

824 Fremont Avenue (J0814A)

Mr. Robinson stated orders were issued on June 26, 2008 to remove tires, refuse under tarp, and household items that had been strewn throughout the yard with a compliance date of July 1. The property was re-inspected on July 8 and the work had not been done. A work order was sent to the Parks Department who did the work on July 15, 2008 for a total assessment of \$476.

Parke Schilling, property owner, appeared with Lynne Warneke. Mr. Schilling stated that his sister had recently passed away and he was responsible for disposing of her personal effects. He had organized a yard sale for the weekend of the 4th of July and what did not sell, he was going to take to the Salvation Army. He admitted that the tires were his; however, he maintained that he had health issues and with the heat, he could only do a little bit of work at a time. He also claimed that he was present when Parks came to do the clean up and they had smashed their truck into his fence. He believed the City should be responsible for the cost of the repair to his fence.

Ms. Moermond asked to see the video which showed 15 plus tires, loose and scattered debris, furniture, and an exercise bike that were removed, as well as many items that were not taken, such as rakes, tools and other furniture.

Ms. Moermond asked Mr. Schilling whether he had called the inspector and requested an extension of time to complete the work. Mr. Schilling responded that he had not.

Ms. Moermond stated that he had two and one-half weeks to clean up the property and had failed to call the inspector to request an extension of time. She stated that she would need to review the file and talk to Officer Koehnen; therefore her recommendation was forthcoming. She suggested Mr. Schilling file a claim with the City Clerk's Office for the cost of any damage that may have been done to the fence by the Parks crew. After the hearing, Ms. Moermond reviewed the file and recommended approving the assessment.

**RESOLUTION
 CITY OF SAINT PAUL, MINNESOTA**

19

Presented by Kathy Party

1 **BE IT RESOLVED**, that the Council of the City of Saint Paul hereby certifies and approves the January
 2 2, 2007, decisions of the Legislative Hearing Officer on Appeals of Letters, Correction Notices, and
 3 Correction Orders for the following addresses:

4
 5 Property Appealed

Appellant

6
 7 2065 Randolph Avenue

Brad Schlaeger, owner

8 Decision: Regarding the Deficiency List dated December 5, 2006, the compliance date is changed to July
 9 2, 2007.

10
 11 824 Fremont Avenue

Parke Schilling, owner

12 Decision: Regarding the Correction Notice dated December 14, 2006:

- 13 Item 1, Sanitation – the appeal is denied and an extension is granted to February 2, 2007;
- 14 Item 2, Vehicles – the appeal is denied and an extension is granted to March 2, 2007;
- 15 Item 3, Vehicles, boats, trailers on unapproved parking surface – the appeal is granted as there is an
 16 approved site plan from 1995.

| | Yeas | Nays | Absent |
|------------|------|------|--------|
| Benanav | ✓ | | |
| Bostrom | ✓ | | |
| Harris | ✓ | | |
| Helgen | ✓ | | |
| Lantry | ✓ | | |
| Montgomery | ✓ | | |
| Thune | ✓ | | |
| | 7 | 0 | 0 |

Requested by Department of:

By: _____

Form Approved by City Attorney

By: _____

Approved by Mayor for Submission to Council

By: _____

Adopted by Council: Date 2/14/07
 Adoption Certified by Council Secretary
 By: Mindy Larson
 Approved by Mayor: Date: 2/20/07
 By: Chris Mumford