 19, 2016; and just the other day when I got back from Maine, I got something that said that "You owe \$440;" but he didn't know what that was for- it said that there was dumping; there was a card in there but I didn't know what I was supposed to do;
-I have the cancelled check on the 19th
-I have the Notification that says: Payment is due upon receipt of this letter....
Excessive Consumption of city services...\$120; so, I thought that we had addressed it
-I apologize that it didn't get done; my bad*

Ms. Seeley:

-we also sent on Order on a grocery cart; they must have sent a Work Order on it and it generated PAEC

Inspector Lisa Martin:

-checking in the file, the inspector did not send a Summary Abatement on the grocery cart; only on the tall grass & weeds; therefore, I would recommend DELETING the fee for the clean-up on a shopping cart

Ms. Seeley:

*-he removed the shopping cart
-Ms. Moermond, you do not have a fee in front of you for a shopping cart; you just have the fee for the tall grass & weeds
-but there will be a forthcoming PAEC, which should definitely be DELETED because the inspector didn't send an Order to remove the shopping cart*

Ms. Moermond:

*-so, no charge for the shopping cart because no Order was written
-the Excessive Consumption was a lie*

Ms. Martin:

-I think that because a Work Order was sent on the shopping cart and one for TGW,

and there was a previous Order before that (3 within 12 months); there were several back in 2014 but Mr. Filing is saying that he didn't own it back then

Mr. Filing:

-I bought it at the county auction

Ms. Moermond:

-so, there was an Order on the shopping cart (?)

Ms. Seeley:

-no; there was just an Order on the grass

Inspector Joe Yannarely:

-a Work Order was sent but there was no SA on the shopping cart; so, he paid for an EX CON (\$120) for which no SA was sent; the inspector sent a Work Order without an SA that's why it generated an EC but he never got the SA so he should never have gotten the Work Order either

-maybe we should give him credit for that

Ms. Seeley:

-right; so, maybe they should cut the fee in half

Ms. Moermond:

-struggling with the way to handle this correctly, accounting wise, when it was paid incorrectly

-a check should be issued back to you for the \$120 that you paid;

-it would be easier for me to deduct the \$120 from this SA fee but.....

-I think that I'll have finance issue the \$120 check

-no Order was issued to you to take care of the shopping cart

Ms. Seeley:

-I'm reading the inspector's Work Order and what I think is that he meant to send that Order to Public Works; that's why no Order was generated; it was a mistake on the inspector's part

Ms. Moermond:

-I think what we need to do is to do a Resolution or have you file a claim for the \$120 that you paid; you should get that money back again

-the \$120 was a trip charge

-the \$320 in front of me today is for the tall grass & weeds charge

Mr. Filing:

-I appreciate getting the \$120 back but I'm confused because - earlier you just dismissed charges of \$300 or \$400 and they were not mistakes; seems like there's a mistake here and I'm still going to be charged...

Ms. Moermond:

-you are not going to be charged for the cart; you paid and we want to refund you because you shouldn't have paid

Mr. Filing:

-\$320 seems ridiculously egregious for mowing the grass

Ms. Moermond:

*-I will talk to our accounting folks about your refund for the \$120
-will recommend approval for mowing the grass; your grass was really tall*

Mr. Filing:

*-I was out of town because I had a father in the hospital
-I get a bill I pay it; I take care of business
-I just don't understand how a lot that's smaller even than a normal lot and it shouldn't take very long to mow....it just seems odd to be charged so much; and earlier today, you gave people back \$300-\$400 and you can see from this that I'm doing what I'm supposed to be doing*

Ms. Moermond:

*-invited the Appellant to read the minutes on line to get an idea of how decisions get made on different things; for this situation, I'm definitely looking at tall grass & weeds; definitely a Notice went out in the mail; I get that you were out of town but things happen that are beyond peoples' control but things still need to be taken care of
-I'm comfortable with those decisions that I made
-with you situation, we need to deal with the tall grass & weeds
-let me talk to Accounting to see what their preferences are*

Recommendation is forthcoming.

Referred to the City Council due back on 1/4/2017

- 25 RLH TA 16-484** Ratifying the Appealed Special Tax Assessment for Property at 1075 STINSON STREET (File No. VB1702, Assessment No. 178801).

Sponsors: Thao

Delete the assessment.

Referred to the City Council due back on 1/4/2017

Special Tax Assessments - Rolls

- 26 RLH AR 16-79** Ratifying the assessments for Property Clean Up services during June 27 to July 29, 2016. (File No. J1701A, Assessment No. 178500)

Sponsors: Stark

Referred to the City Council due back on 1/4/2017

- 27 RLH AR 16-80** Ratifying the assessments for Trash Hauling services during July 8 to 27, 2016. (File No. J1701G, Assessment No. 178700)

Sponsors: Stark

Referred to the City Council due back on 1/4/2017

- 28 RLH AR 16-81** Ratifying the assessments for Collection of Vacant Building Registration fees billed during March 7 to June 21, 2016. (File No. VB1702, Assessment No. 178801)

Sponsors: Stark

Referred to the City Council due back on 1/4/2017

- 29 **RLH AR 16-82** Ratifying the assessments for Collection of Vacant Building Registration fee billed December 7, 2015 at 373 RUTH STREET NORTH (File No. VB1702A, Assessment No. 178802).

Sponsors: Prince

Reference file: RLH TA 16-489 - delete the assessment.

Referred to the City Council due back on 1/4/2017

11:00 a.m. Hearings

Summary Abatement Orders

- 30 [RLH SAO 16-36](#) Appeal of Kristi Iverson to a Summary Abatement Order at 345 GOODRICH AVENUE.

Sponsors: Noecker

Issue resolved.

On September 29, 2016, Apellant called front desk to withdraw the appeal. She said it's been resolved.

Withdrawn

- 31 [RLH SAO 16-37](#) Appeal of Loretta Flemino to a Summary Abatement Order at 1069 LAFOND AVENUE.

Sponsors: Thao

Owner Loretta Flemino's sister, Tracy Curling and Sarah Jenson, appeared.

Inspector Lisa Martin:

-introduced a photo

-there are 2 Summary Abatement Orders: 1) previous one for all of the garbage & junk in the yard; there was a vehicle with expired tabs (on-going); there are notes in STAMP; and 2) upon re-inspection, there was a garage fire

-received information from the St. Paul Fire Dept along with the photos I just handed you

-we issued a SA to remove the garage & all of the contents by Sep 27, 2016, which is our standard procedure

-fire occurred at 1:17 am on Sep 22, 2016; Orders issued Sep 23, 2016

-estimated damage: \$10,000

-this went to case management; the case manager was not in the office right after the fire, so, I was asked to go ahead and issue the Orders to take care of everything all at once

-the appeal was filed

Ms. Moermond:

-so, we have the fire; the contents of the garage that was burned; items that were

pulled out of the garage into the yard; the crippled building plus the other items in the yard

-in the appeal, your sister says that she needs more time to move the debris from the garage while they are waiting for the insurance company to assess the damage; she says that she is handicapped and is relying on others to help her, which at times, is a task in itself

Ms. Curling:

*-we are just waiting for the insurance company to send out the check; then, we will hire someone to demo the garage; the stuff in the alley and yard has been cleaned up
-asked to get a week extension in order to get a roll-off*

Ms. Moermond:

*-all that should be covered by insurance
-if you have it done by close of business by Oct 10, 2016, great; if you don't, then, Inspector Martin's dept will hire a demolition contractor to finish the work
-if you get someone hired and they pull the permit and get going quickly, it will be magical in terms of making it work smoothly; I want you to push this
-I will put a decision on the record before it goes to City Council because of the emergency nature of this
-you can get a master list of demo contractors from Inspector Joe Yannarely, 651/266-1920
-perhaps the insurance company has someone in mind*

Ms. Martin:

-if the city needs to remove any fire debris left in the yard after Oct 10, 2016, the cost will be assessed to the property

Ms. Moermond:

Grant an extension to close of business October 10 to remove the fire damaged garage.

Referred to the City Council due back on 10/19/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 32** [RLH VO 16-42](#) Appeal of Craig DeZiel to a Correction Notice-Reinspection Complaint at 126 NINTH STREET EAST (also known as 484 Robert Street North).

Sponsors: Noecker

Craig DeZiel appeared.

Fire Inspector Leanna Shaff:

*-this involves the main level Second Hand Shop
-we received a complaint in Apr 2015 about boxes/container storage in basement; about rooms that were being rented and between the rooms was a ladder access; there are people living above this basement room with stored boxes that are fire hazards, etc.*

-Inspector George Niemeyer went out the following day; he notes that Mr. DeZiel was living in the property; that it was stacked, pretty much floor to ceiling with a lot of

combustibles; so much, that it was difficult to get through

-Notes: there are also holes in the ceiling - in the occupancy separation between basement and the floor above; we immediately Condemned the space (business; living) and for the past 1 1/2 years we required that it be cleaned out, which hasn't come to fruition

-on our last inspection last month, it was even worse, even though things had been taken out

-we enforced the Condemnation; making it a partial Vacant Building

-we also scheduled a Fire Certificate of Occupancy; we believe that there's a danger to the apartments above

-Mr. DeZiel says that he needs more time because of his condition; however, the property owner, Allen Kremer, is actively taking items out of the store himself

-in speaking with Mr. Kremer, he paid Mr. DeZiel money so that he could have access to clean out Mr. DeZiel's space

Ms. Moermond:

-clarification: the landlord is paying the tenant in order to access and clean out his stuff - to get it safe and hopefully, get the Condemnation lifted

Ms. Shaff:

-it won't be lifted in the interim because we also have occupancy separation issues that need to be addressed

-Mr. Kremer tells me that Mr. DeZiel's lease is month to month; and his expectation is that he would be out by the end of this month

-this has been basically Condemned since Apr 2015

Ms. Moermond:

-was this ever intended to be residential space? It's hard to discern if it's residential or commercial because there's storage of so many things that are commercial goods

Ms. Shaff:

-the main floor and the basement is commercial space; above that is residential space (mixed occupancy)

-the space that we're talking about is the commercial space, which we are Ordering Vacated

Ms. Moermond:

-Vacated for purposes of living and commercial uses; they can be in there only to clean things up or moving things

Ms. Shaff:

-after Mr. DeZiel had received the Orders in 2015, he continued to do business

-Inspector Niemeyer and I explained to him that this could not go on; we told him what hours he could be there to clean up his stuff and over the past 1 1/2 years, that hasn't happened; we could not let it continue

-the logical thing thing is to have this a partial VB

-the property owner has already told me that he has contacted contractors to fix the space

-Mr. Kremer owns the entire building

Mr. DeZiel:

-this is the first I've heard that the city had determined or had any proof that I was living there

-I have hoarding issues; it all boils down to a number of things: Mr. Niemeyer didn't

get back to me after he did the 2nd inspection, when things were much improved; I called him twice within a month and I asked him what I needed to do; he said that he was working on it; I never saw any paperwork; at the end of the year, he said that he wanted to come and inspect next week

-my addition is hoarding; when I asked again for my paper work, Mr. Niemeyer had the excuse that he tried to send it to me but it kept coming back; I told him that he had my phone number...;

-when they hung up the Notice, it was for public viewing instead of handing me a letter; I didn't read it; got conflicting information

-when they showed up and were all over me for selling stuff... being on a fixed income... said they'd be back the next week - first week in Jan; my addition got worse; he came and said that I still needed to get a lot out

-next time, Inspector Shaff came, too, and told me that I had 3 weeks to get everything out of here (with this big Cheshire grin on her face); she said, "I'm going to Condemn the whole bldg;"

-owner Al Kremer is in his 70s - you might as well have lit a fire under.....; the next thing you know, I'm under big pressure; Mr. Kremer offered me \$500 to help me get started to move stuff out; in essence, he just took over; they were ruthless; people were pillaging thru my stuff, smashing furniture, etc; all my personal items were being totally rifled thru by people who couldn't care less

-I'm putting things in storage

-Al Kremer was a nervous wreck - things were out of control; also, things weren't being handled properly, in my opinion by the city

-I called for appeal and it hadn't gotten thru the system yet

-I asked Ms. Shaff if I could get a little more time and she said, "No; I was quite clear about this....." which is not quite truthful

Ms. Moermond:

-we're here now; what are you looking for?
-what's your long term plan?

Mr. DeZiel:

-suggests that Ms. Shaff get some sensitivity training; it was all pretty cold
-I'm looking for more time; a couple more weeks to take some of the pressure off Al and me; honestly, that's all I'm looking for

Ms. Shaff:

-Mr. Kremer expected Mr. DeZiel to be out by the end of Sep; he gave him Notice
-it was also explained to Mr. Kremer a few weeks before that, as a partial VB, they could still continue to remove items from there - gave hours and parameters

Mr. DeZiel:

-added that this has been a big stress situation for Al as well as for him; we had a good relationship before and this has pushed it to its limit; and it didn't have to be that way; I have medical conditions and I tried to explain that to Inspector Shaff; I have diabetes, ADD anda number of things
-I don't have a problem complying but being pushed by the city and by Al.. I suffer from sleep deprivation

Ms. Moermond:

-I get that there's stress for a lot of people; it helps to have support
-all this started back in Apr 2015; you had the opportunity to get help
-I'm glad that this isn't actually where you live; it makes it easier for me to make decisions about closing it down

*-I need to be concerned about the people who live in the apartments above
-the photos show a considerable fire load and we need to get it under control; it would be great if you were a participant in that
-there's no reason to delay the endorsement of the Condemnation on this space because all that you could use this space for it sales; and it's over full right now; when it gets down to size, that can be revisited
-you can be in that space from 8 am to 8 pm to work there (no sleeping, no TV, no cooking, etc.); it's about taking care of the volume of things that are in there
-Mr. Kremer will also need his contractors to access this space to work on the walls & ceilings-fire separation
-will Recommend denying the appeal because of safety concerns*

Mr. DeZiel:

*-right now, over 90% of the volume has been removed
-I don't have the money to fix the rest of the things
-as far as eating there; almost every business has a microwave*

Ms. Moermond:

*-but we are not in business any more; it's a VB
-I want an immediate Vacancy*

Mr. DeZiel:

-but there was a specific date; it hasn't been 3 weeks yet

Ms. Moermond:

*-the Orders have 2 deadlines: 1) for the general repairs; and 2) a different deadline is mentioned in the Condemnation #10 of Sep 21, 2016; that was also the day you filed the appeal; today, it's Oct 4, 2016 and it's an immediate Vacate; it's a Registered VB
-City Council Public Hearing is Oct 19, 2016; they may take a different view of the matter; if they do, they can overturn my recommendation*

Deny the appeal with an immediate vacate date.

Referred to the City Council due back on 10/19/2016

33 [RLH VO 16-43](#)

Appeal of Colleen Walbran, SMRLS, on behalf of Nou Yang to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1232 SEVENTH STREET EAST.

Sponsors: Bostrom

Colleen Walbran, Southern Minnesota Regional Legal Services (SMRLS) and Nur Yang, tenant in Apartment 1 appeared.

Fire Inspector Leanna Shaff:

*-Revocation of a Fire Certificate of Occupancy and Order to Vacate
-we have no issue giving the Appellant to Oct 10, 2016 to Vacate; this is for the tenant only; it does not extend to the owner of the property*

Ms. Walbran:

-we are just here to ask for a few days

Ms. Moermond:

-Oct 10th; is that enough time?

Ms. Walbran:
-there is an eviction court hearing

Ms. Yang: (cannot understand her very well)
they are making me move
-my bedroom has black mold; I'm sleeping in the living room
-the people they hired to do repairs are not even licensed; the roof is not done by licensed contractors
-there is a car there that has not been removed; they tried to tow my vehicle

Ms. Walbran:
-I asked Nur to pursue a claim in conciliation

Ms. Yang:
-at the eviction hearing, they lied to the court about when I moved in; I moved in Jan 2016 from OK; previous owner moved the end of the year

Ms. Moermond:
-have you got a new place?

Ms. Yang:
-not yet

Ms. Moermond:
-the Resolution will indicate for the tenant only

Grant an extension to October 10, 2016 for the tenant in Apartment 1 to vacate the property. This does not apply to the other unit.

Referred to the City Council due back on 10/19/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 34 [RLH FCO 16-160](#) Appeal of Mark Younghans, Safe Home Transactions LLC, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 449 MOUNT IDA STREET.

Sponsors: Brendmoen

Mark Younghans, Safe Home Transactions LLC, owner, appeared.

Fire Inspector A J Neis:
-Fire Certificate of Occupancy re-inspection conducted by Inspector Daniel Klein
-re-inspection was scheduled for today
-code deficiencies: parking surface shall be paved; photos in file; driveway is currently a combination concrete, asphalt, Class 5, crushed rock, dirt, brick - a little of everything
-so, the property owner attempted to make repairs by removing the portions that were damaged and put in Class 5 gravel as a solution
-2nd item being appealed: Why is this getting a C of O inspection based on the fact that the home has never been rented out under Mr. Younghans' ownership
-Appellant wants clarification on why it's in the C of O Program

Ms. Moermond:

*-sees that Appellant does transactions at 685 Burr St and this is 449 Mount Ida
-who lives here?*

Mr. Younghans:

*-I have owned Mount Ida for 2 1/2 years and no one has lived there; I had to evict the previous owner and he didn't move out until Apr 2013; it's been vacant ever since
-I live a block away; I pay the energy bill & cut the grass*

Mr. Neis:

*-since 2013, the property has had an excellent history with our office; have not received Code Enforcement complaints or issues
-there was a water-shut off in 2014, which is understandable if no one is there; it was taken care of
-tall grass & garbage complaint in 2014 in the yard, which was resolved
-property has not been a nuisance*

Mr. Younghans:

-the water shut-off was a weird situation; they had the water turned off at the street so the water was shut off to the building so that we had to have a plumber come in and put it above the ground and cement it in as St. Paul wanted it; that's why the water was turned off at the street

Mr. Neis:

-that was finalized under permit in 2014

Mr. Younghans:

*-my plans for the property - it was supposed to be sold last Mon
-we had some issues with neighboring house; we own the driveway and we have to give easement to the owner of the neighboring house, which is owned by the State of MN, overseen by Ramsey County; I finally got everyone on the same page; Minnesota is saying as far as they're concerned, they have only on-street parking, which gave the buyer's title company clearance to close; I sell it tomorrow at 3 pm; they are going to turn it into a "sober house"*

Mr. Neis:

-now, Supervisor Shaff will be taking it over if it's going to be a sober house

Ms. Moermond:

*-449 Mount Ida is not "owner-occupied" but it's not occupied; then the question is, "Should it be a Reg VB?" Well, it hasn't caused us any problems; and the city has to know that a bldg is empty for a year before we put them into the VB Program - and, we just learned that this bldg is empty
-this is a different kind of situation if it's going to be a sober house; then, it will definitely need to be the C of O Program
-because the real estate transaction hasn't occurred yet and they haven't made full application yet, I think that one thing to do is to push out the time of the next inspection (need to give Inspector Shaff time to connect and do some inspections)*

Mr. Younghans:

-the driveway is 60 feet long; it's 9 feet wide at the opening and gets wider as it goes behind the house and the new owner is going to put a patio in the back; I was going to put sod there at the same time as I put in the Class 5

Mr. Neis:

-first letter was sent Aug 4, 2016 with re-inspection scheduled for Sep 1, 2016
-first Order was sent Sep 1 with re-inspection scheduled for Oct 4
-he must have had access to the house on Aug 4 because identified that a CO detector was needed; Aug 4 looks like it was the first inspection made

Mr. Younghans:

-I was supposed to meet the inspector and I missed it
-the first half of the driveway is decent; from there on, you get all the other stuff; where it gets super bad, I tore all the junk out and I put in Class 5; when I met with the inspector, I told him that I had already met with 15 contractors (I didn't know that the city would even care if it was bad but a buyer's not going to want it); the inspector never told me about a "rule" or "law" that says once you have a finished driveway needing cement or asphalt, you cannot go back to unapproved; he didn't mention that until he left me a voice mail 9-15-16; I met with him around Aug 4 and he didn't let me know until a month and 10 days later,, saying...just so you know....

Ms. Moermond:

-it says here in the Order that you should contact Zoning to get site plan approval before you do anything; did you do that?

Mr. Younghans:

-I did not but I met with over 15 contractors and not one of them.....

Ms. Moermond:

-that's a big deal; they're not Zoning; they're selling you something and trying to please you
-Zoning will tell you what the law is about what you can put down
-sorry that the inspector didn't mention that until later but the Order says that you have to talk to Zoning; you appealed and we're talking
-#1 - compromises your argument; the new owner or you will have to make sure that what is done is approved by Zoning because if it isn't, it will need to be pulled up
-the line of the driveway is new and the line of the parking area is new and that requires Zoning approval; it's a big area and it does need to go to them because it's new
-looked at the photos; in the photos, I have dirt

Mr. Younghans:

-there's no dirt; it's Class 5, 22 tons; it's not dirt
-he went to view the photos - so that's not it and explained where the inspector told him that he needed to put grass; this is beyond the driveway; he explained the rest of the photos

Ms. Moermond:

-I can't tell without a site plan
-this is compromised Class 5 - definitely crushed rock and needs to be updated; I don't think the contractor gave you Class 5; I see dust
-you or the buyer need to talk to someone in Zoning
-Appellant showed Ms. Moermond his photos to better explain the situation

Mr. Neis:

-about the Class 5 - it's really hard to say if it's really Class 5
-Inspector Klein did not verbally communicate that "site plan approval must be obtained;" the Order clearly stated it (both the 1st & 2nd Order stated that)

-Zoning should have been contacted; they would have pointed you/contractor in the right direction

Mr. Younghans:

-explained more using his photos

Ms. Moermond:

-check with Zoning, it could be a simple conversation

-explain your situation; take the inspector's photos, your photos and the Orders to Zoning, DSI

-draw a diagram of the property

-wish I had better news for you

Mr. Younghans:

-I had no clue

Ms. Moermond:

-will push out that inspection for an extra month to Nov

-this may not need a C of O now but it will when it becomes a sober house

-recommend denial

Deny the appeal; Appellant will need to go to Zoning for site plan approval of the parking surface. DSI staff are requested to pay special attention to surface types in different parts of the yard in their review. Legislative Hearing Officer recommends delaying the reinspection date for another month.

Referred to the City Council due back on 11/2/2016

35 [RLH FCO
16-164](#)

Appeal of Cristi St. Marie to a Correction Notice - Re-inspection
Complaint at 1315 BUSH AVENUE.

Sponsors: Prince

Appeal has been referred to Building Official, Stephen Ubl, to make determination on the ceiling height issue. Appeal withdrawn by hearing officer.

Withdrawn

2:30 p.m. Hearings (NONE)

Vacant Building Registrations