



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
Jean Birkholz, Hearing Secretary
Mary Erickson, Hearing Secretary
legislativehearings@ci.stpaul.mn.us
651-266-8560

Tuesday, April 2, 2013

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - Lay Overs

- 1 [RLH TA 13-207](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307A, Assessment No. 138511 at 606 CASE AVENUE.

Sponsors: Bostrom

Reduce the assessment from \$476.00 to \$350.00 and spread the payments over 3 years.

RE: 606 Case Ave (single family)

Choua Xiong, owner, appeared; Mai Vang interpreted.

Inspector Paula Seeley:

- Summary Abatement Order issued Jan 7, 2013; compliance date Jan 10*
- rechecked Jan 11; Work Order sent*
- work done Jan 14 for a cost of \$316 plus \$160 service charge = \$476*
- no returned mail*
- sent to Choua Xiong and Occupant at this address*
- underlined on SA: auto body parts, scrap, rubbish, garbage bags, buckets, recyclable materials in the yard*
- photos*
- history - Orders on Garbage 3-5-10*

Ms. Xiong:

- looking for a reduction*
 - they did a lot of cleaning when her daughter moved in*
 - didn't realize the time had passed because they were doing so much cleaning*
- VIDEO*

Ms. Moermond:

- Ms. Xiong is noting that she didn't really understand the Orders and was in the process of moving in the daughter*
- viewed the photos*
- really good history on this but the city did do the work*
- wants to take into account that there may have been a language problem; so, she wants to give a little reduction*
- will recommend the City Council reduce the assessment from \$476 to \$350 divided*

over 3 years

Referred to the City Council due back on 5/1/2013

- 2 [RLH TA 13-229](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305B1, Assessment No. 138110 at 175 CHARLES AVENUE.

Sponsors: Carter III

Delete the assessment. There is no police or fire report on this call out.

RE: 175 Charles Ave (multi-family)

Namm Nemah, occupant, appeared.

Inspector Joe Yannarely:

- boarding
- St. Paul Police Dept (SPPD) were called 10:45 p.m. Oct 28, 2012 to secure a building
- they secured with 2 screws for a cost of \$23.90 + \$250 Emergency service call = \$428.90
- securing was performed by RESPRO Contracting
- does not have a police report;
- has copy of service invoice

Mr. Nemah:

- he recalls the fire; does not recall the boarding
- he called the contractor immediately to replace the window; the outer pane was broken
- no boarding was necessary
- his guy repaired it the next day
- a security guard and caretaker were on site
- he was not there but he was called by his security personnel

Mr. Yannarely:

- there was no boarding; just a securing - screwed it shut from unauthorized entry

Mr. Nemah:

- the outside pane was broken but the inside pane was not broken
- made a copy of the invoice from his contractor, JB Windows and Doors, dated Nov 5, 2012 (replacing the glass)
- the contractor did the job Oct 29, 2012 (Nov 5 was the probably the shipping date)

Ms. Moermond:

- there was a fire; the police came and said it needed to be secured
- neither Fire nor Police can leave a scene without it being secured
- needs to look at the police report to find out why they made the call to the contractor
- her recommendation is forthcoming (email)

Referred to the City Council due back on 4/17/2013

- 3 [RLH TA 13-200](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307A, Assessment No. 138511 at 738 CHARLES AVENUE.

Sponsors: Carter III

Reduce the assessment from \$458.00 to \$225.00 and spread the payments over 3 years.

RE: 738 Charles Ave (single family)

Leona Tanner, owner, appeared.

Inspector Paula Seeley:

- *Summary Abatement Order issued Dec 26, 2012; compliance date Jan 2, 2013*
- *re-checked Jan 3, 2013; Work Order sent*
- *work done Jan 3, 2013 for a cost of \$298 + \$160 service charge = \$458*
- *no returned mail*
- *sent to Leona Tanner and Occupant at this address*
- *history of refuse twice in 2011*
- *bold letters on SA: remove couch, mattress south side of garage*
- *photo*

Ms. Tanner:

- *she came down here today to see what this was all about*
- *the dates on the SA confused her because they never left trash in the yard that long*

Ms. Moermond:

- *explained that the dates are for the entire month of Jan for all the bills, which doesn't make sense if you have only 1 bill*
 - *gave Appellant the photo*
- VIDEO*

Ms. Tanner:

- *her husband goes back there everyday*
- *they had made arrangements to have them picked up by the guy who lives across the street*
- *in 2011, they had trouble with the trash man not picking it up*
- *the only thing a person can do is to call someone to pick up the items and if they don't come, even after you pay for it, what are you supposed to do?*
- *her husband goes out and picks up everything on the street and in the neighborhood*
- *Logan was the previous trash hauler; now, we have a better service*
- *they have had no problems since them with pick up*
- *both she and her husband are retired; husband works a few hours a week at the airport*

Ms. Moermond:

- *things have looked pretty good since 2011; your husband is doing good work but the city did take care of these things at the city's expense*
- *will reduce the assessment by half to \$225 payable over 3 years*

Referred to the City Council due back on 5/1/2013

4 [RLH TA 13-79](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A1, Assessment No.138519 at 1084 EARL STREET.

Sponsors: Bostrom

Delete the assessment.

RE: 1084 Earl St (General Retail & Svc-B-Commercial)

Joseph R. Biagini, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Nov 19, 2012; compliance date Nov 23, 2012
- re-checked Nov 26, 2012; Work Order sent
- work done Nov 28, 2012 for a cost of \$298 + \$155 service charge for a cost of \$453
- sent to Joseph Biagini at this address
- no returned mail
- underlined on SA: remove bags from alley behind building
- photos of bags
- no history or Orders
- most likely it's illegal dumping

Mr. Biagini:

- he wasn't in town and he doesn't have any trees so, he has no reason to bag leaves
- would like to see the VIDEO
- someone must have dropped off some bags of leaves and he had no knowledge of them
- another reason he'd like to see the VIDEO is because he had 3 sections of granite curbing protecting the side of the building so that no one would drive into the building and now they are gone; they are extremely heavy, so, they had to have been picked up with a bobcat or a piece of machinery
- he has a letter from Granite Curbing Company, St. Cloud (these curbs go into an historical preservation area) and this is the only place he found that could replace these at a cost of \$3,000
- he doesn't have a tree so he doesn't need bags and
- he can't control some person who may come by and throw bags of leaves off
- that doesn't seem relative to his property or the way he takes care of his property VIDEO
- are 3 bags of leaves worth \$453 to pick up?

Ms. Moermond:

- it's pretty obvious this is illegal dumping
- needs to say that it doesn't matter if you're out of town, and she doesn't care who put it there; the owner is still responsible
- the fact is, it wasn't very much
- Mr. Biagini has a good history and obviously, this was illegal dumping - more in the alley than on his property
- will recommend deleting this assessment

Referred to the City Council due back on 4/17/2013

5 [RLH TA 13-180](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307G, Assessment No. 138707 at 987 EDGERTON STREET.

Sponsors: Brendmoen

Approve the assessment and spread the payments over 3 years.

RE: 987 Edgerton St (duplex)

Pearl Weems, owner, appeared. (2 Assessments: 1) clean-up; and 2) garbage hauling)

Inspector Paula Seeley:

- Summary Abatement Order to provide trash hauler service sent Jan 11, 2013; compliance date Jan 15, 2013
- re-checked Jan 15, 2013; Work Order sent for 2 weeks of hauler service; drop-off and pick-up for a cost of \$150 + \$160 = \$310

- sent to Pearl Weems, Chicago, IL and Albert Weems, Maplewood, MN
- no returned mail

Ms. Weems:

- she didn't get Noticed
- she made arrangements for garbage hauling
- this is the first time she rented out; it was to a husband and wife, who just dumped the trash outside and she wasn't aware of it
- my 2 sons used to live there, 1 upstairs, 1 downstairs; but my son moved and the downstairs was rented out
- it's a corner lot
- today, she is hear to gain an understanding of what this is all about
- one of her sons left his furniture in the downstairs units; when the couple moved in, they just moved the furniture into the yard and she had to pay to get rid of it; it's been chaotic since they've been there

Ms. Moermond:

- now, one son lives upstairs; downstairs rented out to a couple
- the couple downstairs left all this material there
- VIDEO - removed all garbage in yard and alley; dropped off city container
- Photo
- Orders went out Jan 11 and the city didn't come until Jan 15, 2013
- she can see why the inspector thought you didn't have trash service

Ms. Weems:

- this is awful; doesn't know who's car is in the VIDEO
- she is in the Twin Cities half time; in Chicago the other half
- asked for a reduction because the tenants don't pay rent either; they have all kinds of excuses
- is sorry this happened; she likes to keep things in order; it will not happen again

Ms. Seeley:

- Jan 24, 2013, after all was said and done, Jason Weems called Walters and put the trash service account into his name; the service was suspended because the tenants weren't paying the bill

Ms. Weems:

- when she called Walters, the tenants weren't paying the bill; Walters had sent their bill to a collections agency (\$240)
- she made a bad choice when she left them move in
- is asking for a reduction

Ms. Moermond:

- she understands that Ms. Weems wants to keep the property looking nice but a pile of garbage that size is not nice; it's terrible for the neighbors
- will recommend approval of both these assessments divided over 3 years
- clean-up is \$316 + \$160 service charge = \$476
- trash hauler service is \$150 + \$160 service charge = \$310
- total for both assessments: \$786
- City Council Public Hearing May 1, 2013
- invoice will come into the mail

Referred to the City Council due back on 5/1/2013

Sponsors: Brendmoen

Approve the assessment and spread the payments over 3 years.

RE: 987 Edgerton St (duplex)

Pearl Weems, owner, appeared. (2 Assessments: 1) clean-up; and 2) garbage hauling)

Inspector Paula Seeley:

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Ms. Weems:

- she didn't get Noticed
- she made arrangements for garbage hauling
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- it's a corner lot
- today, she is hear to gain an understanding of what this is all about
- one of her sons left his furniture in the downstairs units; when the couple moved in, they just moved the furniture into the yard and she had to pay to get rid of it; it's been chaotic since they've been there

Ms. Moermond:

- now, one son lives upstairs; downstairs rented out to a couple
- the couple downstairs left all this material there
- VIDEO - removed all garbage in yard and alley; dropped off city container
- Photo
- Orders went out Jan 11 and the city didn't come until Jan 15, 2013
- she can see why the inspector thought you didn't have trash service

Ms. Weems:

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- she is in the Twin Cities half time; in Chicago the other half
- asked for a reduction because the tenants don't pay rent either; they have all kinds of excuses
- is sorry this happened; she likes to keep things in order; it will not happen again

Ms. Seeley:

- Jan 24, 2013, after all was said and done, Jason Weems called Walters and put the trash service account into his name; the service was suspended because the tenants weren't paying the bill

Ms. Weems:

- when she called Walters, the tenants weren't paying the bill; Walters had sent their bill to a collections agency (\$240)
- she made a bad choice when she left them move in
- is asking for a reduction

Ms. Moermond:

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- will recommend approval of both these assessments divided over 3 years
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- total for both assessments: \$786
- City Council Public Hearing May 1, 2013
- invoice will come into the mail

Referred to the City Council due back on 5/1/2013

7 RLH TA 13-105

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1305A2, Assessment No. 138520 at 25 EMPIRE DRIVE.

Sponsors: Carter III

Forthcoming. LHO asked inspector for breakdown of the cost of emergency fencing to secure the site.

RE: 25 Empire Drive (General 1-Story Walkup Office-B-Commercial

Sally Higgins, American Indian Family And Childrens' Services (AIFCS), appeared.

Inspector Joe Yannarely:

- assessment for emergency shoring up of a structure that seemed to be in eminent danger of collapse
- heard Dec 7, 2012 for a cost of \$15,400 + \$155 service charge = \$15,555
- there's also the fencing which occurred Nov 28, 2012

Ms. Moermond:

- is not clear on why the snow fencing is that expensive (\$2,273); needs some better detail on what that total includes; it's not a large site
- Mr. Yannarely is checking on the invoices

Ms. Higgins:

- anxiously awaiting to figure out the next thing
- asked if all of the fees and fines will be encompassed in the bid?

Ms. Moermond:

- the city sent it out for a bid; the deadline is next Tue, Apr 9, 2013; bid proposals will be reviewed next Thu, Apr 11, 2013 at 1 p.m. in Room 310; they have already heard back from 3 of them; it was sent to 6 companies
- included in the bid: rental of the shoring equipment for 2 months; the installation of the shoring equipment and the barricading of the building
- the next 4 months of the rental of the shoring equipment - it will be changed from a loan to a grant - the city may pay for the other portion of it out of the sales tax monies; this part would be assessment
- if she had to make a recommendation today, she would say, "Let's split the payments over 5 or 10 years for the \$15,000"
- there are a lot of unknowns out there in terms of you as a nonprofit to move this forward; one idea is that you could enter into a partnership with a private entity that could take the tax credits for doing the fix on the building (?); but if there's a transfer of title, all the taxes would be due at that time
- is wondering if the Appellant would want to put this off until the STAR monies are sorted out
- if it's a loan, the city can't charge you for it through taxes, you would have to sign a loan agreement and if this goes south, you and the city really aren't protected

- she doesn't have all the answers on this; suggested she and Ms. Higgins talk before next Thursday's bid meeting at 11:30 am
- the STAR Program is a part of the city but it operates under state law (hybrid)
- this building is in danger of collapse; all of the trusses supporting the roof have failed and the roof was resting on the mechanical systems; also, this building is on the National Register of Historic Places - the same thing happened to the adjacent building #27 (warehouse structure- privately owner); building 27 was Condemned
- costs: 1) the Vacant Building Registration fee \$1,100; 2) securing the site (fencing off); 3) the shoring: installation and rental of shoring equipment; the next thing is the 4 more months of rental equipment (until the end of May)
- there's the \$7,000 grant from the state to do the Scope of Work (well under way)
- it's possible that half of the cost, so far, would be covered

Mr. Yannarely:

- the 90-day waiver on the VB fee will come due Jun 1, 2013

Ms. Moermond:

- that VB bill will be due but you will have a better rehab plan by then; it's complicated
- the bids are due by close of business on Monday
- a packet of those proposals will be available on Tue for Ms. Higgins to pick up and review for Thursday's meeting

Referred to the City Council due back on 5/15/2013

8 RLH TA 13-232

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308C, Assessment No. 132008 at 25 EMPIRE DRIVE.

Sponsors: Carter III

Forthcoming.

RE: 25 Empire Drive (General 1-Story Walkup Office-B-Commercial)

Sally Higgins, American Indian Family And Childrens' Services (AIFCS), appeared.

Inspector Joe Yannarely:

- assessment for emergency shoring up of a structure that seemed to be in eminent danger of collapse
- heard Dec 7, 2012 for a cost of \$15,400 + \$155 service charge = \$15,555
- there's also the fencing which occurred Nov 28, 2012

Ms. Moermond:

- is not clear on why the snow fencing is that expensive (\$2,273); needs some better detail on what that total includes; it's not a large site
- Mr. Yannarely is checking on the invoices

Ms. Higgins:

- anxiously awaiting to figure out the next thing
- asked if all of the fees and fines will be encompasses in the bid?

Ms. Moermond:

- the city sent it out for a bid; the deadline is next Tue, Apr 9, 2013; bid proposals will be reviewed next Thu, Apr 11, 2013 at 1 p.m. in Room 310; they have already heard back from 3 of them; it was sent to 6 companies
- included in the bid: rental of the shoring equipment for 2 months; the installation of the shoring equipment and the barricading of the building
- the next 4 months of the rental of the shoring equipment - it will be changed from a

loan to a grant - the city may pay for the other portion of it out of the sales tax monies; this part would be assessment

- if she had to make a recommendation today, she would say, "Let's split the payments over 5 or 10 years for the \$15,000"
- there are a lot of unknowns out there in terms of you as a nonprofit to move this forward; one idea is that you could enter into a partnership with a private entity that could take the tax credits for doing the fix on the building (?); but if there's a transfer of title, all the taxes would be due at that time
- is wondering if the Appellant would want to put this off until the STAR monies are sorted out
- if it's a loan, the city can't charge you for it through taxes, you would have to sign a loan agreement and if this goes south, you and the city really aren't protected
- she doesn't have all the answers on this; suggested she and Ms. Higgins talk before next Thursday's bid meeting at 11:30 am
- the STAR Program is a part of the city but it operates under state law (hybrid)
- this building is in danger of collapse; all of the trusses supporting the roof have failed and the roof was resting on the mechanical systems; also, this building is on the National Register of Historic Places - the same thing happened to the adjacent building #27 (warehouse structure- privately owner); building 27 was Condemned
- costs: 1) the Vacant Building Registration fee \$1,100; 2) securing the site (fencing off); 3) the shoring: installation and rental of shoring equipment; the next thing is the 4 more months of rental equipment (until the end of May)
- there's the \$7,000 grant from the state to do the Scope of Work (well under way)
- it's possible that half of the cost, so far, would be covered

Mr. Yannarely:

- the 90-day waiver on the VB fee will come due Jun 1, 2013

Ms. Moermond:

- that VB bill will be due but you will have a better rehab plan by then; it's complicated
- the bids are due by close of business on Monday
- a packet of those proposals will be available on Tue for Ms. Higgins to pick up and review for Thursday's meeting

Referred to the City Council due back on 5/15/2013

- 9 [RLH TA 13-230](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307A, Assessment No. 138511 at 1860 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 5/1/2013

- 10 [RLH TA 13-158](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306C, Assessment No. 132005 at 576 MARYLAND AVENUE WEST.

Sponsors: Brendmoen

4/4/13: A letter was sent to Mr. Greenlee regarding LHO's recommendation. He wants to contest on April 17; however, he will be out of town. Will ask for layover to May 1.

Follow-up staff report:

Approve the assessment.

RE: 576 Maryland Ave W (General Retail & SVC-B-Commercial)

Ms. Moermond:

- Mr. Greenlee said that he hadn't received Notice; Notice was sent to 576 Maryland Ave W because that was the name and address provided by his title company to the county

- Mr. Greenlee also provided to the county a CRV indicating his correct address in Mpls

- at the end of the day, the city did due diligence in providing Notification to all of the owners of record with the county; by doing an Ownership and Encumbrance Report, the city also had the site posted with the Order to Remove a Nuisance Building

- because the city did proper notification and the work, she will recommend the Council approve this assessment

- Mr. Greenlee may wish to pursue this further with the county but the city did its job

Referred to the City Council due back on 4/17/2013 (To be laid over)

11 [RLH TA 13-197](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307A, Assessment No. 138511 at 766 MINNEHAHA AVENUE WEST.

Sponsors: Carter III

Approve the assessment.

RE: 766 Minnehaha Ave W (3-family dwelling)

Jeanne Sieleni, owner, appeared.

Inspector Paula Seeley:

- Sidewalk Snow Order issued Jan 10, 2013; compliance date Jan 13, 2013

- re-checked Jan 15; Work Order send

- work done Jan 16, 2013 for a cost of \$160 + \$160 service charge = \$320

- no returned mail

- sent to Occupant and White Bear Lake

- no history

- photo shows rutted and icy

VIDEO - removed ice; salt and sanded

Ms. Sieleni:

- \$320 is very expensive for 1 sidewalk

- she threw down salt and sand within that period; then, she forgot about it (had a stroke 4 years ago, which has affected her memory)

- is willing to pay but not \$340

- has hired a property maintenance company to take care of the shoveling; has the bills

- it was all ice; she couldn't shovel it; figured salt and sand would help

Ms. Moermond:

- the sidewalk looks like an ankle breaker; it's impassable

- looking at a mess; the snow froze in place after a lot of people had passed

- will recommend approval

- the city did it; you're paying for the trip charge and service fee, too

- City Council Public Hearing May 1, 2013

Referred to the City Council due back on 5/1/2013

12 [RLH TA 13-191](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No.

J1307G, Assessment No. 138707 at 1264 PAYNE AVENUE.

Sponsors: Bostrom

Appellant to provide document(s) from the hauler; no show - LHO recommends approval of the assessment.

Referred to the City Council due back on 5/1/2013

- 13 [RLH TA 13-192](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307A, Assessment No. 138511 at 1264 PAYNE AVENUE.

Sponsors: Bostrom

Appellant to provide document(s) from the hauler; no show - LHO recommends approval of the assessment.

Referred to the City Council due back on 5/1/2013

- 14 [RLH TA 13-223](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307B, Assessment No. 138106 at 909 RICE STREET.

Sponsors: Brendmoen

Delete the assessment - owner was on site.

Referred to the City Council due back on 5/1/2013

- 15 [RLH TA 13-188](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1307B, Assessment No. 138106 at 597 SNELLING AVENUE NORTH.

Sponsors: Stark

No show; approve the assessment.

Referred to the City Council due back on 5/1/2013

Special Tax Assessments - New

- 16 **RLH TA 13-234** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308B, Assessment No. 138107 at 496 BAY STREET.

Sponsors: Carter III

Delete the assessment; notice went to previous owner during current ownership.

RE: 496 Bay St (single family)

Jocko Sutrismo, owner, appeared.

Inspector Joe Yannarely:

- boarding/securing fee*
- Summary Abatement Order issued Jan 10, 2013 to secure the building*
- re-checked Jan 15, and found in noncompliance; Work Order issued*
- work done by Respro, which secured the building Jan 16, 2013 for a cost of \$ 11.95*
- + \$160 service charge = \$171.95*
- notice sent to Marjorie Fisher, Mendota Heights, MN*

Mr. Sutrismo:

- bought property mid-Dec 2012 from Fisher/Hudalla
- investment property
- will cost him approximately \$50,000 to rehab; it's been vacant for 10 years
- has been working on the rehab for 3 years
- before the boarding, he was able to go in and out and work on it
- he wants to bring the building back to life

Mr. Yannarely:

- there are 4 active permits
- has a Code Compliance Inspection - done last May

Ms. Moermond:

- is glad that he is doing the work

Mr. Sutrismo:

- when finished, will sell to owner-occupant

Ms. Moermond:

- will recommend this assessment be deleted; the Notice went to the previous owner during the time Mr. Sutrismo owned it

Referred to the City Council due back on 5/15/2013

17 RLH TA 13-218

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1307, Assessment No. 138810 at 420 CLINTON AVENUE.

Sponsors: Thune

Delete the assessment; only on vacant building roll for 2 months before Certificate of Code Compliance was reinstated.

Referred to the City Council due back on 5/15/2013

18 RLH TA 13-231

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1307, Assessment No. 138206 at 1120 CONCORDIA AVENUE.

Sponsors: Carter III

Reduce the assessment from \$510.00 to \$360.00.

RE: 1120 Concordia Ave (E-Indoor Commercial Recreation)

Brian Kinder, Independent School District 625/Central Stadium, appeared.

Mr. Kinder:

- is asking for the service charge to be deleted

Fire Inspector Sean Westenhofer:

- Fire Certificate of Occupancy Inspection for a cost of \$360 plus a \$150 service charge = \$510
- secondary school assembly
- Orders for the North Stadium sent Oct 8, 2012; for South Stadium sent Oct 8, 2012
- invoices sent for North Stadium: Nov 16, 2012; Dec 17, 2012;
- invoices sent for South Stadium: Nov 16, 2012; Dec 17, 2012
- sent to Jim Langevin, Facilities Planning, St Paul Public Schools, 1930 Como Ave
- the check was sent in late

Fire Inspector Leanna Shaff:

- actually, another building was married into this, which had a different approval date; they lumped them into one check; Finance applied it against the 275 Northwest but they paid back the difference for the concession because that part of the fee had already been sent to assessments

Ms. Moermond:

- seems reasonable to be asking for the service charge to be deleted
- will recommend deleting the service charge

Referred to the City Council due back on 5/15/2013

- 19 RLH TA 13-233** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1307, Assessment No.138810 at 910 COTTAGE AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 5/15/2013

- 20 RLH TA 13-235** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308C, Assessment No. 132008 at 111 HOYT AVENUE WEST.

Sponsors: Brendmoen

Approve the assessment.

RE: 111 Hoyt Ave E (demolished)

Khai Lim, owner, appeared.

Inspector Joe Yannarely:

- Demolition Assessment for nuisance building
- building came down Oct 10, 2012 for a cost of \$7,744 + \$1,191.48 service charge = \$8,935.48

Mr. Lim:

- it all came to this because he had false expectations from the city
- had a Code Compliance Report was issued Jul 2, 2012
- Jim Seeger came to inspect 3 times and he kept working on it
- the city issued him a permit in Jul and cancelled it the same day
- he had a lot done; heating; garage cost him \$5,000
- put in new window and door
- he tried to get this done
- Jim Seeger said it could be done in 2 weeks but the enforcement people just wanted to get it down
- because of this, he saw the Councilmember a few times
- the city should not have issued him permits when they weren't going to give him more time to fix it

Ms. Moermond:

- the Code Compliance Inspection was applied for 6 months before because the site was not made available for the inspections; Mr. Lim didn't understand that he needed to let the inspectors in

Mr. Lim:

- no one called him about getting in; no one let him know that they couldn't get it

Ms. Moermond:

- the City Council did approve the Order to Remove
- the building permit had been issued in error
- seems as though Mr. Lim's complaint is more about the process of how the decision got made (the Council had voted it down; there was activity here and a permit was gotten and pulled back but all of the time, the Order to Remove the Building was still in place)

Mr. Lim:

- if he had known, he would have stopped fixing and not spent so much money
- when he got the Code Compliance Report he kept going on it and paid the professionals
- even if he didn't understand, the city people should have known what was going on
- Jim Seeger came out and kept encouraging him to keep going on it

Ms. Moermond:

- the assessment in front of her right now is for the city to recover costs for the demolition

Mr. Lim:

- Councilmember Brendmoen agreed that the city would refund his \$5,000 bond and Vacant Building fee; the city never did that; the only thing the city refunded was the permit fee
- she said that she would write a letter to refund the \$5,000 (to Mr. Magner)

Ms. Moermond:

- doesn't know what Councilmember Brendmoen agreed to; it doesn't sound familiar to him
- asked Mai Vang to get the file on this

Mr. Yannarely:

- this was before LH Jan 12, 2012
- set up was the typical \$5,000 Performance Deposit; Code Compliance Work Plan; provide contracted bids and financial documentation
- on Feb 15, 2012, the City Council granted 120 days to rehab or raze; so, on Aug 1, 2012, it's well past the 120 days
- then, there's a stop order from Ubl on site; emails Council person Brendmoen and Legislative Hearing Officer that Notice to proceed is being sent

Ms. Moermond:

- reiterated: basically, back in Jan 2012, the Council gave you 4 months to do it and you didn't get it done; the city proceeded with Demo; then, you and the city went back and forth on a few things and the city moved forward with Demo
- need to see what time period the VB fee was applied for

Mr. Lim:

- they said that if he paid the VB fee, they would issue him a permit (Ms. Moermond: yes, all the fees have to be paid before the city will issue a permit); and " at that time, they already knew that they were not going to grant me more time; Reid Soley should have known that; instead Mr. Soley asked me to pay the VB fee and then, they said they will not issue a permit anymore"

Ms. Moermond:

- the \$5,000 Performance Deposit needs to be treated separately; that isn't in front of her and she doesn't know if it's refundable; it would be not be usual for it to be refunded because Mr. Lim failed to meet the deadline put into place; it's for getting 6 months to do the work; that 6 months has come and gone; and Mr. Lim is not 50% done with the rehab, so the deposit is forfeited
- she is in the process to see if there is a CC resolution to refund the bond
- if Councilmember Brendmoen wants to put that in front of the CC, we'll go from there
- the Demolition assessment is here today for \$8,935

Mr. Lim:

- Jim Seeger is the one who said I could be done in 2 weeks; nobody wants to listen to me or talk with Jim about this; he's the one who understands most; but you guys just want to enforce the code
- thinks that LH should consider the money that he's put into it; if you stop him at this point, he will have put almost \$10,000 into the house
- put in new concrete step which cost more than \$2,000; brand new material for the garage cost more than \$2,500
- wants that taken into account when figuring the cost of the demo because of the confusion it has created for him

Ms. Moermond:

- is not seeing any confusion
- the CC gave Mr. Lim 120 days on Feb 15, 2013

Mr. Yannarely:

- there was work being done without permit; so, Mr. Ubl issued a Stop Permit

Ms. Moermond:

- separate venue for some of these issues
- is not familiar with hearing about the Performance Deposit going back to Mr. Lim; that was not communicated to DSI and it would not be traditional
- the idea that you should get money back for what you spent sounds like a claim against the city and she can't make that judgment
- Mr. Lim did get adequate Notice
- the city did the work and the demo contractor needs to get paid
- after the 120 days had expired, there was a flurry of activity but she can't look at that
- will recommend this assessment be approved
- City Council Public Hearing May 15, 2013
- we can go back to Councilmember Brendmoen to see if she wants to sponsor a resolution to get the Performance Deposit refunded
- we will also ask Mr. Magner to see if he has any recollections about that (send email to Ms. Moermond)

Referred to the City Council due back on 5/15/2013

21 RLH TA 13-236

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1307, Assessment No. 138810 at 23 ISABEL STREET WEST.

Sponsors: Thune

Delete the assessment per LHO.

Referred to the City Council due back on 5/15/2013

22 RLH TA 13-227

Ratifying the Appealed Special Tax Assessment for Real Estate Project No.

CRT1307, Assessment No. 138206 at 2030 LAUREL AVENUE.

Sponsors: Stark

Delete the assessment; Payment already made per DSI.

Referred to the City Council due back on 5/15/2013

- 23 RLH TA 13-206** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306P, Assessment No. 138405 at 408 ST PETER STREET.

Sponsors: Thune

Delete the assessment; wrong address; graffiti was on the Hamm Plaza which is owned by the City.

Referred to the City Council due back on 5/15/2013

- 24 RLH TA 13-221** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306P, Assessment No. 138405 at 1420 SEVENTH STREET WEST.

Sponsors: Thune

Delete the assessment; waiver on file.

Referred to the City Council due back on 5/15/2013

- 25 RLH TA 13-222** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306P, Assessment No. 138405 at 421 WABASHA STREET SOUTH.

Sponsors: Thune

Delete the assessment; waiver on file.

Referred to the City Council due back on 5/15/2013

- 26 [RLH TA 13-237](#)** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1306A, Assessment No. 138505 at 76 WHEELLOCK PARKWAY EAST.

Sponsors: Brendmoen

Delete the assessment.

RE: 76 Wheelock Parkway E (2 assessments: 1) Snow & Ice removal; and 2) Demolition)

Monti Knazze and wife, Buci, owners, appeared.

Inspector Joe Yannarely:

- demolition cost: \$10,027.87 + \$1, 185.73 = \$11,213.60

- there is also an assessment for snow and ice removal

Mr. Knazze:

- bought the property after the demo and paid \$3,900; closed Mar 8, 2013 and these assessments are a surprise

- he talked with the county

- my wife and I bought the property with the hope of putting a small house there; he is recovering from cancer

- there is a great bit of debris there; it needs quite a bit of clean-up: TVs, computer screens, rubbish, shopping carts, etc. (probably dumping)
- he is most concerned about the fees that had been acquired before they owned it
- they want to improve the property - make it sort of a garden

Mr. Yannarely:

- at the time of the demo, it was a vacant lot which was strawed and seeded and ready to go

Mr. Knazze:

- probably they will need a dumpster or have some sort of means to haul off the trash so that it won't be an eye soar; hoping for some sort of abatement
- at closing, they said there were some assessments that had not yet "stuck to the property"
- it had been owned by Bank of America

Ms. Moermond:

- all these assessments should have been disclosed to you at closing Mar 8, 2013
- the Notice would have gone out weeks ago

Mr. Knazze:

- it was kind of a dual representation - basically, the realtor represented the bank and we didn't have much representation at all
- the information that they were given was, "Well, not everything has been signed in stone," so, they didn't know what the assessments were

Mr. Yannarely:

- doesn't have a VIDEO on the snow and ice
- the most affordable way to get rid of all the debris, etc., in the yard will probably be at the neighborhood spring clean-up; contact Councilmember Brendmoen's Office for the date of spring clean-up in that area

Ms. Moermond:

- when she got rid of a TV, she brought it to Palace TV on South Robert and paid about \$30 (someone said that Best Buy takes them for nothing sometimes)
- the city did the work of the Demolition on Oct 15, 2012
- the snow shoveling occurred in Dec 2012
- so there's a lot of time for people to dump on this property
- she doesn't have much latitude for decreasing the assessment for the demolition; will recommend approval of the the demolition assessment and spread the payment over 7 years
- she will recommend deleting the assessment for the snow and ice removal

Referred to the City Council due back on 5/15/2013

27 RLH TA 13-238

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1308C, Assessment No. 132008 at 76 WHEELOCK PARKWAY EAST.

Sponsors: Brendmoen

Approve the assessment and spread the payments over 7 years.

RE: 76 Wheelock Parkway E (2 assessments: 1) Snow & Ice removal; and 2) Demolition)

Monti Knazze and wife, Buci, owners, appeared.

Inspector Joe Yannarely:

- demolition cost: \$10,027.87 + \$1, 185.73 = \$11,213.60
- there is also an assessment for snow and ice removal

Mr. Knazze:

- bought the property after the demo and paid \$3,900; closed Mar 8, 2013 and these assessments are a surprise
- he talked with the county
- my wife and I bought the property with the hope of putting a small house there; he is recovering from cancer
- there is a great bit of debris there; it needs quite a bit of clean-up: TVs, computer screens, rubbish, shopping carts, etc. (probably dumping)
- he is most concerned about the fees that had been acquired before they owned it
- they want to improve the property - make it sort of a garden

Mr. Yannarely:

- at the time of the demo, it was a vacant lot which was strawed and seeded and ready to go

Mr. Knazze:

- probably they will need a dumpster or have some sort of means to haul off the trash so that it won't be an eye soar; hoping for some sort of abatement
- at closing, they said there were some assessments that had not yet "stuck to the property"
- it had been owned by Bank of America

Ms. Moermond:

- all these assessments should have been disclosed to you at closing Mar 8, 2013
- the Notice would have gone out weeks ago

Mr. Knazze:

- it was kind of a dual representation - basically, the realtor represented the bank and we didn't have much representation at all
- the information that they were given was, "Well, not everything has been signed in stone," so, they didn't know what the assessments were

Mr. Yannarely:

- doesn't have a VIDEO on the snow and ice
- the most affordable way to get rid of all the debris, etc., in the yard will probably be at the neighborhood spring clean-up; contact Councilmember Brendmoen's Office for the date of spring clean-up in that area

Ms. Moermond:

- when she got rid of a TV, she brought it to Palace TV on South Robert and paid about \$30 (someone said that Best Buy takes them for nothing sometimes)
- the city did the work of the Demolition on Oct 15, 2012
- the snow shoveling occurred in Dec 2012
- so there's a lot of time for people to dump on this property
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- she will recommend deleting the assessment for the snow and ice removal

Referred to the City Council due back on 5/15/2013

Sponsors: Carter III

Approve the assessment.

RE: 571 Van Buren Avenue (duplex and single family) (Legal Non-Conforming)

Ronald Peltier, tax owner, appeared.

Inspector Joe Yannarely:

- Category 2 Vacant Building that entered the VB Program Dec 15, 2009
- Jan 2010, it was changed from a Cat 2 VB to a Cat 1 VB per an agreement with the Legislative Hearing Officer and Fire Inspector Mike Urmann
- it went back to a Cat 2 status Mar 16 because conditions weren't met
- now, it's being monitored in the program
- VB assessment: \$1,100 + \$150 service charge = \$1,250

Mr. Peltier:

- the city was supposed to come out for the inspection but the city said that they had been there; however, no one called me; he had been waiting for an inspection for 2 years and he's at the property 6 days a week; he had put \$30,000 into it; only Fire came through; now, they want me to pay these exuberant fines on it
- the renter that was there left for 2 months for South Carolina in 2010; when he came back, the renter couldn't get back in because the inspector said that the lower unit to be finished first
- he can stick only so much money into it
- he's in the Frogtown area where the property value has gone down from \$200,000 to \$110,000
- the duplex has been ready to rent for 2 years but he can't get an inspection; he is entitled to an inspection

Mr. Yannarely:

- Mr. Peltier is talking about the Certificate of Occupancy inspection which has been gone (Revoked) for over 2 years (Mr. Peltier: they city also gave me 2 permits for electrical and the 3rd one they rejected - Why?)
- Mr. Peltier is not going to get a permit now because he needs a Code Compliance Inspection Report in order to get a permit now
- he needs to apply for a Code Compliance Inspection before he gets one

Mr. Peltier:

- one guy, thinks it's Maynard, told him that he'd have to bring this house up to Woodbury standards; the house was built in 1889 - the Abstract goes back to 1850 - "How can I bring that up to Woodbury standards?"
- every time he goes to the City Council and asks his question, they can't answer him
- he doesn't know who to turn to or who has the most authority in inspections
- he did apply for a Code Compliance Inspection
- the inspectors say that everything looks nice but through all this he has lost \$100,000 (waiting)

Ms. Moermond:

- says that Mr. Peltier applied for a Fire inspection and all that is water under the bridge as far as she's concerned; it's been dealt with and Mr. Peltier didn't get what he was looking for so, he wants to re-argue it now
- but, to get out of this situation, he needs to do a couple of things
- he must get the Code Compliance Inspection

Mr. Yannarely:

- according to the records, on Jan 26, Mr. Peltier had an arrangement with Mr. Urmann to give him 30 days to get a C of O - that's when he's saying that he waited for the inspector but he never showed up

- Mar 15, 2010, it went back to a Category 2 status which means that for 3 years now, he hasn't had a Code Compliance Inspection (trades guys); \$560 for a duplex - Jim Seeger sends out 4 trades inspectors to go through the house and list the deficiencies; then, you take that and get the permits; when it's all fixed up, you have those guys come back and they will issue the Code Compliance Certificate

Ms. Moermond:

- it's in Mr. Peltier's financial interest to just get the Code Compliance Inspection

- she wants to make it easier for him

- the policies that apply to his property have been in place for at least 10 years

- because this is a Vacant Building, he needs to get a Code Compliance Inspection Report

- the place can be "sold" but the buyer needs to go through a Sale Review because it's a Registered Vacant Building

- if Mr. Peltier decides to sell the house, it will need a Code Compliance Inspection Report or a Truth in Sale of Housing Report

Mr. Peltier:

- there's a duplex in the front of the lot and a single-family house in the back

- no one told me that I could split them up for sale - is that legal? (Ms. Moermond: we see that from time to time; he can talk to the Planning Commission about - not having to change the duplex to a single-family dwelling (it's not built for that) because they can keep that from happening)

- as soon as a year passes that the building's been empty.....

Ms. Moermond:

- the building entered the VB Program Mar 4, 2010

- the date this VB fee covers from Mar 2013 - Mar 2014

- to get through this, Mr. Peltier must get the Code Compliance Inspection (can apply for it online)

Referred to the City Council due back on 5/15/2013

29 RLH AR 13-33 Ratifying Demolition services from January 2013. (File No. J1308C, Asmt No. 132008)

Sponsors: Lantry

Referred to the City Council due back on 5/15/2013

30 RLH AR 13-32 Ratifying Graffiti Removal Services from December 24, 2012 to January 21, 2013 (File No. J1306P, Assessment No. 138405)

Sponsors: Lantry

Referred to the City Council due back on 5/15/2013

31 RLH AR 13-34 Ratifying Demolition services from December 2012. (File No. J1309C, Asmt No. 132009)

Sponsors: Lantry

Referred to the City Council due back on 5/15/2013

- 32 RLH AR 13-35** Ratifying Boarding and/or Securing services during January 2013. (File No. J1308B, Asmt No. 138107)

Sponsors: Lantry

Referred to the City Council due back on 5/15/2013

- 33 RLH AR 13-36** Ratifying Collection of Certificate of Occupancy fees billed October 29 to November 22, 2012. (File No. CRT1307, Asmt No. 138206)

Sponsors: Lantry

Referred to the City Council due back on 5/15/2013

- 34 RLH AR 13-38** Ratifying Collection of Vacant Building fees during March 5 to November 21, 2012. (File No. VB1307, Asmt No. 138810)

Sponsors: Lantry

Referred to the City Council due back on 5/15/2013

11:00 a.m. Hearings

Summary Abatement Orders (NONE)

Orders To Vacate, Condemnations and Revocations (NONE)

Staff Reports

- 35 [RLH VO 13-13](#)** Appeal of Sunday Olayinka, on behalf of African Christian Fellowship, to a Fire Certificate of Occupancy Revocation and Order to Vacate at 756 JACKSON STREET.

Sponsors: Brendmoen

Grant the appeal on the revocation and order to vacate; they can continue to use the building as they have been until a decision is made on the change of use by the building official.

RE: 756 Jackson St (N-Church/Synagogue/Temple)

Ms. Moermond:

- will recommend granting the appeal on the Revocation; they can continue to use the building as they have been until the building official makes a decision on the official use.

Referred to the City Council due back on 4/17/2013

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 36** [RLH FCO 12-597](#) Appeal of Margaret Uriah, Mendota Properties LLC, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 602 MENDOTA STREET.
- Sponsors:** Lantry
- Deny the appeal and will need to be in compliance with the 2009 Planning Commission decision by July 1, 2013.*
- RE: 602 Mendota St (R-Multi-family)*
- No one appeared.*
- Ms. Moermond:*
- *the inspector wrote his Orders just on the parking surface; she checked out the surface of the alley and found that the surface of the alley is paved; so, the gravel next to the pavement can't continue*
 - *the Planning Commission had already made a determination that they need 8 parking spaces; that decisions in AMANDA; she attached the PC resolution, diagram and aerial photo (2011) from the PC file to the record (end of 2008 and beginning of 2009)*
 - *the aerial photo revealed that it had been more random parking on gravel in the back yard*
 - *Wendy Lane said that Zoning Enforcement had closed the file but should not have; so, they will be re-opening it*
 - *the Planning Commission's deadline for compliance has come and gone*
 - *considering the letter, financing, she will recommend a deadline of Jul 1, 2013*
 - *will deny the appeal per previous Planning Commission Resolution; Fire Inspections will work with Zoning Enforcement to gain full compliance by Jul 1, 2013*
- Referred to the City Council due back on 4/17/2013**
- 37** [RLH FCO 13-65](#) Appeal of Gilbert Marty to a Fire Certificate of Occupancy Correction Notice at 935 UNIVERSITY AVENUE WEST.
- Sponsors:** Carter III
- Deny the appeal and grant until June 1, 2013 to bring the stairs and deck into compliance on the condition that the deck is clean and marked with signs to not use it.*
- RE: 935 University Ave E (C-Retail-2nd Han Dealer)*
- Sharol Markgraf appeared on behalf of Gilbert Marty.*
- Ms. Moermond:*
- *the building inspector went out there and found the same thing as the fire inspector: that the deck and the stairs needs to be rebuilt*
- Inspector A. J. Neis:*
- *this rear deck/stairs is not a required exit; Fire Inspector Urmann had a suggestion: it is required for access to the electrical meters, so they could build just a platform for access - there's a door that goes right out the back on the second level (there's no need for a deck and stairs there)*
 - *he spoke with Ms. Markgraf yesterday; she said that Mr. Marty is going to get a 3rd*

opinion from a structural engineer

Ms. Markgraf:

- *asked how wide the platform needed to be (Ms. Moermond: said that would be a building code issues which would be talked about when the contractor goes to pull the permit)*
- *the stairs are currently not usable; some have been taken apart and they are marked "Do Not Use" on the bottom and the top; they are also barricaded off*
- *not sure how long it will take until the structural engineer can take a look at it*

Ms. Moermond:

- *City Council Public Hearing is Apr 17, 2013*
- *she wants to give a deadline which will give enough time for the structural engineer to do an analysis*
- *will recommend granting an extension to Jun 1, 2013 to finish the project (stairs and deck); if Mr. Marty wants a longer time, he should come to the City Council Public Hearing on Apr 17, 2013 and ask the City Council*
- *will send a confirmation letter to Mr. Marty, Ms. Markgraf and Mr. Stoby*
- *condiitons: must keep the deck clean, marked and out of use*

Mr. Neis:

- *as long as the deck has nothing on it and people aren't walking on it, he doesn't think it's in immediate danger of collapse*

Referred to the City Council due back on 4/17/2013

38 [RLH FOW 13-6](#)

Appeal of Christina Carlton to a Correction Notice-Foster Care Inspection at 1458 ARONA STREET.

Sponsors: Stark

Grant a 6-5 inch variance on the openable height of the egress window in the second floor east bedroom and deny a variance for the basement sleeping room.

RE: 1458 Arona St (single family)

No one appeared.

Ms. Moermond:

- *there's a basement bedroom that can't be used for sleeping - #5*
- *openable dimensions of the south window in basement are 12 inches high x 20 inches wide; 12 inches is not sufficient egress*
- *room use for daycare*

Fire Inspector A. J. Neis:

- *any licensed facility is required to have the current egress requirements*

Ms. Moermond:

- *will recommend the City Council deny the appeal on item #5 - window in basement bedroom*
- *openable dimensions on the 2nd floor east window are 17.5 inches high x 20 inches wide-#10*
- *will recommend the Council grant a 7 inch variance on the 2nd floor east window-item #10*

Referred to the City Council due back on 4/17/2013

- 39 [RLH FCO 13-76](#) Appeal of Samuel Riesgraf to a Fire Certificate of Occupancy Correction Notice - Complaint Inspection at 778 JENKS AVENUE.

Sponsors: Bostrom

On 4/2/13 late afternoon--Ms. Vang received a voice mail from Tammy Adams obo Sam Reisgraf. Called Mr. Reisgraf back and told him he missed the hearing. He indicated he did not received notice of hearing date. Offered to reschedule him but he insisted on talking to Leg. hearing officer. Ms. Moermond reviewed the file further and recommended granting a 6-inch variance on the ceiling height in the 2nd floor west bedroom.

RE: 778 Jenks Ave (single family)

No one appeared.

Ms. Moermond:

- 6'6" ceiling height - a flat ceiling on 2nd floor

- lacking anyone here to talk about this, she will recommend the City Council deny the appeal

Referred to the City Council due back on 4/17/2013

2:30 p.m. Hearings

Vacant Building Registrations (NONE)