



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, October 11, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 **RLH RR 16-42** Ordering the razing and removal of the structures at 759 COOK AVENUE EAST within ninety (90) days after the November 2, 2016, City Council Public Hearing.
- Sponsors: Bostrom
- Remove the building within 90 days.*
- Kris Kujala and Paul Scharf, Tax Forfeited Land, Ramsey County Property Records, appeared.*
- Inspector Steve Magner, Vacant Buildings:*
- The building is a one-and-one-half story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 4,792 square feet. According to our files, it has been a vacant building since May 21, 2014.
 - The current property owner is State of MN Trust Exempt per AMANDA and Ramsey County Property records.
 - On July 20, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on August 1, 2016 with a compliance date of August 31, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
 - Taxation has placed an estimated market value of \$10,000 on the land and \$30,000 on the building.
 - The property went tax forfeit on July 31, 2016.
 - The Vacant Building registration fees were paid by assessment on June 3, 2016.
 - As of October 7, 2016, a Code Compliance Inspection has not been done.
 - As of October 7, 2016, the \$5,000 performance deposit has not been posted.
 - There have been twenty-one (21) SUMMARY ABATEMENT NOTICES since 2014.
 - There have been twenty-four (24) WORK ORDERS issued for:
 - Garbage/rubbish
 - Boarding/securing
 - Grass/weeds
 - Snow/ice
 - Code Enforcement Officers estimate the cost to repair this structure is \$30,000 to \$50,000. The estimated cost to demolish is \$12,000 to \$15,000.
 - it entered the VB Program thru a C of O Revocation in May; there had been no

co-operation from the owner and utilities were shut off

Amy Spong, Heritage Preservation Commission (HPC):

- 1 1/2 story shotgun style house built in 1885*
- original owners/tenants were Frank & Juzsinski who immigrated from Poland in 1882-3 and 5 Minnesota born children; Frank was a carpenter in the stock yards*
- last time surveyed for any potential historic districts or sites was in 2011*
- was not recommended for further study and was not in any identified historic district, although, she is surprised because of the houses that are across the street from this; this is a pretty simple property but across the street there are some wonderful - a fairly consistent row of a few with faceted bays, and some unique architectural characteristics that seem to be still present*
- did not see any interior photos; only exterior; so, she can't speak to what may be still present inside of the house*
- not a potential for this to be an historic resource*
- demolition would likely, not have an adverse affect*
- mostly because of the context around it, she would encourage rehab*
- SHPO - not considered eligible for the national register*

Mr. Scharf:

- we had a chance to evaluate the interior and we are in alignment with the enforcement of demolition with a timeline of 90 days*

Ms. Kujala:

- she thinks that cutting it a little short of the county's timeline based on the number of new forfeitures that they just received*
- this property actually forfeited on Aug 2, 2016; all of them forfeited on Aug 2, 2016*
- the prior owner is deceased; doesn't know who the occupants were during that time but she knows that the delinquent staff had tried on numerous times to contact him in regards to payment of his taxes and all letters came back saying 'deceased.'*
- doesn't know who was living there during the time that were a lot of complaints*
- the interior is a disgusting mess; pretty sure that it was being used by vagrants or possibly, homeless*
- a whole that will have to happen on it before they actually do the demolition as far as the clean out; so, I don't think that 90 days will get us to the date that we can close our demo permit*

Ms. Moermond:

- but you will be able to pull your demo permit within 90 days*

Ms. Kujala:

- I am doubtful; it's the volume of other properties that have to come before this one; they've been scheduled and I really don't want to change that schedule*
- we have a lot of priorities this year*
- this year's batch is worse than last year's*

Ms. Moermond:

- if you could pull the demo permit and sign the contract with the demo contractor in place within XX days.... I don't want to go beyond 90; we've never gone beyond 90 days; if you've got things rolling at 90 days, we could go beyond that to finish things*
- you will probably need to contract someone to junk it out*

Ms. Kujala:

- that's a different hire from the demo contractor*

Ms. Moermond:

-yes, so that piece can be done sooner

Mr. Scharf:

-we can start with 90 days as our goal; and if we can't make it.....

Mr. Magner:

-can you have a contract within 90 days?

Ms. Kujala:

-we don't think so

Mr. Magner:

-we'd be OK with a signed contract - just submit it to our office; we'd probably be OK with that

Ms. Kujala:

-I understand; all I can do it work on it at your request

Ms. Moermond:

-will recommend remove in 90 days

-the Order would be signed by the Mayor on Nov 3, that puts you out to the beginning of Feb; then, within 45 days of Feb 2, the permit should be closed

Mr. Magner:

-of course, things happen in the meantime and we'd understand that too

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

2 RLH RR 16-43

Ordering the razing and removal of the structures at 896 COTTAGE AVENUE EAST within fifteen (15) days after the November 2, 2016, City Council Public Hearing.

Sponsors: Bostrom

No one appeared.

Inspector Steve Magner, Vacant Buildings:

-The building is a two-story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 5,227 square feet. According to our files, it has been a vacant building since February 1, 2016.

-The current property owner is Robert J. Jensen (deceased) per AMANDA and Ramsey County Property records. (The occupant was one of his children; this has never been probated)

-On August 4, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on August 11, 2016 with a compliance date of September 9, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$12,300 on the land and \$77,700 on the building.

-Real estate taxes for 2014 and 2015 are delinquent in the amount of \$3,640.32.

Taxes for the first and second half of 2016 are due in the amount of \$2,425.28.

Property is scheduled for tax forfeiture July 2018.

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

-A Code Compliance Inspection was done on May 3, 2016.

-As of October 7, 2016, the \$5,000 performance deposit has not been posted.

-A Summary Abatement Order was issued on August 3, 2016 to cut tall grass &

weeds which resulted in a Work Order issued to Parks on August 11, 2016. SPPD issued emergency orders to board/secure the building three (3) separate times since January 2016. The city has also had to contract to board/secure the building six (6) times during 2016.

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

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

-one other thing to note for the record is after Robert Jensen died, one of his sons, Steven Jensen was occupying the property; he's also retired and allegedly, on a fixed income; so, we believe that he was supplementing his income by allowing other individuals to stay/operate out of the house, which created quite a bit of turmoil for the neighborhood because they had vehicles coming at all hours of the day & night to receive services; ultimately, this was brought to out attention by SPPD FORCE Unit; they had executed a number of warrants at the property and determined that there was illegal occupancy in the basement, which is not set up for sleeping; and that they had taken this single family residence and crafted it into a duplex with a unit upstairs and a unit downstairs; we got a warrant and went out to the property to execute the warrant; we go in and did a thorough investigation and Condemned it

Ms. Moermond:

-you didn't take pictures

-are there any Condemnation pictures out there?

Mr. Magner:

-they might be on someone's; will get them into the file

-the boardings started because the real genesis of the situation was that there was an altercation between some of the occupants in the house that rolled out into the yard and SPPD was called; some windows & some doors had been broken; we went back to try to deal with the issues and we ultimately, had to do emergency boarding on the house because no one was there; Mr. Jensen had left the property

-Steven Jensen has at least one other sibling, whom we've contacted a number of times....we wanted to see if he was going to fix it up because at one point, he did; I think that's how the Code Compliance Insp got done; but since then, he doesn't want anything to do with it

-SPPD know where Steven Jensen is; they see him at certain establishments from time to time when they are performing other duties

-he never pulled a bldg permit or post a Performance Deposit

-a mechanical permit was pulled in 2006 - the last time we've seen a permit pulled

Amy Spong, Heritage Preservation Commission (HPC):

-original owner occupants were Oscar & Tilly Peterson; an American 2-story stucco 4-square built in 1920 with 3 over 1 double hung windows (have been replaced)

-rear 2nd story deck (alteration)

-Oscar was a city fireman; he & Tilly immigrated from Sweden in 1886; they had 6 children

-no Sanborn Ins map for this area of St. Paul

-last historic site survey: 1983

-SHPO - not considered eligible for the national register

-demolition will not have an adverse effect

Mr. Magner:

-will ask Ms. Sheffer to take the photo documents from the Jan 28, 2016 inspection and put them into AMANDA; there are 4 groups of photos that clearly illustrate what

was going on

Ms. Moermond:

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

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

11:00 a.m. Hearings

Summary Abatement Orders

- 3 [RLH SAO 16-38](#) Appeal of Therese Markert to a Summary Abatement Order at 1471 LAFOND AVENUE.

Sponsors: Stark

Issue abated; appeal withdrawn.

Withdrawn

Correction Orders

- 4 **RLH CO 16-37** Appeal of Jeff & Adrienne Olson to a Correction Notice at 681 LAWSON AVENUE EAST.

Sponsors: Bostrom

Adrienne Olson, Owner, appeared.

Inspector Lisa Martin:

-Sep 22, 2016 Orders were issued to replace the wood retaining wall on the west side of the property that has failed; repair/replace under permit

-we asked Sr. Bldg Insp Mike Palm to evaluate the structure; he reported that the retaining wall is stable; he does not think that it will fall over

-unfortunately, the Olsons purchased this property recently and was just looking for more time to comply; perhaps next year and we think that's reasonable

Ms. Moermond:

-all viewed the photos; Ms. Olson explained

-the wall is very tall (18 feet, at least)

Ms. Olson:

-there's much more to do than replacing the retaining wall; the ground is pushing it out-needs some excavation

-got a bid: \$15,000 - \$20,000

-the inspector that we had out before we purchased this property did say that this would be a problem and maybe 5 years down the line, we'd have to do something; then, we got this in the mail about a month later

Ms. Moermond:

-I understand; will ask the City Council to grant until Sep 1, 2017 to repair/replace the retaining wall

-suggested contacting local community agencies and other funding sources: ESND and NENDC

-if, however, the wall breaks & fails, the city will send out an inspector to see what we need to do; that's if an emergency happens

Ms. Olson:

-the severity of the issue was not disclosed by the realtors; there was an estate; the neighbor said that she had been complaining about it for 5 years already; had we known about this and the complaints, it possibly would have changed our minds about purchasing the property if we had known that we would have to deal with is so soon

Ms. Moermond:

-the purpose of having a TISH is to catch all these things

Ms. Mai Vang:

-read a complaint about the wall that came in 2012

Ms. Olson:

-when I was out there with Mike Palm, the neighbor also came out and she said that they just put in a few extra posts and the city approved it as being OK but it's obviously, not OK; it didn't fix the problem

Ms. Moermond:

-checking the record, there were Orders issued a couple of times and repairs were made but it continued to deteriorate

Grant an extension to September 1, 2017 to repair or replace the retaining wall.

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

2:30 p.m. Hearings

Vacant Building Registrations

- 5 RLH VBR 16-65** Appeal of Kong Lee to a Vacant Building Registration Notice at 1049 HAGUE AVENUE.

Sponsors: Thao

Kong Lee and Hong Kong Vang, KLM Ventures LLC, owner, appeared.

Fire Inspector Leanna Shaff:

*-Fire Certificate of Occupancy Revocation issued by Inspector Robert Corey
-Aug 12, 2016 - we were notified of a water shut off
-on Sep 16, Insp Corey went out; the Water Dept said it was ready for the water to be turned back on except that one of the people working on the house said that they could not have the water turned back on yet (plumbing work going on); he noted that the siding was off the house-no permit
-with no one living & the water turned off, it would be an automatic Condemnation and turned over to the Vacant Building Program*

Inspector Matt Dornfeld, Vacant Buildings:

*-we opened a Category 2 Vacant Building file per Fire Inspection's referral
-Inspector Kalis documented Sep 19, 2016 that the house was vacant; siding was off; a building permit was pulled on Sep 16, 2016, which is probably an immediate reaction to the Fire's enforcement*

-Mr. Kalis went back out Oct 4, 2016 and documented that there were workers on site and that the house was open to trespass due to the workers being there; property area was maintained

Mr. Kong Vang:

-Marilyn Neeland had been living there with her 4 grandkids; she was going through foreclosure and we bought it from her to invest; she left about 1 1/2 weeks after we closed on the house

-we got a call that the water had been turned off because the previous bill hadn't been paid; so, before we could turn it back on, we had to pay the bill

Ms. Moermond:

-water shut off will also get you Condemned/Ordered Vacated

Mr. Kong Vang:

-yes, the water is on now; the Fire inspector called me on Thu, 15th and we had some miscommunication because our contractor was supposed to pull the permit that Thu but for some reason, he couldn't get it pulled but the workers were already taking the siding off on Thu (I think the inspector came out Thu not Fri); when he called, he asked me what we planned to do with the house and we told him that we were going to do some minor updating exterior wise but inside, we weren't doing anything; he spoke to one of the workers who had said that the water wasn't turned on when the water was, actually, on; we weren't using the water because we're having a guy sand the hardwood floor in the house, so one of the water boilers had to be disconnected and that's the only reason why we didn't turn the water on but it is actually on at the city; so I think the inspector talked to someone who was working there, who didn't know what he was saying; there was no plumbing issue

-we only painted; sanded hardwood floors and had a contracting company pull a permit on Fri, which was supposed to be pulled on Thu

-everything just happened to come into play that same Thu & Fri

-so, now, we're dealing with all of this

-we should not be tagged with a Cat 2 VB house because the house is actually in good condition; once the exterior is done.... inspector came today and said the siding was good to go with just a couple of minor things that the contractor needed to do; he took pictures and was going to sign off on the bldg permit

-we are trying to follow all of the rules

Ms. Moermond:

-the city always is concerned with a water shut off

Mr. Lee:

-when I talked to the appeal line, they didn't mention anything about the water at all; the water was turned off just because the bill hadn't been paid; we learned that in closing but we had no use for it because we weren't using the water plus, we asked them to come and turn it on but when they came out, no one was there; so, we had to call them again to have them come a second time

Mr. Kong Vang:

-we can get records of that, too, from Water

Ms. Moermond:

-I want to give you the benefit of the doubt

-want to have Mr. Seeger go out and do a "Seeger only" inspection (just building) and get his feedback; if you lose the appeal, you'll need to get a full Code Compliance Inspection

-the building only inspection will be cheaper for you

-will recommend granting a 90-day VB fee waiver
 -go to DSI and apply for the building "Seeger only" inspection and have the lock box there ready to go so he can take a look when his schedule permits; he will put together a list of things that need to be done if he thinks that there are things that need to be done
 -if after 90 days, things haven't been finished, then, Mr. Dornfeld will have his staff process the Registered VB fee as a potential tax assessment; that tax assessment is appealable, as well; if you can finish up those repairs within 6 months, she will charge you for only half the year instead of the whole year

Waive the VB fee for 90 days and allow permits. Owners will need to get a "Seeger only" inspection.

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

6 RLH VBR 16-66 Appeal of Adam Seubert to a Vacant Building Registration Requirement at 1268 SELBY AVENUE.

Sponsors: Thao

Adam Seubert, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

-a Category 2 Vacant Building was opened Sep 25, 2015 per a referral from Code Enforcement

-there's a new property owner; it was purchased without Sale Review approval; so, I do not have a date for the sale, nor does Ramsey County; house was purchased from HUD

-a Code Compliance Inspection Report is on file; was performed in Jun 2016

-currently, there are no permits on file

-property area has been maintained

-the VB fee is past due as of Sep 25, 2016

Mr. Seubert:

-I am the owner-occupant; just me;

-I work a full time job; so, every day after work, I work on the house; there's plenty to do that doesn't require a permit

-I've gotten all the old stuff out; getting all the mold out

-now, I've been able to get time off from work to pull the permits; it's already been really fun with HUD

-I've been talking with Reed

Ms. Moermond:

-you are ready to start the construction activity

Mr. Seubert:

-I can start working on the deficiency list

-I'm going to pay the VB fee

-getting estimates; proof of funds;

-I have all that done; it must be submitted as one

-the VB fee is the last thing that needs to be paid before I can get approval to pull the permits

-I intend to occupy this house within the next 2 months

-I've been in contact with contractors and learning that this is their busiest time for boilers, fittings, etc....

Mr. Dornfeld:

-I strongly recommend 90-120 days VB fee waiver, if possible

Ms. Moermond:

-I am headed toward granting a waiver

-it sounds as though you are ready to handle this financially

-Matt can have the waiver in the system tomorrow morning

-will recommend a 90-day waiver and if you find that you can't get it done....

Mr. Dornfeld:

-we are running into Thanksgiving, Christmas, New Year's.... people are going to be on vacation, etc; strongly suggested granting a 120-day waiver

-call Reid Soley

Ms. Moermond:

-will recommend granting a 120 day VB fee waiver

Waive the VB fee for 120 days and allow permits.

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