



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final-revised

Legislative Hearings

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

Tuesday, December 1, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 15-550](#) Deleting the Appealed Special Tax Assessment for Property at 122 LYTON PLACE (File No. J1602B, Assessment No. 168101).

Sponsors: Thao

Max R. Elkin, owner, appeared.

*Inspector Joe Yannarely:
-emergency boarding fee*

*Ms. Moermond:
-we had a fire; have a fire investigation report
-did we get a written statement from your contractor*

*Mr. Elkin:
-yes; Ms. Moermond is reviewing it
-his account of this situation was incomplete at the last LH
-his employer reminded him that before the fire, we had boarded the building ourselves because the police were unable to scare the intruder off or apprehend her; so, to try to keep her out, we boarded the building before the fire; she got in by removing a board on the bedroom; right after the fire (we were informed), we sent someone out there....and the fire people had removed all the boards from the windows and smashed the windows to open them up (don't know why but that's what seems to have been the situation); immediately after that, we went back and re-attached our plywood back to the windows
-he found that one door and one window had been boarded when he got back out there
-we put the boarding on the inside of the windows and screwed them down so there would be no possibility of anyone getting in
-seems to him that they are being penalized for something they didn't do and for something they couldn't control
-the building is being rehabbed - to get it ready for occupancy; it's 85% completed*

*Ms. Moermond:
-read letter from contractor
-a good faith effort was made to keep the property boarded both before and after
-will recommend deletion*

Delete the assessment.

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

- 2 [RLH TA 15-596](#) Ratifying the Appealed Special Tax Assessment for Property at 1025 BRADLEY STREET (File No. J1604A, Assessment No. 168503).

Sponsors: Brendmoen

Song Vang, owner, appeared. Mai Vang translated.

Inspector Paula Seeley:

*-Summary Abatement issued Sep 23, 2015; compliance Sep 28; re-checked Sep 28
-work done Sep 29, 2015 for a cost of \$344 + \$160 service charge = \$504
-no returned mail
-sent to Doua Lee/Song Vang, 6872 37th St N, Oakdale, MN; and to Occupant
-garbage order & vehicle abatement order were also issued on Sep 23, 2015
-Trash on garage apron; rubbish in rear yard*

Ms. Vang:

-she did not receive Notice; there's an agreement with tenant to do it

Ms. Seeley:

*-VA: trailer has no registration and is full of rubbish in driveway
-upon re-check on Nov 4, the trailer was gone; the yard was clean*

Ms. Vang:

-she believes that the trailer is still there; she's been talking with the tenant about removing it but they told her it has a license

VIDEO - bags of rubbish on garage apron; the city did clean it up; did not notice if there were trash containers seen in the Video

Ms. Vang:

*-there is garbage service and a container but it's probably inside the yard next to the house; tenant said that the trash bags there are not hers
-the tenant's children can read English and are at home*

Ms. Moermond:

*-there's no returned mail and there have been multiple Orders and it's not being taken care of
-the city did do the work
-will recommend approval of this assessment*

Approve the assessment.

Referred to the City Council due back on 2/3/2016

- 3 [RLH TA 15-485](#) Deleting the Appealed Special Tax Assessment for Property at 923 BURR STREET (File No. J1601B, Assessment No. 168100).

Sponsors: Brendmoen

Trang Phan appeared (Vietnamese Interpreter was present); her mother is Phong Pham, owner.

Inspector Joe Yannarely:

-he received a complaint about people going in and out of this house; it was unsecured

-he told Inspector Friel, who monitors this property, to go out and check; he found the building unsecured and ordered an emergency boarding

-one window was secured with clips; one window and another door were secured

-cost" \$35.85 + \$160 service charge = \$195.85

-this was a Fannie Mae property for some time, in which case, the city it not allowed to do anything with it

Ms. Phan:

-the family purchase the property in Jul 2015

Ms. Moermond:

-the city can't touch Fannie Mae property

-so, there wasn't proper Notice; that assessment should be deleted

-will recommend that the boarding assessment is deleted

Delete the assessment.

Referred to the City Council due back on 1/6/2016

4 [RLH TA 15-555](#)

Ratifying the Appealed Special Tax Assessment for Property at 923 BURR STREET (File No. J1603A, Assessment No. 168502). (To be referred back to Legislative Hearing on May 17, 2016)

Sponsors: Brendmoen

Trang Phan appeared (Vietnamese Interpreter was present); her mother is Phong Pham, owner.

Inspector Joe Yannarely:

-this is a Registered Vacant Building

-Summary Abatement Order was sent for garbage and rubbish Aug 13; compliance Aug 19; re-checked Aug 21

-work done Aug 21, 2015 for a cost of \$318 + \$160 service charge = \$478

-sent to Federal National Mortgage Association; and Phong Pham, 2204 McAfee, Maplewood, MN

-no returned mail

Ms. Moermond:

-the Order says that they needed to remove improperly stored or accumulated refuse, including garbage, rubbish, appliances and household items

Ms. Phan:

-during that time, her brother was out of the house traveling

-they didn't received any letters; they put things in front of the garage and thought that someone took it

-I did not understand the rules; she just came from Vietnam, I didn't know that things inside my property was not OK....

VIDEO - appliances, debris down the long driveway near the garage

Ms. Phan:

-if I had received a Notice, I would have cleaned it up; those things are not garbage; they are still good so someone could use them

-the garage door does not open

-her brother was out of town during that time

Mr. Yannarely:

-Summary Abatements have been issued 8-13-2014 for garbage/rubbish; Work Order issued 9-2-2014

-looks like they're doing some rehab there; a permit has been issued

-dumpster is in the driveway

-building is vacant; work continues

Ms. Phan:

-the house should be done Apr-May 2016

Ms. Moermond:

-will Lay this matter Over and talk about it again in May

-she wants to use this assessment fee as an incentive for Ms. Phan to get the rehabilitation done

-if the city does not have to clean-up anything else, she will recommend this assessment be deleted

-final recommendation is forthcoming

-she have sympathy for being new to the country and not understanding how to look at main in this context - letters from the city will need to be opened immediately; keep the property clear of construction waste, appliances, junk, garbage, rubbish, etc. and remember to shovel the sidewalk

-complete the Fire C or O form and give it to Inspector Yannarely

To be referred back to Legislative Hearing on May 17, 2016.

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

5 RLH TA 15-597 Ratifying the Appealed Special Tax Assessment for Property at 594 CASE AVENUE (File No. J1603B, Assessment No. 168102).

Sponsors: Bostrom

Approve the assessment.

Michael Casey appeared on behalf of owner Jeffrey C. Sutphen.

Inspector Joe Yannarely:

-boarding emergency requested by SPFD due to fire at the property

-cost: \$261.95 + \$160 = \$421.95

-no one was at the property when they got there; they gained access and found a person asleep in another room at 2:19 am

-after putting out the fire, the requested an emergency boarding to RESPRO

Mr. Casey:

-Mr. Sutphen wants the charges dismissed because no attempt was made to contact him, the owner to do that work

Ms. Moermond:

-typically but not always, they do call the key holder for the property; sometimes people don't have their right contact information with the Police/Fire Dept Call Center; they rely on the Fire Certificate of Occupancy paperwork; she is not sure if an attempt was made or not

-she doesn't have a fire report and this situation was an emergency, so it needed to be boarded

-will recommend approval of this assessment

Referred to the City Council due back on 2/3/2016

- 6 [RLH TA 15-571](#) Ratifying the Appealed Special Tax Assessment for Property at 242 CONGRESS STREET EAST/469 ANITA STEET (File No. J1604A, Assessment No. 168503).

Sponsors: Noecker

Mackonnen Hidru, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement issued Sep 3, 2015; compliance Sep 11; re-checked Sep 14

-work done Sep 15 for a cost of \$316 + \$160 service charge = \$476

-no returned mail

-history: Aug 5 & Nov 16 - rubbish

-sent to Mackonnen Hidru, 13364 Fordham Ave, Apple Valley, MN

-pile of concrete, rubble and scrap metal in front yard

Mr. Hidru:

-he was doing a renovation on the house; he does the work himself; the transformation is amazing

-he assumed that since he had a permit, that he could finish the job first before removing the construction debris

Ms. Moermond:

-why didn't you clean it up after you got the letter - ordering you to clean it up; also, the grass is growing wild

Mr. Hidru:

-he hadn't finished yet

VIDEO - city removed concrete, etc. in front yard

Ms. Moermond:

-a Notice was sent; the city did the work

-will recommend approval dividing the assessment over 3 years

Approve the assessment and spread over 3 years.

Referred to the City Council due back on 2/3/2016

- 7 [RLH TA 15-574](#) Ratifying the Appealed Special Tax Assessment for Property at 922 COTTAGE AVENUE EAST (File No. J1604A, Assessment No. 168503).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 2/3/2016

- 8 [RLH TA 15-576](#) Ratifying the Appealed Special Tax Assessment for Property at 1450 DALE STREET NORTH (File No. J1604A, Assessment No. 168503).

Sponsors: Brendmoen

Rescheduled per owner's request. Owner needs Swahili interpreter.

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

9 RLH TA 15-600 Ratifying the Appealed Special Tax Assessment for Property at 1171 DAYTON AVENUE (File No. J1604A, Assessment No. 168503).

Sponsors: Thao

David Lundy, Willow Creek Development Group, LLC, appeared.

Inspector Joe Yannarely:

*-Summary Abatement Order issued for tall grass & weeds and an overflowing dumpster in rear yard Sep 8; compliance Sep 14; re-checked Sep 14
-Mr. Dornfeld found it noncompliant on Sep 14; issued Work Order for Parks
-work done Sep 15, 2015 for a cost of \$288 + \$160 service charge = \$448*

Mr. Lundy:

*-he was out of town during the time period that the letter was sent to his PO Box
-he talked with Matt Dornfeld on/around the due date, who said that I could still go and clean it up; so, I did and I took photos
-my photos have a date of Sep 16*

VIDEO - city removed all refuse by dumpster next to garage

Mr. Yannarely:

-Mr. Dornfeld said that he allowed 4 more days to cut tall grass & weeds

Ms. Moermond:

-she viewed Mr. Lundy's photos

Mr. Lundy:

*-the problem is that we have a dumpster and everyone comes and decides to put their stuff next to our dumpster
-when he arrived, he thought that it hadn't yet been picked up*

Ms. Moermond:

*-and this does look like different stuff than in the VIDEO
-what I'm looking at today doesn't say anything about charging for tall grass & weeds
- just the clean up
-will recommend approval of this assessment
-apparently, you got dumped on within 24 hours*

Approve the assessment.

Referred to the City Council due back on 2/3/2016

10 [RLH TA 15-592](#) Ratifying the Appealed Special Tax Assessment for Property at 430 EDMUND AVENUE (File No. VB1604, Assessment No. 168803).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 2/3/2016

- 11 [RLH TA 15-593](#) Ratifying the Appealed Special Tax Assessment for Property at 430 EMDUND AVENUE (File No. J1604A, Assessment No. 168503).

 Sponsors: Thao

 Approve; no show.

 Referred to the City Council due back on 2/3/2016
- 12 [RLH TA 15-595](#) Deleting the Appealed Special Tax Assessment for Property at 1022 FOURTH STREET EAST (File No. J1604A, Assessment No. 168503).

 Sponsors: Finney

 Inspector did not send a summary abatement order; recommend deleting the fee.

 Referred to the City Council due back on 2/3/2016
- 13 [RLH TA 15-581](#) Ratifying the Appealed Special Tax Assessment for Property at 5 GEORGE STREET WEST (File No. J1604A, Assessment No. 168503).

 Sponsors: Thune

 Approve; no show.

 Referred to the City Council due back on 2/3/2016
- 14 [RLH TA 15-578](#) Ratifying the Appealed Special Tax Assessment for Property at 310 GEORGE STREET WEST (File No. J1604A, Assessment No. 168503).

 Sponsors: Thune

 Rescheduled per owner's request.

 Laid Over to the Legislative Hearings due back on 12/15/2015
- 15 [RLH TA 15-591](#) Ratifying the Appealed Special Tax Assessment for Property at 412 HOLLY AVENUE (File No. VB1604, Assessment No. 168803).

 Sponsors: Thao

 Approve; no show.

 Referred to the City Council due back on 2/3/2016
- 16 [RLH TA 15-587](#) Ratifying the Appealed Special Tax Assessment for Property at 354 HOPE STREET (File No. J1604G, Assessment No. 168703).

 Sponsors: Finney

 Approve; no show on 12/1
 12/8: Tenant called stating she wants to contest. Rescheduled to Dec 15 LH.

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

- 17 [RLH TA 15-573](#) Ratifying the Appealed Special Tax Assessment for Property at 354 HOPE STREET (File No. J1604A, Assessment No. 168503).

Sponsors: Finney

Rescheduled to Dec 15 per tenant's request. No one appeared on Dec 1 LH.

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

- 18 [RLH TA 15-599](#) Ratifying the Appealed Special Tax Assessment for Property at 1443 JEFFERSON AVENUE (File No. VB1604, Assessment No. 168803).

Sponsors: Tolbert

David Lundy, Willow Creek Development LLC, appeared.

Inspector Joe Yannarely:

-Vacant Building annual fee \$2025 + \$155 service charge = \$2080

-comments: on Oct 13, 2015 per Ms. Moermond, allow VB fee to go to assessment; she will re-visit assessment when it comes due pending progress on the code compliance inspection; she may/may not adjust the VB fee

-anniversary date is Jun 6; he acquired is early Aug

Mr. Lundy:

-hasn't started with the rehab

-has a variance request in; the foundation is within 4 ft of the property line

-has already met with District Council and was approved there last Mon; will be going to the city next Mon; he expects full approval; once he gets that, he will submit his building plans and they will go ahead and take off the top half and move forward with taking this property out of the Cat 2 VB and into a 2-story, ready to occupy building

-we talked about prorating the VB fee

-still trying to get his head around the fact that Freddie and Fannie Mae are impervious to city rules

-suggested that the city update it's website where it talks about the requirements of the sale of a Cat 2 VB and specifically state that they don't have to pay VB fees; that it will be assessed and go onto the taxes

Ms. Moermond:

-she totally sympathizes; the main problem: all residential sales in the City of Saint Paul require a Truth in Sales of Housing Inspection Report (TISH) or a Code Compliance Inspection Report or a Certificate of Occupancy, except if you are the federal government - thinks it makes sense to put a little explanation of that onto the website

Mr. Lundy:

-will be working on this until May-Jun because they are taking off a level of the house and building a whole 2nd floor and re-doing the basement; the old porch on the rear will need new footings

Ms. Moermond:

-we're looking at an assessment that will be charged covering the time period from Jun 2015 - Jun 2016 (paid prospectively); will give you credit for those 2 months when Fannie Mae had it until it came to you but if you're not going to get done until May or Jun, you will have been in the program 10 months out of the 12 and she

doesn't typically pro-rate at that point

Mr. Lundy:

-so, I took it over in Aug; if I had it done 6 months from Aug, could you cut it in half?

Ms. Moermond:

*-by the time, you get to May-Jun, I will call it for the whole year
-will recommend approval unless you foresee yourself getting it done much sooner than later, in which case she can Lay it Over to see if he can get it done
-the city will need to figure out how to phrase the information about the federal government on the website*

Approve the assessment.

Referred to the City Council due back on 2/3/2016

19 RLH TA 15-589 Deleting the Appealed Special Tax Assessment for Property at 395 LAFOND AVENUE (File No. J1604A, Assessment No. 168503).

Sponsors: Thao

Ting Ting Wang, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement issued Sep 3 for failure to maintain exterior; compliance Sep10; re-checked Sep 11
-work done Sep 14 for a cost of \$364 + \$160 service charge = \$524
-no returned mail
-sent to Ting Ting Wang, 3229 4th Ave S, Mpls; and Occupant
-remove furniture and refuse in front and side of garage and backyard*

Ms. Wang:

*-I actually cleaned it all up the morning of Sep 10
-then I was contacted by my property manager that there was a witness who say my neighbor at 401 Lafond Ave dump more stuff onto my property in the afternoon of Sep 10
-she called the inspector the next day to tell him about it; the inspector told her that he would have the city crew come to clean it up and then he'd bill her neighbor; that's why she didn't go back and clean it up
-the property is currently vacant; tenant moved out end of Aug*

VIDEO - removed couch, mattress, plastic pool near garage

Ms. Moermond:

*-I have a photo showing different stuff
-a Notice was sent; you cleaned it up Sep 10
-the work of the city wasn't done until Sep 14 (newly dumped)
-the inspector got it wrong; we can't bill your neighbor for items on your property
-noticed that there was overgrowth on the alley side of your property and looks like nobody cares and when nobody cares, people are inclined to dump; if you keep it clear, it improves your odds of not having people dump
-will recommend deletion because you did address the Order*

Delete the assessment.

Referred to the City Council due back on 2/3/2016

- 20** [RLH TA 15-588](#) Deleting the Appealed Special Tax Assessment for Property at 501 LYNNHURST AVENUE WEST (File No. J1603B, Assessment No. 168102).
- Sponsors:** Stark
- Rescheduled per owner's request.*
- Laid Over to the Legislative Hearings due back on 12/15/2016**
- 21** [RLH TA 15-577](#) Ratifying the Appealed Special Tax Assessment for Property at 212 MCBOAL STREET (File No. J1604A, Assessment No. 168503).
- Sponsors:** Thune
- Approve; no show.*
- Referred to the City Council due back on 2/3/2016**
- 22** [RLH TA 15-575](#) Deleting the Appealed Special Tax Assessment for Property at 115 MAGNOLIA AVENUE WEST (File No. J1604A, Assessment No. 168503).
- Sponsors:** Brendmoen
- Paul Steinhauser, Spero Properties LLC, owner, appeared.*
- Inspector Paula Seeley:*
- Summary Abatement Order for tall grass & weeds sent Sep 9; compliance Sep 13; re-checked Sep 24*
 - work done Sep 28 for a cost of \$160 + \$160 service charge = \$320*
 - sent to Occupant and Spero Properties LLC, 5620 Memorial Ave N, Ste 1, Stillwater, MN*
 - no returned mail*
 - no history on property*
 - looks like this is under construction*
 - also, there was a lapse; trying to figure out why it took so long for the city to get out there*
- VIDEO - vacant lot; cut grass on the property, blvd*
- Mr. Steinhauser:*
- he has the timecard for us doing that landscaping and mowing on the Thu following receiving Notice*
 - as a character witness for ourselves, we have renovated over 30 houses in St. Paul and we've built 13 new houses on vacant lots, all part of the aspiring communities initiative over the last 3 years; we have never not complied with any of those things; if you check with the Dept, they would tell you that we have complied with everything for 3 years - and made our best effort to do so here*
- Ms. Moermond:*
- when I look at the Video, I see something that's pretty darn tall; not sure how long it took to get that tall*
 - she doesn't know if Mr. Steinhauser's crew was looking at the yard itself or the yard & blvd; however, the Order went out Sep 9 and the crew didn't show up until Sep 28; so, that could be new fresh grass and no issue for her in that case*

Ms. Seeley:

-looks like Inspector Essling called the developer of this vacant lot, who stated that she would have it cut, so he gave her an extension of time

Mr. Steinhauer:

-the other thing is that of having the fencing of the property and trying to mow around that

Ms. Moermond:

-agreed

-it doesn't happen from time to time that crews don't quite read or get what it is... because of the time length, she will recommend deleting the assessment

Delete the assessment.

Referred to the City Council due back on 2/3/2016

- 23** [RLH TA 15-590](#) Ratifying the Appealed Special Tax Assessment for Property at 953 MARION STREET (File No. J1604A, Assessment No. 168503).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 2/3/2016

- 24** [RLH TA 15-572](#) Ratifying the Appealed Special Tax Assessment for Property at 992 MINNEHAHA AVENUE EAST (File No. J1604A, Assessment No. 168503).

Sponsors: Finney

Approve; no show.

Referred to the City Council due back on 2/3/2016

- 25** **RLH TA 15-582** Ratifying the Appealed Special Tax Assessment for Property at 1131 PAYNE AVENUE (File No. VB1604, Assessment No. 168803).

Sponsors: Bostrom

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 1/5/2016

- 26** **RLH TA 15-579** Ratifying the Appealed Special Tax Assessment for Property at 2078 SAINT CLAIR AVENUE (File No. J1604A, Assessment No. 168503).

Sponsors: Tolbert

James B. Scott, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement issued Sep 11 for failure to cut bac bushes obstructing alley right of way; compliance Sep 22; re-checked Sep 22; Work Order sent

-work done Sep 24 for a cost of \$372 + \$160 service charge = \$532
-no returned mail
-history: Oct 11, 2012: bushes were obstructing the alley, as well; that was done by owner
-sent to Jamie B. Scott, 11491 Mississippi St, St. Paul
-bushes/vegetation growing over and obstructing the alley ROW; cut bushes/vegetation so both alley ways are clear full width to a height of fourteen feet

Mr. Scott:

-he never received Notice for the overgrowing of bushes
-he did receive a Notice about a garbage can tipping over but that one didn't mention overgrowth of bushes
-he corrected the garbage can falling over; he moved those up onto the north side and had a concrete pad poured for them; he removed the stairs on the back side and all of the trees that were on the back side of the property

VIDEO - city crew cut back brush on alley way

Mr. Scott:

-it's all gone now; no more trees, etc. got rid of all the green stuff
-he has a lawn service that comes to cut the grass
-asked for a copy of the Notice

Ms. Moermond:

-the city sends these orders via first class mail, which they are required to do
-the city did the work
-will recommend approval of this assessment

Approve the assessment.

Referred to the City Council due back on 2/3/2016

27 [RLH TA 15-583](#)

Ratifying the Appealed Special Tax Assessment for Property at 1177 SEVENTH STREET WEST (File No. J1604A, Assessment No. 168503).

Sponsors: Thune

Paul Gatto, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement for tall grass & weeds issued Sep 18; compliance Sep 22; re-checked Sep 22
-work done Sep 23, 2015 for a cost of \$160 + \$160 service charge = \$320
-no returned mail
-vacant lot
-sent to Paul Gatto, 5 W Bay Ln, North Oaks, MN

Mr. Gatto:

-he is not appealing the assessment; has a check for it
-is appealing because the Ratification of Assessment Public Hearing Notice was his first notice; he hasn't received any other notices
-bought property at the end of Aug 2015
-the property is being prepared for construction of an office building
-that's why he's here - to let you know that he didn't get Noticed

Ms. Moermond:

-is struggling - you acquired the property in Aug; the Notice went out in Sep
 -sometimes, when you've owned it for only a month, the Notice goes to the previous owner
 -will talk to Inspector Gavin
 -will Lay this Over for 2 weeks
 -she cannot accept checks; wait until an invoice comes at the end of Jan, beginning of Feb
 -we will look into that
 -she would consider taking off the administrative fee

Laid over to get more information from Rick Gavin about the tall, grass and weeds.

Forthcoming.

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

- 28 [RLH TA 15-584](#) Deleting the Appealed Special Tax Assessment for Property at 1126 SHERBURNE AVENUE (File No. J1604A, Assessment No. 168503).

Sponsors: Stark

Rescheduled per owner's request.

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

- 29 [RLH TA 15-586](#) Ratifying the Appealed Special Tax Assessment for Property at 385 SIMS AVENUE (File No. J1603A, Assessment No. 168502).

Sponsors: Brendmoen

Molly Moua Thao, owner, and husband Fee Long appeared.

Inspector Paula Seeley:

-Summary Abatement Order for overhanging vegetation sent Aug 3 for the overhanging vegetation; compliance Aug 7; re-checked Aug 7
 -Summary Abatement Order for garbage, Rubbish sent Aug 12; compliance Aug 18; re-checked Aug 18
 -work done Aug 24 for overhanging vegetation
 -work done Aug 27 for garbage, rubbish
 -sent to: Molly Moua Thao, 385 Sims Ave; Chris Conner, 676 Geranium Ave E, St. Paul; and Occupant
 -mail was returned for Molly Moua Thao on Aug 3 and Aug 11, 2015; no forwarding address
 -bush and weeds obstructing public sidewalk (Aug 3)
 -beer bottles, trash on blvd; 2 piles of brush in yard and overgrowing weeds on the side of garage that need cutting and debris removed (Aug 12)

Ms. Moermond:

-there was some returned mail

Mr. Long:

-he is there everyday; he's rehabbing the property himself; they did not get the appropriate notice
 -their mail box is close to the house and it's gated
 -he trimmed the blvd himself

VIDEO 1 - Aug 24: trimmed some weeds

Ms. Moermond:

-no much work was done at all

-she will recommend this one gets deleted - the bushes part of the assessment was substantially completed by Mr. Long

-on the same assessment we also have the stuff on the blvd

-right now, both of those are on 1 assessment

-the other piece - trash on blvd

Mr. Long:

-we don't live at the property right now; it will be their primary residence after the work is done; plan to move into the house in Jan 2016; almost all the work is done; but people are dumping; they have no respect for the property; they may know that no one lives there right now; our neighbors are very helpful; they saw people throw trash on the blvd; so he just put it in a pile the other day

VIDEO 2 - Aug 27: removed a pile of brush, door, wood, loose & scattered

Ms. Moermond:

-cost of assessment is \$478; she will cut that in half = \$236 + \$160 service charges = \$396

Reduce the assessment from \$638.00 to \$396.00.

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

- 30** [RLH TA 15-585](#) Ratifying the Appealed Special Tax Assessment for Property at 831 SMITH AVENUE SOUTH (File No. J1604A, Assessment No. 168503).

Sponsors: Thune

12/1/15: Approve; no show.

12/14/15: Owner called and stated he wants to reschedule due to missed hearing. Rescheduled one more time to January 5.

Laid Over to the Legislative Hearings due back on 1/5/2016

- 31** [RLH TA 15-580](#) Ratifying the Appealed Special Tax Assessment for Property at 644 STRYKER AVENUE (File No. J1604A, Assessment No. 168503).

Sponsors: Thune

Approve; no show.

Referred to the City Council due back on 2/3/2016

- 32** [RLH TA 15-598](#) Ratifying the Appealed Special Tax Assessment for Property at 1217 UNIVERSITY AVENUE WEST (File No. J1604A, Assessment No. 168503).

Sponsors: Stark

Approve; no show.

Referred to the City Council due back on 2/3/2016

- 33** [RLH TA 15-567](#) Ratifying the Appealed Special Tax Assessment for Property at 1745 UNIVERSITY AVENUE WEST (File No. CRT1603, Assessment No. 168202).
- Sponsors:** Stark
- Approve the assessment. See chain emails from Inspector James Perucca attached herein.*
- Referred to the City Council due back on 1/20/2016**
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- 34** **RLH TA 15-594** Ratifying the Appealed Special Tax Assessment for Property at 601 WESTERN AVENUE NORTH (File No. J1604A, Assessment No. 168503).
- Sponsors:** Thao
- Ameena Samaar, (co-owner with husband, Alex Jerome, appeared)*
- Inspector Joe Yannarely:*
- tall grass & weeds Order issued Sep 4; compliance in 72 hours; re-checked Sep 11 and found in noncompliance*
 - Inspector Essling's note of Sep 11: the lot is cut but areas of the blvd and along the alley are way over grown; he called property owner Amina (?) and left a message about what had to be cut and that I would check next week; property owner had previously called me and asked for an extension*
 - Mr. Essling's note of Sep 15: areas of blvd & along alley are well over 8 inches; Work Order sent; photos taken*
 - Sep 17 - work was done by Parks for a cost of \$160 + \$160 service charge = \$320*
- Appellant:*
- she did cut the grass*
 - she did receive a call but he didn't leave a message*
- Ms. Moermond:*
- asked if she recalled a conversation with the inspector*
- Appellant:*
- she answered, "Yes. I called him to give me an extension and he gave me one and she cut the grass but he didn't leave a message for me."*
- Ms. Moermond:*
- I heard Mr. Yannarely say that the inspector explained to you that the main area looked good but the blvd and alley way..... he left a message to that effect*
- Appellant:*
- that time I didn't talk to him*
- VIDEO - vacant lot; they cut tall grass & weeds on blvd and along the alley*
- Ms. Moermond:*
- she sees that a good effort was made but not everything was done*
 - will recommend reducing the assessment to \$160; the crew still had to be deployed*
- Reduce the assessment from \$320 to \$160.*
- Referred to the City Council due back on 2/3/2016**

- 35 [RLH TA 15-566](#) Ratifying the Appealed Special Tax Assessment for Property at 936 WESTMINSTER STREET (File No. J1603E, Assessment No. 168302).

Laid over to watch video.

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

- 36 [RLH TA 15-601](#) Ratifying the Appealed Special Tax Assessment for Property at 1566 WOODBRIDGE STREET (J1604A, Assessment No. 168503).

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 2/3/2016

- 37 [RLH TA 15-605](#) Deleting the Appealed Special Tax Assessment for Property at 1163 MAGNOLIA AVENUE EAST (File No. J1603E, Assessment No. 168302).

Sponsors: Bostrom

Chelsea M. Seebeck, owner, and Chris Clemens appeared.

Inspector Paula Seeley:

-PAEC Excessive Consumption fee

-Summary Abatement Order issued for tires Jun 18, 2015; compliance Jun 23; re-checked Jun 23

-when crew got out there on Jun 25, it had been done by owner; generated a PAEC

-cost: \$120 + \$35 service charge = \$155

Mr. Clemens:

-they own the property; this was a vacant house; we bought it in Oct 2014

-they have a neighbor who likes to call on everyone on the block; we can get statements from them saying that they've been harassed by this particular person while they are doing remodeling, taking stuff out of their house, etc.

-he was called on stuff that he had cleaned out of the house; we're fixing the house up; he is not a contractor, doesn't have loads of money or trailers to store stuff; so, if something sits outside for more than a day, she will call on it (not even an immediate neighbor who calls)

Ms. Seebeck:

-now, they make sure nothing is outside except lawn furniture

-the first Notice they got was for a workout tire and they were not aware that they could not have it outside

Ms. Seeley:

-history: she was out there again Oct 23, found rubbish on the side of the house; sent an Order; 2 cars parked on the grass; a car parked over the sidewalk obstructing ROW

Mr. Clemens:

-maybe that car was there for 20 minutes; it was my aunt picking up my daughter for babysitting; then, dropping her back off

-asked if there were photos (no)
 -he had a car parked outside the garage for maybe 3 days on which he was doing radiator work; she called - it's almost like harassment; what's the point of having property if you can't move things on your property for a while
 -sold the tires - they were leaning up against the garage

Ms. Seebeck:

-currently, they are living there and fixing it but will be flipping it and moving

Ms. Moermond:

-City Council Public Hearing Jan 20, 2016

-if no same or similar problems arise before then, she will recommend this assessment be deleted; she will check the system on Jan 19

-if you get another Notice, we can work with you on that; she is looking for founded things going on

Ms. Seeley:

-don't put anything out in the yard

-if the complaint is justifiable, we have to write it up

If no same or similar nuisance abatement between now and January 20, will recommend deleting the assessment.

FOLLOW-UP ao 1-11-16: no additional violations.

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

Special Tax Assessments - Rolls

- 38** **RLH AR 15-90** Ratifying Boarding and/or Securing services during August 2015. (File No. J1603B, Assessment No. 168102)

Sponsors: Stark

Referred to the City Council due back on 2/3/2016

- 39** [RLH AR 15-91](#) Ratifying Collection of Vacant Building Registration fees billed during February 11 to August 21, 2015. (File No. VB1604, Assessment No. 168803)

Sponsors: Stark

Referred to the City Council due back on 2/3/2016

- 40** [RLH AR 15-92](#) Ratifying Property Clean Up services during September 2 to October 2, 2015. (File No. J1604A, Assessment No. 168503)

Sponsors: Stark

Referred to the City Council due back on 2/3/2016

- 41** [RLH AR 15-93](#) Ratifying Trash Hauling services during September 2 to 30, 2015. (File No. J1604G, Assessment No. 168703)

Sponsors: Stark

Referred to the City Council due back on 2/3/2016

11:00 a.m. Hearings

Summary Abatement Orders

- 42 [RLH SAO 15-81](#) Appeal of Gerald Krisik to a Summary And Vehicle Abatement Order at 433 HATCH AVENUE.

Sponsors: Brendmoen

Gerald Krisik, owner, appeared.

Inspector Paula Seeley:

*-Nov 9, 2015 -complaint came in about several junk cars in driveway
-Nov 10-she went out; issued a Summary Abatement Order: vehicle parts, rubbish in driveway; truck bed, Ford truck with improper storage; commercial trailer with improper storage; improper storage in rear yard
-sent to Gerald Krisik, 433 Hatch Ave and Occupant
-also wrote up a Vehicle Abatement: there are 6 vehicles with expired tabs, inoperable; commercial trailer illegally parked in a residential district
-photos*

Ms. Moermond:

*-in the SA Order, you talk about the truck bed and the commercial trailer
-in the Vehicle Abatement Order, you talk about 5 cars and a commercial trailer
-the commercial trailer shows up in 2 places (?)*

Ms. Seeley:

*-she could not even get near the commercial trailer to see if it had a proper registration on it, etc.
-explained the photos: makeshift trailer has debris, improper storage in that; white pick-up truck in background also had debris in it; etc.
-zoned R-4*

Mr. Krisik:

*-this is a double lot; was commercial property at one time
-is appealing both Orders for an extension of time
-at the time, vehicles #1 and #2 had current tabs; had current registration; has print out from DMV; he had to buy duplicate tabs because someone had scratched off the tabs from the plate prior to her pictures being taken
-vehicle #3 (white Ford) was vandalized; windows were smashed out; still pending repair; is waiting until the end of the month to have enough money from his retirement/disability check; there's a tarp covering; (disability is Scheuermann's disease, big, bad brother to MS)
-vehicle #6 commercial trailer is now parked inside his garage
-vehicles #4 and #5 had previously sold in Aug 2015 to a neighbor's son and he took those off the property
-everything as far as the Vehicle Abatement has been corrected except for vehicle #3
-noted that he had served his country in the military; has served his community as a police chief; he is retired for a disability - Scheuermann's disease (big, bad brother to MS); he is a federal witness against his neighbor in a pending criminal felony case; his neighbor at 427 reported him to inspections and then left a note in his mailbox, saying "Good Luck with your inspection," which he also turned over the federal*

authorities to investigate witness tampering

-he has no problem with the Orders; he agrees to them; however, not one of his neighbors was tagged; introduced photos from his neighbors, who have garbage throughout the street; he took the photos before he helped them clean it up; so, he feels targeted; and the person who wrote the Orders did not write any more within a 3 mile radius; he visited DSI and checked the records

Ms. Seeley:

-this is not her area of inspection; however, Inspector John Peter Ross was way behind and he was gone, so the rest of us helped him out

-she did just this specific one

-Supervisor Martin is now the supervisor for the Western Half of the city

-remembers that it was a very rainy day plus since it was not her area, she didn't have time to do any more in this area; if she would have seen huge piles of garbage, she would have called the office about that

Mr. Krisik:

-he understands the situation and no longer begrudges her

-he just needs enough time to address the rest of the issues on the property

Ms. Moermond:

-thinks the vehicles have been taken care of except for Vehicle #3

-vehicle parts and rubbish?

Ms. Seeley:

-she did not go into the back yard but she could see that there were boats improperly stored on grass; she could see other debris

-she thinks that she or Supervisor Martin needs to go back out there and do a follow-up inspection and take a look in the backyard

Mr. Krisik:

-owns 2 boats that have current registration; what's the issue with them? That whole area is paved; it's a double back yard and the complete area is asphalt

-are there additional violations pending (that was one of the threats the neighbor made to a 3rd party)?

Ms. Moermond:

-this is a back yard and there's a lot of stuff covering the surface; under the code, that's more paved surface that you can have on a parcel; (water filtration instead of run-off); no one is calling you out on that

Mr. Krisik:

-it tilts toward and front and goes into his garden area and lawn

-there's a large amount of wood he yet needs to dispose of from an outdoor hot tub and decking; 2 doors from a car

-the commercial trailer has been taken care of

-he doesn't have any brush; his plum trees grow along the border of his paved area

-is asking for time before a re-inspection occurs

-doesn't understand the boats; they are registered and parked on an approved surface

Ms. Moermond:

-you've made a good faith effort

Ms. Seeley:

-added that they will probably have to address the square footage of the lot and the

amount of paved surface there is

Mr. Krisik:

-he has been there 13 years and now first you are bringing this up just because of a retaliatory complaint?

Ms. Moermond:

-Ms. Seeley is concerned about the back yard and what all there might be

-Mr. Krisik wants to have more time to deal with all of this; she needs to document why you need more time

-it's reasonable to ask for more time to deal with this

-you've made a good faith effort by dealing with the vehicles

-she needs confirmation that the vehicles have been addressed; Ms. Seeley will see to it

-noted that enforcement is stayed during this process

-extension to Jan 1, 2016 but needs confirmation that the vehicles/boats are taken care of this week for a Ms. Martin to check out on Mon Dec 7

Grant until January 1, 2016 for compliance on the Summary Abatement Order; grant until close of business Friday, December 4 to relocate the boats to an approved surface. Inspector Lisa Martin will confirm on Monday, December 7 if the vehicles are addressed with the exception of the Vehicle #3 (Ford, White, GVT-405).

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

43 [RLH SAO 15-77](#)

Appeal of Cleo and Collen Pollock to a Summary Abatement Order at 1058 JESSIE STREET.

Sponsors: Brendmoen

Colleen Pollock, owner, appeared.

Inspector Paula Seeley:

-issued a Summary Abatement Order Oct 26, 2015 re: debris in back yard; camper trailer parked on unapproved parking surface (3 houses down on Bradley, we have the same situation)

-suggests she file a site plan; she has a big back yard; should be approved

Ms. Pollock:

-doesn't know what was "rubbish" - it's been cleaned up

-there's plenty of room for parking

-this is an owner-occupied duplex; she owns the downstairs; her sister owns the upstairs and their sister lives next door on the corner

-need more time to get funding together to get an approved surface

-there was a garage there at one time where the vehicles are parked (old cement slab-the apron is breaking up)

Ms. Moermond:

-let's get the site plan taken care of; although now, it's Dec and the ground is frozen

Ms. Pollock:

-a contractor said that the ground has to be well compacted soil in order for it would be a good surface to put something else over it

-thought about 4 inches of Class 5 for a surface; it's less expensive than asphalt; there's no problem with drainage; the yard slopes toward Cook

Ms. Moermond:

-put together a site plan (nothing fancy - just a diagram of the parcel with the house, gardens, etc. showing where you want the parking and the dimensions)
 -DSI will look at it
 -she needs to see clean lines between the area used for parking and the grass
 -grant until Jun 17, 2016

Grant until June 17, 2016 for compliance.

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

- 44** [RLH SAO 15-80](#) Appeal of Mike Stoffel to a Vehicle Abatement Order at 1329 JUNO AVENUE.

Sponsors: Tolbert

Deny the appeal and grant until December 16 for compliance. Appellant called to reschedule again and was denied. Advised owner to appeal at City Council.

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

- 45** [RLH SAO 15-82](#) Appeal of Sarah Flores to a Summary Abatement Order at 1816 SIMS AVENUE.

Sponsors: Bostrom

Inspector Diane Gavin called and stated the abatement has been transferred to Street Maintenance to do the clean-up; therefore, the appeal has been withdrawn.

Withdrawn

Correction Orders

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 46** [RLH VO 15-62](#) Appeal of Stavres Haidos to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 975 REANEY AVENUE.

Sponsors: Finney

Olympia Haidos, owner, appeared.

Ms. Moermond:

-had a hearing on this last week; there's been an inspection and things have changed along the way

Fire Supervisor Leanna Shaff:

-Ms. Haidos and I, along with Inspector Franquiz, met yesterday and we went over the building

-some things needed to be removed from the list, which has happened

-there were questions about the unit that had the fire; there are some occupancy separation issues, ceiling in walls; old type construction

-we clarified quite a few things

-she doesn't believe that there's a whole lot more in question

-they were going to talk with Zoning re: separation or lot split
-next we need a deadline for compliance
-photos

Ms. Haidos:

-some new items on the list like the drain pipe in the basement (Ms. Shaff: -it's not properly supported; the drain pipe comes from the 2nd floor through the 1st floor down into the basement)

Mai Vang printed out the Orders that were issued yesterday

Ms. Shaff:

-some items were Withdrawn, some added - vast majority deals with the fire unit
-we talked about the code, requirements and expectations
-the Haidos have served eviction papers to 2 units
-this is 2 separate buildings that share a middle area; looks like one large building

Ms. Moermond:

-clarified: 975, the lower unit is vacant; 977, lower unit is also vacant (fire); both upstairs units were served eviction papers

Ms. Haidos:

-the issue with these tenants if that even if we go in and make repairs, when we go back in to re-inspect, the tenants will have broken other things (big hole in wall upstairs and broken cabinet)
-her attorney said that he could have those tenants out by Jan; and after that, we can go in and it will take just a week or two
-one of the tenants is willing to move; the other one is not willing to move; her hearing is in 2 weeks; both tenants are single moms with children

Ms. Moermond:

-she is sympathetic to Haidos' concern with the tenants
-wants to look at this list and with the inspector, make a determination about those items that must be addressed immediately: the life-safety issues; then, create a new deadline for the rest of the items
-if, for whatever reason, that deadline is blown, we will put a Vacate date on the property; then, you will need to get your C of O back again before it can be re-occupied

Ms. Haidos:

-unless we occupy it ourselves, correct? Her husband is going to live there
-in order to get that burned unit repaired, her husband is going to have to be here

Ms. Moermond:

-if you are going to live there, we still will need to carry some of these Orders forward; although, we will switch inspectors to be code enforcement inspectors, who do owner-occupied properties

Ms. Shaff:

-does not see items on the list that need to be taken care of right away
-she would fully support giving it to the end of the year; and then would like to re-inspect at the end of Jan, 2016

Ms. Moermond:

-she is not comfortable doing a Vacate Order; it needs to be connected with long term noncompliance; so, we will make it a single deadline for the issues to be taken

care of or the place Vacated: Deadline: Jan 15, 2016 for compliance of the 3 units that aren't burned out; and going to Jun 15, 2016 for compliance on the burned out unit

Grant until January 15, 2016 to come into compliance with the three (3) units that are not fire damaged and grant until June 15, 2016 for the fire damaged unit.

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

47 [RLH VO 15-64](#)

Appeal of Charles McCarty to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1734 SEVENTH STREET EAST.

Sponsors: Finney

Charles McCarty, owner, appeared.

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy Revocation

-was inspected Nov 5 by Inspector Brian Schmidt

-received a referral Nov 5 about missing hard-wired smoke detectors and inoperable CO alarms; heat not working; trash service stopped, etc

-Inspector Schmidt transferred this to the Fire Certificate of Occupancy Program and work with Inspector Franquiz

-they were not able to gain entry

-notes: caused some concern; Nov 17, Ins Franquiz was not able to get into the building; he had left numerous messages for Mr. McCarty and that he had even been hung-up on; and could not gain compliance

-quite a few issues in the building

-since then, the tenants were going to vacate; went through eviction court

-he had some access

Mr. McCarty:

-is looking for due process

-he evicted his tenant Nov 2, 2015 and as a taxpayer, he doesn't like the city being used to evict; the tenants turned around and called the Fire Inspector and tried to use them as some kind of retaliatory mechanism

-he got a letter for some garbage; the tenant said they had it cleaned up

-he did get 2 voice mails from the inspector, and for the record, he never hung up on any inspector; he never even talked to him; the first voice mail was in regard to the smoke detector

-he evicted the tenant on Fri and on Mon, he got a call that smoke

detectors,,,,,,called up tenant; she said that she fixed it but it's still on the list

-if the inspector was out there on Nov 5, how come it took 2 weeks to mail the letter to him? He got that letter Nov 19 at 3 pm and it said that the inspector was at 2 pm that day

Ms. Shaff:

-the inspector had a death in the family; she apologized for the lax in time of the letter

Mr. McCarty:

-he evicted her, specifically, for the damages to the property Nov 2; I'm not ignoring this; not an absentee landlord

-it seems like every time he's down here it's because of a tenant "Let's make him look like a bad landlord"

-we've fixed some of the things already and intend to fix everything on the list

-would like an extension to Dec 21, 2015

-line 13 of the report says that "tenant has fixed this problem on Nov 5" referring to

the smoke detector (Why is it still on the list?)

-the garbage service was never interrupted

-new #651-254-1342

-had an issue with the main metal garage door; it has only a couple of dents and it's fully functioning

Ms. Moermond:

-it looks like it might be off it's track somewhat; does need repair; not in good state of maintenance

-deadline - close of business Fri Dec 18, 2015 (inspector will show up Mon, Dec 21)

-there are valid items on the list

Grant until close of business on December 18, 2015 to come into compliance with the list with a follow-up inspection on December 21.

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

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 48 [RLH FCO 15-288](#) Appeal of Susan F. Willis to a Fire Inspection Correction Notice at 601 PARK STREET.

Sponsors: Thao

Susan Willis, owner, appeared.

Fire Inspector A.J. Neis:

-Ms. Willis is coming back with some estimates about how she would like to proceed with a fire alarm/sprinkler systems for fire separation issues

Ms. Willis:

-she talked with Nardini Fire Equipment to see about an alarm system; off the cuff, he said, if you were planning a sprinkler system, it would be \$75,000 - \$100,000

-with just an alarm system, it's \$10,255; basically, putting in centers under the stairs, over the furnace, over the laundry room, hallway; and putting something in every bedroom in the building; she thinks that still a little stiff for her budget

-he also suggested that she think about fire-proof foam; she looked on line -there are spray cans that you can put around all the entrances/exits, etc; but there is something called Tiger Foam, which you can do whole surfaces with; she thought about that for the ceiling; when she spoke with them today, they said that it slows things down but ultimately, it will burn; they have another layer of painting things -2-3 inches of foam that expands; you put this ignition shield on it and it's a 15 minute rating, which would be in addition to whatever the slow down is

-he suggested that I ask you what are the requirements..... is it a time fire resistance that you have?

-it would still cost about \$1500 to do but that's better than \$11,000

Mr. Neis:

-No; the ceiling rating would have to be 1-hour, not 15 minutes; those products are typically, rated for 1 and 2 family dwellings; those that you can buy at your local hardware store, etc; those products are usually petroleum based, which actually make a fire worse once it starts burning

Ms. Willis:

-that would definitely trigger the existing smoke detector alarms that she has in the basement

-is at a loss; she can see patching some of this; she took photos but had a terrible time printing them out; can email them

-she was to take pictures of ceilings over all the storage areas; all of them except 1 have ceilings over them; one has a part ceiling

-the primary holes in the ceiling are down the center of the basement and over the boiler room; doesn't know what to do about that; there's no way to put a ceiling in there; she was hoping that some sort of retardant would be helpful

-there are 5 units; not owner-occupied

Mr. Neis:

-the existing smoke detectors in the basement is not going to be heard by occupants sleeping on the 2nd floor

Ms. Moermond:

-doesn't find foam solutions acceptable, which leaves us with the fire alarm situation, which is expensive

-doesn't know if there's financial assistance to help doing this kind of work (North East Neighborhood Dev Corp; East Side Neighborhood Dev Corp; NeighborWorks); look at them to see what they can do for this kind of thing; they help businesses, too; check it out

-deadline: Sep 1, 2017

Ms. Willis:

-asked, "If I find a way to put some type of ceiling on there, is a ceiling enough?"

Ms. Moermond:

-if you have another proposal, bring it forward and we can discuss it in another LH; contact my office

Mr. Neis:

-consider multiple fire alarm bids; Nardini's is only 1 business; there are several

-make sure you getting just the alarm that you need; not too much

-if you have a question, ask your inspector

Ms. Moermond:

-if you call Mr. Neis and he clears it, we won't need a hearing; if he has questions, we can talk about it here

Grant until September 1, 2016 for compliance on the fire alarm system /basement ceiling fire separation issue.

Referred to the City Council due back on 1/6/2016

49 [RLH FCO
15-330](#)

Appeal of Choua Lee to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1151 BUSH AVENUE.

Sponsors: Bostrom

Choua Lee, appeared on behalf of Soua Xiong, owner.

Ms. Lee was present at the inspection

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Efrayn Franquiz

-appealing: parking spaces with an approved surface
-photos were supposed to be attached to the file

Ms. Lee:

-we didn't know that Class 5 was being phased out; the inspector did not explain that
-when Mr. Xiong bought this property in Apr 2014, the parking spaces were gravel
-Mr. Xiong wants to know if that could be grandfathered-in or if he could be granted an extension until spring-summer
-there's a 4-car garage

Mr. Neis:

-has photos from yesterday

Ms. Moermond

-from photos, sees an area that used to be asphalt - now, pretty degraded
-the parking in the back looks like hard dirt surface
-is comfortable going with the Class 5 surface but this parking is spread out in the yard and grass is missing in places; we need a parking space with boundaries: gravel parking and green grass
-make a diagram of the whole parcel with the buildings, garage, where you want the parking to be, etc.
-we can do a spring deadline
-talk with Zoning this winter about the site plan and get an approval
-deadline will be Jun 15, 2016

Grant until June 15, 2016 for compliance on the parking surface issue.

Referred to the City Council due back on 1/6/2016

50 [RLH FCO
15-329](#)

Appeal of Paul C. Mix to a Fire Inspection Correction Notice at 2072-74 COMO AVENUE.

Sponsors: Stark

Paul C. Mix, owner, appeared; also another man appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Laura Huseby
-appealing: driveway needs approved durable, dustless surface; the driveway has degraded asphalt; painting & scraping on exterior
-there are no exposed holes in the siding
-prior to this Order, I instructed his staff on Monday to put these exterior issues out to at least May 1, 2016

Ms. Moermond:

-that's a good plan for an in-house extension

Mr. Mix:

-too late in the season to get contractors for re-surfacing driveway and for painting the house and garage
-would like an extension to Jun 15, 2016 or maybe later if we do new siding
-everything else will be done for the re-inspection, including the house numbers
-he's undecided whether to paint or put on siding, which would be an upgrade
-the house is unpainted cedar; garage needs painting

Ms. Moermond

-not willing to go out too much farther than Jun 15
-will grant an extension to a Jul 1, 2016 deadline
-driveway - the gravel has migrated

Mr. Mix:

-question: a section of the driveway is Class 5 (photos) and another section is worn pavement; the gravel has migrated into the yard; we're hoping to put in some sort of driveway rock instead of having to pave the whole thing back there; are willing to do a site plan, take up the old tar and put a nice clean strip of driveway gravel down with a divider so that cars can't migrate up onto the lawn

Ms. Moermond:

-that would be OK with me

The Other guy:

-we have 5 parking spaces in addition; 3 is required; we have a 2-car garage and we can make the parking area into spaces for 3 cars
-the asphalt surfacing is extremely expensive; a cement contractor says that the asphalt will cost 80% as much as a concrete slab; so, it's cheaper to tear up the asphalt (it looks bad in the picture but it really isn't in bad shape)
-could we put gravel in there?

Ms. Moermond:

-she would allow Class 5

The Other guy:

-Class 5 is actually dirty compared to driveway gravel

Ms. Moermond:

-she will go with regular Class 5 because it's a more permeable surface for drainage
-the old asphalt should be pulled up

Mr. Neis:

-re: the scraping & painting; he'd like to go take a look; he wants to get a better view; the house doesn't look that bad; it's cedar shake and considered exterior rated material

Ms. Moermond:

-is not seeing that a whole house painting is necessary; just areas that really need to be re-painted

The other guy:

-has put \$35,000 into the house: all new wiring, plumbing, added a bathroom in the basement, etc.
-I could meet you out there, Mr. Neis but we don't need to be there

Ms. Moermond:

-repair that one corner and let's get some photos of where painting does need to be done
-we will send you a follow up letter from this hearing; it will have the photos attached to it and it will confirm when the City Council Public Hearing will take place - Jan 6, 2016

Grant until July 1, 2016 for the exterior driveway to come into compliance; Class 5 is acceptable; painting for the dwelling and garage is forthcoming (AJ Neis will confirm).

Referred to the City Council due back on 1/6/2016

51 [RLH FCO](#)
[15-328](#)

Appeal of Jeremy Edwards to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1700 AKA (1702) GRAND AVENUE.

Sponsors: Tolbert

Jeremy Edwards appeared on behalf of Marjorie B. Edwards.

Mr. Edwards brought additional photos.

Fire Inspector A. J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Wayne Spiering

*-appealing the bathroom fan in the basement that's not vented to the outdoors
-all bathrooms are required to have either mechanical ventilation or an openable window*

*-this bathroom is not required for occupancy; it's for employees only
-the fan that's there is rusted from not getting air; this isn't something that would be grandfathered-in because it was not legally installed
-one option would be to close down the bathroom and make it a storage room*

Ms. Moermond:

-asked if plumbing permits had been pulled for the installation of this bathroom?

Mr. Neis:

-he looked but did not see any

Mr. Edwards:

-his great grandfather bought this space and his grandmother, who is not 95, has been managing it up until this last year, when he started taking over the properties; it was a small family restaurant; they used the basement rest room as their private rest room

-there have been no issues with it; weren't aware of any problems with it until this inspection

-he brought a plumber/mechanical person into that space; the problem is that the bathroom sits directly below the kitchen, so, it would be very difficult-almost impossible to have bathroom duct work going right thru the middle of the kitchen; because it's in the basement, there's no way to vent out the side

-has no problem putting in a brand new fan but there's no exhaust; the fan circulates the air

-it would be simplest to replace this fan with something that circulates the air; there's no shower - nothing to create additional humidity or condensation

-the restroom has very limited use

Ms. Moermond:

-the 2nd issue beyond the humidity is the accumulation of sewer gases

Mr. Neis:

-putting in a new fan is pointless

-if it's an impossible option; they can cap the bathroom

-many restaurants that he's been to and/or inspected have their employees use the general restroom; it's not uncommon

-added that if a toilet is not frequently used, it's more likely to have a back-up; the traps go dry with limited use

Mr. Edwards:

-on Grand Ave, being able to have a separate restroom is beneficial

Ms. Moermond:

-where the venting would go thru doesn't matter; as long as it's a code compliant venting system

Mr. Neis:

-I've seen where they've built a soffit where they box in the vent - can run it to another area to bring it up thru rather than the kitchen

Ms. Moermond:

-lack of a plumbing permit tells here that it was put in more than 20 years ago; a licensed plumber would not have put it in that way

-it needs to be addressed; either vent it or cap it

-deadline: Fri Mar 4, 2016 for bathroom fan issue

Mr. Edwards:

-re: parking surface; Inspector Spiering did give me a small extension; asphalt plants are closed for the season; he also wanted a survey done so that it slopes down the alley; we will have a surveyor do that this winter; then, get it approved by DSI

-it's been Class 5 for a long time

Ms. Moermond:

-she can live with Class 5 surfacing but clean-up the area with defined boundaries and it may need a fresh layer of Class 5

-deadline: Jun 1, 2016

Grant until close of business on March 4, 2016 for the fan issue; grant until June 1, 2016 for the Class 5 driveway.

Referred to the City Council due back on 1/6/2016

52 [RLH FCO
15-309](#)

Appeal of Kathy Klingen to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 2244 MINNEHAHA AVENUE EAST.

Sponsors: Finney

Kathy Klingen appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Laura Huseby

-appealing the Order re: scraping & painting trim work

-there's been a couple of bids for the work

-looking at photos; don't see that they're rotted

Ms. Klingen:

-we already had planned to have the windows replaced anyway

-we would prefer to just get the new windows

-there are multiple windows between the four buildings that we have there and we want to get them replaced by the end of next year for about \$90,000

Ms. Moermond:

-is comfortable with that

-will have it all checked for some time after Jan 1, 2017

Grant until January 1, 2017 to replace or repair the exterior window trims throughout.

Referred to the City Council due back on 1/6/2016

53 [RLH FCO
15-310](#)

Appeal of Kathy Klingen to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 2248 MINNEHAHA AVENUE EAST.

Sponsors: Finney

Kathy Klingen appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Laura Huseby

-appealing the Order re: scraping & painting trim work

-there's been a couple of bids for the work

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-is comfortable with that

-will have it all checked for some time after Jan 1, 2017

Grant until January 1, 2017 to replace or repair the exterior window trims throughout.

Referred to the City Council due back on 1/6/2016

2:30 p.m. Hearings

Vacant Building Registrations

54 [RLH VBR 15-93](#)

Appeal of Marcus Landrum to a Vacant Building Registration Renewal Notice at 1308 VICTORIA STREET NORTH.

Sponsors: Brendmoen

Marcus Landrum & Tara Lundborg, owners, appeared.

They entered then and now photos; staff reviewed and scanned them.

Ms. Lundborg:

-the code compliance inspection is scheduled for 10:30 am Dec 14, 2015; she got the call yesterday

Ms. Moermond:

-anniversary date is Oct 30; there's an extension running through Dec 7, 2015

-what's the end game?

Ms. Lundborg:

-we bought the house as an investment in their flexible future as a hobby, like an old car; they are not just buying Menards to put in and get it done; they are scrounging antiques and salvage yards to find unique and cutesy things to put in

-after they bought it, life took a turn; they are self-employed; now, Marcus has his first real, real job

Mr. Landrum:

-for 19 years, they've been doing it themselves

Ms. Moermond:

-wondering if there isn't some way to get you to minimum compliance and get you out of the VB Program, so that we're off your backs; she wants to encourage their unorthodoxy because that's one of the things that makes St. Paul a really great place to live

Ms. Lundborg:

-they have finished a lot of the expensive items: roof, siding, windows, plumbing, electrical, mechanical

-the walls are studs - no insulation or anything

-we have a few detail things outside first, then, insulation and sheet rock will be next (then, we will probably be out of money again)

Ms. Moermond:

-if you rough-in inspection is approved, we might be able to convert the rest of the Orders into a Correction Order

Mr. Matt Dornfeld, Vacant Buildings:

-or put this into a prelim status with the code compliance still out there

-there are 4 stages of being in the VB Program: 1) Preliminary; 2) Category 1; 3) Category 2; and 4) Category 3

-Preliminary VB is a building they have deemed as vacant but it has very few minor code violations and is being maintained (snow bird; or one for sale, etc.) where the city is monitoring it but it's not in the VB Program

-Cat 1 VB, Cat 2 VB and Cat 3 VB - is where the fee is associated with (there are code violations and nuisance problems); Cat 3 VB are buildings that try to tear down; Cat 2 VB need to go thru the code compliance inspection process

-he trusts that they will do the work and not move into it until the work is completed and inspected

-the fee is really intended for the slumlord or someone who has walked away from the property and it's an incentive to fix it

Ms. Lundborg:

-can't it just be an unfinished remodel or something?

Mr. Landrum:

-they did not just want to repair the house; they wanted to make it all new for them

-the only things left from the original code compliance inspection from 2001 are the foundation and the studs, not even the chimney is there

Mr. Dornfeld:

-ideally, the code compliance inspection on Dec 14 will tell us all that you have only minimal things to gain compliance and then, you will have reached that minimum standard where the city inspectors would feel comfortable signing off on it - then, we're done

Ms. Moermond:

-we're on your side in this

-we will pull the building official in after the code compliance inspection report comes in and he can walk thru things that would need to be taken care of sooner than later;

*after that, we can switch to a preliminary status
-will grant a 6-month VB fee waiver and maybe it will be deleted entirely when we talk
later in Jan
-LAYOVER to Jan 26, 2016 LH at 1:30 pm*

*Waive the VB fee for 6 months. Laid over to discuss items on the pending code
compliance inspection.*

Laid Over to the Legislative Hearings due back on 1/26/2016