



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, April 17, 2018

9:00 AM

Room 330 City Hall & Court House

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

##### Special Tax Assessments (A-Clean Up)

- 1 [RLH TA 18-170](#) Ratifying the Appealed Special Tax Assessment for property at 1059 BEECH STREET. (File No. J1809A, Assessment No. 18851)

**Sponsors:** Prince

*Christine Harding, property manager, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$316*

*Service Charge: \$162*

*Total Assessment: \$478*

*Gold Card Returned by: EMAIL*

*Type of Order/Fee: SUMMARY ABATEMENT*

*Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY*

*Date of Orders: 12-29-17*

*Compliance Date: 1-5-18*

*Re-Check Date: 1-5-18*

*Date Work Done: 1-8-18*

*Work Order #: 18-017378*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property:*

*Ms. Harding: Is there video? I took pictures after I cleaned it up on the 5th*

*VIDEO - crew picked up what was there*

*Ms. Harding: this is a huge problem at that property; I drive by every day picking up garbage*

*Ms. Moermond: it looks like you made quite an effort to clean-up the mess*

*Ms. Harding: I had it all picked up; don't know where all the rest of that would have come from; that's a 3-day gap from when I cleaned it all up; it's almost impossible to keep that property picked up; now, we have a lock on the dumpster because people*

keep dumping there; we're getting a camera system but even with the camera system.... we've called the police before when we've had plate numbers & they won't do anything

-there's only 4 apartments in that building

-we just bought it in Oct 2017

Ms. Martin: I'm not familiar with this side of town; sounds like Ms. Harding is doing the proactive things; unfortunately, as a property manager, it's kind of your responsibility to make sure that you have somebody, maybe even at the apartment, who is constantly helping

Ms. Harding: we just bought it & they're not the greatest tenants; nobody there would be of any help with that; we also have the property across the street & they are coming over to dump in that dumpster; it's a constant battle

Ms. Moermond: viewed Ms. Harding's photos from after she cleaned up the huge mess (scanned);

-it looks like what you actually did was to take the bags from the ground & pile them onto the dumpster

Ms. Harding: that's all I could do

Ms. Moermond: technically, the lids are supposed to close on the dumpsters

Ms. Harding: we also had an issue with the recycling; I called them 3 weeks in a row because they said that the alley was too icy so they couldn't come

-Advanced Disposal was the previous owner's trash company & I fought with them to get their dumpster out of there because people just kept dumping; so, we finally got rid of that one; then, we got ours & we got a lock & bar across it right away

-Aspen is our company

Ms. Moermond: OK; instead of piling on top of the dumpster, you could have brought it to the .....

Ms. Harding: right; I'm the only person, so... and I did take some of it away from there (wood pieces, TV, boxes, etc.) but I couldn't take all of it in my car

-it was that other dumpster that caused this much of the problem

Ms. Moermond: you did make some effort to organize the bags of garbage but all the bags kept to continue to exist there

Ms. Harding: more people kept coming & it wasn't on the ground; I thought that's what you guys meant to clean it up & I cleaned it up; I picked up all the garbage off the ground; the bags were ripped open; I was raking up food; it was just gross

-I wish I had a tenant who was responsible enough to watch it there

-we're trying to figure out what to do; even with the lock on it, people come & just throw it outside the dumpster now

-when Aspen's dumpster first arrived, I took all the overflowing from Advanced & put it into Aspen

-I tried my best

Ms. Moermond: I'll knock off \$100 from the total for effort; get you down to \$378; the city had to remove a lot

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Reduce from \$478 to \$378.

**Referred to the City Council due back on 6/6/2018**

- 2 [RLH TA 18-124](#) Ratifying the Appealed Special Tax Assessment for property at 800 COMO AVENUE. (File No. J1807A, Assessment No. 188507)

**Sponsors:** Brendmoen

*Approve; no show.*

**Referred to the City Council due back on 5/2/2018**

- 3 [RLH TA 18-178](#) Ratifying the Appealed Special Tax Assessment for property at 1031 COOK AVENUE EAST. (File No. J1809A, Assessment No. 188518) (Public hearing continued to October 17, 2018)

**Sponsors:** Bostrom

*Mary Stunkel, owner, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$160*

*Service Charge: \$162*

*Total Assessment: \$322*

*Gold Card Returned by: MARY STUNKEL*

*Type of Order/Fee: SNOW ORDER*

*Nuisance: FAILURE TO REMOVE SNOW FROM PUBLIC SIDEWALK*

*Date of Orders: 1-26-18*

*Compliance Date: 1-28-18*

*Re-Check Date: 1-30-18*

*Date Work Done: 1-31-18*

*Work Order #: 18-023881*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: NO*

*Ms. Stunkel: I'm appealing because I didn't even get the letter until the day that they came out & threw a handful of sand onto the sidewalk; I did shovel; I had it down to the concrete; and I only use my back door - I park in the back; I didn't even go out the front & realize that the public sidewalk had been re-filled with snow (something came by & threw it all back onto the sidewalk; maybe it was my neighbor); I don't use my front door at all; when I saw it was all ice, I bought 160 lbs of salt & poured it out; I waited for it to work for a few house & then I went out & chipped it all out & shoveled it all up but I never even got that letter until the date that they said they came out to do it, Jan 31, 2018; I don't know if it got delivered to the wrong address or what, if it came to me secondhand, which has happened to a lot of my mail*

*Ms. Moermond: there's no history; when I just looked at that VIDEO, I saw that all your neighbors had clear sidewalks & you didn't*

*Public hearing continued to October 17 and if no same or similar violation(s), will delete the assessment.*

**Referred to the City Council due back on 6/6/2018**

- 4 [RLH TA 18-77](#) Ratifying the Appealed Special Tax Assessment for property at 569 FRONT AVENUE. (File No. J1806A, Assessment No. 188506) (Amend to File No. J1806A3, Assessment No. 188528) (Public hearing continued to October 17, 2018)

**Sponsors:** Brendmoen

*David A. Schadegg, owner, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$316*

*Service Charge: \$162*

*Total Assessment: \$478*

*Gold Card Returned by: DAVID SCHADEGG*

*Type of Order/Fee: SUMMARY ABATEMENT*

*Nuisance: FAILURE TO MAINTAIN EXTERIOR (remove couch & chair from blvd & mattress, freezer & misc debris from deck)*

*Date of Orders: 11-21-17*

*Compliance Date: 11-28-17*

*Re-Check Date: 11-28-17*

*Date Work Done: 11-29-17*

*Work Order #: 17-217203*

*Returned Mail?: NO*

*History of Orders on Property: 3-23-17 SA*

*Mr. Schadegg: I'm not appealing the cost; I'm appealing the clean-up completely; they shouldn't have been out there to clean it up; what they wrote up was all done- I threw everything away except for the couch, which I moved to my front porch, which has a roof over it; I was just going to use it on the front porch because I didn't want to throw it away; I put the couch & chair on the blvd with a "Free" sign on them & they got ripped up; so, I didn't wait any more, I just moved the couch on the porch & threw the chair away; the next thing I know, the couch is gone; when I called the inspector to ask what was going on, he said that he wasn't going to argue about it, "If you don't like it, appeal it;" so, that's where we're at*

*VIDEO - crew removed couch from front porch & freezer from the back deck*

*Mr. Schadegg: they came & took the couch off my front porch, which to me is stealing (& I didn't have any right to touch it); the abatement said remove whatever was on the list & everything was removed & the couch I put up on my front porch to use on my front porch; I called him & he said, "You can't do that"*

*Ms. Moermond: OK; the reason is that it's not outdoor furniture; it's indoor furniture - subject to the weather; I hear that you're saying that you made a good faith effort*

*Mr. Schadegg: I know that now but nobody wrote up that the couch couldn't be on the front porch; the couch had to be removed from the blvd*

*Ms. Moermond: I'm working with you here*

*Mr. Schadegg: It's quite irritating*

*Ms. Moermond: what happened back in Mar 2017?*

*Supervisor Joe Yannarely: there were 2 metal springs in the front yard; a SA was sent*

*Mr. Schadegg: somebody threw them off a truck as they drove up the street & I removed them*

*Ms. Moermond:*

*Public hearing continued to October 17 and if no same or similar violation(s), will delete the assessment.*

**Referred to the City Council due back on 6/6/2018**

- 5**      [RLH TA 18-177](#)      Ratifying the Appealed Special Tax Assessment for property at 829 GERMAIN STREET. (File No. J1809A, Assessment No. 188518)

**Sponsors:**      Prince

*Approve; no show.*

**Referred to the City Council due back on 6/6/2018**

- 6**      **RLH TA 18-172**      Ratifying the Appealed Special Tax Assessment for property at 560 HALL AVENUE. (File No. J1809A, Assessment No. 188518)

**Sponsors:**      Noecker

*Emidgdió Sanchez, occupant, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$290*

*Service Charge: \$162*

*Total Assessment: \$452*

*Gold Card Returned by: Emidgdió Sanchez, 612-965-3892*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Overflowing containers and garbage on ground; remove appliance on blvd*

*Date of Orders: 01/19/18*

*Compliance Date: 01/26/18*

*Re-Check Date: 01/26/18*

*Date Work Done: 01/29/18*

*Work Order #: 18-023061*

*Returned Mail?: No*

*VIDEO - crew removed refrigerator from blvd*

*Mr. Sanchez: I called friends who are scrappers; they said that their truck was broken so, I kept it close to the house; I called again & they said, "OK; tomorrow I'll be there to pick it up;" so, I moved it to the blvd & it disappeared; I didn't know that the city took it; I thought it was the scrappers; then, my landlord was really upset with me & he doesn't want to pay all that; so, he sent me here*

*Ms. Moermond: so, where was the refrigerator before you put it on the blvd?*

*Mr. Sanchez: it was close to the house because I was waiting for them to fix the truck*

*Ms. Moermond: the orders talk about overflowing containers & garbage on the ground,*

too; you picked up that stuff?

*Mr. Sanchez: it wasn't garbage; it was cardboard for recycling & it was a windy day -it was my refrigerator; we had 2 for a while; I got a bigger one so I put this one out but it was still working; one of my relatives wanted it but they never showed up; so, I called the scrapper; I didn't know that the city would collect all this stuff*

*Ms. Moermond: you're going to have to work the cost of this out with your landlord -an order was written to get the garbage & refrigerator taken care of; ref got moved but not gone; the crew came 3 days after the deadline; you could have called the inspector & asked for a little more time*

*-I'm not flexible about refrigerators, as a rule*

*-I will ask the Council to divide payments over 2 years*

*-the city will hold the landlord accountable; the property owner is responsible in the eyes of the city; you may have an arrangement with your landlord where you are responsible for this; that's a private matter between you & the landlord*

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Approve & spread over 2 years.

**Referred to the City Council due back on 6/6/2018**

- 7      [RLH TA 18-133](#)      Ratifying the Appealed Special Tax Assessment for property at 507 MINNEHAHA AVENUE EAST. (File No. J1807A, Assessment No. 188507) (Public hearing to be continued to October 17) (Amend to File No. J1807A3, Assessment No. 188538)

**Sponsors:**      Brendmoen

*Charles Belcher, owner, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$344*

*Service Charge: \$157*

*Total Assessment: \$501*

*Gold Card Returned by: Charles Belcher*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Garbage/Rubbish*

*Date of Orders: 12/13/17*

*Compliance Date: 12/18/17*

*Re-Check Date: 12/18/17*

*Date Work Done: 12/20/17*

*Work Order #: 17-222815*

*Returned Mail: No*

*Comments:*

*History of Orders on Property: 09/24/14 (trash-done by owner), 2/9/16 (rubbish-done by owner), 07/20/16 (tgw-done by owner); 8/23/17 (junk/furniture-abated but EC issued)*

*VIDEO - crew removed garbage on blvd/street*

*Mr. Belcher: whenever I get a complaint in the mail, I react on it right away because the last thing I want is to be here; I always take care of any issues at the property; re the letter that I received on Dec 13, there were things out next to the garbage cans; not trash but stuff that people threw out there from the building, from a move out; I went out there & cleaned all of that & I usually make a phone call in when I do that, as well, just to keep the inspector updated; this trash that you see on the VIDEO is something*

that happened after I was at the property & cleaned up, is my guess; I cleaned after the move out (household stuff: dressers, crib & mattress) I cleaned all around the property; my truck was filled

Ms. Moermond: show me the "before" Video one more time; I want to double check the picture of the garbage situation on Dec 13 & Dec 18 with the Video, Dec 20 (was not the same things as listed in the letter)

-I'm not 100% sure we're looking at all the same garbage

Public hearing continued to October 17, 2018 and if no same or similar violation(s), will delete the assessment.

**Referred to the City Council due back on 5/2/2018**

**8**      [RLH TA 18-129](#)      Ratifying the Appealed Special Tax Assessment for property at 803 OHIO STREET. (File No. J1807A, Assessment No. 188507)

**Sponsors:**      Noecker

Mark Shepard appeared.

Ms. Moermond: we also received an email from Betsy Shepard with pictures

Supervisor Lisa Martin:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: MARK SHEPARD

Type of Order/Fee: SNOW ORDER

Nuisance: FAILURE TO REMOVE SNOW ICE ON SIDEWALK

Date of Orders: 12-14-17

Compliance Date: 12-17-17

Re-Check Date: 12-20-17

Date Work Done: 12-22-17

Work Order #: 17-223528

Returned Mail?: NO

History of Orders on Property: NO

VIDEO - crew removed snow-packed ice; salted & sanded

Mr. Shepard: my mom passed away; this is her house; I appealed on the word of my brother; he says that any time it snows, he shovels within 24 hours; I'm surprised there was that much on the sidewalk

Ms. Moermond: looking at the National Weather Service information, on Dec 4, 2 inches of snow fell; on Dec 10, 1 inch fell; and by the time the crew showed up, another .7 inch had fallen; so, you're probably looking at about 3 inches of snow that hadn't been dealt with

Mr. Shepard: the pictures I sent show the damages that the city crew did while removing the snow/ice; they tore the sod out; so, now anytime it rains this spring, there's going to be dirt flowing into the sidewalk; they tore it up pretty good  
-my brother told me that he thought it was about the apartment next door at 505 Ohio Street because they never shovel  
-we didn't receive anything in the mail & we've never had a problem before; my brother

*finally received something dated 2-27-18 at his house in Falcon Heights; not sure how they got his address; the PO cut out mom's mail when she passed away; so, we weren't receiving any mail at this address*

*Ms. Moermond: where are you at with probate on the property?*

*Mr. Shepard: it's not a probate; it was a transfer of deed upon death; now, it's in our names (me, my brother, & sister)*

*Ms. Moermond: Does Ramsey County Taxation Recorder of Deeds know what's going on? the City uses the county's tax records to know where to send Notices; in Dec, the owner's name/address for 803 Ohio was Luverne Marie Shepard; the city also sends to the Occupant of that address; the city had no other address to contact*

*Mr. Shepard: no one is/was living there; no mail is being delivered there*

*Ms. Mai Vang: Ramsey County lists Luverne Marie Shepard, 1770 E Snelling Dr, Falcon Heights*

*Mr. Shepard: that's my brother's address  
-we plan to put this house on the market; we are getting it ready for sale in May or early Jun*

*Ms. Moermond: this assessment will be hanging over the real estate transaction that would need to be dealt with by your title company; I think that you're better off getting a clean answer now*

*-I will cut it half; the city crew did show up & did the work; you have a good history; Ramsey Co records are now updated*

*Reduce from \$322 to \$161.*

**Referred to the City Council due back on 5/2/2018**

- 9**      [RLH TA 18-175](#)      Ratifying the Appealed Special Tax Assessment for property at 1062 OXFORD STREET. (File No. J1809A, Assessment No. 188518)

**Sponsors:**      Brendmoen

*Approve; no show.*

**Referred to the City Council due back on 6/6/2018**

- 10**      [RLH TA 18-174](#)      Deleting the Appealed Special Tax Assessment for property at 809 PARK STREET. (File No. J1809A, Assessment No. 188518)

**Sponsors:**      Thao

*Xai Lee, owner, & his brother, Vang Lee appeared.*

*Supervisor Lisa Martin:*

*Cost: \$160*

*Service Charge: \$162*

*Total Assessment: \$322*

*Gold Card Returned by: XAI LEE*

*Type of Order/Fee: SNOW ORDER*



*Nuisance: FAILURE TO REMOVE SNOW FROM PUBLIC SIDEWALK*

*Date of Orders: 1-25-18*

*Compliance Date: 1-28-18*

*Re-Check Date: 1-30-18*

*Date Work Done: 1-31-18*

*Work Order #: 18-023996*

*Returned Mail?: NO*

*Comments: No photos in STAMP*

*History of Orders on Property: 9-4-17 TGW WORK ORDER*

*Xai Lee: I spoke with Richard, my inspector; he came out on the 30th; the Notice was printed out on the 25th; by the time we got it... where I'm at is that parcel is just a piece of land; I plan to build my house there; I go as often as I can to check on it but ....*

*VIDEO - crew said that it looked like shoveling had been attempted but there was still snow/ice covering the sidewalk; we salted/sanded*

*Vang Lee: I actually took a picture from before & after when I plowed; before I plowed, there was 2 feet of snow; I plowed it to the ground; I have pictures; so, that's totally different*

*Xai: the reason why we're here is because my brother did the work; Richard came out on the 30th; Vang went out the afternoon of the 30th & plowed; then we checked back*

*Ms. Moermond: I see that on Jan 22, there was 12 inches of snow; & I saw 4-6 inches on the sidewalk (video)*

*Vang: the day we went out, there was actually more than that & I plowed it all the way down; after that snow fall, we went out too & we noticed that someone had come by & plowed; that's when we call/texted the inspector on that*

*Ms. Moermond: I saw in the Video a substantial amount of snow being removed from the public sidewalk & a lot of snow was removed*

*Vang: when I went there on the 30th, there was actually more snow than that; he brought his phone with pictures*

*Xai: we took care of the snow in the letter*

*Ms. Moermond: doesn't look like it in the Video*

*Xai: I think that in between it snowed*

*Ms. Moermond: not according to the National Weather Service*

*Vang: shows pictures on his phone (after on the 30th); my other phone has the before*

*Ms. Moermond: I don't feel as though I have good enough resolution; I would like you to email those photos in so that we can examine this further; I don't have the dates -there was substantial snow removal by the city (4-6 in); I'm hearing you say that you did plowing the day before the crew showed up; so, it can't be the same snow; there was no new snow fall in the interim; snow fell Jan 22; the Order was issued Jan 25; compliance date Jan 28; you're saying that you were out there on Jan 30; that was the*

same day the inspector went to do a re-check (2 days after the deadline) & the work was done by the city crew on Jan 31

Vang: there's no way that could have been on the 31st; we have pictures & everything; we got it down all the way to the sidewalk; there was just ice; there was no snow removal; so, that cannot be the same snow fall

Xai: I live in Ramsey; Vang lives in Blaine; we come down when it snows

Ms. Moermond: you can work with Ms. Mai Vang on this; email photos/video to her  
-I see a city crew having done some work; I know the city incurred expenses  
-it snowed on the 22 & it took you until the 30 to come & remove the snow (?) & why did the city have to send you a letter?

Recommendation is forthcoming.

FOLLOW-UP: After reviewing the time stamped photos provided by the owner, it was determined that the snow the city removed was not the 1 foot of snowfall from January 22 for which the orders were written. The owner had addressed that. Rather, the snow removed on January 31 was the 2 inch snowfall from January 31. Therefore, recommend deletion. -MM

**Referred to the City Council due back on 6/6/2018**

- 11 [RLH TA 18-171](#) Ratifying the Appealed Special Tax Assessment for property at 1070 REANEY AVENUE. (File No. J1809A, Assessment No. 188518)

**Sponsors:** Prince

Approve; no show.

**Referred to the City Council due back on 6/6/2018**

- 12 [RLH TA 18-155](#) Ratifying the Appealed Special Tax Assessment for property at 745 SIMON AVENUE. (File No. J1807A, Assessment No. 188507)

**Sponsors:** Brendmoen

Brant M. Ingalsbe, owner, appeared.

Supervisor Lisa Martin:

Cost: \$316

Service Charge: \$157

Total Assessment: \$473

Gold Card Returned by: Brant Ingalsbe called

Type of Order/Fee: Summary Abatement Order

Nuisance: Chair/Misc debris from behind rear fence by alley

Date of Orders: 11/29/17

Compliance Date: 12/6/17

Re-Check Date: 12/6/17

Date Work Done: 12/7/17

Work Order #: 17-219492

Returned Mail?: No

Comments:

History of Orders on Property:

*Mr. Ingalsbe: this is a case of not knowing that this was an issue; we've been renting this out for past 6 years; the tenant moved out mid-Nov, 2017 because we were preparing to sell the house; I didn't receive any mailings sent to our home address, 6214 Morgan Ave S, Richfield, MN; Nov 29 - that was the weekend of Thanksgiving & we were in WI that week; we arrived back on about Dec 1, 2017; I didn't actually see the mailing for this until I came out to the property; I didn't think that the tenant would have left anything like that; we've had an excellent history with her for 2+ years; I contacted her after I got the notification but I didn't get any response back; I went thru all our mailings & I didn't see any notification about this; if we'd have gotten the Notice, I would have taken care of it; I didn't know about this until we received this notice in Feb*

*Ms. Martin: Notices were sent to Occupant at 745 Simon Ave; Brant Michael Ingalsbe, 6214 Morgan Ave S, Richfield (owner); and Brant M Ingalsbe, 6214 Morgan Ave S, Richfield (C of O Responsible Party)*

*Ms. Moermond: it's unusual that you didn't get at least one of those letters; you had a lot of stuff that you were dealing with; maybe it was overlooked -city did the work; city sent the notice; there was no returned mail*

*Reduce from \$473 to \$300.*

**Referred to the City Council due back on 5/2/2018**

- 13 RLH TA 18-185** Ratifying the Appealed Special Tax Assessment for property at 162 STEVENS STREET WEST. (File No. J1809A, Assessment No. 188518)

**Sponsors:** Noecker

*Jeanne M. Becker, owner, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$400*

*Service Charge: \$162*

*Total Assessment: \$562*

*Gold Card Returned by: Jeanne Becker*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Bagster full of rubbish in the driveway*

*Date of Orders: 01/08/18*

*Compliance Date: 01/16/18*

*Re-Check Date: 01/18/18*

*Date Work Done: 01/26/18*

*Work Order #: 18-020916*

*Returned Mail?: No*

*Ms. Becker: I'm looking for a \$0 amount because I never received an Order until after the fact; I moved & live in Inver Grove Heights now; I bought a rambler on Dec 1, 2017; I still own 162 West Stevens; I'm cleaning & fixing over there trying to get it ready; I need hip replacement surgery, which is not helping -the house next door to me caught fire in 2017; that fire impacted my home (melted part of the roof on the west side; having steel siding saved me but it wrecked the steel siding); the house that started fire was not insured so, my State Farm Insurance Company & I got the burden for all of the work -this is my 3rd dumpster; I had 1 for my roof, which was in the driveway; I had one*

*parked in the street & many people used it as their own  
-I changed my mail with the US Post Office*

*Ms. Moermond: the city gets addresses from Ramsey County Tax Records & in Jan 2018, the tax records were still showing you at 162 Stevens West*

*Ms. Becker: eventually, it got to me but it was after the fact  
-I bought a bagster because I had already gone through 2 dumpsters for the work done on my home & I knew that it would take me a while to get done with the rest, which was misc; there's rules about where you can put a bagster so that they can pick it up; the cost to pick it up is \$105.17; I tried to put the bagster in a spot where I could still get into the driveway & still have it be usable for me & in a spot where they would pick it up*

*Ms. Moermond: did your insurance pay for the dumpsters?*

*Ms. Becker: yes; that was part of the claim but this bagster cost is on me; it's not related to the fire*

*VIDEO - crew removed the bagster*

*Ms. Becker: I chose the bagster because I could have it for a long time - until I was finished  
-I've owned the house since 1980 & I've kept up the place; it's going onto the market in the next couple of months*

*Ms. Moermond: let the county know where you're at; call Ramsey Co Tax Records, 651/266-2000  
-Real Estate Office, 651/266-6153, Tanya Townsend*

*If no same or similar violation(s) by June 6, 2018, will delete the assessment.*

**Referred to the City Council due back on 6/6/2018**

**14**     [RLH TA 18-179](#)

**Ratifying the Appealed Special Tax Assessment for property at 518 THOMAS AVENUE. (File No. J1809A, Assessment No. 188518)**

**Sponsors:**        Thao

*Huan Dao, property manager, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$560*

*Service Charge: \$162*

*Total Assessment: \$844*

*Gold Card Returned by: PRADEEP KHAKURAL*

*Type of Order/Fee: SUMMARY ABATEMENT AND SNOW ORDER*

*Nuisance: FAILURE TO CLEAN UP REFUSE AND REMOVE SNOW*

*Date of Orders: 12-26-17 FOR BOTH*

*Compliance Date: 1-2-18 FOR SA AND 1-31-18 FOR SNOW*

*Re-Check Date: 1-2-18 FOR SUMMARY ABATEMENT AND 1-3-18 FOR SNOW  
RECHECK*

*Date Work Done: 18-016209 1/4/2018*

*18-016207 1/3/2018*

*Work Order #: SEE ABOVE DATES*

Returned Mail?: NO

Comments:

History of Orders on Property: 7-20-17 WORK ORDER FOR GRASS

Mr. Dao: the owner's closing date was Jan 3, 2018; there was no update - we didn't receive any mail; this is the first time that we got a letter from the city

Ms. Moermond: so the Orders were sent to the previous owner on Dec 26, 2017 & he did not take care of nor disclose these Orders

Mr. Dao: every time we get Orders, we take care of them right away

Ms. Moermond: I'm inclined to say that you're going to have to go after the previous owner for the cost on these

VIDEO - crew removed snow & ice; salt & sanded

VIDEO - crew removed trash containers, debris, refuse, wood pieces, near trash area

Ms. Moermond: your owner didn't get Notice of this from the city; the previous owner got the notice & he is legally responsible to disclose it to you; it's really his bill; I will recommend approval

Ms. Mai Vang: provided him with a copy of the Orders

Ms. Moermond:

Approve the assessment.

**Referred to the City Council due back on 6/6/2018**

**15**     [RLH TA 18-169](#)

Ratifying the Appealed Special Tax Assessment for property at 1036 WAKEFIELD AVENUE. (File No. J1809A, Assessment No. 188518)

**Sponsors:**     Prince

Todd Johnson, owner, appeared.

Supervisor Lisa Martin:

Cost: \$336

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: TODD JOHNSON

Type of Order/Fee: SUMMARY ABATEMENT

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY

Date of Orders: 1-2-18

Compliance Date: 1-8-18

Re-Check Date: 1-9-18

Date Work Done: 1-9-18

Work Order #: 18-018027

Returned Mail?: NO

History of Orders on Property: NO

Mr. Johnson: first time home buyer; bought this home in Nov 2 1/2 years ago

-something was dumped in the little shelter area near my garage; it's hard to see, from the garage you go up about 20 steps to the house; the motion detector was broken when I bought the house; I bought a new one but haven't yet installed it

Ms. Moermond: looking at the photo of your garage & how it relates to the alley & the indent that you're talking about; I'd rather see you put in a camera system like the ones hunters use

Mr. Johnson: I recently bought an Arlo Camera System

Ms. Moermond: get that installed; put up a sign that say's it's under Video Surveillance; get the motion detector lights up; when you get those things up (signage, camera, motion lights), call Inspector James Hoffman, 651/266-1947 to make an appointment to have him come check those out; get those things in place by May 25, 2018 & I'll recommend that this is deleted

Delete the assessment provided owner installs camera, signage, motion lights to prevent future dumping by May 25, 2018.

**Referred to the City Council due back on 6/6/2018**

- 16 RLH TA 18-176** Ratifying the Appealed Special Tax Assessment for property at 1260 WOODBRIDGE STREET. (File No. J1809A, Assessment No. 188518)

**Sponsors:** Brendmoen

4/17/18: Approve; no show.

Cost: \$160

Service Charge: \$162

Total Assessment: \$ 322

Gold Card Returned by: SARA ALKEN

Type of Order/Fee: SNOW ORDER

Nuisance: FAILURE TO REMOVE SNOW FROM PUBLIC SIDEWALK

Date of Orders: 1-16-18

Compliance Date: 1-19-18

Re-Check Date: 1-19-18

Date Work Done: 1-22-18

Work Order #: 18-021291

Returned Mail?: NO

History of Orders on Property: NO

**Laid Over to the Legislative Hearings due back on 5/15/2018**

- 17 RLH TA 18-190** Ratifying the Appealed Special Tax Assessment for property at 1403 BURR STREET. (File No. J1809A, Assessment No. 188518)

**Sponsors:** Brendmoen

Approve & spread over 3 years.

*Teu Xiong Her, owner, appeared.*

*Supervisor Joe Yannarely:*

*Cost: \$318*

*Service Charge: \$162*

*Total Assessment: \$480*

*Gold Card Returned by: Teu Xiong Her appeared*

*Type of Order/Fee: SAO*

*Nuisance: Garbage/Rubbish*

*Date of Orders: 01/19/18*

*Compliance Date: 01/24/18*

*Re-Check Date: 01/24/18*

*Date Work Done: 01/29/18*

*Work Order #: 18-022149*

*Returned Mail?: No*

*Mr. Her: I never got the letter but mom told me about it so, I went there to clean up the deck that had a lot of cardboard & trash on it*

*VIDEO - crew removed dishwasher, vacuum cleaner, rubbish, leaves, etc*

*Mr. Yannarely: the Orders said in all caps: RUBBISH OUTSIDE DECK 7 IMPROPER STORAGE; COMPLY BY JANUARY 24, 2018*

*Ms. Moermond: the workers showed up on a Fri & talked to the homeowner - said, "Here's what you need to do:" they came back on the following Mon; it still wasn't done & they took away the stuff*

*-so, your mom talked to you about taking care of it & here we are*

*-I think that you're kind of stuck with this bill; the workers even talked to you mom about it*

*Approve & spread over 3 years.*

**Referred to the City Council due back on 6/6/2018**

**18**     [RLH TA 18-188](#)

Deleting the Appealed Special Tax Assessment for property at 1249 THIRD STREET EAST. (File No. J1809A, Assessment No. 188518)

**Sponsors:**     Prince

*Rex Pickett, occupant, appeared.*

*Supervisor Joe Yannarely:*

*Cost: \$270*

*Service Charge: \$162*

*Total Assessment: \$432*

*Gold Card Returned by: Dennis Ruettimann*

*Type of Order/Fee: SAO*

*Nuisance: mattresses located north side of garage near alley*

*Date of Orders: 12/29/17*

*Compliance Date: 01/05/18*

*Re-Check Date: 01/05/18*

*Date Work Done: 01/08/18*

*Work Order #: 18-017383*

Returned Mail?: No

History of Orders on Property: TGW complaint 7/27/17-done by owner

Mr. Pickett: these were my east neighbor's mattresses; they had a big mattress & they park next to their garage in the alley; so, they put the mattress on my garage; I put it back between the garages; they put it back on my garage - 3-4 times this happened; I got the Notice from Dennis, my landlord

-I take trash; I recycle their cans but I wasn't going to pay the \$40 to take their mattress down to the transfer station; then, it was gone & now, the landlord gets assessed & according to my lease, it's coming to me but it wasn't my mattress; I tried to comply by putting it back on their property

-I called the inspector & they said, if this happens again, call SPPD, which we did have to do; this just happened again Apr 12 (entered the police report & a picture); their young teenage kids....

-it's an on-going problem with my neighbor; it's their stuff & I'm getting assessed for their litter, furniture, etc.

-east of me: 1253 3rd St; their whole back yard is a garden; I get a long with my neighbors; I don't want this to be a fight or anything; the family comes & goes

Ms. Moermond: I get that it's not your stuff

Mr. Pickett: I've hauled away & paid for a lot of things but not a \$40 mattress that's not mine; & now, it's going to be a \$432 mattress

VIDEO - crew removed mattress in between the garages

Ms. Moermond: I'm going to delete this one; I think both property owners should have gotten Notices

Delete the assessment.

**Referred to the City Council due back on 6/6/2018**

**19 RLH TA 18-189** Ratifying the Appealed Special Tax Assessment for property at 2153 FREMONT AVENUE. (File No. J1809A, Assessment No. 188518)

Sponsors: Prince

Guadalupe Saavedra, owner, appeared. (used Language Line for Spanish)

Supervisor Joe Yannarely:

Cost: \$428.00

Service Charge: \$162.00

Total Assessment: \$590.00

Gold Card Returned by: Guadalupe Saavedra-walk in

Type of Order/Fee: Summary Abatement Order

Nuisance: Garbage/Rubbish/recycling materials/discarded furniture/household items throughout property

Date of Orders: 01/10/18

Compliance Date: 01/15/18

Re-Check Date: 01/16/18

Date Work Done: 01/18/18 (garbage service was also ordered)

Work Order #: 18-019887

Returned Mail?: No

Comments: Language Line was used



*History of Orders on Property: complaint to monitor property due to arrest at property on 7/28/16*

*Ms. Saavedra: my husband passed away; I was moving to the basement of the property, so I was taking out all the garbage from inside; I was going to hire a container to take away everything; I'm going to pay for these fees; however, they are too high for me; I want to know if you can reduce the amount I have to pay since I am not working right now; I don't have any money; I only get \$31/month; my children have been helping me*

*Ms. Moermond: I want to take a look at the before/after VIDEO first & then, I want to talk to her a little more about her current living conditions in the basement*

*Ms. Saavedra: many items weren't mine; they were the lady's who lives upstairs*

*Ms. Moermond: is this a duplex?*

*Ms. Saavedra: no; the lady lives on the main level - the first floor; I rented to a family with 5 children*

*Mr. Yannarely: this is a single family house*

*VIDEO - crew removed furniture in front & back yard; all trash along fence, near garage & near house; a lot of stuff was removed*

*Ms. Saavedra: most of what you see came from the basement; however, the children's stuff the stroller, etc. came from the lady upstairs; however, I will pay the fee*

*Ms. Moermond: this is a 1-story house; it's not a legal duplex; I'm worried about her circumstances in the basement*

*Ms. Saavedra: the basement has already been painted; I have a bathroom/shower; it's like my little apartment; the entire house belonged to my husband; in Oct, 2017, I built an escape window for \$1800 (open active permit; not approved); I didn't want to sell it because I wouldn't have anywhere to go*

*Mr. Yannarely: there's also drug warrants against...*

*Ms. Moermond: the permits were opened for changes in the basement; no final inspections so the work isn't considered to be done yet  
-note: there's information in the file that the inspectors are not to go to the property without police because there's been active drug warrants at the property; so, it's been a problem property for the city, as well*

*Mr. Yannarely: SPPD assisted Dakota County Drug Task Force to execute a search warrant*

*Ms. Saavedra: that happened 1 year ago, some other people I was renting to; there was some problems & the police came; the man was having those problems; he was arrested - was sent back to Mexico; however the problem had nothing to do with me*

*Ms. Moermond: actually, if it's her house, it has everything to do with her  
-is she renting out bedrooms or what exactly?*

Ms. Saavedra: I'm renting out the entire house; I get into the basement with a private entrance from the back; they pay me \$1200/month for the rent & the family has been living there for about a year already

Ms. Moermond: there will be 2 conclusions from today's hearing: 1) the clean-up was Ordered; the city did have to do the clean-up because the owner did not take care of it; the charge is \$590; I will approve it & spread the cost over 5 years so that the payments are small & manageable over time; interest rate is 4%; and 2) the living arrangement that she's made separating the basement from the rest of the house & creating a duplex is an illegal conversion of a house; & we are going to have to investigate that circumstance; she can, legally, have 4 unrelated adults living within 1 house or 1 housing unit; she cannot take that house & make it into 2 separate apartments without going through a process with building inspections; there are things about a duplex that a single family house doesn't have (2 furnaces; 2 ventilation systems; 1-hour fire wall separations, etc); right now, this is not an acceptable living arrangement

Ms. Saavedra: I have nobody to go to for help; if you can provide help,,,

Ms. Moermond: we'll start with scheduling an inspection so there's a better idea of what needs to be addressed

Mr. Yannarely: we'll be sending out a letter; it looks like there's 3 bedrooms, 1 bath, 870 sq. ft. & they have 5 children there

Ms. Moermond: the inspector will look at how she's developed a 2nd unit in the basement & also the housing conditions, how many people there are per bedroom, etc, to make sure that there's enough room to house everybody; Ms. Saavedra will get a letter in the mail with the date & time for the inspection; we're thinking that the inspector's name will be Ed Smith  
-does she have someone who can interpret her mail?

Ms. Saavedra: yes; I have 3 children born in the US; they went to college; my phone number: 651/428-3278; Jessica's # 651/428-4963; she's my daughter & she would communicate English to me

Ms. Moermond: she says that she wants to pay over a couple of months; can you confirm that?

Ms. Saavedra: yes

Ms. Moermond: OK; done  
-Inspector Ed Smith will also bring along a social worker - for housing issues, the House Calls Program - they can help with a lot of things

Mr. Yannarely: there's no permit pulled on anything in that basement, either

Ms. Mai Vang: 1 assessment for garbage hauling has already passed; on Apr 3, she didn't appeal it; did she want to appeal that too? (\$312)

Ms. Saavedra: I don't understand; we've had the hauler/containers for 1 year; I have proof; we have been paying every month; I did not request a city container

Ms. Moermond:

*-we'll deal with that at another time*

*Approve & spread over 5 years.*

**Referred to the City Council due back on 6/6/2018**

### 10:00 a.m. Hearings (Excessive Inspection & Graffiti)

- 20 [RLH TA 18-173](#) Ratifying the Appealed Special Tax Assessment for property at 702 ARMSTRONG AVENUE. (File No. J1806E2, Assessment No. 188320)

**Sponsors:** Noecker

*No one appeared.*

*This is an Excessive Consumption assessment*

*Ms. Moermond: read the letter sent by the Appellant, Ann Bennis*

*-house needs to be scraped & painted; Orders went out the beginning of Dec 2015; this has been going on up to the current time; there's been a lot of back & forth (city going out & the work not being done)*

*-this email is attached to the record*

*-the owner of this property is Gloria Huss; person writing the letter is Ann Bennis, Gloria's niece, Ms. Bennis, lives in Eau Claire, WI*

*-it sounds like Gloria got stiffed for \$1500 - someone said that they'd do the paint job & either didn't do it or didn't finish doing it*

*-Ms. Bennis & her husband are paying her taxes & Confession of Judgment costs; they've replaced her worn out furniture, TV, etc; they are trying to get a repair loan; Gloria is now 83; it is their goal to help Gloria fix up many things in her house*

*-Gloria survives on her social security checks & food stamps; has no bank accounts or driver's license; all these Notices are causing her all kinds of anxiety; she wants this to be finished*

*-Ms. Bennis is asking the City of St. Paul to stop fining Gloria & sending her Notices*

*-I'm assuming that this place is in pretty rough condition*

*Supervisor Lisa Martin: yes*

*-usually, we give out Ramsey County House Calls information; with this woman being elderly, there are a lot of resources*

*Ms. Moermond: great idea; let's send a link for the House Calls Program to Ann Bennis; & send House Calls her information; there are people out there who can help; Ms. Bennis isn't in this alone*

*-the most recent photo of the house from 2016 looks like the sides of the house that have been photographed have significant peeling paint*

*-a transition in life situation*

*-this house should be painted; could be lead-based concerns*

*-will recommend approval of the assessment*

*Approve the assessment.*

**Referred to the City Council due back on 5/2/2018**

- 21 [RLH TA 18-168](#) Ratifying the Appealed Special Tax Assessment for property at 1459

BIRMINGHAM STREET. (File No. J1808E, Assessment No. 188312)

**Sponsors:** Bostrom

*Rescheduled to May 1.*

**Laid Over to the Legislative Hearings due back on 5/1/2018**

- 22 [RLH TA 18-182](#) Deleting the Appealed Special Tax Assessment for property at 2063 CONWAY AVENUE. (File No. J1808E, Assessment No. 188312)

**Sponsors:** Prince

*Delete the assessment. EC letter was blank and not sent.*

**Referred to the City Council due back on 6/6/2018**

- 23 [RLH TA 18-167](#) Ratifying the Appealed Special Tax Assessment for property at 396 CURTICE STREET EAST. (File No. J1808E, Assessment No. 188312)

**Sponsors:** Noecker

*Approve; owner called and stated he is no longer appealing.*

**Referred to the City Council due back on 6/6/2018**

- 24 [RLH TA 18-183](#) Deleting the Appealed Special Tax Assessment for property at 1141 DALE STREET NORTH. (File No. J1808E, Assessment No. 188312)

**Sponsors:** Brendmoen

*Delete the assessment; EC letter was blank and not sent.*

**Referred to the City Council due back on 6/6/2018**

- 25 [RLH TA 18-191](#) Ratifying the Appealed Special Tax Assessment for property at 35 STEVENS STREET EAST. (File No. J1808E, Assessment No. 188312)

**Sponsors:** Noecker

*Anthony Ohjo, owner, appeared.*

*Supervisor Joe Yannarely:*

*Cost: \$122*

*Service \$35*

*Total Assessment: \$157*

*Gold Card Returned by: Anthony Omopintemi appeared*

*Type of Order/Fee: Excessive Inspection*

*Nuisance: fence fallen apart*

*Date of Orders: Correction Notice sent 11/16/17*

*Compliance Date: 12/15/17*

*Re-Check Date: 12/18/17; non compliance, sent EC letter 12/18/17; 01/05/18; 01/26/18*

*Date Work Done: NA*

*Work Order #: 17-213504, Inv # 1346836*

*Returned Mail?: N*

*Mr. Ohjo: it's too cold now to fix; I called the inspector & he said that he'd give me until Apr 2018*

*Ms. Moermond: do we have any photos?  
-it looks like that first piece of fence on the far right isn't even connected; it's just leaning; the next one is just leaning*

*Mr. Ohjo: those are pallets & they are all gone now  
-I did not get the Correction Notice; it was sent to my wife  
-give me until Jun because I can't dig right now*

*Ms. Moermond: if the fence is repaired by Jun 1, 2018, these other Excessive Consumption assessments will be cancelled*

*Mai Vang: there's only one EC; the others have been cancelled*

*Ms. Moermond: if the fence is repaired/replaced by Jun 1, 2018, I'll cut this assessment in half; either repair or replace the fence*

*\_\_\_\_\_*  
*If in compliance with the fence by June 1, will reduce from \$157 to \$78.*

**Referred to the City Council due back on 6/6/2018**

### Special Tax Assessments - ROLLS

- 26 RLH AR 18-32** Ratifying the assessments for Property Clean Up services during January 2 to 31, 2018. (File No. J1809A, Assessment No. 188518)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 6/6/2018**
- 27 RLH AR 18-33** Ratifying the assessments for Graffiti Removal services during January 3 to 27, 2018. (File No. J1806P, Assessment No. 188406)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 6/6/2018**
- 28 RLH AR 18-34** Ratifying the assessments for Excessive Use of Inspection or Abatement services during November 22 to December 22, 2017. (File No. J1808E, Assessment No. 188312)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 6/6/2018**

### 11:00 a.m. Hearings

#### Summary Abatement Orders

29     [RLH SAO 18-24](#)     Appeal of Linda Huber to a Summary Abatement Order at 1133 BLAIR AVENUE.

Sponsors:            Henningson

*Linda Huber, owner, appeared.*

*Supervisor Lisa Martin: Inspector Dan Hesse issued a Summary Abatement Order on Mar 19, 2018 to remove the over hanging vegetation on the sidewalk right-of-way; compliance Mar 26; upon re-inspection, the sidewalk right-of-way appeared sufficiently cleared & the file was closed*

*Ms. Huber: I'm upset because my neighbor cut the heck out of my tree & her calling the city makes it seem like there was a problem; I tried to talk to Ed Smith -I want my money back; this is the tree that my grandmother planted the day she got engaged*

*Ms. Martin: when I spoke with Ms. Huber, she told me about the issue between her & her neighbor; she spoke with Steve Magner who said that the appeal was closed & explained that we have no control over refunding the money; from the city's side, the issue has been resolved*

*Ms. Huber: she cut it all off before it was resolved; I would like something; show me where the over hanging tree branch was; I should get my money back*

*Ms. Moermond: who said that you should get your money back?*

*Ms. Huber: my grandmother recently died .....*

*Ms. Martin: the city inspector saw that the tree appeared to have been trimmed already but there was still an over hanging branch; he spoke with the owner & explained that there was just one branch over hanging*

*Ms. Huber: we did nothing to the tree; we did nothing to the tree*

*Ms. Moermond: you disputed the inspector's finding that there was an over hanging branch; upon revisiting the matter, the inspector said that ....*

*Ms. Martin: ... the branch was no longer there & he closed the file*

*Ms. Huber: nobody touched the tree since the neighbor touched the tree; we have not cut on the tree yet; now, I'm forced to have to trim it some because she left a gaping 6-ft hole in the middle of my tree & it looks absolutely like a big eye sore right now; so, I do have to do some trimming; the registered arborist, whom I spoke to said that normally, they condemn the tree because then, I could go after her for a whole lot more with the law; she said that this is actually a really, really healthy tree & I know this tree means a lot to you & you don't want to lose it; it's a healthy tree so I'm not going to condemn it; I said, "OK because if you condemned it, I would have to cut it down & that is not my goal; I do not want to cut it down;" but I don't think that this is fair; & I'm sorry, I'm a person of immense integrity; I don't like liars; I don't like hypocrites; it drives me absolutely, totally insane; I had to come & be heard because I don't think I should have even had to pay this \$25 to have this; I don't think the inspector, necessarily, ever even went out there because the arborist that I had on Feb 13 sent an email (I can give you his number; you can call him; I have his card) that says that*

*there was nothing there; we did not touch the tree because he said, "Don't touch the tree, especially, if you're going to go after her in court;" the registered arborist told me that if I condemn it, you'll have to cut it down but it will also give you documentation for your lawsuit; the time to trim that tree is actually the end of winter; she went & trimmed it for me in the middle of the ice & hail storm - about Feb 8 or 10;*

*-I have texts back & forth of me & her arguing about her cutting it; I told her that it's not right for her to ever go on anybody's property & cut their tree down; you are not a vigilante; we don't practice vigilante law in our society any more; you are the scariest type of people when you go & do that; those are the people who go & shoot up schools, restaurants, etc.*

*-then, she manipulated it & called the city*

*-I'm claiming that your person never came out; show me the picture that shows the over hanging branch because that branch was never touched; we didn't touch that tree except to take some pictures afterwards when I marked the tree with 2 ribbons to show that with the appeal paper*

*-I believe in truth, in honesty*

*-I wanted to trim the tree the year before but I had to spend \$1000 to cut down another tree that was detrimental to my other neighbor*

*-I planned to get this tree taken care of in Mar & I'd been in contact with a person to get it done before she took it upon herself & went & did it*

*Ms. Moermond: do you have a plan for moving forward? You said that you're getting a survey (?)*

*Ms. Huber: I have plans to deal with her over that; there's some branches that have grown out; the tree is 100% in my property; my sister lives at this property now*

*Ms. Moermond: how does your sister manage with this neighbor... is that a contentious relationship?*

*Ms. Huber: there hadn't been many problems at all but I'm still waiting for her to trim the foliage around her fence; it has bugs in it; that is between our properties*

*-the only reason my sister lives there is because once she needed a place to live; it was my grandma's house*

*Ms. Moermond: I'm hopeful that the tree situation between you & your neighbor is stabilized now but you will need to deal with the fence situation*

*Ms. Huber: one of my sons is going to help me; he said to go back & ask for your money back; I feel that I should get it back even though I've been heard but the only reason I had to be heard was because you guys closed this case that never should have been an open case, in my opinion*

*Ms. Moermond: that is the nature of an appeal - to say, "I disagree with these Orders; I don't think that there's an over hanging branch; I want to be heard on that;" so, within hours of you receiving the Orders, you came to the office & filed an appeal on those Orders; you walked in on Mar 22; the letter was mailed on Mar 19 - that's a very fast turn around; you left a message with me & before I returned the call, I wanted to check with all the staff who had touched this issue; I didn't hear back from the last ones until this morning; so, here's where I'm coming from with giving back people's money: if you file the appeal, you're paying for filing an appeal; the dept can say that they're withdrawing the Orders, circumstances have changed; we consider it abated; maybe the wind was blowing that day; I don't know; that's on the dept; the appeal is on me - it's walking into the front door & filing out the paperwork & saying, "I don't think these*

Orders are correct;" the appeal itself didn't say what you're saying now.... "

Ms. Huber: because that's what lady said to write

Ms. Moermond: no, actually, the person inside never tells you what to write; they say, "Write why you're appealing;" they don't say what to write; they say, "Explain why you're appealing;" and you didn't say in your appeal that there wasn't a branch; you said, "Neighbor desecrated tree on my front lawn without permission; she then called the city; I believe after fact I had a pruner who said I should talk to arborist that is registered & that appt is 3-26-18 at 1 pm; I plan to seek damages, etc; will have her letter sometime after 3-26-18 as well because she (neighbor) had no business just desecrating my tree." That doesn't say, "I disagree with the Orders;"

Ms. Huber: I want this whole thing thrown out; I don't want any abatement order; I get my \$25 then out of this hearing

Ms. Moermond: you're not getting your \$25 back  
-you filed an appeal; after that, the inspector went out again & saw things differently, whatever the circumstances; the inspector told his supervisor & his manager that, "It was taken care of when I went back;"  
-DSI considers the matter closed but this was after you had triggered the appeals process  
-I can say that the Orders have been Withdrawn by the dept; we'll put that in the record

Ms. Huber: what does that mean?

Ms. Moermond: it's the equivalent of saying, "the charges are dropped"

Ms. Huber: can I question the inspector while we're here? I should have the right to talk to my accuser of it because I have a letter from Feb 13 that says that there was nothing over hanging when this arborist & professional tree trimmer....

Ms. Moermond: circumstances have changed & they have withdrawn the Orders

Ms. Huber: right but they never should have been filed in the first place & I'm not the one who closed it; they closed it after Mr. Whoever, telling me, "Since you filed an appeal, I have nothing to do with this until the appeal;" & then, right before, they called me to say that it was taken care of, "Do you want to come?" & I said, "No, I guess not but then, you should give me back my money;" & they said, "No, we're not going to do that;" so I said, "OK, then, I want to be heard because I don't want this black check on my grandmother's address, for one; and two, I don't want it a matter of public record that there was a branch/branches/twig hanging over on this property for when I go after my neighbor for her doing this...."

Ms. Moermond: I can agree that we can make a record that indicates all of what you've said; we'll have minutes from this hearing that would show that & we have the materials that you've submitted, so, that if you wanted to attach that to any lawsuit that you want to bring against your neighbor, that's something you can do

Ms. Huber: I just don't want there to be this letter where this inspector said that there's branches.....

Ms. Moermond: there will be this record for anybody who wants to look; this will say that the matter was resolved; the matter is closed; the Order's withdrawn; there was a



*legitimate appeal filed; the dept withdrew the Orders; the matter gets closed; the record shows that*

*Ms. Huber: will I get a statement then that shows that?*

*Ms. Moermond: we'll send you a short letter & you can request the minutes of the hearing*

*-we'll send you an electronic & a paper version of your record*

*Ms. Huber: this whole thing has been a nightmare; I don't mean to waste your time but I was really angry; I was really angry when she manipulated this whole thing to call you over a month later & make this thing knowing that I had this person - I'd been out there, too; I'd seen; I knew that there were no branches; I knew she cut everything plus some; so, that's why I was angry to get this letter even then; I felt that this inspector never really went to the property even & just sent the letter out;*

*Ms. Moermond: OK; I hear you; we'll put that in the record; I hope things improve, moving forward*

*Ms. Huber: so do I but I don't foresee that*

*Ms. Moermond: Order has been withdrawn by the department as the matter has been resolved.*

**Withdrawn**

## Correction Orders

### 11:30 a.m. Hearings

#### Orders To Vacate, Condemnations and Revocations

- 30 [RLH VO 18-13](#) Appeal of John Kerwin to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 667 LINCOLN AVENUE.

**Sponsors:** Noecker

*Rescheduled to May 1*

**Laid Over to the Legislative Hearings due back on 5/1/2018**

### 2:00 p.m. Hearings (No hearing at 1:30 p.m.)

#### Fire Certificates of Occupancy

- 31 [RLH FCO 18-19](#) Appeal of Sylvia Belmares to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 850 DELAWARE AVENUE.

**Sponsors:** Noecker

*No one appeared.*

*Ms. Moermond: we were looking for evidence that it was actually an owner-occupied property & that the occupant, I believe, it's her son, is actually listed in the trust; we did receive documentation that he is a trustee*  
*-this property will be removed from the Fire Certificate of Occupancy Program*  
*-I had a concern about the exterior conditions & recommend that it be referred to Code Enforcement for follow-up*  
*-we will waive the appeal fee if we get an appeal*

\_\_\_\_\_  
*Grant the appeal for the property to be released from the Fire Certificate of Occupancy Program; exterior items will be referred to Code Enforcement inspection for follow-up.*

**Referred to the City Council due back on 5/2/2018**

- 32**     [RLH FCO 18-52](#)     Appeal of Ray Kaiser to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 613 PARKWAY DRIVE.

**Sponsors:**             Bostrom

*Deny the appeal, noting that the orders will be amended to include handrail, in addition to guardrails for the basement stairs. (No one appeared)*

**Laid Over to the Legislative Hearings due back on 4/24/2018**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 33**     [RLH VBR 18-21](#)     Appeal of Peng Yang to a Vacant Building Registration Renewal Notice at 64 JESSAMINE AVENUE EAST.

**Sponsors:**             Brendmoen

*Peng Yang, owner, appeared.*

*Supervisor Matt Dornfeld, Vacant Buildings:*

*-this was made a Category 2 Vacant Building on Apr 12, 2016; a sale review was approved Aug 22, 2017 to the current owner, Peng Yang; a code compliance inspection report is on file; all 4 trades' permits are on file; rehab is on-going; this property area has not been a nuisance*

*-we are here to discuss the VB fee past due Apr 12, 2018*

*Mr. Yang: I encountered several issues that delayed the process; normally, it doesn't take that long; on the 23rd of last month, thieves broke in & broke windows & doors; & the tenant broke in & shut off the heat so the pipes burst & it took time to take care of that*

*-I'm here to ask for a little more time to complete the rehab*

*-hope to be done the end of Jun*

*Ms. Moermond: I'll grant a 90-day VB fee waiver; if you're done by mid-Jul, there'll be no fee; if you're not done, appeal the tax assessment*

\_\_\_\_\_  
*Waive the VB fee for 90 days.*

**Referred to the City Council due back on 5/23/2018**

- 34 [RLH VBR 18-20](#) Appeal of My Lam (for PIR Group LLC) to a Vacant Building Registration Renewal Notice at 103 ROBIE STREET WEST.

**Sponsors:** Noecker

*My Lam, PIR Group LLC, owner, appeared.*

*Supervisor Matt Dornfeld, Vacant Buildings:*

*-this was made a Category 2 Vacant Building Apr 14, 2017 by Inspector Mike Kalis; he documented that it was condemned by code enforcement for a water shut-off; peeling paint; some trash; Insp Kalis was in contact with the property owner, who I believe is the appellant on Apr 24, 2017; Insp Kalis agreed to upgrade this from a Cat 2 to a Cat 1 VB with the understanding that the property owner would pull permits & make the necessary repairs; the property owner upheld his end of the bargain; all permits are active but not finalized at this time; the second VB fee is coming due now; we gave the first VB fee a 60-day waiver & it went to assessment*

*Ms. Lam: I am the property manager for the PIR Group; my brother & I are PIR Group LLC; we bought this property Jul 1, 2017 so, whatever happened in Apr, 2017, I'm not sure of*

*-after we bought it, the people who had been living there kept showing up back at the property & we had to board up the windows; since then, a lot has happened; we replaced all the windows; soffit & fascia; roof; nearly done, we're finishing the basement; new plumbing, new HVAC, appliance package is coming in next week; we had to dig out the basement floor; it took a long time  
-we'll be done in 90 days*

*Ms. Moermond: will grant a 90-day VB fee waiver; if done, there'll be no fee; if not done; appeal the tax assessment*

*Waive the VB fee for 90 days.*

**Referred to the City Council due back on 5/23/2018**

- 35 [RLH VBR 18-22](#) Appeal of Chad VanVeldhuizen to a Vacant Building Registration Notice at 1570 STILLWATER AVENUE.

**Sponsors:** Bostrom

*Chad Van Veldhuizen, owner, appeared.*

*Ms. Moermond: notes that we already had an appeal on the Condemnation/Order to Vacate; the appeal was denied by me; there are a lot of complicating factors in this case but basically, the conditions existed & the house was not occupied; after that the VB file gets opened*

*Supervisor Matt Dornfeld, Vacant Buildings: on Apr 2, 2018, Inspector Tom Friel opened a Category 2 VB per Condemnation by Code Inspector Suon; Insp Friel documented that the house had a number of deficiencies: storms, screens defective or missing; minor foundation cracks; detached garage has open doors; some bags of rubbish or yard waste debris in back yard; he issued a Summary Abatement to correct the exterior violations; on Apr 11, 2018, Insp Friel documented that the bldg was now vacant & secure; the exterior property area was maintained; the property owner called & filed an appeal on the Cat 2 VB status*

*Mr. Van Veldhuizen: this is difficult & may be a little unusual because me wife had filed an OFP against me & I wasn't able to get into the house until Apr 30, 2018 to take care of these things; however, I have a very generous family, who've been able to go over there & take care of all of the abatement issues on the exterior; they also worked on some things on the inside (moving items away from the furnace/water heater in the basement); my wife had requested that we get some things for our 3 daughters; the family got things that they needed from their bedrooms & we arranged to have them brought to the girls*

*-we have another group of people coming in this coming Sat to take care of more of the Cat 2 issues; it seems like there's somebody there every day now to help take care of things; we have a dumpster across the street from our house that the neighbors are allowing us to use through the end of this week to help get rid of a lot of things from our basement*

*Ms. Moermond: from the photos, a lot of cleaning needed to happen; also, there seems to be a distinct need for an electrician to do some work; I don't have a good sense of what the plumbing situation is or furnace & water heater*

*Ms. Van Veldhuizen: all of that is working; I just got an Xcel Energy bill of \$600; I pd \$580 of that today; water & heat are working; my dad is coming this Sat to work on the bathroom fan; smoke/CO alarms are all in; everyone is doing their best without me being there; my attorney tells me not to go over there until Apr 30*

*Ms. Moermond: wondering if this is worth a walk thru by Mr. Singerhouse; if gross/unsanitary conditions have been addressed, I'd like to know what's left underneath; is this a Cat 1 or Cat 2?*

*-I'd like to see an electrical permit pulled/fan in bathroom may require a permit*

*Mr. Dornfeld: I'll set that up in this next week*

*Ms. Moermond: right now, you're a Cat 2 VB; we'll take a look to see if it can cross the line to a Cat 1*

*Mr. Dornfeld: in order to gain access, can I coordinate with you, Mr. Van Veldhuizen?*

*Mr. Van Veldhuizen: yes; my dad would be able to meet you there on Mon, Apr 23, 2018 at 10 am*

*Ms. Moermond: we'll meet back here next Tue, Apr 24, 2018 at 1:30 pm*

*Inspector will conduct inspection on Monday, April 23 @ 10 a.m. to determine what the status of the property is and a staff report will given on April 24.*

**Laid Over to the Legislative Hearings due back on 4/24/2018**

**36**     [RLH VBR 18-3](#)

Appeal of Danielle Sobaski to a Vacant Building Registration Requirement at 1124 MATILDA STREET. (Public hearing continued from April 18)

**Sponsors:**            Brendmoen

*No one appeared.*

*Marcia Moermond:*  
*-heard this back on March 27*

- went through the list and had of items for Matt to check out and she has not kept her appt with Mr. Dornfeld
- has learned in the interim from Mr. Dornfeld and also from Officer Quast was that the conditions inside has backslid considerably and that the gross unsanitary has been represented themselves and there hasn't been the progress we were hoping for in doing the repairs that are in the work plan.
- the concern is that she hasn't been in communication with Mr. Dornfeld
- we have talked explicitly about not having criminal activities at the property and a problem for the neighbors again
- there was another raid at the property again, found gun and drugs and two were arrested
- going to give her one last chance to have things checked out by Mr. Dornfeld & Mr. Magner
- an appt on the 1st with DSI inspectors
- anticipated that the property may be boarded or vacated
- in front of City Council May 2 with a staff report on May 1
- letter to Ms. Sobaski should be denial of the appeal on the VB registration requirement and changing recommendation to allow re-occupancy if she execute the work plan.

**Referred to the City Council due back on 4/18/2018**