



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, April 15, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - LAID OVER

- 1 [RLH TA 14-185](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402V, Assessment No.148001 at 1726 AMES PLACE.

Sponsors: Bostrom

Reduce the assessment from \$3,529 to \$1755 and spread the payments over 5 years.

RE: 1726 Ames Place (Duplex)

Annie Flomo, owner, appeared.

Ms. Moermond:

- Vehicle Abatement*
- staff was going to investigate as to why this total was so large (\$3,529)*
- have more detailed information from SPPD*
- the impound lot kept the vehicles for an extraordinary long period of time*
- Sep 8, 2013 - vehicles towed*
- Jan 17, 2014 - got rid of the vehicles*

Ms. Flomo:

- the accident occurred in 2008 and she couldn't work anymore because of the brain injury she received from the accident*
- she has a lawyer, who took over this case*
- the lawyer put her in a place where they medicated her heavily*
- the accident left her with a brain injury and an injury to her left eye (She can hardly see with it)*
- she wanted to be off the medication; she needed to take care of her grandkids*
- she went to NY; she had surgery on her eye*
- she showed us the patch over the hole in her head*
- her balance is no longer very good; she falls when she walks*
- she has been suffering for a very long time*
- her lawyer took over \$50,000 from this case*
- he sent her to a clinic for over \$700 to treat her; they said she had a stroke; her right hand is numb*
- she has trouble getting from one place to another; doesn't know how to get anywhere; people have to show her*
- she doesn't know where to go for help so that she can take care of her grandkids;*

she is sick
- she can't drive anymore
- the car stood on that same site for 4-5 years before they towed it
- why didn't someone tell her that it wasn't supposed to be parked there (on my own parking spot)
- she is all by herself; no one is close to her; who would complain
- she put the car into her driveway and put something over it

Ms. Moermond:

- by her calculations, the impound lot kept the vehicles an excessive amount of time
- she will calculate for 1/3 of that time - a more reasonable amount of time
- someone called to complain; it's not parked on an appropriate surface
- when these vehicles were Ordered removed, there were no tarps on them
- the vehicles weren't currently not licensed

Ms. Seeley:

- there's a lot of history: strange things; rubbish; operating a catering business; other vehicle violations; selling cars in the street; garbage in vehicle; etc.

Ms. Moermond:

- will decrease the total assessment to \$1,755; the impound lot kept them excessively long
- it was correct for them to remove those vehicles
- when those Orders were issued, they were appealable at that time
- you can't store vehicles in your yard and undriveable; and you can't park them on your grass and you can't have expired tabs
- and it doesn't make a difference on whether you are able to drive or not
- she is giving the Appellant a big break by decreasing the amount of the assessment
- Ms. Flomo could have gotten rid of the cars

Ms. Flomo:

- I didn't want to sell my car
- she had a social worker before she went to NY but when she came back to MN, no one would talk with her

Ms. Moermond:

- this is a very old situation; the tabs go back to 2009
- a red Volkswagen van and a green Mazda van
- suggested that Ms. Flomo apply for a disability deferment in the Real Estate Office on the 11th floor
- will recommend reducing the assessment to \$1,755 and dividing the payments over 5 years

Referred to the City Council due back on 5/21/2014

2 [RLH TA 14-175](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402V, Assessment No. 148001 at 1597 CLEAR AVENUE.

Sponsors: Bostrom

Approve the assessment and spread over 5 years.

RE: 1597 Clear Avenue (Single Family)

Khue Vang, owner, appeared. Mai Vang interpreted.

Ms. Moermond:

- LO vehicle abatement assessment
- she was checking into the costs associated with it
- Mr. Vang said the costs were too high for him to be able to retrieve the vehicle
- wanted to ask SPPD if the auction had already occurred by the time Mr. Vang came to the impound lot
- her concern: amount of time from when it was towed to when the auction occurred; if the costs were that high, they would be less his fault
- Police Report states: Work Order was issued Nov 19, 2013; compliance date was also Nov 19, 2013; 8 days later, Nov 27, 2013, police showed up to tow the vehicle; SPPD said that it cost them \$899 for the tow and storage of the vehicle before the auction; they sold the car for \$525 and added some admin costs to come up with a total of \$529

Mr. Vang:

- the car was on his property on cement (an approved surface); is that wrong?
- does he have a fee?

Ms. Moermond:

- the problem is that the vehicle didn't have current license tabs and it wasn't drivable; you can't leave a broken down car on your property
- he ends up having the bill to pay for the tow and storage of the car plus administrative charges before the auction
- because SPPD was able to auction the car for \$525, his fee is that much less

Mr. Vang:

- he had ordered the tabs but didn't get them in the mail before the SPPD towed the car; it's not his fault

Ms. Moermond:

- this Order was written in Nov 2013; the tabs on the car were from Jan 2011; that's a long period of time not to have current tabs
- it sounds as though this fee will be a hardship for Mr. Vang
- what were Mr. Vang's impressions when he looked at the Order in Nov? He could have appealed the Order when he received it

Mr. Vang:

- he didn't see it when it came in the mail (he and his wife handle the mail)
- his daughter told him that he needed new tabs but he said that he needed to work on it first to get it to run
- but he did order the tabs after that
- wants to know how long the car was in storage

Ms. Moermond:

- at impound lot for 7 weeks
- is not seeing extenuating circumstances
- will recommend approval of this assessment payable over 5 years

Referred to the City Council due back on 5/21/2014

3 [RLH TA 14-205](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 1698 LAFOND AVENUE.

Sponsors: Stark

Approve the snow and ice assessment; and delete the clean up assessment.

RE: 1698 Lafond Avenue (Single Family); two assessments

Richard Ayd, owner, appeared.

Inspector Joe Yannarely:

- you laid one of these assessments over for 2 weeks

Ms. Moermond:

- 2 weeks ago recommended approval of the snow and ice assessment

Inspector Scott St. Martin:

- the storm branch issue: branch/brush was put out on the blvd portion of his

driveway for the city to pick up; he doesn't use his driveway

- there was a newspaper article pertaining to the city's pick-up of storm branches;

however, the city did not pick up his branches

Mr. Ayd:

- after the storm, he put the branches onto the blvd right in front of his driveway; he needed to cut the grass all summer where the branches were

- he doesn't use his driveway

- when the Parks crew came out to pick up the branches, he went out and told them that he wanted to be sure that he wouldn't be charged for the branches because they had been there since the summer storm; the crew told him that he wouldn't be charged but yet, he was charged

- he asked that the clean-up and the crew saying he wouldn't be charged be filmed and it was

Ms. Moermond:

- she agrees based on the email that Mr. St. Martin sent verifying the article, etc.

- she thinks that there was miscommunication from the Mayor's Office on the branch clean-up

- will recommend deletion of this assessment

Referred to the City Council due back on 5/21/2014

4 [RLH TA 14-242](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 1698 LAFOND AVENUE.

Sponsors: Stark

Approve the assessment and spread the payments over 2 years.

RE: 1698 Lafond Avenue (Single Family)

Richard Ayd, owner, appeared.

Inspector Joe Yannarely:

- Excessive Consumption fee

- Snow/ice complaint issued Dec 17, 2013; compliance date - 48 hrs after postmark

- re-checked Dec 23 and found in noncompliance; Work Order issued

- crew came out Dec 23 and the work had been done by owner

- cost: trip charge \$120 + \$35 service charge = \$155

- most residents don't have to be told to shovel the sidewalk

Mr. Ayd:

- part of the problem is that he is still not able to receive mail at his house; he picks up general delivery; when he lived at Mary Hall, it was going to the old Post Office in downtown; now, it's in the new bank building
- he did get the shoveling done

Ms. Moermond:

- after the deadline
- because of that, Mr. Ayd is being charged for making the trip out
- will recommend approving this assessment payable over 2 years
- there were 6 days between when Orders were issued and when the snow was shoveled
- the deadline for snow/ice is always 48 hours; this was 6 days
- she checked her snow fall chart and there was no snowfall during this time period

Referred to the City Council due back on 6/4/2014

Special Tax Assessments - NEW

- 5 [RLH TA 14-226](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1406A, Assessment No. 148816 at 1793 ARLINGTON AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 5/7/2014

- 6 [RLH TA 14-232](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1409, Assessment No. 148209 at 801 ARMSTRONG AVENUE.

Sponsors: Thune

No show; however, inspector recommended that \$85 be deleted for one re-inspection fee because no inspection was made and delete the service charge of \$155 for a total of \$170 (reduce the assessment from \$410 to \$170).

Referred to the City Council due back on 6/4/2014

- 7 [RLH TA 14-233](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 579 ASHLAND AVENUE.

Sponsors: Thao

Delete the assessment.

RE: 579 Ashland Avenue (Single Family)

Robert K. Alldredge, owner, appeared.

Inspector Paula Seeley:

- Snow Order sent Jan 14, 2014; compliance date Jan 16
- re-checked Jan 22; Work Order issued
- work done Jan 23, 2014 for a cost of \$40 + \$160 service charge = \$200
- sent to Robert Alldredge, 579 Ashland Ave

- no returned mail
- photos and VIDEO
- notes: no attempt to salt & sand; light snow, icy
- hard to tell if it was icy because of the new fallen snow

VIDEO - matted down; salt & sanded

Ms. Moermond:

- will recommend this assessment be deleted
- Jan 14, 2014, date of issued Order, 4 inches of snow fell and before the clean-up happens, another 4 1/2 inches of snow fell
- shows a pretty decent clean-up; seems reasonable

Referred to the City Council due back on 5/21/2014

8 [RLH TA 14-98](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E3, Assessment No. 148301 at 1818 BENSON AVENUE. (Public hearing continued from April 2) (Amended from Project No. J1402E, Assessment No. 148301; to be laid over to Legislative Hearing on June 17 and City Council Public Hearing on July 9, 2014)

Sponsors: Thune

To be laid over to LH on June 17 for progress report and CPH on July 9, 2014.

RE: 1818 Benson Avenue (Single Family)

Oscar Villafan, owner, appeared.

Inspector Paula Seeley:

- Excessive Consumption charge
- failure to maintain exterior structures (house and garage)
- Orders sent Jun 6, 2013; compliance Jul 8; re-checked Aug 9 and sent an Excessive Consumption charge
- another Excessive Consumption charge was sent Oct 9, 2013
- 2 invoices for a cost of \$240 + \$35 = \$275
- no returned mail
- comments: still open file; 2 extensions given, each for 1 month and still no progress
- sent to Oscar Villafan and Hilda Villafan, 1818 Benson Ave, St. Paul
- scrape and paint fascia on house; install missing siding on garage
- history: 2010 - had tall grass and weeds

Mr. Villafan:

- he spoke with Inspector Ed Smith and told him that he didn't have the money; then, Mr. Smith sent him a fine; he called Mr. Smith and asked him if he should pay the fine or continue to buy materials for the house and Mr. Smith said, "Continue to buy materials; don't worry about the fine; keep working on the project."
- so he did what he could do and he continues to keep in contact with Mr. Smith, letting him know when he has a little money and when he does not to work on the house
- Mr. Smith sent out another fine and he keeps saying, "Don't worry about the fine; we'll work on it."
- now, he gets this; why did he keep telling me to forget about the fine and keep working; then, at the end, I get this
- he is gaining progress but yet, not done

- he needs to finish up some siding; he's bought some and needs to get it up; he buys whatever he can with the extra money he gets
 - he thought he was working well with Mr. Smith .. but
 - he's searching for a job; they tell him he's too old to qualify or that they have no jobs available but he knows they are out there
 - right now, he has something going and thinks he can get it done
 - he use this fine money to either buy more materials or he can pay the fine; he can't do both now

Ms. Moermond:

- she wants to help him out but will not just give it to him outright
 - will give Mr. Villafan 6 weeks to finish the job; if the job is finished in 6 weeks, she will reduce the fee to \$100; if the job isn't finished in 6 weeks, she will recommend the Council adopt the assessment as written

Mr. Villafan:

- he can tell her right now that the money won't be there, so, he won't be able to finish it
 - he is trying to get out of the hole
 - he wants to get it done; this is just a lack of money issue

Ms. Moermond:

- requested that Mr. Villafan check out Brush with Kindness, Habitat for Humanity
 - will recommend approval of the total assessment(\$275) divided over 5 years if not finished in 6 weeks
 - will recommend a decrease to \$100 divided over 2 years if finished in 6 weeks
 - at City Council Public Hearing May 7, 2014, she will LAY this OVER the CCPH Jul 9, 2014
 - back here at LH Jun 17, 2014 for a progress report

Referred to the City Council due back on 5/7/2014

- 9 [RLH TA 14-229](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1409, Assessment No. 148209 at 1256 BREEN STREET.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 6/4/2014

- 10 [RLH TA 14-236](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 740 CAPITOL HEIGHTS.

Sponsors: Thao

No show; approve the assessment.

Referred to the City Council due back on 6/4/2014

- 11 [RLH TA 14-239](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 451 EDMUND AVENUE. (To be laid over to July 9, 2014 City Council Public Hearing)

Sponsors: Thao

To be laid over to CPH on July 9, 2014 and if there are no further abatement(s), LHO will delete the fee.

RE: 451 Edmund Avenue (Single Family)

Julie A. Raasch, owner, appeared.

Inspector Paula Seeley:

- Excessive Consumption fee*
- failure to maintain exterior*
- Summary Abatement was sent Oct 21, 2013; compliance Oct 30*
- re-checked Oct 31 - Work Order sent*
- Parks crew went out on Oct 31 and the work was done by owner, which generated a PAEC*
- cost: \$120 + \$35 = \$155*
- no returned mail*
- comments: Oct 31 - chevy camper was gone; large amount of trash still there; sent Work Order to Parks*
- comments: 11-8-13: inspector spoke with owner and gave her more time to find someone who could use the shingles and clear the deck of refuse and recycling*
- Nov 25, 2013: file closed; large pile of shingles had been removed*
- photos show a lot of stuff*

Ms. Raasch:

- she got the Order and she got rid of everything on the Order*
- then, they sent the city out*
- she had only 1 violation and doesn't understand why it's Excessive use of inspections*

Ms. Moermond:

- will ask the City Council to look at this again on Jul 9, 2014 and if Ms. Raasch hasn't had any problems by then, she will recommend this assessment be deleted*

Referred to the City Council due back on 6/4/2014

12 [RLH TA 14-212](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 2257 FREMONT AVENUE.

Sponsors: Lantry

Approve the assessment and spread the payments over 3 years.

RE: 2257 Fremont Avenue (Single Family)

Joaquin Rosales, owner, appeared.

Inspector Paula Seeley:

- Snow Order sent Jan 9, 2014; compliance Jan 11; re-checked Jan 15; Work Order sent*
- work done Jan 17, 2014 for a cost of \$240 + \$160 = \$400*
- failure to maintain exterior property*
- no returned mail*
- sent to Joaquin Rosales, 2257 Fremont Ave E, St. Paul; James Walbruch, 2257 Fremont Ave E; Stephen Shea, 2200 Arcade St; and Occupant*

- has photo - looks like sidewalk has never been shoveled at all

Mr. Rosales:

- he is a firefighter for the City of Saint Paul; they do 24 hour shifts
- he has planned to take care of the snow
- during this time, he was on a 48 hour shift
- he purchased a snow blower the day after they came
- the Order was sent to his home but he didn't know it
- he had been keeping up with the snow but during that time, he worked a lot of extra hours

Ms. Moermond:

- it was 6 days between when the Order was sent and when it was re-checked

VIDEO

Ms. Moermond:

- the work was Ordered and not done
- there was a snow fall between when the Order was written and when the crew showed up
- will recommend approval of this assessment payable over 3 years

Referred to the City Council due back on 5/21/2014

- 13 [RLH TA 14-245](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. FV1401, Assessment No. 148900 at 1565 IDAHO AVENUE EAST.

Sponsors: Bostrom

No show; approve the assessment.

Referred to the City Council due back on 6/4/2014

- 14 [RLH TA 14-182](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No.148517 at 614 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

Reduce the assessment from \$448 to \$150 and spread payments over 2 years.

614 Jessamine Avenue East (Single Family)

Carole Bartelmy, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order sent Dec 19, 2013; compliance date Dec 27
- re-checked Dec 27; Work Order sent
- work done Jan 2, 2014 for a cost of \$448
- sent to Carol Bartelmy, 614 Jessmaine Ave E
- no returned mail
- long history of violations; open file
- SA indicated: remove furniture from rear yard near alley
- photo indicates: a chair and some rubbish

VIDEO

Ms. Bartelmy:

- appealing because that stuff in the VIDEO is not her stuff
- he let a young man move in to help me and then he found out that he was a scrapper; after she gave him notice to leave, it took her 4 months to get rid of him; then, she had to go out there and personally, put a lot of it in that truck; friends came over to help her
- now, it's all cleaned up
- entered photos

Ms. Seeley:

- she did a lot of inspections at this property
- that guy who was scrapping was also doing a lot of other things; glad he's gone
- there was a lot of junk in the yard; the police were aware
- thinks that maybe this guy was cleaning out other houses and dumping it here
- this could possibly be illegal dumping
- another issue: every 6 months, this property doesn't have trash service

Ms. Moermond:

- wants to give the Appellant some credit for getting him out
- will reduce the assessment to \$150 and divide it over 2 years

Referred to the City Council due back on 5/21/2014

15 [RLH TA 14-183](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406G, Assessment No.148705 at 614 JESSAMINE AVENUE EAST. (Public hearing continued from April 16)

Sponsors: Bostrom

To be laid over to May 6 LH and May 21 CPH. Staff to determine if the listed garbage service, Garbage Man, was providing service during THIS time period.

614 Jessamine Avenue East (Single Family)

Carole Bartelmy, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order sent Oct 29, 2013; compliance date Nov 4
- re-checked Nov 6
- notes: all garbage - remove Garbage Man service; still suspended; sending 1 city container
- inspector called Garbage Man and they said that service was still suspended on the compliance date; so, he sent a Work Order for a city container
- re-checked Nov 21, 2013: city container present; empty
- re-checked again Nov 27, 2013: city container present, empty
- every time he re-checked it, it was empty
- Dec 19, 2014: furniture in rear yard near alley; city container present, empty; service is now current and active with Garbage Man; sending email to remove city container
- 4 weeks of city trash service cost: \$240
- this is not the first case of no trash service at this address

Ms. Bartelmy:

- she has garbage service
- when you are 30 days behind in your bill, they don't pick up the next week
- she has never had her service suspended from Garbage Man

Ms. Moermond:

- the city will call Garbage Man to check where things were at during this time period

Ms. Seeley:

- Oct 24, 2013 notes: mattress in front yard

- Oct 29, 2013 notes: mattress is gone and now there's an overflowing Garbage Man container with furniture and garbage on the blvd; sending Summary Abatement; Garbage Man service is suspended; sending hauler letter

Ms. Bartelmy:

- at that time, they were putting stuff out on the blvd and they thought someone was picking up that stuff and she thought that her son was paying for it

Ms. Moermond:

- will LAY this OVER to May 6, 2013 LH to hear what Garbage Man has to say

Referred to the City Council due back on 4/16/2014

16 [RLH TA 14-188](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 1939 MINNEHAHA AVENUE WEST.

Sponsors: Stark

No show again, approve the assessment.

Referred to the City Council due back on 5/21/2014

17 [RLH TA 14-230](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1409, Assessment No. 148209 at 1815 MONTANA AVENUE EAST.

Sponsors: Bostrom

Approve the assessment.

RE: 1815 Montana Avenue East (Single Family)

Adebayo Ajibewa, owner, appeared.

His parents transferred it to him about three years ago. A couple months back, he got a letter from his mom that an inspection needs to take place.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection cost of \$255 + \$155 service charge = \$410

- date of Orders: Oct 22, 2013 and Nov 25, 2013

- compliance on Dec 23, 2013

- billing dates: Jan 2 and Feb 3, 2014

- no returned mail

- appointment letter and first Orders sent to Adebayo Adebayo Ajibewa, 15367 Lesley Ln, Eden Prairie

- second Correction Order and billings sent to the same person at 100 Dublin Ct #215, Mankato, MN

Mr. Ajibewa:

- his parents had 2 houses

- his dad works for the Post Office; he was transferred to Mankato
- one of the houses was foreclosed; the other was transferred to his name when he was staying there
- he got married and moved out; got his own place
- his father had a stroke and had to move back to St. Paul - they live in St. Paul right now
- when he got the letter for the inspection, he didn't understand why they needed an inspection because the property is homesteaded
- they fixed everything that needed it
- the first letter was sent to Mankato

Ms. Shaff:

- finds it odd that the first Orders go one address and the bills to another

Ms. Moermond:

- the house did get inspected; now, we are talking about the bill for the inspection

Ms. Shaff:

- note from file: owner lives in Mankato; previous owner is Jonathan Stella; homestead their house in Circle Pines, that they've owned since since 2006
- DSI uses the address that was given to them; it's the owner's responsibility to let them know about changes of address

Ms. Moermond:

- if there was confusion about whether or not this should be in the Fire C of O Program, that should have been dealt with at the time there was a request for an inspection; there was no appeal of that
- the property was inspected and you were not living there so, it was not owner-occupied (homesteaded is not the same thing as being owner-occupied)
- an inspection was conducted Oct 22 and Dec 31

Mr. Ajibewa:

- his mom was there when Inspector Thomas came because he was out of the country for work
- but there was no information received that an inspection was going to take place in the first place

Ms. Moermond:

- will recommend approval of this assessment
- City Council Public Hearing Jun 4, 2014

Referred to the City Council due back on 6/4/2014

18 [RLH TA 14-204](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 860 RANDOLPH AVENUE.

Sponsors: Thune

Reduce the assessment from \$320 to \$160.

RE: 860 Randolph Avenue (Commercial/Apartment)

Mrs. Larry Brengeman, owner, appeared.

Inspector Paula Seeley:

- Snow letter issued Jan 3, 2014; compliance Jan 6; re-checked Jan 7; Work Order

sent

- work done Jan 9, 2014 for a cost of \$160 + \$160 = \$320

- no returned mail

- sent to: Occupant; Larry Brengeman, 909 Adeline Ct, Mendota Heights, MN

- re: a crosswalk not opened

- photo

- no VIDEO

Ms. Brengeman:

- there's a bus stop at the corner; someone had hit the pole which made it difficult for the plows to get close to the curb; so, they were pushing snow right in front of the bench

- per the lease, their commercial tenants are supposed to do the snow removal; they did send someone over there when they got the Notice to see what was going on and someone did clear what they could but there was a very large amount of snow; they also spoke to their commercial tenant, who said that they would have someone come out again and finish - so, they assumed that it had been taken care of

Ms. Moermond:

- from the photo, sees a lot of ice; and it is expected that the commercial property keep it cleared

- sees that it's open only partially; pedestrians would have a difficult time with it

- will recommend reducing the assessment to \$160

Referred to the City Council due back on 5/21/2014

19 [RLH TA 14-235](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407B, Assessment No. 148106 at 987 REANEY AVENUE.

Sponsors: Lantry

No show; approve the assessment.

Referred to the City Council due back on 6/4/2014

20 [RLH TA 14-228](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1409, Assessment No. 148209 at 839 SEVENTH STREET EAST.

Sponsors: Lantry

Reduce the assessment from \$515 to \$437.50.

RE: 839 Seventh Street East (General Retail & Svc-B-Commercial)

Jeffrey Thole, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection

- cost: \$360 + \$155 = \$515

- appointment letter sent Jun 5, 2013

- Correction letters sent: Jul 2, Aug 1, Aug 19, Sep 5, Sep 23, Oct 31, Dec 3, and Dec 9, 2013

- compliance date Dec 30, 2013

- billing dates: Jan 1 and Jan 31, 2014

- sent to Jeffrey Thole, 839 7th St E, St. Paul
- Inspector Migdal's notes on Aug 1: owner requested additional time;
- Aug 19: rescheduled per owner's request
- Sep 5: rescheduled per inspector's request
- Dec 3: responsible party called for additional time
- Dec 9: received call from contractor requesting additional time due to weather conditions
- Dec 30: re-checked
- only 2 re-inspection dates

Mr. Thole:

- he sent in a check to the city on Feb 15, 2014; and received a letter back from DSI on Feb 26, 2014, saying that they cannot accept the check for \$360; he called and was forwarded over to assessments; the check was stamped by DSI but there's no date with the stamp
- then, on Feb 20, 2014, he received a Certificate of Occupancy
- he went back to DSI to make an effort to pay the bill

Ms. Shaff:

- the bill is sent out and you have 30 days to pay it; if you don't pay it by that date, you have another 15 days; if it's not paid by that date, it gets sent to assessments
- the second billing was due Feb 15, 2014; if the check comes in past that due date, it's stamped by DSI and the bill goes to assessment; the check is returned with a letter

Mr. Thole:

- the check was accepted; then, rejected and sent back

Ms. Moermond:

- will recommend reducing the service charge by half, making the total \$437.50

Referred to the City Council due back on 6/4/2014

21 [RLH TA 14-247](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 832 SHERBURNE AVENUE.

Sponsors: Thao

No show; approve the assessment.

Referred to the City Council due back on 6/4/2014

22 [RLH TA 14-244](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1408, Assessment No. 148812 at 568 SNELLING AVENUE NORTH.

Sponsors: Stark

Reduce the assessment from \$1595 to \$800 and spread payments over 4 years.

RE: 568 Snelling Avenue North (General Retail & Svc-B-Commercial)

Jun Xiao and Ru Zhao Chen, owners, appeared.

Inspector Joe Yannarely:

- Category 2 Commercial Vacant Building file opened Sep 30, 2013; closed Mar 12, 2014
- approximately 5 1/2 months in the VB Program
- annual VB fee \$1440 + \$155 service charge = \$1595

Ms. Xiao:

- they decided to take out a loan and finish
- it was completed on Mar 14, 2013 - a couple months earlier

Ms. Moermond:

- will reduce the assessment from \$1595 to \$800 payable over 4 years
- will get that bill after the City Council ratifies it

Referred to the City Council due back on 6/4/2014

- 23** [RLH TA 14-240](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 1280 TAYLOR AVENUE.

Sponsors: Stark

No show; approve the assessment.

Referred to the City Council due back on 6/4/2014

- 24** [RLH TA 14-231](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1408, Assessment No. 148208 at 2121 UNIVERSITY AVENUE WEST.

Sponsors: Stark

No show; approve the assessment.

Referred to the City Council due back on 5/7/2014

- 25** [RLH TA 14-108](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 419 WHITALL STREET. (Amended to Project No. J1402E2, Assessment No. 148308) (Public hearing continued from April 2)

Sponsors: Brendmoen

Appellant came to hearing and left before hearing started. Approve the assessment.

Referred to the City Council due back on 5/7/2014

- 26** [RLH TA 14-249](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 698 BRADLEY STREET.

Sponsors: Brendmoen

Laid over to see video; approve the assessment.

RE: 698 Bradley Street (Single Family)

Barry Garrett, contractor for a real estate investment firm, hired to do the renovations on this house, appeared.

Inspector Paula Seely:

- Snow letter sent Jan 9, 2014; compliance Jan 12
- re-checked Jan 14; Work Order sent to Parks
- work done Jan 16, 2014 for a cost of \$160 + \$160 service charge = \$320
- sent to Occupant; Guardian Property Management, 708 Cleveland Ave SW, Ste 160; 698 Bradley Properties LLC, 971 Sibley Memorial Hwy, Mendota Heights; and 698 Bradley Properties LLC, 2345 Rice St, Ste 160, St. Paul
- no returned mail
- no VIDEO; has photo

Mr. Garrett:

- he had been taking care of snow removal since he's been asked to (has no date on that)
- he doesn't receive the Orders so he's not sure when it was sent
- since he's been asked to do the snow removal, they go out right after it snows and remove it
- he was told about the assessment after his client contacted him and asked him to go out
- he took the initiative to call the city to find out what was going on
- the renovation of this Cat 2 VB was completed by them in Feb 2014
- the next door house was a Cat 3 and snow was never plowed or shoveled there

Ms. Moermond:

- the city has a complaint-based system
- noted that we got 4 inches of snow between the issued Order and when the city crew showed up
- will recommend approval; there's a bad history of maintenance on the property

Ms. Seeley:

- there was another snow letter went out Feb 13, 2014
- also refuse spilling out of garage
- Inspector Friel notes: buildings are vacant; garage door is open; refuse, debris, appliances, etc. spilling out of garage and yard; walk is poorly shoveled; send Snow Summary Abatement

Mr. Garrett:

- explained that was during the demo period; that house was in really bad shape; there was trash everywhere inside the house and garage; they went through 40 yards of containers

Ms. Moermond:

- is inclined to recommend approval of the assessment but she will ask to see the VIDEO in 2 weeks, May 6, 2014 LH to confirm what's going on
- City Council Public Hearing May 21, 2014

Laid Over to the Legislative Hearings due back on 5/6/2014

27 [RLH TA 14-250](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 1829 CASE AVENUE.

Sponsors: Bostrom

Approve the assessment.

RE: 1829 Case Avenue (Single Family)

Oluwole Salu, owner, appeared.

Inspector Scott St. Martin:

- Excessive Consumption fee
- Summary Abatement Order sent Oct 24, 2013; compliance Oct 29
- to remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc, from yard area
- re-checked Oct 28; Work Order sent
- Oct 31, 2013 - Parks crew went out; work had been done by owner
- sent to: Myhomesource LLC, 800 Nicollet Mall Ste 2825, Mpls; Michael Olsen, 659 Bielenberg Dr, Woodbury; and Bank of America, 2505 Chandler Rd W Bldg D, Chandler, AZ 85224
- cost: \$120 + \$35 = \$155

Mr. Salu:

- closed on the property Jan 7, 2014

Ms. Moermond:

- the problem is that this assessment should have been disclosed to you at closing; the previous owner should have told you about this
- this PAEC bill was generated Oct 31, 2013 and was sent to the previous owner
- asked staff to print out that bill so that he can talk to his realtor about it; could write a letter
- unfortunately, when you buy a property, you also buy it's debts; however, the previous owner's should have paid it
- will recommend this assessment be approved

Referred to the City Council due back on 6/4/2014

28 [RLH TA 14-248](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 915 SNELLING AVENUE SOUTH.

Sponsors: Stark

Delete the assessment.

RE: 915 Snelling Avenue South (Single Family)

Karen Fashaw, owner, appeared.

Inspector Scott St. Martin:

- Excessive Consumption fee of \$120 + \$35 service charge = \$155
- snow and ice complaint came in Dec 6, 2013; re-checked Dec 9; Work Order issued
- inspector said it appeared to be icy and not shoveled
- Dec 11 - Parks crew went out and said that it was done by owner
- that's a tough area for snow; the plows come by and it's tough to keep up

Ms. Fashaw:

- Snelling gets plowed 3 times after each snow sometimes
- she's a single parent with a kid who has autism and mental illness and is very fragile
- they get out there after work and shovel; when they get back inside, the snow plow comes again; then again, the plow comes over night; they come through fast and the

icy snow get very close to hitting the house
- she works and needs to prepare her child and all her meds - get her ready for the day at daycare
- at the end of the day, it's usually dark; she does go and shovel; her child comes with unless she has someone there to watch her
- this time, her snow blower was broken; so, they shoveled but it was so cold and icy, she couldn't do it with a shovel
- she bought 150 lbs of blue salt and put it on but it was too cold and it didn't help

Ms. Moermond:

- will recommend this assessment be deleted because of Ms. Fashaw's exceptional circumstances at her location

Referred to the City Council due back on 6/4/2014

Staff Reports

- 29 [RLH TA 14-206](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1407, Assessment No. 148806 at 672 ASBURY STREET.
- Sponsors:** Stark
- Reduce the assessment from \$1595.00 to \$500.*
- Referred to the City Council due back on 5/21/2014**
- 30 [RLH TA 14-234](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 705 FARRINGTON STREET.
- Sponsors:** Thao
- No show; appealing by letter - approve the assessment.*
- RE: 705 Farrington Street (Duplex)*
- Ms. Moermond:
- looking at photos
- Orders dated Jan 3, 2014; compliance Jan 8
- work actually done Jan 9, 2014
- looking at sidewalk - there had been no additional snow accumulation between when the Orders were written and the when the work was done; there is no evidence that the walk had been shoveled at all based on the height of the snow on either side of the sidewalk (level); except for trampled snow from people walking
- for that reason, she will recommend approval of the assessment
- Referred to the City Council due back on 5/21/2014**
- 31 [RLH TA 14-246](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1408, Assessment No. 148812 at 755 THIRD STREET EAST. (Public Hearing to be continued to July 23, 2014)
- Sponsors:** Lantry
- To be laid over to City Council Public Hearing on July 23, 2014. Ms. Moermond gave*

a VB fee waiver until July 14, 2014 to get work done on the building. If the work is done, she will reduce the VB fee in half (should have not been assessed until July).

Referred to the City Council due back on 6/4/2014

Special Tax Assessments - TO BE DELETED

- 32 [RLH TA 14-243](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 1385 ARONA STREET.

Sponsors: Stark

Work order sent out in error, delete the assessment. (No hearing necessary)

Referred to the City Council due back on 6/4/2014

- 33 [RLH TA 14-223](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 824 FREMONT AVENUE.

Sponsors: Lantry

Delete the assessment due to the fact that people were still getting rid of leaves and the owner removed that afternoon. (No hearing necessary).

Referred to the City Council due back on 6/4/2014

- 34 [RLH TA 14-238](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 447 FRY STREET.

Sponsors: Stark

Delete the assessment as the EC bill was canceled. (No hearing necessary)

Referred to the City Council due back on 6/4/2014

- 35 [RLH TA 14-224](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1403E, Assessment No. 148305 at 79 MAGNOLIA AVENUE WEST.

Sponsors: Brendmoen

Delete the assessment per the recommendation of Steve Magner, at DSI. Appellant and Steve Magner talked and came to an agreement. (No hearing necessary)

Referred to the City Council due back on 6/4/2014

- 36 [RLH TA 14-187](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1409, Assessment No. 148209 at 1305 PROSPERITY AVENUE.

Sponsors: Bostrom

Delete the assessment; payment was received by DSI. (No hearing necessary)

Referred to the City Council due back on 6/4/2014

- 37 [RLH TA 14-241](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1408, Assessment No. 148812 at 1092 SIMS AVENUE.
- Sponsors:** Bostrom
- Delete the assessment; payment was accepted and assessment should not have occurred. (No hearing necessary)*
- Referred to the City Council due back on 6/4/2014**
- 38 [RLH TA 14-189](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1409, Assessment No. 148209 at 521 WHITE BEAR AVENUE NORTH.
- Sponsors:** Lantry
- Delete the assessment; payment received by DSI. (No hearing necessary)*
- Referred to the City Council due back on 6/4/2014**

Special Tax Assessments - ROLLS

- 39 [RLH AR 14-24](#) Ratifying the assessments for Excessive Use of Inspection services from October 28 to December 24, 2013. (File No. J1403E, Assessment No. 148305)
- Sponsors:** Lantry
- Referred to the City Council due back on 6/4/2014**
- 40 [RLH AR 14-25](#) Ratifying the assessments for Boarding and/or Securing services during January 2014. (File No. J1407B, Assessment No. 148106)
- Sponsors:** Lantry
- Referred to the City Council due back on 6/4/2014**
- 41 [RLH AR 14-26](#) Ratifying the assessments for Excessive Gas Flow Valve services during December 2013. (File No. FV1401, Assessment No. 148900)
- Sponsors:** Lantry
- Referred to the City Council due back on 6/4/2014**
- 42 [RLH AR 14-27](#) Ratifying the assessments for Collection of Certificate of Occupancy fees billed December 11 to January 2, 2014. (File No. CRT1409, Assessment No. 148209)
- Sponsors:** Lantry
- Referred to the City Council due back on 6/4/2014**
- 43 [RLH AR 14-29](#) Ratifying the assessments for Collection of Vacant Building fees billed May 3 to December 25, 2013. (File No. VB1408, Assessment No.

148812)

Sponsors: Lantry

Referred to the City Council due back on 6/4/2014

11:00 a.m. Hearings

Summary Abatement Orders

- 44 [RLH SAO 14-7](#) Appeal of Sandra Ramirez to a Summary Abatement Order at 655 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

Appellant withdrew appeal. Tire has been removed.

Withdrawn

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 45 [RLH VBR 14-28](#) Appeal of Bonnie Barlage to a Vacant Building Registration Notice at 703-705 BEDFORD STREET.

Sponsors: Brendmoen

Deny the appeal; remain a Vacant Building Category 2; and the owner needs to obtain a code compliance inspection.

RE: 703-705 Bedford Street (three-four family)

Bonnie Barlage and Alex Eaton, EIG Property Management, appeared.

Ms. Moermond:

- *we were going back to check conditions to see if this building should go forward as a Category 2 Vacant Building or get a re-instated Fire Certificate of Occupancy*
- *Ms. Shaff went out to review the building*
- *photos have been attached*

Fire Inspector Leanna Shaff:

- *inspected Thu Apr 10 with Fire Inspector Neis*
- *she stopped taking pictures at 42*
- *generally, they found issues from the foundation, ground cover, to fire doors that don't fit or don't exit*
- *occupancy separation between the 703 side and the 705 side has been patched and is very soft (the separation has been compromised)*
- *the separation between the basement and the main floor units have penetrations (holes to look down into the basement)*
- *there are occupancy separation problems throughout the building*
- *handrails, guardrails, floors, kitchen cabinets, plumbing, electrical receptacles, door closer issues, windows are rotted or stuck, etc*
- *generally, a large amount of deferred maintenance*

Mr. Eaton:

- they were not present
- the maintenance staff was sent out for the inspection
- they also have photos; they didn't narrow in on specific items
- doesn't think it needs a full Code Compliance inspection; it will be cost prohibitive; not financially feasible; it almost surely will be demolished
- Oct 24, 2013, the Fire Certificate of Occupancy was approved
- they had always completed every single Order given
- it's not a property that's completely dilapidated and falling apart
- it's 138 year old building and it needs some work
- we'll complete all the Orders again
- regarding the heating units: Burnamatic is a very reputable company; he was shocked to find out that the testing didn't meet code; he called the owner, who wrote a letter noting that a mistake had been made: their technician is fully qualified and the test results were fine but that particular technician failed to keep up his St. Paul license
- Burnamatic confirmed that the 3 boilers were fine and passed the test
- the electrician: they found out that the Unit 4 was dangerous and they wanted to solve this ASAP, so, he hired a licensed electrician, who installed 3 electric heaters to cover that nonfunctional space heater; he tried to pull a permit online but found out that he couldn't; so, he went down to DSI and said that because of its VB status, he couldn't pull it there either; because of the dangerous situation, he told him to go ahead and fix it anyway (Catch 22 situation)
- bigger picture situation is the shortage of affordable housing
- letter from the director of the International Institute of MN: about 140 Somali residents moving to MN each month and they are having a hard time finding affordable housing; so, if there's anyway we can avoid having to demolish 4 units of affordable housing, let's do it
- the director of IIN and he are still a little confused about the events of Mar 1, 2014 - we have 4 units and 1 was without heat; and the city came in and demanded that all 4 units be vacated immediately plus other Orders; he would think that the landlord would be given time to correct that
- she also asks the city not to Condemn 4 affordable housing units
- the Mar 3 Orders are all complete (the electrician couldn't pull a permit); what can he do?

Ms. Moermond:

- noted that they didn't appeal the Orders of Mar 3, 2014; the appeal was on the Orders of Mar 17, 2014

Mr. Eaton:

- they are basically the same
- asking that you let my electrician pull a permit, and we can get a sign-off; all the work is complete

Ms. Shaff:

- talked to Greg at Burnamatic and in fact, the technician they sent out hasn't held a state license for a while and the company was unaware of that; they have some internal issues to address; the city won't accept anything unless it's done by a licensed person; Greg assured her that he would be going out that day and giving her his report
- the building is in rough shape; there's a lot that needs fixing down to the door frames that don't fit well

Ms. Moermond:

- will take a Recess to read the submitted letters
- noted: Mar 17 Orders are identical to the Mar 3 Orders
- there are a couple of things that would cause the building to be Condemned and the tenant(s) ordered vacated; it was not exclusively a matter of the heat: overcrowding; missing smoke detectors; mouse droppings and cockroaches were observed during the inspection (infestation) and these are life-safety issues; this is beyond the heat
- whether the building needs to be demolished or not is an issue for the owner - about the owner perceives these repairs (we haven't had a Code Compliance inspection yet, so we don't know what would be Ordered from that); thinks that it's jumping to conclusions to say that it would cost so much that it wouldn't be justified doing those repairs
- she is troubled by some of the statements in the materials that have been provided; they indicate that it was only because of the heat that people were asked to leave; she doesn't think that is the case but it appears to be what they represented to the International Institute of MN; "EIG has also explained to us that the city inspector insinuated that EIG should not rent to Somali families because they do not speak our language."

Mr. Eaton:

- in that statement, he was referring to the last hearing here when Inspector Shaff said that she was not comfortable allowing EIG to rent to people with whom they could not communicate directly (or something similar)
- just because they don't speak Somali isn't a valid reason to not rent to Somalis

Ms. Moermond:

- setting that aside, she sees a situation where the landlord doesn't have the ability to communicate readily; she sees overcrowding circumstances; and she sees life-safety issues
- 75% of the time, when the city sees overcrowding, it is with people who have English as their second language; they may or may not have citizen status or resident status but they seem to be somewhat compromised in a tenant situation; similarly, as people with disabilities seem are somewhat compromised in their ability to be an effective tenant
- she is also troubled with the 2nd to last paragraph in the letter that talks about city and Red Cross involvement and how the agency had to pay for additional nights while they helped the families to search for apartments; this was unfounded (the landlord is actually responsible for putting up the tenants in these kinds of circumstances; EIG should be aware of that; maybe the people at refugee services didn't understand the law when they were writing this paragraph); IIM should have had the tenants seek legal counsel from Southern Minnesota Regional Legal Services; the responsibility for putting up the tenants does not lay with the Red Cross and the city; that's the responsibility of the owner
- the fire separations are extremely necessary the gaps in the doors and the holes in the floors compromise the separations
- does it make sense for the C of O to be re-established or is a code compliance inspection necessary (?)

Mr. Eaton:

- the owner has recently purchase this building and he knew that there was deferred maintenance
- he has already spent \$15,000 on the building
- the Orders of Mar 3 and 17 are all done (not signed-off)
- and we can complete the new Orders; they are not here to dispute them

Ms. Moermond:

- the sole purpose of getting those Orders was to gauge whether or not the right

course was to go into a Code Compliance mode and a Cat 2 Registered VB mode or to continue as a Fire Certificate of Occupancy property

- he expected to see additional items; circumstances change
- to clarify, she fully agrees that we need to have more safe low income affordable housing throughout; there's not enough
- she can't support that affordable housing be of a lower quality in order to be available to low income people
- she thinks this should be a Registered VB Cat 2 - there are enough violations
- the code compliance Orders probably won't be very different from the Fire C of O
- City Council could see it differently; your next stop (May 7, 2014 CC Public Hearing)
- owner may want to put something on the record in writing
- DSI won't issue permits for a Registered VB unless you have had your Code Compliance inspection
- it will probably be a Code Compliance inspection conducted by Fire

Ms. Shaff:

- Inspector Imbertson has to coordinate the Team Inspection

Ms. Moermond:

- will recommend this appeal be denied
- suggested that the repairs be done after the City Council Public Hearing
- contractors can go out and look at these things and provide you with a bid, which can be amended for additional items

Referred to the City Council due back on 5/7/2014

46 [RLH VO 14-12](#)

Appeal of AAA Midway Inside Storage to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1400 SELBY AVENUE.

Sponsors: Thao

RE: 1400 Selby Avenue (warehouse - AAA Midway Inside Storage)

David Tomforde, AAA Midway Inside Storage, and Joshua Casper, Legal Counsel, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection (actually from the previous one)
- requires an annual fire sprinler report
- Inspector Imbertson on Jul 15, 2013; inspection letter dated Jul 23, 2013
- she approved the Fire C of O at that time with deficiencies in Sep 2013
- got a copy of the sprinkler control panel report in Oct 2013
- Inspector notes on Oct 9, 2013: emailed property manager noting that they were looking for the sprinkler report; no response
- Oct 22, 2013: no response
- Nov 6, 2013: received written update from property manager, who states that all is safe; was unable to locate the paperwork for the new sprinkler test
- Dec 9, 2013 and Dec 12, 2013: they can't find a copy
- Dec 18, 2013: Inspector Imbertson sent out Orders for compliance in 30 days
- Jan 28, 2014 - no permits and finally received email from property manager that he has the report
- when they finally got the sprinkler report, it showed that there's a whole bunch of stuff that just doesn't work or isn't working properly
- they gave them plenty of time to comply but they did not resulting in the Revocation

of the Fire C of O

- Mar 31, 2014: permit pulled (has not been inspected); don't know the status of the work; they are told that it's done but that doesn't mean anything if it hasn't been inspected by their office

Mr. Tomforde:

- this is just over the bridge
- the SE corner of Selby and Hamline

Mr. Casper:

- clarified that they are not the building owner
- clarified that none of the communications was going to them
- Mr. Tomforde is a tenant renting space in the building and was notified of the termination as an interested party
- Mr. Tomforde is not responsible for the maintenance of the building
- shared a communication from property manager Mike Armel that Arrow Sprinkler System has provided a written report to the Fire Inspector that the work was completed and that he called twice for inspections and Arrow called twice for inspections and they weren't scheduled
- he was confused when he spoke with Inspector Imbertson, who told him that it would be a priority inspection to go back
- concern: if the city proceeds with this Revocation, it will destroy his client's business; he rents storage units to approximately 300 and is 92% full; and they would need time to transition those businesses out if the city has to vacate them; doesn't know how many are located out of the state; they would need time to collect their belongings
- ideally, they would like to see the results of this hearing be held over and maybe even the final inspection

Ms. Shaff:

- permit valuation is \$4,000; nothing for age heads, etc.
- is confused about this email from Michael Armel to Mr. Tomforde when it says .. that on Apr 14, 2014, I spoke to John at Arrow Sprinkler again today regarding 1400 Selby Ave; he said that the building was fire ready and he's prepared for inspection on Apr 3, 2014 ... and he further informed that an Apr 3 inspection was cancelled by the city and he's awaiting a phone call to see when the city wants to inspect

Mr. Casper:

- on the Order to Vacate that they received, it listed an inspection on Apr 3, 2014 but he doesn't believe that inspection occurred

Ms. Moermond:

- the appeal was filed before the Apr 3, 2014 and enforcement is stayed pending the outcome of this hearing

Mr. Casper:

- he understands that but they were also in communication with Mr. Imbertson, who said that all they need to do is call to schedule the inspection and it would be made a priority

Ms. Shaff:

- can assure them that the city's engineering staff is on top of these things and they will be working with Inspector Imbertson

Mr. Casper:

- Mr. Tomforde tried to speak directly to Arrow Sprinkler on at least 2 occasions, as

late as today, to get a copy of the report but they won't release it to him because he's not the building owner; they said it was filed with the city. Does the city have a copy of that report?

Ms. Moermond:

- it's a matter of public record when the city has such a report

Ms. Shaff:

- it's the responsibility of the permit holder to call for inspection and a sprinkler contractor knows very well who to call, etc.

- she doesn't know what was done or not because the permit that she sees was pulled doesn't cover what all needs to be taken care of

- the building is full of combustible material

Mr. Tomforde:

- ABC Fire was the first contractor out to test the sprinkler system for the report but they didn't really test anything; they went down and looked at it; he has video of the whole thing and they didn't even try; and it looked like they may have made things worse

- Arrow Sprinkler actually pulled valve releases on the water to see how fast they ran; because it's an older system, he thinks that ABC just didn't want anything to do with it

Ms. Shaff:

- called for a 5 minutes Recess to call one of their engineering staff

- she spoke with Katie Laterno, one of their Fire Protection inspectors, and she said that she has received an inspection request from the contractor

- the permit that was applied for does not cover the scope of the required repairs

- this is an old building and there are all sorts of issues that crop up

- Inspector Laterno and Inspector Hoffman will double team the inspection on Friday afternoon if they can get the contractor out there to provide a more comprehensive explanation of what it's going to take to fix it

Ms. Moermond:

- Ms. Laterno is working on getting this scheduled for Friday afternoon

- will LAY this matter OVER to give it a chance to work

- will Lay it Over to May 6, 2014 LH at 11:30 am

Laid Over to the Legislative Hearings due back on 5/6/2014

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 47 [RLH FCO 14-57](#) Appeal of Brent Molitor to a Correction Notice - Complaint Inspection at 345 COOK AVENUE EAST.

Sponsors: Brendmoen

Grant a 7 sq ft variance for the second floor front room provided that a bed no larger than twin size be used in this room.

RE: 345 Cook Avenue East (Single Family)

Ms. Moermond:

- we asked the inspector to follow up by taking proper measurements of the room

size and owner will provide a floor plan
 - owner did not provide a floor plan

Fire Inspector A. J. Neis:

- from the inspector's notes: total square feet of the 2nd floor bedroom is 63 sq.ft. with proper size egress window and midsized closet; so, measurements were taken
 - notes from Mar 24, 2014: recommend the approval of a variance for this sleeping room with Inspector Tonnancour's signature

Ms. Moermond:

- will recommend granting a 7 sq.ft. variance for the 2nd floor sleeping room provided that a bed no larger than twin size be used in this room

Referred to the City Council due back on 5/7/2014

48 [RLH VO 14-11](#)

Appeal of Lou Sudheimer to a Fire Inspection Correction Notice at 11 COMO AVENUE.

Sponsors: Thao

Grant one week to get all the orders relating to smoke and carbon monoxide detectors into compliance; if those things are done and the 3rd floor is not being used as a habitable space, grant until May 2, 2014 for compliance with the orders with the exception of the porch floor covering issue which will be granted until June 1, 2014.

RE: 11 Como Avenue (Duplex)

Lou Sudheimer appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice dated Mar 18, 2014
 - inspection conducted Mar 17, 2014; re-inspection Mar 31, 2014
 - Inspector Jeremy Hall asked Mr. Neis to accompany him on inspection because he had multiple concerns
 - currently, this property is in the process of being converted into a triplex to make it legal
 - Mr. Sudheimer, knowingly, started to do substantial repair work to the property without obtaining the necessary permits: gutting walls, taking out doorways that required fire separation; replacing with improper materials for lack of knowledge, which the permit process would have eliminated
 - the attic was currently occupied however, there was only 1 means of egress out of the attic (probably 900 sq.ft. and needs 2 exits)
 - the occupants of the attic had a living style that was less than desirable creating a dangerous condition: careless discarding of cigarettes, etc.
 - because of this, Mr. Neis advised Mr. Sudheimer that he was not comfortable with those occupants living up there; they needed to vacate the attic space
 - while the appeal was being filed, Mr. Neis contacted the hearing office to make sure that the Order could stand based on those conditions
 - appealed: the improvements have been in process for quite some time and Mr. Neis is concerned about some of the work having been done without permits; some of that work may have to be taken out and replaced with proper materials, etc.
 - unit 1 is the ground floor; unit 2 is the second floor; and unit 3 is the attic space

Mr. Sudheimer:

- what happened is that the project started out small and then grew; we were just going to remodel the closets and then, they decided to put laundries in each unit because the female tenants don't like to go to the basement; they did have a licensed

plumber doing the work and he was going to pull the permit but he hadn't yet gotten around to do it; now, that's been done

- Inspector Neis pointed out that the closet was right adjacent to the front stairs and he should have used 5/8 inch sheet rock instead of using 1/2 inch; they did make that modification
- they already had a TISH and they were making all the corrections that they knew about from the TISH Report
- the Fire inspection came right in the middle of their remodeling
- all of Fire's requests are being taken care of: licensed electrician pulled an electrical permit; plumbing permit has been pulled and was just finalized this week; the general permit was pulled as well - that inspector is on vacation this week but will be back Apr 22
- he is requesting a time extension because of the exterior work - front porch will require approval from the Capital Architectural Commission, which requires that they talk to the neighborhood
- asked for an extension to May 31, 2014
- they are considering applying for a triplex status so they need another exit for the attic: 1) one option would be to construct 3-level rear decks; 2) convert the extra room on the 2nd floor above the existing stairwell to a fire approved room and put in a spiral staircase to the 3rd floor; or 3) include the attic in the 2nd floor unit if they decide not to convert to a triplex

Mr. Neis:

- spiral stairs are no longer an approved means of egress, even within a unit
- the city cannot design - an architect or a contractor must draw up those plans; then, the city will approve them
- smoke detectors must be placed outside the bedrooms; inside the bedrooms; none in the kitchen
- CO detector within 10 feet of all bedrooms

Ms. Moermond:

- have all smoke and CO detectors working within 1 week; if that's taken care of and the attic is not used as a 3rd unit, she will recommend granting an extension to May 2, 2014 for all work except the front porch and mid-Jun 2014 for the front porch

Referred to the City Council due back on 5/7/2014

49 [RLH FCO 14-63](#) Appeal of Gee Lee to a Fire Inspection Correction Notice at 1088 CONWAY STREET.

Sponsors: Lantry

Forthcoming. Inspector will re-measure ceiling height in the second floor rooms. On April 16, 2014, diagrams of the rooms were submitted to the office. Ms. Moermond will review them.

RE: 1088 Conway Street (Single Family)

Gee Lee, owner, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy inspection Correction Notice dated Apr 4, 2014
- inspection conducted by Fire Inspector George Niemeyer Mar 3, 2014
- re-inspection made Mar 5, 2014
- appealed is the ceiling height of the upstairs bedrooms
- west bedroom is 6'6" x 9' five ft off floor = 58.5 sq.ft.
- east bedroom is 6'6" x 10'3" five ft off floor = 65 sq.ft.

- ceiling height of both rooms is 2 feet wide by the length of the room
- doors are cut with angle to accommodate the height
- looks like the upstairs of this home is not large enough for habitable space
- don't have the height of the rooms

Mr. Lee:

- also doesn't have the height of the rooms
- bought house in 2009 as a 3-bedroom house
- he pulled a rental certificate at that time; inspector came and said she would check the plumbing, heating, etc. but she didn't say anything about those 2 rooms and she didn't say how many people he could put into those rooms
- only 2 adults and 2 children live at that property

Mr. Neis:

- can't speak for another inspector but if those rooms were not being used as sleeping rooms at that time, they would not have called it out

Ms. Moermond

- the county and the bank should list this as a 2-bedroom property
- she wants to know the ceiling height in that space
- the main thing is that the square footage of the room is too small to be a sleeping room
- the minimum square footage for a sleeping room for 1 person is 70 sq.ft; here's there's only 65 sq.ft in 1 room and 58 sq.ft in the other
- needs to get some dimensions of ceiling height
- the city inspector can come out to measure
- will LAY this OVER to May 6, 2014 LH to get measurements

Laid Over to the Legislative Hearings due back on 5/6/2014

50 [RLH FCO 14-59](#)

Appeal of Leslie Lucht to a Fire Inspection Correction Notice at 685 VAN BUREN AVENUE.

Sponsors: Thao

Grant until May 20, 2014 for compliance. Note: Item 4 relating to Unit 1 bathroom issue should be issued to 674 Van Buren and deleted from the list for 685 Van Buren.

RE: 685 Van Buren Avenue (Duplex)

Leslie Lucht, owner, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice dated Mar 28, 2014
- inspection done by Mr. Neis back on Nov 7, 2013
- roof was leaking and a roof leak within the building
- he believes that Mr. Lucht is saying this is not the right property; he has 2 properties and 2 different issues
- one at 674 Van Buren
- one issue is in relation to the roof leaking at 685 Van Buren; Mr. Lucht has asked for extension after extension since last fall due to insurance claims; the roof is still not done

Mr. Lucht:

- the reason it hasn't been repaired is because of the extreme weather conditions this past winter
- he spoke with his contractor back in Nov 2013 but the contractor said that he would

not do any roofing because of the extreme winter weather
- his construction contractor put this repair work 4-6 weeks out; he spoke with him in early Mar 2014; he can get a confirmation letter from the contractor
- he is asking for an extension to make sure the contractor gets it done before the inspector comes back again

Ms. Moermond:

- the current deadline for this is Apr 28, 2014
- will recommend extending the roof deadline to May 20, 2014

Mr. Lucht:

- the other issue was actually for 674 Van Buren - the half bath's ceiling leaking; it's already been taken care of

Referred to the City Council due back on 5/7/2014

2:30 p.m. Hearings

Vacant Building Registrations

- 51 [RLH TA 14-221](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1407, Assessment No. 148806 at 630 AURORA AVENUE.

Sponsors: Thao

Approve the assessment.

RE: 630 Aurora Avenue (Single Family)

Chad Lemmon appeared on behalf of Myron Barnett.

Ms. Moermond:

- Mr. Barnett has this in probate
- we were hoping for progress
- tax assessment LO to this time period
- won't be out of the Vacant Building Program until mid/late fall 2014

Mr. Lemmon:

- has sent in the application for a Code Compliance inspection; not yet scheduled
- until the inspection is complete, there's not much further action he can take
- property has some title issues
- the neighbor asked if the house was for sale (a possible buyer)
- first we need to deal with the clean-up

Matt Dornfeld, Vacant Buildings:

- this is a Category 2 Vacant Building

Mr. Lemmon:

- agrees that the property needs to be cleaned-up and they will take care of that
- the house is secured and in pretty good shape exterior wise
- noted that the drain pipes need repair
- given the unique nature of this: 1) one heir is stationed in Germany; and 2) the other lives in Massachusetts; and also they were not sure of their rights to the property since Myron Sr's girlfriend was living in the house; he asks that the VB fee

be waived
- only the son living in MA got the VB Notice

Matt Dornfeld:
- the VB Notice went to Myron P Barnett Jr, PO Box 620361, Newton Lower Falls, MA, 02462; and Occupant

Ms. Moermond:
- there is a snow/ice clean-up assessment, too

VIDEO - removed snow/ice from public sidewalk, salt and sanded

Ms. Moermond:
- the work was done by the city
- will recommend this clean-up assessment be approved
- will also recommend that the registered Vacant Building fee be approved; doesn't think that them being out of the area is reason enough to waive the fee

Referred to the City Council due back on 5/21/2014

52 [RLH TA 14-227](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1406A, Assessment No. 148505 at 630 AURORA AVENUE.

Sponsors: Thao

Approve the assessment.

RE: 630 Aurora Avenue (Single Family)

Chad Lemmon appeared on behalf of Myron Barnett.

Ms. Moermond:
- Mr. Barnett has this in probate
- we were hoping for progress
- tax assessment LO to this time period
- won't be out of the Vacant Building Program until mid/late fall 2014

Mr. Lemmon:
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- there is a snow/ice clean-up assessment, too

VIDEO - removed snow/ice from public sidewalk, salt and sanded

Ms. Moermond:

- the work was done by the city

- will recommend this clean-up assessment be approved

- will also recommend that the registered Vacant Building fee be approved; doesn't think that them being out of the area is reason enough to waive the fee

Referred to the City Council due back on 4/16/2014

53 [RLH VBR 14-31](#)

Appeal of Kathy Panciera, on behalf of William Mitchell College of Law, to a Vacant Building Designation at 889 PORTLAND AVENUE.

Sponsors: Thao

Grant the appeal and change to Vacant Building, Category 1 classification to allow sale of the building without having to obtain a code compliance inspection.

RE: 889 Portland Avenue (Single Family)

Kathy Panciera and Larry Eveland, William Mitchell College, owners, appeared.

Fire Inspector A. J. Neis:

- started with the college trying to get a conditional use permit to use this house as an office, extending the college campus

- later, they found out that if they were going to continue to use it as an office and not as a home, they'd need to get a change in use, which would mean additional requirements such as handicapped accessibility, etc.

- because this building is a residential house, they pulled the conditional use permit and requested to turn it back to a single family home, which was done

- the building then became vacant and a Category 2 Vacant Building Notice was sent out (Cat 2 VB because there were multiple code violations on the property that had been identified); however, that doesn't always mean that they are life-safety or habitability issues

- he pulled a copy of the Truth in Sale of Housing (TISH) Report, which included several conditions that are relatively minor

- a hazardous one was the lack of a CO detector; many of the TISH items can be done by the owner

- the school is requesting that the status be changed from a Category 2 to a Category 1 VB to hopefully, facilitate a quicker sale

Matt Dornfeld, Vacant Buildings:

- it was made a Cat 2 VB on Aug 16, 2013 because of their referral

- it's been vacant, secured and maintained since his involvement with the process

Mr. Neis:

- concurs with Mr. Dornfeld's assessment

- it's not a typical VB

Ms. Panciera:

- they have a buyer; a gentleman came forward unsolicited; his son owns and lives in the house next door; this man works in commercial real estate; he and his wife are looking for a place to stay while they are in Saint Paul visiting their children and his daughter goes to William Mitchell
- the Purchase Agreement is pending

Ms. Moermond:

- is comfortable making this a Cat 1 Registered VB; it's turnkey
- the city may need to revisit this if the house remains vacant past mid-Aug 2014

Referred to the City Council due back on 5/7/2014

54 [RLH VBR 14-32](#) Appeal of Samson Tesfaye and Chuchu Grima to a Vacant Building Registration Notice at 1271 SHERBURNE AVENUE.

Sponsors: Stark

Waive the Vacant Building fee for 60 days and change to VB Category 1 to allow owner(s) to get Fire Certificate of Occupancy re-instated within 30 days.

RE: 1271 Sherburne Avenue (Single Family)

Samson Tesfaye, owner, and Chuchu Grima, property manager, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- Vacant Buildings received a Certificate of Occupancy Revocation by Fire Inspector Hall on Feb 28, 2014 due to multiple code violations listed in the Revocation
- Apr 1, 2014: Mr. Dornfeld opened a Category 2 VB file due to the Condemnation letter and multiple violations
- at the time of his inspection, the dwelling was vacant and open to trespass; both front and side doors were open
- there was also a large amount of trash and household items in the garage and strewn throughout the property area
- he issued a Summary Abatement Order to cleanup the yard and the garage and secure both doors
- he entered the house and found it to be vacant; although someone had turned up the thermostat to over 80 degrees; many outlets were being used and the upstairs was not vented; the 2nd level was close to 90 degrees (an obvious fire hazard); he turned down the thermostat and switched off the furnace
- Apr 4, 2014: re-checked; junk and refuse remained; doors remained open; issued Work Order to have door secured
- Apr 9, 2014: received complaint from a neighbor that garbage and refuse remained; issued Work Order to have that cleaned up; at that time, he found that the side door had been forced open again; so, he re-issued a Work Order to have the side door secured again
- he did not see any signs of occupancy and the thermostat was still turned down and the furnace off
- Apr 11, 2014: received a neighborhood complaint about people trying to break-in; he followed up on that this morning and found the rear north window busted out; he issued a Work Order to be secured

Fire Inspector A. J. Neis:

- the building was vacated Mar 28, 2014 by Inspector Hall
- inspector's notes: went to the property and spoke with tenants, who advised him that the responsible party and property owners were not making any repairs; the smoke alarm was chirping on the 2nd floor near the bedrooms; the tenants had been

moving to a hotel and they were working with legal aid; tenants also stated that they were leaving their belongings there to go to the trash

- *Inspector Hall had tried to get compliance for several months and was unsuccessful*
- *this building went through a Code Compliance inspection in 2008 and received the certificate in 2009; it was previously a Cat 2 VB*
- *Inspector Hall said that it needs another Code Compliance inspection*

Ms. Grima:

- *thinks tenants were there until the end of Mar 2014*
- *at the time the tenant and her children had another man staying there; each time they sent over a contractor, this man would not let him in; that man is very large and everywhere he walks, he ruins things; this man insisted that he doesn't live there but every time the contractor wants to work there, that man is there*
- *the tenants all finally decided to moved out*
- *they want to continue to work on it and finish it*
- *those tenants really made them look bad and didn't give them a chance to fix anything*
- *now, it's a breeze for them to make repairs in the vacant house*

Ms. Moermond:

- *legally, you could get into the house*

Ms. Grima:

- *legally, yes; but that guy is too big and he'd say, "We're not ready for you."*
- *they couldn't be there at all times to monitor whether or not that man lived there*

Ms. Moermond:

- *needs to determine whether or not this building should be in the Registered VB Program (fee associated with that); and you'd need to get a Code Compliance Inspection Report*
- *alternatively, she can recommend lesser measures to bring this house back up to code*
- *looks as though there's a fair bit going on here*
- *if Appellants can address all of the items in 1 month to the satisfaction of the Fire Inspectors and they re-instate the C of O, then, she will keep it from needing to get a Code Compliance inspection; if Fire doesn't give you the C of O Certificate within 1 month, this building will be in the VB Program and you will be required to get the Code Compliance inspection*
- *will recommend waiving the VB fee for 60 days and change to a Cat 1 VB so that you can pull permits to do the work*
- *make the appointment with Fire staff to get the C of O re-instated*

Referred to the City Council due back on 5/7/2014

55 [RLH VBR 14-29](#)

Appeal of St. Paul Old Home Plaza, LLC to a Vacant Building Registration Renewal Notice at 370 UNIVERSITY AVENUE WEST.

Sponsors: Thao

Appeal withdrawn; grant 180 days waiver (demo and rehab ongoing)

Withdrawn