



# 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*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, June 25, 2013

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Remove/Repair Orders

- 1 [RLH RR 13-25](#) Ordering the rehabilitation or razing and removal of the structures at 1281 THIRD STREET EAST within fifteen (15) days after the June 5, 2013 City Council Public Hearing. (Public hearing held June 5)  
  
**Sponsors:** Lantry  
  
*Remove the building within 15 days with no option for repair.*  
  
*Owner's representative was a no show for the hearing.*  
  
**Referred to the City Council due back on 6/26/2013**
  
- 2 [RLH RR 13-26](#) Ordering the razing and removal of the structures at 217-219 WHITE BEAR AVENUE NORTH within fifteen (15) days after the June 5, 2013, City Council Public Hearing. (Public hearing held June 5)  
  
**Sponsors:** Lantry  
  
*Remove the building within 15 days with no option for repair. Conditions not met at time of hearing.*  
  
*RE: 217-219 White Bear Ave (Duplex)*  
  
*Michael, Schleismann, representing Bank of America, appeared.*  
  
*Mr. Schleismann:*
  - inspections were initiated by the Bank
  - they are doing everything to get things done
  - filed a Code Compliance Inspection application Jun 5, 2013 on the 219 address; entered a copy of the application and a receipt for \$560 (items were scanned)
  - talked with Jim Seeger on the phone
  - is working on getting a general contractor  
*Steve Magner, Vacant Buildings:*
  - the last Vacant Building fee went to assessment in Dec 2012
  - anniversary date is in Nov
  - don't see a performance deposit or code compliance application or VB registration

*form in the system*

*- a Work Order was sent out Jun 5 for tall grass and weeds (sent to BAC Home Loan Servicing, Semi, CA and Xai Thao*

*Ms. Moermond:*

*- was hoping she'd have a Work Plan or Performance Deposit; not seeing that, she doesn't have a lot of options except to ask for the building to be removed  
- will recommend the removal of this building within 15 days with no option for repair  
- needs a Work Plan and a \$5,000 Performance Deposit by 3:30 p.m. tomorrow in order to consider changing the recommendation*

**Referred to the City Council due back on 6/26/2013**

**3**      [RLH RR 13-29](#)

Ordering the rehabilitation or razing and removal of the structures at 1033 ARCADE STREET within fifteen (15) days after the July 24, 2013 City Council Public Hearing.

**Sponsors:**      Bostrom

*RE: 1033 Arcade St (Duplex)*

*Sabrina Reed and Brian Reed, owners, appeared.*

*The Reeds:*

*- house is completely paid for  
- house was inherited from Sabrina's grandmother  
- they just received the property tax statement; it's been taking some time to get the mail delivered to their address*

*Inspector Steve Magner, Vacant Buildings:*

*The building is a 2-story, wood frame, duplex with a detached one-stall garage on a lot of 3,920 square feet. According to our files, it has been a vacant building since November 19, 2012.*

*The current property owner is Sabrina Reed and Brian Reed per AMANDA and Ramsey County Property records.*

*On April 10, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 15, 2013 with a compliance date of May 15, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*Taxation has placed an estimated market value of \$8,400 on the land and \$51,600 on the building.*

*Real estate taxes are current through 2012; taxes for the first half of 2013 have not been paid.*

*The Vacant Building registration fees were paid by assessment on March 29, 2013.*

*As of June 24, 2013, a Code Compliance Inspection has not been done.*

*As of June 24, 2013, the \$5,000 performance deposit has not been posted.*

*There was one (1) SUMMARY ABATEMENT NOTICE since 2012.*

*There was one (1) WORK ORDER issued for: Snow/ice*

*Code Enforcement Officers estimate the cost to repair this structure exceeds \$25,000. The estimated cost to demolish exceeds \$15,000.*

*DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days, if not the resolution authorizes the Division of Code Enforcement to demolish and assess the*

costs to the property.

*The Reeds:*

- they haven't decided whether or not they will live there or sell; it will come down to the cost of the rehab

*Ms. Moermond:*

- the first thing is that you can't sell the building "as is" (Bostrom Ordinance)  
- for a building in this condition, it needs to be repaired by its current owner  
- the cost is estimated to be at least \$25,000 to fix the building  
- you have been maintaining it and there's not a bad history on it  
- she is looking for them to apply for a Code Compliance Inspection Report and post a \$5,000 Performance Deposit (refundable)

*Ms. Reed:*

- at the time her grandparents and family came over from Poland, this was a 4-plex; then, her grandparents bought a house a few blocks away; Ms. Reed uncle got married and lived in this house with his family; he worked as a plumber and did a lot of construction so, he was converting the house into a single family home with an apartment attached for his son; the uncle passed away from cancer; and they ended up inheriting the house (Oct 2011) because it was still in grandma's name  
- people have broken in multiple times and it's boarded up

*Mr. Magner:*

- suggested that they apply for the Code Compliance Inspection Report today (duplex will cost \$560)  
- the Department of Safety and Inspections will need access to the property; supply a lock box combination to DSI  
- trade team inspection includes: plumbing, hearing/ventilation, electrical and building inspectors; they will create a list of deficiencies that will need to be fixed to bring the property up to code  
- if the Reeds decided to rehab the building as a single family, they will need to apply for a Single Family Code Compliance Inspection Report, which costs about \$100 less  
- another option would be to do nothing and the city would tear it down and the cost will be assessed to the property taxes; the Reeds would still own the vacant lot  
- the Reeds could find their own demo contractor  
- another option: sell to a nonprofit; contact the city's Housing and Redevelopment Authority (HRA), Roxanne Young, PED, 266-6581 or a local community development corporation; in this case, it would be either Dayton's Bluff Neighborhood Housing Services, East Side Neighborhood Development Company, or North East Neighborhood Development Corporation (NENDC)

*Ms. Reed:*

- the business next door, Acme Tattoo, is interested in purchasing the property

*Ms. Moermond:*

- as owners, they have to abate the nuisance condition  
- there are 2 ways to do that: 1) fix the building; or 2) knock it down and if the Reeds don't take either of those steps within the time allotted, the city will take the step to knock it down and assess the cost to the Reeds; estimated cost to demo is at least \$15,000, not counting any hazardous materials' abatement that might need to be done  
- she would like to have the Reeds come back to LH Tue, Jul 16, 2013 to find out their decision (fix it as a single family or duplex or sell it)  
- City Council Public Hearing Jul 24, 2013  
- if they decide to do the rehab, they will need to: 1) apply for the Code Compliance

Inspection Report; 2) post \$5,000 Performance Deposit (can also post a bond); and 3) have a contractor go through the building to come up with a bid  
 - if they decide to do the rehab, the Code Compliance Inspection Report should have been applied for and the \$5,000 Performance Deposit or bond posted; then, the next steps will be sorted through  
 - if they decide to demo, those steps will also be talked about  
 - on Jul J4, she will ask the City Council for more time to rehab the property if the Reeds decide to do that and have met the conditions

Amy Spang, Heritage Preservation Commission (HPC):

- built in 1891 vernacular style as a 1-story; maybe had some Queen Anne or stick style elements when originally built
- it's footprint is pretty much the same as the Sanborn Insurance Map
- there were 3 dwellings on 1 whole parcel at the time this was built
- the garage structure behind it was an animal barn
- the building permit says that this was a factory but the Sanborn Insurance Map refers to it as a dwelling
- original owner was William Richter
- was included in the 2011 neighborhood survey; it was not recommended for further survey or evaluation from an historic perspective
- a lot of it has been covered up; can still see a few details
- maybe 2nd story was added at some time
- it lacks integrity and the area around it has also changed a lot
- demolition would not have an adverse affect on the historic character of the neighborhood

Ms. Reed:

- originally, this was a pickle factory; it still has a sand floor on part of the basement

**Laid Over to the Legislative Hearings due back on 7/16/2013**

**4**      [RLH RR 13-30](#)

Ordering the rehabilitation or razing and removal of the structures at 978 BAYARD AVENUE within fifteen (15) days after the July 24, 2013 City Council Public Hearing.

**Sponsors:**      Thune

*Remove the building within 15 days with no option for repair. (No one appeared)*

*RE: 978 Bayard Ave (Single Family)*

*Inspector Steve Magner, Vacant Buildings:*

*The building is a one-story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 4,356 square feet. According to our files, it has been a vacant building since February 10, 2012.*

*The current property owner is Karen J. Roscoe per AMANDA and Ramsey County Property records.*

*On April 3, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 8, 2013 with a compliance date of May 8, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*Taxation has placed an estimated market value of \$19,100 on the land and \$73,900 on the building.*

*Real estate taxes are current through the first half of 2013.*

*The Vacant Building registration fees were paid by assessment on March 1, 2013.*

As of June 24, 2013, a Code Compliance Inspection has not been done.  
As of June 24, 2013, the \$5,000 performance deposit has not been posted.  
There have been two (2) SUMMARY ABATEMENT NOTICES since 2012.  
There have been three (3) WORK ORDERS issued for:

- Boarding/securing
- Snow/ice

Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish exceeds \$15,000.

DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days, if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Amy Spang, Heritage Preservation Commission (HPC):

- built in 1926 (some sort of revival style) by J. J. Edcoe and built by Kohe Construction Company (consistent with pattern book type houses)
- West Seventh Neighborhood - last surveyed in 2011
- this area was not identified for any future evaluation or survey work
- appears to be some aluminum storm windows
- exterior has some integrity; very little interior integrity as seen in the photographs
- on a corner; the corner's integrity has been compromised
- demolition would not have an adverse affect

Ms. Moermond:

- will recommend the City Council order the building removed within 15 days with no option for its rehabilitation

**Referred to the City Council due back on 7/24/2013**

**5**      [RLH RR 13-31](#)

Ordering the rehabilitation or razing and removal of the structures at 69 DOUGLAS STREET within fifteen (15) days after the July 24, 2013 City Council Public Hearing.

**Sponsors:**      Thune

*Remove the building within 15 days with no option for repair. (Owner did not appear.)*

*RE: 69 Douglas St (Single Family)*

*Sharon Lynch, neighbor at 63 Douglas St, appeared.*

*Inspector Steve Wagner, Vacant Buildings:*

*The building is a two-story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 3,485 square feet. According to our files, it has been a vacant building since June 29, 2010.*

*The current property owner is Target Real Estate Investment Fund LLC per AMANDA and Ramsey County Property records.*

*On March 28, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 1, 2013 with a compliance date of May 1, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*Taxation has placed an estimated market value of \$18,100 on the land and \$69,700 on the building.*

*Real estate taxes for 2011 and 2012 are delinquent in the amount of \$12,908.45, plus penalty and interest; taxes for the first half of 2013 have not been paid. (Note: Tax*

forfeiture July 31, 2015)

The Vacant Building registration fees were paid by assessment on July 31, 2012.

A Code Compliance Inspection was done on December 21, 2012.

As of June 24, 2013, the \$5,000 performance deposit has not been posted.

There have been four (4) SUMMARY ABATEMENT NOTICES since 2010.

There have been seven (7) WORK ORDERS issued for:

- Garbage/rubbish
- Boarding/securing
- Grass/weeds
- Snow/ice

Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish is \$15,000 to \$18,000.

DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days, if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

- there's a structural engineer's report attached to the record because there was a foundation wall failure (attached)
- he believes that there was no one moving forward to acquire the property and do a rehabilitation because once they figured the cost of the repairs, they found it to be prohibitive (major foundation/basement repairs, including redoing walls; and lots of plumbing and building issues, too)

Ms. Amy Spong, Heritage Preservation Commission (HPC):

- this is a fairly classic 1921 four-square building
- originally probably was stucco
- the exposed foundation wall looks to be contour concrete block
- originally, it had a full 1-story open front porch; has not been partially enclosed and potentially changed
- the row houses across the street appear to still be in tact but there have been changes in the neighborhood
- there's a very large parking lot across the street
- survey in 2011; this particular building was not recommended for further survey or evaluation
- at the tail end of the period of significance in this neighborhood
- has no interior photographs
- does not have the structural report
- originally, she was thinking of encouraging rehab; however, these structural issues has changed her mind

Mr. Magner:

- Mr. Jim Seeger wrote: structural engineer's report says it requires re-leveling and soil correction for the foundation work
- there are 2 parts to the structural engineer's report: 1) soil analysis; and 2) structural analysis
- it could be fixed but once this was discovered, they found that fixing it would be just too expensive
- this house is not sitting on bedrock/it doesn't have good soil underneath it (could have been a filled-in creek or ravine or just have bad fill)

Ms. Lynch:

- has lived next door for 11 years
- the property has been a problem; has been vacant since 2010
- a lot of people have been looking at it
- inside doesn't look bad but once they see how the foundation is, they change their mind about it

- the neighbors around the house and the Little Bohemia Neighborhood Association think that it should be knocked down; it's just getting worse all the time
- no one's taking care of it; the city has done a lot of maintenance

Mr. Magner:

- read Email from Merit Brock into the record (attached)

Ms. Moermond:

- there is no one here wanting to fix it and the neighbors want it down
- the cost of rehab is prohibitive; and it's questionable whether or not it could be fixed adequately
- there may be interior salvage material
- will recommend this building be removed within 15 days with no option for repair
- City Council Public Hearing Jul 24, 2013

**Referred to the City Council due back on 7/24/2013**

**6**      [RLH RR 13-32](#)

Ordering the rehabilitation or razing and removal of the structures at 736 EARL STREET within fifteen (15) days after the July 24, 2013 City Council Public Hearing.

**Sponsors:**      Lantry

*Remove the building within 15 days with no option for repair. (No one appeared)*

*RE: 736 Earl St (Duplex)*

*Inspector Steve Magner, Vacant Buildings:*

*The building is a one and 3/4-story, wood frame, duplex with a detached one-stall garage on a lot of 4,356 square feet. According to our files, it has been a vacant building since July 9, 2010.*

*The current property owner is Bank of New York Mellon per AMANDA and Ramsey County Property records.*

*On March 27, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 10, 2013 with a compliance date of May 10, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*Taxation has placed an estimated market value of \$12,400 on the land and \$25,600 on the building.*

*Real estate taxes are current through the first half of 2013.*

*The Vacant Building registration fees were paid by check on August 2, 2012.*

*A Code Compliance Inspection was done on January 27, 2012 and has since expired.*

*As of June 24, 2013, the \$5,000 performance deposit has not been posted.*

*There have been nineteen (19) SUMMARY ABATEMENT NOTICES since 2010.*

*There have been twenty-six (26) WORK ORDERS issued for:*

- Garbage/rubbish
- Boarding/securing
- Grass/weeds
- Snow/ice

*Code Enforcement Officers estimate the cost to repair this structure exceeds \$60,000. The estimated cost to demolish exceeds \$12,000.*

*DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days, if not the resolution authorizes the Division of Code Enforcement to demolish and assess the*

costs to the property.

Amy Spong, Heritage Preservation Commission (HPC):

- built in 1908 - 1 1/2 stories worker housing
- outside of Dayton's Bluff Historic District
- surveyed last in 1983 (not looking for worker/social history)
- original siding is exposed
- garage dates back to period, as well
- some alterations
- 2 houses were originally built on this one lot; the opposite corner now has a modern apartment building on it
- an auto garage is still there
- demolition would not have an adverse affect; integrity of corner and area has diminished

Ms. Moermond:

- the Bank of New York Mellon appears to be a bad owner (lots of abatement orders and nothing positive going on)
- will recommend removal within 15 days with no option for rehabilitation

**Referred to the City Council due back on 7/24/2013**

**7**      [RLH RR 13-33](#)

Ordering the rehabilitation or razing and removal of the structures at 1071 SHERBURNE AVENUE within fifteen (15) days after the July 24, 2013 City Council Public Hearing.

**Sponsors:**      Carter III

*Continued to July 16. The following conditions must be met by July 16 in order to receive a grant of time:*

- 1) *apply for the code compliance inspection;*
- 2) *post the \$5,000 performance deposit or bond;*
- 3) *provide a work plan, including timelines for completing the work;*
- 4) *must provide financial documentation indicating the amount of at least \$25,000 to do the rehab (line of credit, construction loan, personal bank account). If personal bank account, must provide an affidavit indicating the dedication of \$25,000 to be used for the project.*

**RE:** 1071 Sherburne Ave (Single Family)

*Raymond Vorderbruggen, owner, appeared.*

*Inspector Steve Magner, Vacant Buildings:*

*The building is a two-story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 4,792 square feet. According to our files, it has been a vacant building since July 24 2012.*

*The current property owner is Raymond F. Vorderbruggen per AMANDA and Ramsey County Property records.*

*On April 3, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 17, 2013, with a compliance date of May 17, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*Taxation has placed an estimated market value of \$13,400 on the land and \$35,000 on the building.*

*Real estate taxes are current through the first half of 2013.*



The Vacant Building registration fees were paid by credit card on August 20, 2012.  
As of June 24, 2013, a Code Compliance Inspection has not been done.  
As of June 24, 2013, the \$5,000 performance deposit has not been posted.  
No SUMMARY ABATEMENT NOTICES have been issued; no WORK ORDERS have been issued.

Code Enforcement Officers estimate the cost to repair this structure exceeds \$25,000. The estimated cost to demolish exceeds \$15,000.

DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days, if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

- don't have good information about the interior
- the exterior is in a very dilapidated state
- concern with this small lap siding: short of re-siding, it would be a fairly extensive paint job; and the current paint probably contains lead; also, the general deterioration of the garage
- this really needs a Code Compliance Inspection Report

Amy Spong, Heritage Preservation Commission (HPC):

- built 1922 - 4-square; not on Sanborn Map
- Mathias Maise was original owner
- probably had an open front porch, originally; now enclosed with non-historic windows
- from the outside, this building appears to retain integrity (original wood siding is exposed); people in historic districts have found ways to collect the lead, paint and repair and re-paint the wood
- area last surveyed 2011; property was not recommended for additional survey and was not identified as an area for a potential historic district
- no interior photos
- block faces are quite in tact; all these homes seem to all be from a similar period (good integrity)
- even though this house has no potential for historic recognition, she would encourage rehab; there's no vacant lots along this long block
- it's a nice collection of similar houses that seem to be in good repair

Mr. Vorderbruggen:

- have owned the property for 30+ years; it's been a rental
- the siding is all redwood and after he put on latex paint, he found out that they don't agree with each other - that's why it's peeling and shedding
- he hired someone to do the scraping, sanding and painting but it fell through; he didn't finish - took the money and ran
- a heating gun will be needed to get rid of all of the paint
- he had a new boiler put in; had all the old asbestos furnace taken out; now has all hot-water heat
- finished off the basement; put in all new basement windows
- the house had all hardwood floors, built-in cabinets
- the people who had rented it were there for many years; when the husband passed away, the wife moved in with a girl friend
- he took off the rain gutters and found other things; he keeps picking away at the repairs
- replaced the fascia
- had an estimate for the electrical work: \$16,000 - he got discouraged with that price
- they have blown-in insulation; the electrician said to take out all the walls, clean it all up and then he would come to give another estimate
- there are a couple of cracks in the foundation; no block missing

Ms. Moermond:

- suggested he apply for a Code Compliance Inspection and put on a lock box
- post the \$5,000 Performance Deposit (refundable)
- put together a Work Plan with timelines to finish the job within 6 months
- proof of at least \$25,000 or estimate cost of the project designated to finish the project
- will lay this over to Jul 16, 2013 Legislative Hearing (have all paperwork together at this time)
- will get a letter summarizing today's hearing

**Laid Over to the Legislative Hearings due back on 7/16/2013**

**8**      [RLH OA 13-55](#)

Making recommendation to the Ramsey County Commissioners on the application of John E. Burdine, for repurchasing the tax-forfeited property at 1115 ROSS AVENUE.

**Sponsors:**      Bostrom

*Approve the repurchase of the property.*

*RE: 1115 Ross Ave (Single Family)*

Ms. Moermond:

- appears that Mr. Burdine died after he made application for this re-purchase

*Inspector Steve Magner, Vacant Buildings:*

- read note from Mr. Burdine (attached): *I fell behind on my payments and taxes because I was in a hopeless frame of mind after my wife of 57 years battled cancer and finally died. I would like to keep my house because I have a large family who would help take care of me and the house, which is full of memories for me. Please consider this. Sincerely, John Burdine*

Ms. Moermond:

- noted it looks as though someone else hand wrote the letter and that Mr. Burdine signed it afterward
- the letter from Kris Kujala, Ramsey County (attached), says that Mr. Burdine is deceased and presently, his children occupy the property through a lease agreement with the county. The amount of delinquent taxes owed on the property at the time of forfeiture was \$7,500.60.
- explained: *Dad, Mr. Burdine, forgot or didn't pay the taxes because he was distraught and tracking on these things; the kids still live there and they want to pay the taxes and stay in their home.*

Mr. Magner:

- assumes that the children will need to probate; otherwise, they will need to obtain a Certificate of Occupancy if the County continues to own the property and rent it to them
- according to STAMP, there's a complaint from Apr 23, 2013 for broken glass, TV, plastic pieces of silverware on the ground in the alley (was resolved by owner); a furniture complaint from Apr 5, 2013 (resolved by owner); Dec 18, 2012 complaint for overflowing garbage (resolved by owner); 2 complaints in 2011; and 1 complaint each in 2008 and 2007

Ms. Spong:

- some of those complaints could be the result of dumping

Ms. Moermond:

- will draft the resolution so that the City Council recommends that this Re-Purchase Application be approved
- will check with Councilmember Bostrom to see if he concurs

**Referred to the City Council due back on 7/24/2013**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 9 [RLH SAO 13-22](#) Appeal of Gregory K. Miller to a Summary Abatement Order, Correction Notice and Order to Provide Garbage Service at 1159 CENTRAL AVENUE WEST.

**Sponsors:** Carter III

*7/1/13: Grant to July 19, 1013 to declutter the porches, clear access to all windows and doors and comply with summary abatement order.*

*Forthcoming. (STAFF REPORT on July 9 LH)*

*RE: 1159 Central Ave W (Duplex)*

*Gregory K Miller, owner, appeared.*

*Ms. Moermond:*

- discussed at the last hearing was the volume of material stored on the porches and backyard
- she wanted some photographs
- did receive some photos from Mr. Miller

*Inspector Paula Seeley:*

- entered photos taken Jun 21, 2013 by Inspector Ed Smith
- received complaint May 23, 2013; Inspector Smith went out and found extreme clutter in entry way of lower unit; sent correction notice with a compliance date of Jul 6, 2013
- as of Jun 21, Inspector Smith found a large amount of excessive clutter on porch and backyard
- recommends that Inspector Smith do an interior inspection

*Mr. Miller:*

- the material on the porch is down
- all the stuff in the backyard is gone (washing machine, computer, brush, bicycle parts, bicycle, bags); still there: 2 bicycles, 1 grill, 1 lawnmower and a shovel, 4 colored bins; he reviewed the photos with Ms. Moermond and explained what was gone
- the bubble wrap that was on the porch is gone; some was picked-up and the rest went into the dumpster

*Ms. Moermond:*

- we talked about having another couple of weeks to finish the job (Mr. Miller: someone is coming to take whatever he doesn't want anymore from the porch)
- wants Mr. Smith to go over and verify what's been completed
- wants to know that there's a clear path to get out of the windows and doors of the house (Mr. Miller: the windows in the house open and are clear except for the back storage room; the living quarters are clear)

- will give Mr. Miller another 2 weeks to de-clutter; Mr. Smith can advise
- City Council Public Hearing Jul 10, 2013
- status update Jul 9, 2013 Legislative Hearing

**Referred to the City Council due back on 7/10/2013**

**10**     [RLH SAO 13-25](#)     Appeal of Mary Ellen Loney to a Vehicle Abatement Order at 1636 ENGLEWOOD AVENUE.

**Sponsors:**     Stark

*Grant the appeal as issue has been resolved.*

*RE: 1636 Englewood Ave (Two Family Dwelling)*

*Mary Ellen Loney, owner, appeared.*

*Inspector Paula Seeley:*

- vehicle abatement - got a complaint about a car parked on the property for years on an unapproved surface, has a flat tire, and pioneer plates
- Inspector Scott St. Martin said that he called the Appellant several times, telling her she didn't have to come because it's been all taken care of - she is in compliance
- tabs are now current and the tire has been inflated; the surface is approved

*Ms. Loney:*

- she was out of town Jun 20 - deadline date; and she didn't want her vehicle to disappear so, she filed this appeal
- the city notified her in writing about this and when she spoke with Inspector St. Martin, he told her she would be fine and to check on-line but she really expected a written notice telling her it had been resolved
- is concerned because she gets a mailed notification to correct something but she has to check on-line to see if it's been resolved
- this could have been easily resolved using far fewer city resources

*Ms. Seeley:*

- the city sends out the Order; if the Appellant contacts the inspector and he tells you that it's been taken care of and the file has been closed, the Applicant usually takes his word for that; there is a City Intranet, where you can go and type in the address and you will see that the file has been closed
- the city does not have enough employee power to send out a letter every time; you need to go by what the inspector says

*Ms. Moermond:*

- the matter is resolved
- the car will not disappear
- will recommend this appeal be granted

**Referred to the City Council due back on 7/24/2013**

**11**     [RLH SAO 13-26](#)     Appeal of Geda Burmester to a Vehicle Abatement Order at 30 SANDRALEE DRIVE EAST.

**Sponsors:**     Lantry

*Grant the appeal.*

*RE: 30 Sandralee Drive E (Single Family)*

Geda Burmester, owner, appeared.

Inspector Paula Seeley:

- vehicle abatement
- read complaint: There's a basketball hoop laying next to the garage and it has been there many years. There is also something on the front steps with a blue tarp over it - it has been over a year. They worked on cars; the red car has plastic wrap on the window
- Inspector Rick Gavin went out Jun 12, 2013 and wrote a Summary Abatement to remove any storage (exercise equipment under the tarp) on the front porch; and move the basketball hoop from the west side of the garage
- has photos from May 30, 2013
- inspector's notes: on Jun 12, tarp, exercise equipment, discarded basketball hoop in yard; vehicle window covered with plastic
- the appeal was filed and everything was on hold

Ms. Burmester:

- basketball was moved to her patio; it's not trash
- the exercise equipment is gone
- the car is parked on cement (approved) and people drive around with plastic on their cars all the time
- her husband just left when he lost his job and she doesn't know where he is; he has the title; it's her daughter's car and she lost her keys
- she is feeling targeted, especially, since there are so many more serious violations in her neighborhood
- she brought photos

Ms. Moermond:

- the system works like this: someone calls in a complaint; it's the city's obligation to go and investigate it; the inspector has no choice but to check it out and if he finds that the complaint is valid, he needs to write Orders
- that's a very small amount of plastic on the window - she can live with that
- if the inspector goes out and sees that the surface is an approved surface, she will recommend granting this appeal.

**Referred to the City Council due back on 7/24/2013**

### Orders To Vacate, Condemnations and Revocations

- 12 [RLH VO 13-32](#) Appeal of Glyneise Gordon, on behalf of Barb Schilling, to an Amended Condemnation-Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1341 CLARENCE STREET.

**Sponsors:** Bostrom

A work plan was submitted. LHO to review work plan.

Recommendation is forthcoming. Owner needs to provide a work plan with timelines by June 28.

RE: 1341 Clarence St (Single Family)

Barb Schilling, owner, appeared. (Her daughter, Glyneise Gordon had filed the appeal on Barb Schilling's behalf.)

Inspector Paula Seeley:

- complaint came in Mar 23, 2012; Inspector Reardon had the file and the file got lost
- a police report was sent to her May 28, 2013 that squads were over regarding a lost elderly woman; the police said that the home was awful inside (took photos, too)
- Ms. Seeley went out and explained to the daughter who she was and why she was there; did the inspection
- issued a Summary Abatement on all the debris in the yard
- she could not do a thorough inspection due to the debris (photos attached)
- Kay Wittgenstein, House Calls, Ramsey County, has given them 2 dumpsters, which are full, and there's still a long way to go
- was out there last week, Jun 19, re-inspected with daughter and there were still a lot of sanitary issues (she didn't take photos at that time because she thought it would have been taken care of and didn't bring her camera); rooms are still full of clutter; kitchen sink is not working; mold in bathroom walls; cabinets, stove, washing machine need to be replaced due to excessive soiling
- she walked out on the big deck in back; it's totally deteriorated - could probably fall through the floor into a lower addition off the basement
- she found broken windows and most egress windows cannot be opened because they are either boarded, have plastic on them, having missing hardware and are way over 48 inches from the floor
- exposed electrical wires in the basement
- plumbing problems in the kitchen; it drains very slowly (Roto Rooter thinks something is deteriorated in the pipes so someone needs to come out with a camera to look into the pipes and see what's going on)

Ms. Schilling:

- the basement plumbing is working just fine; the kitchen sink plumbing line, which goes down and under the house across the floor, approximately 35 feet, he's catching sand; he suspects that there's damage to the pipe due to age (will cost approx. \$200 per foot to repair)

Ms. Seeley:

- there are 2 huge trees; could be a break in the line; should probably get Sewer out there to scope it
- it's been Condemned since May 28, 2013
- she would like to see more progress
- all she is getting from the daughter is nobody can help her and she works all day and they're going to be gone for a week and everybody's too busy with their jobs

Ms. Schilling:

- she thinks a whole lot has been done; everything's been cleaned out of the basement and re-organized the tubs with books and sewing materials
- they are going through tubs of clothing, washing it and will donate it
- living there is Ms. Schilling, her daughter, and 2 grandsons, 18 and 9; her mom is currently in a nursing home because she had a stroke, now, she is in the hospital in Rochester with an inoperable mass in her heart
- she works full time; has been dealing with her mom's health problems; had graduation for a grandson; has 7 bridesmaids dresses and 8 flower girl dresses to alter in the next 3 weeks

Ms. Moermond:

- there's a lot going on here: plumbing; a lot of materials; sanitation issues
- is concerned a lot about the kitchen's waste line; it needs to function properly: 1) run water and drain; and 2) needs to be properly vented to keep sewer gases from coming back into the house; if there's a break in the line or sand in the line, there's a concern that it's not performing that role, which could be toxic to live there
- suggested Ms. Schilling check out loan programs if she doesn't have the money to

*fix the kitchen drain line*

*- you have a house that's Condemned and Ordered to be Vacated, which really trumps all the other situations going on here*

*Ms. Schilling:*

*- is trying to understand why this house is considered inhabitable; they cleaned up most things and are working on it on a daily basis; they re-painted the bathroom and re-did the tile that was missing; they are replacing the kitchen cabinets and the stove...etc.*

*- daughter re-arranged the boys' room*

*- the windows don't open; her ex-husband put the boards up for insulation on the stationary windows*

*- there's an awning window and a stationary window in the bedrooms*

*- there's plastic on the boys' window and on the Glyneise's window*

*- they are taking the paneling out of the basement*

*Ms. Moermond:*

*- reviewed the photos*

*- you don't have fire egress; someone has to be able to get out of those bedroom windows; people must be able to get out of them today*

*Ms. Seeley:*

*- there's a lot of storage underneath the deck (tubs from the basement until the basement walls can be painted)*

*Ms. Schilling:*

*- dining room space exits onto the deck*

*- on the deck are 2 grills, a couple tables, air conditioner, iron from an old picnic table*

*- the deck is about 9 feet (Paula says 15 feet) off the ground at the highest (it angles)*

*- the whole deck really needs to be replaced (approximately \$10,000); the wood is rotting*

*- she amended the list on Jun 3, 2013 and again on Jun 19, 2013 (she added items #11-#16)*

*Ms. Moermond:*

*- she needs to focus on safety*

*- Ms. Schilling needs to talk to someone about getting some financial assistance for some of the repairs; basic safety codes need to be met*

*- she needs to see more progress; there needs to be an action plan*

*- right now, this place is Condemnable*

*Ms. Schilling:*

*- she and Ms. Moermond went over the photographs with Ms. Schilling noting what has already been done and what will be done soon*

*Ms. Moermond:*

*- she and Ms. Seeley reviewed Ms. Schilling's photo from this morning*

*- is looking for a Work Plan for when all of this will be done*

*- needs to look toward outside financial assistance: 1) perhaps a bank could help; or 2) a nonprofit: Northeast Neighborhood Development Corporation; 3) Planning and Economic Development (PED), ask for Chou - 266-6565; - there's about \$2,000 emergency money that might work for the plumbing repair; if it's a sewer issue, they have an assessment program that goes out over 10 years- Lori Lemke 266-6230;*

*- get smoke detectors and CO detectors up ASAP*

*- plastic off the windows - ASAP and clear access to windows*

*- outline follow-up after contacting sewers, PED, nonprofits, etc.*

- take the deficiency list and write up progress made on each item; you also have photos documenting progress
- would like to see the Work Plan by the end of this week; some can be done immediately
- the back deck is unsafe; it's Condemned space
- she will share the Work Plan with Inspector Seeley
- will provide feedback

**Referred to the City Council due back on 7/24/2013**

**13**     [RLH VO 13-31](#)

Appeal of David R. Johnson to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 1810 MONTANA AVENUE EAST.

**Sponsors:**         Bostrom

*Grant the appeal on the condemnation and order to vacate. NOTE: The Certificate of Occupancy is currently revoked and owner will need a valid Fire Certificate of Occupancy before re-occupying the building or if owner chooses to sell the building, he must include a TISH report to the buyer.*

*RE: 1810 Montana Ave E (Single Family)*

*David R. Johnson, owner, appeared.*

*Fire Inspector A. J. Neis:*

- Order of Condemnation and Order to Vacate issued Jun 10, 2013 by Fire Inspector James Thomas
- the Condemnation was for water shut-off; was referred to the Vacant Building Program
- the inspector also identified several code violations on the property

*Inspector Paula Seeley:*

- Vacant Building Condemnation
- she spoke with Mr. Singerhouse about this and if Mr. Johnson has the water back on again, the VB file is closed
- there are no life-safety issues

*Mr. Neis:*

- on the re-check, it appeared that the building was unoccupied

*Mr. Johnson:*

- the tenant had been talking about buying the place for a long time (even 2 days before she move out, she talked about buying it)
- he told her that he'd have to get a Truth in Sale of Housing report; she wanted to buy with a low down payment
- she moved out and a few days later, he found out that the water was shut-off, so, he sent in a check for the big water bill she left and the water is on
- now, he has a buyer so, he'd like it reduced to a Category 1 so he can sell it; he isn't going to rent it out anymore; he wants to sell it
- the tenant left a mess in the yard, which is now cleaned-up
- they put in all new CO detectors; had the roof fixed; and fixed the little crack in the ceiling
- entered photos, which were scanned into the record
- she is comfortable making this a Category 1 Registered VB and Mr. Johnson can use a Truth in Sale of Housing Report to sell it
- will waive the VB fee for 90 days
- will recommend the City Council grant this appeal



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Referred to the City Council due back on 7/24/2013

### 11:30 a.m. Hearings

- 14 [RLH VO 13-33](#) Appeal of Kamran Mortezaee to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1221 PIERCE BUTLER ROUTE.

**Sponsors:** Stark

*Rescheduled per owner's request.*

Laid Over to the Legislative Hearings due back on 7/9/2013

### 1:30 p.m. Hearings

#### Fire Certificates of Occupancy

- 15 [RLH FCO 13-139](#) Appeal of Judy Rude to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1806 MONTANA AVENUE EAST.

**Sponsors:** Bostrom

*Deny the appeal and grant until September 15, 2013 to get the permits signed off on the furnace and dryer vent; grant until July 15 for the other remaining items.*

*RE: 1806 Montana Ave E (Single Family)*

*Judy Rude, owner, appeared.*

*Ms. Rude:*

*- we went through the house with the inspector; he said that once everything got fixed, he'd come back; we were gone one day and there was a message on the phone (she thought it was from him) but she could not understand him (she listened to it 3 times); she thinks he was calling to set up another appointment and because she couldn't understand him, they weren't at the house when he came by so, he put them down as a "no show"*

*- when she talked to him on the phone, he said he'd have to come back but he didn't really give them a date*

*- they did most of the work; what they still need to do is get a furnace and air conditioner*

*- is appealing for more time*

*Fire Inspector Leanna Shaff:*

*- Re-inspection of a Fire Certificate of Occupancy Inspection conducted by James Thomas*

*- initial inspection: 4-12-13; found 9 items, including flammables in the basement; extension cords; residential heating report; dryer duct; etc.*

*- on the same day, he sent out a letter stating that he would be back May 13, 2013 at 1 p.m.; he arrived on that date to find that they weren't there*

*Ms. Rude:*

*- her son is currently living in this house; don't know how long he will be there*

*- they need an extension to get the money together and to get the work done; at least one month*

- they know they need the furnace
- the house is paid for
- all else is taken care of except the residential heating report

Ms. Moermond:

- if the son is in the process of buying the house; if he has assumed mortgage payments, if he is on the title, then, it could be considered owner-occupied and not need the C of O
- is willing to give Appellant time to work on this
- will need a permit for the furnace replacement and for the dryer vent (can use same contractor as for the furnace)

Ms. Shaff:

- she would like to get Inspector Thomas back in to abate all the other items
- the property has a "C" rating so, it will be inspected every year

Ms. Moermond:

- will recommend granting an extension to Sep 15, 2013 to get the furnace replaced and the dryer duct permit signed-off
- all remaining items should be done by Jul 15, 2013; Inspector Thomas will come to verify that they are done; Ms. Rude will get the C of O and we'll wait until Sep 15, 2013 to see if all the permits are signed-off; if not, inspectors will be calling again
- City Council Public Hearing Jul 24, 2013

**Referred to the City Council due back on 7/24/2013**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 16 [RLH VBR 13-34](#) Appeal of Barb Grieman, on behalf of Better Business Bureau, to a Vacant Building Registration Requirement at 2706 GANNON ROAD.

**Sponsors:** Tolbert

*Grant the appeal.*

*RE: 2706 Gannon Road (General-1-story walkup Office-B- Commercial) Better Business Bureau*

*Georgia Gunderson, appeared on behalf of Barb Grieman; Gladden Smith also appeared.*

*Inspector Matt Dornfeld:*

- Revocation of a Fire Certificate of Occupancy Inspection Oct 4, 2012 by Fire Inspector Sebastian Megdahl
- Inspector Dennis Senty opened this as a Category 1 Vacant Building when the file was transferred to VB Jan 24, 2013
- there were no deficiencies documented other than the building being vacant for some time

*Fire Inspector Leanna Shaff:*

- Inspector Megdahl notes: he received a call from Barb Grieman reporting that the building is presently occupied; the Better Business Bureau has moved to another location and the building is in the process of being sold
- he Revoked the C of O and monitored the building Oct 4, 2012

- Jan 17, 2013, he verified that the building was still unoccupied; it's also "for sale" with no exterior deficiencies observed
- he spoke with Inspector Senty and the responsible party, who stated that the buyer will be closing on the property in Mar 2013
- they agreed to give the responsible party a 90-day extension on the VB fee

Ms. Gunderson:

- they had water damage in the bathrooms; the automatic flusher malfunctioned
- the place is properly maintained but this was major water damage; the city came to shut-off water at the street
- they gutted it out and remodeled it
- after they got all that water damage, the potential buyer backed out
- currently, someone else is looking to buy it; they put in a bid and we are waiting to hear

Mr. Dornfeld:

- the Revocation letter noted no violations
- this water damage probably took place after the Revocation
- permits were finalized 3-29-13 and 5-3-13

Ms. Moermond:

- there are no code violations that place this in the Vacant Building Program until it's been empty for a year and then the definition of a Registered VB kicks in
- the purchaser will need a C of O inspection before they can occupy the building
- in the meantime, you are out of the VB Program
- will look at it again in Oct 2013

**Referred to the City Council due back on 7/24/2013**

17     [RLH VBR 13-35](#)     Appeal of Jon Bruggeman to a Vacant Building Registration Notice at 944 GRAND AVENUE.

**Sponsors:**     Thune

*Grant the appeal.*

*RE: 944 Grand Ave (Single Family)*

*Jon Bruggeman, owner, appeared.*

*Fire Inspector Leanna Shaff:*

- Revocation of the Fire Certificate of Occupancy
- Inspection conducted by Michael Efferson on Feb 14, 2013
- received a copy of an email from Jeff Fischbach, Licensing, that resulted in a referral
- Email is addressed to Theresa Cuttler, tenant: As we discussed, I didn't see anything in city records that would indicate that the city building official ever approved this property as a commercial occupancy..... You inquired about using the main floor as a massage business and the 2nd floor as a separate office use. As we discussed, in addition to preparing plans, which demonstrate the spaces within a building, will be made compliant with building, fire, mechanical, ventilation, etc..... basically, it resulted in a complaint that they were running a commercial business from a residential property
- Inspector Michael Efferson went out there Feb 19, 2013 to issue Orders
- Feb 28, inspector says the owner is currently going through a zoning process and will be given time to complete that process
- later, Inspector Efferson told Ms. Shaff that nothing had been taking place

zoning-wise and the building is still being used for a business; Ms. Shaff directed Mr. Efferson to Revoke the C of O for noncompliance and sent it to Vacant Buildings

Mr. Bruggeman:

- during that whole time, he was in dialogue with Inspector Efferson about the property
- the complaint was filed by the tenant, who wanted to change the usage of the building; they were using the building as office space (he didn't know that it could not be used as office space)
- Theresa Cutler and the lady she worked for were using it as office space - they had inquired with Mr. Efferson about turning that space into a salon; he then brought up the change of occupancy code and that's when he first became aware of it
- the tenant used that complaint to bail out of a 5-year lease
- as soon as he found out that it wasn't complaint, he immediately got his drawings going; he brought them up to planning review to start the process
- he first became aware of the vacant home letter that same day that he met with planning review with his plans to convert from residential to a business use; planning review recommended that he appeal since he was so close

Ms. Shaff:

- the file has notations by Mary Montgomery, Zoning, that on 2-21-13, the owner called and he needs to legally convert to the commercial use; Mary Emailed to Mr. Fischbach who responded to Mr. Bruggeman, "Requiring code compliance" within a week of Mr. Fischbach sending out the letter

Ms. Moermond:

- 2 critical issues here: 1) zoning is B-C, Business Conversion; and 2) usage (they are not in sync)
- the whole block is Business Conversion zoned
- so, the main problem is the building code
- item #3 is written incorrectly in the Orders
- the zoning is fine but you need this code analysis done before it can be re-occupied

Mr. Bruggeman:

- it's hard for him to understand some of this; he has been in and out of the Jackson street address quite a few times this year; he is very close to getting it converted to business - he had a great meeting with Jim Bloom and everything looks pretty good with that house
- he would like to not have anything stand in his way of getting whatever he needs to getting it converted to a commercial use (it has much more value as commercial property)
- he will sell the building after it is converted

Mr. Matt Dornfeld, Vacant Buildings:

- the Vacant Building Program would be more than willing to make this into a Category 1 and waive the VB fee

Ms. Moermond:

- in this case, the violations noted aren't violations that would kick-in him into the VB Program at all; what we have is an empty building
- Mr. Bruggeman won't get any income on this building until it is consistent with the building code and the use is squared away
- if the building is still empty Apr 1, 2014 and if a major code violation is observed by a code enforcement person, it will be re-evaluated for the VB Program
- right now, this appeal is granted; you don't need to be in the VB Program
- there is still a lot to do, however
- a letter will be sent to confirm today's action (copy Jim Bloom and Steve Ubl)

Referred to the City Council due back on 7/24/2013

- 18 [RLH VBR 13-33](#) Appeal of Michelle Wilson to a Vacant Building Registration Requirement at 690 IGLEHART AVENUE.

**Sponsors:** Carter III

*Deny the appeal.*

*RE: 690 Iglehart Ave (Single Family)*

*No one appeared.*

*Mai Vang:*

- the Appellant, Ms. Michelle Wilson, owner, is not able to attend because she is incarcerated*
- she continues to send letters*

*Matt Dornfeld, Vacant Buildings:*

- Revoked Certificate of Occupancy issued Jun 28, 2012 by Fire Inspector Michael Efferson*
- Dennis Senty opened a Category 2 Vacant Building file Jun 29, 2012*
- Work Orders at the property have been performed to cut grass and abate yard Jul 3, Aug 29, 2012, Jun 6, 2013; most recently WO were performed to secure any and all open and accessible entry ways on Jun 7 and Jun 21, 2013*

*Ms. Moermond:*

- this is her 4th request for waiving the VB fee; she can't come in person*
- she says that she was never served a Revocation of Fire C of O and Order to Vacate Jun 28, 2012 (there is no requirement that she be served with it; it is sent to the owner of record, per Ramsey County Tax Records*
- numerous code violations*
- the house is empty*
- there is no Certificate of Occupancy*
- she will recommend that the Council deny this appeal*
- City Council Public Hearing Jul 24, 2013*
- her letters will be attached to the record*

*Note, after the hearing, the appellant called the hearing officer and indicated she had submitted additional material which was not considered as a part of the record. Therefore, a layover is being requested to review the additional material.*

Referred to the City Council due back on 7/24/2013

### Staff Reports

- 19 [RLH FCO 13-98](#) Appeal of Curtis Collins, on behalf of Cynthia Collins, to a Fire Inspection Correction Notice at 1477 ARKWRIGHT STREET, UNIT E.

**Sponsors:** Brendmoen

*Deny the appeal.*

*RE: 1477 Arkwright St Unit E (townhome)*

*Staff Report:*

*Fire Inspector Leanna Shaff:*

- Ms. Moermond wanted a mechanical person to take a look and take some photos
- Inspector Ellis contacted owner 6-11, 6-17 and 6-19 and left messages; no returns

*Ms. Moermond:*

- provided more phone numbers for the owner
- will recommend the City Council deny the appeal because no follow-up access to the space was gained
- Mai, please note that in the letter

**Referred to the City Council due back on 7/24/2013**

**20**     [RLH OA 13-54](#)

Appeal of Gary and Lorraine Vietor to a Letter from Department of Parks and Recreation-Operations at 1566 MONTANA AVENUE EAST.

**Sponsors:**     Bostrom

*STAFF REPORT: Need input from Building Official.*

**Laid Over to the Legislative Hearings due back on 7/9/2013**