



# 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, November 3, 2015

9:00 AM

Room 330 City Hall & Court House

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

##### Special Tax Assessments

- 1     **RLH TA 15-536**     Ratifying the Appealed Special Tax Assessment for Property at 923 AGATE STREET (File No. J1603A, Assessment No. 168502).

**Sponsors:**     Brendmoen

*Joseph W. Schmidt, owner, appeared.*

*Inspector Paula Seeley:*

*-Summary Abatement Order issued Jul 31, 2015; compliance Aug 5; re-checked Aug 6*

*-work done Aug 7 for a cost of \$358 + \$160 = \$518*

*-no returned mail*

*-sent to Joseph and Diane Schmidt, 6534 Hokah Dr, Lino Lakes; and to the Occupant*

*-bold letters: Remove stack of tires by garage*

*Ms. Moermond:*

*-looks like there was overflowing garbage there, as well*

*Mr. Schmidt:*

*-he wasn't sure what this was about; living in Lino Lakes, he doesn't get the mail a day or two before the compliance date*

*-he evicted the tenant that had been living there; she owed quite a bit of back rent*

*-then, he started cleaning up the property; had a big dumpster from LePage; found*

*some tires in the garage and he tried to find another company that would take the*

*tires; he found another company and they were going to remove the tires on the 8th;*

*so, he thought they had been taken care of by the dumpster company because they were gone; apparently, the city picked them up*

*Ms. Moermond:*

*-the Order was mailed on Fri, Jul 31; compliance deadline was Wed Aug 5; it was re-checked Aug 6 and it wasn't gone so the inspector wrote an Order for a crew to go out on Fri Aug 7 to pick up the tires*

*Mr. Schmidt:*

*-he assumed that the city would see that he was trying to get rid of them because he had the dumpster there*

*-when he went down there to put the tires into the dumpster but the dumpster was*

gone and the tires were gone  
-he expected to pay to have the tires removed but he didn't expect to pay so much  
-he'd be OK with paying half of the \$518; he was going to have to pay \$250 to have the tires removed by Berquest

Ms. Moermond:

-photo: she is looking at the tires next to a large blue garbage can

Approve.

**Referred to the City Council due back on 1/20/2016**

- 2      [RLH TA 15-537](#)      Ratifying the Appealed Special Tax Assessment for Property at 1245 ARKWRIGHT STREET (File No. J1603A, Assessment No. 168502).

**Sponsors:**      Brendmoen

Approve; no show.

**Referred to the City Council due back on 1/20/2016**

- 3      [RLH TA 15-538](#)      Ratifying the Appealed Special Tax Assessment for Property at 164 ARLINGTON AVENUE WEST (File No. J1603A, Assessment No. 168502).

**Sponsors:**      Brendmoen

Approve; no show.

**Referred to the City Council due back on 1/20/2016**

- 4      [RLH TA 15-531](#)      Ratifying the Appealed Special Tax Assessment for Property at 1038 BAYARD AVENUE (File No. CRT1602, Assessment No. 168201 ).

**Sponsors:**      Thune

Vera Lyubeznik, GI Rentals LLC, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy fee; gold card returned by Ms. Lyubeznik

-cost: \$196 + \$155 service charge = \$351

-appointment letters sent: 3-4 and 3-27-15

-deficiency letter sent: 4-21-15

-approved: 5-15-15

-billing dates: 5-19 & 6-18-15

-no returned mail

-all mailings sent to GI Rental LLC, 1776 Yorkshire Ave, St. Paul

Ms. Lyubeznik:

-moved to new address Jun 18

-mail was forwarded Jun 11 but they didn't get it

-we got huge package of mail from new owners

-as soon as they got it, she called to re-schedule; we didn't know what was going on

Ms. Moermond:

-asked Inspector Shaff how long this property has been in the C of O Program

*Ms. Shaff:*

- they entered the C of O Program in 2010
- first inspection was in 2011; this is the 2nd C of O
- class B rating; inspected every 4 years

*Ms. Moermond:*

- one bill went out May 19, 2015; the other one went out at the same time your address was changing on Jun 18; so, the one that went out in May would have gone to the proper address

*Ms. Lyubeznik:*

- during that time she was sick a lot and also in the hospital
- she just didn't see it come thru; if she had seen it, she would have paid it

*Ms. Moermond:*

- so, you are OK with paying your C of O fee but not the administrative fees associated with it
- provided Appellant with a new C of O form
- a bill was sent to the correct address when it was a correct address; however, you didn't get it; other things were going on in your life at that time and you could have missed it
- will recommend approval

*Approve.*

**Referred to the City Council due back on 1/20/2016**

**5 RLH TA 15-528** Ratifying the Appealed Special Tax Assessment for Property at 994 BURR STREET (File No. J1603A, Assessment No. 168502).

**Sponsors:** Brendmoen

*Patricia J. Schley, owner, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued Jul 24, 2015; compliance Jul 31; re-checked Jul 31
- work done Aug 3, 2015 for a cost of \$372 + \$160 service charge = \$478
- failure to maintain exterior property
- bold letters: Tree debris, compost on the side of the garage and in the rear yard; wood must be split and properly stacked or removed
- sent to Patricia J. Schley, 994 Burr St; and Occupant
- no returned mail
- she was out of town; we spoke many times; she would this spread over a period of time

*Ms. Schley:*

- it was stacked fire wood and had been there for 3 1/2 years and she didn't know it was a problem
- she was doing volunteer work in Bulgaria and didn't get home in time

*Ms. Moermond:*

- will recommend approval divided over 5 years.

*Approve and spread over 5 years.*

**Referred to the City Council due back on 1/20/2016**

- 6      **RLH TA 15-540**      Ratifying the Appealed Special Tax Assessment for Property at 242 CONGRESS STREET (File No. J1603A, Assessment No. 168502). (Note: other address for this property is 469 Anita Street.)

Sponsors:      Thune

*Mackonnen Hidru, owner, appeared.*

*Inspector Paula Seeley:*

*-Summary Abatement Order issued Aug 5, 2015; compliance Aug 11; re-checked Aug 12*

*-work done Aug 14 for a cost of \$180 + \$160 service charge = \$340*

*-no returned mail*

*-sent to Mackonnen Hidru, 13364 Fordham Ave, Apple Valley, MN; and Occupant, 469 Anita St, St. Paul*

*-TV on blvd*

*Mr. Hidru:*

*-would like to see a photo or the Video*

*VIDEO - shows TV near the dumpster; photo shows TV in the middle of the yard*

*Ms. Moermond:*

*-knows that regular garbage companies won't pick-up TVs unless you call them*

*Mr. Hidru:*

*-this was only for the TV?*

*Ms. Moermond:*

*-the VIDEO showed that the city picked up the TV on Aug 14, 2015*

*-they sent Orders Aug 5; wanted it done by Aug 11; the inspector checked Aug 12 to see if it had been removed; and the crew removed it Aug 14*

*-you were given a almost a week to remove it*

*Mr. Hidru:*

*-as you can see, my mailing address is different from this address and it takes time to get the letter and then to get the TV out of there; there are no renters there*

*-he's done a lot of work there: siding, roof,*

*Ms. Seeley:*

*-on 9-14 the city cleaned up concrete, rubble and scrap metal, etc. in the back yard*

*Mr. Hidru:*

*-he does have an acting building permit for the house*

*-he's doing the work himself and it's a long trip from Apple Valley to St. Paul*

*-and, the city is destroying my front lawn by putting heavy equipment on it*

*Ms. Moermond:*

*-today, we're not talking about the concrete rubble; that will be a future proposed assessment*

*-today, we're talking about the pick up of the TV*

*-she would be much more sympathetic about the TV if you didn't have another one coming up*

*-and, a building permit doesn't mean that you can have refuse in the back yard*

*Ms. Moermond*

*-will recommend approval*

*Approve.*

**Referred to the City Council due back on 1/20/2016**

- 7     [RLH TA 15-519](#)     Deleting the Appealed Special Tax Assessment for Property at 963 CONWAY STREET (File No. J1601B, Assessment No. 168100).

**Sponsors:**     Finney

*Approve; no show.*

*Clifford Dodd called to reschedule. He stated the owner has been in and out of hospital and so he couldn't make the November 3rd hearing. He will be rescheduled for the 3rd time to November 17. If he is unable to attend, he will need to go to City Council.*

**Laid Over to the Legislative Hearings due back on 11/17/2015**

- 8     [RLH TA 15-539](#)     Ratifying the Appealed Special Tax Assessment for Property at 1529 DALE STREET NORTH (File No. J1603A, Assessment No. 168502).

**Sponsors:**     Brendmoen

*Approve; no show.*

**Referred to the City Council due back on 1/20/2016**

- 9     [RLH TA 15-541](#)     Ratifying the Appealed Special Tax Assessment for Property at 1102 EDGERTON STREET (File No. J1603A, Assessment No. 168502).

**Sponsors:**     Bostrom

*Vadim Tokman, owner, appeared.*

*Inspector Paula Seeley:*

*-Summary Abatement Order issued Jul 31, 2015; compliance Aug 7; re-checked Aug 7*

*-work done Aug 11, 2015 for a cost of \$180 + \$160 service charge = \$340*

*-no returned mail*

*-sent to Vadim Tokman, 780 Cherokee Ave, Unit 2, St. Paul; BLM Management Group, 899 7th St W, St. Paul and Occupant*

*-in capital letters: bushes obstructing alley; cut back and remove trash*

*Mr. Tokman:*

*-he cut his bushes back in summer*

*-BLM is no longer his management company; he manages his property himself*

*-last year, it was the same issue; I cut and it was OK; I cut the bushes the same in alley this year, so I assumed it was fine*

*-he pays for garbage and they pick up garbage*

*VIDEO - bad video; viewed it again*

*Ms. Moermond:*

*-photos show a lot of encroachment of bushes*

*-showed Mr. Tokman about how much he should cut*

*-will approve this assessment divided over 3 years*

*Approve and spread over 3 years.*

**Referred to the City Council due back on 1/20/2016**

- 10 [RLH TA 15-526](#) Ratifying the Appealed Special Tax Assessment for Property at 1183 FIFTH STREET EAST (File No. J1603A, Assessment No. 168502).

**Sponsors:** Finney

*Approve; no show.*

**Referred to the City Council due back on 1/20/2016**

- 11 [RLH TA 15-532](#) Ratifying the Appealed Special Tax Assessment for Property at 668 FOURTH STEET EAST (File No. J1603A, Assessment No. 168502).

**Sponsors:** Finney

*Approve; no show.*

**Referred to the City Council due back on 1/20/2016**

- 12 [RLH TA 15-535](#) Ratifying the Appealed Special Tax Assessment for Property at 419 FRY STREET (File No. VB1603, Assessment No. 168802).

**Sponsors:** Stark

*Paul Johnson, owner, appeared.*

*Inspector Joe Yannarely:*

*-Annual Registered Vacant Building fee \$2025 + \$155 service charge = \$2180*

*-VB file opened Mar 24, 2009; currently, there's 4 active permits*

*-Apr 28, 2015, Ms. Moermond waived the VB fee until Aug 1, 2015*

*-covers time period from Mar 24, 2015 - Mar 24, 2016*

*Ms. Moermond:*

*-we are 7 months into that year*

*-looks like you're making some forward motion*

*Mr. Johnson:*

*-he purchased property last year and then, he was in a car accident; the plan was to*

*get done a little faster but the car accident took him out for a few months; but he has*

*all his permits pulled; and the majority of the work has been done on the back end;*

*now, a building permit has been pulled, as well*

*-looking for an additional extension*

*Ms. Moermond:*

*-at this point, she won't recommend that he get another waiver - we're 7 months into the year*

*-she prefers to take this assessment and prorate it based on you finishing it soon than later*

*-will be in front of City Council Jan 20, 2016*

*-she will look at it the week prior to that and come up with something*

*-if you have any questions when it's close to that hearing time, give me a call or email*

*-if you get done by the end of Dec, we can look at a cut in the fee*

*Mr. Johnson:*

*-when this gets done, he will be living there*

*Mr. Moermond:*

*-if we're looking at the whole fee or a substantial fee, she can divide it over 5 years*

*Mr. Johnson:*

*-he does not want the assessment divided over time; he would prefer to discuss having an extension on the date vs paying the fee*

*-the property has been buttoned up; progress is being made*

*-have owned the property for only 1 year and for 9 months, he's been dealing with getting back to being capable of working on the property*

*Ms. Moermond:*

*-she doesn't feel comfortable helping him out by way of a waiver any more; we're too far into the year*

*-she will bring either a recommendation to charge the whole assessment or charge a portion of the assessment*

*-come to the City Council Public Hearing and explain your situation to them; and she will be watching it to see if she can decrease it*

*May prorate VB fee if the repairs are done by the end of December; if work is done after January 1, 2016, approve the whole VB fee.*

**Referred to the City Council due back on 1/20/2016**

- 13**     [RLH TA 15-551](#)     Ratifying the Appealed Special Tax Assessment for Property at 1364 GALTIER STREET (File No. J1603A, Assessment No. 168502).

**Sponsors:**     Brendmoen

*Approve; no show.*

**Referred to the City Council due back on 1/20/2016**

- 14**     [RLH TA 15-547](#)     Deleting the Appealed Special Tax Assessment for Property at 1377 HOYT AVENUE EAST (File No. VB1603, Assessment No. 168802).

**Sponsors:**     Bostrom

*Delete; according to Inspector Singerhouse, rehab completed in August and file should have been closed then. (No hearing necessary)*

**Referred to the City Council due back on 1/20/2016**

- 15**     [RLH TA 15-524](#)     Ratifying the Appealed Special Tax Assessment for Property at 607 HYACINTH AVENUE EAST (File No. J1602E, Assessment No. 168301).

**Sponsors:**     Bostrom

*Approve; no show.*

**Referred to the City Council due back on 1/20/2016**

**16 RLH TA 15-534** Deleting the Appealed Special Tax Assessment for Property at 613 IGLEHART AVENUE (File No. J1603A, Assessment No. 168502).

Sponsors: Thao

*Kim Bennet, Occupant, appeared.*

*Inspector Paula Seeley:*

*-Summary Abatement Order issued for tall grass & weeds Jul 31; compliance Aug 4; re-checked Aug 6*

*-work done Aug 10 for a cost of \$160 + \$160 service charge = \$320*

*-no returned mail*

*-sent to Kenneth Driver, 751 Piedmont Ave NE, Apt 5, Atlanta GA; Kenneth Driver 5614 Twin Lake Terrace N, Crystal, MN and to Occupant*

*Ms. Bennet:*

*-she did receive the notice on a Fri when she came home from work*

*-is here to inquire*

*VIDEO -*

*-that's not on her property; she's on the other side*

*-Mr. Driver owns it; she's the Occupant; the bill should go to 615 Iglehart, Daniel Acker, N2265 Curtis Rd, Stanley WI*

*Ms. Seeley:*

*-she's right*

*Ms. Moermond:*

*-will recommend this assessment is deleted*

*Delete.*

**Referred to the City Council due back on 1/20/2016**

**17 RLH TA 15-550** Ratifying the Appealed Special Tax Assessment for Property at 122 LYTON PLACE (File No. J1602B, Assessment No. 168101).

Sponsors: Thao

*Max Elkin, owner, appeared.*

*Inspector Joe Yannarely, Vacant Buildings:*

*-an emergency boarding occurred at the request of the Fire Dept on Jul 9; another boarding occurred on Jul 10 because upon re-inspection the next day by Inspector Kalis, he called RESPRO again after he discovered that the boards have been forcibly removed after the original boarding had taken place the day before*

*-total of the 2 boarding is \$733.40 + \$280 service charge = \$1,013.40*

*-entered the VB Program Jan 7, 2014*

*-history of Orders at the property is attached*

*-does not have a Fire Report back yet*

*Mr. Elkin:*

*-originally, he didn't know that the Fire Dept had ordered the boarding; then, he wondered why the building hadn't been boarded before since it had been vacant for months before he purchased it; once he purchased it, it was posted; and it hadn't been registered as a VB either; so, that fell on us, too*



-in addition, we were told that we couldn't touch the building because it had been posted by DSI and no one could be in there or do anything until a code inspection had been done

-they ordered the code compliance inspection as soon as they bought it; it took DSI a month to get the inspection done

-after they purchase it, they found out that a homeless person had been living in it; every time they found a window broken, they boarded it; but then, she'd find another way in; they called SPPD several times trying to scare her out

-finally, there was a fire and he was informed about it; when they got there, they found that the back door had been boarded and 1 window; as soon as he knew there was a problem there, he sent his people out to board the rest of the house; he is trying to understand how there could have been 2 trips made to board when they had boarded; he can bring his people in as witnesses

-he received no notification at any time that he should board or do anything about this

- it all happened without his knowledge; he did, however, voluntarily, send people out to board the rest of the building after the fire

-first of all, for boarding a back door and a window, the cost seems excessive

-secondly, at no time, was he ever instructed to do any boarding of any kind; so, it was done and after the fact, they charged me for the boarding

Ms. Moermond:

-explained that it's standard for SPPD and Fire Dept to call RESPRO after a fire to have the property boarded or if they were there investigating something else, like a break-in because they can't leave the scene unsecured; they have a responsibility to close it up (an emergency boarding); this is usually covered by insurance

Mr. Yannarely:

-he asked Inspector Kalis about this - why he had called for another boarding right away the next day after the fire and he said that he had been aware of this homeless person coming into this house and he wanted to make sure that she or no one else would be entering

-entered the 2 invoices from RESPRO; made copies for Mr. Elkin

-he is not happy with them charging \$250 emergency charge the second day; often don't do that; he's going to look into that and re-negotiate

Ms. Moermond:

-Jul 9 invoice shows that they boarded 7 openings and there's an emergency call out fee (night) \$250

-Jul 10 invoice shows that they boarded the east window and re-secured the back door

-technically, they should not be charging the emergency charge of \$250; it's excessive; that particular part, she will cut in half (\$125)

Mr. Elkin:

-he is puzzled about 2 things: 1) as he recall, the posting on the building said that no one should do anything to the building; so, even if he wanted to board it, it was his understanding, that he was prohibited from doing anything to the building until the inspection was done and it was registered; there were several placards on the building; and 2) he found out the next morning that this fire happened, he went out there and 1 window and 1 door had been boarded; so, this thing about 7 openings being boarded really puzzles him; he has not only witnesses but workers who will say that we went out there and voluntarily, boarded the house for their own protection

Ms. Moermond:

-wants Mr. Elkin to put something in writing from his people - contractors that he used

- to tell her exactly when they did exactly what

-she needs to sort out when things were done and undone and redone  
 -she needs documentation from RESPRO and the Fire Dept  
 -will Lay this Over for 1 month to allow those pieces to fall into place  
 -LO to Dec 1, 2015 LH

Layover to get written statement from owner's contractor who he indicated did the boarding and for fire report(s) and something in writing from Restoration Professionals.

**Laid Over to the Legislative Hearings due back on 12/1/2015**

- 18 [RLH TA 15-542](#) Ratifying the Appealed Special Tax Assessment for Property at 348 MARIA AVENUE (File No. J1603A, Assessment No. 168502).

**Sponsors:** Finney

Approve; no show.

**Referred to the City Council due back on 1/20/2016**

- 19 **RLH TA 15-525** Ratifying the Appealed Special Tax Assessment for Property at 1113 MARION STEET (File No. J1603A, Assessment No. 168502).

**Sponsors:** Brendmoen

Jennifer Patraw appeared.

Inspector Paula Seeley:

-Summary Abatement issued Jul 29; compliance Aug 4; re-checked Aug 4  
 -work done Aug 5, 2015 for a cost of \$372 + \$160 = \$532  
 -property has history  
 -sent to Tom Delisle/Delisle, PO Box 17122, St. Paul; Beverly L. Breault, 113 Marion St; and Occupant  
 -remove refuse from side porch and backyard

Ms. Patraw:

-asked to see the video

VIDEO - city removed loose, scattered litter, brush, garbage bags, pails, baskets, trash

Ms. Patraw:

-she was unclear as to who had done all of that because she had receipts for dumpsters that they had ordered during that time  
 -if you guys removed all that, I don't know why we were paying for dumpsters  
 -when we do a cancellation of a Contract for Deed, they legally have an amount of time to redeem themselves

Ms. Moermond:

-she hasn't seen a contract yet that says that the mortgage holder doesn't have the right to go in there and take care of this business - to clean up that mess; you do have that right  
 -will recommend approval

Approve.

**Referred to the City Council due back on 1/20/2016**

- 20     [RLH TA 15-529](#)     Ratifying the Appealed Special Tax Assessment for Property at 767 MARYLAND AVENUE EAST (File No. J1603A, Assessment No. 168502).  
  
          Sponsors:        Bostrom  
  
          *Approve; no show.*  
  
          **Referred to the City Council due back on 1/20/2016**
- 21     [RLH TA 15-549](#)     Ratifying the Appealed Special Tax Assessment for Property at 594 REANEY AVENUE (File No. J1603A, Assessment No. 168502).  
  
          Sponsors:        Bostrom  
  
          *Approve; no show.*  
  
          **Referred to the City Council due back on 1/20/2016**
- 22     [RLH TA 15-527](#)     Ratifying the Appealed Special Tax Assessment for Property at 1651 ROSS AVENUE (File No. J1603A, Assessment No. 168502).  
  
          Sponsors:        Finney  
  
          *Approve; no show.*  
  
          **Referred to the City Council due back on 1/20/2016**
- 23     [RLH TA 15-543](#)     Ratifying the Appealed Special Tax Assessment for Property at 1198 SHERBURNE AVENUE (File No. J1603A, Assessment No. 168502).  
  
          Sponsors:        Stark  
  
          *Approve; no show.*  
  
          **Referred to the City Council due back on 1/20/2016**
- 24     [RLH TA 15-544](#)     Ratifying the Appealed Special Tax Assessment for Property at 697 STRYKER AVENUE (File No. J1603A, Assessment No. 168502).  
  
          Sponsors:        Thune  
  
          *Approve; no show.*  
  
          **Referred to the City Council due back on 1/20/2016**
- 25     RLH TA 15-545     Ratifying the Appealed Special Tax Assessment for Property at 324 SUPERIOR STREET (File No. J1603A, Assessment No. 168502).  
  
          Sponsors:        Thune  
  
          *Brian W. Smith, owner, appeared.*  
  
          *Inspector Paula Seeley:*  
          *-Summary Abatement Order issued Aug 17, 2015; compliance Aug 25; re-checked*

Aug 25

-work done Aug 27 for a cost of \$158 + \$160 service charge = \$318

-no returned mail

-also issued a Correction Notice on Aug 17 for repairing retaining wall; Orders don't say a lot

-photo

-history: SA Apr 20, 2014; the photo indicates that the yard was quite a mess; again back in 2006

Mr. Smith:

-on Aug 25, he took in 640 lbs of scrap metal to metal recycling, so, the inspector apparently, came in the morning before he loaded the metal; what they came and cleaned up 2 days later was not on the Order; they really had to look at things to pick up

VIDEO - scrap lumber, scrap metal, loose and scattered debris

Ms. Moermond:

-looks like the retaining wall's been taken care of

Mr. Smith:

-he called the inspector because the clean-up crew took some window weights that he was using to hold down a part; he said that he didn't know

-the original complaint was by a citizen, who happens to be a stone mason, about the condition of the wall behind his property, which is not even on his property; but he has to look at so he fixed it himself; the inspector offered to give me the number of this fellow

-he tried to be a scrapper but he found that it really doesn't pay

-he is not scrapping any more

Ms. Moermond:

-here's her dilemma: you addressed a ton of what was going on but there was obviously stuff still there; you made a lot of progress; she wants to give you credit for what you did; part of it is that you are not looking at a huge assessment; it could have been a lot bigger

-this is a repeat problem, however

Mr. Smith:

-he's not storing any more scrap metal outdoors

-he's done with scrapping

Ms. Moermond:

-you made a good faith effort

-will recommend cutting this assessment in half

-scrapping is illegal on residential property

Reduce from \$318 to \$159.

**Referred to the City Council due back on 1/20/2016**

**26 RLH TA 15-546**

Ratifying the Appealed Special Tax Assessment for Property at 1220 SYLVAN STREET (File No. J1603A, Assessment No. 168502).

Sponsors: Brendmoen

Scott Pietig, 1220 Sylvan LLC, owner and property manager, appeared.

*Inspector Paula Seeley:*

*-Summary Abatement Order issued Aug 3; compliance Aug 10; re-checked Aug 10  
-work done Aug 12 for a cost of \$324 + \$160 = \$484  
-no returned mail  
-sent to 1220 Sylvan LLC, 2025 Nicollet Ave Ste 202, Mpls and Occupant  
-in caps: Remove mattresses, cabinet, RB and refuse from around the dumpster along Sylvan st*

*Mr. Pietig:*

*-alerted to this about 1 1/2 wks ago; he called Inspector Westenhofer - the days overlap with the last time he was here; he said they were calling us; the last SA they got had the correct phone number; this SA had a 516 number that has no relation to us*

*VIDEO - city removed mattresses, chair along Sylvan St*

*Ms. Moermond:*

*-the last time you were here it was because of an Excessive Consumption fee  
-she is not comfortable without having the minutes from the last LH you attended on this address  
-right now, you got a break on the EC, which is too many inspections; here, it's about the furniture and mattresses being near the dumpster and not being taken care of in the time provided and the city performed that service*

*Ms. Seeley:*

*-thinks there is confusion  
-Apr 30, Sean did a SA on different mattresses; he sent a Work Order and it was done by owner, which generated a PAEC*

*Ms. Moermond:*

*-so, what we talked about a couple of weeks ago was regarding the Apr 30 Order; today, we are talking about an Aug 3 Order*

*Mr. Pietig:*

*-apologized*

*Ms. Moermond:*

*-will recommend approval of this assessment*

*Approve.*

**Referred to the City Council due back on 1/20/2016**

**27 RLH TA 15-530**

**Ratifying the Appealed Special Tax Assessment for Property at 1178 THOMAS AVENUE (File No. J1603A, Assessment No. 168502).**

**Sponsors:** Stark

*Valerie Woelfel, owner, appeared.*

*Inspector Paula Seeley:*

*-Summary Abatement Order issued Aug 5; compliance Aug 14; re-checked Aug 14  
-work done Aug 19 for a cost of \$158 + \$160 service charge = \$318  
-no returned mail  
-no history on the property  
-sent to Valerie Woelfel, 1178 Thomas Ave; and Occupant  
-bold letters: dresser, household items, refuse, debris, lawn mower in rear yard*

*-photo*

*Ms. Woelfel:*

*-she's an archaeologist and was out of the country from May 23 - Aug 17, 2015; she returned to her house Aug 18*

*-she doesn't know whose stuff that was; assumed that it was people's who had moved out across the alley from her; she had actually called on them in the past for leaving stuff in the alley: chairs, etc.*

*-she had no idea this was happening and it wasn't her stuff*

*-she had arranged for having her bills paid, picking up her mail, etc., etc; but being so close to her return, no one bothered to send that notice to her*

*-it didn't occur to her to have someone check the alley*

*Ms. Moermond:*

*-because there were no Orders for mowing the lawn or anything else, she's assuming that someone else was taking care of all of that; you had been responsible about that*

*-you have taken positive steps to take care of most everything*

*-it does look like dumping*

*-will recommend deletion*

*Delete.*

**Referred to the City Council due back on 1/20/2016**

- 28**     [RLH TA 15-552](#)     Ratifying the Appealed Special Tax Assessment for Property at 310 WEBSTER STREET (File No. J1603A, Assessment No. 168502).

**Sponsors:**     Thune

*Approve; no show.*

**Referred to the City Council due back on 1/20/2016**

- 29**     **RLH TA 15-548**     Ratifying the Appealed Special Tax Assessment for Property at 750 WESTERN AVENUE NORTH (File No. VB1603, Assessment No. 168802).

**Sponsors:**     Thao

*Seregela Abebe, tax owner, appeared.*

*Inspector Joe Yannarely:*

*-Category 2 Vacant Building fee; the file was opened Jul 7, 2009*

*-there's a new owner; new code compliance inspection report; permits are pulled*

*-18 Work Orders between 2009 and 2012; none in the last 3 years*

*-work is in progress*

*-annual VB fee is \$2025 + \$155 service charge = \$2180*

*Ms. Moermond:*

*-looks like you got a 90-day waiver on this*

*Mr. Abebe:*

*-purchased 4 months ago*

*-is almost finished; tomorrow he will have an inspection*

*-is finishing the outside before winter*

*Ms. Moermond:*

-if you can get this project done by the time it goes in front of the City Council on Jan 20, 2016, she will recommend the fee is cut in half  
-she can also make it payable in 3 years

If owner can get repairs done by January 20, 2016 City Council Public hearing date, hearing officer will recommend reducing it by half.

**Referred to the City Council due back on 1/20/2016**

- 30 [RLH TA 15-553](#) Ratifying the Appealed Special Tax Assessment for Property at 418 WHEELLOCK PARKWAY WEST (File No. VB1603, Assessment No. 168802).

**Sponsors:** Brendmoen

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 11/17/2015**

- 31 **RLH TA 15-554** Ratifying the Appealed Special Tax Assessment for Property at 1031 MINNEHAHA AVENUE EAST (File No. VB1603, Assessment No. 168802).

**Sponsors:** Finney

*Rajindre K, Bhoelai, owner, appeared.*

*Inspector Joe Yannarely:*

*-this has been a Vacant Building since Dec 10, 2010*

*-previous owner was Ramsey Co Tax Forfeiture*

*-annual VB fee last year was cancelled but he has a notation that Ramsey Co Tax Forfeiture paid \$525 on Feb 25, 2015*

*-Sale approval happened Jul 8, 2015 when Mr. Bhoelai purchased the property; then, the VB fee was assessed on Sep 4, 2015 for \$2025 + \$155 service charge = \$2180*

*-there are 4 active permits*

*Mr. Bhoelai:*

*-bought it from a gentleman in Jul or Aug; he originally purchased it*

*-he had all his documents in a brief case in his truck; we were doing work at the property and someone broke into the truck and took all the documents*

*-when he got this letter, he noticed that he wasn't even the owner at that time; should he be liable for this fee?*

*-he took possession either in Jul or Aug*

*-he should be done with the project in 4-5 months - Mar 1, 2016*

*Ms. Moermond:*

*-this doesn't make sense*

*-we will treat this as having a Dec 10 anniversary date*

*-if you're done by Mar 1, 2016, she will cut down the fee*

*-will Lay this Over for 2 months from the Jan 20, CCPH*

*To be laid over for 2 months from January 20 Public Hearing.*

**Referred to the City Council due back on 1/20/2016**

## Special Tax Assessments - Rolls

- 32    **RLH AR 15-83**    Ratifying Boarding and/or Securing services from during July 2015. (File No. J1602B, Assessment No. 168101)  
*Sponsors:*        Stark  
**Referred to the City Council due back on 1/20/2016**
- 33    **RLH AR 15-84**    Ratifying Property Clean Up services during August 4 to 31, 2015. (File No. J1603A, Assessment No. 168502)  
*Sponsors:*        Stark  
**Referred to the City Council due back on 1/20/2016**
- 34    **RLH AR 15-85**    Ratifying Trash Hauling services during August 5 to 26, 2015. (File No. J1603G, Assessment No. 168702)  
*Sponsors:*        Stark  
**Referred to the City Council due back on 1/20/2016**
- 35    **RLH AR 15-86**    Ratifying Collection of Vacant Building Registration Fees billed during February 23 to July 23, 2015. (File No. VB1603, Assessment No. 168802)  
*Sponsors:*        Stark  
**Referred to the City Council due back on 1/20/2016**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 36    [RLH SAO 15-73](#)    Appeal of Richard M. Gruber to a Summary Abatement Order at 671 HAWTHORNE AVENUE EAST.  
*Sponsors:*        Bostrom  
*Richard M. Gruber, owner, appeared.*  
  
*Inspector Paula Seeley:*  
*-this is a Condemnation; she inspected Oct 6 and found the house to have excessive clutter; windows, doors blocked and small walking paths*  
*-took photos*  
*-called Sade, House Calls; set up another time to do a re-inspection but no one was home; she looked into the window and it didn't look like anything had been done; Sade provided a \$500 dumpster, which had been there 8+ days; there were only 4 cardboard boxes in that dumpster*  
*-the Grubers still live in the house*  
*-Inspector Steve Magner told her to send a Summary Abatement; he wants to have a contractor clean out the house*  
  
*Mr. Gruber:*  
*-1576 Griggs address is where they intend to move but first some remodeling is*



taking place

-bought the 671 Hawthorne house in the fall of 1986 and moved into it before Christmas that year

-the clutter that Ms. Seeley is talking about is newspapers and magazines, some clothes; he didn't realize how much they had; they must have been collecting for 20 years or so

-he and helpers are loading the paper up and taking it to Waldorf to be recycled; he's working on getting it all out of the house

-his wife has taken care of all of the clothes; it's gone

-it takes time; he can't get all the paper out in just a few days; they are getting it all done

-he's asking for more time to take all of the paper to Waldorf

Ms. Moermond:

-asked why he didn't use the dumpster that he got for free from House Calls?

-she sees from the photos that you and your wife are hoarders; the place is Condemned and the deadline was Oct 16 to get it all out or you would need to vacate; you are still there

-then the dept. send through an Order saying that they want you to clean this out or they are going to hire a contractor to do the clean-out of the inside of the house so that it's habitable

-you want to do it all yourself and you want to continue to live there

Mr. Gruber:

-yes

-there were some things in the dumpster but all the paper is going to Waldorf

-the property on Griggs is being remodeled (kitchen-cabinets, etc.)

Ms. Moermond:

-you can have time to clean it out if you leave the property (she's not going to allow continued occupation of this property in these circumstance) or you can clean it out quickly and you can stay there; this is a dangerous circumstance; if there's a fire,,, it could be trouble; all the paper will get wet and collapse the floors; people have died in St. Paul with these types of circumstances

-we need to get this done more quickly; all that is very flammable

-sounds like you don't have operable smoke detectors and CO detectors

Mr. Gruber:

-there's a smoke detector in the hallway

-the kitchen is completely cleaned out

-the living room has a little left and soon, all of it will be gone

Ms. Seeley:

-thinks the smoke detector was chirping

-the house is a duplex; tenant upstairs; she hasn't inspected the upstairs unit

-there had been a fire there and they referred it to me

Ms. Moermond:

-asked why this wasn't cleared out by the deadline, Oct 16?

-asked how quickly he could get it cleaned out so that Inspector Seeley could walk thru?

-have it cleaned out by Fri, Nov 6 and you can stay; if it's not cleaned out, you will need to move out and the city will send in a crew; then, you can move back in again; I need this resolved because there's too much risk

-Fri is the deadline; Inspector Seeley will be there Fri at 10:15 am; your previous deadline has come and gone

*-if you want to work with Veterans' Services, give them a call; Sade, House Calls will have that number*

*Grant until Friday, November 6 to come into compliance with the excessive storage throughout.*

*FOLLOW-UP: Steve Magner called and asked for an extension on doing the clean out of the house. The hope is that he will move to 1567 Griggs St N, his other property. I told him we could forestall the clean-up if the other residence is habitable and they move there. Inspector Seeley will be checking into that. We will have a hearing on Tuesday November 17 on this matter. -MCM 11/9/15.*

**Referred to the City Council due back on 11/18/2015**

**37**     [RLH SAO 15-71](#)     Appeal of Steven Cardenas For Marcos Cardenas to a Summary Abatement Order at 585 JEFFERSON AVENUE.

**Sponsors:**     Thune

*Steven Cardenas appeared on behalf of his father, Marcos Cardenas.*

*Inspector Paula Seeley:*

*-got a complaint about a temporary tent; in Minnesota, they do not meet specifications for the snow load*

*-sent Summary Abatement Order Oct 7: move tent and store contents property*

*Mr. Cardenas:*

*-he is his father's care giver and he lives here*

*-there are a lot of senior citizens in this area*

*-had the tent put up last year as a carport; it was convenient for his parents; he took his mom to chemo 3 times a week; she passed; now, for his dad's medical problems*

*-he looked at MN residential uses and accessory zoning structures laws and it looked as though it passed everything*

*-he brought up photos (scanned)*

*-has 20 signatures from his neighbors (scanned)*

*-inspector said that maybe people complained since it was a corner lot*

*Ms. Moermond:*

*-this doesn't actually qualify as a structure; it isn't a building; it's a tent and is temporary; it's not permanent affixed to the ground; and as a temporary structure, it can be there for 6 months; if longer, you have to go with a regular permit - you wouldn't get on because it can't be connected to the ground and the roof wouldn't meet snow load requirements (danger of collapse if there's too much snow on it)*

*-also, high wind can lift them away*

*Mr. Cardenas:*

*-he didn't see it as a problem*

*-he has 2 brothers and a sister who live with them, now; and he's the one who takes care of the majority of what happens with the house/property because he's the primary care giver*

*-the neighbors don't see it as a problem*

*-he makes sure all the snow is removed*

*-2 other inspectors and a fire marshal came out and said that it wouldn't be an issue*

*-he would like to, at least, keep it thru the winter for convenience for his dad; he'll take it down in the spring*

*Ms. Moermond:*

-a building, sided and roofed, a shed could be built; at least 10 x 18 (need a permit)

Mr. Cardenas:

-financially, his money is tied up; they had no insurance for his mom; and no one is helping him out; he's trying to keep the house for his dad

-it's a car port; it works for our situation

-he took photos of a property 6 blocks away on which are 3 of these tents

-they've lived there for 40 years

-he will take it down in spring if he can leave it up over the winter....it's for his dad; never know when he needs to go to the hospital

Ms. Moermond:

-needs to think about this one; is inclined to give you more time; the neighbors are in support of your situation - that's positive

-she may extend the time he can leave it there

-was observed by Fire staff, who sent it over to Code Enforcement staff at the beginning of Oct

-will put out a decision between now and next Tue

-will send you a letter

-City Council Public Hearing Nov 18, 2015

Recommendation is forthcoming.

**Referred to the City Council due back on 11/18/2015**

- 38**     [RLH SAO 15-75](#)     Appeal of Antonio Grajeda and Kasandra Tidgwell to a Summary Abatement Order at 569 LAFOND AVENUE.

**Sponsors:**     Thao

Waiting to hear from Sean Westenhofer to see if issue(s) has been resolved and appeal should be withdrawn. Owner was a no-show at hearing but then she showed up after the hearing. Active permit on file for reroofing/residing of the garage.

Appeal withdrawn per Sean Westenhofer. Appellant to contact him by the end of next week.

**Withdrawn**

- 39**     [RLH SAO 15-74](#)     Appeal of Eric Schroeder to a Summary Abatement Order at 386 SARATOGA STREET SOUTH.

**Sponsors:**     Tolbert

Eric Schroeder, owner, appeared.

Inspector Lisa Martin:

-complaint from Public Works re: a wooden structure on the blvd in the ROW

-Summary Abatement Order was sent Oct 21, 2015 to remove the structure by Nov 2, 2015

Ms. Moermond:

-looks like a short retaining wall type deal

Ms. Schroeder:

-that structure has been there between 5-7 years; it's not attached to the ground; it's a flower bed

-he doesn't remember exactly when it was put in  
 -for the record, he did ask neighbors and got their signatures  
 -there's a water dish for dogs  
 -photos  
 -he called Mr. Ross, who informed him that it came from anonymous complaint and they had to follow-up on it  
 -it's a flower bed; not a nuisance

Ms. Moermond:

-she would call it a ROW encroachment; it was built in the ROW  
 -was there a permit from Public Works for it?  
 -there are regulations on the height of the plantings; looks like there's no issue on that  
 -it's all about the timbers of the planter  
 -it look nice and neat - well maintained  
 -she will concern herself with the timbers that are close to the curb; maybe they're too close for snow plows, perhaps  
 -suggested that Mr. Schroeder apply for a ROW encroachment permit from Public Works to see if they'll OK it; if PW issues you a permit, we don't have an issue with Code Enforcement; if they don't issue a permit, you will appeal the permit and you'll will end up back here again, so, we can take another look at it  
 -will Lay this Over to Dec 15, 2015 to give you time to find the result of the ROW encroachment permit application  
 -it might be frozen in the ground by then and you wouldn't be able to work on it until spring

Owner was advised to apply for ROW encroachment permit.

**Laid Over to the Legislative Hearings due back on 12/15/2015**

## Correction Orders

### 11:30 a.m. Hearings

#### Orders To Vacate, Condemnations and Revocations

### 1:30 p.m. Hearings

#### Fire Certificates of Occupancy

**40**     [RLH FCO  
15-292](#)     Appeal of Jeff Swanson of Havenbrook Homes to a Fire Certificate of Occupancy Correction Notice at 1012 BEECH STREET.

**Sponsors:**     Finney

*Jeff Swanson, construction manager, Havenbrook Homes, appeared.*

*Fire Inspector A. J. Neis:*

-Fire Certificate of Occupancy Correction Notice re: complaint received Oct 6 about a deteriorating retaining wall on the east side of the property  
 -Inspector Efrayn Franquiz went out and issued an Order to repair and maintain the fence and retaining wall with a compliance date of Oct 30, 2015  
 -appeal: the question of whose retaining wall is it?

Mr. Swanson:

-the only way to fix the wall is to replace the wall; it runs about 150 feet - it's a big job; it's also tricky because there's not a lot of room to work between those 2 houses; it's an expensive job, as well

-before he replaces it, he wants to make sure that it's his wall; he has to pay for a survey; he has applied for one and it should come within the next week or so; however, getting the wall done may/may not happen this fall, depending on the weather

-the aerial map shows that the wall is ours; however, it may not be accurate

-the neighbor's roof overhangs onto our property

-the wall is only 18 - 24 inches tall

Ms. Moermond:

-the document that she has also looks as though the wall is Mr. Swanson's

-the wall may be directly on the property line

-we absolutely need to see the survey in order to make a decision

-there's danger of the wall collapsing and becoming a trip hazard; also, creating an erosion possibility, which eventually would undermine the neighbor's foundation; there are things you can do to stabilize the soils while we're waiting for spring to come

-inclined to wait until spring

-will Lay this Over for 2 weeks to Nov 16, LH

-you can email us to let us know what you find out from the survey

Layover to get survey done.

**Laid Over to the Legislative Hearings due back on 11/17/2015**

41 [RLH FCO  
15-295](#)

Appeal of Wayne Warnest of St. Stephanus Lutheran Church to a Fire Inspection Correction Notice at 739 LAFOND AVENUE.

**Sponsors:** Thao

Wayne Warnest, Facilities Manager, St. Stephanus Lutheran Church, appeared.

Fire Inspector A. J. Neis:

-Fire Certificate of Occupancy Correction Notice by Fire Inspection Mitch Imbertson  
-appealed is the travel of door swing near the altar area of the church; while that is clearly a violation to the current code, this door appears to have been in existence for a very long time (possibly original); however, we don't have a good solution for making it code complaint

-senior staff would not object if the appeal is granted

Ms. Moermond:

-will recommend this appeal be granted

Mr. Warnest:

-the church is inspected either yearly or every other year

-this door has been there for close to 100 years and has gone thru many inspections

-Inspector Imbertson thought that there may be a variance allowing it

-it's a unique situation; to change it would have been major work

Ms. Moermond:

Grant the appeal.

**Referred to the City Council due back on 12/2/2015**

**42**     [RLH FCO  
15-298](#)

Appeal of Peter Riemenschneider to a Correction Notice - Complaint Inspection at 674 LAWSON AVENUE EAST.

**Sponsors:**         Bostrom

*Peter Riemenschneider, JPR Flats LLC, owner, appeared.*

*Fire Inspector A.J. Neis:*

- Fire Certificate of Occupancy Correction Notice
- Unit 5 in the basement: ceiling height is 6'10" in 99% of the floor area
- sent to our office as either a complaint or referral

*Mr. Riemenschneider:*

- bought building in Feb 2015; it had already had a Certificate of Occupancy
- when they went to rent it out to a Section 8 tenant, they noted that the ceiling ht was lower than code required
- they tried to get a variance from the city, which was rejected
- photos
- it's a very well done finished basement

*Ms. Moermond:*

- will recommend granting the appeal
- the Fire Code is being modified where this would not be a violation anymore
- we will send the minutes to the Public Housing Section 8 person; they and the city will both have it in their records
- you will get a letter

*Grant the appeal.*

**Referred to the City Council due back on 12/2/2015**

**43**     [RLH FCO  
15-296](#)

Appeal of Raymond Simpson to a Fire Inspection Correction Notice at 1350 MARYLAND AVENUE EAST.

**Sponsors:**         Bostrom

*Raymond Simpson, Phalen Apartments LLC, owner, appeared.*

*Fire Inspector A.J. Neis:*

- Fire Certificate of Occupancy Correction Notice conducted by Fire Inspector Efrayn Franquiz
- all 18 units were inspected
- it's a long list and 10 items are being appealed
- each item should be discussed; he had questions on some of these
- photos
- #2 exterior paint is chipping, peeling on white pillars; Appellant is asking for an extension to spring

*Ms. Moermond:*

- repair any opening now; will grant an extension to Jun 1, 2016 on the exterior painting

*Mr. Neis:*

- #4 extermination for mice-DONE
- #5 tightened knobs on doors-DONE

-#10 smoke detector missing-empty bracket-WITHDRAWN (inspector error)  
-#14 maximum number of locks-WITHDRAWN (inspector error); can't be hook&eye;  
can be a chain lock or a door knob lock

Mr. Simpson:

-would like an explanation of the point system (will be sorted out at the end)

Mr. Neis:

-#16 clean & sanitary condition (aluminum foil on range- he would need to see a photo of this; it's common in rental units to put foil on the ranges because they don't want to pay a damage deposit for getting grease on the ranges but foil can burn) Mr. Simpson: tenants replace the foil as it gets dirty; he doesn't allow them to line the burner; they put it on the walls around the range area - Neis: that's no problem - WITHDRAWN

-#23 door open freely in living room; large opening under unit entry door; Mr. Simpson: from the outside of the door, it may look as though the opening is 1-1 1/2 inches; however, there's carpet on the inside and if the door is too low, the carpet will restrict the door from opening properly; the hallway is heated  
-looking at the photo, he thinks the door meets the intent of the code; Mr. Neis / Ms. Shaff will go out and take a look at this

Ms. Moermond:

-there will be a follow-up inspection; at that point, we can look at it; don't see a photo that covers the door of #202  
-Mai Vang is getting the photos from Oct 30 so we can see if one is among them

Mr. Neis:

-#30 wall - wall carpeting, yet there's a large piece of vinyl on top of it - WITHDRAWN; he sees this quite frequently; tenants want to keep the carpet clean so, they put a loose laid laminate floor piece over a section of carpet that may get dirty easily; this tenant is a Keran Family from Myanmar  
-#31 similar to #23; he will have to look at that one, too

Ms. Moermond:

-looking at the Oct 30 photos; few more were taken Nov 3  
-Sep 8 was a complaint-based inspection; this inspection was made Oct 14  
-let's talk points

Mr. Neis:

-total number of points on the building was 160 for the items being appealed (all 18 units were inspected); in order to get a Class A grade, you need fewer than 90 points  
-#4-extermination addressed

Mr. Simpson:

-the extermination was addressed prior to the inspection; he emailed the extermination documentation (Mr. Neis: the points for #4 = 6 pts; the inspector never closed the violation; his notes say that he transferred the violation to Fire C of O); Mr. Simpson: that aside, the reinspection date was Oct 9 and I had everything taken care of by then and he didn't show up

Mr. Neis:

-#4 = 6 pts  
-#12 = 2 pts  
-#13 = 4 pts  
-#14 = 4 pts  
-#10 = 0 pts - (discrepancy in the system; it's supposed to be 10 pts)

-#16 = 6 pts

-#30 = 4 pts

Ms. Moermond:

-total 28 pts and the doors are still not counted; (#23 = 4 pts)

Mr. Neis:

-he will need to look at that more closely

Ms. Moermond:

-a lot of things are already done; some are not under appeal and we have withdrawals

-extension to Jun 1, 2016 for painting

-we are in agreement that the current deadline, Dec 1, 2015, re-inspection is fine; the doors will be checked out at that time, as well

All items to be done by December 1, 2015 with the exception of the painting which has been granted until June 1, 2016. Inspector will revisit Items 23 and 31 relating to the doors for Units 202 and 302. Items 10, 14, 16, 30 have been withdrawn from the existing Order per Supervisor Neis noting that the item(s) may be re-issued with correct language.

**Referred to the City Council due back on 12/2/2015**

**44**     [RLH FCO  
15-288](#)

Appeal of Susan F. Willis to a Fire Inspection Correction Notice at 601 PARK STREET.

**Sponsors:**        Thao

*deny the appeal; no one appeared.*

*Owner called and stated missed hearing due to a death in the family. Rescheduled to November 17 at 1:30 p.m.*

**Laid Over to the Legislative Hearings due back on 11/17/2015**

## 2:30 p.m. Hearings

### Vacant Building Registrations

**45**     [RLH VBR 15-96](#)

Appeal of Sharon Bruestle, representing Palm Bay, to a Vacant Building Registration Notice at 1128 MAGNOLIA AVENUE EAST.

**Sponsors:**        Bostrom

*Appeal withdrawn by Vacant Building inspector. Fire inspector is working with owner on Fire Correction Order.*

**Withdrawn**

**46**     [RLH VBR 15-94](#)

Appeal of Matt Folkers/ Dok.LLC to a Vacant Building Registration Renewal Notice at 134 MARIA AVENUE.

**Sponsors:**        Finney

*Deny the appeal; no show. Owner called to reschedule and was denied; he was*



*rescheduled twice.*

**Referred to the City Council due back on 12/16/2015**

**47**     [RLH VBR 15-91](#)     Appeal of Nancy Barnes to a Vacant Building Registration Requirement at 1159 PASCAL STREET NORTH.

**Sponsors:**     Stark

*Nancy Barnes, owner, appeared.*

*Ms. Moermond:*

*-we have been at this for a while and it doesn't get easier; there are fewer options the longer we go; it's been a hard one*

*-we have a Condemned building/owner occupied*

*-the main problem here is the spiral staircase up the middle of the house; the openings that provides it decreases the structural stability and allows for fire to more between the floors rapidly; not adequate separation, amongst other things; big structural issues*

*Fire Inspector A.J. Neis:*

*-we had the city structural engineer, Brian Karpen, go out; he gave a staff report*

*-previously, the Condemnation was given a deadline to complete the Orders by Sep 1, 2015; then, an extension was given to mid-Sep if they could provide an approved plan to get the work done*

*Ms. Barnes:*

*-her father went into the hospital; the attorney was working with my father; then, her father signed the house over to her so that she could get funding to fix the house*

*-the problem was that the title didn't come until the last week of Aug, 2015, which left 1 week... (Ms. Moermond: which is why you got an extension)*

*-I didn't know about that; my father got sick 3 days later and everything stopped until he was well enough to sign the house over to her*

*-she talked with several people and is on several waiting lists for funding*

*Ms. Moermond:*

*-got a call this morning from Michelle Vojacek, PED, who said that for the program that's relevant here, they would have up to \$25,000; however, they haven't yet received all the information needed from you*

*Ms. Barnes:*

*-because when the sticker went into the window, all her mail stopped; it didn't come until after Sunday; the application was in there and the title - everything that I needed to send to her*

*Ms. Moermond:*

*-Ms. Vojacek said that if the building is Condemned, the HUD money that PED's program would have used, they can't use because of the Condemnation (HUD money can't be spent on houses that are Condemned or are empty; so, you would not qualify for those funds for just that reason*

*Ms. Barnes:*

*-Neighborhood Works has agreed to help her as well as Rebuild Twin Cities Together; she is on their waiting lists and she can't make it go any faster*

*-you said that you would expedite the title the first time we were here and that never happened; and it was months and months before it finally came*

*-all I need is a chance to get it done*

*Ms. Moermond:*

*-I couldn't*

*-the question is "Can you stay in there while we wait on that chance?"*

*Ms. Barnes:*

*-according to the structural engineer and he stated in his report that there doesn't seem to be an imminent structural issue; he does state that it needs to be taken care of in a necessary amount of time; his first sentence says that he doesn't see an immediate danger*

*-she has fixed many things on the list - except for those that she can't personally do*

*Mr. Neis:*

*-he has not been out to re-inspect; there was no need because there had been no permits pulled on file*

*-he consulted with Ms. Moermond's office around Sep 15 and you said that you had not heard from the Appellant's family attorney, David Front; therefore, once that deadline had come and gone, he sent an email to Matt Dornfeld, Vacant Buildings, that the deadline, Oct 1, had come and gone and the documentation hadn't been received, so they needed to placard the building as a Registered Vacant Building*

*Ms. Barnes:*

*-I never got anything about Oct 1*

*-she has the letter that came with the title, letter from David Front to her father and it says, "Your daughter, Nancy, should follow-up with them to ensure that she can move forward with any necessary remodeling work." She did call and let somebody know that she was trying to get funding*

*-she wasn't sitting on her hands; the delay was because of the title not coming*

*Mr. Neis:*

*-this was an email sent Aug 31 to David Front, Attorney representing the son (not the father or daughter) and that the son was intending to have the property transferred to his own name and have the work done*

*-there was consultation with City Council to see if they would be willing to reconsider the initial Vacate date and give them a new deadline/extension, which was done*

*-the son was given 2 weeks to get the title transferred into his own name and develop a Work Plan for the property; the son indicated that he was able to do the repairs himself; the attorney was advised that they would need a structural analysis, as well, and that if only those 2 items were addressed in the next 2 weeks and DSI was satisfied, we would consider giving a further extension for the work to be done; if that work were not done or was found that the analysis was unacceptable, the Vacate date would be Oct 1.*

*-he believes that all this was communicated through their attorney*

*Ms. Moermond:*

*-how many children live there?*

*-asked Mr. Neis if he could go out, take a look and make an assessment of the situation*

*Ms. Barnes:*

*-three; 2 are 15; 1 is 17*

*-nothing major has been done*

*Ms. Moermond:*

*-Ms. Barnes needs to be working with the House Calls Program*

*-we are going to be talking about emptying this building; it's a matter of when; the*

*only thing that will stop that is a plan from a funding source*  
*-have Neighborhood Works and Rebuild Twin Cities Together give me a call ASAP*  
*and we can talk about the situation - that this is a pressing situation for you; if they*  
*are using HUD \$\$, they'll be in the same place as the city; if they are not using HUD*  
*\$\$, they have more flexibility to work on this*  
*-you will talk with them within this next week to get them to call me*  
*-Inspector Neis and Mr. Karpen will go and check things out*  
*-will LAY this OVER for 2 weeks to Nov 17*  
*-she wants to hear from the potential lenders by Nov 16*  
*-we will send you a letter*

*Inspector Matt Dornfeld, Vacant Buildings:*  
*-we have a Vacant Building fee coming soon*

*Ms. Moermond:*  
*-will consider the VB fee under the Nov 16 appeal; allow occupancy for 2 more weeks*

*Layover so that owner can continue to find funding for the repairs. If funding is*  
*available, Ms. Moermond asked that a work plan for costs and timelines be*  
*submitted. Fire Supervisor AJ Neis and Structural Engineer Brian Karpen will revisit*  
*the site for an update on conditions of the home.*

**Laid Over to the Legislative Hearings due back on 11/17/2015**

- 48**     [RLH VBR 15-98](#)     Appeal of Nachman Goldberg to a Vacant Building Registration Fee  
Warning Letter Requirement at 1809 YORKSHIRE AVENUE.

**Sponsors:**     Tolbert

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 11/10/2015**