



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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651-266-8585

Tuesday, May 27, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 14-7](#) Ordering the rehabilitation or razing and removal of the structures at 1022 MINNEHAHA AVENUE WEST within fifteen (15) days after the April 16, 2014, City Council Public Hearing. (Laid over from June 4) (Amended to razing and removal only)
Sponsors: Thao
Owner did not appear. Remove the building within 15 days with no option for repair.
Referred to the City Council due back on 6/4/2014

- 2 [SR 14-53](#) Reconsidering enforcement of Council File No. RLH RR 13-48, an Order to Raze or Remove the structures at 521 EDMUND AVENUE.
Sponsors: Thao
Need the following conditions to be met by June 17, 2014:
 - 1) contractor bid or bids;
 - 2) real estate taxes paid to current;
 - 3) evidence of foreclosure process initiated.*If conditions met, will layover for one month to July 29, 2014 for Bank to decide on rehabbing or demolishing the building and City Council on August 6 and no later than August 20, 2014.*
RE: 521 Edmund Avenue (Single Family)
Greta Burgett, Wilford, Geske & Cook, appeared on behalf of The Bank of America.
Ms. Moermond:
 - the neighbors of this property would really like to see this house saved
 - there is some pretty significant non performance on this house; under other circumstances, she would have let it go through
 - currently, there's a resolution re-considering the action that City Council took; she will make a recommendation to the Council member on whether to introduce this resolution re-considering the matter and putting a stay of enforcement to

Remove/Repair in place

Inspector Steven Magner, Vacant Buildings:

The building is a two-story, wood frame, duplex on a lot of 4,792 square feet.

According to our files, it has been a vacant building since October 3, 2012.

The current property owner is Sean Shanina Cooley per AMANDA and Ramsey County Property records.

On August 14, 2013, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on August 16, 2013 with a compliance date of September 15, 2013. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$13,700 on the land and \$40,000 on the building.

Real estate taxes for 2012 are delinquent in the amount of \$2,135.95, which includes penalty and interest. Taxes for 2013 are due and owing in the amount of \$971.56, which includes penalty and interest. (those numbers have not been updated since Nov 2013)

The Vacant Building registration fees were paid by check on August 29, 2013.

As of May 27, 2014, a Code Compliance Inspection has not been done.

As of May 27, 2014, the \$5,000 performance deposit has not been posted.

There have been seven (7) SUMMARY ABATEMENT NOTICES since 2012.

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

- Garbage/rubbish*
- Emergency boarding/securing*
- Grass/weeds*
- Snow/ice*

Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$15,000.

- this was originally heard at LH on Nov 12, 2013

- it went to City Council on Dec 4, 2013

Ms. Moermond:

- 4 layovers were done trying to see if someone could be identified

Mr. Magner:

- a resolution was passed and signed to Remove the building within 15 days on Mar 21, 2014

- since then, Ms. Vang had an email conversation with Ms. Katie D. Cruz, The Bank of America, Semi Valley, CA

- ultimately, a letter was mailed out May 12, 2014 (attached), which he read into the record

- DSI has ordered the bid tab for demolition but don't have it back yet; probably in the range of \$15,000 + hazardous waste clean-up costs, which cannot be clearly ascertained until a destructive survey is done

Ms. Burgett:

- it's messy - a MERS

- it's vacant foreclosed; she needs to clear things up with title

Ms. Moermond:

- the bank can expedite the foreclosure because it's an advanced building

Ms. Burgett:

- she has been told that the bank has hired Safeguard Properties to complete and

send in the code compliance application form, as well as make the \$5,000 performance deposit; she has copies of the checks

- they need to check out the cost of the rehab
- she has gotten 2 demo bids so far but they are pretty high - in the \$30,000 range; if the city's bid is going to be around \$15,000, the bank will go with that bid

Mr. Magner:

- usually the property management companies don't get the same bidding as the city does
- \$30,000 is way over the top
- he will check with his staff re: the demo bids and get back to everyone

Ms. Burgett:

- her contact is in Ohio
- she will be interested in seeing the city's bid tabs

Ms. Moermond:

- the bank needs to do the assessment of whether or not to rehab
- sometimes, in circumstances like these, a bank would hire a general contractor to go through the house to get a feel for what needs to be done and develop a construction statement; a lot of general contractors know what to look for in a code compliance inspection
- that construction statement will be very close to what the code compliance inspection report looks like; then, they would amend their bid based on what the code compliance inspection report ends up saying (this can speed things up a little)
- to expedite things, she will call the city's building official, Steve Ubl, given that this will be in front of City Council soon
- asked to get a general contractor in the house within 3 weeks
- a lock box is there, according to Mr. Magner

Ms. Vang:

- it looks like someone broke in because there has been a recent emergency boarding

Ms. Moermond:

- we have 3 weeks on a contractor's bid
- the performance deposit has been posted
- the taxes need to be paid
- the foreclosure process should be initiated
- did some research on the previous owner; not sure if Sean Shanina Cooley/Sean Fitzpatrick was in Highland and now North End; at any rate, very difficult to catch
- how fast can the bank make a decision?

Ms. Burgett:

- the bank asked for 30 days to make a decision once they got all of the paperwork in their hands

Ms. Moermond:

- they have already had months

Mr. Magner:

- mortgage executed by Sean Shanina Fitzpatrick, an unmarried woman, in favor of Mortgage Electronic Registration System Inc as a nominee for America Wholesale lender dated Jul 29, 2005; filed Sep 20, 2005; original amount of \$155,000

Ms. Moermond:

- because the bank has applied for the code compliance inspection and posted the \$5,000 performance deposit, she will Lay this Over for a month back here, Jun 24, 2014, but

- in 3 weeks, she'd like to see the following: 1) initiate the foreclosure process; 2) pay all the property taxes; and 3) produce general contractor's bid; if all that is done, she will Lay it over for another month for the bank to make a decision (Jul 29, 2014) about going forward with the rehab or the demo; it would then be at City Council Aug 6, 2014 or no later than Aug 20, 2014

Laid Over to the Legislative Hearings due back on 6/24/2014

11:00 a.m. Hearings

Summary Abatement Orders

3 [RLH SAO 14-13](#) Appeal of John Hedlund to a Summary Abatement Order at 1436 WESTMINSTER STREET.

Sponsors: Brendmoen

Get aerial map of the property at DSI with measurements so that a site plan be can put together and an exit strategy on how to deal with the temporary tent structure and the cargo container. LHO and Appellant will talk to Karen Zacho at Zoning.

RE: 1436 Westminster Street (Duplex)

John Hedlund, tax owner, appeared.

Inspector Paula Seeley:

- complaint came in May 5, 2014: RV tarped trailer in yard; dumpster debris in rear yard

- she went out and saw some rubbish and motor oil in the driveway; but there was a big old temporary tent, which we've discussed before (you can't get a permit for); and you can have an exterior storage shed without a permit; anything over 120 sq.ft., which this is, requires a permit; Mr. Ubl took a look at the photo and said that it was an illegal tent; there's illegal electric out there that has to go, too

- there is also a huge storage container; we usually give people 30 days on storage pods, or any time they get a complaint

- his parking spot in the back off Arlington is an unapproved parking surface

- the driveway is not cleaned-up but there still is the issue of the temporary tent in the driveway and a small trailer

- a decision needs to be made on: 1) removing the tent; and 2) the unapproved parking surface; and 3) the big storage bin

- photos

- also, we would need a site plan for the parking area

Mr. Hedlund:

- this is one parcel; there used to be a garage in the back; there's a 40 ft shipping container that he laid down on the asphalt platform that the garage was on

- house was built in 1946

- he built a temporary car port in the front yard; it was temporary and it has survived 3 winters now; he agrees, that it's not something he wants there permanently; he wants to get rid of it; he is willing to remove that if he can keep the container in the back, which his yard is perfectly suited for; he has excavated out the back; it's 6 ft below ground; he still has 75 ft of parking in front of Arlington; he has the ric-rac out in front

of it; he has pictures from the east side, from which you can't even see it because it's surrounded by trees; there's a natural watershed and parks

- what's going on with the place is the tenant is waiting for him to finish the basement for her to move into; the big red trailer contains her belongings
- the temporary structure has been there for 3 years; a lot of progress has been made; has photos; it's just there to serve a storage purpose and it's been very useful; it is unsecured and it does have extension cords running for electric
- he is willing to take down the car port
- he would like to get 6 months - to the end of the year to get the remodeling done; he would like to get a variance to keep the shipping container in the back yard
- everything else has been taken care of
- he put 16 tons of class 5 rock down on the parking surface; he thought that was the answer but guesses that there's been some discussion as to whether or not that's been approved
- he moved the red trailer onto his neighbor's driveway so that he could put down the class 5; it was existing
- showed Ms. Moermond the photos on his phone

Ms. Seeley:

- if you can get proof that it's been there since 1974 and petition your neighbors.....
- the trailer on the grass in the front yard is also not good (Mr. Hedlund: that will certainly go; it is on loan to bring things to the site)

Ms. Moermond:

- from the photos taken this morning on Mr. Hedlund's phone, she sees that a fair bit of clean-up has been done; from different angles from the park, you can't see very much in his yard; you can see the house; you can't see the trailer; you can barely see the container; he has repainted it since Ms. Seeley saw it; the garbage and oil that were stored are gone; it looks like class 5 has been put down in the back yard; the grass was growing through it, so he added more gravel
- still has undefined edges of the surface of the driveway; seeing both cement and asphalt surfaces
- he has an approved duplex

Ms. Seeley:

- Zoning says that if he can show proof of 1974...
- the trouble on this one is that directly across the street, a guy graveled his entire yard and he's gotten fine after fine
- there is someone very mad over in that area about commercial vehicles; he's called on this property and many others

Ms. Moermond:

- asked Inspector Neis to GISMO an aerial view of this address
- she is looking for a site plan for this property; the layout - where is everything located; house, storage container, ground cover, etc.
- the storage container and the tent have to go (just a question of timing); commercial containers aren't allowed in residential zoning areas
- the tent is a temporary structure, which has ceased being temporary in this case (6 months out of the year or less is temporary)

Mr. Hedlund:

- the tent contains: building materials; etc.
- the garage is a single car garage
- the car port is attached to the front of the single car garage (supported by the garage)

Mr. Neis:

- pulled up an aerial view from Google; was not able to get GISMO

Ms. Moermond:

- is troubled by parking his camper in the front; that's a big zoning problem unless he has had parking there for a very long time

Mr. Hedlund:

- the camper was put there while he was renovating the rear of the property; last summer, it was parking on the back surface

- he has tried to talk to zoning; they returned his call but on May 1, 2014, he started working for an irrigation company and he's been working from 7 am to 9 pm every night; he can't call during the day

- he wants to do what's right - get a site plan or whatever it takes

Ms. Moermond:

- you will need a site plan for this

- there's a few different things going on, code-wise; so, she's confident that she can deal with the vehicles on the parcel and the approved surface for parking or not; where that approved surface is on the parcel is kind of a gray area in between her jurisdiction and the Board of Zoning Appeals; we'll need to work together on that and come up with a solution; it depends on how big of a deal, the BZA thinks it is

- do a site plan - layout for me as close to proper dimensions as you can

Ms. Seeley:

- said that if he goes to the DSI office, 375 Jackson St, Suite 220, talk to someone in site plan review, Karen Zacho; she will bring up an aerial map for him of his parcel; they will point out what he can and can't do; she has a feeling about the garage slab that they won't let him go off that whole area

Ms. Moermond:

- she would like a copy of what Zoning goes over with Mr. Hedlund

- take the info from Zoning to come up with a plan

- she will concern herself with lot coverage

- she will talk with Karen Zacho

- she will let that progress for a couple of weeks so Mr. Hedlund can put together a plan and an exit strategy for how he plans to deal with the temporary storage structure and the cargo container

Mr. Hedlund:

- his long-term plan was to turn the duplex into a triplex; he's just been clearing out the basement, thus far; he is trying to put together a plan

Ms. Moermond:

- we know for sure that the tent is going

- we will figure out about the cargo container and exit strategies

- will LAY this OVER for 2 weeks: Jun 10, 2014

Laid Over to the Legislative Hearings due back on 6/10/2014

4 [RLH SAO 14-14](#)

Appeal of Michael and Benita Warns to a Summary Abatement Order at 1440 LAFOND AVENUE.

Sponsors: Stark

Owner indicated she is in compliance and has withdrawn her appeal.

Withdrawn

Orders To Vacate, Condemnations and Revocations

- 5 [RLH VO 14-17](#) Appeal of Tobias Madden to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 914 PALACE AVENUE.

Sponsors: Thune

Appeal denied and re-occupancy shall be allowed pending the receipt of the clean meth result to the Fire Certificate of Occupancy inspector.

RE: 914 Palace Avenue (Single Family)

Tobias Madden appeared on behalf of Christopher Madden, owner.

Fire Inspector Leanna Shaff:

- update: at the last hearing, we were waiting for the lab results; they came in to Mr. Madden that same day; she received them the next morning; the house tested positive for methamphetamine; since then, Mr. Madden has had a decontamination team come in; now, we are waiting for test results after the decontamination team went in; hopefully, we will see those early next week

Mr. Madden:

- now, he is dealing with declassifying the house as a meth manufacturing site; if it is classified as a meth manufacturing site, Minnesota law requires disclosure of that at the time of sale
- he does not believe that it was a site for manufacturing but a site for storage
- after he receives the next test results, he is hoping that the classification as a meth lab is removed (so that it's not stigmatized as a production site) and that the city will issue a Certificate of Occupancy

Ms. Moermond:

- is looking at the authority under which the County health folks would make that determination, although they don't use the phrase, "meth lab;"
- the city does not make that determination; County Health does; if they give it a green light, the Condemnation will be lifted right away
- as far as she knows, there is not a meth lab label; the city looks at the expert information it received from the FBI Safe Streets folks and also the numbers at the clean up; and did the site require clean-up and it did
- disclosure is not something that the city can address at this level; not in it's jurisdiction; the city has to leave the labeling to the health folks

Ms. Shaff:

- suggested that Mr. Madden pay particular attention to page 61 of the MN Dept of Health clean-up section; she read what City Attorney Skarda paraphrased: "The legal public health determination of a meth lab may not always be the same. For the purposes of safe public health practice, assessment is required for whether lab waste, equipment or chemicals are found on the property; whether or not an arrest or conviction has occurred is not sufficiently protected to require remediation, only when a working lab has been discovered. When there's no sign of cooking and all meth chemicals on the site are unopened, MN Dept of Health recommends that a decision to sample or clean should be made on a case by case basis without input from local law enforcement and public health officials. Since the meth clean-up legislation became affective in 2006, there's been confusion about the meaning and intent of the letter of the law. According to the law, a clandestine lab site means any structure or

conveyance or outdoor location occupied or affected by conditions of chemicals typically associated with the manufacturing of meth. The law also states that a county of local health department or sheriff shall order that any property or portion of a property that's found to be a clandestine lab site and contaminated by substances: chemicals or items of any kind used in the manufacture of meth or any part of the manufacturing process or the byproducts or degradates of manufacturing meth be prohibited from being occupied or used until it's been assessed and remediated, as provided in the Dept of Health's general clean-up guidelines."

Ms. Moermond:

- Ms. Shaff is looking for clean lab results in order to allow re-occupation

Ms. Shaff:

- the house needs a Certificate of Occupancy inspection anyway; we'll go through the house to make sure there isn't anything else that needs to be done

Mr. Madden:

- wants to make sure that the place is safe to occupy

- his big issue, in real estate terms, 20 years from now when my son wants to sell the house, will it be stigmatized

- what needs to be disclosed; will it make a difference

- as soon as he receives the test results, he will let Ms. Shaff know and they can set a date for the C of O inspection

Ms. Moermond:

- the disclosure is not something she can deal with; only the Condemnation

- if the test results come back clean, then, the Condemnation can be lifted and the house can be re-occupied

- for the rest, we can work off Orders

- will recommend this appeal be denied; re-occupancy shall be allowed pending the receipt of clean lab results by Fire C of O staff

Referred to the City Council due back on 6/18/2014

6 [RLH VO 14-18](#)

Appeal of Jeannine Butler-Draper to a Revocation of Certificate of Occupancy and Order to Vacate at 799 IGLEHART AVENUE.

Sponsors: Thao

Marcia Moermond, Legislative Hearing Officer recommended the following conditions:

1. close out the plumbing permit;
2. get confirmation from inspector that the lower railings are sound; and
3. install a double key lock on the door leading to the porch.

If these conditions are met, occupancy can be allowed. By October 1, 2014, all other items will need to be in compliance, but for those two with a June 15, 2015 deadline. Owner will need to pull a building permit for the posts to the decks/porches.

By June 15, 2015, the upper railing and deck repair and exterior painting of the house will need to be in compliance. Owner may need to pull a permit for this activity. She will need to consult with the Department of Safety and Inspections.

RE: 799 Iglehart Avenue (Duplex)

Jeannine Butler-Draper, owner, appeared.

Fire Inspector A. J. Neis:

- *Revocation of the Fire Certificate of Occupancy/Order to Vacate by Fire Inspector Jeremy Hall on May 19, 2014*
- *the building needs full compliance by Jun 14, 2014 or vacate*
- *it appears that the house has already been vacated*
- *all started Oct 2013: a complaint came in of an illegal triplex*
- *Inspector Hall went out to the property, he did not write Orders on an illegal triplex because there was no violation*
- *at one time, it may have been a 4-unit building; then, a 5-unit building; then, an illegal triplex; and now, it's a legal nonconforming duplex*
- *spoke with Mr. Hall this morning; he indicated that most of the interior work is done; substantial exterior still needs to be done*
- *a bathroom floor and plumbing permits still need to be signed off*
- *Appellant is looking for more time to get all the work completed*

Ms. Butler-Draper:

- *both she and her husband work full time and it has been very challenging to try to get things done with the weather*
- *she appreciates everyone taking the time to listen to her today*
- *is asking for more time*
- *financially, she will be laid off soon; she works for Head Start; they are laid off every summer; the income won't be there to do the repairs*
- *she acquired this property; her family owned this property and through the death, she purchased the property (her great grandmother, grandmother, aunt and uncle all lived here)*
- *there were a lot of repairs that needed to be done*

Mr. Neis:

- *Mr. Hall indicated that the front porch is pulling away from the house a little bit; a pillar had been replace but was not done under permit; it appears structurally sound but could not make a full assessment; the building inspector would require a permit on so that they could make sure the newer pillar isn't tied into existing rotted wood, etc.*

Ms. Moermond:

- *asked if the handrails and guardrails were something that they could do themselves*

Ms. Butler-Draper:

- *the upper deck is not always used; it sits right outside a bedroom and they have asked tenants with kids, especially, not to access that deck at all*
- *the lower level has been tightened and were inspected by Mr. Hall; the banisters were loose; they had them tightened*
- *she believes that the shift in the foundation is making the upper porch lean a little (house is over 100 years old); she believes that Mr. Hall wanted to see that leveled a little*
- *is asking for more time because they really want to fix up the property - do a good job*
- *she is all about safety; she wants everyone to be safe*
- *they try to rent this property to homeless families and other people whom others won't rent to them*

Mr. Neis:

- *suggested that the tenants not be allowed to use that deck, temporarily*
- *an interim solution to the upstairs deck would be to put a double keyed lock on that door from the bedroom to the deck until it gets secured; there is an egress window on*

the east side of the house that also serves that bedroom

Ms. Moermond:

- need to close that plumbing permit

Ms. Butler-Draper:

- working on closing the plumbing permit but it's hard to find someone who will follow thru

- Mr. Hall talked more about painting the trim around the windows; he didn't seem to have an issue with painting the rest of the house

- they will be doing the trim painting

Mr. Neis:

- the majority of exterior painting looks like soffit, fascia board and trim

- the siding, itself, does not appear to be in that bad of shape

Ms. Moermond:

- will split up the exterior work

- if the plumbing permit gets closed out and if the inspector can confirm that the lower railings are sound, occupancy can be allowed; the Revocation can be lifted

- need also to see a double keyed lock on the door to the upper deck; lower deck pillar -need building permit to be pulled to make sure that the post wasn't tied into a rotted member (Oct 1, 2014); all the trim needs to be painted by Oct 1, 2014

- the rest of exterior painting of the house deadline: Jun 15, 2015; along with the upper railing and deck repair

Referred to the City Council due back on 6/18/2014

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 7 [RLH FCO 14-66](#) Appeal of TST Creative Catering to a Fire Inspection Correction Notice at 1494 DALE STREET NORTH.

Sponsors: Brendmoen

Grant until January 1, 2015 to bring the fire alarm into compliance.

RE: 1494 Dale Street North (Catering)

Tony Moran, TST Creative Catering, Ideal Hall, owner, appeared.

Fire Inspector Leanna Shaff:

- we were here a couple of weeks ago

- you asked that the property owner and the inspector submit how they came to be at the current occupant level in this assembly use; they were received

- Inspector Imbertson came to the exact same conclusion at 375

- the Fire Code, dealing with an existing building, is very clear: an alarm is required at an occupancy level of 300 or more

Mr. Moran:

- he is willing to install a key box

Ms. Moermond:

- you would need a 30% variance, which is pretty significant
- based on the way the chairs and tables are configured in this space, the measurements come up with 375
- if the tables and chairs are arranged in a way that would decrease the count, that would be great but right now, the math configuration leads to 375

Ms. Shaff:

- that's a significant change from what the code requires
- Inspector Imbertson also noted in his email, "The Fire Code requirements for alarm come into place; the requirement for panic bar hardware in the front entry also comes up at 300 occupants, too."
- when it's over 300, there are things that need to change

Ms. Moermond:

- we will look at doing the variance if Mr. Moran can get it down to 325 but right now, she is not going to recommend a variance; he would have to install the fire alarm; she thinks that the alarm is the right thing to do with that size of space that can accommodate a large number of people
- he needs to worry about the square footage and how it's being used rather than the number of heads that come in the door because that's how the calculation is

Ms. Shaff:

- the code considers that all areas that are table and chairs are figured at 15 sq.ft. per person; the size of a table is not a concern
- if it's just standing room, 5 sq.ft per person is figured
- if it's just chairs - fixed seating, then, 7 sq.ft. per person is figured
- these tables are not permanently in place

Mr. Moran:

- most weddings are for 250 - 300 people; there aren't many halls within St. Paul that have that capacity
- going from 375 down to 325 or 300 is a big jump; he wouldn't be able to accept these larger weddings
- he has priced a fire alarm system: about \$10,000
- why has no one ever said anything about this before

Ms. Moermond:

- inspectors should have brought it up before
- in the past few years, these have come up now and then, where we have long-term commercial restaurants and bars that have a different occupant load than was at a previous time (Tin Cups and Cecil's Deli come to mind)
- it's about how the square footage is used
- she has to assume that people aren't going to pay attention to what the occupant load is
- wants to give Mr. Moran some time to figure out what he wants to do
- his choices: 1) put in a fire alarm; or 2) re-configure the space with permanent seating that would decrease the occupant load; 3) sprinkling would also require an alarm
- the sprinkler system, however, does have a city program that would help pay for it

Mr. Moran:

- but every event is different: 1) graduations; 2) weddings; 3) funeral; etc. permanent seating won't work; it's a banquet hall
- the booths are permanent

Ms. Shaff:

- it's not about a number that is posted on the wall but the amount of space that is actually there
- the fire code says that violations should not be allowed to continue

Ms. Moermond:

- thinks that Mr. Moran will need to install the alarm/sprinkler (tax assessment program can help)
- contact Bruce Engelbrecht, 651/266-8854
- will grant until Jan 1, 2015 to figure out the finances on the fire alarm/sprinkler
- get estimates and find out what works best
- City Council Public Hearing is Jun 18, 2014; they could look at this differently

Referred to the City Council due back on 6/18/2014

8 [RLH FCO 14-71](#) Appeal of Sandra Severt to a Fire Inspection Correction Notice at 1660 WHITE BEAR AVENUE.

Sponsors: Bostrom

Following the hearing, LHO reviewed the file again. Based on this review, the LHO revised her recommendation to be that the City Council grant the appeal, provided that operating smoke detectors are at all required locations.

RE: 1660 White Bear Avenue (Regional Shopping Center-B-Commercial)

Sandra Severt, Madison Equities LLC, appeared.

Ms. Severt:

- they did put new smoke detectors in where old smoke detectors were

Fire Inspector Leanna Shaff:

- photos
- Fire Inspection Correction Notice dated May 8, 2014
- inspection was conducted on May 7, 2014 by Inspector Wayne Spiering
- he called out the cameras in the ceiling that look like and give the false sense of security of a smoke detector
- the MN State Fire Code, Section 901.4.4 Appearance of Equipment: any device that has the physical appearance of life safety or fire protection equipment but does not perform that life safety or fire protection shall be prohibited
- this space has 3 of them that look like smoke detectors but definitely, are not
- emergency personnel need to know what safety/protection equipment is there and what is not

Ms. Severt:

- entered photos for Ms. Moermond to view
- they installed the smoke detectors today
- the cameras look different from the smoke detectors but similar
- they have an adequate number of smoke detectors besides the ones that are look a likes
- the purpose was to disguise the cameras; cameras in a jewelry store work best if they are disguised

Ms. Moermond:

- searching her mind for other disguised camera housings that could be used instead of a smoke detector housing
- the Fire Code is clear; however, the City Council may OK a variance on these
- it is not significantly cost prohibitive to change these out to another housing what

wouldn't create the same concern; the Fire Code, literally says, "No."
- City Council Public Hearing is Jun 18, 2014
- will recommend granting until Aug 1, 2014 to come into compliance

Referred to the City Council due back on 6/18/2014

2:30 p.m. Hearings

Vacant Building Registrations

- 9 [RLH VBR 14-35](#) Appeal of Robert Fluegel on behalf of Trikin Properties to a Vacant Building Registration Notice at 696 FIFTH STREET EAST.

Sponsors: Lantry

Deny the appeal; the Appellant will need to obtain a code compliance inspection.

RE: 696 Fifth Street East (Duplex)

No one appeared.

Ms. Moermond:

- Inspector Shaff has had a chance to go out there to make the determination about all the things that are right and wrong with it and whether or not it should be in the Vacant Building Program based on that

Fire Inspector Leanna Shaff:

- she took a lot of pictures; sent them to Ms. Moermond
- the house has some really good bones; however, the foundation is pulling apart on the SE corner
- in the basement, the mortar of the foundation has significantly deteriorated and is washing out; there is a lot of moisture around all of the edges; without attention, it's a not a matter of "if" but "when" the moisture will pop through and wash out the existing mortar/sand between the stones; on one side of the basement, there's a significant crack below the window; just a matter of time when that fails, too; suggested that a structural engineer take a look at that to make sure there aren't more issues with that
- there are a few places where they are come occupancy separation issues in the rest of the structure; nothing that can't be addressed
- the house has suffered from a lot of deferred maintenance
- on the east side of building, there are 2 windows that don't fit due to settling
- there's tall grass and weeds
- doors that need fixing
- garage has foundation issues and in rough shape; needs painting
- electrical issues
- the most significant issues besides the garage and just cleaning up the exterior is the basement foundation

Ms. Moermond:

- in April 2014, an inspector went out and found it vacant; he referred it to the VB Program
- it looks like a tattoo was put on it but they couldn't see too much from the outside

Ms. Shaff:

- there were some behavioral issues; some overcrowding issues in Sep 2013
- Inspector Westenhofer switched everything from the complaints over to the

Certificate of Occupancy

- Inspector Tonnancour was also out there; things weren't addressed
- things hadn't changed

Ms. Moermond:

- we had to find out what the interior was like to make sure that we had the appropriate VB designation on it or whether or not it needed to be designated
- Ms. Shaff's inspection is telling her that there are some foundation problems that are significant: wet basement and water continues to infiltrate because the mortar is failing; there's a lot of deferred maintenance
- based on those findings, it's clear that this is a Category 2 Registered VB; it will need a code compliance inspection, etc.
- will recommend denying this appeal

Referred to the City Council due back on 6/18/2014