



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
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*651-266-8585*

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Tuesday, May 19, 2020

9:00 AM

Via Telephone due to Covid-19 health pandemic

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#### Special Tax Assessments

#### 9:00 a.m. Hearings

- 1     **RLH TA 20-287**     Ratifying the Appealed Special Tax Assessment for property at 250 BIRMINGHAM STREET. (File No. J2009B, Assessment No. 208108)

Sponsors:     Prince

*Approve the assessment. Continue PH to March 17, 2021.*

*Edgar Orozco on behalf of Pleasantville, LLC appeared via phone*

*Moermond: since we last spoke, we sent some follow up information, and there was a photo attached of a fire at 281 Birmingham. There was a photo attached from the Fire Department. Your question was that you didn't remember any fire.*

*Orozco: when you say I didn't remember, I said I didn't remember there was a fire at the 278 building. There was no fire at 278, number four. It was at 281 number four.*

*Moermond: yeah, you weren't forthcoming about that, but we've cleared it up. We have cleared up why the address was incorrect, and that is because the person calling in gave their address, but the Fire Report is now accurate. It had two different addresses, 281 as well as the other address. I'm stuck here looking at a bill for boarding at this address, and I'm wondering if you have anything else to add to the record, you see what the Fire Department added.*

*Orozco: boarding, there was no boarding done. They put two latches on, there wasn't any boarding.*

*Moermond: Right, what the invoice says, and you should have a copy of this, that's the generic title. 2 doors screwed shut, one window closed and locked. That was the service provided. \$295 plus a \$162 service charge, for a total of \$457.*

*Orozco: just for two screws they put in?*

*Moermond: and for calling someone in the middle of the night to come out, that's \$250 right there.*

Orozco: *I wish they would have called us; we could have done it. I know I didn't receive a call from anyone. Can we get a break on the fee? The last 3 months a lot of my tenants haven't even paid rent. We are struggling, we would appreciate if we could get the fees down.*

Moermond: *I am going to recommend approval of this assessment since services were provided. It was an emergency, but it was a valid charge. What I can do is make this payable in 2021, so it will be considered by Council next year, so you won't receive an invoice until February 2021 at least, so you have plenty of time to get back on an even keel from Coronavirus. We'll send you an email with an exact date, hopefully that's helpful.*

**Referred to the City Council due back on 6/17/2020**

**2 RLH TA 20-279** Ratifying the Appealed Special Tax Assessment for property at 644 OLIVE STREET (AKA 640 OLIVE STREET). (File No. J2015A, Assessment No. 208515)

**Sponsors:** Noecker

*Layover to LH June 2, 2020 at 9 am for further discussion.*

*Bert Guinee appeared via phone*

*Moermond: following up on the assessment, I don't have an answer for you, but I do have a status update. We can forward it to you, I just got it this morning.*

*Guinee: I would appreciate that; are you aware we have an encampment started?*

*Moermond: have you let Sean Westenhofer and Steve Magner know?*

*Guinee: I don't know. I can call Sean, I do have his card.*

*Moermond: we can reach out and let them know. With respect to property ownership in that area, it is more complicated than I expected, basically the west side of John Street was platted in 1851. Real Estate couldn't find any evidence that the west side of John Street was ever deeded to the property owner to the east, now Union Gospel Mission. So, it remains that the westerns half hasn't been re-deeded. When the Williams Hill area was purchased and developed by Port Authority, which included the platting of the land now owned by MKB Development, LLC, the description of the property conveyed included parts of block 1 and 6 of Patterson's addition. The west 30 feet of Stillwater Street, now called John Street abutted those portions so it would be part of the land now owned by MKB. There is an attached map. So, what we have is an underlying plat and ownership that give you to the center of the street, so you have significant Right of Way crossing there. This does impact if you have water or sewer from building to the street, you'd be financially responsible for that line from the building to the street. But, how do we parse out responsibility for cleaning up different portions of the Right of Way? I have a half an answer, but I wanted to let you know what the progress has been, and we will send this off to you.*

*Guinee: what's the half answer?*

*Moermond: we have clear info on the platting. The actual underlying ownership is with you, not with union gospel, or the City, it is not a vacated street. What we do with that information in terms of responsibility is the unanswered half, in terms of cleanup. Step*

*two is responsibility and role of right of way in that.*

*Guinee: I wanted to put up that fence, why did I have to get an easement if I already own it?*

*Moermond: because you were encroaching on the right of way.*

*Guinee: you can understand, you may not agree, that if an encampment shows up on that property, I can't possibly be responsible for that. You don't even want to comment on that. There is at least one tent there right now, and one leads to more.*

*Moermond: I do see where you're going, and I'm working through this problem as a legal question. I know where you're at and I'm sympathetic, I don't have an answer for you yet. I did just want to let you know where we're at. We'll communicate that the tent has gone up, we can reach out to Mr. Westenhofer. The other piece of this is that there is some new interpretation of the governor's orders and evicting people and how that impacts homeless encampments, Mr. Westenhofer will have current information on that. I will continue this for 2 weeks and hopefully we'll have better information for you, we will speak next June 2, 9 am.*

**Referred to the City Council due back on 6/3/2020**

- 3**      [RLH TA 20-315](#)      Ratifying the Appealed Special Tax Assessment for property at 919 CLEAR AVENUE. (File No. J2017A, Assessment No. 208529)

**Sponsors:**      Yang

*Rescheduled per owner's request to June 16, 2020 at 9 AM.*

**Laid Over to the Legislative Hearings due back on 6/16/2020**

- 4**      **RLH TA 20-320**      Ratifying the Appealed Special Tax Assessment for property at 969 JUNO AVENUE. (File No. J2017A, Assessment No. 208529)

**Sponsors:**      Noecker

*Approve the assessment. Appellant stated he is no longer appealing so no hearing was conducted.*

**Referred to the City Council due back on 7/8/2020**

- 5**      [RLH TA 20-317](#)      Ratifying the Appealed Special Tax Assessment for property at 661 KENT STREET. (File No. J2017A, Assessment No. 208529)

**Sponsors:**      Thao

*Rescheduled per owner's request to June 16, 2020 at 9 am.*

**Laid Over to the Legislative Hearings due back on 6/16/2020**

- 6**      **RLH TA 20-329**      Ratifying the Appealed Special Tax Assessment for property at 160 LARPENTEUR AVENUE WEST (1675 RICE STREET-GIANT WASH LAUNDRY). (File No. J2017A, Assessment No. 208529)

**Sponsors:**      Brendmoen

Approve the assessment. Continue PH to March 17, 2021.

Dave Krech, property manager, appeared via phone

Staff report by Supervisor Joe Yannarely: this is for a summary abatement order for snow and ice, date of orders were January 24, 2020, compliance date of January 26, rechecked February 4, and work was done February 6, 2020 for a cost of \$160, service charge of \$162, for a total assessment of \$322. History of snow and ice January 16, 2020 and garbage April 24, 2018, all abated by owner.

[video shown]

Moermond: this charge of \$322 includes the service charge for an assessment, you are appealing this snow and ice removal assessment, what are you looking for?

Krech: this started on the 8th of this month with a notice we received to our corporate office, and several calls were made to find out what work order this was for, since we had no idea what work order was done or when it was done. So they turned it over to me in MN, I'm the property manager, and I talked with Richard Kedrowski, and didn't get a response, so I talked to a Tonya with inspections and still couldn't get a work order or anything. The first I found out about any work was last evening when was sent video of what has happened. That's the reason I called to contest, we had no idea what work was done or when. We park the snow in that corner of the parking lot, with the warm weather, we were trying to break down the ice, it just froze. We had our maintenance crew out salting daily, but with the warm and freezing overnight, I wasn't aware what part of the parking lot was affected.

Moermond: I'm just checking the weather information for that period. They say that on January 24, the day the orders were issued, the last week of January 24 and 30th, highs between 22 and 37 degrees, low below 30 and 18. The first week in February we have highs of 24 and 36 degrees and lows were 10 degrees. So it definitely would have melted with things on it.

Krech: just applying salt may have made it worse, it never really got down to the sidewalk there.

Moermond: so the corporate office gets the mail, are they responsible person, locally? I know they're in AZ.

Krech: they notify be me via email.

Moermond: and that didn't happen in this case?

Krech: ratification of assessment was mailed on 4th of May, so they try to get it to me if it is something that needs to be taken care of.

Moermond: so it was sent January 24 and the work didn't happen until February 6, so I'm struggling since that's a fairly long period of time.

Krech: we just didn't even know what the assessment was about. I didn't open up the follow up video, so given that, I guess had I known this from the beginning I may not have even contested. The work we were doing wasn't effective enough to clear the snow.

*Moermond: so I'm going to recommend approval of this assessment, and the Mayor issued an edict that he wants to put off consideration of these assessments until 2021, so you're public hearing day is July 8, but it will be pushed to likely February 2021. We will email you a date. That would be if you want to contest to Council, otherwise you would receive an invoice for the assessment which can be paid or it would roll into the next year's property taxes.*

**Referred to the City Council due back on 7/8/2020**

- 7 RLH TA 20-283** Deleting the Appealed Special Tax Assessment for property at 888 MARYLAND AVENUE EAST. (File No. J2015A, Assessment No. 208515)

**Sponsors:** Yang

*Delete the assessment.*

*Keng Young, owner, appeared via phone*

*Staff report by Supervisor Joe Yannarely: summary abatement order to remove snow and ice from sidewalk, issued December 23, 2019, compliance date of 48 hours, rechecked December 27, found no attempt was made and a work order was issued to Parks who did the work January 8, 2020 for a cost of \$160, service charge of \$162, total assessment of \$322. Lots of history on the property.*

*Moermond: and I'm wondering, do you know who Quincy, Inc is?*

*Young: the corporation for the overall business, part of the AAA Fairlife.*

*Moermond: so Quincy, Inc is your business.*

*Young: yes.*

*Moermond: I was just noticing the letter went to Quincy, Inc, it wasn't to you or Kia Lee directly.*

*Young: we are appealing because looking at what Mai Vang sent over, we never got the letter so we couldn't make the corrections. This has been going on, we don't have the opportunity to make corrections before assessments were in place.*

*Moermond: it did go to Quincy, Inc in Vadnais Heights, we'll play the video*

*[video shown]*

*Moermond: you were saying about receiving the notice?*

*Young: we never got a letter from the City. I see from the video they did come out, but there is no specific date mentioned when they came out.*

*Moermond: it was done January 8, 2020. The letter went out Dec 23, work happened January 8.*

*Young: the date of the video and the date—they can just say whatever date they want, there was no date in the video. We did not receive the letter, so from 23 to the 8th of January, we had been out there, to say we hadn't done anything in that time, I don't*

think so.

*Moermond: so how do we know this is the correct date? The video is dated and time stamped, January 8, 10:01 am, after video January 8, 10:21 am. The letter went out December 23, and the work occurred January 8. In terms of snow and ice, it does appear there was a 5" snow on December 30, and prior to that there hadn't been significant snow in December. I will chastise you that the snow on Jan 8 had been there for 8 days, but I do think it was a different snow and ice situation than what the orders were told to address, so we will recommend deletion, but also noting that snow and ice was sitting there for 8 days, let's try better this winter.*

**Referred to the City Council due back on 6/3/2020**

- 8 RLH TA 20-321** Ratifying the Appealed Special Tax Assessment for property at 1180 MINNEHAHA AVENUE EAST. (File No. J2017A, Assessment No. 208529)

**Sponsors:** Prince

*If no same or similar violations by February 1, 2021, reduce assessment from \$482 to \$200. Continue PH to March 17, 2021.*

*Liuva Tejada Molina, owner, appeared via phone*

*Staff report by supervisor Joe Yannarely: summary abatement order to remove mattress in rear yard, issued January 27, 2020, compliance date January 31, rechecked February 4 found in noncompliance, work done February 5 for cost of \$320, service charge of \$162, for a total assessment of \$482.*

*[video shown]*

*Molina: we clean it if we see it, there was two times but it was not the same mattress, we had given the mattress to the disposal and then we had metal recycling guys coming, so we break the mattress down, we throw some and left the metal for the r recycling. The City took the metal, and when I got home I thought it was the recycling guys.*

*Moermond: so you're saying it's a different mattress?*

*Molina: it was different, I was helping someone clean and I had friend help me to clean up, so I put it outside, so we don't get bedbugs. Unfortunately, it was at the wrong time, the wrong date, I don't justify what it is, when I purchased this house I always make it nice. We take care of the yard. It is so nice looking. I know the City did the work, but I did try, I was trying to help people. As I said, it was the wrong time, the wrong date. He didn't show up when he was supposed to be, but I'm not trying to say, it is not me, I can pay but I don't have that much money.*

*Moermond: I have to say, I'm very surprised the week after you received the letter telling you to remove a mattress from your back yard you put a second out there. So you know it was a code violation and you repeated it. Another thing I notice is there are quite a few complaints in 2019, five of them about garbage and rubbish on your property, dresser, sofa, buckets, appliances, there's a lot of complaining your neighbors are doing. This is not your first experience receiving orders from the City.*

*Molina: they throw stuff on my side. If you came today, there's more garbage on the*

*other side, then they throw it on our side of the alley. This is not my stuff.*

*Moermond: I don't know what to tell you, you are saying some of it was yours. Was the appliance yours?*

*Molina: the dresser wasn't.*

*Moermond: I'm stuck here because the City sent a letter, you got it, you addressed the problem partially, there was still a junk tv out there. You may have had different springs out there a week later, but the tv was still there. Work was done by the City, I'm going to recommend the Council give you a chance on this. If you have no same or similar violations by February 1, 2021, I'll reduce it down to \$200. If you do have violations, we'll recommend approval. So, you need to keep your property up. We'll send you an email confirming this.*

**Referred to the City Council due back on 7/8/2020**

- 9 RLH TA 20-322** Ratifying the Appealed Special Tax Assessment for property at 0 UNIVERSITY AVENUE WEST (PIN 33-29-23-42-0009). (File No. J2017A, Assessment No. 208529)

**Sponsors:** Jalali

*Delete the assessment.*

*Al Nadimi, store owner, appeared via phone*

*Moermond: this is adjacent to 467 Pascal?*

*Yannarely: yes.*

*Nadimi: are you talking about the garbage removal? Because, we talked to the Council, this picture belongs to someone else's business, but it is my address on it.*

*Staff report by Joe Yannarely: this is for a summary abatement order for garbage near an exposed dumpster near Pascal. Orders went out February 4, 2020. Compliance date of February 10, rechecked February 11 and the work was done February 12 for \$372, service charge of \$162, for a total assessment of \$534.*

*Nadimi: the video does not belong to my property.*

*Yannarely: it does have a note that building is part of 1470 University.*

*Nadimi: 1470 doesn't belong to us.*

*[video shown]*

*Moermond: I am pulling up an aerial map of the location. It looks like there are two buildings on the 1738 University Ave parcel. The front it looks like it is a standard house, and then it has an addition to the rear. The addition gives the footprint of the building, there's an indentation, which is likely where the dumpster was located.*

*Nadimi: those dumpsters are for a different property.*

*Moermond: the one to the east of you?*

*Nadimi: There is no dumpsters. They belong to some business, it is huge. There is no such a thing at our property.*

*Supervisor Lisa Martin: it is Midway Shopping Center, 0 University Ave West. Those dumpsters are right here, I know we've been out there so many times. 1470, I'm not sure if that's one of the addresses in the strip mall.*

*Moermond: if I'm seeing corner of a brick building with the dumpster tucked in.*

*Martin: I'm guessing there are some, but they aren't tucked in, it is all part of this area, all connected to this one building. This is showing 0 also, which is the parking lot for Midway Center.*

*Moermond: let's show the video one more time, and pause it on the corner the dumpsters are in.*

*[video shown]*

*Martin: I know it is Midway, Cub Foods is right there. they have three dumpsters there, one for grease for an Asian restaurant.*

*Moermond: so not this property.*

*Nadimi: our address is 1770 University.*

*Moermond: we're lucky because we have the code enforcement supervisor here, and she's positive it is connected to the shopping center. We'll attach a photograph, a screenshot of the video, so it can't be on the vacant parcel you own. I'll recommend it gets deleted.*

**Referred to the City Council due back on 7/8/2020**

**10 RLH TA 20-280** Ratifying the Appealed Special Tax Assessment for property at 903 YORK AVENUE (File No. J2015A , Assessment No. 208515)

**Sponsors:** Yang

*Layover to LH June 2, 2020 at 10 am for property owner to review videos of cleanup.*

*Xeng Xiong, owner, appeared via phone*

*Xiong: I saw an email pop up from Mai Vang, but I don't see it. She said she was going to email something.*

*Moermond: Ms. Vang, do you want to follow up, do you have a date when you sent those things?*

*Vang: I need to look it up.*

*Moermond: I'd like to lay this over to June 2, between 10 and 11 am so we can get you the video and look into this.*

*Xiong: that's fine.*



*Vang: my email was April, because he missed a hearing and then we rescheduled.*

**Referred to the City Council due back on 6/3/2020**

### 10:00 a.m. Hearings

- 11    **RLH TA 20-307**    Ratifying the Appealed Special Tax Assessment for property at 201 ACKER STREET. (File No. J2018A, Assessment No. 208530)

**Sponsors:**        Brendmoen

*Reduce assessment from \$554 to \$300, if no same or similar violations by December 31, 2020, reduce assessment from \$554 to \$150. Continue PH to March 17, 2021.*

*Marvin Brown appeared via phone*

*Staff report by Supervisor Lisa Martin: February 12, 2020 a summary abatement order was issued to Frank and Marvin Brown at 201 Acker regarding the two trailers at the rear of the property full of debris, asked to remove the debris from the property, compliance date February 29. Cost of abatement was \$392, service charge of \$162, for a total assessment of \$554. February 12, found two trailers full of miscellaneous debris, compliance date of February 19, reinspected February 19, the scrap in the trailers had been removed from one, but the furniture hadn't been removed from the other. Other orders February 14, 2020 a vehicle complaint, unfounded, and October 24, 2018 garbage, which was taken care of by the owner.*

*Moermond: this doesn't have to do with where it is parked, it is what is inside.*

*[video shown]*

*Moermond: so we started out with 2 trailers in the orders, one was gone and the second, parked by the garage, the items inside were considered to be garbage were removed from the trailer.*

*Brown: the trailers are on my property, they charged me \$500, they didn't take anything else.*

*Moermond: it looks like two chairs and a tire in the trailers. I don't know where the chairs turned up.*

*Brown: I don't know where these chairs turned up that they're talking about.*

*Moermond: here's where I'm at, I'd like to get this cut down to size, if we can have no violations at your property through the end of the year, I can reduce this to \$150.*

*Brown: you can come out now, today, you can see it looks great.*

*Moermond: and I'm happy to hear that and want to give you credit for that. So, if we have no same or similar founded violations this year, we'll reduce it to \$150, if something does we will reduce it to \$300.*

*Brown: why am I still paying for this, I'm disabled. I don't have the money for this.*

*Moermond: we can definitely work with you, on when it is payable, for sure it won't be*

*processed until 2021, but we can follow up with you about programs for people with disabilities to help defer that assessment. We'll cut you down to \$300 right now, I saw work was done, and also give you credit for the fact you do maintain your property. If you have no problems through the end of the year, we'll reduce it further to \$150.*

*Brown: so someone can call on me?*

*Moermond: only if it is valid, if there's nothing valid called in you won't be charged the extra money. We can follow up with you about any deferment due to your disability status, would you prefer email or mail?*

*Brown: Mail.*

**Referred to the City Council due back on 7/8/2020**

- 12 RLH TA 20-319** Ratifying the Appealed Special Tax Assessment for property at 925 ALBEMARLE STREET. (File No. J2018A, Assessment No. 208530)

**Sponsors:** Thao

*Delete the assessment.*

*Rebecca Parlow appeared via phone*

*Staff report by Supervisor Lisa Martin: summary abatement order issued February 11, 2020 stating to remove a chair from rear of property by alley. It looks like compliance date was February 18, we rechecked February 19, issued a work order which was completed February 20 for a cost of \$316, service charge of \$162, for a total assessment of \$478. History on property, two previous violations taken care of by owner, but this was previous owner, so no history here.*

*[video shown]*

*Moermond: that chair was in the middle of the sidewalk, both when orders were written and crew showed up. I'm going to recommend this gets deleted.*

*Parlow: ok, great.*

**Referred to the City Council due back on 7/8/2020**

- 13 RLH TA 20-324** Ratifying the Appealed Special Tax Assessment for property at 1112 ALBEMARLE STREET. (File No. J2018A, Assessment No. 208530)

**Sponsors:** Brendmoen

*Approve the assessment. Continue PH to March 17, 2021.*

*Alisher Hamrakulov, owner, appeared via phone*

*Staff report by Supervisor Lisa Martin: February 12, 2020 summary abatement order issued to SO Properties, LLC, as well as Alisher Hamrakulov, and occupant, the order stated to remove mattress and furniture from back yard, couch from boulevard by February 19. Was rechecked February 19, issued a work order which was done February 20, total assessment of \$508. There is a long history at this property, going back before July 25, 2019. All for garbage, but all taken care of by owner.*

[video shown]

Moermond; so it was in the same place in both the orders and the video

Hamrakulov: I don't have an argument with what the City has done. We purchased a half a month before, whatever the inspector indicated, but we had nothing to do with it before it. This was our first violation, when I got the letter I sent my guy over, for some reason we didn't receive any letters by mail. The resident may have, but she didn't inform us. I'm just asking you to waive half the fee if possible, if you look at my other rentals you won't see any violations, we have a good reputation with the City. We have suffered a loss since the pandemic started, if you allow us this one time to waive half the fee, it won't happen again, guaranteed.

Moermond: I need to separate out when the payment and the amount vs. what happened. There's quite a bit of furniture, this wasn't a small cleanup. At the same time, I'm sympathetic with receiving rent and Covid crisis, so I'm going to recommend the Council approve the cost of the assessment, but we'll put the whole thing off until 2021 so you won't receive a bill until February or March of 2021, which hopefully will give time for Covid crisis to settle down. The order got mailed to you personally, is your correct address on Lake street?

Hamrakulov: I did get the letter via email, but we didn't physically get anything. If you look at our other properties we own, the City and neighbors are happy. If you can put this into 2021 that would be nice.

Moermond: I appreciate you are a good manager for this property, but I need to look at the City recovering the cost of the cleanup they did. We will email to follow up with you.

**Referred to the City Council due back on 7/8/2020**

**14 RLH TA 20-305** Ratifying the Appealed Special Tax Assessment for property at 1245 ALBEMARLE STREET. (File No. J2015A, Assessment No. 208515)

**Sponsors:** Brendmoen

Layover to LH June 2, 2020 at 10 am. Staff to follow up with PW staff about Waste Management pickups during this time period.

Nancy Hole, owner, appeared

Staff report by Supervisor Lisa Martin: this is a summary abatement order for garbage and rubbish, date of orders was December 26, 2019, compliance date of January 2, 2020, rechecked January 3, and the work was done January 6 for a cost of \$354, service charge of \$162, for a total assessment of \$516. Some history, December 26, 2019 vehicle complaint, December 4, 2018 snow ice complaint, March 15 and June 6, 2018, vehicle complaint, February 9, 2018 snow and ice complaint, all abated by the owner.

[video shown]

Hole: we had difficulty getting things picked up, since the beginning of the year. The recycling company wasn't running on a regular schedule, most of what you saw was scheduled to be picked up by the recycling. There were things that had fallen out of the can, but most hadn't been taken care of by the recycling for a couple weeks. I'm handicapped, so I rely on my son to come over and take care of things, he comes

once a week from Maple Plaine. I know he'd come by a couple times, we had kids knocking over cans and a dog ripped one bag open, I'm not sure if it was w/in that time frame. I don't have a way of checking on this myself, he said he'd taken care of it, but apparently he hadn't.

Moermond: the recycling people aren't going to pick it up in plastic bags, that is now considered garbage, so they will leave it be. It looks to me there were garbage cans on the ground too, spreading garbage widely.

Hole: I always put my recycling in bags, and they have never said anything

Moermond: well I'm telling you right now, they will screw up the machine and normally wouldn't be picking it up and assume it is garbage and leave it be.

Hole: oh, I didn't know that.

Moermond; we did have quite a mess and it wasn't a new mess, it was frozen in. it looks like there was a week and a half between when the orders went out and crew showed up, so that would have been at least one garbage cycle. Ms. Vang, what is the garbage day for that property and who the company is?

Vang: Friday, Waste Management.

Moermond: you're saying they weren't coming through the alley then, I'm wondering though what is going on, looking at snowfall in December and there was 5 inches on the 30th, but they would have been there if the orders were issued on the 26, they would have come Friday, 4 days before the snow flew.

Hole: yes, but they were behind from Christmas

Moermond: so they came the 27 which would have been before the snow fell.

Hole: there wasn't pickup on the 27, it was a week later.

Moermond: I'd need to confirm that, that's not the way the contract works, they would pick up a day later. I can follow up with the company on that. We'll let you know what the situation is. Looking at this, I'm afraid it looks bad and I feel bad for your neighbors who have to drive by, it is household garbage which includes food waste. It becomes a bigger problem in terms of rodents and that type of nuisance. You are accountable for it. You have mentioned you are handicapped and have a disability, and I may be able to work with you in terms of a disability, and we will put off whatever assessment there is until 2021. Do you prefer email or mail?

Hole: email is fine.

Moermond: we'll let you know what Public Works says about missed service in that time, I'm looking at approving, but we will let you know, and it can be pushed out to at least 2021, maybe further if you qualify for the disability deferment. We'll lay this over 2 weeks. June 2, 10 am.

**Referred to the City Council due back on 6/3/2020**

Sponsors: Prince

Approve the assessment. Continue PH to March 17, 2021.

Dustin Nguyen appeared via phone

Staff report by Supervisor Lisa Martin: summary abatement order for garbage and rubbish, orders were sent January 29 and February 5, 2020 for the same issue. Compliance date of February 4 and February 11, rechecked February 5 and February 12, work was done February 20 for a cost of \$344, service charge of \$162, for a total assessment of \$506. There is a pending work order for garbage from May 1, and many, many orders prior.

[video shown]

Nguyen: the order never was sent to me, I have reported many times to not send things to this Cobblestone address.

Moermond: it was sent to both addresses, one in Blaine and one in Cobblestone in Champlain.

Nguyen: when I looked up it said it was sent to Cobblestone and I never received anything in Blaine.

Moermond: we can get you copies, I am literally looking at the order, but it was sent three places including occupant.

Nguyen: if you were to look up the history of the house, there has been many assessments, we are the only tenants on the whole block who remove anything from the alley, so people get in the habit of dumping by the garage. It happens so many times, we pick it up, it isn't even our trash. We have a can, there's no reason for us to leave things out there. We have to move so many things, they know that we do it, so they keep bringing it and leaving it by the garage. We try our best, please tell us what to do, honestly. It is going to cost a lot to put up cameras and what good will that even do? We have signs up, we don't know what to do anymore.

Moermond: do you have tenants in there now?

Nguyen: yes. I have a gentleman who goes around who works for me, he removes everything he sees and puts it in the trailer, but people dump tires and old carpet and cardboard, and the tenant has called so many times already.

Moermond: I'm pulling up a record here. Ms. Martin, looking at the history and Fire C of O, do you have any insight.

Martin: just looking at this it looks like it is supposed to be condemned and not occupied. It was revoked November 28, 2018. There are a bunch of appointment letters, there's quite a history. We'd have to reach out to Fire C of O to see where they are at. Obviously, a big history here.

Moermond: I'm struggling because it looks like things a tenant would leave, not stuff people would be dumped.

Nguyen: I don't have an explanation, we have picked up so many things, for this particular instance, I'm more than open to share with you there are so many

assessments added to the property because it was getting mailed to the wrong address. You can see previous assessments that I wasn't even aware of. We are on top of it, we have the correct address now, and we are aware of fees, but we go through a lot at that property and we keep eyes on it to take care as best we can. This has happened many times already.

Moermond I'm hearing that and thinking there are things you can do to help yourself. You said signage and a camera.

Martin: the signage does deter people if it says under video surveillance.

Moermond: I hear you say it is other people, but when I look at how you've managed your property and the Fire C of O situation, it looks like you got multiple appointment letters, normally that's a 3 month process at most. This speaks to a management style that maybe you're not actively managing, whether it was dumped or not. I'm inclined to recommend the Council approve this assessment. We will push the Public Hearing out to 2021.

**Referred to the City Council due back on 7/8/2020**

- 16 RLH TA 20-278** Ratifying the Appealed Special Tax Assessment for property at 1555 JACKSON STREET (File No. J2016A, Assessment No. 208524) (Public hearing continued to November 18, 2020)

**Sponsors:** Brendmoen

Reduce assessment from \$506 to \$253, if no same or similar violations by November 17, 2020 delete the assessment entirely. Continue PH to November 18, 2020.

Sonia Carroll, on behalf of Open Arms Assembly of God, appeared via phone

Staff report by Supervisor Lisa Martin: summary abatement order issued January 8, 2020, specifically stating to remove of furniture along fence, north side of the dumpster, and pallets by the north side of the building. Compliance was January 15, rechecked January 16, work order January 21. Issued to Open Arms Assembly of God at this address, and occupant. No history at this property. Total assessment of \$506

[video shown]

Moermond: this sounds like an unusual circumstance for you, what was going on?

Carroll: did it show video that they picked up pallets?

Moermond: no, just some maroon colored living room furniture.

Carroll: we were told we were being charged for pallets too, we weren't aware they weren't supposed to be there. During that time it was when there were a lot of winter storms and we shut down the church for a couple of weeks, by the time I did call the cleanup had already taken place since we didn't pick up mail at the church. The property the furniture is on is City property, we don't own that. The City hasn't maintained it at all, we've had issues with this and the furniture and overgrown trees, we had a lawsuit because someone tried to trim the trees back there. The code inspector I talked to, we called 2 or 3 times for the City to pick up that furniture, and we were told it would happen, then it didn't, then the code inspector said if it is on the City property the person closest to the City property would get the assessment. It was on the

property next to a vacant lot, so it wasn't actually closest to ours, why would we get assessed when we called several times. Even the hypodermic needles we were told fireman would come, no one ever has, we deal with homeless putting up tents. We are constantly throwing stuff away, had we realized we would have put it in our dumpster, but we were under the understanding that they were sending out Public Works. No one ever came. Our parking lot comes into the City property, a small strip of land, we do not have title through, it has always been an agreement with the City, but the City has not ever maintained it, which we've done to our expense. We aren't a typical church, it's a small congregation. It is really City property, if we could get title to it, it wouldn't ever be developed, the City doesn't maintain it. You've come picked up stuff in the past when it was dumped on, but the needles, the police said we have to have someone else pick it up.

Moermond: it does appear there is a narrow strip of right of way passing through your parcel to the rear, and your building and parking lot are in the right of way. I don't have any history on how that came to pass. The City does have a right of way, it isn't City owned, it is if there were ever an alley put in there is a right of way. The property when it is unimproved right of way, it is your responsibility to maintain, but you can't build on it. You can purchase that by doing what is called "vacating the alley". Moving forward there is property back there you are responsible for; my best advice is to clear the woods and put a fence in. That would get them off that land. I do look at this and see we have 5" of snow, but it happened January 8, a Wednesday, when the City called out the furniture and the pallets and gave you a week to address it, and the work wasn't done until the 17th. There was some snow, but it wasn't until after the deadlines had passed. You have no history, which is great, and I want to give you credit for that and I understand the confusion about the situation. We will also give you Sean Westenhofer's information because he deals with cleanup of homeless camps. I'm going to recommend this is deleted if there's no same or similar violations in 6 months, otherwise we will reduce in half right now.

**Referred to the City Council due back on 6/3/2020**

- 17 RLH TA 20-323** Ratifying the Appealed Special Tax Assessment for property at 560 VAN BUREN AVENUE. (File No. J2018A, Assessment No. 208530)

Sponsors: Thao

Reduce assessment from \$322 to \$100 if no same or similar violations through December 31, 2020. Continue PH to March 17, 2021.

Jacob Braun, owner, appeared via phone

Staff report by Supervisor Lisa Martin: summary abatement order issued for snow and ice sent to both owner and occupant. Orders were issued February 11, 2020, compliance date of February 13, rechecked February 14, and work was done February 19 for a cost of \$160, service charge of \$162, for a total assessment of \$322. There is a long history at this property regarding snow, overhanging vegetation, garbage, tall grass and weeds.

[video shown]

Braun: I did shovel. If you look at the pictures sent with the letter, and then the video, you can tell it has been shoveled and snow has been moved. I get there's a couple patches, I have video of the guy standing there scraping the pile back in the driveway, \$360 to shovel one ramp when there's already a walkway there. If you look at the

*pictures, to the video, there's a complete difference in what was there.*

*Moermond: and I see a difference that one side of the building appears to have some sort of equipment that had gone through with tires, and the other side appears to be a shovel width wide, does that sound accurate?*

*Braun: yes, and if you look at the video the sidewalk has been shoveled and there's a lot less snow than those initial pictures. I had them go out, if it wasn't good enough that's a different thing. Ms. Martin said there has been no history, I've lived there for 2.5 years before I moved out last year. My tenants have tried to keep up too, they got charged for throwing a couch away, I've paid the fines, but they were trying here, and they helped me, I don't agree with \$320 for this.*

*Moermond: was it your bobcat that ran down one side?*

*Braun: it was a neighbor.*

*Martin: in this case, because it is a corner, the problem is when you have one shovel width, if you are in a wheelchair you can't get down that street, they wouldn't even be able to get on a bus.*

*Braun: I agree on the 14th, but not later. There's only one ramp and that was shoveled.*

*[before video shown again]*

*Moermond: so when I look at that I see thick ice on both sides of the sidewalk, though the snow has been clear from on top of the ice, and I see the corner isn't fully punched out. I will look at reducing this, but I want to not see other violations at the property. I'm looking for no violations through the end of 2020 and we will reduce.*

*Braun: what does that mean?*

*Moermond: no founded violations, someone can call in and say the lawn needs to be mowed, but if the inspector shows up and the grass is a foot tall, it's a violation. I'm only concerned if there's something that is really there that they document. It is a matter of being proactive. I'll get you down to \$100 if you can do that.*

**Referred to the City Council due back on 7/8/2020**

- 18 RLH TA 20-311** Ratifying the Appealed Special Tax Assessment for property at 463 WHEELER STREET NORTH. (File No. J2018A, Assessment No. 208530)

**Sponsors:** Jalali

*Delete the assessment.*

**Referred to the City Council due back on 7/8/2020**

- 19 RLH TA 20-312** Ratifying the Appealed Special Tax Assessment for property at 937 WOODBRIDGE STREET. (File No. J2018A, Assessment No. 208530)

**Sponsors:** Thao

*Reduce assessment from \$432 to \$216, if no same or similar violations through*



December 31, 2020, delete the assessment entirely. Continue PH to March 17, 2021.

Wendy Leon de Calles, owner, appeared via phone

Staff report by Lisa Martin: summary abatement letter to remove a box spring in the rear of the yard, orders sent February 11, compliance date of February 18, rechecked February 19, work was done February 20 for a cost of \$270, service charge of \$162, for a total assessment of \$432.

[video shown]

Leon de Calles: we didn't see the first letter; I didn't open it. I know I have to pay to remove the box spring, so I was just hoping you could give me a different way of paying. I know the box spring was there.

Moermond: when did you buy this property?

Leon de Calles: end of May, 2019. A year ago

Moermond: that tells me you've been taking care of this since there's no violations since you bought it.

Leon de Calles: I did have one earlier, I left some brush, but I removed them.

Moermond: I want to help you and give you credit for maintaining the property. I'm going to recommend reducing it to \$216, and if you can keep it maintained through end of the year, I'll recommend it gets deleted entirely. No violations through end of 2020.

Leon de Calles: I understand.

**Referred to the City Council due back on 7/8/2020**

### Special Tax Assessments-ROLLS

- 20 RLH AR 20-88** Ratifying the assessments for Property Clean Up services during February 3 to 14, 2020. (File No. J2017A, Assessment No. 208529)

Sponsors: Brendmoen

Continue PH to March 17, 2021.

**Referred to the City Council due back on 7/8/2020**

- 21 RLH AR 20-89** Ratifying the assessments for Property Clean Up services during February 19 to 27, 2020. (File No. J2018A, Assessment No. 208530)

Sponsors: Brendmoen

Continue PH to March 17, 2021.

**Referred to the City Council due back on 7/8/2020**

### 11:00 a.m. Hearings

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**Summary Abatement Orders****22 RLH SAO 20-6** Appeal of Edward Elliott to a Summary Abatement Order at 1139 RALEIGH STREET.

Sponsors: Jalali

*Grant until June 21, 2020 for compliance. PO to work with DSI for plans on exterior storage of ladders and other equipment.*

*Edward Elliott, owner, appeared*

*Staff report by Supervisor Lisa Martin: May 11, 2020 a summary abatement order was issued to Mr. Elliot and a Marla to please remove scrap wood, metal sawhorses, furniture, miscellaneous debris from the rear yard and around entire garage with a compliance date of May 21, 2020.*

*Moermond: what are you looking for today?*

*Elliott: looking for some explanations. The sawhorses were removed, the scrap metal is usually picked up by scrappers, but was delayed because the scrap yards were closed. The scrap metal was gone the day after Mr. Kedrowski was there. The little table was keeping it off the ground. Business on the north end of the garage, there's about 53 inches between myself and the fence, that's screening the compost from next door. Some of that scrap is treated wood that is perfectly good, there are two 40' ladders and a 20 foot aluminum plank that has and a bunch of wood to keep air moving so it doesn't rot. It has been there since I built the garage, not as exact components, I'm a handy man and try and reuse extra material. I've had no complaints from any of my neighbors in the last 20 years, some of the scrap metal comes from the neighbors and condos across the street. One of my solutions is on the left is a 6 foot high treated wood screen between Kathy's garage and the property line to hide her compost stuff, could I put in a gate out of the same materials? So you wouldn't be able to see in that gap at all from the alley. Other than that, no one has complained about it, people have used and borrowed from the wood. There's all that, and I'm looking for your reaction.*

*Moermond: I'm looking for the complaint document to see how it came to the attention of Code Enforcement.*

*Elliott: I asked if there had been any complaints from the neighbors after I talked to six of them, they said they didn't complain, and there were two other abatement orders issued on the alley and he assured me it was a random inspection on his part. No complaints filed.*

*Martin: with that being said, under our exterior storage, chapter 34, clearly it is unlawful to accumulate or store any type of building material, scrap metal, or anything on the property. It appears there is a garage you could use to store the items. You are in violation of that ordinance.*

*Moermond: so the idea of screening it, a screen isn't adequate, you need a structure, because otherwise it is exterior storage of construction materials.*

*Elliott: so if you put a 2x4 on the side of your yard and a guy drives by, he gets an*

*abatement order? Because that's exterior storage, even if you weren't going to use it for four days.*

*Moermond: if you have a permit pulled and are actively doing a project then no, it won't get written up. If you are using the side yard for construction materials and there isn't, then yes. This is clearly business storage for you, this is where you're storing some business materials, and that use is not acceptable in a residential area.*

*Elliott: why? Is it a safety hazard? I would certainly challenge anyone saying yes, it is a fire or rodent hazard. Right next to it is a compost heap that is permanent, and that is screened, so I'm having trouble discerning what the issue is, other than the letter of the law. And I have to deal with it on my 44 feet of St. Paul.*

*Moermond: can you run that by me again?*

*Elliott: in order to have her compost heap, she screened it, and I guess that is ok?*

*Moermond: compost is different, we can explain--*

*Elliott: that's ok, I'm fine with it, but it is screened. If this was commercial operation of something you'd require it to be screened. This is exterior storage, where am I expected to put 40' ladders and a 20' plank. I'm not supposed to have any of that out? I'm just trying to figure out what the problem is, other than the letter of the law.*

*Moermond: well that is what I have to deal with here.*

*Elliott: I used to be in a different sort of business for a City, and we required screening for activities we found unsightly. So I was willing to do that, there's only so much room in a 44 foot lot in St. Paul.*

*Moermond: to be fair, you are operating a business out of your residential property, and I'm guessing you don't have a home occupancy permit either.*

*Elliott: I'm a handyman, yeah well, so, there's no business activity other than what occurs on this phone.*

*Moermond: well, storage of materials.*

*Elliott: I need to put my stuff somewhere, yeah.*

*Moermond: I get it. I have seen where some items can be stored on the exterior, looking at yours, the ladders, maybe hooks on the side of the garage. Ms. Martin, are there other kinds of materials in that array that wouldn't be considered items that are construction and stores outside?*

*Martin: typically we see lawn mowers or snow blowers, equipment that is normally used on a residential property. If there's a building permit pulled, we'll see wood or pavers, but there needs to be work being done and being utilized, but it can't be stored in the exterior of the property.*

*Moermond: so the wood and scrap needs to be under controlled.*

*Elliott: and it can't be placed anywhere outside on my property? The wood has to be thrown away or burned in order to get rid of this abatement order?*

*Moermond: we're trying to sort out what would work in your situation, I don't want to be a jerk but I also have to deal with the codes and try and figure it out. I'm also wondering about the length of your garage, is it 22 feet?*

*Elliott: it is about that. I don't put my snowblower or lawn mower outside, that would be silly. It would be subject to weather or being stolen. So yeah, ok. The part that put the bur in my saddle here, was it was done on a Monday, I came home late on a Wednesday, called Richard, tried again the next morning, I needed to comply in five working days, two of which were during a government shut down, stay home order. Like I said, the scrappers eventually came. I can stop doing that. I thought it was a good recycling pound instead of compounding garbage issues. The other stuff I could probably find a place, but inside? Eh, there's two cars in the garage.*

*Moermond: you said we have the table, sawhorses and scrap metal are gone.*

*Elliott: yep, all that is gone.*

*Moermond: and we're left with lumber, ladders and some aluminum plank. So, is it possible for him to come up with a proposal on how he maintains this? Screening is off the table, but the aluminum items if they are stored neatly, that would be acceptable exterior storage. I don't know if there's other items in that category. The lumber definitely needs to be stored elsewhere, I'm ok with the scrap metal if it is cleared in a timely fashion. That depends on your relationship with the scrappers, if it's a month that's not cool, but if they're coming by a couple times a week it isn't really causing a nuisance for people. I understand it got backed up with Covid, and I'm sympathetic there. Would you be willing to come back with a proposal about moving the lumber and keeping the aluminum items outside? Making that decision today with the understanding that you're ok with the scrap metal as long as it is picked up weekly?*

*Elliott: yeah, as best as possible. I'm real curious, it says all sides. I have more ladders on the house side, can only be seen by being on my property, so I do have questions about who gets to walk on my property and why and when.*

*Moermond: from what I can tell no one has.*

*Elliott: that's what Kedrowski said too, he was just doing a drive by.*

*Moermond: so can you come up with a ladder plan?*

*Elliott: I can certainly change that, they'd probably be separated so I can access them. I can do that, it is disappointing you won't accept any screen. The other stuff, how about by July 1?*

*Moermond: well that is six weeks, that seems like a long time. I'll give you four weeks.*

*Elliott: in that time, I'm in my 70's, I'll continue to take care of Marla who is housebound and I will take care of the rest of it and find a place to put it. I know I'll use some of it, since I have to redo the deck. There isn't any rubble, tires, brush, blah blah.*

*Moermond: I'm not hearing that. Just the construction materials. Hopefully it is something you can live with this middle decision.*

*Elliott: it is heavily weighted on the City's side.*

*Moermond: the law is clear on this matter.*

*Elliott: yeah, I understand what looks terrible and I understand screening, yeah. I've been in that business. This is what I'm doing in my later years. Do you want to send me something out, I've got until June 21?*

*Moermond: we will send you a letter confirming this, ok?*

*Elliott: yeah, I guess. I'll rearrange it. In order to keep the ladders out of the mud, can I put something low scale to keep it out of the dirt?*

*Moermond: if you wanted to put hooks on the side of the garage or a storage unit of some kind, I would say as long as it is weather resistant that works.*

*Elliott: I was thinking pavers to keep them off the ground. They can get wet but handling a muddy ladder is not fun.*

*Martin: it sounds like a great plan.*

*Elliott: ok I guess that's it. This kind of sucks, you maintain the property since 1986, it is a drag.*

**Referred to the City Council due back on 6/3/2020**

**23 RLH SAO  
19-48**

**Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 19-44.**

**Sponsors:** Brendmoen

*Nuisance is abated.*

*Patrick Kelly, attorney, appeared via phone  
Diane Stadler, owner, appeared via phone  
Roger Stadler, owner, appeared via phone*

*Moermond: we are following up on two aspects of the order, removal of the boiler, and the removal of the structures themselves. You did both send an email. We'll get a staff update first.*

*Staff report by Supervisor Lisa Martin: Inspector Kedrowski went out May 15, took a photo, and the building is still present. That hasn't changed.*

*Moermond: what are you looking for today?*

*Kelly: the boiler has been removed, and electrical has been disconnected. That was done in December, when Roger was trying to get back from a heart attack. The structures we are trying to look at bringing another outbuilding but then the pandemic hit, so we're basically handcuffed right now. The structural engineer said the greenhouse is good, it survived the winter, and is a sound structure. So that's where we're at right now.*

*Moermond: so we did have a plan whereby these would be removed and it was agreed to a new garage was going to be installed. So are your timelines changing or you're*

*renegeing on that?*

*Kelly: first, we'd like to keep it. Second, even to move forward on this, but you can't get surveys during the winter and you can't get contractors right now. As you know, you can't even find the City Attorney, they're all remote. If it is such a rush by way of him trying in his best faith, I can't control that he fell down and had an emergency room--*

*Moermond: no, no, please understand---*

*Kelly: no, no, please understand this is a unique situation. It has been there since 1985, which you are aware, and he's trying his best, but it seems there are circumstances we can't control.*

*Moermond: that's what I'm trying to get at. Is it delays like that or that you have no intention of removing the structures and going with your other plan. If we're talking about delays related to Covid and health that's a different conversation than whether you didn't want to move forward with the plan at all. I was just trying to discern which path you guys are on with me.*

*Roger Stadler: I just know that I've had the building there, 25 year building it has been there 15 years. I'm trying to do something, but I can't get anywhere. I fell down, I don't get why this is such a pain, it has been there so long, I put it up for my mother years ago, and I just don't understand why it is such an important thing for you to crucify me for having it there. It is a sturdy building. I got it from farm supply. I just don't understand why people are going after me so hard to get it done, it is not an eyesore, it is permanent. Explain to me.*

*Moermond: we have been over this territory about half a dozen times. I am feeling like we are relitigating something we already decided, you had chosen a path forward, now I'm hearing you don't want to go forward with your previous plan, whether that is delayed or at all, I'm feeling like you're changing the game mid-way. If you are saying these obstacles came up, Covid, health issues, I'm ready to work with you on figuring this out. It has been a very long time; we've talked about this. I am hearing you say I don't want to deal with you anymore on this at all. I'm kind of frustrated with your word on this.*

*Roger Stadler: trying to get a wood shed built is just about impossible. I've been in and out of the hospital, and it is almost impossible to have someone put up an outbuilding and assemble it.*

*Kelly: Roger, she's just basically asking, I know there's been an intervention with your health, she's willing to work with you, and you've displayed good faith in removal of the boiler and the electrical. She's asking if you would still work with the City to try and get this resolved.*

*Roger Stadler: of course.*

*Kelly: I understand the City's position, and we're trying to move forward, I thought in December we were in good shape when we convinced Roger to deal with the boiler and electrical. Right now, there's some confusion because of his head injury. Hearing officer, I wrote you in March saying we were having a problem, and I just wanted to put you on notice that at that point we were moving forward and then all hell broke loose. The hearing officer understands the situation, what are you thinking? I know you're saying you've heard this before, but he's so frustrated on his end with trying to move*

forward and not being able to because of all the other things.

Moermond: am I hearing from you we are still talking about the removal of the accessory structures? And moving forward with an alternative that is totally up to him? As long as he pulls a building permit.

Kelly: he is nodding yes.

Moermond: and the big concern is timing because of Covid and health issues, which I understand. I can see doing an extension due to those. But I didn't want to change the path, we do need to look at the removal of those buildings or the other alternatives discussed at the time in terms of merging parcels which wasn't something you wanted to pursue at that time. I'm thinking we could go to the end of 2020 to put this to bed. That would get us through the crisis I think, and give you a good length of time to deal with this.

Kelly: that sounds fine. I'll give you an update as a courtesy as well.

Moermond: at that point in time, I won't give any more extensions and you'll be on a monthly inspection, and after each inspection you'll start to accumulate excessive consumption fines. They will be charging you for failing to meet the deadlines at that point in time. The City will be handling enforcement that way. So we have a plan, one of the issues is addressed, and the other we have an end of the year extension.

**Referred to the City Council due back on 6/3/2020**

**24 RLH SAO  
19-49**

Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 19-44.

Sponsors: Brendmoen

Grant to December 31, 2020 to comply with orders (no further extension will be granted).

Patrick Kelly, attorney, appeared via phone  
Diane Stadler, owner, appeared via phone  
Roger Stadler, owner, appeared via phone

Moermond: we are following up on two aspects of the order, removal of the boiler, and the removal of the structures themselves. You did both send an email. We'll get a staff update first.

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to a new garage was going to be installed. So are your timelines changing or you're renegeing on that?

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*Roger Stadler: of course.*

*Kelly: I understand the City's position, and we're trying to move forward, I thought in December we were in good shape when we convinced Roger to deal with the boiler and electrical. Right now, there's some confusion because of his head injury. Hearing officer, I wrote you in March saying we were having a problem, and I just wanted to put you on notice that at that point we were moving forward and then all hell broke loose. The hearing officer understands the situation, what are you thinking? I know you're*



saying you've heard this before, but he's so frustrated on his end with trying to move forward and not being able to because of all the other things.

Moermond: am I hearing from you we are still talking about the removal of the accessory structures? And moving forward with an alternative that is totally up to him? As long as he pulls a building permit.

Kelly: he is nodding yes.

Moermond: and the big concern is timing because of Covid and health issues, which I understand. I can see doing an extension due to those. But I didn't want to change the path, we do need to look at the removal of those buildings or the other alternatives discussed at the time in terms of merging parcels which wasn't something you wanted to pursue at that time. I'm thinking we could go to the end of 2020 to put this to bed. That would get us through the crisis I think, and give you a good length of time to deal with this.

Kelly: that sounds fine. I'll give you an update as a courtesy as well.

Moermond: at that point in time, I won't give any more extensions and you'll be on a monthly inspection, and after each inspection you'll start to accumulate excessive consumption fines. They will be charging you for failing to meet the deadlines at that point in time. The City will be handling enforcement that way. So we have a plan, one of the issues is addressed, and the other we have an end of the year extension.

**Referred to the City Council due back on 6/3/2020**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 25 RLH FCO Appeal of Richard Thorne to a Fire Inspection Correction Notice at 845  
20-29 PHALEN BOULEVARD.

Sponsors: Yang

Grant to June 29, 2020 for compliance.

Tracy Paino is on the line.

Marcia Moermond: Leanna Shaff has James Perucca's report.

Leeanna Shaff: Perucca was one of the employees on May 18. His report basically states what was talked about last time that it is not required. Adequate ventilation for worker's safety is unknown. "While a paint booth is not required for application of this material, adequate ventilation for worker safety is unknown. Regarding Rack Storage Sprinkler Coverage, there appears to be a mix of commodities stored on the rack systems. The arrangement of materials stored on shelves appear to block transverse and longitudinal flue spaces that are intended for sprinkler water to reach the seat of a potential fire. The plastic film used for overspray in the product application area also blocks any water from the sprinkler system to reach a fire in this area. Although a paint booth is not required for the application of this fire resistant product, the arrangements of material in the application area block sprinkler coverage. It is recommended that the bulk of the rack storage be rearranged as to create the

*required flue spaces and the product application area be relocated to an area which provides adequate sprinkler coverage and ventilation. Any overspray material should be removed or cleaned on a regular schedule.”*

*Moermond: His report does not change the nature of the orders. It just provided more depth and affirms the inspector’s original’s findings. Shaff responded that is correct.*

*Moermond: She asked what he is thinking. Compliance looks like the top shelves should not interfere with the water getting downward. The plastic sheeting was the problem. Paino responded the plastic sheeting was recommended by a previous inspector.*

*Moermond: The sprinkler coverage takes precedence over any overspray concerns. That is going to leave us talking about a day for compliance where the shelving would be reconfigured. Paino responded they were going to take the spray booth down if that was the conclusion.*

*Moermond: That is what she is left with. It is more important for the sprinklers to reach where they are supposed to reach. The orders that were issued, they gave a reinspection date of May 13. Let’s push out into the future a bit when they would come into compliance. It is May 19 today. Moving the shelving is going to be the biggest deal.*

*Paino: They were not going to move the shelving; they are going to move the booth.*

*Moermond: They should rearrange the items stored on the shelves so the items on the upper levels wouldn’t be blocking the flow of water on the lower levels. Shaff concurred.*

*Moermond: She will push this out for reinspection for June 29, and an inspection will be scheduled after that. She is sorry it didn’t come out in a way to allow them to keep the spray booth the way it is configured.*

**Referred to the City Council due back on 6/10/2020**

- 26**     [RLH FCO 20-39](#)     Appeal of Robin Magee to a Correction Notice-Reinspection Complaint at 464 MARSHALL AVENUE.

**Sponsors:**     Thao

*Rescheduled per owner’s request.*

**Laid Over to the Legislative Hearings due back on 5/26/2020**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 27**     **RLH VBR**     Appeal of Wayne C. Stainbrook to a Vacant Building Registration Fee  
**20-32**             Warning Letter at 449 HATCH AVENUE.

**Sponsors:**     Brendmoen

*Grant the appeal.*

*The following are on the line: Matt Dornfeld, inspector, and Wayne Stainbrook, appellant.*

*Marcia Moermond: She explained the process for Legislative Hearings.*

*Matt Dornfeld: He said this goes back to August 2018. A complaint came in on the exterior of the property, that is was in a dilapidated state. Mostly there being a hole in the roof or it caving in. Code Enforcement issued orders back in 2018. They issued 7 sets of correction notices to get things fixed, mostly the roof repaired. Stainbrook responded that is correct.*

*Dornfeld: He said 7 correction notices were issued. No permits were pulled in that time. There was no or very little work done. They transferred the property to vacant buildings in March 2020. March 31, Inspector Dick Kedrowski made the referral. He stated the home was vacant with multiple code violations: roof caving in on the rear, soffit/fascia falling off, peeling paint, foundation defects, rotting wood, inoperable vehicle and junk in the yard on 5/31/20. Vacant building inspector James Hoffman followed up on that referral, confirmed those violations, and opened a Category 2 vacant building. The vacant billing fee is due and will be going to assessments the end of this month.*

*Moermond: She asked is someone living there.*

*Stainbrook: He and his wife have been living there since 1982. His aunt used to own it and bought it in 1936. She died in 1978. He had a lawyer and tried to have the house put in his name because she didn't have a will. He had a lawyer, who told him to pay off all the debt. The funeral was \$2,700. He had a house on Western. When he sold that, he paid off the house, the funeral, and other debt. There are back taxes on the house. He is on disability. (He spoke about his health issues.) Rebuilding Together Twin Cities was supposed to help him, but they want the house in his name. He was working with someone who said she could get a lawyer for him. He has 2 brothers that are alive now. They have their own places and they don't want the house. He had insurance on the house from State Farm. He told them the reason he needed the insurance is to get the roof put on. He gave them \$800. Two weeks later, they kept \$400, and told him they cancelled it because the roof was in such bad shape. He saved the letters and stuff. He talked to the man at his desk. They tried to get ahold of him, but the battery went dead on the house phone. They are going through an awful lot physically. (He talked about some personal issues) Chris Ryan said he had a lot of information. Don't know if he got around to it or not. He said that we need to fix the roof. The neighbor was rebuilding the brick on the wall. He didn't finish the job. He said he'd start this summer. He got most of it done. He built  $\frac{3}{4}$  of it up. About  $\frac{1}{4}$  is still left. He talked to all of these people. They have been very fair to him. As far as his car goes, it is on a legal thing. Kellers Asphaltting put the rock in. It is not a junker. He rebuilt the engine back in the 70's completely.*

*Dornfeld: He can deal with the car at a later date.*

*Moermond: Asked has he been living there since the 1970's or early 1980's.*

*Stainbrook: He responded he has lived there since 1982, but he also lived there as a child.*

*Moermond: She asked about the back taxes. It looks like taxes are due and owing since 2016. He has about 5 years' worth and about \$3,500 in back taxes.*

*Stainbrook: He has been paying it off.*

*Moermond: She asked if they came to an agreement with the county about a payment plan.*

*Stainbrook: He responded affirmatively. He pays it every January.*

*Moermond: They should not be in the vacant building program. It must have appeared to the inspector that it was vacant.*

*Stainbrook: They were sleeping when he came.*

*Moermond: She is glad he is talking with Rebuilding Together. She asked has he talked to Zong Vang or Michelle Vojacek.*

*Stainbrook: He responded he has not. He talked to Southern Minnesota Regional Legal Services (SMRLS).*

*Moermond: She would like to send him a letter with some contact information. They may have some emergency funds to help with the roof repair. At least he can reach out and talk to them about his situation. She asked has he gotten an attorney at SMRLS.*

*Stainbrook: They are supposed to be helping him directly. The last time he talked to her, they said they will be able to handle it.*

*Moermond: She will send a letter to him that she is recommending that the appeal is granted, and he is out of the vacant building program because he lives there. She is also going to give some references for other sources to help him finance some of this. She is going to copy Rebuilding Together Twin Cities person Chris Ryan and SMRLS so that everyone understands where things are at. Her concern is the roof is leaking and creating unhealthy living conditions in the house. The inspector has not been in the house. That can all wait in good time. She would like to make sure he gets financial assistance so health concerns that would arise about a problem roof can be addressed. For today's purposes, she will recommend the appeal is granted. Also, Lauren Lightner at House Calls Program is aware of a lot of resources, too. Leona L Schellin is that the aunt's name.*

**Referred to the City Council due back on 6/10/2020**