



City of Saint Paul

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Master

File Number: RLH VO 11-101

File ID: RLH VO 11-101

Type: Resolution LH Vacate
Order

Status: Passed

Version: 2

**Contact
Number:**

In Control: City Council

File Created: 10/28/2011

File Name: 989 Burr Street

Final Action: 12/21/2011

Title: Appeal of Deanna Williamson to a Revocation of Fire Certificate of Occupancy
and Order to Vacate at 989 BURR STREET.

Notes:

Agenda Date: 12/21/2011

Indexes: Vacate Order; Ward - 5

Agenda Number: 68

Sponsors: Helgen

Enactment Date:

Attachments: 989 Burr.appeal.10-27-11.pdf, 989
Burr.Email.10-13-11.pdf, 989 Burr St.Williamson Ltr
11-14-11.doc, 989 Burr St.Williamsonl Ltr
11-29-11.doc

Financials Included?:

Contact Name:

Hearing Date:

Entered by: Racquel.Naylor@ci.stpaul.mn.us

Ord Effective Date:

Approval History

Version	Date	Approver	Action
1	10/31/2011	Moermond, Marcia	Approve
2	12/14/2011	Moermond, Marcia	Approve
2	12/15/2011	Lee Helgen	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	11/08/2011	Laid Over	Legislative Hearings	11/22/2011		
	Action Text:	Laid Over to the Legislative Hearings due back on 11/22/2011					
	Notes:	Laid over to November 22.					
		RE: 989 Burr St (triplex)					

Deanna Williamson, owner, appeared.

Fire Inspector Mike Urmann:

- going on for a long time re repairs that have been needed on the property
- original Orders - Aug 2010- it was a C property at that time, went thru the process and it became due again this year
- started as a C of O inspection, then an approval was issued with Corrections Dec 2010; because exterior repairs couldn't be done in winter, owner said it would be done in spring-summer 2011 but it wasn't
- have yet to gain interior access
- entered email from owner stating that they were going to homestead the property and move in; but this is not about homesteading, it's about owner-occupancy which they don't believe is the case in this situation

Ms. Williamson:

- purchased 1 yr ago; exterior needs work; interior has been worked on first (plumbing issues were taken care of)
- as they were trying to upgrade the exterior, people tried to get inside the bldg - some break-ins
- inspector has been inside the property several times (one time when no Notice had been received)
- another time, inspector came out while Ms. Williamson was in the hospital
- the last time inspector sent a letter saying she'd be out on the 14th, Ms. Williamson sent her an email to cancel that inspection because there was no way she was able to get the workers in to do what the inspector had wanted them to do
- has 2 properties in Saint Paul and she is new at this; she is now realizing that the inspectors are taking these separately; these properties were inspected one right after the other and both are requiring major repairs
- Inspector Booker did clear the inside; still had exterior to do last fall and it was getting too late to finish it
- she hired Century Pro, which agreed to come the summer of 2011 to take care of this property
- she had also hired them to do her house in Midway and they tried to paint too late in the year so the paint cracked; they had to go back and do that correctly; they are still working on that
- in the meantime, she has tried to find additional funding
- got a call from SPARC, which has agreed to help her with materials
- has had a difficult time trying to get both projects done
- Burr's exterior estimate is \$42,000 (Century Pro had agreed to do just painting and patching for \$12,000); she'd prefer to do something more lasting
- she's not trying to avoid it; she has over \$40,000 in her Midway project +
- others are trying to help her out at the other project
- her husband works and they have 6 children; she's doing the best she can
- this summer, she was very ill, in and out of the hospital
- Kimberly Williams is going to try to help her manage on Burr
- someone informed her tenants that they have to be removed from the property and so they removed themselves and caused significant damage because they were upset that they had to go; they moved while she was in the hospital
- recently, her downstairs tenants have also moved
- she was going to homestead the property because there is funding for homesteading - if you are actually in the property and you stay there
- last year she searched for funding but there's nothing left for investors
- she can only do so much; getting pulled between 2 properties
- would like to get a list of what she needs to have repaired/done so that when they come, she knows what she's supposed to have done (there's pre-inspection check list on the City's website - look up Fire Certificate of Occupancy)

Ms. Moermond:

- why was the C of O issued if these exterior issues weren't resolved (Mr. Urmann: it was Dec of the yr and these were exterior repairs; the C of O was granted approval if exterior was done by spring. Policy: we won't hold C of O off for exterior issues that are basically non-structural issues, only for interior issues)
- would like to see a Work Plan with timelines for addressing exterior issues
- need to get an inspector on inside (appellant wants to hold off for another week because some things are not yet fixed)
- inspector appointment in 1-2 weeks
- she would like to see both interior and exterior inspection reports and a Work Plan for addressing the

exterior items

- this has been Revoked for the entire bldg; the sooner you can get an inspector in there, the faster the Revocation can be lifted

2 Legislative Hearings 11/22/2011 Referred City Council 12/21/2011

Action Text: Referred to the City Council due back on 12/21/2011

Notes: Appellant to submit a work plan by December 13, 2011 or the Certificate of Occupancy will be revoked, inclusive of the interior inspection.

December 14, 2011 - Work plan was not received; therefore, appeal is denied and the C of O will be revoked.

RE: 989 Burr St (three family dwelling)

No one appeared.

Ms. Moermond:

- City Council Public Hearing Dec 21, 2011

- an interior inspection and Work Plan are needed by Dec 13, 2011 or Certificate of Occupancy will be Revoked and appeal denied

2 City Council 12/21/2011 Adopted Pass

Action Text: Adopted (appeal denied)

Notes: Legislative Hearing Officer Marcia Moermond gave a staff report; she recommended denying the appeal.

In opposition:

Deanna Williamson, said she was rehabbing two properties at same time and the other one was done. She said she'd lost donations of supplies and was working on getting new estimates and materials, and was working with Urban League and another non-profit. She said the interior had been getting worked on in the meantime and was ready for inspection. She asked for an extension.

Councilmember Helgen moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Helgen said he didn't see a clear work plan, and felt they ought to deny the appeal, and order the property vacated and the Certificate of Occupancy revoked. He said if the property was brought into compliance it could be reinspected and the Certificate of Occupancy reinstated.

Yea: 7 Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune, and Councilmember Stark

Nay: 0

2 Mayor's Office 12/29/2011 Signed

Action Text: Signed

Text of Legislative File RLH VO 11-101

Appeal of Deanna Williamson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 989 BURR STREET.

WHEREAS, in the matter of the Appeal of Deanna Williamson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 989 BURR STREET, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council appeal is denied and the Certificate of Occupancy will be revoked;
Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

Need more time to fix items. (paraphrased)