



# 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*  
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*651-266-8585*

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Tuesday, November 25, 2014

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Remove/Repair Orders

- 1 [RLH RR 14-15](#) Ordering the razing and removal of the structures at 1164 MINNEHAHA AVENUE WEST within fifteen (15) days after the August 20, 2014, City Council Public Hearing. (Public hearing continued from August 20, September 17 and December 3, 2014) (To be referred back to Legislative Hearing on January 27, 2015 and City Council Public Hearing on February 18, 2015)

**Sponsors:** Stark

*To be referred back to Legislative Hearing on January 6, 2015 and City Council Public Hearing on February 18, 2015. (NOTE: correcting January 6 to January 13.)*

*Inspector Steve Magner, Vacant Buildings:*

- read the Sep 17, 2014 letter written by Mai Vang after the last LH (attached)*
- was referred back to Dec 3, 2014 CCPH*

*Ms. Moermond:*

- Mr. Erlie, realtor, representing Freddie Mac did not appear*
- will send him a letter indicating that it is the responsibility of his firm and the seller to disclose to the purchaser the existing Order to Remove the building*

*Mr. Magner:*

- would prefer to lay this matter over to get some commentary*

*Ms. Moermond:*

- will lay this over for 60 days*
- she and Mr. Magner will make an appointment with counsel to discuss this matter*
- coming back to LH Jan 27, 2015 and City Council Feb 18, 2015*

**Referred to the City Council due back on 12/3/2014**

- 2 [RLH RR 14-12](#) Ordering the razing and removal of the structures at 391 VIEW STREET within fifteen (15) days after the July 23, 2014, City Council Public Hearing. (Public hearing continued from July 23)

**Sponsors:** Thune

*Sean Divine, President, Ft. Road Federation, appeared.*  
*Betty Moran, Executive Director, Ft. Road Federation, appeared.*  
*Vicki Christense, neighbor, appeared.*

*Inspector Steve Magner, Vacant Buildings read the original LH Summary from Jun 24, 2014:*

- 1 1/2 story wood frame single-family dwelling with a detached 1-stall garage on a lot of 4,792 sq.ft.*
- been vacant since Mar 8, 2013*
- current property owner is listed as Joseph G. Schwartz (deceased) per Ramsey County records*
- Apr 16, 2014, inspection was conducted and a list of deficiencies which constitute a nuisance condition was developed; photos taken*
- Order to Abate a Nuisance Building posted Apr 22, 2014; compliance date May 22, 2014*
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code*
- estimated market value: \$20,400 on the land; \$111,100 on the building*
- real estate taxes are delinquent for 2011, 2012 and 2013 in the amount of \$7,515.64, including penalty and interest. Taxes for the first half of 2014 have not been paid. (Property is scheduled for tax forfeiture July 2017.)*
- Vacant Building registration fees were paid by assessment on Sep 30, 2013*
- as of Jun 23, 2014, a Code Compliance Inspection has not been done; \$5,000 Performance Deposit has not been posted*
- there has been 1 Summary Abatement Notice since 2013; and 2 Work Orders issued for:*
  - garbage/rubbish*
  - boarding/securing*
  - tall grass/weeds*
- Code Enforcement officers estimate the cost to repair to exceed \$50,000; estimated cost to demolish between \$10,000 and \$12,000*
- at that time, no one showed up and the 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*
- subsequently, it's gone to City Council and has been laid over*

*Amy Spong, Heritage Preservation Commission (HPC):*

- 1 1/2 story brick house built in 1913*
- original owner was Frank Meisetchledger*
- builder noted on index card: Jay Laurer (suspects that it's the Laurer family who built a lot of masonry structures in this neighborhood: Laurer Flats, which is designated as a national and local landmark)*
- has a front gabled roof with eave retrirings*
- either stone or concrete sills on the windows*
- have been some alterations over the years: front porch has been enclosed; there's a small rear addition; has non-original windows*
- brick structures have more permanency*
- house is 3rd in from the corner; another brick house on the corner of this block face*
- whole entire block face is very contiguous; all built from the 19 teens onward; there's no in-fill*
- Palace Rec Center is right across the street and the big city park; there's going to be some major investment in the Palace Rec Center coming up through Parks*
- this area has not been surveyed recently for any historic district potential*
- no current survey information*
- last surveyed in 1983; this building was not identified at that time for being eligible*

*for historic designation*

- so, there is no potential for historic designation likely for this building or blockface
- she strongly encourages rehab, given its brick nature and that the block face is very consistent in its architecture, providing a nice face to the park across the street but it does not have potential as an historic resource
- some photos show that some soffits and roof edges have failed and are open - not protected from weather; it appears that the windows have stone sills; there are some higher quality materials; wood is in rough shape (from photos)
- has concern about possible water damage (soffit photos)

*Ms. Moran:*

- Ft. Road Federation would very much like to see this house saved
- would like to have a Code Compliance Inspection done on it
- photo shows a caved-in bathroom floor
- they are interested in purchasing it
- the Federation did not have a board meeting in Nov; will discuss it in Dec

*Ms. Christense:*

- lives a couple blocks away
- the neighbors have kept the snow cleared, mowed the lawn, trimmed bushes, picked up; kept it so that it looks good
- has spoken with Joseph, next door; he gave her a laundry list of what needs to be done: roof needs work-new shingles; cleaning birds out of the attic; insulating; painting; bathroom work; take off awnings; (\$40,000-\$50,000+)
- electrical has covering; didn't close up the walls
- believes in using licensed contractors
- it needs everything you think it needs and more
- has nice woodwork and brickwork
- it is an historic looking building; is 101 years old and is part of the historic fabric of the neighborhood
- the Schwartz sons are no longer involved
- asked if it could be reclassified as a Category 2 VB instead of a Cat 3

*Ms. Moermond:*

- No; there's no going back; we can only go forward
- asked Mr. Magner about available options moving forward

*Mr. Magner:*

- the building has been inspected and an Order to Abate Nuisance Building has been issued and they've changed the Category; definition of a Cat 3 is that it has been declared a nuisance and it has; at this point, there is no going backwards but there may be different avenues to be approached
- encouraged them to see other avenues instead of focusing on whether it's a Cat 2 or Cat 3
- the big issue here is: How would one obtain title to it?
- if the CDC wants to acquire this property and renovate it or sell it, they can do that as a partner with HRA

*Ms. Moermond:*

- the problem with obtaining title is that no family is stepping forward here; so, the way to clear title at this juncture is through forfeiture; there are options at that point

*Mr. Devine:*

- has 7 properties; they just rehabbed the house on the corner, 359 View St which was a Cat 2 VB; it's now a rental property
- they just obtained 363 View St from Lutheran Social Services and are in the

process of cleaning it out; it will go through minor rehab and be rented  
- is here more as a back stop  
- is President of the District Council Board  
- has no hidden agenda; if he personally obtained the property, he would mostly, rehab to sell for profit

Ms. Moermond:

- for the record, Ft. Road Federation is singular in that it is a combined District Council and CDC  
- re Code: the Bostrom Ordinance would not allow for the transfer of property until the nuisance condition has been abated, which means you can't sell it as is; it has to be fixed or it has to be demoed

Mr. Magner:

- that applies to the "general public" but the HRA or a partner of the HRA could acquire the property  
- we are missing a party - a person in control of the real property, which lends itself to an issue  
- could explore another option: to seek information from the city's counsel, City Attorney's Office, to see if the city could petition the court for a shortened redemption period and accelerate forfeiture

Ms. Moermond:

- the basis for that petition would be that it is a Vacant Nuisance Structure and taxes haven't been paid for a long period of time; after the court has made it's decision, the county becomes the owner of the property; it's tax exempt state property and the county manages it  
- because you are a CDC that works with the HRA makes it possible for you to buy properties where a private individual could not (you are the only potential buyer in the room); you could contract with someone, do an RFP for a developer to come in and rehab the project  
- the big question is how to get it from the county to you

Mr. Magner:

- the county has some options after they get it: 1) they could put it into their 4R Program and either rehab it or remove it; or 2) they could just liquidate it through a sale (auction or they could sell it back to the HRA); then, the HRA could decide what to do with it  
- there are pathways but ....

Ms. Moermond:

- there is also the question about whether or not there needs to be stabilization between here and there given the condition of the roof

Ms. Spong:

- and possibly abatement --- if there's birds in the attic

Ms. Moermond:

- it's possible the that DSI could get an administrative search warrant to do a code compliance inspection; will seek counsel on that

Mr. Magner:

- anything can be saved  
- what first needs to happen here is that a code compliance inspection needs to be performed to see whether or not we want to accelerate the redemption period  
- if requested to do that by City Council, we'd need to investigate it

- the city does have the capacity to do it but it that where we are going to designate resources?
- normally, they would complete the code compliance inspection after and owner has requested and paid for it; in this case, we would be doing it without the owner's direct consent and without payment; that internal process needs to be figured out
- questions: 1) how do we get in? 2) do we do the code compl? 3) what is the extent of the repairs needed? 4) is there an immediate action required to further stabilize? 5) then, figures need to be applied to the code compliance inspection report - how much will the rehab cost?
- we don't know where any of these Schwartz people are

Ms. Christense:

- knew something about where the Schwartz children were (Ms. Moran: but they don't want anything to do with it)

Mr. Magner:

- the property has never been probated (Ms. Moran: the children are not willing to do that)
- doesn't have a contact at the bank
- no one is making payments on the 30 yr mortgage of \$76,000

Ms. Moermond:

- Council laid this over for a few months back in Jul
- she and Mr. Magner need to discuss this with the appropriate staff and City Attorney's Office to figure this out (code compliance and expedited forfeiture)
- then, is the county willing to do the rehab or something else?
- City Council Public Hearing Jan 7, 2015
- will lay this over to Dec 23, 2014 LH

**Laid Over to the Legislative Hearings due back on 12/23/2014**

- 3 [RLH RR 14-21](#) Ordering the rehabilitation or razing and removal of the structures at 1210 ALBEMARLE STREET within fifteen (15) days after the December 17, 2014, City Council Public Hearing.

**Sponsors:** Brendmoen

*Appeal has been withdrawn by DSI; The demolition has been done by owner.*

**Withdrawn**

- 4 [RLH RR 14-22](#) Ordering the razing and removal of the structures at 522 LAWSON AVENUE EAST within fifteen (15) days after the December 17, 2014, City Council Public Hearing.

**Sponsors:** Brendmoen

*Inspector Steve Magner, Vacant Buildings:*

- The building is a one-story wood frame single-family dwelling on a lot of 8,276 square feet. According to our files, it has been a vacant building since August 30, 2012.
- The current property owner is listed as Koua Lee and Maykub Vang per AMANDA and Ramsey County Property records.
- On September 10, 2014, 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

September 22, 2014 with a compliance date of October 22, 2014. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$15,500 on the land and \$14,500 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees were paid by check on August 28, 2014.

-As of November 24, 2014, a Code Compliance Inspection has not been done.

-As of November 24, 2014, the \$5,000 performance deposit has not been posted.

-There have been eleven (11) SUMMARY ABATEMENT NOTICES since 2012.

-There have been twelve (12) WORK ORDERS issued for:

- Garbage/rubbish
- Boarding/securing
- Tall grass/weeds
- Snow/ice

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

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

Amy Spong, Heritage Preservation Commission (HPC):

- 1937 one-story wood frame workers cottage
- was moved from 2419 Thompson in 1970; foundation is circa 1970
- addition on east elevation; odd how it was set on the lot
- in Payne-Phalen neighborhood; not part of boundary in 2011 survey
- not a lot of available history
- there's a moving permit number on index card
- based on the information she has, demolition would not have an adverse affect
- there are early window patterns: 3 over 1 (could be earlier than 1937)

Ms. Moermond:

- looks like it's been completely abandoned
  - looks like the wiring got pulled
  - will recommend removal with no option for rehabilitation
- No one appeared; remove the building within 15 days with no option for repair.

**Referred to the City Council due back on 12/17/2014**

**5**      [RLH RR 14-23](#)

Ordering the razing and removal of the structures at 1179 SEMINARY AVENUE within fifteen (15) days after the December 17, 2014, City Council Public Hearing.

**Sponsors:**      Stark

Teresa Seller, tax owner; William Howell, friend; and Christopher Conn, neighbor, appeared.

Ms. Seller:

- has no idea who the owner is; cannot find the deed anywhere

Inspector Steve Magner, Vacant Buildings:

- The building is a one-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 August 11, 2014.
- The current property owner is listed as Adolph Martignacco (deceased) Teresa B.

*Seller (tax owner) per AMANDA and Ramsey County Property records.*

*-On September 18, 2014, 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 September 23, 2014 with a compliance date of October 8, 2014. 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 \$26,000 on the land and \$84,700 on the building.*

*-Real estate taxes are current.*

*-The Vacant Building registration fees were paid by assessment on September 30, 2014.*

*-As of November 24, 2014, a Code Compliance Inspection has not been done.*

*-As of November 24, 2014, the \$5,000 performance deposit has not been posted.*

*-There have been four (4) SUMMARY ABATEMENT NOTICES since 2014.*

*-There have been six (6) WORK ORDERS issued for:*

- Garbage/rubbish; including cleaning out the structure*
- Boarding/securing; completely*
- Tall grass/weeds*
- Disconnected sewer line*

*- Property had an extreme rodent infestation; city has abated the rodents at its own expense*

*-Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish is \$10,000 to \$15,000.*

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

*Amy Spong, Heritage Preservation Commission (HPC):*

*- 1 story cottage built in 1920; original owner on permit: Thomas H. Ivey*

*- no builder/architect noted on index card*

*- windows have been changed*

*- was not identified in the 1983 survey nor was the area chosen for any further survey work*

*- last survey in 2011, this area was not located in the boundaries*

*- it's not been identified for any historical designation nor has the neighborhood*

*- no potential for an historic resource*

*- both sides of the block appear to be from the same period of construction and development, early to mid 1900's*

*- the last house before you get to a ball field/tennis court*

*- photos are from Sep 24, 2014*

*- if demolition happened, there would be no adverse affect on the historic character of this neighborhood*

*Ms. Seller:*

*- was purchasing this on Contract for Deed from Mr. Martignacco (deceased)*

*- she tried to sell the house; entered a document from her realtor, who checked out the property; she has a Purchase Agreement with him, however, the deed was never provided to her*

*- after Mr. Martignacco passed away, his son asked her to pay off \$15,000, which she did, however, he would never sign-off on the deed; she came down here; he had lived in Arizona and has passed away; then, his mother became the heir and she passed away*

*- her realtor said that then the heir, was the son's half brother, who lives in*

*Washington state; he says that he wants more money, so, she really doesn't own the*

*property*

- *she wants to just get rid of the house; her mother passed away; she spent this past year with her mom; came back only to pick up her mail*
- *she moved out of the house, basically, the beginning of 2014*

*Mr. Howell:*

- *she went through HomeVestors; they did a nationwide search*
- *do not know who the owner is*
- *he can't purchase the property without a deed*
- *the son would not give up his Social Security number*

*Ms. Seller:*

- *since 2010, she was doing a lot of caretaking for her mother*
- *her realtor was so willing to buy the house; he searched for the owner but couldn't find anything*
- *she has no use for the property; is more than happy to give the property to the city/county*
- *2014 taxes have been paid*

*Mr. Magner:*

- *if the city doesn't take the building and if Ms. Moermond recommends moving forward with the recommendation for removal, the City Council would vote to remove the structure; the city would hire a contractor to remove the building and make it a vacant lot; then, if you stop paying the taxes, then in about 3 years it will go to the county as a vacant lot*
- *if your plan is to abandon the property, it's as simple as stop paying the taxes*

*Mr. Conn:*

- *has been in the neighborhood for 2 years*
- *his interest and the interest of the other neighbors is that something gets done with this house; it's a nuisance*
- *they've had to deal with rats; it was a nightmare for the last 6-7 months*
- *the city spent a lot of money on a new park that's built behind it and daycares stopped going to the park this summer because of the rodents*
- *there's a lot of interest in having the property taken down*

*Ms. Moermond:*

- *at the City Council Public Hearing Dec 17, 2014, she will ask them to Order the building removed within 5 days with no option for rehabilitation*
- *Owner did not appear; remove the building within 5 days with no option for repair.*

**Referred to the City Council due back on 12/17/2014**

- 6 RLH OA 14-31** Making recommendation to Ramsey County on the application of Fred T. Vanderbeek for repurchase of tax forfeited property at 474 CURTICE STEET EAST.

**Sponsors:** Thune

*No one appeared.*

*Ms. Moermond:*

- *will lay this over for 2 weeks to Dec 9 LH*
- *have scheduled a meeting with county staff on Mon Dec 8; Steve Magner should attend*

**Laid Over to the Legislative Hearings due back on 12/9/2014**



- 7 [RLH OA 14-32](#) Making recommendation to Ramsey County on the application of William M. Kronschnabel of Kueppers, Kronschnabel & Daly, P.A., on behalf of Michelle Rae Wilson, for repurchase of tax forfeited property at 690 IGLEHART AVENUE.

**Sponsors:** Thao

*Inspector Steve Magner, Vacant Buildings:*

- Repurchase
- interesting application for this
- this is a Category 2 Vacant Building, so if there's a Repurchase, we'd also need to see that there were some proceeds available for the rehabilitation because the applicant can't just move right back in given the situation
- city has been doing the maintenance; there's an extensive code enforcement involvement that goes back to 2010
- on the surface, he can't see recommending this as a good candidate for repurchase
- interaction with the SPPD
- DSI recommends not to allow repurchase at this time

*Ms. Moermond:*

- she tends to agree; it hasn't been a great neighbor in the past
  - the owner is at Shakopee
  - the caretaker hasn't been caretaking
  - doesn't see that the property could be successfully rented
  - will recommend against Repurchase
- Deny the repurchase of the property.

**Referred to the City Council due back on 12/17/2014**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 8 [RLH SAO 14-44](#) Appeal of Daniel Veesenmeyer to a Summary and Vehicle Abatement Order at 171 GRANITE STREET.

**Sponsors:** Brendmoen

*Daniel Veesenmeyer, occupant, appeared.*

*Inspector Paula Seeley:*

- DSI received a complaint Oct 29, 2014 re: unlicensed commercial trailers illegally parked; entire yard full of improper storage: appliances, scrap metal, cabinet doors, exercise equipment, rugs, buckets, tires, porch full of rubbish, scrapping
- Summary Abatement Order issued Oct 29, 2014; compliance Nov 5
- sent to Richard D. Berget, 34641 Lang Ave, North Branch, MN; Daniel Veesenmeyer, 818 Buffalo St, St. Paul; and Occupant
- also sent a Vehicle Abatement Order Oct 29, 2014 on 5 vehicles that need to be removed
- residential Certificate of Occupancy property
- Inspector Neis was out there today with a Ramsey County Environmental Inspector for burning tires and burying them
- Mr. Veesenmeyer has 14 days to pull permits for all the rehab work or the C of O will be Revoked and Condemned

- she is dealing with the outside; Mr. Neis is dealing with the inside
- went out and took photos yesterday; still a lot of stuff out there
- zoned RT-1; neighbors aren't happy

Mr. Veesenmeyer:

- he just needs more time to get stuff cleaned up
- he hauled away all the scrap metal, wood and cabinets
- he got arrested in Feb 2014 and spent most of the summer in jail; that's why he didn't get things put away
- the deck is cleaned-off and the appliances are gone, along with buckets and concrete
- the porch is cleaned up
- still has a trailer there; he'd like to leave it there until he has the garage built
- he needs a garage
- he and his dad collected antique garden tools; they always had a big garden
- gotten rid of most of the rubble; took out a whole trailer full
- Richard Berget is like a 2nd dad to him; he bought the note on the house for him but he is working to get it back; has been working for him for the past 2 months
- is trying to straighten out his life; has been sober since May
- tore the kitchen apart; he needs a permit
- the listed address is his mom's house on Buffalo; they've been there for 40 years
- in the back is an unapproved alley; behind that is commercial property
- he needs the trucks for his business
- the only time he can work on the yard is on the weekends

Ms. Moermond:

- the photos from yesterday show a lot of stuff still in the yard
- 5 vehicles are listed

Mr. Veesenmeyer:

- needs more time; he had a funeral last week
- he needs the trailer to get rid of more items

Ms. Moermond:

- we are a month from when the Order was originally written
- all the appliances are gone; the scrapping stuff is gone; trailer full of scrap is gone
- deadline Fri Dec 19, 2014
- can come to the City Council Public Hearing Dec 17 if you object
- all the vehicles have to go

Grant until December 19, 2014 to address the exterior nuisance conditions per Summary Abatement Order dated October 29, 2014.

**Referred to the City Council due back on 12/17/2014**

## Other

### 9 [RLH OA 14-33](#) Appeal of Benjamin Murphy to an Enforcement Notice at 996 IVY AVENUE EAST.

**Sponsors:** Bostrom

*Benjamin Murphy, owner and Byron Moyle, B&A Builders appeared.*

*Inspector Paula Seeley:*

- Nov 6, 2014, complaint came in about a large commercial semi trailer was in the driveway of this address

- went out; sent the Zoning Enforcement Notice because the commercial vehicle falls under Chap 45
- they are doing rehab work inside the house and are using the trailer for furniture and rehab materials

Mr. Murphy:

- they store furniture and rehab materials inside the trailer
- is requesting 90 days extension
- they have building permits; the blue prints are at planning review for the addition
- before having the trailer delivered, he called the city and spoke with someone name Sheri on Oct 30; he explained the situation and asked if he could have this large storage trailer in his driveway; she told him that he could have it there; he thought he called the permit dept, 266-8989

Ms. Moermond:

- it sounds like the general complaint line transferred it to City Clerk's Office
- while you have an appeal filed, there will not be enforcement; when the appeal is resolved, enforcement can happen

Mr. Murphy:

- it's been there since Nov 4, 2014
- he also spoke with the neighbors on both sides of the house and neither had a problem with it being there; the neighbor closest to him said that he was willing to write a letter to say that it didn't bother him

Ms. Moermond:

- asked what all is being torn up in the house

Mr. Murphy:

- he's getting a new kitchen
- having all the floors refinished
- all the walls are being skin coated so there's sheet rock dust everywhere
- he has 2 little girls so he could not live fully in the house with all the furniture and tools around
- they are trying to get through it as quickly as possible

Mr. Moyle:

- 90 days is the worst case scenario; likely 60 days
- they have a lot do - are working on it right now; it could be done in 45 days; it all depends on the availability of the building inspectors and what they have to say
- they can't do anything with the furniture back in the house
- hardwood floors need to be sanded and refinished; all the plaster walls skin coated; electrical - pulling plaster and lathe; don't want to be breathing in that dust nor have the furniture collect all that dust
- it'll take about a week to build the dormers; then, there's finish work

Mr. Murphy:

- it usually takes longer than anticipated

Ms. Moermond:

- will recommend a deadline of Jan 1, 2015 to have the trailer in the driveway; it's not acceptable
- Grant until January 1, 2015 to have the commercial semi trailer in the driveway. After the deadline, owner must remove the trailer.

**Referred to the City Council due back on 12/17/2014**

## Correction Orders

- 10 [RLH CO 14-18](#) Appeal of Jon E. Paulson for LeeAnn M. Warner to a Correction Notice at 556 YORK AVENUE.

**Sponsors:** Brendmoen

*Lee Ann Warner, owner and Jon E. Paulson, Attorney appeared.*

*Inspector Paula Seeley:*

- received a complaint Nov 5, 2014 re a car parked on an unapproved surface/driveway not being maintained; it's grass and people are parking on it
- she went out; there's a little bit of gravel; mainly there's grass
- photos
- in order to satisfy the site plan, a driveway needs to be 9 x 18 and she was concerned about the width of the area because it needs to be 4 feet off the neighbor's property line; it measured 15 feet, so, she would be good on that to put down concrete, asphalt or approved pavers
- she wanted to check to see if this neighbor had a permit for that fence; did he have a survey done? Did he get permits?

*Ms. Warner:*

- he did get a permit
- she had a permit for her fence; he tore her fence down and put up his fence; his permit was finalized
- 550 York is his address
- moved in 1979
- her father put in Class 5
- she was going to put down weed and grass killer

*Ms. Seeley:*

- pretty sure she can put in a site plan and wait until spring to put in the driveway
- 10 years ago the Ordinance changed on driveways

*Mr. Paulson:*

- they would like to continue with Class 5
- the property line also has to be figured out
- other option would be to provide more time, maybe until Jul 1, 2015 to get it done properly

*Ms. Moermond:*

- usually, when these get written, it's because the gravel has degraded considerably, which could have happened over the period of 11 years

*Ms. Seeley:*

- the other issue is that you will probably get another Order to put on current tabs

*Ms. Warner:*

- she has the tabs; just hasn't put them on yet
- the vehicle is operable

*Ms. Moermond:*

- Class 5 would be OK; crushed asphalt would be better because Class 5 will break down; it's supposed to be a durable, dustless surface so that plants won't grow; parking pavers will also work and are cheaper

- need to get a site plan approved for where the driveway is going to be
- get those tabs on the vehicle

Ms. Warner:

- they do have wood around the parking area

Ms. Moermond:

- deadline for compliance: Jun 1, 2015 for the driveway
- Grant until June 1, 2015 to bring the parking surface into compliance by adding Class 5 or crushed asphalt. Owner needs to submit a site plan to Zoning.

**Referred to the City Council due back on 12/17/2014**

## Orders To Vacate, Condemnations and Revocations (NONE)

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 11 [RLH FCO 14-175](#) Appeal of Isaac Erickson to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 703 CASE AVENUE.

**Sponsors:** Bostrom

*Isaac Erickson, owner, appeared.*

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Correction Notice dated Sep 30, 2014; re-inspection Nov 3 by Fire Inspector Brian Schmidt
- identified 5 code violations
- appealed are #1- parking spaces needing to be paved; and #2- dryer exhaust vents
- photos attached
- there have been a lot of complaints over the last 2 years

*Mr. Erickson:*

- have owned it for about 5 years; he has a handful of properties
- re dryer vents: unbeknown to Mr. Erickson, the tenant on the first floor decided that he was going to fix the dryer but he's not a repair type and he doesn't know what he did; he took the dryer apart and he attached a piece of flex to the dryer vents (Mr. Erickson had put in proper vents and it was very expensive); his contractor took the flex part off after the inspector came; is hoping that he can just re-connect the vent; otherwise, it would cost \$800 per dryer to get everything hooked up correctly again; they've passed previous inspections

*Mr. Neis:*

- previous permits are from 2009; plumbing permit did not have the dryer listed
- he sympathizes with the property owner; however, when someone tampers with something and it's no longer correct, it becomes a new installation again
- you could just disconnect the dryer and removed from the building; and cover up the hole with a 4" vent cap tape with insulation 9 (very inexpensive) because there is no requirement to provide a dryer
- there would then be no code violation

*Mr. Erickson:*

- driveway: there is one but it's not completely paved; only paved in front of the

garage door; the reason there's dirt there (his contractor scraped off the dirt), is that soil had washed over the driveway; he stopped by before he got here today and there is concrete under that dirt; the concrete is only 6-8 feet down from the garage; you can park a car on it parallel with the garage door; the garage door faces west; that driveway has probably been there for 50+ years  
- to pave a new driveway would be approx. \$10,000

Ms. Moermond:

- she's looking at a noncompliant driveway; it's so degraded  
- the driveway has to be an approved surface all the way from the garage to the street

Mr. Erickson:

- there is concrete from the fence all the way to the alley; the whole area is paved with concrete  
- during the inspection, a lot of it was covered with dirt that since has been scraped off  
- where the van is parked is on the dirt  
- paving that entire driveway is very expensive  
- the driveway runs parallel with the alley and there's asphalt between the sidewalk and the street that's extremely degraded -the cement has many cracks; it's not in good shape

Mr. Neis:

- it appears that these paving stones may have gone all the way to the edge of that sidewalk but have eroded over the years (erosion of dirt); it gets a lot of run-off and that run-off cracked those paving stones

Ms. Moermond:

- the alley is asphalt and the driveway comes off the street

Mr. Erickson:

- would we be able to fence it off and just not let them park there?  
- use the garage as storage

Ms. Moermond:

- you cannot put up a fence along the alley and if a garage exists, you have to have access to it

Mr. Neis:

- if you try to eliminate those parking spaces, you are creating a further off-street parking issue

Ms. Moermond:

- if this were hers, the alley is asphalt - first, she would make sure that there's a retaining wall, etc., to prevent erosion from the side yard into the driveway  
- because the alley is asphalt; so, the driveway should also be asphalt  
- she would call a few contractors about the possibilities but this is a bad time of the year to be dealing with this  
- get a driveway site plan approved from Zoning  
- deadline: Jun 1, 2015 - code compliant  
Grant until June 1, 2015 to bring the driveway into compliance by putting in asphalt surfacing. Owner needs to submit a site plan to Zoning for options on how to address the erosion that leads into the apron of the sidewalk.

**Referred to the City Council due back on 12/17/2014**

12 [RLH FCO](#)  
[14-179](#)

Appeal of Delores Caldwell to a Fire Inspection Correction Notice at 1867 MARYLAND AVENUE.

Sponsors: Bostrom

*Delores Caldwell, owner, appeared.*

*Fire Inspector A. J. Neis:*

- *Fire Certificate of Occupancy Correction Notice issued Oct 31, 2014 by Inspector James Thomas with re-inspection Dec 4, 2014*
- *10 code violations were documented and the Order to provide the heating equipment test and the smoke detector affidavit*
- *Class C property*
- *noted: washing machine needs to be plugged directly into an outlet; downstairs apt has some multi-plug adaptors and extension cords; no dog license; toilet is loose; needs handrail and guardrail to public sidewalk; exterior needs scraping/painting; couple broken windows*
- *no photos in file*
- *he is looking at Google maps*
- *he doesn't see how they would provide an intermediate guardrail on these steps to the public sidewalk; it doesn't seem to be a realistic Order, in his opinion, looking at the street view; there's a tree blocking the view so it's hard to tell anything further; is willing to Withdraw this Order on the guardrail*
- *appealed is the time and finances to complete the repairs*
- *doesn't know if the inspector spoke with the Appellant on the simplicity/inexpensiveness on a lot of these Orders; some are actually no cost items and could be remedied very easily*

*Ms. Caldwell:*

- *she met with the Contractor to try to get a handle on this; he said that the exterior would require quite a bit of money (estimate: \$26,350 for all the repairs)*
- *and there's no way she could have that done by Dec 4, 2014*

*Mr. Neis:*

- *is the building stucco?*
- *what did the inspector point out to you as exterior items?*

*Ms. Caldwell:*

- *it is stucco*
- *he said that all the holes needed to be repaired; scrape and paint; on the backside, there's some shifting in the foundation - has a large crack; in the front of the house, the window sill is rotted out so the stucco is coming away from the house (\$15,000 in front of the house alone)*
- *wood is rotting out along the fascia (estimate: \$2500)*
- *update the electrical (estimate: \$1500)*
- *house is old; built in 1880-1890*

*Ms. Moermond:*

- *the good thing is that we have some time*
- *she will not expect that this exterior work is completed now in the winter; it would not be successful*
- *you will have the opportunity to get other bids and get it all sorted out*
- *she is not seeing that the electrical needs to be done at all*

*Mr. Neis:*

- *the electrical piece of the inspection includes: #1 basement washer - must be plugged into an outlet*

Mr. Neis:

- the washer needs to be plugged into it's own 20 amp circuit; if the washer could be moved so that it can plug right into the outlet?
- we may have to Withdraw #1 and it would need to be re-written; the inspector called it under the electrical code - that Order is not correct; the violation is the extension cords (there is still a code violation; it just needs to be re-written)
- multi-plug adaptors can be exchanged with power strips with long cords
- if they get rid of the extension cords, item #4 will go away on its own

Ms. Warner:

- assumes that #4 is about the 18 foot trailer parked in the back; the downstairs tenant has a cord running from the house to the trailer, his makeshift garage; inspector Thomas said that needed to go; it's a trip hazard

Ms. Moermond:

- that's 2 problems: 1) extension cord in a pathway; and then 2) the bigger problem is from Zoning - you can't have a trailer be permanent storage in a residential area - that needs to be dealt with
- she does not know what the back looks like in terms of allowing parking the trailer in a different location; is inclined to say that the trailer can't be there at all

Mr. Neis:

- there's no Orders on the trailer (Ms. Moermond: No, and there should be)
- these Orders need to be looked over by Supervisor Shaff, East Side
- there's a lot of erroneous mistakes in these Orders

Ms. Moermond:

- is very glad that Ms. Warner appealed; - to get this squared away
- this is not a very good set of Orders
- she wants to get a fresh, clean inspection report; set this one aside; she wants the Supervisor to do the inspection to see what is invalid
- photos must be taken; we will figure this out from there
- you can take care of the simpler items right now
- order the fuel burning equipment test and smoke detector affidavit

Mr. Neis:

- typically, there's an unwritten rule that if there's extensive damage, photos must be taken; if the inspector did not feel it necessary to take photos .... (Ms. Warner: the inspector did take photos)

Ms. Moermond:

- we need eyes on
  - will do a layover
- Layover to January 13, 2015 to have Supervisor Shaff re-inspect the property and re-issue Fire order.

**Laid Over to the Legislative Hearings due back on 1/13/2015**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 13     [RLH VBR 14-98](#)     Appeal of Xeng Xiong and Mai Y Vang to a Vacant Building Registration Fee at 752 BUSH AVENUE.



Sponsors: Bostrom

*Xeng Xiong and Mai Yia Vang, owners, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

- has been a Category 2 Vacant Building since Mar 2008
- Ms. Vang went through Sale Review Process and was approved by Inspector Reid Soley on Oct 12, 2010
- at that time, an affidavit was submitted requiring a the 2 structures on the lot be converted to 2 single family houses
- there was a code compliance inspection on file in 2008
- 2nd code compliance inspection done before they went through the Sale Review process in 2010; now expired
- Inspectors Soley and Ubl recommended that there be a new code compliance inspection done; it was done Nov 13, 2014
- they stated that all new permits will be required except for the most recent plumbing permit that was pulled in 2014
- the city has collected 4 years of VB fees from 2010-2014
- here today to discuss the 2014-2015 VB fee

*Ms. Xiong:*

- looking to have the VB fee waived
- nearly all is completed
- he talked to Reid Soley after the electrical contractor could not pull a permit; Mr. Soley explained they needed a new code compliance; they applied for it on Sep 10, 2014
- since then, he's been chasing Inspector Jim Seeger; he called him 3 times about how soon it can be done and he went down to DSI more than 5 times and asked Mr. Soley again about how soon the inspection could be done
- finally, on Nov 20, he went down to DSI and none of the people could locate the paper for him; he said it had taken too long, he needed to talk to Jim Seeger; they gave him Steve Ubl's number; he called and left a message; Mr. Ubl called him yesterday and said that they had done the inspection
- he doesn't want to pay the VB fee
- from Sep 10 to Nov 13: why did it take so long to get the code compliance inspection done?
- he got the Vacant Building letter yesterday; he called Mr. Ubl
- asking for a extension

*Mr. Dornfeld:*

- anniversary date: the 13th
- it's been 4 years

*Ms. Moermond:*

- the code compliance inspection report is done and you can pull permits
- how long do you think it will take to finish?

*Mr. Xiong:*

- should finish the project in the next couple of weeks
- they had to correct the other house, too and they don't have a fortune but they like to make things nice and want to invest in America
- the new code compliance inspection report is very different from the old one

*Ms. Moermond:*

- will recommend waiving the VB fee for 90 days; if done in 90 days, there will be no fee
- Mr. Dornfeld: put a note in the system that they can pull permits now

*Waive the Vacant Building fee for 90 days.*

**Referred to the City Council due back on 12/17/2014**

**14**     [RLH VBR 14-94](#)     Appeal of Sandra Shirek for ESJ Partners to a Vacant Building Registration Notice at 1340 FAIRMOUNT AVENUE.

**Sponsors:**     Tolbert

*Sandra Shirek, ESJ Partners LLC, owner, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

- *he opened a Preliminary Vacant Building file per a referral from the Ward 3 Office and neighbors saying it was vacant and unkept*
- *he inspected on Aug 8, 2014 and it appeared to be vacant; however, the exterior structure is in fair - good condition; grass was tall; overgrown bushes; plant growth in gutters; dead tree branches; he issued a Summary Abatement Order for tall grass and weeds, protruding bushes and some junk in the rear alley (dumped)*
- *has not heard back from anyone*
- *came to learn that the documentation had been sent to the wrong address*
- *the city removed the junk from the alley and cut the protruding bushes*
- *because of these things and an open front door on Aug 8, 2014, he changed it to a Category 1 VB*
- *there's a lot of neighborhood concern about this property; it's on a busy corner, Hamline*
- *the property owner did not receive the correspondence; Ramsey Co had the wrong address; it's correct now*
- *appeal to day, he believes, is to contest the Cat 1 VB status and the fee that is now due*

*Ms. Shirek:*

- *this is my home; she was not aware of the issues; she first became aware of them when a gentleman named Tim, who lives on Osceola contacted her by stalked her daughter on Facebook, saying that he didn't feel the city was doing an adequate job of doing something about the property, assuming that she owned it; he sent her an email, which she forwarded to her; Ms. Shirek spoke with Tim and found out that there were these concerns; up until then, she was not aware of them*
- *she is a pharmacist and works nights (odd hours)*
- *they did not start remodeling as soon as they should have or wanted to; her husband is there now, everyday, 7 days a week, all day, doing the work that needs to be done*
- *the other reason that she became aware is that she didn't receive a property tax statement; she went down to Plato and they corrected the address and gave her a variance on the late fee*
- *they were not staying there but were there frequently*
- *they started remodeling full time on Oct 22, 2014 and they will be wrapping up soon*

*Ms. Moermond:*

- *house looks good from the exterior and it's been maintained*

*Ms. Shirek:*

- *they were considering moving back in when it's finished*
- *may be downsizing*
- *it really hasn't been determined yet*

*Ms. Moermond:*

- *you don't have any code violations on the exterior that are called out so, you would*

*meet the definition of a Registered Vacant Building after you had been emptied for a year; the city discovered it to be empty on Oct 15, 2014 so one year would bring you to Oct 15, 2015*

*- will recommend this house be a Preliminary Vacant Building; there's no fee; will touch base in a year*

**Referred to the City Council due back on 12/17/2014**

**15**     [RLH VBR 14-93](#)     Appeal of Delbert Moore to a Vacant Building Registration Notice at 134 MARIA AVENUE.

**Sponsors:**     Lantry

*Delbert Moore, owner, appeared.*

*Fire Inspector A. J. Neis:*

*- the Revocation and Order to Vacate by Fire Inspector Sean Westenhofer was previously appealed; that appeal was denied and the house was moved to the Vacant Building Program as a Category 2*

*Inspector Matt Dornfeld, Vacant Buildings:*

*- Vacant Building inspector Tom Friel opened a Category 2 VB per referral from Fire Inspections on Oct 29, 2014*

*- noted: 2 story wood frame duplex; house is occupied; spoke with tenant and the agent for the owner on the phone; house has broken, defected and missing screens, storms and windows; peeling paint; defective siding; foundation defects; rotted eaves; roof defects, etc; detached 2-car garage has open service and vehicle doors; yard has discarded mattresses, TV, carpet, refuse, debris*

*- per Fire Inspection recommendation, opened a Cat 2 VB; issued Summary Abatement*

*- tenant/agent said that an appeal was going to be filed*

*- numerous police calls over the years and numerous code enforcement involvement*

*- not maintaining the sidewalk*

*- Mr. Friel noted that on Nov 20, 2014 the house appears to be occupied*

*Ms. Moermond:*

*- has already been to City Council Public Hearing re Revocation/Vacate and was denied*

*- today, we are talking about the house being a Registered VB and what goes with that*

*- summarize: VB annual fee; requirement that the property goes through a code compliance inspection; that it remains vacant*

*Mr. Moore:*

*- looking to get the house back in the shape that it's supposed to be because all of this began with lies*

*Ms. Moermond:*

*- all this was discussed at City Council*

*- the Revocation was based on noncompliance of the Orders not on those behavioral issues*

*- today we are talking about being a Registered VB*

*Mr. Moore:*

*- I don't want the house to be on the VB list; I want to sell it*

*- Renters Warehouse will take care of it for me; they will bring is back in shape; I'll tear down the garage*

- I don't want the VB assessment

Ms. Moermond:

- re selling the property: if the building isn't a Reg VB or if it's considered to be a Category 1 VB (no violations); then, the building can be sold without doing any repairs to it; if the building is listed as a Cat 2 VB, it means that the repairs need to be done before it can be sold; or the person buying the property has to demonstrate their capable of doing those repairs - they go through a Sale Review with DSI and have to have the money to make the repairs  
- if Renters Warehouse takes over, I'm hearing that you want them to do the repairs on it

Mr. Moore:

- realizes that he has to have someone else do the repairs or why couldn't I keep the house and have contractors come in to bring it up to code

Ms. Moermond:

- the rub is "What is up to Code?"  
- if it's a Cat 2 VB, up to code means that there needs to be a code compliance inspection to determine that  
- no matter who does the repairs, it needs to be done under permit by licensed contractors  
- we can give you a 90-day waiver on the VB fee; time will start mid-Dec; if you finish between 3-6 months, you will get a letter for the proposed assessment, sent in the yellow post card, if you want to appeal and we can prorate the fee  
- she just received a letter (unsigned) from Mr. Moore's neighbor in support of Mr. Moore; she read the letter (attached)  
- any communication I get has to be put onto the public record  
- if the house is in the VB Program less than 6 months, she will cut the assessment in half  
- she will ask DSI to allow Mr. Moore to pull a demolition permit for the garage while the repairs are going on  
- the house must remain vacant while repairs are going on  
- this is a Revocation of the property's C of O so, Mr. Moore is not allowed to rent the property; there are others things he can do to fulfill the obligations under the lease that he has with his tenants (private)  
- the house is secured with clips right now  
- Mr. Daniels and you can be allowed in the house from 8 am - 8 pm to remove things, clean, etc; no one can sleep, eat, watch RV, there; appointment must be made with a VB inspector to get into the house (depends on inspector's schedule)  
Waive the VB fee for 90 days; owner need to obtain a code compliance inspection; LHO will ask DSI staff to allow permit for the demolition of the garage; tenant and/or owner can only be at the property from 8 am to 8 pm to make repairs or remove personal belongings.

**Referred to the City Council due back on 12/17/2014**

**16**     [RLH VBR 14-97](#)     Appeal of Gary Southward to a Vacant Building Registration Notice at 723 PLUM STREET.

**Sponsors:**     Lantry

Gary Southward, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- this house was Condemned by Fire Inspector Sean Westenhofer Oct 30, 2014 due to fire damage

- documented: electricity meter removed; gas meter locked; sanitation issues throughout; multiple Fire code violations interior and exterior; recommended as a Category 2 Vacant Building

- Oct 31, 2014: Vacant Building Inspector Tom Friel per referral opened a Cat 2 VB; noted 1 1/2 story wood frame single family house that may be vacant; is secured; many personal items in house and yard; house has sustained some fire damage; however, nothing apparent on the exterior; appears to have excessive storage and may have unsanitary conditions; defective siding; peeling paint; roof, foundation defects; defective and broken screens, storms and windows; defective storm door; large number of deficiencies documented on Condemnation; yard has tall grass, discarded fridge, junk, refuse, debris, etc.  
opened a Cat 2 VB; issued Summary Abatement on tall grass; junk, refuse in yard

Mr. Southward:

- does not live here; lives on Mounds
- rental property
- was a fire in basement
- hired an electrical contractor to do the wiring but until we get settled on this VB, he can't get a permit
- he will get a furnace contractor out and a plumber; and deal with the rest of the issues
- hopefully, the renters will move back in
- most damage is smoke damage and it's confined to the basement
- renters have accumulated a 5 washers/dryers in the basement - they are now gone
- the basement is cleaned out now
- he has walked through the house easily
- he has put up the renters somewhere else

Mr. Dornfeld:

- spoke with Inspector Friel this morning
- the normal procedure for a fire is a 90-day Vacant Building fee exemption in a Cat 1 fire exempt VB

Ms. Moermond:

- will allow Mr. Southward 3 months without a VB fee (90 days from Dec 17, 2014, City Council Public Hearing)
  - he must get a code compliance inspection (4 trades); must apply for it at DSI
  - the trades inspectors will create a deficiency list which must be brought into compliance
  - after the 90 days, the fee can be prorated
  - you can get an interior/exterior demolition permit now
  - she will call the building official to expedite
- Waive the VB fee for 90 days; owner will need to obtain a code compliance inspection. LHO will ask that DSI staff allow permits to be pulled once code compliance inspection has been applied for.

**Referred to the City Council due back on 12/17/2014**