



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Meeting Minutes - Action Only - Draft Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
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Tuesday, December 21, 2010

9:00 AM

Room 330 City Hall & Court House

15 ALH 10-557 Appeal of Greg Ryan to a Code Compliance Report at 1644 BUSH AVENUE.

Sponsors: Lantry

Deny the appeal.

Inspector Steve Ubl said this was a Code Compliance Inspection conducted on December 7, 2010. He did not see anything out of the ordinary from the list.

Marcia Moermond, Legislative Hearing Officer, summarized Greg Ryan's appeal saying the tenant moved out and the water was shut off so the building was condemned and put in the Vacant Building program and that results in a Code Compliance inspection report. She asked him what he was appealing to which he replied everything. He said it is devastating to him financially saying he has a monthly mortgage payment of \$1200, plus the water bill, the vacant building fee, and the code compliance inspection fee on this property. He called James Thomas at DSI several times and when he eventually got a returned phone call, Mr. Thomas said it was too late even though the house was empty, clean, and the water was restored at that time. A lot of it is boiler plate things and there is nothing unsafe with the building, Ryan said. He talked about some of the things he's required to take care of but maintains the building is in perfect condition.

Greg Ryan showed Ms. Moermond photos and said he has an appraisal that gives a footprint of the arrangement of the property. Ms. Moermond said the photos do not make difference as far as what she's looking at because with the code violations issued, there may or may not be a photo that reflects them.

Ms. Moermond said it appears the property was condemned on June 30, 2010 and referred to Vacant Buildings on September 15, 2010. Inspector Shaff said there was an earlier condemnation on May 24, 2010 for water shutoff and also in February 2010 for water. There are also several exterior code enforcement issues listed.

Ms. Moermond said there is not a lot she can do under the circumstances. The Code is clear that the property needs to be in the Vacant Building program. She said he's pretty much in the middle of the definition that puts him there with the structure being condemned and more than one significant violation. She said she can not take into consideration a person's financial circumstances but she can only look at the requirements of the Code. It is the City's policy to apply pressure to bring the property into compliance. He has the cost of the rehab and future vacant building fees and she said she can work with him on the fees.

Mr. Ryan asked if his son could live in the house and Ms. Moermond replied that it can not be occupied until all of the items are addressed. Sometimes Code Enforcement will be willing to work with people but part of the insurance that all the work gets done is for the City is to make sure it's done before it is re-occupied.

In response to a question of Mr. Ryan, Ms. Moermond said the \$1100 is the annual vacant building fee - the cost of administering the Vacant Building program such as sending out inspectors at all hours to make sure buildings are safe and secured. There are also administrative costs associated with it and it's also meant to be an incentive to get properties off the list.

Mr. Ryan said the reason there is a history is because the tenants failed to pay the water bill as was required. Ms. Moermond said the time period went from June through September when it was noted and condemned. Mr. Ryan said the water was first shut off in May but was turned back on as no one had moved out at that time.

Ms. Shaff said on August 31, 2009 there was a water shutoff and again in May, August and September, 2010.

Mr. Ryan asked about talking to someone about any "gray areas" with the citations on the accessory structures. Inspector Ubl noted that Jim Seeger wrote up the report and Mr. Ryan would need to contact him to walk through it to see what can be done.

Mr. Ryan said he had the tenants for two years and Ms. Moermond said he then had knowledge for a long time that it was a problem situation. He said he knew about some things but he was unaware of the water.

Ms. Moermond said her recommendation to the City Council will be to deny the appeal. A public hearing will be scheduled before the City Council on January 5.

Referred to the City Council, due back on 1/5/2011