



# 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*  
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*651-266-8585*

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Tuesday, October 22, 2013

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Special Tax Assessments (ALL FOR PH ON 1/2/14)

- 1**     **RLH TA 13-613**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 143 ARUNDEL STREET, UNIT 2.

Sponsors:            Khaliq

*Delete the assessment; 143 Arundel Street, Unit 2 should have not been assessed. Inspection was done at 231 Arundel Street, Unit 2. Real Estate Office will re-assess to correct address.*

**Referred to the City Council due back on 1/2/2014**
- 2**     **RLH TA 13-630**     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1095 ARUNDEL STREET.

Sponsors:            Brendmoen

*Delete the assessment per the recommendation of the Legislative Hearing Officer.*

*LHO recommended that the City do the clean-up of the unapproved part of the alley.*

**Referred to the City Council due back on 1/2/2014**
- 3**     [RLH TA 13-631](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 204 BATES AVENUE.

Sponsors:            Lantry

*Reduce the assessment from \$468 to \$300.*

*RE: 204 Bates Avenue (Auto Body)*

*Steven Kuehl, owner, appeared.*

*Inspector Paula Seeley:*

  - Summary Abatement was issued Aug 9, 2013; compliance date Aug 14
  - re-checked Aug 15; Work Order sent for clean-up
  - work done Aug 19, 2013 for a cost of \$308 + \$160 service charge = \$468

- sent to Steven and Evelyn Kuehl, 204 Bates; Marco Martinez, 204 Bates; Perfect Auto Body Inc, 204 Bates; and Occupant
- indicates 2 mattresses on blvd
- there was returned mail (reason: at the time the SA was sent, they had the correct information; on Aug 13, 2013, David Bergman updated the C of O responsible party to Steven Kuehl, 8035 Comstock Ct, Inver Grove Hts)
- when the SA was issued Aug 9, DSI did not have Mr. Kuehl's current address

Mr. Kuehl:

- first of all, he had no idea what was going on, so, he went to the DSI office and found out that a couch, etc. had been on the curb; he doesn't own any couches, mattresses, trash or garbage at 204 Bates; what he does own, he has containers for; his dumpster was full

Mr. Moermond:

- looks like someone dumped on your property

Mr. Kuehl:

- 204 Bates is surrounded by rental property and the trash runs down the hill; he's at the bottom
- he entered photos; his property is clean all the time
- he got a Notice about an abandoned care and he took care of that
- Marco was a partner; Mr. Kuehl terminated association with him about 2 months ago; he was out of the building mid-Aug, 2013
- Perfect Auto Body is the business at 204 Bates Ave

Ms. Seeley:

- history: Vehicle Abatement Order in Aug; exterior on ground, Sep 11, 2009 (possibility of dumping); one in 2007; latest was Dec 2011-garbage on ground

Mr. Kuehl:

- went past the building this morning and trash and garbage laying in the street and sidewalk
- every year he loses money on this property; it's not working and he'll need to change his business there

VIDEO

- had the dumpster been empty, he would have thrown the stuff in there

Ms. Moermond:

- the Notice went out Aug 9; the partnership ended the middle of Aug
- adequate Notice was provided at this address: 204 Bates
- it's Mr. Kuehl's responsibility to let the C of O people know about where they should send the mail
- noticed the gravel on the VIDEO - with weeds growing through it; and the building itself was boarded

Mr. Kuehl:

- graffiti was painted on there and he was leaving town the morning that he saw it, so, he painted over the graffiti - it wasn't boarded; just white rectangles
- the neighborhood seems to have a problem with that corner

Ms. Moermond:

- provided a graffiti waiver for the Appellant
- the gravel with weeds is an ill-maintained lot; the building has those white rectangles on it (not yet painted the consistent color, yet)

- there's no lighting on the parking lot
- there is also no signing on the lot that says, "No Dumping"
- a camera might also help to deter dumping and graffiti
- will recommend that Council reduce this assessment by 1/3, from \$468 to \$300
- encouraged the Appellant to talk to the City Council on Jan 2, 2014 at their Public Hearing if he wants it reduced further

**Referred to the City Council due back on 1/2/2014**

- 4      [RLH TA 13-625](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 226 BLAIR AVENUE. (correct address is 556 BLAIR AVENUE)

**Sponsors:**      Khaliq

*Delete the assessment due to significant length of time between the issuance of orders and work being done by the City.*

**Referred to the City Council due back on 1/2/2014**

- 5      [RLH TA 13-632](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 973 CONWAY STREET.

**Sponsors:**      Lantry

*10/24/13: owner called and stated missed hearing; rescheduled to November 5.*

**Laid Over to the Legislative Hearings due back on 11/5/2013**

- 6      [RLH TA 13-718](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 41 COOK AVENUE WEST.

**Sponsors:**      Brendmoen

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 7      [RLH TA 13-650](#)      Delete the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1146 DULUTH STREET.

**Sponsors:**      Bostrom

*Delete the assessment. (grant until June 1, 2014 for the retaining wall to come into compliance.)*

*RE: 1146 Duluth Street (Single Family)*

*Chaim Teitelbaum appeared.*

*Inspector Paula Seeley:*

- Summary Abatement for tall grass and weeds was sent Aug 1, 2013; compliance Aug 5
- re-checked Aug 6; Work Order sent
- work done Aug 7 for a cost of \$80 + \$160 service charge = \$240
- sent to Affordable Properties LLC, 15511 Afton Hills Dr S, Afton MN; Affordable

*Properties, 14805 45th St, Afton MN; and Occupant*

- letter indicated: cut tall grass and weeds on blvd
- looking at the photos, it doesn't look tall

*Ms. Moermond:*

- doesn't look like there's enough there to charge for it
- will recommend deleting this assessment
- what she sees that's problematic is a failing retaining wall (photo)

*Mr. Teitelbaum:*

- they had had the retaining wall inspection; they passed inspection

*Ms. Moermond:*

- passed photos of retaining wall to Fire Inspector Leanna Shaff
- maybe a maintenance issue more than a structural failure

*Mr. Teitelbaum:*

- the retaining wall is on their docket to do in spring

*Ms. Moermond:*

- deadline of Jun 1, 2014 to fix retaining wall
- unfortunately, she saw a glaring code violation when she looked at the photo
- the Fire Inspector should have notified you about it and given you time to work on it
- Ms. Shaff will write a letter confirming the Jun 1, 2014 deadline
- clearly, there was an oversight by staff and she does not want to punish Mr. Teitelbaum; and she wants to give him plenty of time and credit for fixing it
- the inspector will double check the wall and if it's more than is anticipated, the Order will be appealable

*Mr. Teitelbaum:*

- he and his partner agreed that they would make a decision about the retaining wall in the spring
- they don't think it's structural; in 2 years, it hasn't moved at all
- he would like to know what to do in order to comply

**Referred to the City Council due back on 1/2/2014**

- 8 RLH TA 13-648** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1401, Assessment No. at 1023 FARRINGTON STREET (Assessment Roll under 1019 Farrington street).

**Sponsors:** Brendmoen

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 11/5/2013**

- 9 RLH TA 13-651** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1133 GALTIER STREET.

**Sponsors:** Brendmoen

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

10 [RLH TA 13-618](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A Assessment No. 148501 at 790 GERANIUM AVENUE EAST.

Sponsors: Bostrom

*Reduce the assessment from \$504 to \$344 and spread the payments over 3 years.*

*RE: 790 Geranium Avenue (Duplex)*

*Francisco Ochoa, owner, appeared, along with the previous renter, Clarissa Ramos, who is interpreting.*

*Inspector Paula Seeley:*

- Summary Abatement sent Aug 21, 2013; compliance Aug 26*
- re-checked Aug 26; Work Order sent*
- work done Aug 28, 2013 for a cost of \$344 + \$160 service charge = \$504*
- Order indicated: remove sofa, appliances, mattresses, etc. in the rear yard*
- sent to Francisco Ochoa and Occupant*
- no returned mail*
- minimal history*

*Ms. Ramos for Mr. Ochoa:*

- Mr. Ochoa got an exterminator for the bed bugs that were there from the renters before her; he didn't understand the paperwork he got from the exterminators (they needed to keep on coming out), which neither one understood and they needed to have money*
- the exterminators had ordered him to throw out the furniture; he put their couches out front*
- he threw the mattresses, couches, etc. with bedbugs in the back yard of the house*
- she and her husband thought that Mr. Ochoa had put some of their stuff in the garage; however, the city took all of the material in the back, including their materials*
- the city also took away a good stove that Mr. Ochoa was going to use*

*VIDEO showed that the city took everything in the back yard, including their bags of clothing, etc.*

*Ms. Moermond:*

- this is not a Certificate of Occupancy property because Mr. Ochoa lives there, too, upstairs*

*Ms. Ramos:*

- Mr. Ochoa's daughters usually read his mail when they come to visit; however, they were not coming to the house during that time; later on, Mr. Ochoa asked her to read the mail because he didn't understand all of it*

*Mr. Moermond:*

- wants to give Mr. Ochoa some credit because he didn't have anyone to help him interpret the letters*
- at the same time, there's a responsibility to maintain the property*
- letters went both to Mr. Ochoa and the Occupant (there is a statement in Spanish, indicating to call if you need help with an interpreter)*
- this was a huge clean-up for the city*
- will recommend the assessment be reduced by the service charge = \$344 spread over 3 years (consideration for the language barrier; there will be no consideration for that in the future)*
- he can fill out a Claim Form against the city for the personal items that the city took*

- City Council Public Hearing Jan 2, 2014; call for an interpreter if you plan to come

**Referred to the City Council due back on 1/2/2014**

- 11 **RLH TA 13-647** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 97 HATCH AVENUE.

**Sponsors:** Brendmoen

*Reduce the assessment from \$325 to \$245.*

*RE: 97 Hatch Avenue (Single Family)*

*Larry Elvendahl, owner, and son appeared.*

*Fire Inspector Leanna Shaff:*

*- Fire Certificate of Occupancy inspection fee for a cost of \$170 + \$155 service charge = \$325*

*- Orders dated: May 9, 2013; he complied on Jun 3, 2013*

*- bill dates: Jun 5 and Jul 5, 2013*

*- sent to Larry Elvendahl, 1821 Cinnabar Ct, Eagan MN*

*Mr. Elvendahl:*

*- everything was taken care of*

*- he had a smoke detector on the ceiling, too, but he thinks he's being charged for that*

*- didn't understand what was going on with this - they walked through with the person, who pointed out a few things*

*- doesn't know where the costs are coming from; didn't know what this was about*

*Ms. Moermond:*

*- noticed 2 no entry fees on the same day that you are showing that you have an inspection; she would like to see that corrected (Ms. Shaff:*

*- those are not part of the bill)*

*Ms. Moermond:*

*- you start with a \$170 fee, basic C of O fee*

*- the \$155 is a service charge on top for processing*

*- asked is his son, who was staying there, is dependent upon Mr. Elvendahl (Mr. Elvendahl: no)*

*- the looks at a property to see if it's non-owner occupied; then, it needs a C of O*

*- will recommend cutting the administrative (service) fee in half, from \$155 to 75*

*- total assessment will be reduced to \$245*

**Referred to the City Council due back on 1/2/2014**

- 12 [RLH TA 13-634](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 394 HOPE STREET.

**Sponsors:** Lantry

*Approve the assessment.*

*RE: 394 Hope Street (Duplex)*

*Ben Hofsfeld, Covenant Capital LLC, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement issued Aug 15, 2013; compliance Aug 19
- re-checked Aug 22; Work Order sent
- work done Aug 26, 2013 for a cost of \$160 + \$160 service charge = \$320
- carpeting, chairs, trash/litter in front yard
- sent to Trinkin Properties, 2115 Co Rd D East Ste C200, Maplewood; and Covenant Capital LLC, 2300 Gervais Hills Dr, Little Canada
- no returned mail
- a Tall grass and weeds letter was also sent on Aug 14

*VIDEO for tall grass and weeds*

- the trash, carpeting, chairs, etc. had already been done

*Mr. Hofsfeld:*

- have severed the relationship with Trinkin Properties

*Fire Inspector Leanna Shaff:*

- gave him a form to fill out with current contact information for his 21 properties

*Mr. Hofsfeld:*

- has never been here before; doesn't have much of a defense
- didn't get a Notice about the tall grass; Trikin got it
- did get Noticed about the material in the yard and we took care of that

*Ms. Moermond:*

- will recommend approval of this assessment

**Referred to the City Council due back on 1/2/2014**

**13**     [RLH TA 13-644](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 1890 IVY AVENUE EAST.

**Sponsors:**         Bostrom

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

**14**     [RLH TA 13-635](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 733 JENKS AVENUE EAST.

**Sponsors:**         Bostrom

*Reduce the assessment from \$648 to \$528.*

*RE: 733 Jenks Avenue (Single Family)*

*Ben Hofsfeld, Covenant Capital LLC, owner, appeared.*

*Inspector Paula Seeley:*

- tall grass and weeds letter and a Summary Abatement Order to cut back bushes along public sidewalk
- TG&W ltr sent Jul 26, 2013; compliance Jul 30

- re-checked Jul 31; Work Order sent  
 - work done Aug 1  
 - SA to cut back bushes was sent Jul 29; compliance Aug 5  
 - re-checked Aug 12; Work Order sent  
 - work done Aug 14  
 - cost: \$648  
 - sent to Covenant Capital LLC, 2300 Gervais Hills Dr, Little Canada; and Aurora Loan Services, LLC, 350 Highland Dr, Lewisville, TX  
 - photos  
 VIDEO tall grass and weeds over 8 inches tall

Mr. Hofsfeld:  
 - they weren't aware of the Order

Ms. Moermond:  
 - will recommend approval of this assessment  
 VIDEO for cutting bushes back from sidewalk

- this VIDEO wasn't the best but the photo indicates it well  
 - photos were given to Appellant  
 - will recommend reducing the total combined assessment by 1 service charge for a total of \$528

**Referred to the City Council due back on 1/2/2014**

- 15 [RLH TA 13-649](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 503 KENNY ROAD.

**Sponsors:** Thune

Delete the assessment. Abatement orders were not mailed.

**Referred to the City Council due back on 1/2/2014**

- 16 **RLH TA 13-627** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 506 KENNY ROAD.

**Sponsors:** Brendmoen

No one appeared; approve the assessment.

**Referred to the City Council due back on 1/2/2014**

- 17 [RLH TA 13-643](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1252 MCLEAN AVENUE.

**Sponsors:** Lantry

10/24/13: owner called and stated his wife was sick and he didn't have time to send in written statement. I told him that this will be the last reschedule date and if we don't receive a letter from him, the assessment will be approved and there will not any more rescheduling. -mxv

10/17/13: Owner called and stated he lives out of state and cannot attend hearing, will send in written statement for his appeal. There was no written statement in at the time of hearing. Approve the assessmnet.



**Laid Over to the Legislative Hearings due back on 11/5/2013**

- 18 RLH TA 13-617** Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 1279 MACKUBIN STREET.

**Sponsors:** Brendmoen

*Delete the assessment.*

*RE: 1279 Mackubin Street (Single Family)*

*Paul Belmonte, owner, appeared.*

*Inspector Joe Yannarely:*

- Vacant Building fee
- now, this is a Category 3 Vacant Building
- been in the VB Program since Jun 30, 2010

*Mr. Belmonte:*

- in 2010, he wasn't too sure what he wanted to do with the building
- he has been working with Inspector Matt Dornfeld since Apr 2013 to have the place torn down; he thought that it would be down by now so that he wouldn't have the VB fee
- he wants the city to tear down the building so that it's done right
- he does maintain the property

*Mr. Yannarely:*

- City Council voted on this Aug 24, 2013 to remove it but it probably won't be removed until January due to funding
- there have been no maintenance problems with the property

*Ms. Moermond:*

- will recommend that the City Council delete this assessment

**Referred to the City Council due back on 1/2/2014**

- 19 RLH TA 13-636** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 851 MARION STREET.

**Sponsors:** Brendmoen

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 20 RLH TA 13-641** Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 559 MINNEHAHA AVENUE EAST.

**Sponsors:** Brendmoen

*Delete the assessment.*

*RE: 559 Minnehaha Avenue East (Single Family)*

*Jamey Zahn, owner, appeared.*

*Inspector Paula Seeley:*

- tall grass and weeds letter went out Aug 12, 2013
- Summary Abatement Order was sent Aug 16, 2013 to cut grass on blvd and front of house
- re-checked Aug 20; Work Order sent
- work done Aug 22 for a cost of \$160 + \$160 service charge = \$320
- no returned mail

*Mr. Zahn:*

- received only 1 Summary Abatement Order dated the 16th regarding the grass
- they have a nuisance neighbor to the west of their property, who calls the city frequently regarding; they call it weeds - they have a wall of ivy in the back yard; also, along the property line in the inside of their fence, they have done some extensive work; they have planted sumac; put in tulip and wild flowers they bought at Bachman's; they were working on one part of the yard that is split - growing ivy for a trellis
- in the back yard, they had an organic garden where they planted 75-100 lbs of organic spearmint (at \$8/oz); also had fruits and vegetables in it; rhubarb along the back wall
- looks as though the city cut everything right down to the ground and applied herbicide and nothing will grow; they have tried to plant in there but nothing will grow

*Ms. Moermond:*

- what happened here?

*VIDEO- showed that they cut everything down that was over 8 inches tall*

*Mr. Zahn:*

- although they have "No Trespassing" signs up with a fenced-in locked gate/yard - all the plants they planted were wacked off by the city
- the Abatement Order says to cut grass on blvd and the front of house, which was done
- these maintenance people broke into their backyard and killed their garden and their ivy

*Ms. Moermond:*

- the tall grass and weeds letter covers the entire property
- the Summary Abatement Order itself says to cut grass on the blvd and front of house
- will recommend this assessment be deleted because the city cut everything down, including what was in the back yard

**Referred to the City Council due back on 1/2/2014**

**21**     [RLH TA 13-645](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 615 MINNEHAHA AVENUE EAST.

**Sponsors:**         Bostrom

*Delete the assessment.*

*RE: 615 Minnehaha Avenue East (Duplex)*

*Phil Beaumia, owner, appeared.*

*Inspector Joe Yannarely:*

- Vacant Building Registration fee
- Cat 2 VB file opened Jul 10, 2012; closed Sep 25, 2013 after it received a Code Compliance Certificate
- 2 1/2 months after the anniversary date

*Ms. Moermond:*

- will recommend this assessment be deleted

**Referred to the City Council due back on 1/2/2014**

- 22**     [RLH TA 13-615](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. VB1402 at 1964 MONTANA AVENUE EAST.

**Sponsors:**             Bostrom

*Delete the assessment because vacant building file was closed with sign off and new owner in compliance five weeks after anniversary date.*

**Referred to the City Council due back on 1/2/2014**

- 23**     [RLH TA 13-637](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 992 OMABAN STREET.

**Sponsors:**             Bostrom

*Approve the assessment.*

*RE: 992 Omaban Street (Twinhome)*

*Qing Fang, owner, appeared.  
(wife of Jiaying Ma)*

*Inspector Paula Seeley:*

- Summary Abatement issued Aug 15, 2013; compliance Aug 20
- re-checked Aug 20; Work Order sent
- work done Aug 22, 2013 for a cost of \$316 + \$160 service charge = \$476
- no returned mail
- sent to Occupant, 992 Omaban St; and Jiaying Ma, 6689 Timber Ridge Lane Ct, Cottage Grove
- garbage on the ground; must have current trash hauler
- someone called later and reported trash service

*Ms. Fang:*

- they received the letter about the garbage service but the other one was in a pile of mail of less importance and they did not read until later
- the renter said they didn't receive a letter

VIDEO

*Ms. Fang:*

- the renter cleaned up the yard and put it in a bag; they don't understand English very well

*Ms. Moermond:*

- the mail was sent to you; it's your bill
- legally, you and your husband are required to maintain your property
- the SA was sent out Aug 15, which gave you until the 20th
- will recommend approval of this assessment

**Referred to the City Council due back on 1/2/2014**

- 24**     [RLH TA 13-609](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 685 ORANGE AVENUE.

**Sponsors:**         Bostrom

*Delete the assessment. Dwelling received code compliance certificate 30 days after anniversary date.*

**Referred to the City Council due back on 1/2/2014**

- 25**     [RLH TA 13-638](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 591 ORLEANS STREET.

**Sponsors:**         Thune

*Approve the assessment.*

*RE: 591 Orleans Street (Single Family)*

*Angela White Smith, owner, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order issued Aug 13, 2013; compliance Aug 17
- re-checked Aug 19; Work Order sent
- work done Aug 22, 2013 for a cost of \$288 + \$160 service charge = \$448
- sent to Angela White Smith, 591 Orleans St and Occupant
- no mail returned
- also a Vehicle Abatement Order was issued Aug 6, 2013 for improperly parked bus on blvd covered with graffiti and lacking current license tabs; Work Order was sent to SPPD Aug 12 to remove the bus; bus was found to be in compliance upon re-inspection Sep 6, 2013
- there are no charges for the bus

*Ms. Smith:*

- the refuse behind the shed was actually a project she was working on
- the dumpster bag was removed - it should not have been there
- she is not getting resolution on the vandalism of the bus even though they know who did it; she was also charged for the graffiti on the bus
- the pallet was going to be used to replace some of the wood on the shed; she repurposed some of the siding with pallet wood

*VIDEO of clean-up: scrap wood; pallets, etc.*

*Ms. Moermond:*

- will recommend approval of this assessment

**Referred to the City Council due back on 1/2/2014**

- 26**     [RLH TA 13-646](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project

No. VB1402, Assessment No. 148801 at 1120 PAYNE AVENUE.

**Sponsors:** Bostrom

*VB file opened on 7/1/11 and closed on 8/21/13. Delete the assessment as it was resolved less than 2 months after anniversary date.*

**Referred to the City Council due back on 1/2/2014**

- 27     **RLH TA 13-626**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 87 PRIOR AVENUE NORTH.

**Sponsors:** Stark

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 28     **RLH TA 13-624**     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No.148201 at 173 ROBERT STREET SOUTH.

**Sponsors:** Thune

*Approve the assessment.*

*RE: 173 Robert Street South (Restaurant/Bar-B-Commercial)*

*Mary Perkins and Kyrina Souvanaphong, owners, appeared.*

*Fire Inspector Leanna Shaff:*

- Fire Certificate of Occupancy bill for \$450 + \$155 service charge = \$605*
- Date of Orders: 1/29/13; 3/20/13; 4/18/13; and 5/21/13*
- Compliance date: Jun 14, 2013*
- Billing dates: 6/18/13 and 7/18/13*
- sent to owners at 173 Robert St S*
- got the Gold Card*

*Ms. Perkins:*

- she was confused*
- she was trying to get the Ramsey County adjuster to come down; doesn't think the property is valued correctly*

*Ms. Moermond:*

- this bill is for the fire inspection, which is done every 2 years*
- will recommend approval of this assessment*

**Referred to the City Council due back on 1/2/2014**

- 29     [RLH TA 13-639](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1347 SEARLE STREET.

**Sponsors:** Bostrom

*Approve the assessment.*

RE: 1347 Searle Street (Single Family)

Josh Rietmann, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order sent Jul 25, 2013; compliance date Jul 30
- re-checked Aug 1, 2013; Work Order sent
- work done Aug 1, 2013 for a cost of \$288 + \$160 service charge = \$448
- mattresses, chairs, cushions in the back of the property on deck; referral from PED
- photo

VIDEO

Mr. Rietmann:

- got the Orders in Jun and Jul for weeds and grass, which he took care of but never got a Notice for this furniture
- he came today because he didn't know what that \$448 was for

Ms. Moermond:

- will recommend approval of this assessment

**Referred to the City Council due back on 1/2/2014**

- 30**     [RLH TA 13-614](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 1465 SELBY AVENUE.

**Sponsors:**     Khaliq

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 31**     [RLH TA 13-629](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 650 SHERBURNE AVENUE.

**Sponsors:**     Khaliq

*Delete the assessment; orders sent to incorrect address.*

**Referred to the City Council due back on 1/2/2014**

- 32**     [RLH TA 13-640](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 1120 SIXTH STREET EAST.

**Sponsors:**     Lantry

*No show; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 33**     [RLH TA 13-642](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 305 THOMAS

AVENUE.

**Sponsors:** Khaliq

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 34 [RLH TA 13-616](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 311 WALNUT STREET.

**Sponsors:** Thune

*No one appeared; approve the assessment.*

**Referred to the City Council due back on 1/2/2014**

- 35 **RLH TA 13-622** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1402, Assessment No. 148201 at 1253 WATSON AVENUE

**Sponsors:** Thune

*Approve the assessment.*

*RE: 1253 Watson Avenue (Single Family)*

*Luz Marina Guelcher, owner, appeared.*

*Fire Inspector Leanna Shaff:*

- *Fire Certificate of Occupancy Inspection fee*
- *cost: \$170 + \$155 = \$325*
- *orders dated: Apr 17, 2013 and May 17, 2013*
- *compliance date: Jun 18, 2013*
- *billing dates: Jun 20, 2013 and Jul 20, 2013*

*Ms. Guelcher:*

- *she was out of the country and her mail didn't get opened up soon enough*
- *why is this \$155 more than her bill? it's too high for her*

*Ms. Moermond:*

- *that's the administrative fee for changing it into an assessment*
- *will recommend approval of this assessment*
- *City Council Public Hearing is Jan 2, 2014, the next stop*

**Referred to the City Council due back on 1/2/2014**

- 36 [RLH TA 13-652](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402A, Assessment No. 148501 at 757 FULLER AVENUE. (Recommendation is forthcoming)

**Sponsors:** Khaliq

*LHO will decrease the assessment but amount of the reduction will be forthcoming.*

*RE: 757 Fuller Avenue (Single Family)*

*Martin and Danisha Vulu, owners, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order sent Aug 20, 2013; compliance date: Aug 26
- re-checked Aug 27; Work Order sent
- Work done Aug 28 for a cost of \$326 + \$160 service charge = \$476
- sent to Martin and Danisha Vulu, 757 Fuller Ave
- no returned mail
- remove sofa, couch, misc refuse and trash along the overhead door of garage
- photos
- history: 1 time in 2010; 1 time in 2011

VIDEO

*Mr. Vulu:*

- curious to know what the debris on top of the garage was

*Ms. Vulu:*

- a portion of that fence is the next property
- the pallet was on that property, not on mine
- they have never had any issues with trash in the back of their house
- the couch is her responsibility

VIDEO again

*Mr. Vulu:*

- the fee is excessive for the disposal of the sofa; he had every intention to take care of it

*Ms. Vulu:*

- they pay their taxes and they are good people in their neighborhood
- the couch belongs to her; she put it out and her husband didn't get it removed on time
- they always take care of the dumping because they think it's their responsibility

*Ms. Moermond:*

- she wants to give them credit for being a good neighbor in the past
- she will reduce the assessment but she needs to ponder on the amount

**Referred to the City Council due back on 1/2/2014**

**37**     [RLH TA 13-653](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148501 at 1138 FOREST STREET.

**Sponsors:**         Bostrom

*Approve assessment.*

*If in compliance by November 1, 2013, will reduce the assessment from \$1595.00 to \$600.*

*RE: 1138 Forest Street (Duplex)*

*Saysana Pommalath, owner, appeared.*



*Inspector Joe Yannarely:*

- Registered Vacant Building fee
- Category 2 Vacant Building since Jul 22, 2011
- recently received a final on the electrical permit (Apr 13, 2013)
- there are active permits on mechanical, warm air and plumbing

*Mr. Pommalath:*

- going to be finished this week
- plumbing inspector is supposed to be there today to do the final
- mechanical - a couple days from now
- the reason it is taking so long is I had spinal surgery (introduced a letter from his Dr.); he couldn't do anything for a while
- it took 2 years for recovery
- he can't get those people in until he does some of the work

*Ms. Moermond:*

- if he gets the Certificate of Occupancy issued by Nov 1, 2013, she will cut the fee down to \$600;
- if he gets the C of O issued by Jan 2, 2014, she will cut it down to \$1,200

*Note, as of 11-27-13 permits are pulled, but none are finalized. Therefore, recommendation is approval of the assessment.*

**Referred to the City Council due back on 1/2/2014**

#### **Special Tax Assessment Rolls (1/2/14)**

- 38 RLH AR 13-91** Ratifying Collection of Certificate of Occupancy fees billed May 27 to June 28, 2013. (File No. CRT1402, Assessment No. 148201)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/2/2014**
- 39 RLH AR 13-100** Ratifying Collection of Vacant Building fees billed January 7 to June 21, 2013. (File No. VB1402, Assessment No. 148801)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/2/2014**
- 40 RLH AR 13-135** Ratifying Towing of Abandoned Vehicle services during January to May 2013. (File No. J1401V, Assessment No. 148000)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/2/2014**
- 41 RLH AR 13-102** Ratifying Property Clean Up services during August 1 to August 29, 2013. (File No. J1402A, Assessment No. 148501)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/2/2014**

- 42    **RLH AR 13-103**    Ratifying Trash Hauling services during August 7 to August 28, 2013.  
(File No. J1402G, Assessment No. 148701)  
Sponsors:        Lantry  
**Referred to the City Council due back on 1/2/2014**
- 43    **RLH AR 13-104**    Ratifying Graffiti Removal services during July 27 to August 15, 2013.  
(File No. J1402P, Assessment No. 148401)  
Sponsors:        Lantry  
**Referred to the City Council due back on 1/2/2014**

### 11:00 a.m. Hearings

#### Summary Abatement Orders

- 44    [RLH SAO 13-47](#)    Appeal of Wally Nelson and Sass, Inc. to a Summary Abatement Order at 449 BANFIL STREET.  
Sponsors:        Thune
- Grant the appeal on the condition that the appellant put up posts to prevent parking in the back and grant an extension until December 1, 2013 to put down fresh class 5 and/or recycled asphalt on areas where needed until spring for full re-surfacing.*
- RE: 449 Banfil Street (Single Family)*
- Wally Nelson, SASS Inc., owner, appeared.*
- Ms. Moermond:*
- we talked last week
  - Mr. Nelson drew a diagram, which staff has had a chance to review
- Mr. Nelson:*
- his plan is to put in posts near the beginning of the back yard so that no one can drive/park in the back yard
  - the neighbors are complaining about the tenants parking in the back yard and about too many cars being parked on the street
  - the driveway has been there forever and it gets muddy
  - his solution is to either put in class 5 or re-cycled asphalt on the existing shared driveway between the houses
  - when he bought the building approximately 17 years ago, they tore down a couple garages because they were deteriorating and falling down
  - the trailer has been dumped but it is still there on an unapproved surface but he will deal with that
- Inspector Paula Seeley:*
- she doesn't see a problem with his plan
  - the trailer needs a license and an approved surface to be parked on
- Ms. Moermond:*
- would recommend granting the appeal on putting up the posts and re-surfacing the driveway with re-cycled asphalt

Mr. Nelson:

- he would like to do it right now but he wants it to be done right and they can't with winter coming

Ms. Seeley:

- thinks that he can put down a little gravel now and then lay the re-cycled asphalt next spring

Ms. Moermond:

- the deadline for the installing the posts and temporary class 5 gravel surface is Dec 1, 2013

- the re-cycled asphalt can wait until next spring

**Referred to the City Council due back on 11/20/2013**

**45**     [RLH SAO 13-44](#)     Appeal of John Krenik to a Summary Abatement Order and Correction Notice at 1270 CLEVELAND AVENUE SOUTH.

**Sponsors:**     Tolbert

*Grant an extension until November 22, 2013 to come into compliance with the Order. If the items are not addressed, inspector will commence further enforcement action on Monday, November 25.*

*RE: 1270 Cleveland Avenue South (Vacant Land)  
1270 Cleveland Avenue North (Single Family)*

*John Krenik, owner, appeared.*

Mr. Krenik:

- history: there's been some history on the property because of a personality difference between him and a DSI individual; since that time, he has worked with Mr. St. Martin and his attitude was "what's in the past is in the past; let's move on." Since dealing with Mr. St. Martin, things have been the opposite of what they used to be

- he filed this appeal because he could not get a hold of Mr. St. Martin; apparently, Mr. St. Martin had gone to a workshop; Inspector Seeley also tried to contact Mr. St. Martin

- Mr. St. Martin said that had he not filed an appeal, he could have worked with him, which he found very refreshing

- he has had a lot of problems since he started this project: his mother died; the soil conditions; having to change plans; etc.

- he would have had this done in Aug, 2013, but he was assaulted and was injured on the job, which took him away from this project

- his son and others are now coming to help him finish

- his faith in the city has been revived by Inspector St. Martin

Inspector Scott St. Martin:

- he assumed this file from Inspector Essling

- a newer complaint came up in Sep 2013 regarding excessive storage and tall grass and weeds

- he issued a Summary Abatement Order on improperly stored materials; along with a Vehicle Abatement Order and a SA for tall grass and weeds

- he found that there was an existing open file on this in regards to the same issues

- he sent out the Orders and spoke with Mr. Krenik a few times; then, he filed the appeal

- photos were taken yesterday

- the vehicle tabs were updated (in compliance)

Ms. Moermond:

- this property has been discussed here before  
- this appeal was denied and granted an extension (City Council vote took place on Jan 4, 2012; it required that an extension be granted through Aug 31, 2012; removal of the items, entirely); why are we still talking about this in Oct 2013?  
- at this point, she would normally see someone from DSI issuing a Work Order or a Criminal Citation; actually, she would have anticipated that back in Sep of 2012; the original appeal is from 2011

Mr. St. Martin:

- change in staff; and that's why he opened up a new Summary Abatement on it (he went out to inspect) and Mr. Krenik explained his situation  
- the Correction Order was for parking on an unapproved surface

Ms. Moermond:

- she sees that Councilmember Tolbert recommending an extension be granted to Aug 31, 2012 to remove the exterior storage  
- we have a Correction Order and a Summary Abatement Order  
- at City Council Public Hearing Nov 20, 2013  
- Mr. Krenik has appealed the Correction Order and the Summary Abatement Order

Mr. Krenik:

- re the vehicle parked on unapproved surface: Mary Montgomery wrote on his permit that he could drive in there, park where he needed to unload, etc., temporarily; if he wanted to park permanently, he needed to get site plan approval; yesterday, he brought in the lumber for the last part of what he needed to do; (Mr. St. Martin hasn't talked with Mary Montgomery about the parking)  
- he introduced a letter from Ms. Montgomery, which clearly states that it's a temporary use only while the project is going on ("as needed")  
(Mr. St. Martin is OK with that)  
- the building inspector has been coming to inspect  
- entered a diagram of the house and project materials (brick) and explained what he will be removing by this weekend; some materials will be put into the building (the majority of all this will be gone this weekend)  
- he has a workman, Chris Tupa, coming to do the block work on the gabled end (photo) the first week in Nov 2013  
- has had some setbacks (originally, the block was not put in correctly; will need to be removed and done right to meet requirements)  
- his excavator had a heart attack and was delayed in back filling; the 3rd week in Nov 2013, he will get it done  
- his son came in from California to help out  
- is asking for another 30 days to finish it up  
- his wife lives at 1270 Cleveland and he lives at 1842 Hewitt Ave  
- they are in the process of taking care of the legalities of whose name in on the appropriate address as the owner

Ms. Moermond:

- sympathized with Mr. St. Martin's inheriting this file  
- she will need to explain all this to the City Councilmember  
- will recommend the appeal be denied and an extension granted to Nov 22, 2013; if the project is not done, a Work Order could commence the following Mon, Nov 25, 2013  
- it's possible that City Council could grant additional time

**Referred to the City Council due back on 11/20/2013**

- 46 [RLH SAO 13-49](#) Appeal of Brian Chouteau to a Vehicle Abatement Order at 549 COTTAGE AVENUE EAST.

**Sponsors:** Bostrom

*Owner called and withdrew his appeal. Issue resolved.*

**Withdrawn**

- 47 [RLH SAO 13-48](#) Appeal of Steve Sloan to a Summary Abatement Order at 1689 THIRD STREET EAST.

**Sponsors:** Lantry

*Per Paula Seeley, issue resolved.*

**Withdrawn**

#### **Correction Orders**

- 48 [RLH CO 13-31](#) Appeal of Alan T. Tschida, Selby Dale LLC, to a Correction Notice at 600 SELBY AVENUE.

**Sponsors:** Khaliq

*Appellant needs to file with the Board of Zoning Appeals (BZA). (Enforcement action is stayed.)*

*Ms. Moermond:*

*- gave Appellant a month to file with the BZA*

*- once the BZA has it in their hands, enforcement is stayed until there is resolution on it*

**Withdrawn**

#### **Orders To Vacate, Condemnations and Revocations**

- 49 [RLH VO 13-49](#) Appeal of Wendy Jansen to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 610 ST. ALBANS STREET NORTH.

**Sponsors:** Khaliq

*Owner called and stated she is sick. Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 11/5/2013**

#### **11:30 a.m. Hearings**

- 50 [RLH VO 13-52](#) Appeal of Rene Castile to a Correction Notice - Re-Inspection Complaint at 1032 MAGNOLIA AVENUE EAST (Condemnation for unsafe heating).

Sponsors: Bostrom

*Deny the appeal.*

*RE: 1032 Magnolia Avenue East (Single Family)*

*Rene Castile and a man, tenants, appeared.*

*Ms. Moermond:*

- unsafe heating with a baby in the house
- knows they put in a phone call to the owner of the building, Eng Tat Ng, to let him know that the city was concerned about this and he should be at this hearing

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Correction Notice
- referral dated Oct 17, 2013; there is no heat (Xcel shut-off gas to the stove; it should be replaced); broken window
- Inspector Tonnancour went out Oct 17 and issued Correction Orders to the owner
- there was to be a re-inspection the next day, Oct 18; Inspector went out and re-scheduled the inspection to Oct 27 at 9 am; he noted several code violations, including failure to maintain a temperature of 68 degrees - the reason for the Order of Condemnation
- there may be a couple more days to get the heat restored; Xcel would need to approve and un-tag any faulty equipment/appliances or piping

*Ms. Castile:*

- they have a young child, too.
- she's been out of heat for 6 months; because it was summer, she didn't mind
- owner said that he ordered the parts to fix the heat but someone stole the parts out of his mailbox (his first excuse)
- then, he bought them portable heaters

*Ms. Moermond:*

- this repair work requires a licensed contractor (Mr. Neis: there are no permits on file for these repairs)

*Male tenant:*

- someone from Xcel came to check the gas and the stove; he said that there's a high gas level coming from the stove and it isn't even working; he shut-off the gas to the house and told us not to turn on the electric heaters any more; he would red-tag the stove (hazardous)
- they contacted the landlord to tell him that the stove should be replaced and he should check the heating system
- the landlord came over and cleaned the stove with a cleaner and turned the gas back on; he took off the red tag and left
- so, he called the Fire Marshall and told him that haven't been able to cook in the house and they don't have any heat either

*Mr. Neis:*

- there's a potential that there is still gas seepage in the house; it needs to be aired out, possibly

*Ms. Castile:*

- they have been trying to move but the landlord claims that they owe him money but the Fire Marshall said that we shouldn't do that
- we've been paying rent; landlord said that he needed the money
- landlord said that the water would be shut off if she didn't pay him \$500; water dept

*disputed that - the bill was only \$75*

*- water people said that they contacted the landlord and told him that if he didn't replace the water meter, the water would be shut off*

*Male tenant:*

*- landlord told him that if he deposited \$500 into his account, then he would come and fix the heat*

*- this past weekend the landlord sent messages: Is it cold in the house? Are the portable heaters working? (he kept all the messages; landlord told him to give him \$1,000); landlord said he would tow mom's car from the garage and sell it so he could fix the heat*

*- he told the landlord that he would pay for the parts if he'd get them and come and fix the heat but he hasn't*

*Mr. Neis:*

*- pulled up weather report for next 10 days (highest is 50 degrees Sunday; below freezing every night)*

*- he has serious concerns about anyone occupying the building*

*Ms. Castile:*

*- almost current on the rent*

*- talked to legal aid on the phone this morning and gave them all their paperwork (Jerry Klusman)*

*Ms. Moermond:*

*- it's possible through Southern Minnesota Regional Legal Services, that the court can Order that you guys are put up in a hotel in another location, paid for by the landlord because he's not providing housing, per your agreement*

*- if the landlord wants to get rid of you, he needs to file paperwork on that and he hasn't done that*

*- she can make recommendations on getting the house fixed, not on evicting tenants for the landlord*

*Ms. Castile:*

*- they are trying to move but they don't have the deposit money*

*- the baby is currently at her mom's*

*Male tenant:*

*- he has been giving the landlord every pay day, at least \$500 or \$600 twice a month but the heat is never fixed*

*- he works from 3-8 p.m. today*

*Ms. Moermond:*

*- if the landlord were a good human being, he would be taking care of getting the heat and stove fixed*

*- she wants to see if Jerry Klusman can do an emergency case; (will call ASAP)*

*- she is really uncomfortable with this gas situation; it just takes a spark*

*- there's a leak in the oven and as soon as the gas goes on... it could be over*

*- the fact that the landlord turned the gas back on after Xcel shut it off shows that he's not reliable for working with to make sure that everything works; their lives could be in danger if she granted them more time to live there*

*Ms. Castile:*

*- her mom is packing because she will be moving out of town--out of state*

*Mr. Neis:*

- will try to call Mr. Tonnancour right now to see if he did shut off the gas valve again

Ms. Moermond:

- she wants a gas reading on the house; need Xcel to do a walk through on that

(Took Recess for lunch; will resume at approximately 1:20 p.m.) \* \* \* \* \*

Ms. Moermond:

- was unable to get ahold of Jerry Klusman, SMRLS

- Xcel will call my cell during this hearing

Mr. Neis:

- for the record, Inspector Tonnancour did go down into the basement; he did not smell gas when he was at the house yesterday but he was not comfortable touching the building surfaces; so, the gas is still left on

- Inspector Leanna Shaff will Condemn the building under the Fire Certificate of Occupancy and set the vacate date

Male Tenant:

- the space heaters are from Menards; there are 3 of them

(Phone call from Xcel taken at 1:43 p.m.; don't have an answer yet)

2:09 p.m.:

Ms. Moermond:

- what Xcel said so far: We went out there; we put our red tag on the appliance and the source of fuel. After that point, it's not supposed to be used and enforcement goes over to the city. Enforcement piece is getting people out if the things aren't fixed. Xcel is saying that they cannot go back and do a "shut-off" based on that; now city has to do the enforcement. The city's preference is that it gets shut-off completely from the outside. Xcel going back out again and shutting off may put them in the cross hairs of state law governing utilities (that's what they are trying to figure out). In other words, they may not have the authority to go in and turn it off based on this "red tag."

Ms. Castile:

- the landlord claims that he doesn't have keys to the building

Ms. Shaff:

- asked why can't the tenants turn off their own gas(?) - where it comes right into the house; put a pad lock around it

- turn the lever so that it's lined up with the pipes; then, it's off

- that lever is held on with a little nut

- we certainly don't want a gas leak

Ms. Moermond:

- we now know that the shelters are full

- in the short term, maybe there's a couple nights with mom

Ms. Castile:

- we need a couple more days to get the money to pay the deposit; to the end of the month

- emergency assistance won't give them the deposit because she gave the money to the landlord

- her lease was up in Jul 2013



- is afraid that the landlord will come and take their possessions if they aren't there

Ms. Shaff:

- the landlord has all sorts of recourse if you don't pay unless you have the money in escrow  
 - she would feel more comfortable if she were given a chance to inspect  
 - she doesn't trust that the landlord won't come in and switch the gas back on again; (he's been irresponsible in the past)

Ms. Moermond:

- how locked down do we need that gas to be from now until Nov 1, 2013 (?)  
 - tried calling Kay Wittgenstein, Housing Social Worker, who is out of the office until tomorrow  
 - is leaning on getting these folks out of that house; wishes she had a safety net for them  
 - needs to hear back from Xcel; will contact Ms. Castile when she does  
 - she doesn't want to put them in a shelter system; even more, she doesn't want to see the house blow up  
 - if she gets a call from Xcel and they can lock it down, the game is changed; if they don't and we have to assume that they can't do it, you need to make preparations to be somewhere else tonight  
 - she needs to worry about their safety more than about their possessions  
 - will recommend this appeal be denied  
 - she will be in touch  
 - put the house on night checks

**Referred to the City Council due back on 11/6/2013**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

51 [RLH FCO 13-204](#) Appeal of Patricia Palmen to a Correction Notice - Re-Inspection Complaint at 1520 ALBANY AVENUE.

**Sponsors:** Stark

*Grant until December 1, 2013 for the gravel to be redressed; grant until July 1, 2014 for green landscaping as indicated in the diagram provided.*

*RE: 1520 Albany Avenue West (C-Mixed)*

*Paul Brazelton, on behalf of Patricia Palmen, appeared.*

Mr. Brazelton:

- have been talking with Corrine Tilley, DSI, to discuss the driveway: putting tracks in place (only permissible for 1 and 2 family residences)  
 - she said that the driveway could be an extension of the parking area  
 - had given her a rough sketch; she pointed out several things  
 - separation of the driveway and parking areas from the building  
 - she asked about water flow - important that it flows away from buildings  
 - it is acceptable for water to flow toward the alley  
 - assuming that all goes well, the landscaping should be done in the spring  
 - they will put inc learly marked steel around the driveway and parking areas and put in fresh gravel

- below the garage where cars are now parked will be converted to grass and landscaped

- the driveway will have boundaries and landscaped

Ms. Moermond:

- the gravel itself, could still be put down this year

Mr. Brazelton:

- will talk with his inlaws about that

Ms. Moermond:

- will recommend an extension to Dec 1, 2013 to get the gravel re-dressed; and Jul 1, 2014 for the landscaping

- Inspector Urmann is scheduled for a re-inspection Mon

- will attach the diagram to the record

**Referred to the City Council due back on 11/20/2013**

**52**     [RLH FCO](#)  
[13-231](#)

Appeal of Pete Lehner to a Correction Notice Re-Inspection Complaint at 80 CLEVELAND AVENUE NORTH.

**Sponsors:**     Stark

*Grant until January 1, 2014 for everything on the Order except for the lot resurfacing which is granted until June 15, 2014.*

*RE: 80 Cleveland Ave N (Single Family)*

*Pete Lehner, appeared on behalf of Jonathan Lindsay, owner.*

*Fire Inspector Leanna Shaff:*

- Photos

- Photos in Amanda taken Sep 16, 2013, also

- Fire Certificate of Occupancy inspection referral Aug 6, 2013: front steps are crumbling

- Inspector Urmann went out Aug 8 and again in Sep 2013

- 8 items in his Orders

- included: peeling paint; roof needs to be maintained; parking surface; burning; chimney needs tuckpointing; window frames, sashes; provide full access for Fire C of O inspection (was due end of May 2011)

*Mr. Lehner:*

- requesting that it's OK for residents to park on a surface that needs re-surfacing until mid-Jul 2014; it has always been gravel for 15 years but they plan to comply with the re-surfacing and create a 4-foot buffer; they will submit drawings to be approved; got 2 estimates, each around \$6,000

- estimates for the items to be repaired are attached; total improvements: \$23,183 - \$27,608

- all other items on the list were taken care of by the end of Sep, 2013

- the Oct 3, 2013 letter was confusing; it lists mentions all the items that they had already taken care of

- he would like a correction of the Oct 3 letter

- when he spoke with Inspector Urmann about the letter, it seemed as though his intention was just to give us until Oct 30 to finish - give us an extension; but it looks as though the owner hadn't been responding

- #8 will be done on Oct 31, 2013

Ms. Moermond:

- the Oct 3 letter should have been updated to indicate what had already been done

Mr. Lehner:

- met on site with Mr. Urmann, who confirmed those things were done: painting, foundation, steps, chimney-just waiting on brick

- wants the public record corrected

- the owner has contracted to spend \$25,000 ....; we want to work with the city

- fire ring: tenants did not have any fires but if they had, once they are done with the fire, the ring would be moved out of the parking lot; there will be no more fires from now on

- did not receive the Aug 8, 2013 letter (Correction Notice); the first letter he received was the Sep 17, 2013 letter

Ms. Moermond:

- the resolution will acknowledge the correction

- a letter will be sent from Mai Vang and also a follow-up letter from Fire

- will recommend granting an extension to Jan 1, 2014 for everything except for the re-surfacing; grant an extension to Jun 15, 2014 for the parking

**Referred to the City Council due back on 11/20/2013**

## 2:30 p.m. Hearings

### Vacant Building Registrations

53     [RLH VBR 13-53](#)     Appeal of Gary Blair to a Vacant Building Registration Notice at 1820 STILLWATER AVENUE.

**Sponsors:**     Lantry

*Waive the Registered Vacant Building fee for 90 days and if owner gets Certificate of Occupancy reinstated, the fee will not be assessed and no code compliance will be needed.*

*RE: 1820 Stillwater Ave East (Single Family)*

*Gary Blair, owner, appeared.*

*Fire Inspector Leanna Shaff:*

*- Fire Certificate of Occupancy was Revoked Dec 31, 2009, unoccupied*

*- doesn't know why it took Inspector Thomas until Aug 15, 2013 to send it to the Vacant Building Program*

*Inspector Rich Singerhouse, Vacant Buildings:*

*- with that Referral, Inspector Nelmark went out and found the dwelling vacant and secured*

*- Inspector Nelmark's notes: sheet rock and plumbing fixtures missing; no active permits; shingles are deteriorated on dwelling and garage; peeling paint on dwelling windows, doors, frames, door jams, rear stair and entire garage; see Revocation*

*- Aug 20, 2013, Inspector Nelmark opened a Category 2 VB file*

*Mr. Blair:*

*- he used it for rental property for a number of years*

*- the last tenants he had trashed the place when they moved out*

- he started some remodeling but he's had some difficulties: his mother had Alzheimer's and he had to take care of her; she recently passed away; then, his wife, who has been handicapped for 26 years, had to redo her surgery
- his wife and he work together - are self-employed; his son also works for them; things got set aside during the hard times
- then, about 2-3 months ago, he developed shingles; now, he is suffering from post-shingles (the right side of his face is numb and he has headaches 24 hours a day); he just came from his neurologist, who said that, hopefully, he will get better and can retire one of these days
- they need the rental property for a source of income; the house is paid for
- the repairs are just about completed - mostly cosmetic
- no electrical or plumbing needs to be done; the bathroom is intact
- he will put in new kitchen cabinets; he is in the decorating business (floors, cabinets); has a plumbing license
- sheet rocking has been completed; did it himself
- the kitchen is really the only thing left (cost and lack of time)
- with winter coming, he would like to get it rented
- there have never been any incidences on it
- the yard has always been maintained and shoveled; he doesn't want to invite problems; he paid to keep it maintained on a regular basis
- it has a walnut tree that's approximately 100 years old

Ms. Moermond:

- this property has been unoccupied for for 4 1/2 years
- she would like this C of O re-instated
- it's been in the VB Program for only 1 1/2 - 2 months

Ms. Shaff:

- the kitchen sink work will require a permit

Ms. Moermond:

- will recommend waiving the VB fee for 90 days
- if the C of O is re-instated during that time, the Appellant won't need to go through a code compliance inspection
- if the C of O is not re-instated during that time, the Appellant will be required to pay the VB fee and will need to go through the full code compliance inspection

Mr. Blair:

- noted that he also got a Boarding Fee for \$64 but nothing has ever been boarded up; he sent in the card

Mai Vang:

- pulled up the record

Mr. Singerhouse:

- asked if he received a Summary Abatement on the garage door (Mr. Blair: said that he talked to Dave Nelmark about that)

Ms. Moermond:

- the Boarding Fee hearing is scheduled for Nov 5, 2013 at Legislative Hearings
- the Vacant Building staff will call the Appellant if they find out anything

Ms. Vang:

- the note says, "It should not be assessed" by Connie on Sep 5, 2013

Ms. Moermond:

- it looks like it was process already and maybe it needs to be deleted; perhaps, Inspector Yannarely could do that (Mr. Singerhouse: we'll take care of that)

**Referred to the City Council due back on 11/20/2013**

- 54 [RLH VBR 13-59](#) Appeal of Pavel Sakurets to a Vacant Building Registration Notice at 941 CYPRESS STREET.

**Sponsors:** Bostrom

*Per Rich Singerhouse, gave 90 days VB waiver.*

**Withdrawn**

- 55 [RLH VBR 13-60](#) Appeal of Jeff and Angela Polacek to a Vacant Building Registration Fee at 306 ONEIDA STREET.

**Sponsors:** Thune

*Per Matt Dornfeld, appeal is withdrawn.*

**Withdrawn**

#### Other

- 56 [RLH OA 13-63](#) Appeal of Gerald Manthei to a Code Compliance Report at 259 ENGLISH STREET.

**Sponsors:** Lantry

*No recommendation change from last hearing. (90 days Vacant Building fee waiver)*

*RE: 259 English Street (Single Family)*

*Gerald Manthei, owner and friend, Todd Triebold, appeared.*

*Ms. Moermond:*

- asked about plans and decisions that may have been made since the last hearing
- there is a code compliance inspection report
- we have a potential sale (Contract for Deed with Todd Triebold)

*Mr. Manthei:*

- they are willing to work with the city as much as they can
- their goal is to get everything done on the code compliance report
- he has already spent a lot of money on this house (property tax; insurance; utilities, etc.); now, the code compliance inspection and work that needs to be done; so, he ultimately, needs to get that money back
- all this has been a learning experience for them
- he praised and thanked the city employees, especially those at DSI, who have been very helpful and informative

*Mr. Triebold:*

- he contacted electricians, plumbers and furnace people - city of St. Paul licensed
- the electrician is ready to sign-off; he will pull the permit ASAP
- the plumbers and furnace contractors are willing to do the things on the code compliance report but they are not willing to sign-off on things that they did not install

*(How do we pull a permit for something that has already installed?; They won't sign-off on something they didn't install); they will install another appliance under permit if the Appellant pulls out what has already been installed - they want to put in their own brands*

*- they need advice*

*Ms. Moermond:*

*- advised them not to do work without a permit  
- if those appliances need to be un-installed and a different one re-installed, then maybe that's what needs to happen*

*Mr. Singerhouse:*

*- wishes that Mr. Seeger were here because he may be able to answer those questions; also, call Maureen Hanson for info*

*Mr. Triebold:*

*- they paid \$8,000 for a 97% high-efficiency furnace - a good brand but the furnace contractors said, "That's not our brand."  
- and, the same thing with plumbers  
- the cost to remove what's been installed and replace with different would be very expensive (maybe another \$10,000)  
- and if he walks off this project, he will send Mr. Manthei a bill for all he has done because the agreement was that he could live at the house for free while he was doing the work (that was before they learned that he couldn't live there)  
- considering all this, the cost to Gerry would be prohibitive*

*Ms. Moermond:*

*- advised them to keep looking and keep calling contractors  
- also advised them to call the trades unions and independent contractors  
- perhaps their city inspector would be able to provide a list of licensed contractors, who have their competency card with the city  
- could sell the new appliances that would be un-installed*

*Mr. Triebold:*

*- they are ready to install a new garage door  
- will talk to Jim Seeger about a possible temporary C of O  
- getting permits for the water heater and furnace are holding him back  
- they asked for variances for 2 items on the list: 1) address numbers for garage; it doesn't have an alley; and 2) rain leaders: it's a shared driveway and the garage of the shared driveway neighbor does not have gutters, so if they put rain leaders to run water away from the foundation of their and the neighbor's garage is 2 1/2 feet from their garage, the water will affect our foundation, anyway*

*Mr. Singerhouse:*

*- put the address numbers on the front of the garage*

*Ms. Moermond:*

*- suggested they talk with Jim Seeger about the rain leader issue of the garages and about the possibility of a temporary C of O  
- could also look at different landscape solutions to swerve the run-off from both properties  
- the prime concern is making sure the water is diverted from the foundations  
- Mr. Seeger can give you until next spring/summer to finish the exterior item*

**Referred to the City Council due back on 11/20/2013**

**Staff Reports**

- 57     [RLH OA 13-65](#)     Making recommendation to the Ramsey County Commissioners on the application of Terry Scot Glass, for repurchasing the tax-forfeited property at 646 AURORA AVENUE.

**Sponsors:**     Khaliq

*No recommendation from the legislative hearing officer.*

*RE: 646 Aurora Avenue (Single Family)*

*No one appeared.*

*Ms. Moermond:*

- code enforcement calls weren't bad*
- there were 18 police calls from Oct 2008 - Nov 2012 (1 in 2008; 5 in 2009; 1 in 2010; 5 in 2011; 6 in 2012)*
- there was serious things going on, apparently: execution of search warrants; domestic assaults; drunken disorderly conduct; assisting other agencies on disturbances; clearly a lot of family problems*
- the Repurchase application is being filed by Terry Scot Glass*
- the letter says that he let his brother stay there; his brother had just been released from jail and that's when these problems started*
- 8 Quit Claim Deeds are attached to this Repurchase Application (Ramsey County has them)*
- wants to talk to the Ward 1 Office on this*
- the city should have no recommendation on this*
- it looks as though this situation will rectify itself*

**Referred to the City Council due back on 11/6/2013**