



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

---

Tuesday, April 22, 2014

9:00 AM

Room 330 City Hall & Court House

---

### 9:00 a.m. Hearings

#### Remove/Repair Orders

- 1     [RLH OA 14-1](#)     Recommending that the Board of Ramsey County Commissioners deny the application of Kerry Essler for repurchase of tax forfeited property at 663 LAFOND AVENUE. (Reconsidered and public hearing continued from April 9) (Amended to approve the application for repurchase)
- Sponsors:**     Thao
- Recommends the County approve the repurchase of the property provided the following conditions are met:*
- 1) for a period of 3 years, the property owner shall have a public health/house calls social worker visit 2 times a year with the requirement that hoarding and unsanitary conditions be reported to City Code Enforcement officials; and
- 2) alternatively, the property owner would be required to maintain a Fire Certificate of Occupancy with annual inspections; and
- 3) additionally, companion animals must be licensed and vaccinated per City code; not exceed the legally allowable number of three and be spayed/neutered.
- RE: 663 Lafond Avenue (Single Family)
- Ms. Moermond:  
- will amend the resolution to recommend the county approve the repurchase
- Referred to the City Council due back on 5/7/2014**
- 2     [SR 14-36](#)     Reviewing request of owner to have Council reconsider its Order to Remove or Repair the Structures at 438-442 BEACON AVENUE.
- Sponsors:**     Stark
- The Bank decided not to rehabilitate the building; therefore, DSI can proceed with demolition unless the owner decides to do the demolition.*
- RE: 438-442 Beacon Avenue (Single Family)
- Christian Brandt, attorney representing Bayview Loan Servicing, appeared.*

*Mr. Brandt:*

- late last night, he got word that the bank decided not to go ahead with the repairs
- apparently, the numbers didn't work out for them
- the \$5,000 Performance Deposit had been made

*Ms. Moermond:*

- write a letter to the Department of Safety and Inspections ask for the \$5,000 to be refunded
- will let DSI know and they will go ahead with the demolition

**Received and Filed**

## 11:00 a.m. Hearings

### Summary Abatement Orders

**3**     [RLH SAO 14-8](#)     Appeal of Alfonso Gomez to a Summary Abatement Order and Correction Notice at 1717 ENGLEWOOD AVENUE.

**Sponsors:**     Stark

*Grant until May 9, 2014 for compliance.*

*RE: 1717 Englewood Avenue (Single Family)*

*A friend appeared on behalf of the owner, Alfonzo Gomez.*

*Appellant:*

- Mr. Gomez' English isn't sophisticated enough to read the Summary Abatement Order and Correction Notice
- his deceased wife's father became ill on Easter; and Mr. Gomez drove to Algona, Iowa, and is on his way back now; don't know whether or not he'll get here in time

*Ms. Moermond:*

- pointed out the statement in Spanish at the top of the Summary Abatement Order

*Inspector Scott St. Martin:*

- Inspectors Kaisersatt and Ross are here for a learning experience
- Apr 1, 2014: complaint of discarded furniture, abandoned vehicles, etc.
- Apr 2, 2014: sent Orders to remove improperly stored/accumulated refuse, including appliances, vehicles; also sent a Correction Notice to remove a commercial vehicle; compliance date of Apr 14, 2014
- today, he went out and took some pictures; he made vast improvements over what was there previously but work still needs to be done
- he spoke with the Appellant prior to today's hearing about the possibility of seeking help from House Calls - Dumpster
- today, the commercial truck was gone and also some of the other things; a lot of clean-up has taken place

*Ms. Moermond:*

- sees a lot of metal; is this a scrapping situation?

*Appellant:*

- no, he doesn't scrap

- entered documents including a work plan
- after his wife passed away, people began to help him and he bought a new stove; the old stove was removed from the kitchen and dismantled and apparently, there's enough metal for him to sell it; he would benefit from the proceeds of the sale; he still needs to put it in the pick-up truck that he's repaired and take it to the person who buys it

Mr. St. Martin:

- it didn't appear to be a scrapping business; it appears to be more of a collection of a lot of different things that had been discarded
- the inspection dealt only with the exterior complaint; did not go inside
- they have an aggressive work plan to finish the job

Appellant:

- Mr. Gomez' wife, Carla, of 22 years, died from a very sudden serious disease; she had been a nurse who worked for the SPPD as well as Regions and Public Health; Mr. Gomez works at Regions Hospital on the night shift; his English is limited; he has a long history of working; his wife handled all of the record keeping for the household so when she became ill, a lot of the record keeping fell into disarray; people who have come over to try to help have moved things around making the problem worse
- in addition, his daughter was in a car accident
- Mr. Gomez has done a lot of work so far; he has enlisted the help of his friends
- that commercial truck had to be repaired before it could be licensed and moved; it was taken care of
- there are 2 vehicles there that he does not own nor were the titles transferred to him; they tried to investigate the titles but all of that information had been purged; looked into the procedure of an untitled vehicles - it requires bonding, etc. but Mr. Gomez can't afford that; he is willing to have those vehicles removed
- he has a current licensed tagged pick-up truck, in addition to his personal vehicle, that he wants to use to haul the scrap metal to the buyer and he also wants to use it for hauling the woody brush from the yard to the composite site; that truck needs to be repaired: battery and brakes before he can use it; that's why they are asking for a little more time
- they are trying to get rid of the items in an earth friendly way
- because he has already accomplished so much, he will be able to finish the job in a reasonable amount of time; he is committed and wants to apply

Ms. Moermond:

- when she sees things like this on the outside of the house, she becomes concerned about the inside, especially, in the case of bereavement; the inside of the house could be full
- Orders can be sent in both Spanish and English; and there's an available service called Language Line (interpreted phone conversation)
- the city also has a very good Spanish interpreter on staff
- the Ward 4 aide also speaks Spanish

Appellant:

- the house is not full; it's in disarray and it's not clean; 2 of his friends have moved in and are working on that
- his wife was unable to clean because she was ill and his daughter, who speaks English and is in college, was in a car accident; she is now in charge of the record keeping
- he also has a very well-behaved highly trained dog, a Jack Russell Terrier
- Mr. Gomez works at Regions Hospital; has excellent health care and has seen a bereavement counselor; currently, he is back to work and functioning well
- asked if there is any discount for removing the 2 vehicles? They now have tabs; he

found them

- getting the pick-up truck repaired is crucial; it will be repaired in the neighborhood
- to finish up, it will probably take between 2-3 weeks

Ms. Moermond:

- to speed up the clean-up, she suggested that another vehicle besides Mr. Gomez' truck be used to remove these things

Appellant:

- the pick-up truck can probably be repaired within a week's time; the shop is right on University and Aldine; doesn't think the repair will be a time-consuming problem

Ms. Moermond:

- original date of the Order: Apr 2, 2014
- appeal was filed on Apr 9, 2014
- original compliance date: Apr 14, 2014

Mr. St. Martin:

- it's just a matter of getting it all cleaned up
- explained that a "Manager's Tag" could be used to tow the vehicles at no cost because they are not their own vehicles and they are on their property
- ultimately, they would like to see the recycling, but if that's not an option, a free dumpster could be obtained from House Calls
- they have a nice work plan

Ms. Moermond:

- the plan is a good one
- City Council Public Hearing May 7, 2014
- deadline: May 9, 2014; practically speaking, the inspector will come to inspect on Mon, May 12, 2014
- you can do a "Manager's Tow" because the vehicles were abandoned on the property (Parking Enforcement)

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

## Correction Orders

### 4 [RLH CO 14-2](#) Appeal of Anton Soukhanov to a Correction Order at 1280 SEVENTH STREET WEST.

**Sponsors:** Thune

*Grant until July 15, 2014 for the owner to go through a site plan review for the parking issue. The parking area has to be dramatically diminished to 3 parking spaces. Grant the use of a Class 5 parking surface but the owner will need to put some sort of separation between the parking area and the grass area (clean boundaries). The owner must also maintain the property.*

RE: 1280 Seventh Street West (Apartments)

Anton Soukhanov, owner, appeared.

Mr. Soukhanov:

- appealing: 1) the railing; one is installed and is up to code; 2) the driveway - 4 months ago when I was here, 2 fire inspectors came out and they both agreed that it was OK; that's how I got my Certificate of Occupancy

*Ms. Moermond:*

- *thinks that Mr. Soukhanov Withdrew that appeal although he says that he didn't*

*Mai Vang:*

- *checked back on that appeal and it was Withdrawn*

- *it was a Correction Notice from Inspector Rick Gavin dated Oct 23, 2013; compliance date Oct 28, 2013*

- *called out: vehicles must be correctly licensed ..... and they need to be on an approved surface.. "*

*Inspector Scott St. Martin:*

- *following up on the Code Enforcement Correction Notice*

- *had complaints coming in about overflowing trash containers and putting trash in a pick-up truck*

- *Apr 1, 2014 - Inspector Ross went out and sent a Correction Order of sanitation to immediately remove all outdoor stored materials including refuse, trash receptacles, bags, wooden table and refuse in pick-up truck; he also noted that the vehicles were parked on an unapproved surface; cease parking on the unapproved surface and to get a permit or re-surface*

- *Mar 14, 2014 read Fire Order: multiple items - zoning site plan is needed; the exterior was called out, too*

- *Mar 26 - re-inspection*

- *Mar 27 - more Orders sent with re-inspection Apr 15, 2014 by Inspector Shaff*

*Ms. Moermond:*

- *from the photos, it looks like a compacted dirt surface*

*Mr. Soukhanov:*

- *he agrees with everything - trash & refuse has to be gone; truck is gone; it's parked somewhere else*

- *he has photos*

- *thinks the railing is adequate; if he could afford to get a new one, he would; the same with the driveway, if he could afford \$4,700 for asphalt or maybe \$9,000-\$10,000 for concrete, he would do it*

- *both are adequate and are up to code*

- *his tenants are slashing his tires; they will be out soon*

- *although the asphalt is deteriorated, the inspector did approve it about 3 months ago they approved his C of O (that was the big issue)*

- *the railing isn't in bad shape; it's just an old school 1970 railing; there's no movement in it; it's secure*

*Mr. St. Martin:*

- *both Inspector Ross and he have been out there*

- *maybe the parking area didn't look as bad last fall but with this bad winter - freezing and thawing have turned it into dirt and mud*

- *at this point, both Inspector Ross and he agree that the surface needs something to be done*

*Mr. Soukhanov:*

- *they are correct but that's actually the alley (he can show a picture); the alley is ridiculous*

*Mr. St. Martin:*

- *he agrees: the alley is very rugged*

Mr. Soukhanov:

- the gravel on the alley was actually put in 5-6 years ago by the government
- in the main driveway, there are maybe three or four 2' x 2' x 4" water holes; his tenants have never complained about them
- tenants: a mom, whose kids are taking advantage of her with their boyfriends and girlfriends; they throw parties, etc; he's has called the police 6 or 7 times (on record) and they go out the back door or the front door; they even got away when the police surrounded the place
- tenants will be out in 9 days; he gave them 1 1/2 months notice on their contract; he believes that they will fight it

Ms. Moermond:

- so, they are not going to be gone; there's a fair chance the neighborhood will continue to have this situation
- thinks that Mr. Soukhanov didn't do adequate tenant screening

Mr. Soukhanov:

- it's been smooth sailing with the tenants for the past year until they slashed his tires because he asked them to pay the rent on time
- the neighbors so far, have only voiced a problem with the garbage
- screening tenants needs some work; these problem tenants were recommended by a great tenant of his, who's been with him for 6 years
- after they got notice to vacate the property, these tenants took a hammer to another tenant's car and put a hole in the transmission

Ms. Moermond:

- this surface is not an acceptable parking surface; the asphalt is deteriorating to the point of compacted dirt
- the alley certainly looks like it needs more class 5; she can put in a call to Public Works
- the worst ruts are adjacent to a garbage can

Inspector Ross:

- to get a contrast, he took a picture of a bench - the paved area is the adjacent parking lot for the adjacent building; none of this area is actually paved; it might be recycled class 5, class 6, class 7, which is asphalt mixed with ... ; if it was ever paved, boy! it's in bad shape
- also, the pick-up truck with the snow plow was there on Fri

Ms. Moermond:

- wondering if the back yard is completely compacted or is it just this 2-vehicle depth area of compacted dirt for parking

Mr. Ross:

- and about 4 cars wide
- thinks there's some grass in the back area

Mr. Soukhanov:

- the parking area is 1000 sq.ft; you can squeeze 5 cars in there
- it seems like he's going to lose this case, so, can he make his tenants park on a side street so that he doesn't have to put in a approved surface for parking? (he just doesn't have the money to do it)
- they are up-side-down on the property (bought it for \$320,000 and it's worth about \$220,000 right now); and they can't get a home equity line of credit and they can't get any kind of loan for it; so, taking out more money on a property where they are losing \$10,000/year is not going to happen

- for him, the only solution is putting down class 5 gravel; he can afford to get about 20 tons from Shakopee Gravel; but the city can't approve that because he's already called the Fire Marshal about it
- in most suburbs, class 5 gravel is approved

Ms. Moermond:

- that solution can happen in this room; we can talk about that
- she would like to know more about what Zoning would require for providing parking on this lot; we have existing parking for a duplex and she thinks that 3 parking spaces need to be provided for a duplex
- Mr. Soukhanov will need to go through a site plan review for the parking spaces; apply with DSI
- that parking area needs to be dramatically diminished; ideally, she'd say 3 spots
- will recommend that he be allowed to use class 5 surface and that there be a distinct separation between the parking area and the lawn area; can use curb stops
- need to go through site plan review for 3 parking spaces
- deadline for compliance of the parking area is Jul 15, 2014
- will Lay Over the railing matter for 3 weeks

Mr. St. Martin:

- added that the Appellant remain cognizant of the garbage/refuse issue; make sure to have enough containers and that tenants pick up and use the containers

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

## 1:30 p.m. Hearings

### Vacant Building Registrations

**5**      [RLH VBR 14-34](#)      Appeal of Nam Nguyen to a Vacant Building Registration Notice at 1000 ALBEMARLE STREET.

**Sponsors:**      Brendmoen

*Grant an extension until May 23, 2014 to get Fire Certificate of Occupancy re-instated and hold Vacant Building fee for 30 days.*

*RE: 1000 Albemarle Street (Single Family)*

*Nam Hguyen, property manager, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

- Condemned by Fire Inspector Scott Perrier Apr 2, 2014
- Inspector Perrier documented a water shut-off and the dwelling was open to entry
- he transferred it to the Vacant Building Program due to the Condemnation
- Apr 3, 2014, Mr. Dornfeld went out and confirmed that the front door was open and the garage service door was open; there were a few minor code violations, also: torn screen, siding damage, front porch storm door was off its hinges, peeling paint on wood trim, large pile of junk and tree brush in the back yard
- Apr 3, 2014, he issued a Summary Abatement to clean-up the yard and to secure the house and garage
- Apr 10, 2014, he re-checked and found that neither had been completed; he issued a Work Order to secure the house and garage and also to get the yard cleaned-up
- Apr 14, 2014, Parks completed the work
- what ever is left at the property, get rid of it; yard waste can go to the compost site

- Mr. Dornfeld posted the Vacant Building placards

Mr. Hguyen:

- is a little confused
- Michael Mandanas is the owner; the water bill is under his mom's name; and when the purchase went through, they weren't sure who was going to be the record owner at that point
- he is the property manager, representing Tran Enterprises
- the house is already cleaned out and ready to go

Ms. Moermond:

- the property has a provisional Certificate of Occupancy (covers you until the first Fire C of O inspection)
- the house will need a Fire Certificate of Occupancy inspection if you are going to rent it

Mr. Hguyen:

- they are looking to rent the property as soon as possible
- he wants to pay all the fines up front and get the C of O inspection
- he's not sure why the garage door was open
- the latch for the front door wasn't lining up properly so he went over and lined it up, got it locked and locked the front screen door, too; when he came back again, the front screen door was popped open and the main entry door had marks on it

Mr. Dornfeld:

- that sounds like Restoration Professionals

Mr. Hguyen:

- he secured it before they got there because when he went there afterward, he went to the back door and wasn't able to open it and wondered why, so he went around the front and saw that there were 2 nails to the front of the screen door and 6 or 7 nails for the top and bottom of the main entry door; and part of the frame was busted and laying inside; so, they might have gotten the Work Order and went ahead and secured the door even though the door wasn't open to entry

Ms. Moermond:

- she doesn't think that ResPro would do that; that wouldn't be consistent with the contract

Mr. Hguyen:

- he was sure that it was closed shut and locked before he left

Mr. Dornfeld:

- ResPro is a very large company; they charge only \$11.95 to do that plus administration fees but he's pretty certain that they wouldn't just screw people's doors shut that were already locked and secured for \$12

Mr. Hguyen:

- he understands that - but that screen door was locked from the inside and there's no way to open it unless someone used a great amount of force to open it
- has been the property manager since Mr. Mandanas purchased it around Jun 2013
- he didn't know that the city would Condemn a house for a water shut-off; he talked to the water company, who told him that he had to pay \$160+ they wanted the water to be turned on, too; he thought that the bill only needed to be paid
- at first he had renters signed up to go in Apr 1, 2014 but then they backed out and if no one was in there, he didn't feel the need to get the water turned back on; he was

*concerned about someone coming in and ruining the pipes, which in turn could ruin at lot in the house*

*Ms. Moermond:*

- explained that when the water is shut-off, the Water people call the city to report that*
- is trying to figure out what the best strategy is to get this house safe and habitable again*
- she would like to see it get its Fire C of O; application has been made*
- if you can re-instate the Fire C of O in 1 month, then, it can be rented (\$170 cost of inspection)*
- contact Supervisor Leanna Shaff, 651/266-8980 to set up an appointment*
- if you can't get the C of O by May 23, 2014, you will be in the VB Program*
- can get the Existing Fuel Burning Equipment Safety Test; hire a licensed contractor who's licensed to do work in the City of Saint Paul*

*Mr. Dornfeld:*

- will make this property a Category 1 VB so that the water can get turned back on*

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