



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, February 10, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 14-27](#) Ordering the rehabilitation or razing and removal of the structures at 699 HAWTHORNE AVENUE EAST within fifteen (15) days after the February 4, 2015, City Council Public Hearing. (Amended to grant 180 days for repair or removal)

Sponsors: Bostrom

Dave Mortensen, Esq., Wilford, Geske & Cook, appeared representing mortgage holder and fee owner, US Bank and HUD; (it's a FHA loan and a HUD property; they have interest in property, although not currently on title; that will be forthcoming)

Mr. Mortensen:

- this is the bid from Five Brothers to his client; client has started to review those numbers

Ms. Moermond:

- this bid could be adjusted; it's larger than she would have anticipated

Mr. Mortensen:

- 120 items on the list of things that needed to be repaired
- if the bid is adjusted, it would probably be adjusted downward
- client still says that it has a commitment to making the repairs; he reminded his client to submit a statement of financial commitment ASAP

Inspector Steve Magner, Vacant Buildings:

- asked about "HUD second bid pending;" this is Five Bros bid based on their subcontractors pricing; are they pursuing an additional pricing for these items

Mr. Mortensen:

- standard procedure for this type of thing is to get more than 1 bid but when it comes to HUD making the commitment to repair the property (in this case his client is paying the price), it may just be the 1 bid

Mr. Magner:

- in some cases in a situation like this, your client is going to contract with Five Bros and pay them but they are going to include those costs back when they convey the property or is your client going to eat those extra costs

Mr. Mortensen:

- he can't say for certain but his client may actually eat that cost before it makes any conveyance back to HUD (based on the relationship between HUD and his client as far as servicing requirements)

Mr. Magner:

- original mortgage principal was \$221,523 in Apr 2006; now, it's around \$226,000 (Notice of Foreclosure sale)
 - city's demo estimate is between \$15,000; anticipates the bid will come in lower depending on hazardous waste cost (average asbestos' costs are around \$2500); will leave in the retaining wall

Ms. Moermond:

- in this case, you will be doing significant loss mitigation so you're much more motivated to take care of this situation
 - she has no concern laying this over for another couple of weeks so that you can finish
 - City Council Public Hearing Mar 18, 2015
 - enter something much more final between now and Mar 4, 2015
 - letter will be sent
 - will lay this over to Mar 10, 2015 LH
 - re Work Plan submitted is not adequate; it needs more specific information
 - needs letter of financial dedication in order to finish this project
 To be referred back to Legislative Hearing on March 10, 2015 and City Council Public Hearing on March 18, 2015.

Referred to the City Council due back on 2/18/2015

2 [RLH RR 15-3](#)

Ordering the razing and removal of the structures at 600 IDAHO AVENUE EAST within fifteen (15) days after the February 18, 2015, City Council Public Hearing.

Sponsors: Bostrom

No one appeared.

Inspector Steve Magner, Vacant Buildings:

- this was heard 2 weeks ago when Gary Evers, Attorney, Shapiro & Zielke, LLP, showed up
 - he indicated that he had just received the file and simply came to see what action the city was taking on this property and that he was to report back to his client and they would make a determination if they were going to take this to the next step
 - read the letter dated Feb 2, 2015 to Mr. Evers from Mai Vang (attached)
 - the city has not heard back from Mr. Evers
 - we do not have a code compliance application or performance deposit

Ms. Moermond:

- will recommend this building be removed within 15 days with no option for its rehabilitation
 Remove the building within 15 days with no option for repair.

Referred to the City Council due back on 2/18/2015

3 [RLH RR 14-28](#)

Ordering the rehabilitation or razing and removal of the structures at 353 WHEELLOCK PARKWAY WEST within fifteen (15) days after the

February 4, 2015, City Council Public Hearing. (Public hearing continued from February 4) (To be referred to Legislative Hearing on March 10, 2015; Council Public Hearing to be continued to March 18, 2015)

Sponsors: Brendmoen

Michael Schleisman, Attorney representing Ocwen Loan Servicing, appeared.

Ms. Moermond:

- as she recalls, Mr. Schleisman's client doesn't own the property yet; has not gone thru sheriff's sale

Mr. Schleisman:

*- he is here to keep tabs on what Ms. Forster is planning to do; hopefully, she intends to re-instate the loan and addressing the issues with the property
- has had no contact with Ms. Wendy Forster since the last LH
- we do have a code compliance report - a step in the right direction
- still need a \$5,000 performance deposit*

Ms. Moermond:

*- the city has not had any communication with Ms. Forster either
- everything's in the same place as before
- will be at City Council Public Hearing Mar 4, 2015; they have 3 weeks
- let's send her a letter saying that Feb 24 is the last time for her to be heard at LH (before it goes to CCPH), and indicate what we still need from her*

Mr. Schleisman:

- asked if Ms. Forster doesn't follow thru, how much time would his client have to step in and meet required expectations; so, we should set everything up so that they are ready to go (?)

Ms. Moermond:

*- yes, it would be immediate; - the City Council doesn't have a lot of patience in these circumstances; they are looking to have the nuisance condition abated within a given amount of time; they can Order it down right then and there
- if she can go to Council with a commitment from someone who's really going to do the project, they are much more receptive*

Mr. Magner:

*- Ocwen needs to make a decision about commitment on this
- Ocwen needs to explore its options based on the code compliance report; you have a copy of that*

Mr. Schleisman:

*- the unpaid principal of the mortgage right now is \$48,081.87 (original principal: \$50,000); re-instatement is \$11,000
- will need to approach this*

Ms. Moermond:

*- will lay this over to Feb 24, 2015 LH
- asked Mai to indicate in the letter that we'd like to hear from Ms. Forster about her intentions*

The following conditions must be met in order to receive a grant of time:

- 1) the \$5,000 performance deposit must be posted;*
- 2) must provide a work plan including timelines for completing the work;*

- 3) must submit bids from a general contractor and subcontractors;
- 4) must provide financial documentation indicating the amount to do the rehab (line of credit, construction loan, personal bank account);
- 5) must provide an affidavit indicating the dedication of funds to be used for the project; and
- 6) the property must be maintained.

Laid Over to the Legislative Hearings due back on 2/24/2015

4 RLH RR 15-5

Ordering the rehabilitation or razing and removal of the structures at 668-670 CONWAY STREET within fifteen (15) days after the March 4, 2015, City Council Public Hearing. (To be referred to Legislative Hearing on March 10, 2015; Public Hearing continued to April 1, 2015)

Sponsors: Lantry

No one appeared.

Inspector Steve Magner, Vacant Buildings:

- 2 story wood frame duplex on a lot of 4,792 sq.ft; has been a vacant building since May 19, 2010
- current owner is listed as Harbour Portfolio VI LP per Ramsey County records
- Nov 12, 2014 - inspection of building was conducted; list of deficiencies which constitute a nuisance condition was developed; photos were taken
- Order to Abate a Nuisance Building was posted Dec 2, 2014; compliance date Jan 1, 2015
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- taxation has placed an estimated market value of \$10,800 on the land; \$50,300 on the building
- real estate taxes for 2011, 2012, 2013 and 2014 are delinquent in the amount of \$14,375.71, which includes penalty and interest. (Note: property is scheduled for tax forfeiture July 31, 2015.)
- Vacant Building Registration fees were paid by assessment Aug 4, 2014
- Code Compliance Inspection was done Feb 3, 2011 and has since expired
- as of Feb 9, 2015, the \$5,000 performance deposit has not been posted
- there have been 28 Summary Abatement Notices since 2010
- there have been 30 Work Orders issued for: garbage/rubbish; boarding/securing; tall grass/weeds; snow/ice; vehicles
- Code Enforcement Officers estimate the cost to repair starting at \$60,000; the cost to demolish starting at \$12,000
- seeking a resolution to remove within 15 days

Amy Spong, Heritage Preservation Commission (HPC):

- this is a 1912 two-story gabled box, as described on the inventory form for Dayton's Bluff Historic District
- is within the boundaries of our locally designated historic district established by City Council in 1992
- is considered noncontributing even though it was built during the district's period of significance, which ended in 1929; there probably have been alterations to the house and in order to become a contributing structure it would need to be restored
- Charles Peterson was the builder; referred to as the Meline Duplex
- it's one of the first in the area to have a 2-story box porch with the original construction
- in Sanborn maps, the original porch was a 1-story open porch that went along the whole length of the facade
- up to 1925, it was listed as a flat

- it looks like, historically, the property went all the way to the back to the other street, which is no longer there
 - property has 1 garage
 - the lots are divided now, she thinks
 - inventoried first in the 1983 survey #RA-FPC-2431
 - given that this is in the district and it's noncontributing but built within that period of significance, she would recommend forwarding this to the HPC for an historic resource review; also suggested that HPC staff go into the house with VB staff or the building official to do a walk-thru as they have done in other Dayton's Bluff properties that are Cat 3 VB and bring recommendations to the Harbour

Mr. Magner:

- when you send the letter, cc it to Ramsey County Tax Forfeit; if Harbour Portfolio doesn't do anything (they haven't paid the taxes), the county would automatically get it on or around Aug 1, 2015; so far, we haven't been contacted by Ramsey County

Ms. Moermond:

- wondering if this is something that NHS or Dayton's Bluff would be willing to look at
 - will lay this over to City Council Public Hearing Apr 1, 2015; with LH on Mar 10, 2015
 - let's notify Kris Kujala and Paul Sharf, Ramsey Co; send attachments, too
 - let's give enough time for the HPC to review it on Mar 12, 2015; Ms. Spong will have her staff report ready for the Mar 10 LH
 - asked Mr. Magner to discuss a joint HPC / DSI staff walk thru with his inspectors

Ms. Spong:

- staff will work to get inside the building with DSI; the last time we were inside was in 2012

Ms. Moermond:

To be referred back to Legislative Hearing on March 10, 2015 and City Council Public Hearing on April 1, 2015.

Referred to the City Council due back on 3/4/2015

5 [RLH RR 15-6](#)

Ordering the rehabilitation or removal of the structures at 684 SIMS AVENUE within fifteen (15) days after the March 4, 2015, City Council Public Hearing. (Amended to grant 180 days for repair or removal)

Sponsors: Bostrom

Robert Fluegel, general contractor, TRIKIN LLC, appeared on behalf of owner, Ngoc Trinh T Dang.

Mr. Fluegel:

- the Dangs own the house and do not want to lose it; they raised their family in this house
 - the Dangs live in TX and TRIKIN is the property manager
 - Ms. Dang is in the process of moving back into that house; her daughter lives in St. Paul; Mr. Fluegel has been dealing with her

Inspector Steve Magner, Vacant Buildings:

- 1 1/2 story wood frame single-family dwelling on a lot of 4,792 sq.ft; has been a vacant building since Sep 10, 2012
 - current owner is listed as Ngoc Trinh T Dang per Ramsey County records
 - Nov 19, 2014 - inspection of building was conducted; list of deficiencies which constitute a nuisance condition was developed; photos were taken

- Order to Abate a Nuisance Building was posted Dec 5, 2014; compliance date Jan 4, 2015
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- taxation has placed an estimated market value of \$7,000 on the land; \$33,000 on the building
- real estate taxes are current
- Vacant Building Registration fees were paid by assessment Sep 30, 2014
- Code Compliance Inspection was done Nov 20, 2013 and has since expired. A new Code Compliance Inspection was applied for Jan 23, 2015 but has not yet been completed
- as of Feb 9, 2015, the \$5,000 performance deposit has not been posted
- there have been 21 Summary Abatement Notices since 2012
- there have been 16 Work Orders issued for:
 - garbage/rubbish; boarding/securing; tall grass/weeds; snow/ice
- Code Enforcement Officers estimate the cost to repair starting at \$45,000; the cost to demolish starting at \$12,000

Amy Spong, Heritage Preservation Commission (HPC):

- built in 1892
- Sanborn maps show that it was built as a 1 1/2 story wood frame with a 1 story front porch
- John and Josephine Norlin House
- first surveyed in 1983 as part of city-wide survey; part of a 4-block area was determined as a potential historic district at that time; read from that report: several square block areas contain a collection of basically, in tact turn of the century commercial buildings along Payne; a 2-block stretch of small Victorian workers houses along Wells on the northern edge of Swede Hollow; and a larger concentration of middle class Victorian wood frame and brick houses along Case and York; this particular one is on Sims
- re-surveyed in 2011; survey staff looked at the 1983 information and looked at the changes; unfortunately, this 4- block area is no longer believed to be eligible for local historic designation
- after the housing crisis, there was maybe 7 homes that were taken down on Sims alone creating a loss of integrity in this potential district which is very unfortunate
- in 1983, the inventory form indicated that it was an early house that already had some remodeling done to it
- does not have a lot of information on the original siding
- she would encourage rehab but this does not have potential anymore as an historic resource given the surrounding neighborhood but also, she doesn't want to say that demolition would not have an adverse affect either
- SHPO did their review for national register eligibility, not local; their letter came back that no properties would be affected by it's removal

Mr. Magner:

- Work Orders started in 2012 and continued until now - dispersed throughout the years
- when you own property out of state, it's hard to maintain it

Mr. Fluegel:

- they were not getting the notifications at first
- they just took over management in spring 2014
- he did not know about a violation in Nov
- the daughter did apply for the Code Compliance Inspection
- as soon as she gets the report, she will put the \$5,000 performance deposit in; she is waiting for the report

Mr. Magner:

- normally, the city wants to see the \$5,000 concurrent with the time frame requested from City Council
- is scheduled to go to City Council Public Hearing Mar 4, 2015; the deposit must be in by then

Ms. Moermond:

- your client will not be able to rehabilitate this property without 2 sets of OKs; one from DSI and the other from City Council
- DSI needs: 1) Performance Deposit; and 2) the Code Compliance Inspection in order to issue permits
- the City Council needs those things plus other things; you need the CC OK to pull permits, as well
- she makes the Council piece redundant so that it includes those things
- DSI starts to count the 180 days from the day the \$5,000 performance deposit is posted
- she does not recommend any grant of time without the \$5,000 performance deposit being in place

Mr. Fluegel:

- the plumbing rough-in has already been done
- he will be getting bids from the subs and have all the numbers; when he has those, he will report back

Mr. Magner:

- the code compliance inspection is good for only 1 year; some permits had been pulled previously
- one permit was issued in error by DSI staff
- there will probably not be a lot of change from the original code compliance inspection
- he recommends that they get ready to post the \$5,000 perf. deposit; take the existing code compliance report to put a scope of work together along with a time frame, which is 96% of what is needed when the new code compl report comes back; one or two items may be changed or modified and those can just simply be added

Ms. Moermond:

- asked him to fill out the Registered VB Form so that Notices go to him
 - will call the building official, Steve Ubl, to expedite the code compliance inspection
 - will lay this over for 2 weeks to Feb 24, 2015 LH to get together the items needed
 - Mr. Fluegel shall also enter contact information on the Dang's daughter
- The following conditions must be met in order to receive a grant of time:
- 1) must provide a work plan including timelines for completing the work;
 - 2) must submit bids from a general contractor and subcontractors;
 - 3) must provide financial documentation indicating the amount to do the rehab (line of credit, construction loan, personal bank account);
 - 4) must provide an affidavit indicating the dedication of funds to be used for the project;
 - 5) the property must be maintained;
 - 6) post the \$5,000 performance deposit; and
 - 7) provide daughter of the owner's contact information.

Laid Over to the Legislative Hearings due back on 2/24/2015

6 [RLH RR 15-7](#)

Ordering the rehabilitation or razing and removal of the structures at 688 SIXTH STREET EAST within fifteen (15) days after the March 4,

2015, City Council Public Hearing. (Public hearing continued March 4)

Sponsors: Lantry

Bill Barnett, realtor, appeared representing owner, Joseph Palen.

Lou Sudheimer, property mgr, Historic Hill Homes, appeared.

Victor Vladyka, general contractor, appeared.

Inspector Steve Magner, Vacant Buildings:

- 2 story wood frame duplex with a detached, 2-stall garage on a lot of 6,098 sq.ft; has been a vacant building since Oct 27, 2008
- current owner is listed as Joseph F. Palen per Ramsey County records
- Nov 14, 2014 - inspection of building was conducted; list of deficiencies which constitute a nuisance condition was developed; photos were taken
- Order to Abate a Nuisance Building was posted Dec 5, 2014; compliance date Jan 4, 2015
- as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code
- taxation has placed an estimated market value of \$10,500 on the land; \$70,200 on the building
- real estate taxes are current
- Vacant Building Registration fees were paid by assessment Dec 1, 2014
- Code Compliance Inspection was done Jan 27, 2015
- a performance bond was issued by Auto Owners Insurance Company on Jan 9, 2015
- there have been 8 Summary Abatement Notices since 2008
- there have been 4 Work Orders issued for:
 - garbage/rubbish; boarding/securing
 - Code Enforcement Officers estimate the cost to repair starting at \$15,000; the cost to demolish starting at \$12,000
 - noted: this bldg goes back to 2008; one of the older bldgs; most would have been rehabbed by now
 - this project has been ongoing since 2010
 - there have been repeated episodes of illegal occupancy; DSI has been trying to work with the owners and property mgrs to no avail
 - whoever is running the project believes that it's OK to allow workmen to live in the bldg while repairs are being made; they also believe that it's OK to rent the property
 - this house is on the "night check" program; it has been inspected numerous times and they have had to vacate the bldg
 - Jan 2015: "Received a call from Inspector Niemeyer and A.J. at fire; they're responding to a complaint regarding a sewer back-up; I met with them at the property; Officer Keenan and 2 other officers responded; we explained that no one is to be living in the house due to it's Category 3 VB status; now, there's a Condemnation for the sewer back-up; Lou Sudheimer, responsible party, was notified but said that he had to go to the Dr; he could not do anything for the tenants; A.J. called Red Cross, House Calls and other agencies but with no luck; no lodging was available for the family; Officer Keenan will tag both owners and mgr Lou Sudheimer"

Amy Spong, Heritage Preservation Commission (HPC):

- built in 1882; Ludwig Johnson House; originally built as a single family; however, articles from the St. Paul Daily Globe in 1888 note "House for Rent"- an 8 room house; boasting a cellar, a stable, city water & sewer
- 1886 - a permit for a 1-story frame barn
- unlike some of the other properties in this neighborhood, this was a structure built on 1 lot
- unique, in that it's right outside the boundary of the Dayton's Bluff Historic District (side property line)

- the Dayton's Bluff Historic District was established in 1992
- this house does not need HPC approval
- surveyed in early 1990s by Dayton's Bluff; the boundaries moved around based on different recommendations
- a larger historic district was recommended; staff recommended a smaller district; this line abuts Metro State; several houses were negotiated out of the boundaries so that Metro State could expand and so that there's a bit of a buffer between Metro State and the designated historic boundary
- also originally surveyed in 1983 and was not identified
- this house is right across the street of the Metro State Parking Lot; Metro State has a lot of plans for redevelopment
- this house does not have potential as an historic resource
- has a photo of house in 1983 - it was already quite altered
- now, columns have been added and a ballustrade
- the 8 foot extension in front of the house was part of an early addition
- there have been a lot of alterations
- the work that has been done seems to convey some elements that contribute to the surrounding historic district
- SPPO - in 1992 said that Dayton's Bluff Historic District was not eligible for the national register
- SPPO - letter dated Dec 17, 2014 states that if this house were torn down, no properties listed or eligible for the national register will be affected; however, there is some recent discussion at the Dayton's Bluff District Council about re-evaluating this district for national register eligibility (she and Council President Kathy Lantry attended a district council meeting in Nov 2014 concerning this)

Mr. Magner:

- the illegal occupancy began in Mar 2011; received a complaint re people living in the house; found worker Jerry Gates on the property who said that he stays overnight once in a while because of break-ins; he explained to him that no one could live in the house until there was a code compliance inspection sign-off; he provided the owner's phone number; called the owner who said that they are almost done with the list and then, the worker will move out; that mantra has carried thru --
- Jan 5, 2012 - night inspector found worker at the property, Jerry Gates, who said that he does stay overnight to protect the house from break-ins; inspector told him that he needed to get a sign-off before he can occupy the house
- Jan 13, 2012 - talked to Lou Sudheimer on phone, who told me that one of his workers was staying in the house until they can get the sign-off; should be done within 2 months; I told him that no one could live in the house until there was a sign-off
- May 2012 - inspected at night for illegal occupancy; it appeared to be occupied but no one answered the door; called Lou Sudheimer, property mgr, who told me that the sign-off was coming soon and that no one was living in the house
- Jan 2014 - inspected at night; Jerry Gates remains renting; 2nd floor unit is now occupied; took action on that
- an appeal was filed on the VB fees; apparently, owner did not show and the appeal was denied
- Oct 2014 - inspector talked with Maurice Buckingham, first floor, who said that he was going to call his lawyer and find a place to live
- it's just been an ongoing issue; they say they are going to finish it; they don't and they are not getting the message that they can't occupy

Mr. Barnett:

- he received Power of Attorney from Joseph Palen, owner, to deal with the real estate issues
- Mr. Palen talked with Mr. Barnett for a number of months about following the law;

not having occupants in there and getting the Certificate of Occupancy so that we can sell it

- *as soon as he found out about it being a Cat 3 VB, he called DSI to find out what he had to do; Mr. Soley gave him great instructions on what to do*
- *the work that has been done really looks nice from the outside and the interior work is stellar; he is very impressed*
- *he will do a market evaluation once it's complete and sell it*
- *his roots are on the East Side; their office is on the West Side; he has a fondness for the East Side because of all the great old houses; he can't conceive of this house being torn down*
- *Victor can get the work done without any kind of any major delays*
- *had heating contractor out there to do a heat assessment and fill out form for Orsat Test*
- *the heating part is essentially done; the electrical and plumbing, they expect the estimates to come some time this week; the work has been started on the general contracting*
- *exterior work, including the stucco and the garage can't be dealt with in cold weather*
- *the permit says 6 months; he doesn't think it'll take 6 months; the list is not very big right now*
- *Joseph Palen signed a contract with Victor Vladyka and he is monitoring that*

Mr. Sudheimer:

- *has been property mgr since the property was acquired around 2010 out of foreclosure*
- *this project has taken so long because there wasn't enough financing available to do the project; (economic depression decreased the value of the property repeatedly); they were able to get this far in renovating because of the rental income*

Ms. Moermond:

- *she thinks that Mr. Sudheimer should have a Criminal Citation for renting out this house; it shows bad judgment and a lack of interest in taking care of the neighborhood; the City Council would rip you up and down with that kind of behavior; that kind of behavior puts the city in a position of having to roust out tenants that you put into place illegally*

Mr. Sudheimer:

- *said that he understands; however, this property is now contributing to the city*
- *there are some explanations to add on to Ms. Spong's historical report as to the progress they've made into making this home a tremendous asset to the community for the next 100 year; the property has been saved and the taxpayers have been saved*
- *entered photos before/after and photos of houses/places of business next door*

Mr. Barnett:

- *a couple people at DSI looked at the items on the code compliance inspection report when they went down to apply for a permit with Mr. Vladyka; the Plan Review person checked it out; we told him that we were going down the whole list; Mr. Vladyka can do all the building items*

Mr. Magner:

- *reiterated that they will need all new permits; the old ones were closed out*
- *DSI has a \$5,000 bond and a code compliance inspection report*
- *still need a comprehensive work plan and financial proof of financial ability to pay for the project*

Ms. Moermond:

- the work plan should include the bids and a timeline/schedule of when things will be addressed
- she read the letter of Feb 3 that Mr. Sudheimer provided
- the exterior work: stucco, garage, painting will need to be delayed for weather; show on work plan that they will be done in the spring
- when the interior items have all been addressed to the satisfaction of Mr. Seeger, he can allow the occupancy of the house with the understanding that the timeline will be met for the balance of it; she will talk with Mr. Seeger but the house should have a bow on it because this has a bad history of allowing occupancy without having C of O in place; so, she doesn't have a reliable guarantee that when the house is done, the garage and stucco issues will be resolved because you'll already have occupancy and have no vested interest in completing the project

Mr. Barnett:

- restated that Mr. Palen's main objective is to sell the property once it's fixed up, which would include the garage and exterior in order to get the best price

Ms. Moermond:

- will send a letter confirming all of this
 - property should be maintained
 - she will need everything in her office by Feb 24, 2015; if it looks as though you will not be able to meet all the conditions by that deadline, let her office know a couple days in advance and a hearing will be scheduled to walk thru the material
- The following conditions must be met by February 24, 2015 in order to receive a grant of time:
- 1) must provide a work plan including timelines for completing the work;
 - 2) must submit bids from a general contractor and subcontractors;
 - 3) must provide financial documentation indicating the amount to do the rehab (line of credit, construction loan, personal bank account);
 - 4) must provide an affidavit indicating the dedication of funds to be used for the project; and
 - 5) the property must be maintained.

Referred to the City Council due back on 3/4/2015

11:00 a.m. Hearings

Summary Abatement Orders

- 7 [RLH SAO 15-8](#) Appeal of Robert L. Leslie to a Summary Abatement Order and Vehicle Abatement Order at 1092 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

Robert L. Leslie, owner, appeared.

Inspector Ed Smith:

- Inspector Hoffman issued Summary Abatement Jan 2, 2015; compliance Jan 8; he notified Supervisor Steve Magner about the vehicles on the property; Mr. Magner asked Mr. Hoffman to write a Vehicle Abatement Orders on the vehicles:
- white chevy parked on the NW part of yard with expired plates, flat tires
- 2 cars covered with tarps; can't tell the parking surface
- 4 motorcycles along side of property with no the right colored tabs
- ATV parked on west side

- go-cart in the back yard
- SA: logs, scrap wood, fire wood, metal, etc. in yard areas and driveway
- photos taken yesterday on current conditions

Mr. Leslie:

- has been unemployed; will be going back to work in Mar
- chevy was donated that same day - is gone
- logs stacked up on pallet and not on ground (fire wood); covered with plastic
- the collector car, 1970 Plymouth Barracuda, has been there for 22 years since he left FL; is waiting to get title from FL; not running right now; it's covered
- the Cougar has been there for 22 years, too
- the Chevy Camaro is operable but has no heat; they don't drive it in winter
- white pick-up is driven by his son and is the company vehicle; trying to locate title card
- cars are on asphalt driveway
- there's a snow plow tractor and a lawn mower; motorcycle trailers; his son snow plows the whole block
- the deer stand and furniture are gone
- the trailer was towed away
- kids push around the go-cart; it has no engine; it's a toy, now
- the ATVs run (red, white); have tarps over them; one is frozen in
- the garage is full: tools, welders, motorcycle, work benches; no room for a car

Ms. Moermond:

- the wood pile looks like it's not in compliance
- looks like the garbage wasn't collected
- flat tire on pick-up

Mr. Smith:

- the wood is off the ground on pallets the required distance from buildings; he sees no problem with the wood pile

Mr. Leslie:

- today is "garbage day" pickup
- is working on flat tire on pick-up; son is trying to get rid of pick-up; it is operable but it needs title (his son lives there, too, along with his family); son has a hard time maintaining a job and they can't get any help from the county
- are trying to move Up North
- described the photos taken yesterday
- the shed has tires in it
- will take care of the brush and weeds on fence; it's some kind of vine that keeps coming back
- will get rid of 2 motorcycles
- pile of gravel is covered with plastic

Ms. Moermond:

Grant until February 17, 2015 to come into compliance with the following:

- 1) cut back the weeds/bushes;
- 2) cover the firewood with tarp instead of plastic; and
- 3) fully tarp the Camaro vehicle

Grant until March 17, 2015 to come into compliance with the following:

- 1) remove the truck;
- 2) remove the two motorcycles;
- 3) get the licensing issue taken care of on the gray vehicle.

Referred to the City Council due back on 3/4/2015

11:30 a.m. Hearings**Orders To Vacate, Condemnations and Revocations****1:30 p.m. Hearings****Fire Certificates of Occupancy**

- 8** [RLH FCO 15-19](#) Appeal of Bruce and Rose Olson to a Fire Inspection Correction Notice at 1361 SEVENTH STREET EAST.

Sponsors: Bostrom

Bruce and Rose Olson, owners, appeared.

Inspector A. J. Neis:

- *Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Efrayn Franquiz conducted Jan 20, 2015 with reinspection scheduled for Feb 23*
- *identified 18 code violations which are being addressed*
- *the reason why this property was placed on the Fire Certificate of Occupancy list is because the owner of record reside in Ellsworth, WI and the house is registered as a non-homestead by Ramsey County based on the fact that their adult son is living on the property; city codes are very specific: any property that is non-owner occupied is placed on the C of O list; there is a difference between homesteading (owner-occupied) and relative homestead, which makes it eligible for the C of O Program; however, Mr. and Mrs. Olson purchased the house around 2013 for their adult son, who has some mental challenges (Asperger's Syndrome) and they are his primary caregivers*
- *the Olson's purchase the house for their son so he can live there vs. living in an apartment*
- *Mrs. Olson's sister, occupant's aunt, is his Power of Attorney, handling his affairs*
- *the life-safety issues will be corrected immediately*
- *they plan to address the exterior items in the summer*
- *recommends that this property be out of the Fire C of O Program*
- *the property has a very clean history*
- *he questioned #2; asked if their son was a smoker; cigarette butts outside the door*

Mr. Olson:

- *their son is a smoker and he tries to hit the metal bucket outside his door; we put sand into the bucket; and he is not to leave his lighter outside*
- *their son works outside the home; he is fully functional if he takes his meds*
- *he makes just enough money to get by; he pays his light and heat bills*
- *he is mentally challenged - a very vulnerable adult*

Ms. Moermond:

- *sounds like one family in 2 households*
 - *will recommend this be out of the Fire C or O Program*
- Grant the appeal to have owner out of the Fire Certificate of Occupancy Program.*

Referred to the City Council due back on 3/4/2015

2:30 p.m. Hearings

Vacant Building Registrations**9** [RLH VBR 15-8](#) Appeal of Denise Kriesel to a Vacant Building Registration Fee Warning Letter at 1276 FREMONT AVENUE.

Sponsors: Lantry

Denise Kriesel, owner, appeared.

Inspector Matt Dornfeld:

- Vacant Building fee
- made a Category 2 VB by Inspector Dave Nelmark Apr 7, 2014 per neighborhood complaint of dilapidation and vacancy; he documented that it was vacant and secured; noted: peeling paint on house and garage, cracks in foundation, chimney has loose mortar, gas meter valve was open, etc.
- was owned by HUD at the time; so, all VB fees were on hold and are currently on hold thru Apr 21, 2015
- Ms. Kriesel purchased the house Feb 6, 2015
- code compliance inspection has been paid for 3 weeks ago
- noted: house has not been a nuisance at all; no abatements or correction notices have been sent out
- here today to discuss the VB fee
- HUD did not pay a VB fee

Ms. Kriesel:

- talked with Jim Seeger; will be 1 1/2 weeks before she gets the report
- house closed on Fri, Feb 6, 2015
- this is the third Cat 2 VB that she will have been renovating
- there's not much work to be done on the interior
- exterior needs a paint job, desperately, which is why she is asking for a warmer weather deadline - maybe May but Jun might be more realistic
- she has rehabbed 7 properties in the last 7 years on the East Side
- asking for an extension into warmer weather
- wishes that she had the code compliance inspection report in hand

Ms. Moermond:

- it's 4 months to get an extension to Jul 1
- is comfortable recommending a 90-day waiver on the fee
- no VB fee was paid at all in 2014
- has not been a rental property before

Ms. Kriesel:

- there's history of permits pulled for a new furnace and done could have been for the bathroom
- existing assessments were not disclosed to her at closing
- the property will become a rental; stated that she is very different from the normal landlord: she does very good rental rehabs and she gets very good renters in those houses

Ms. Moermond:

- we have 2 VB bills: 1) Apr 2014 - Apr 2015; coming 2) Apr 2015 - Apr 2016
- is confident that she'd be done Jul 1, 2015; that would put her in the VB Program for 3 months for this next year; she could see doing a waiver for that time period so that Ms. Kriesel would not have any VB fee attached at all to the following year
- but she did buy a Registered VB and the fee hadn't been paid (any other owner but

HUD would have paid it at closing)

- *the next step is for her to pay the VB bill or it will go to assessments*
- *the city will deny permits if you haven't paid the VB fee; if you wait long enough, they will take add it to your property taxes and then you can get a permit*
- *wants to set this up so that she can pull permits immediately after she gets her code compliance report*
- *is pondering how the VB fee can be handled*
- *will have to recommend that this appeal be denied; it will come forward as an assessment unless she pays the bill; regardless, she can pull permits right away*
- *also, for the next Apr 7, 2015 - Apr 7, 2016 VB fee, she will ask staff to give a 90-day waiver on that*

Mr. Dornfeld:

- *however, there is a waiver on the first VB fee until Apr 21, 2015; or if you can complete the rehab by Apr 21, 2015*
- *noted that Jim Seeger has been known to give partial sign-offs in cases like this; he'd sign-off on the interior stuff and allow time for the exterior*

Ms. Moermond:

- *you can pull permits as soon as you get the code compliance inspection report*
- *why is there a waiver until Apr 21?*

Ms. Kriesel:

- *I just might be able to get the interior done by Apr 21, 2015*

Mr. Dornfeld:

- *staff puts them 90 days out when she puts them in for HUD, so staff doesn't have to revisit them every 30 days or constantly monitor them; that's for our computer records because HUD never sends us a check so we never put them thru the assessment process; we wait for the new owner to come on board and sometimes there are overlaps; they do not assess HUD for VB fees for obvious reasons; it's policy*

Ms. Moermond:

- *she will go with that waiver thru Apr 21, 2015*
- *Ms. Kriesel can pull permits*

Vacant Building fee had already been held until April 21, 2015 per DSI. If owner is not in compliance by then, both Vacant Building fees (2014-2015 and 2015-2016) will be due; allow all permits to be pulled.

Referred to the City Council due back on 3/4/2015