



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Meeting Minutes - Action Only

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
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651-266-8585

Tuesday, April 18, 2017

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 RLH TA 17-147** Ratifying the Appealed Special Tax Assessment for Property at 1232 ALBEMARLE STREET. (File No. J1709A, Assessment No. 178510)

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 5/17/2017
- 2 RLH TA 17-157** Ratifying the Appealed Special Tax Assessment for Property at 1611 ARLINGTON AVENUE EAST. (File No. CRT1708, Assessment No. 178207)

Sponsors: Bostrom

Reduce from \$357 to \$202 (delete admin fee)

Referred to the City Council due back on 6/7/2017
- 3 RLH TA 17-161** Ratifying the Appealed Special Tax Assessment for Property at 706 BLAIR AVENUE. (File No. CRT1708, Assessment No. 178207)

Sponsors: Thao

Delete assessment due to inspector entry error. Received certificate of code compliance January 2016.

Referred to the City Council due back on 6/7/2017
- 4 RLH TA 17-159** Ratifying the Appealed Special Tax Assessment for Property at 1177 BURR STREET. (File No. J1709A, Assessment No. 178510)

Sponsors: Brendmoen

Approve; no show

NOTE: Property owner wants a Hmong interpreter for the hearing. Ms. Vang left a voice mail message with no returned call.

Referred to the City Council due back on 5/17/2017

- 5 RLH TA 17-148** Ratifying the Appealed Special Tax Assessment for Property at 1111 CASE AVENUE. (File No. J1707P, Assessment No. 178406)

Sponsors: Bostrom

Delete; waiver on file.

Referred to the City Council due back on 6/7/2017

- 6 RLH TA 17-125** Ratifying the Appealed Special Tax Assessment for Property at 123 COLORADO STREET EAST. (File No. VB1707, Assessment No. 178807)

Sponsors: Noecker

Approve and spread payments over 2 years.

Referred to the City Council due back on 5/3/2017

- 7 RLH TA 17-152** Ratifying the Appealed Special Tax Assessment for Property at 366 JENKS AVENUE. (File No. CRT1708, Assessment No. 178207)

Sponsors: Brendmoen

Approve and spread payments over 2 years.

Referred to the City Council due back on 6/7/2017

- 8 RLH TA 17-150** Ratifying the Appealed Special Tax Assessment for Property at 218 KIPLING STREET. (File No. J1709A, Assessment No. 178510)

Sponsors: Prince

Delete the assessment.

Referred to the City Council due back on 5/17/2017

- 9 RLH TA 17-154** Ratifying the Appealed Special Tax Assessment for Property at 871 PAYNE AVENUE. (File No. VB1707, Assessment No. 178807)

Sponsors: Bostrom

Continue to May 2 Legislative Hearing. (Owner to get plans to Plan Review)

Referred to the City Council due back on 5/3/2017

- 10 RLH TA 17-151** Ratifying the Appealed Special Tax Assessment for Property at 2137 WELLESLEY AVENUE. (File No. J1709A, Assessment No. 178510)

Sponsors: Tolbert

Approve and spread payments over 5 years.

Referred to the City Council due back on 5/17/2017

Special Tax Assessments - ROLLS

- 11 RLH AR 17-33** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during November 7 to December 20, 2016. (File No. CRT1708, Assessment No. 178207)
- Sponsors:** Stark
- Referred to the City Council due back on 6/7/2017**
- 12 RLH AR 17-34** Ratifying the assessments for Demolition service from December 2016 at 575 McKnight Rd S. (File No. J1703C, Assessment No. 172002)
- Sponsors:** Stark
- Referred to the City Council due back on 6/7/2017**
- 13 RLH AR 17-35** Ratifying the assessments for Demolition services from October to November 2016. (File No. J1704C, Assessment No. 172003)
- Sponsors:** Stark
- Referred to the City Council due back on 6/7/2017**
- 14 RLH AR 17-36** Ratifying the assessments for Graffiti Removal services January 17 to February 3, 2017. (File No. J1707P, Assessment No. 178406)
- Sponsors:** Stark
- Referred to the City Council due back on 6/7/2017**

11:00 a.m. Hearings**Summary Abatement Orders**

- 15 RLH SAO 17-23** Appeal of Stanley Anderson to a Summary and Vehicle Abatement Orders at 559 ASBURY STREET.
- Sponsors:** Thao
- Grant until July 7, 2017 to bring the Cadillac into compliance. (There will be a Legislative Hearing on July 11 at 11 am to check for status of compliance. Public hearing will be July 19)*
- Referred to the City Council due back on 5/3/2017**
- 16 RLH SAO 17-16** Appeal of George Olson to a Summary Abatement Order at 178 CAYUGA STREET.
- Sponsors:** Brendmoen

Grant until June 13, 2017 to bring the wood pile into compliance. (There will be a Legislative Hearing on June 13 at 11 am to check for status of compliance. Public hearing will be June 21.)

George Olson and Mike Macilley, JST Properties LLC, appeared.

Fire Inspector Sean Westenhofer:

-started out at 171 Granite St, where we were dealing with a lot of issues including a large wood pile along the alley; we found out that the wood pile that was placed on the back of the unapproved alley was actually part of 178 Cayuga St instead of 171 Granite St

-we issued a Summary Abatement Order on to 178 Cayuga St on Mar 22 with a deadline of Mar 27; on Mar 27, we also had Parks clean-up 171 Granite; at that time, Mr. Olson, Mr. Veesenmeyer (171 Granite) & I had a conversation in that alley and I told Mr. Olson to file an appeal

Ms. Moermond:

-looking at photos, I see a few tires in the picture but mostly many cords of wood

Mr. Westenhofer:

-there are some updated photos as of this morning; not all of the wood has been removed but Mr. Veesenmeyer has made a dent in it

Ms. Moermond:

-just for the record - the reason this is a problem is because the wood is not legally stacked

Mr. Westenhofer:

-he was trying to stack it on 2x4's but it didn't work out and all the wood is sinking into the ground

-the other thing is that Mr. Olson didn't give Mr. Veesenmeyer permission to put this wood there; and after talking with him this morning, he still contends that Mr. Olson gave him permission

Mr. Olson:

-when the fence there had been all staked out by the fence company, Mr. Veesenmeyer said that he could not make the corner around the telephone pole with his truck with our fence there; so, I talked to my boss & he said to go ahead and move the fence to the north so that Mr. Veesenmeyer would be able to make the corner; when we did that, we had some of our property exposed to him, which he took advantage of

-I told Mr. Veesenmeyer that our hearing was on the 18 and asked if he could get that wood removed by then; he said that he could; but 2/3 of it is still there

-I guess he won't have any more time to remove it (?)

Ms. Moermond:

-well, we're talking about deadlines today and we need to take into account what Mr. Veesenmeyer is / is not likely to do; we have a lot of experience in that arena; usually, we see about 1/3 of the work completed; I was hoping that he would look at this situation and see cash sitting there - fire wood that he could sell and wanting to recover that as cash because if it isn't that.....

-do you think it's all dry?

Mr. Olson:

-I think it's all dry but we don't know if there's any emerald ash borer in it; I had a nursery look at it; I was going to give it to him and he said that without knowing if

there was any emerald ash borer in it, he couldn't take the wood; so, I have to look for a different means of disposal now

Mr. Macilley:

-we didn't even know the wood was there until we got the letter

Referred to the City Council due back on 5/3/2017

17 RLH SAO 17-21 Appeal of Terri Bellovich to a Summary Abatement Order at 639 JOHNSON PARKWAY.

Sponsors: Prince

Terri & Raymond Bellovich, owners, appeared.

Inspector James Hoffman:

-a complaint came in about the potential of someone living in an illegal tent structure in the rear of this property; Inspector Rich Singerhouse & I went out to take a look around the property; we found that the tent structure was open and so, I sent Orders to have the tent removed

-we went back 2 or 3 days later to re-confirm and found that the opening to the tent was changed (looked as though someone had been in there and then left); at that point, I could not confirm whether or not someone was actually living in the tent -the tent, itself, does not meet the requirements of the state building code; and from what I understand, it does not meet the zoning setbacks of the Saint Paul Zoning Code; so, I sent Orders to have it Removed -that was Appealed and we are here now

Ms. Bellovich:

-it's not a tent; it's a carport; I have photos (scanned) if you want to see them; it's from Menards

-as far as the possibility of someone living in there.... we had to kick our son out of the house & we found out that he wasn't actually living in there but he would sneak in there and then sneak into our house during the day; the police were notified and he has been arrested; he didn't live in there but we found out that when he didn't have a place to stay at night, he would sneak in there -it's for storage for all our summer yard stuff; our grandkids' riding toys & our gardening tools, etc.

Mr. Bellovich:

-noted that they don't go into it in the winter; it's for summer storage

-once we found out that our youngest son was staying there some times, we notified the police & within 2 days, they arrested him; we thought that he was staying with a friend; we tried to line up resources for him - somewhere he could stay but he just wouldn't do it

Mr. Hoffman:

-I did not measure it's distance from the property line; it appeared to be the same distance away as the garage

Ms. Bellovich:

-we have a triple lot, so this is way in the back; we've had it for over 15 years; it's very solid with a steel frame

Mr. Bellovich:

-we built a new garage about 2 years ago; they measured from the lot line at that time; this structure lined up with the garage

Ms. Moermond:

*-it is a structure but it's a temporary structure under the building code, which means that you can have it up for a certain length of time but it's not meant to be a permanent structure; it's not affixed to the ground, etc; it's not actually a building
-it must be taken down unless you have manufacturer's specifications saying that it can be up permanently and function as a permanent structure (but you're not going to find that)
-there's the problem because it's a temporary structure and the problem of it having been possibly used for habitation
-this can't be used as permanent storage; the material inside must be transitioned to a different structure or the garage*

Mr. Hoffman:

-as a temporary structure, I believe, that it can be in place for 180 days (6 months)

Mr. Bellovich:

-questioned why this wasn't caught when the garage was built 2 years ago because there were many inspectors out there during that building

Ms. Moermond:

*-I don't have a good answer for you on that
-Mr. Hoffman gave a compliance date of Apr 5
-the Appellant has testified that it's been up for much longer than 6 months
-at this point, you need to take it down; how much time do you need?*

Mr. Bellovich:

-can you give me 2 weekends or 30 days?

Ms. Moermond:

*-I can give you longer than that; we need to stage this so that your possessions are protected while this transition takes place
-the City Council Public Hearing will take place on May 3, 2017
-I will give you a deadline of Jul 11, 2017; at that time, I will request a staff report from the inspector*

Grant until July 11, 2017 to remove the tent (car port). (There will be a Legislative Hearing on July 11 at 11 am to check for status of compliance. Public hearing will be July 19.)

Referred to the City Council due back on 5/3/2017

- 18 RLH SAO 17-22** Appeal of Mark T Simeon to a Summary Abatement Order at 1020 MCLEAN.

Sponsors: Prince

Deny the appeal; no show.

Referred to the City Council due back on 5/3/2017

Correction Orders

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 19 [RLH VO 17-8](#) Appeal of Gary D. Schultz to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1818 NEVADA AVENUE EAST.
- Sponsors: Bostrom
- Laid Over to the Legislative Hearings due back on 5/23/2017 @ 3:30 P.M.

1:30 p.m. Hearings**Fire Certificates of Occupancy**

- 20 [RLH FCO 17-31](#) Appeal of Don Cameron to a Fire Inspection Correction Notice at 669 YORK AVENUE EAST.
- Sponsors: Bostrom
- Grant to May 12, 2017 to get the work done.
- Referred to the City Council due back on 5/3/2017

2:30 p.m. Hearings**Vacant Building Registrations**

- 21 [RLH VBR 17-27](#) Appeal of Jacse Lee to a Vacant Building Registration Fee Warning Letter at 854 LAWSON AVENUE EAST.
- Sponsors: Bostrom
- Waive the vacant building fee for 90 days from March 28. (NOTE: VB fee has gone into assessment but will delete if owner is done in 90 days)
- Referred to the City Council due back on 5/17/2017
- 22 [RLH VBR 17-25](#) Appeal of Sandra Shirek to a Vacant Building Registration Notice at 2328 PRISCILLA STREET.
- Sponsors: Stark
- Grant the appeal and owner is released from the Vacant Building Program.
- Referred to the City Council due back on 5/17/2017
- 23 [RLH VBR 17-26](#) Appeal of Jay Nord, Singular Inc., to a Vacant Building Registration Requirement at 957 ROSE AVENUE.
- Sponsors: Bostrom
- Waive the VB fee for 90 days.
- Referred to the City Council due back on 5/17/2017