



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Joanna Zimny, Executive Assistant
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, December 3, 2019

9:00 AM

Room 330 City Hall & Court House

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 19-909** Ratifying the Appealed Special Tax Assessment for property at 961 ARCADE STREET. (File No. J2004B, Assessment No. 208103)

Sponsors: Busuri

No one appeared. Approve the assessment.

Referred to the City Council due back on 2/5/2020

- 2 **RLH TA 19-905** Ratifying the Appealed Special Tax Assessment for property at 1021 FULLER AVENUE. (File No. VB2004, Assessment No. 208803)

Sponsors: Thao

If code compliance certificate is recieved by February 5, 2020, recommend reducing assessment from \$2,284 to \$1,142.

Ivan Farrera, Venture Capital LLC, appeared

Staff report by Supervisor Joe Yannarely: Category 2 Vacant Building was opened August 16, 2018, there is a current code compliance inspection report completed August 8, 2019. Sale review completed October 15. We have 9 work orders in the last year. Cost is \$2,127 plus a service charge of \$157 for a \$2,284 total assessment. I don't see any permits.

Farrera: we want more time as we're in the process of remodeling to get it on the market. We're estimating 120 days.

Moermond: if the vacant building file was opened August 16, there is four months already. Your public hearing isn't until February 5, which takes us over halfway into the billable year. I'll recommend if you get your code compliance inspection by the time you have your public hearing February 5, I'll recommend it gets cut in half. That seems to me to be fair.

Farrera: 6 months from October?

Moermond: since when it went into the program since August. It doesn't have to do with how long your transaction on the property is, it is from when it entered the program. Hopefully you can get it across the finish line by then. We will check on the status before the public hearing.

Referred to the City Council due back on 2/5/2020

3 RLH TA 19-916 Ratifying the Appealed Special Tax Assessment for property at 1895 SAINT ANTHONY AVENUE. (File No. VB2004, Assessment No. 208803)

Sponsors: Jalali Nelson

Approve the assessment.

Roger Cheathum, owner, appeared

Staff report from Supervisor Joe Yannarely: this is for a vacant building fee, it entered program August 20 of 2018. There was a history of getting the vacant building fee waived for 90 days but the C of O wasn't ever reinstated. No code compliance inspection ordered or complete. The cost is \$ 2,284 total assessment.

Cheathum: I have not received a work order, a letter from you, you told me last time you sent a letter, or an email, so I don't know. I guess I'd like to know why the house is on this list to begin with. I guess the appeal was denied, because I'm still getting bills? There's also an assessment in August, I just opened this letter today. I had an accident about a week after this and had a concussion.

Moermond: this is an invoice for a vacant building fee, and the invoice indicates it was approved by Council August 21, 2019. That was for the previous year's vacant building fee.

Vang: September 11, 2018 Mr. Cheathum came to a hearing and appealed the vacant building registration notice. Ms. Moermond waived the vacant building fee for 90 days.

Yannarely: it said he must order a building only inspection

Moermond: you must know we've spent a lot of time on this particular case, and a lot of time in the hearing room and Council table and via correspondence working on this with you. We're happy to provide all of the record again. We have records that you were informed. You want them again and I get that, and we will provide them. When the vacant building registration was appealed, you get the letter and you came in and said it shouldn't be a vacant building, my recommendation was that it was non-owner occupied property, if the Fire C of O is reinstated or if he gets a building only code compliance inspection and certificate, he's out of the program and the fee has been waived for 90 days. Neither of those things happened, so you ended up with the vacant building fee. That was also appealed.

Vang: when it went into assessment after the 90 days passed, he came to a hearing on March 5, 2019. At that time you recommended if he got his code compliance certificate by April 17, you would reduce the fee by half. The matter kept continuing at the council table until August 21, 2019, and the certificate wasn't issued so you recommended approval of the assessment.

Moermond: so he also testified at Council?

Vang: yes, he came May 15, 2019 to Council, and it got laid over to May 22, 2019 and at that time councilmember Nelson laid it over to August 21, 2019.

Moermond: so the recommendation in May to Council was to reduce it by half if either of those things were done, and that would have been past the halfway mark if it entered the program August 20. I was still recommending cutting it in half, and they even continued to August 21 with a willingness to reduce it. Can you provide a packet for Mr. Cheathum?

Cheathum: any work orders on the property?

Yannarely: we sent three summary abatement orders but no work was done on them.

Cheathum: this was all because of an inspection by Maicee Hervang and AJ Neis. He came to this appeal hearing and made up a bunch of stories, I tried to be polite at the time and said he was grossly exaggerating. Everything he said was a lie, and I intend to take him to court. I won't let any St. Paul inspectors come into my house until this is done in court.

Moermond: I'm not in a position to negotiate about code. Whether this should be in the vacant building program was already something considered by Council. I can't unmake those decisions. I'm looking at year two in the program right now. There's no reason to make it more complicated getting out of the program, my recommendation last we talked was the code compliance inspection using a building inspector only should suffice. As we've discussed that's cheaper than all four trades going through. It's a building inspector not a fire inspector. I can tell you in order to get out of the program that's what's required. You've mentioned litigation in the past, I believe the deadlines have come and gone for filing in court, you may want to check on that.

Cheathum: I can't trust anyone who works for the city of St. Paul right now.

Moermond: then you need to handle your affairs in accordance with that.

Cheathum: I just wanted the paperwork. The condemnation notice didn't have Neis on it, it had this Maicee.

Moermond: we'll get you the paperwork once again.

Cheathum: you keep saying that, but I've never received anything.

Moermond: I think we disagree on that. And everything is public online as well. You're looking at a \$2,300 assessment. I can make the recommendation that Council make payments over a number of years. However, interest does accrue with interest of about 4%. If you would like me to do that, while you sort it out legally, that's your decision.

Cheathum: I don't know if it will take years, that's up to the City attorney.

Moermond: no, as far as I know nothing has ever been filed so that's up to you to ring that bell. We'll get you your paperwork. Do you want it made payable over 5 years?

Cheathum: I don't care. I'm not paying a penny.

Moermond: then I'll recommend it gets approved as written then.

Referred to the City Council due back on 2/5/2020

- 4 RLH TA 19-904** Ratifying the Appealed Special Tax Assessment for property at 1348 SIXTH STREET EAST. (File No. VB2004, Assessment No. 208803)

Sponsors: Prince

Delete the assessment.

Mark Fotsch, owner, appeared

Staff report from Supervisor Joe Yannarely: this was referred by a neighbor in June, and we issued a couple summary abatements for tall grass and weeds, but the house was in reasonable shape so they opened a Category 1 vacant building June 26 of this year. I just talked to him and he has said he's moved in, so I emailed the inspector saying he can close the file. Total Assessment of \$2,284. Two summary abatements issued in June but no work orders.

Fotsch: I closed in July, and then moved in. Basically, my 3 children and I have been living there since July when we closed. This says May, and I didn't own the property then. When I called Edina Realty they said they didn't know of anything before that.

Moermond: I think they did know. But we're going to double check. Ms. Vang, can you check for a fee waiver?

Vang: no waiver. The notification went to Homestead Road Fund, LLC in Minneapolis. Transaction date of July 10, 2019.

Moermond: the notification went to Homestead Road Fund I'm guessing is who you purchased it from.

Fotsch: yes.

Moermond: they would have found out two weeks before your closing that it was going into the vacant building program and had a legal obligation to disclose that to you. I just wanted that clear for our records. In terms of your position, the closing date was just 2 weeks after it went into the program, I'm going to recommend the Council delete the assessment. You won't hear from the City again, if you do give us a call because you shouldn't.

Referred to the City Council due back on 2/5/2020

10 a.m. Hearings

- 5 RLH TA 19-913** Ratifying the Appealed Special Tax Assessment for property at 969 ALBEMARLE STREET. (File No. CRT2004, Assessment No. 208203)

Sponsors: Brendmoen

Approve the assessment.

Anteneh Tefera appeared

Staff report by Supervisor Leanna Shaff: Fire C of O inspection, unpaid fees on a

single-family dwelling. Cost is \$206, service charge of \$157, total assessment of \$363. We have appointment letters April 1, and May 1 of 19. Correction order on May 23, 2019, approved with deficiencies on July 9, 2019. Billing is July 11 and August 12, 2019. all the letters and orders sent to the responsible party of Renters Warehouse at 13200 Pioneer Trail.

Tefera: I own the property. Its managed by Renters Warehouse. They send me an invoice, and most of these I have lists the inspection fees, I pay. I contacted Renters Warehouse and they said they didn't receive any notice. So, they sent me information starting the 1st to the 11th and I don't see anything sent from the City. I talked to them and they said they didn't receive anything. I don't understand why I'm being charged for this when they didn't get any notice. I live in Woodbury, its managed by Renter's Warehouse.

Moermond: Renters Warehouse probably screwed up. I spend five or six cases every single Tuesday having miscommunication problems with property owners because of them. They don't fully communicate or don't show up for inspection. Those experiences tell me the error lies with Renter's Warehouse. I have asked Ms. Vang to print out a copy of the notices. Are you responsibility for the C of O fee? Yes of course. So that leaves the administrative fees. Experience tells me they are having some issues there.

Tefera: I'm waiting for the invoices from Renter's Warehouse. I never received these. They emailed me these.

Moermond: I would give them those documents and tell them they should be paying for those charges because you didn't get the information from them.

Shaff: we had no returned mail.

Tefera: I'm not working with them anymore starting January 1.

Moermond: you have a contract with them, I'm thinking that it did have to be processed and its legitimate charge. There's a pattern of behavior by Renter's Warehouse that makes it likely that's where the problem lies.

Referred to the City Council due back on 2/5/2020

- 6 RLH TA 19-914** Ratifying the Appealed Special Tax Assessment for property at 886 ARCADE STREET. (File No. J2003P, Assessment No. 208402)

Sponsors: Busuri

Delete the assessment; waiver on file.

Referred to the City Council due back on 2/5/2020

- 7 RLH TA 19-908** Ratifying the Appealed Special Tax Assessment for property at 41 ATWATER STREET. (File No. J2004E, Assessment No. 208303)

Sponsors: Thao

Approve the assessment.

Sharon Breust, on behalf of Epstein enterprises, appeared

Staff report by Supervisor Lisa Martin: this is for excessive inspections during June 24 and July 22, 2019. Orders for garbage sent July 2, 2019, compliance date of July 9, 2019, rechecked on July 10, 2019. Work was done by owner on July 16. We do have 13 complaints in 2019 on this property.

Breust: my only excuse is we have a PO box in West St. Paul and sometimes it takes 5 or 6 days for us to get mail. When this notice came, it was already almost too late, when it was re-inspected it was still there, but then when I got the notice I had someone go clean it up.

Moermond: the charge is simply for the work not being done on deadline.

Breust: yes, and we did it.

Moermond: we have orders July 2, compliance date a week later, July 9, rechecked July 10 and it wasn't until the 16 when the crew actually arrived and things were gone. I might look at this differently, but you have 13 complaints in 2019.

Breust: it was a situation where I rented to someone and it didn't work out well. There were a lot of complaints.

Moermond: in light of that its hard for me to look at this and say I want to work with you on this, its kind of the point of the excessive consumption charge, to hold property owners accountable. The crew did go out, and you had adequate time to clean it up, I hear you about the mail, but proactively visiting the property when you're having this many complaints might have been a good step. The Council can look at things differently.

Referred to the City Council due back on 2/5/2020

- 8 RLH TA 19-907** Ratifying the Appealed Special Tax Assessment for property at 162 COLLEGE AVENUE WEST. (File No. J2003P, Assessment No. 208402)

Sponsors: Noecker

Delete the assessment.

No one appeared.

Moermond: work order sent before compliance date, that's a good reason

Referred to the City Council due back on 2/5/2020

- 9 RLH TA 19-906** Ratifying the Appealed Special Tax Assessment for property at 1877 CONWAY STREET. (File No. J2001V, Assessment No. 208000)

Sponsors: Prince

Delete the assessment.

Kevin Moreno, tenant, appeared

David Moreno, father and tenant, appeared

33:00

Staff report by Supervisor Lisa Martin: This is a vehicle tow fee for a vehicle that appeared undrivable and had expired tabs. Date of orders was January 24, compliance date of January 30, 2019, rechecked February 5, 2019. No returned mail and it looks like there as a parking complaint in 2016. Total cost of \$410.75, service charge of \$162 for a total assessment of \$572.75.

Moermond: the amount of money is kind of an average amount of money for vehicle abatements. There's four vehicles listed in the orders itself. Do you have any sort of breakdown on the costs involved?

Martin: I do not.

Moermond: so this is for towing the vehicle and storing it at the Police department?

David Moreno: we were told it was going to be junked. My wife told them to take it to the junk yard.

Kevin Moreno: I was going to junk it myself and could have got money for it. Why didn't they tell me they were taking to the impound lot? It was a 1995 Dodge Caravan. It ran, it didn't just sit in one spot. I frequently moved it. We waited for the inspector to show up and he never came back, he called the landlord and said everything was fine, so that's why I let it be. It wasn't a junk vehicle it ran and drove.

Moermond: who were you talking to?

David Moreno: it was the St. Paul Police. I wasn't home, Kevin was working, and my wife was home and had COPD, she couldn't do much but she talked to them. She passed in September. That's what my wife told me and that's all we know about it. All they told us was to make sure we take everything out and it was going to go to the junk yard.

Kevin Moreno: I used it as a work vehicle. I had my tools in there.

Martin: this was a correction notice sent January 11, 2019 originally, and then January 24 they sent a vehicle abatement order. Then there was an excessive consumption sent, another one March 7, and then it looks like another correction notice on April 2, 2019 was for all vehicles to be correctly licensed, parked on approved surface and be operable with current tabs, please resolve by April 8.

Moermond: do we have a day the work was done in any of that information?

David Moreno: the only notice we got in the mail was the first or second one to clean up and get the vehicles licensed, but we were junking that one. We told the landlord that.

Kevin Moreno: It wasn't on the street, it was on the driveway.

Martin: original complaint said vehicles parked on the grass and on blocks.

Kevin Moreno: that's not true.

Moermond: that's just what the complaint was, what the inspector saw was different.

Martin: February 5 work order went to the Police Department, it had no current tabs and appeared inoperative.

Kevin Moreno: they were only 6 months overdue.

Martin: I don't have the date of the towing.

Moermond: the police folks send a spreadsheet when they're processed as an assessment, including tow costs, impound lot fees, and what they got at auction. It would be good to add to the record. I'm sympathetic, it isn't clear what the police told your wife, but I'm not seeing there's other issues at the property aside from the vehicles at the time. How long have you lived there?

Kevin Moreno: 14 years. We've never had problems. I think the house next door went up for sale and the realtor called.

Moermond: I would like a breakdown of what's going on, how do we break down the assessment and what are the differences for the parts. Just for the record. I would also want to know about the excessive consumption charges that went out, and how those fit into what's going on. Two bills went out for excessive consumption of code enforcement services, I want to know how and why and how it fits in together, I don't want you to be double billed. I also don't want to punish you if we can use this and get it reduced. I'm concerned about the communication. The code says a vehicle on private property, if it doesn't have current tabs and appears undrivable, it might as well be a broken fridge, it's a hunk of metal. I want to get more information, I want to work with you guys on this. I need to find out about what the officer might have said, that's not accurate. When a City goes to remove a vehicle there are laws about what they can or can't do with it.

David Moreno: if we would have known it was going to an impound lot, it would be different. All my wife said was the officer said it was going to the junk yard. My grandson took the stuff out of the vehicle.

Moermond: the order itself does say that the vehicles will be removed, impounded and disposed of in accordance with the law. It is in your notification.

David Moreno: I don't read, I just go by what she told me. The only notice is the one you showed me. I know the landlord told me someone's going to come by, the officer told her it was going to be junk.

Kevin Moreno: I parked the van on the street and didn't even get a ticket on it.

Martin: they do have a good history here. 2016 there was a washing machine at the end of the driveway but was gone.

Moermond: if you could sign in with your email address, we will send on the new information we get and I'll come up with a recommendation based on that, but that will clear it up and I can make a recommendation that will work for you guys.

Referred to the City Council due back on 2/5/2020

10 RLH TA 19-915

Ratifying the Appealed Special Tax Assessment for property at 653 COTTAGE AVENUE EAST. (File No. J2001V, Assessment No. 208000)

Sponsors: Busuri

Recommendation forthcoming. Continue PH to March 25, 2020.

Efe Mike Puegeren, owner, appeared

Staff report by Lisa Martin: vehicle abatement order issued December 19, 2019. We have a maroon van that lacked tabs and appeared inoperable. Compliance date January 2, work order sent January 2 for a removal.

Moermond: this is a rental property?

Puegeren: I don't live in Minneapolis. I separated with Bridgit. She left end of November.

Moermond: it does look like its up to date now with Ramsey County. It was sent occupant slash your name on Cottage and in Eagan, and the Minneapolis address, so it went 3 places.

Puegeren: by the end of November my father was sick, so I left the country by November 28. I drove the car because I parked it on the road, but it's a dear car and when I parked there, I parked it in my premises. When I got home after my father passed, I came back February 19, my struggle was to get the tab. I have to get current insurance and I had no money. And then I saw it was towed. I have no information about anything. While I was puzzling about it, I got a letter from the police department that its in the impound lot and I should come get my things out. I wondered what happened, the key is with me and the tires are good. There was no way I could pay that. The van was my baby, it was taken away from me.

Moermond: did you have anyone looking after your property when you were gone?

Puegeren: my daughter goes. My son was living there, and then he moved to school. My daughter just came to clear the snow.

Puegeren: so no one was monitoring your mail?

Puegeren: no and when I came back I didn't see that mail.

Moermond: 3 weeks after you left the country the City sent an order on the van. It had May of 2018 tabs on it. It didn't appear to be drivable and wasn't parked on a parking surface.

Puegeren: I parked it in the corner of my fenced yard.

Moermond: orders were sent December 19, and work order was issued January 2. I don't know when they went to the property and impounded it. I'd like to give you a better breakdown on those charges. That would give us a clear idea of what the tow was, the impound fees, what was received at auction, those costs. I understand you were out of the country, that doesn't mean things don't need to be taken care of. I do have a note that there were garbage orders in 2017 taken care of by the City, and one in 2018 that was taken care of by the owner. Does that sound right?

Puegeren: there was one before I left the country. I did remove it. One was when I traveled. I didn't see that. I didn't know that anything like that could happen.

Moermond: well you didn't get the letter because you were out of the country. Do you

have an email address? We'll send you the breakdown of the costs so we can talk about those.

Puegeren: I felt it was unjust and inhuman. I did all that to save my car. I felt bad initially. I will still be leaving the country again; my mom is 94. December to March 9, 2020.

Martin: there's been 5 work orders on the property, only one was taken care of by the owner, the other four were assessed.

Moermond: on February 5 I'm going to ask them to continue this to March 25. In the meantime, we'll nail down what the actual costs are before I nail down a recommendation. We'll do that via email.

Puegeren: does it have a timeframe that notice is given before action is taken? I feel like everything happened really quickly.

Moermond: orders were sent December 19, compliance date of January 2. That's the set of deadlines.

Referred to the City Council due back on 2/5/2020

11 RLH TA 19-903 Ratifying the Appealed Special Tax Assessment for property at 1940 FAIRMOUNT AVENUE. (File No. J2004E, Assessment No. 208303)

Sponsors: Jalali Nelson

Approve the assessment. Continue PH to March 25, 2020.

Carolyn Brandt appeared

Staff report by Lisa Martin: this is excessive consumption billed during June 24 to July 22, 2019. For tall grass and weeds and garbage. Orders sent June 28, 2018, compliance date of July 9, 2018. Rechecked July 10 and inspected and not removed. Filed an appeal. Long history at the property. Cost of \$122, service charge of \$35 for a total assessment of \$157. This was for the exterior maintenance of the building for a construction project that's been going on for years. We've had a few different contractors. There is a current permit issued Oct 22 for balcony construction.

Moermond: looking at the appeal from 2018, there was a couple deadlines put into place. I'm assuming this is for missing one of those deadlines. Is this the first excessive consumption charge?

Martin: yes. There should have been others, but I was out as well, so for now there is just the one.

Brandt: I received a notice from the City that I had weeds and grass unmowed last spring. I hired a landscape company to mow because it was taking so much time, I did mow it with a hand mower in between them doing it, that I thought was sufficient and still got a notice on it. I may have a mower without good blades, it didn't get the dandelions but it did cut the grass.

Moermond: did they come cut the yard?

Brandt: they didn't come cut it.

Moermond: How does a tall grass and weeds order get sent to a resident?

Martin: they are automatically generated, and then an inspector goes out for a few days later.

Moermond: it's a nonjudgmental situation.

Brandt: it might not be the grass, it may be something else. When people call the City they make a complaint, they sent out a general letter, it could be about litter in the backyard. That's not associated with cutting grass. The City generalizes and sends out blanket letters that aren't specific. It is counterproductive. I have ADD. It infuriates me. I got a letter about a car parked for a month in front of my property. My roommate was out of town for 2 months. I was moving it every 2 weeks and I still get a complaint that this car is parked in front. I have a car in worse shape and has been parked there for a month and never got a complaint. My roommate is Muslim, what am I supposed to think? I hire a service to shovel my snow when I go down in the winter. I pay my renters to shovel if the landscapers miss something. I have no control over this. I have sense then they have to see everything, and I have told my renters to be careful that things are sanded and shoveled properly. My point is, I try and I still get notices. It infuriates me that a neighbor can make a complaint and not go to me first. I would think as a City it would be more advantageous to tell them you need to contact the person first, if that doesn't work we contact the City and make arrangements. Neighbors aren't talking to neighbors anymore. I have listed 3 instances and I have tried my darndest to be a good neighbor and it bothers the heck out of me. I hired a contractor to put in the steps and balcony, they did a horrible job, so I told them they need to be done right, I will hire someone else. In the fall they were dismantled again, they put the steps in and didn't do the right job. I'm being punished because I am trying to get the right steps in. Then I hired someone else, they started and left without telling me why. I didn't do anything wrong. I was making sure they were done properly and the right colors, and there was a problem where they weren't doing it right so we talked about it and were haggling about how much to pay so now I'm left without steps. So now I hired another contractor in the fall. I thought I had the permit. I signed a contract they were supposed to start this spring and told me they weren't going to do it and weren't telling me why. I found someone and they did it this summer, and now I found someone to build the balcony. I had to hire a concrete person to do the steps. So, the steps are in and done. The dimensions are corrected in the right color and quality. He also redid the sidewalk. Because I have high expectations I shouldn't be punished for the problems I've had. Two contractors left without any notice and just broke their contract. That was out of my control. I don't want to be punished because I have high expectations. I hired someone to do the balcony and wanted hardwood on it and he said if you are going to tell me how to do my job you can find another contractor. Now I'm left with an inferior product because the City says I have to get it done. Now I have to live with his inferior pine craftsmanship. The inspector will inspect it. I'm sure it will pass, but it doesn't pass what I feel should be done. I'm being punished. I'm just livid.

Moermond: this is not a punishment for taking time to deal with this. It is a charge for inspection costs because it wasn't done on deadline. When you appealed originally it was granted to August 23, 2018 and October 2018. These deadlines are missed by 8 and 10 months. I don't accept the premise you are being punished. This is almost a year before any charge was made for blowing the deadline. With respect to your idea that neighbors be required to speak to each other; in a perfect world, I would love that. However, requiring someone to talk to someone they don't know, or isn't home at the

same time, or are afraid of? The city can't mandate that. This isn't a question of negotiating code. I love that neighbors should talk, but we cannot mandate it. It seems to me that the \$157 charge makes sense with the extra services the City has given to your property given you didn't mean deadlines. I respect there have been delays, and there were costs with those delays. If you could speak to that part that would be helpful.

Brandt: I am not expecting people to talk to their neighbor. They could send a letter. I found out the neighbor talked to the City. I spoke with her and apologized. I don't want her help.

Moermond: I have two people waiting. I want you to bring you to that charge.

Brandt: I don't understand your question. I have tried continually and bent over backwards to find contractors to install the balcony. It is out of my hands if someone breaks a contract. When they do I'm on the phone within the hour to try and rectify it. I have been losing rent because it hasn't been built.

Moermond: and I respect that, but the costs haven't been born just by you. Its also been born by enforcement services that have gone out the property. That's what were talking about today. It's the first time you've been billed. You're 8 and 10 months over by the time the bill went out in June. Unless you have something else to say I'm going to recommend approval.

Brandt: if I have a permit out the work is in the process of being done. I make sure there's a permit so the City understands this is a work in progress. I can't force people to work I can only hire them.

Moermond: I understand that. The Council gave you extensions with deadlines. I understand you're working hard, a permit isn't the measure of completion. The project being completed is. You can talk to Council February 5.

Brandt: I won't be in the country.

Moermond: I will ask them to continue this to March 25.

Brandt: there's backlog with the railings. I want to know what you would do in my place.

Moermond: I'm not going to have that conversation with you.

Brandt: I have made a point that there's discrimination with my neighbor's car. Wy is the City enforcing a policy harassing someone who is Muslim?

Moermond: I understand you believe that's what is going on. I don't know why people are calling, I do know that when they have called on any number of occasions they have been founded violations, mostly related to you and your maintenance of the property. That's what we're talking about today. In terms of traffic and parking violations, if you have those concerns, and I respect you do, they should be directed to the police department. Bottom line is who is calling in? I don't know. That's not my business, and your allegation doesn't speak to your blowing the deadlines on the other things.

Referred to the City Council due back on 2/5/2020

MARYLAND AVENUE EAST. (File No. CRT2004, Assessment No. 208203)

Sponsors: Busuri

Delete the assessment. Payment made and accepted at DSI.

No one appeared

Supervisor Leanna Shaff: Recommend deletion, payment made and accepted at DSI

Referred to the City Council due back on 2/5/2020

- 13 RLH TA 19-894** Ratifying the Appealed Special Tax Assessment for property at 80 WINIFRED STREET WEST. (File No. CRT2004, Assessment No. 208203)

Sponsors: Noecker

Delete the assessment.

No one appeared

Supervisor Leanna Shaff: recommend deletion of assessment, became owner occupied on May 10, 2019 but the inspector approved it on June 28, 2019. Inspector error.

Referred to the City Council due back on 2/5/2020

Special Tax Assessments - ROLLS

- 14 RLH AR 19-147** Ratifying the assessments for Collection of Vacant Building Registration fees billed during May 7 to July 22, 2019. (File No. VB2004, Assessment No. 208803)

Sponsors: Brendmoen

Referred to the City Council due back on 2/5/2020

- 15 RLH AR 19-148** Ratifying the assessments for Boarding and/or Securing services during August 2019. (File No. J2004B, Assessment No. 208103)

Sponsors: Brendmoen

Referred to the City Council due back on 2/5/2020

- 16 RLH AR 19-149** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during June 18 to July 13, 2019. (File No. CRT2004, Assessment No. 208203)

Sponsors: Brendmoen

Referred to the City Council due back on 2/5/2020

-
- 17 RLH AR** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during June 24 to July 22, 2019. (File No. J2004E, Assessment No. 208303)
- 19-150**
- Sponsors:** Brendmoen
- Referred to the City Council due back on 2/5/2020**
-
- 18 RLH AR** Ratifying the assessments for Graffiti Removal services billed during May 2 to August 13, 2019. (File No. J2003P, Assessment No. 208402)
- 19-151**
- Sponsors:** Brendmoen
- Referred to the City Council due back on 2/5/2020**
-
- 19 RLH AR** Ratifying the assessments for Towing of Abandoned Vehicle services during January to June 2019. (File No. J2001V, Assessment No. 208000)
- 19-152**
- Sponsors:** Brendmoen
- Referred to the City Council due back on 2/5/2020**

11:00 a.m. Hearings

Summary Abatement Orders

- 20 [RLH SAO 19-57](#)** Making finding on the appealed nuisance abatement ordered for 183 GENESEE STREET in Council File RLH SAO 19-53.
- Sponsors:** Brendmoen
- Nuisance is not abated.*
- Staff report by Supervisor Lisa Martin: both vehicles are still there, they haven't been removed and no progress on the yard.*
- Moermond: ok, so not in compliance with extension, and they can make the finding officially next week. No change, DSI can take action December 12 after Council reviews.*
- Referred to the City Council due back on 12/11/2019**
-
- 21 RLH SAO** Making finding on the appealed nuisance abatement ordered for 1234 DALE STREET NORTH in Council File RLH SAO 19-43.
- 19-59**
- Sponsors:** Brendmoen
- Grant an extension to December 17, 2019 for completing remaining repairs.*
- Daniel Ward and Serena Butts Ward, owners, appeared*
- Staff report by Supervisor Lisa Martin: Mr. Kedrowski mentioned they were almost in compliance, they probably need a couple more days, they have made great progress.*

I'll let them explain, but we're pretty close.

Daniel Ward: there was a huge stack of wooden fencing material, a lot is installed, some is waiting to be installed, and then another stack that needs to be removed. That's what's remaining. I just need a few more days, we got caught by the weather.

Moermond: I'll put it in front of Council December 18, and an inspector will come by December 17.

Daniel Ward: I have one other item.

Shaff: 2034 Reaney, the work that was required, done by December 1, he was there the 2nd and the items weren't completed. We'll go forth with enforcement action.

Daniel Ward: There were four items that needed to be done, actually five. Caution tape is there, the gutters and leaves were taken care of, the bags of dirt were taken care of, the smoke detector affidavit was taken care of, and the guys that came and started doing the demo on the stairs, they got done with the demo and I started working on finishing the top deck, didn't get enough time to finish. When I talked to the inspector yesterday, he said to let them know that the gutter guy didn't install a piece on the garage, he said he'd be out today. I also have an email from him stating that. There wasn't an inspection done on the stairs, I went to DSI this morning and showed them what I was doing, they said you needed permit. We pulled one. The stairs are in, they just need to come look and we need to put the railing on. It will be done by end of the day today or early tomorrow.

Moermond: I can review the information later today, I have an update now. I will look at it later today, but no promises. Having this be the first deadlines and having it not be done is not promising.

Referred to the City Council due back on 12/18/2019

- 22** [RLH SAO 19-48](#) Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 19-44.

Sponsors: Brendmoen

Grant extension to May 15, 2020 on removal of boiler and electric from temporary greenhouse structure.

Mr. Patrick Kelly, attorney, appeared on behalf of Roger Stadler

Kelly: Roger Stadler is unable to come. He's moving snow. He's got some complications. He asked me to come by, he hasn't met the removal of the boiler, but he has disconnected it and disconnected the electrical. The boiler is 300 pounds, we know we have May deadlines for the structure's removal. I'm at your mercy, I said you were fair I think that was reflected in the column. He can't remove it at this time due to physical restraints. I thought getting it disconnected was enough, its just a 300 lb piece of metal. I don't think anyone can get back there with all the snow

Moermond: unless someone had a skid loader like him.

Kelly: it is probably a low priority since its not in use right now.

Supervisor Lia Martin: it is disconnected, that's about it.

Kelly: it hasn't been used. I make the representation he hasn't been using it and won't use it.

Moermond: he's changed his mind about things in the past.

Kelly: he has. There's a bit of a war, I think we've overcome that. Getting him to disconnect it, I was pleased. He isn't going to use it.

Moermond: I'd like to put on the record about the safety concerns of an unpermitted boiler in a temporary structure.

Shaff: the boiler is a vessel under pressure. Codes are minimum requirement, but when they haven't been inspected, if we have a leak or something that boiler can become a rocket or bomb. And the venting, a fuel fire appliance or equipment, the biproducts of combustion are all the "Bi" words that are very deadly to people, carbon monoxide, carbon dioxide.

Moermond: you guys came up with those deadlines if I remember correctly, to be clear.

Kelly: We did, there was some confusion with building and permitting, and May 15 for purposes of construction, I want the record to be clear that it is disconnected. Not in use.

Moermond: and someone who connected a boiler in the first place without a permit in this kind of a circumstance, maybe is not a great judge of what's actually safe and not safe. This is not at all good or safe and could have been a problem not only for him or anyone in there, but also the neighbors. I will go with the May 15 deadline on the removal of that equipment.

Kelly: I know you're looking at me, and I will send the message to Mr. Stadler, I appreciate the Fire Marshall's comments. This has taken an unusual twist dealing with Roger, his heart is good, but I have to make sure its constantly monitored. I appreciate your professionalism and courtesies.

Laid Over to the Legislative Hearings due back on 5/19/2020

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 23 RLH VO 19-54** Appeal of Shai Leibovich to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 188 ACKER STREET EAST.

Sponsors: Brendmoen

Property must have Certificate of Occupancy by January 31, 2020 or be vacated. Grant extension to May 15, 2020 on shed roof repair.

*Shai Leibovich, owner, appeared
Carolyn Brown, Community Stabilization project, appeared*

Staff report by Supervisor Leanna Shaff: Fire C of O revocation conducted by

Inspector Niemeyer. Going through the notes, August 30, 2019 no show by responsible party. Knocked twice on the front door, no answer. Could hear a tv, could smell bacon, waited 15 mins. September 20, 2019 met responsible party on site, tenant allowed access because the RP didn't have keys for the property. October 18, 2019, RP hadn't been able to make contact with occupants, met onsite but didn't have keys. They did an exterior basically, new shingles installed on the house, none of the other exterior repairs had been made. November 21, 2019, conducted inspection with the tenant allowing access, RP still doesn't have the keys. Only two deficiencies taken care of and 2 new ones added. We're not getting compliance on the property. There are 14 items with non-compliance.

Leibovich: all the work started this morning, and will be done tomorrow except the roof of the shed, we'd need an extension on that. We spoke with the tenant, she knows we're coming as of 10 am, our people are already working on it. We have a reinspection December 30, we will be ready. It is just the shed shingles. We'll take care of it the second the snow melts.

Shaff: The property manager in the state of MN must be a licensed real estate agent, and be associated with a broker or be a broker. Ms. Brown can't be the responsible party. You need to be the point of contact.

Moermond: I need to give you a chance. The December 30 deadline is work done or property vacated. I want to push that out, lets do an inspection on December 30, if there isn't compliance, you'll get one more bite at the apple, so vacate date January 31, 2020. Let's go with May 15, 2020 on the shed.

Referred to the City Council due back on 12/18/2019

24 RLH VO 19-55

Appeal of Shai Leibovich to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1726 FOURTH STREET EAST.

Sponsors: Prince

Grant extension to June 15, 2020 on items 1 and 2. Certificate of Occupancy must be reinstated by January 17, 2020 or property vacated.

*Shai Leibovich, owner, appeared
Carolyn Brown, Community Stabilization project, appeared*

Staff report by Supervisor Leanna Shaff: this property is currently unoccupied. It hasn't been sent to vacant building program yet. Its unoccupied pending revocation with a December 13 inspection date. We have an exterior of retaining wall, and smoke detector affidavit but we haven't been in the building. Thomas sent the letter out September 3, he was there September 17 and 27, and October 16.

Leibovich: he has been inside the building, he met Carolyn there.

Shaff: November 4 and 21.

Brown: we were in there working the day they came over. He looked around living room, bedroom and kitchen.

Moermond: ok, so he had his eyeballs on but don't have orders. We'll deal with this. The plan is to get this ready to rent?

Leibovich: yes. We'll be ready for inspection December 13. We took care of the stairs immediately because it was dangerous. It was a sect 8 lady that just demolished it and left a bunch of cats there. We have thirty properties we've taken from Renter's Warehouse, and thirty more done by end of December. We're hiring another assistant.

Shaff: this seems to be repetitive with the properties. We get months down the road before Ms. Brown jumps in at the thirteenth hour.

Leibovich: we may have some glitches, but we're taking over totally end of the year. We've been doing this nine years, you never saw us, we made a mistake and are paying for it heavily right now.

Moermond: is this inspection still on Mr. Thomas's calendar?

Shaff: it should be. Outlook isn't cooperating.

Moermond: you want to be renting January 1?

Brown: yes.

Moermond: number 1 and 2, grant an extension to June 15, 2020, because of the retaining wall an tuckpointing being more touchy weather-wise. You have an extension on this through January 17, 2020, done or vacated by then.

Referred to the City Council due back on 12/18/2019

25 [RLH VO 19-49](#)

Appeal of Carrie Nelson to a Correction Notice - Re-Inspection Complaint, including Condemnation, at 291 STINSON STREET.

Sponsors: Thao

Layover to LH December 10, 2019 for property owner to bring a draft work plan for completing remaining repairs.

*Carrie Nelson, occupant, appeared
Elliot Saddleblanket, occupant, appeared
Lauren Lightner, Ramsey County House Calls, appeared*

Moermond: I have spoken with Katherine Fair at CAPRW and she told me that they have a confirmed contractor ready to go to put in furnace and venting and will begin and finish this week. In my conversation with her she was saying they would only be venting the unit you are in. There are some questions about the separation between the two units in the previous duplex, but for the moment the two big ticket items were the excessive materials and no heat. If CAPRW is doing this, then it is happening. In terms of clearing things out?

Lightner: we got a 30 yard dumpster and it was full within a week, we have removed a lot of things, and there's a second dumpster there. I was there this morning; the upstairs is much less reduced. There's still some, but it doesn't appear to be fire hazard like before. There's no sign anyone is living or occupying the upstairs.

Moermond: if the heat is put in under permit and resolved by next Tuesday, we can lift the condemnation on the property. That leaves us with the other things on the list, one of the biggest things is the property isn't in your name, and even if your brother can get it ready to go, the taxes need to be paid before the name can change. Once that name

change happens that opens up some financing options that aren't available right now. I don't know if you've been making any payments on the taxes, that's definitely what I'd put as number one. I don't believe from our conversation you have a bank account to cover the repairs.

Nelson: some work we can do ourselves, without a permit. I have gone through and marked off what's been done and what I know we're going to do. When my father passed the taxes were 3 years behind. I paid that up, I haven't come current since then. I can't get a payment arrangement on it until they get a notice from the court, so it has to be made all at once. We're working on it, we don't want to have to forfeit it. This is the biggest project that needed to be completed. After that, we're good to go.

Moermond: I need to see more documentation on what that looks like. I need a work plan, I need you to go item for item in the letter on how it will be addressed, and a deadline and I need to sign off on that. If there isn't compliance, we have to revoke the certificate. If you blow the deadlines what happens?

Schmidt: enforcement action. How soon before you can be done?

Saddleblanket: I can do most of those things, but if the brother needs to pull the permit and work with me, it may take longer.

Moermond: lets come back next Tuesday, Council hearing December 18. By December 17 I need an approved plan. Bring a draft next week.

Laid Over to the Legislative Hearings due back on 12/10/2019

1:30 p.m. Hearings

Fire Certificates of Occupancy (NONE)

2:30 p.m. Hearings

Vacant Building Registrations (NONE)