



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

Monday, May 22, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 23-8](#) Ordering the rehabilitation or razing and removal of the structures at 1082 LOEB STREET within fifteen (15) days after the March 22, 2023, City Council Public Hearing. (Refer to June 13, 2023 Legislative Hearing)

Sponsors: Brendmoen

Refer back to June 13, 2023 for further discussion with potential purchaser.

Heidi Hovis, attorney o/b/o MN Department of Housing, appeared

Moermond: I heard as of Friday that you have a buyer?

Hovis: I know they were given notice, both from your office and the State. I'm not sure whether they will be here or not.

Moermond: where are you folks at?

Hovis: we have a new purchase agreement signed, that happened on the 15th. That is with Intact Properties, a man named Edwardo Rikprashad.. They are fully aware of the nature of the property. A copy of the February 14 Code Compliance Inspection Report is part of the purchase agreement. The specific requirements in this process is also incorporated into that purchase agreement. Those five things we've talked about. It is my understanding they have some experience doing rehab work. We have had extensive conversations with them as to what a Category 3 property rehab looks like. As far as the State is concerned we do think they are in a good financial position to move forward.

Moermond: what was the name of the purchaser again?

Hovis: Intact Properties, LLC.

Moermond: I understand our office heard from a different person, and they were moving towards demolition?

Mai Vang: I have a different name; I don't know if he is part of that LLC?

Hovis: I know that Cole Fundakowski, who was included on your emails—

Mai Vang: he is the one I talked too. But I didn't ask for his LLC. He just said he was going to potentially buy it and would attend the hearing. We have been copying him on those emails to you.

Hovis: I can look into that. The purchase agreement is with Intact Properties.

Moermond: do you have an email address for him?

Hovis: I do, and I can provide that to Joanna after the hearing?

Mai Vang: she is out today; you can send it to me.

Hovis: I will send that out so you have that information correct. I did have my team contact their realtor to talk to them on Friday when we got notice. I personally didn't speak with them.

Moermond: when you spoke with Mr. Rikprashad his intention was to move forward with rehabilitation?

Hovis: I don't know the answer to that. I can find it out. My understanding from my team is that they were interested in doing rehab. I was surprised to hear about the demolition, but I'm getting second-hand information. That would obviously greatly impact the work plan, scope of work, etcetera.

Moermond: and whether or not they have the same issues with utility cuts as your previous potential purchaser. Given that today's hearing was rescheduled from tomorrow backwards to today, and we may have two separate entities in correspondence. All the same, let's give this to June 13th and send a letter to all interested parties about expectations for both rehabilitation and demolition. Then everyone has the same understanding. When is your closing scheduled for?

Hovis: I didn't see a date. I need to confirm with my team.

Moermond: this first went to Council March 27th, so we're coming up on 3 months.

Hovis: when that first purchaser fell through, unfortunately we needed to restart a little bit. Thankfully the realtor has been communicating with folks coming in on the front end.

Referred to the City Council due back on 5/24/2023

2 [RLH RR 20-22](#)

Ordering the rehabilitation or razing and removal of the structures at 678 SNELLING AVENUE NORTH within fifteen (15) days after the May 27, 2020 City Council public hearing. (To refer to March 28, 2023 Legislative Hearing)

Sponsors: Jalali

Layover to Legislative Hearing June 13, 2023. Property owner to submit a scope of work, including bids, and financing by close of business June 9, 2023.

No one appeared

Moermond: this is going to be laid over from today, May 22, June 13 or 27th. Have we heard from them about which date is preferable?

Mai Vang: they sent in a one-page update. They responded but they haven't said.

Moermond: let's go with June 13th then. We do have a new document, an update dated May 18th, indicating the design work review is to be completed by mid-June, at which time they will be ready for subcontractor bids. They also indicate the last piece of funding, the State bond decision, is anticipated by May 22, which is today. June 13th I would like to see a sworn construction statement, scope of work, a document like that demonstrating how they are approaching this 4.2-million-dollar project. That needs to include bids. I would also need to see the documentation of the loan commitments in place to execute the rehabilitation. Financing to execute that work plan.

Laid Over to the Legislative Hearings due back on 6/13/2023

- 3 [RLH RR 23-22](#) Ordering the rehabilitation or razing and removal of the structures at 326 CHARLES AVENUE within fifteen (15) days after the June 28, 2023, City Council Public Hearing.

Sponsors: Balenger

Layover to Legislative Hearing on July 11, 2023.

Moermond: this was noticed for tomorrow, May 23, and I made a request to the Department of Safety & Inspections to re-notice this since I am unavailable tomorrow. We will do that first hearing on July 11th.

Laid Over to the Legislative Hearings due back on 7/11/2023

10:00 a.m. Hearings

Making Finding on Substantial Nuisance Abatements

- 4 [RLH RR 23-18](#) Fourth Making finding on the appealed substantial abatement ordered for 318 EDMUND AVENUE in Council File RLH RR 21-11. (Public hearing closed and laid over from April 26, 2023)

Sponsors: Balenger

Layover to Legislative Hearing June 13, 2023 for update on permit status. (Public Hearing June 21, 2023)

*Aychoeun Tea, mother of owner, appeared
Oudam Tun Tea, owner, appeared*

Moermond: we haven't met before. Your mother has been participating. The City Council wanted you participating because of how serious it has become money-wise. The original grant of time to do the rehab was August 4, 2021, but that was after the City Council had given four months for plans to be put together. They gave six months to do the work in August. The work wasn't done in the six months and at that juncture, since it wasn't done, the Council required another \$5,000 be put on the table. So, \$10,000 in Performance Deposit is in play right now. There has been a failure to

perform, so that \$10,000 is definitely at risk. Legally, the City could knock down the house at this point. They could take the \$10,000 and knock it down. There are a couple of places in between there and we need to figure out how you are going to do this. For all intents and purposes there was a vote of no confidence in your ability to complete the work since it has been a couple of years without sufficient progress. When bids have been shown, money shown, it turns out different contractors are doing the project for a different amount of money. The money set aside wasn't sufficient. It has been problematic.

Right now, the recommendation I had in front of the City Council most recently was to take the \$10,000 and knock down the house. I've had it with working on this with no progress.

Oudam Tun Tea: one of the reasons was I was sick and didn't work at all. I want to take out a loan so I can fix the house. Now we just have the trim left.

Moermond: you haven't had inspections recently.

Oudam Tun Tea: she called the inspectors and they didn't come.

Moermond: we have five permits—

Oudam Tun Tea: everything is done, we just need trim.

Moermond: I hear you saying those words but I don't see trades inspectors out at the property confirming that is the case

Oudam Tun Tea: can you get the inspector out?

Moermond: you get the inspectors out. Your mom is not new to this game. She has rehabbed properties in this condition before.

Oudam Tun Tea: I did it myself last year, but I got sick again give months ago.

Moermond: I appreciate that, and your mom has been acting on your behalf.

Oudam Tun Tea: I got Covid, I was way out of it.

Moermond: since we've been doing this in April of 2021 it has been long enough to take into account illnesses, especially because your mom has been working on your behalf.

Oudam Tun Tea: yeah. I was sick 3 years ago, my girlfriend passed away, I stopped working and was just trying to get by. I feel better, came back last year and worked on it, and now we're almost done.

Moermond: we were just looking and going through each of the permits pulled on the property to see where they are at. We have an air conditioning permit pulled by Comfort Makers Mechanical. There has been no inspection on that.

We have a gas line to a furnace, dryer, and stove. The rough in was approved, it still needs to be finalized.

The duct work for the dryer vent and bathroom gas vents there was a rough-in inspection in November but no one has followed up to final it.

Oudam Tun Tea: I want the inspector to do the final now.

Moermond: why hasn't that happened yet?

Oudam Tun Tea: because I told you, I was sick last year.

Moermond: but your mom could have called them.

Oudam Tun Tea: she did, they don't call her back.

*Moermond: bullsh*t.*

Oudam Tun Tea: I don't know, I'm serious. I was sick. I just started feeling better two weeks ago. My truck went out, my tranny went out—

Moermond: I understand, but they have gone out and done the rough-in inspections. The idea they are being called to go out and choosing to not go? I don't believe this. I have been told so many stories. Here we are. It has to be done. You are saying all there is left is trim work. I'm seeing all these permits not being done, and without them being signed off there isn't only trim work.

Oudam Tun Tea: last year I was sick, I couldn't get to my property.

Moermond: we need that power of attorney; can I see that? [power of attorney is reviewed] This looks like a photocopy, not the original?

Oudam Tun Tea: my mother has the original.

Moermond: that's fine, this Power of Attorney grants Ms. Tea, Oudam Tun Tea 318 Edmund Avenue---but I think you actually live in St. Cloud now?

Oudam Tun Tea: I stay here with my friends. The transmission went out on my truck, and I'm sick too. I thought I have Covid, I had no energy, I was resting a lot. Last year I was working on the property.

Moermond: you appointed Aychoeun Tea to act in your place for the purpose of purpose of handling "all my papers and legal documents and repairment of property". This takes effect March 20, 2023 and continues until terminated in writing or October 30, 2024. We do have it signed with a Notary.

Back to where we are at City Council. They were looking for forfeiting \$5,000 of the \$10,000 and requiring that \$5,000 be replaced. You lose \$5,000 and have to put \$5,000 more in. Requires an outside third party to manage completion of the project and that a new plan from them needs to be put forward with deadlines. Requires that you, Mr. Tea, sign the third-party contract and refers the matter back to hearing tomorrow, but we are doing it today.

Aychoeun Tea: I'm asking you not take the \$5,000 because I'm almost done. I did call the inspectors to come, the only one coming is plumbing. Whether you believe it or not, I did call and left messages, two or three times. I can show you in my phone.

Moermond: when did you call them?

Aychoeun Tea: I'd have to check.

Moermond: what time?

Aychoeun Tea: last week I called. Two weeks ago. He came to inspect---

Moermond: who is "he"?

Aychoeun Tea: the building inspector. Randy. They came but not final.

Moermond: that's right.

Aychoeun Tea: I called for final and he didn't show up. I called between 7 and 9 o'clock. Two or three times. I called every week for final. The paper he did for me he said, "I need the paper from you for him to fill, he didn't know what to do and he refused to do anything about paper for me."

Moermond: who are you talking about?

Aychoeun Tea: the heating contractor. I cannot call the heating contractor, he said he called and left a message. I had to wait for him to tell me what time the inspector was coming.

Moermond: which contractor are you talking about? Comfort Makers? Or General Heating and Air?

Aychoeun Tea: uh, the guy I called, I don't know who the inspector---

Moermond: these are people you have hired. Which contractor called the inspector?

Aychoeun Tea I don't have the paper with me.

Moermond: why not? You didn't come prepared for today's hearing?

Aychoeun Tea: yeah, but I didn't think I needed his number. He's the one who called.

Moermond: who called? The contractor or you?

Aychoeun Tea: the contractor. I'm sorry I said me, but it was the contractor.

Moermond: yeah, you did say you called.

Aychoeun Tea: I'm sorry. The contractor called for heating.

Moermond: so, the contractor who called was Comfort Makers Mechanical. Is that what you are telling me?

Aychoeun Tea: yes.

Moermond: and it looks like they have two permits out there. One is for air conditioning and one for a new gas line. The gas lines have been inspected and approved. They also have a permit pulled on the venting. That was inspected for a rough-in and approved. If you have your work done on those, then they can be finalized and the inspector needs to come out. You are saying General Heating called for an inspection

and no one is calling them back?

Aychoeun Tea: yes, that's what he said.

Moermond: that is what your contractor told you? They aren't getting calls back at all.

Aychoeun Tea: I said I needed to come in for this meeting today. They don't call me back or anything.

Moermond: the general contractor isn't calling you back?

Aychoeun Tea: yes.

Moermond: have you paid the general contractor?

Aychoeun Tea: in full.

Moermond: so, Comfort Makers got a call from you saying "please call the inspector." They are telling you "we did call the inspector; we haven't heard back."

Aychoeun Tea: yes.

Moermond: Ms. Vang, can you check to see who the inspector is? Since they were out there March 23, I'm pretty sure they've been willing to go out.

Aychoeun Tea: heating has been done for a long time.

Moermond: there will be different ones for warm air and mechanical, we'll have to check them both.

Mai Vang: Laurent Wickland, Chris Wiskur and Randy Klossner.

Moermond: plumbing is finalized. Mr. Tea it says here you pulled the electrical permit, is that so?

Oudam Tun Tea: I don't even know anything about that.

Moermond: it looks like there was an inspection, a rough-in. Are you done? Corrections were required.

Oudam Tun Tea: yes.

Moermond: did you call for a final inspection?

Aychoeun Tea: I did call.

Oudam Tun Tea: the last four or five months I was really sick.

Moermond: sure, I understand.

Aychoeun Tea: I did call the electrical inspector. He needs to final.

Moermond: so, all three of these guys just aren't returning anybody's phone calls?

Aychoeun Tea: yes, that's true. I asked for the final, I told him it was important to come before seeing you. I showed the heating guy my paper too.

Moermond: so, the heating company made those calls on your behalf. Is that also true of the mechanical permit pulled by Comfort Makers? And the warm air pulled by General Heating? Comfort Makers say they called. Did you call about the warm air, or ask them to call?

Aychoeun Tea: I asked them to call. They said I couldn't call.

Moermond: when you point to your son, do you mean it has to be your son that called? Or the contractor?

Aychoeun Tea: the contractor.

Moermond: you didn't make the calls, you talked to your contractors and they're saying they made the calls.

Aychoeun Tea: yes, they made the calls. The heating company has been done a long time, three or fourth months. I asked them why they took so long to final; I need to final for Ms. Moermond. I showed them the red on the letter, I told them I'm in trouble. I asked them to please help me finish. He said, "they don't call me back, what can I do?"

Moermond: Mr. Yannarely, I'm thinking if we called each of these inspectors they would have good records of who has called them.

Yannarely: I would imagine so. We spoke with Clint Zane earlier today; he did not indicate he had been called.

Moermond: I deal with so many cases, dozens and dozens, and you alone have these kinds of problems. I struggle with what you are telling me.

Aychoeun Tea: what I am telling you is true. I am not lying. I want to take care of this business.

Moermond: you start out by telling me that YOU called and then never called YOU back, and then you tell me that your contractors told you that they called.

Aychoeun Tea: I am sorry, I made a mistake. I called heating, and they told me that I couldn't call, only they could. Electric I did call. Plumbing I called. Only plumbing came. Electric came, but said I had some corrections. Then when he came to final he said "oh it is ok" but there were some things left, to hook up. First time he said pass. That was four or five months ago. Now he said he found more that needs to be corrected.

Moermond: who is "he" and for which permit?

Aychoeun Tea: electric.

Moermond: Randy Klossner is the electrical inspector. We're talking about your son having done the work, one permit was pulled to reestablish electric service at the house and the other permit was for the actual repairs that needed to happen to the electrical system in the building. Were you the one to reestablish service to the

house?

Oudam Tun Tea: in the house.

Moermond: you are doing the interior things; you aren't doing the main powerline into the house.

Oudam Tun Tea: I am a contractor—

Aychoeun Tea no, Oudam. She's talking about outside. The electric company came to put in the new meter. The inside, my son has been working on. Right now, I keep calling the inspector, last week, this week, for him to come to final. He did come to final but he had corrections. We did those and called again but in 2 weeks he hasn't called me back.

[break is taken to call electric inspector]

Moermond: during the break we reached out to the three inspectors responsible for inspecting the permits that have not been finalized. The first inspector we left a message for, Randy Klossner, to find out where he was at with doing inspections. I understand we have a rough-in with corrections as of May 2, and Mr. Tea, Ms. Tea, you indicate those corrections have been made? It is ready for inspection?

Aychoeun Tea: yes.

Moermond: so, you will be reaching out when to get that inspection? Today? Tomorrow morning between 7 and 9?

Aychoeun Tea: yes.

Moermond: do you have a lock box on the house now?

Aychoeun Tea: no.

Moermond: you'll do that today.

Aychoeun Tea: yes.

Moermond: and you'll give Mr. Klossner the lock box combination so he can do that inspection and get in? I don't want to see any problem at all with inspectors having access to the house. If you're telling me you are there, you better be there. "Be there" as in having things complete.

Aychoeun Tea: this is the heating inspector?

Moermond: electrical. Next one we called was Chris Wiskur, the warm-air inspector who was last there in November. You were saying General Heating and air told you they tried to call him and get him to do an inspection and he was unresponsive. I don't find that credible, but you should call him first thing in the morning and get him to inspect. He will also need that same lock box combination.

We just spoke with Laurent Wickland. He indicated he checks his voicemail every single day and calls people back and schedules inspections quickly. You have your rough-in approval on one. Is the air conditioning ready for inspection?

Aychoeun Tea: the heating he told me he was already done.

Moermond: the inspector said your rough-in was approved but you don't have a final.

Aychoeun Tea: I think everything was done and he already turned the heat.

Moermond: you need a final on the permit, you need to call him. Don't argue with me about this. The air conditioning, all the computer shows was a permit was pulled. It doesn't say any inspection at all has occurred. Is that being installed? Is it ready for inspection?

Aychoeun Tea: he already installed it.

Moermond: it is ready for inspection. [phone numbers given for all inspectors] It sounds like Chris Wiskur and Laurent Wickland do their inspections together, so they would have let each other know, had they received a call. If all you have left is the trim work and these inspections are finalized, then we're done. If we're not done by June 13th when I see you next, you've lost \$5,000. That is all there is to it. It is gone. You will lose the next \$5,000 if you aren't done two weeks after that. No joke. Gone. I imagine you have other things you want to spend that money on. Let's do this, or you start losing lots of money. The cost of not finishing the work is higher than any costs a contractor will charge you right now. If it costs you \$500 more, pay it. Losing \$5,000 is a lot more. You'll never get that money back. Call the inspectors, then when you are done you call Clint Zane, your building inspector. I don't see a third party here to take over the project. We talked about that. It didn't happen. Presumably you think you can finish before it goes back to City Council. If it doesn't you've lost \$10,000. Not just \$5,000.

Aychoeun Tea: I need to finish the garage too.

Moermond: ask Clint Zane what the expectation is on his part.

Aychoeun Tea: thank you so much.

Laid Over to the Legislative Hearings due back on 6/13/2023

- 5 RLH RR 23-25** Second Making finding on the appealed substantial abatement ordered for 975 HUDSON ROAD in Council File RLH RR 22-60.

Sponsors: Prince

Refer back to June 13, 2023 Legislative Hearing.

No one appeared

Moermond: we were already having trouble scheduling the owner and owner's attorney, Mr. Derek Thooff, and he was unable to make tomorrow's date of May 23, and he was also unable to make today. We're going to lay this over to Legislative Hearing June 13, 2023. I note specifically that no one has contacted Clint Zane to do an inspection and come up with a percentage complete, without that percentage I can only assume it is zero and vulnerable to losing their entire \$5,000 Performance Deposit. We can reiterate that in the letter going out. The Council Public Hearing is June 7, so it needs to be sent back to Legislative Hearing on June 13.

Referred to the City Council due back on 6/7/2023

- 6 **RLH RR 23-24** First Making finding on the appealed substantial abatement ordered for 694 SHERBURNE AVENUE in Council File RLH RR 22-19.

Sponsors: Balenger

If no Certificate of Code Compliance by June 7, 2023 continue to July 12 Public Hearing.

*Tia Lee, owner, appeared
Mai Vang interpreted*

Moermond: my job is to look back the last six months and see how far we have gotten, and what still needs to be done to finish the project.

Staff update by Supervisor Joe Yannarely: according to Building Inspector Clint Zane the property is about 80% complete, and the maintenance at the property has not been an issue.

Moermond: the importance of the 80% number is that the Performance Deposit can be continued, no danger of losing that \$5,000. I'm wondering how long do you think it will take to finish? Are you using the same contractors? Do you have enough money to finish the project?

Lee: has electric passed inspection?

Moermond: electric and plumbing are both finaled. Mechanical and Warm Air have been inspected but not finaled.

Lee: I have a correction on the vent. I thought my contractor already called about that, but obviously it looks like they haven't. It is done.

Moermond: are the building items done?

Lee: building items are done according to Clint, he came last Thursday and said there was nothing left.

Moermond: Mr. Lee, do you have contact information for the warm air and mechanical inspectors to call to come out and inspect?

Lee: yes.

Moermond: let's get those scheduled.

Lee: my subcontractor needs to do some flashing on a vent, that's all he needed to do. I thought the contractor had called, but obviously he didn't.

Moermond: you are close to the finish line on this. It is scheduled to go to Council on June 7. If you don't have your Code Compliance certificate, I'll just ask them to continue the matter one month so they can close out the file, hopefully. That would be July 12.

[Mai Vang clarifies which permits aren't finaled for Mr. Lee and gives contact information]

Moermond: now that you are almost complete, what are you planning to do with the duplex? Are you going to be a landlord, or are you going to sell? What are your plans?

Lee: my daughters.

Moermond: as soon as you get that certificate your daughters can start moving in. Also, to get your Performance Deposit back you contact Robert Humphrey to return the funds.

Referred to the City Council due back on 6/7/2023

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

7 [RLH SAO 23-20](#) Appeal of Hope D. Glaser to a Summary Abatement Order at 711 BEDFORD STREET.

Sponsors: Noecker

Layover to LH June 6, 2023 for discussion of inspector findings.

Hope Glaser, owner, appeared via phone

[Moermond gives background of appeals process]

Glaser: when Willie Williams showed up my grandchildren had just put front steps in because they were no longer good. He complained about that because there were boxes there.

Moermond: I need you to pause, we'll get to that in a moment. You can absolutely talk about that; we just need to get that staff report on the record. Also, for the record, you wrote on your appeal that you have a power of attorney for Richard Glaser who is co-owner on the property. What is your relationship to him?

Glaser: I am his wife and caregiver.

Staff report by Supervisor Lisa Martin: May 3, 2023 we sent a Summary Abatement Order to the owner and occupant at the property to remove and dispose of the accumulation of ladders, construction materials, landscaping materials, yard waste, cat litter boxes, furniture, shelves, and other miscellaneous debris from the rear yard, front porch, and front of property. Compliance date of May 10, 2023. It looks like there is a lot of excessive storage issues. I'm not sure if the interior is the same. There are photos on the file. There are lots of cats roaming around the property, there was cat food and litter boxes out there. They have spoken to Inspector Williams, who stated they started cleaning up the front porch and that was looking good, but they needed more time for the rear yard, which is why they appealed.

Moermond: Ms. Glaser, thank you for waiting. Tell me about your situation and why you are appealing?

Glaser: I did tell Mr. Williams that I had pneumonia. I did show up at court to fill in the appeal, although I didn't feel well. I had a mask on. Second, I told them my husband has been very sick, I have documentation of his surgeries, I have back and forth from

the hospital. My grandchildren come after work, and that's what happened when they came to finish the steps after they were no longer safe. The boxes on the porch the mailman put them out for the cats in the winter. I had nothing to do with that. I told him I am not the kind of person who is unkind animals. There are two storage sheds that have been cleaned and will be used. This is a slow process because I have to depend on my grandchildren to help. That's been the whole program. I put a lot of work into caring for my husband. I stopped working in March to take care of him, but unfortunately I couldn't clean any of those things. The people that brought the boxes on the side of the house, Kathy from the tennis court is going to come pick them up. I'm doing it little by little. It isn't going to be a fast process, but they have removed a lot of debris. I'm telling you what can be done and what will be done. My property has never looked like this. I am sorry, but the last year and a half I haven't been able to attend to it. My husband was always the one who did it and now he can't. I have to depend on my grandchildren.

Moermond: there is a program called the House Calls program, and they may be able to help you out in terms of clearing out some of these items, especially if there are things in the house that are too much. Too much storage in the house. They can provide assistance in clearing things out. Sometimes when we see people with a lot of things outside, it does mean there is a lot inside as well. There is help for that, and if you income-qualify, it is free. I suspect you may since you are now a fulltime caregiver.

Glaser: my husband is totally dependent on me. The house is totally cleared, because when a person is blind everything has to stay the same. Everything has been removed. The inside of the house is not a problem!

Moermond: I'm so glad yours isn't a situation like that. Still, there are housekeeping and other types of services that may help you in addition to the help you get from your grandchildren. Would you be amenable in talking to them?

Glaser: I am going to be truthful; I am not in that area right now because I am dealing with another possible surgery for my husband. The kids are doing what they can and they have removed three truckloads from the back. I had talked to Mr. Williams. Five truckloads from the back. I talked to him about the ladders. They will stay there. The neighbor is going to borrow it. I am not getting rid of them, or the rest of the fence that makes it a privacy area. We spend most of our days outside. My husband needs the Vitamin D3. He told me he wasn't going to worry about that, he was talking about the piles of old wood. That is being removed. The trees will have to wait until I can go to the yard waste site. I did explain this to him. He said he wasn't worried about that. Normally that is not the way my yard looks. Yes, I am heartbroken that it has gotten like that. I chose to make that choice and I am standing by it. If there is a problem, you can take and put me in jail. I will not stop taking care of him.

Moermond: we aren't there at all. I'm trying to help. What I am thinking---

Glaser: if I sound frustrated it is because I am.

Moermond: I understand. You've done some work already, which is fabulous. I am hearing you have a plan for moving forward to get the work finished, some longer term. Maybe if we got an updated set of orders that show how much you've done and then we can figure out a schedule for other things. Maybe your grandkids have said they can have some done by July 1, and others can't be done until October. Getting a sense of how you want to approach it. Then we can agree that is a schedule we can work with. Is that something you are amenable to?

Glaser: right now, I don't really care. Just do what you need to do. Things are being done. They're being taken care of. They're being taken to the trash. As far as I am concerned the children have done a tremendous amount of work. I am dependent on them.

Moermond: of course.

Glaser: I store things that need to be stored that I haven't had the time to store.

Moermond: right.

Glaser: the things that need to be removed are being removed. I can't ask them more than that.

Moermond: I understand. Let's give a chance for things to progress and I will ask Ms. Martin, can you have your inspector go visit June 5 and we can talk about it June 6? Maybe enough is done the orders can go away and we can not bother the Glasers anymore at all. Is that something you can do?

Martin: absolutely.

Moermond: so, we will sit on this for 2 weeks, and maybe we can be done with this entirely and not be a bother anymore.

Glaser: I do need Mr. Williams to call me so I can be sure my husband's appointments and Mr. William's can be accommodated. The day he came I was in the hospital. My son that lives here is an adult, but he has mental illness. I need someone to be here.

Moermond: he can call and make an appointment with you so you can look at your calendar.

Glaser: that would be wonderful.

Martin: I will have Mr. Williams bring a House Calls pamphlet when he visits.

Moermond: you have a lot on your plate, we want to have all the services you can to help you.

Glaser: I want you to know I've been around a long time and I know what I have on my plate and know what I am taking on. What I didn't do was make sure the backyard was taken care of. Now I am.

Moermond: I understand.

Laid Over to the Legislative Hearings due back on 6/6/2023

Making Finding on Nuisance Abatements

- 8 RLH TA 23-226** Making finding on the appealed nuisance abatement ordered for 1042 LAWSON AVENUE EAST in Council File RLH SAO 23-18.

Sponsors: Yang

Nuisance not abated and Department is authorize to proceed with demolition of the garage on Friday, May 26, 2023.

Moermond: the deadline for removal of the building was last week, May 17th. The building was not removed at that time. The Department of Safety & Inspections is authorized to remove it. My understanding is this morning we received a message from the owner that he has hired a contractor to do the removal this Wednesday. The City's crew is going to be deployed on Friday to remove anything, if necessary. This goes in front of City Council June 7 with a final outcome.

Referred to the City Council due back on 6/7/2023

3:00 p.m. Hearings

Other

9 RLH OA 23-1 Appeal of Rachael Rivard to a Denial of a Fence Variance at 530 JENKS AVENUE.

Sponsors: Brendmoen

Deny the appeal.

Rachael Rivard, owner, appeared

Moermond: we talked a lot last time about the issues going on with the neighbor next door. I reached out to the police officers who work the Code Enforcement detail. I'm not sure if they have reached out to you. I know they looked into the situation and talked with some folks. I'm wondering where you are at in terms of the problems you have experiencing. I'd like to get a status report from you, I think this ultimately goes to the Ward office ultimately for the Councilmember's people to push things forward. Tell me where things are at since we last spoke.

Rivard: I have had probably 3 direct interactions with her. One on the day I returned. The police have been out twice since then. The instances themselves haven't resolved, which I guess isn't what we were anticipating. Officer Arntzen has been very helpful. He has come and gone over to her property and spoken with her, when he did that I asked him to take a look from her porch and see if he can understand why I would think having more height would be helpful to mitigate the interactions we are having. He did say he thought it would be helpful. She can see directly over the fence and another foot isn't going to resolve that. He was supportive of the idea, which was helpful. I have been looking for options. He also has received many phone calls from her since he gave her his number. I am reporting back is that she is looping on the same issues. He said he'd be happy to share information with whoever needs it.

I have spoken with other neighbors, and also got police records for her address and also calls about ours that she has made. One of the neighbors I hadn't previously met told me that her roommate had been threatened by this woman with a knife. They call her Psycho Sue. She's lived there 30 years. They know it is a real problem. She said she would be willing to share information. I spoke to two other neighbors who have had extreme interactions with her and they said they would also be willing to share information. As far as the fence, I went and had an estimate done. My initial thought is if I went with a fence, it was over \$17,000. That was for a composite fence, knowing once the fence goes up she isn't going to let me on the other side to maintain it. I

know you encouraged me to have a professional install the fence. I have been inquiring with raw materials just to see if it makes a difference. I am capable of doing so.

Moermond: I would make sure that your confident with the survey and I don't have advice to say don't do it. I would say if you are confident in the survey and know that you are going to be experiencing some pushback, then hiring an outside contractor would diminish the interaction you would potentially have. I totally understand the cost issues. Did you look into a potential modification of your porch landing to screen the view?

Rivard: I didn't follow up on that. What I heard from the inspector on the phone last time is it would be a lot of hoops to jump through.

Moermond: I think he was to put all of those things out there, when a lot of those things wouldn't even be triggered if you are further away from the property line. First thing would be measuring that.

Rivard: so, we need to figure out the set back.

Moermond: exactly. Different code kicks in if you are further away. I think he said 4 feet as his guide. So, four feet and one inch rolls it back. That's the way I heard it. He just didn't want you to get your hopes up it was straightforward, since it would be more complicated. He was giving you the hard version. Do the measurement and let that govern where you go. Next thing, the Councilmember for this property is Amy Brendmoen.

Engaging her Legislative Aide would be helpful. I think we could take a scan of what you brought today, I don't think we need them in the Legislative Hearing record, but it would add to the knowledge the Ward office has in problem-solving this. I am in a space where I think doing the porch adjustment rather than the fence above 7 feet would be the way to go. The Councilmember may look at it differently. I'm going to recommend the 7 feet.

Rivard: it isn't possible. She stands on her porch and swears at me on a regular basis.

Moermond: I don't know what the sweet spot would be on this. 10 feet? 12? I don't know that there is one with this particular individual and situation. The measures you can take to do something similar, I am landing on that screening idea. Cutting off the visibility where it happens.

Rivard: she can see over the fence so the visibility is anywhere.

Moermond: on the porch.

Rivard: if I'm on the other side of the yard she can see right over it. Even a 7-foot fence gives her 100 percent visibility. Every time she walks by she says something, she swears.

Moermond: I have put my recommendation on the record, so we are going to conclude this conversation.

Referred to the City Council due back on 6/14/2023