



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final Legislative Hearings

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

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Tuesday, August 26, 2014

9:00 AM

Room 330 City Hall & Court House

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### 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 one-hundred eighty days after the September 17, 2014, City Council Public Hearing. (Public hearing held and closed; laid over from September 3)
- Sponsors:** Thao
- Provide work plans and bids by September 3.*
- If provided and found acceptable, recommend 180 days for the rehab or razing and removal of 1022 Minnehaha.*
- RE: 1022 Minnehaha Avenue West (Single Family)*
- Harvey Johnson appeared on behalf of Norma A. Johnson, owner.*
- Inspector Steve Magner, Vacant Buildings:*
- last letter Aug 7, 2014 to Harvey Johnson (attached)
  - needed to schedule Code Compliance Inspection
  - he spoke with Inspector Joe Yannarely, who met with Mr. Johnson at the property last week; they walked thru 1st & 2nd floors, which were clean & ready for inspection; basement still needed to be cleaned out so that a thorough inspection could take place; Mr. Johnson has contacted Mr. Seeger to set up an inspection appointment
- Mr. Johnson:*
- Mr. Seeger's Code Compliance inspection took place yesterday, Mon Aug 25, 2014
  - has been getting bids; about 2 dozen people have come in; final language of contracts will be finished today or tomorrow (boiler is essentially finished); insulation, flooring, bathroom plumbing, still arguing electrical on some additional items, wallboard; wants to make sure via contract that all people are licensed and bonded
  - when inspectors were there, he found out that he can call and ask them about particular items to make sure they are in compliance with the city before they actually start work
  - his general contractor is waiting for the code compliance report
- Ms. Moermond:*
- she needs a copy of the bids and the code compliance report (she will call to have

*expedited)*

- *if she has these things in her hands on Sep 3, 2014, she will recommend that he be granted 6 months to rehab the house*
- *CCPH Sep 3, 2014*

*Mr. Johnson:*

- *is sure he can complete things before 6 mos are up*
- *some of the bids may contain loose language; more negotiation may be required to make sure all is compliant*
- *they plan to move in by Halloween*

**Referred to the City Council due back on 9/3/2014**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 2     [RLH SAO 14-30](#)     Appeal of Daniel Benegas to a Summary Abatement Order at 322 TOPPING STREET.

**Sponsors:**     Thao

*Orders were sent to the wrong property.*

**Withdrawn**

- 3     [RLH SAO 14-31](#)     Appeal of Kristine Anderson to a Summary Abatement Order at 1029 VAN SLYKE AVENUE.

**Sponsors:**     Brendmoen

*Grant the appeal until the end of the season.*

*RE: 1029 Van Slyke Avenue (Single Family)*

*Kristine L. Anderson, owner, appeared.*

*Inspector Mark Kaisersatt:*

- *Complaint came in Aug 5, 2014 about weeds blocking the sidewalk*
- *Inspector Joel Essling found the plantings over 36 inches high*
- *issued Summary Abatement Aug 14, 2014 to trim plantings to 36 inches so the sidewalk is clear full width; re-check date Aug 22*

*Ms. Anderson:*

- *submitted photos taken at that time*
- *the plantings are not weeds; they are Minnesota native flowers/plants she purchased from the local landscaping company*
- *they do not obstruct the sidewalk; the photos were taken the day she got the letter without any work by them*
- *she believes that there's a precedent all through the city--- she has seen at least 100 blvd gardens that are similar and taller; she does not see why that's a problem and if it's not posing a "real" problem, the right thing to do is to leave the beautiful flowers there and that it be allowed to stay unless there is a "real" problem; she would like to understand if this is a "real" problem*

Ms. Kaisersatt:

- Inspector Essling didn't say "weeds;" he referred to them as blvd plantings
- since it was a complaint, they need to look at it and if it's a violation, they write an Order

Ms. Anderson:

- those plants are going away next year because the city is re-doing the street removing the blvd entirely and replacing them with grass
- the plants will be there only until first frost this year
- they were planted before 2005; and there's been no problem

Ms. Moermond:

- looking at an aerial image of the area and noticed that there are no driveways along the block; only alley access; so, no one will be pulling into or out of a driveway

Ms. Anderson:

- they are right in the middle of the block; not anywhere near a driveway, a cut out or a pedestrian cross

Ms. Moermond:

- will allow Ms. Anderson to have the plants for the rest of this season
- will recommend this appeal be granted through the end of this year

**Referred to the City Council due back on 9/17/2014**

#### Orders To Vacate, Condemnations and Revocations

- 4 [RLH VO 14-39](#) Appeal of John Goodman to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 537 MOUNT CURVE BOULEVARD.

**Sponsors:** Tolbert

*No one appeared. Deny the appeal.*

**Referred to the City Council due back on 9/17/2014**

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

#### Orders To Vacate, Condemnations and Revocations

- 5 [RLH VO 14-32](#) Appeal of Zia Her Xiong to a Notice of Condemnation Unfit for Human Habitation Order to Vacate at 492 BLAIR AVENUE.

**Sponsors:** Thao

*Grant the appeal to be out of the Fire Certificate of Occupancy since mom has moved into the house. (No hearing necessary.)*

**Referred to the City Council due back on 9/17/2014**

- 6 [RLH VO 14-37](#) Appeal of Elsie Mayard to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 755 MINNEHAHA AVENUE WEST.

Sponsors: Thao

*Rescheduled per owner and attorney's request.*

**Laid Over to the Legislative Hearings due back on 9/9/2014**

7 [RLH VO 14-40](#)

Appeal of Robert King to a Notice of Condemnation Unfit for Human Habitation Order to Vacate the Building is a Gross Unsanitary at 1891 SEVENTH STREET EAST.

Sponsors: Lantry

*Deny the appeal and grant until September 2, 2014 to address all issues or the building must be vacated by September 12, 2014.*

*RE: 1891 Seventh Street East (Apartments)*

*Robert King, Twin Empire Investments LLC, owner, appeared.  
Verdeen LeMaster, Anytime Restoration, also appeared.*

*Inspector A. J. Neis:*

- Condemnation: Inspection conducted Aug 14, 2014 by Fire Inspector James Thomas and Supervisor Leanna Shaff*
- they identified 41 code violations*
- process started due to fire in Unit #6 in Apr 2014; Fire Dept sent over the complaint; wanted all smoke detectors checked*
- several Orders had been issued to get property repaired; work has been slow*
- spoke with Inspector Shaff; she said dumpster in back still has debris from gutting and remodeling of Unit #6*
- property is in terrible condition; the common areas were described as one of the worst conditions she's ever seen*
- illegal activities had been going on at the property: gambling, drugs, multiple issues*
- Ms. Shaff wanted to talk with owner; she was told that he was too busy to meet with her*
- Ms. Shaff has also been contacted by the council office to try to figure something out*
- history: last 4 years has a total of 30 complaints (multiple police issues; search warrants; arrests; unsanitary-bedbugs; not being maintained)*
- Mr. Neis asked that the Condemnation be upheld*
- the building was inspected and approved in Oct 2013 and quickly deteriorated*
- the Condemnation is merited on the building conditions, not the behavioral conditions; however, typically, buildings in poor condition naturally attract public nuisance (not the most desirable people)*
- Mr. King has owned this since around 2004*
- there have been over 60 complaints in the last 10 years (6 per year)*

*Mr. King:*

- would like to set the record straight: Mr. Thomas inspected the apartment Aug 8, 2014; he gave Mr. King a Correction Notice which give Mr. King until Sep 10, 2014 to make these corrections; then, Inspector Shaff called Mr. King Aug 14, 2014 at about 12 o'clock and said that "she is going to go over to the building to do an inspection and you (Mr. King) have a half hour to get here;" Mr. King told here that he could not leave work; Ms. Shaff did not offer to delay the inspection which was very confusing to him because of the Aug 8th list, which is basically, the same items, and he was given time to repair things*
- fire: a person fell asleep on the couch and started a smoke fire, which sooted the*

whole apartment; they are working with insurance co. to get the whole thing rehabbed down to the steps; the insurance needed time to approve that; took time to get the permits to do it; and when the Fire Dept came to put out the fire, the hallways, etc. were doused with water and got very soiled plus the rehab people carried debris down over the carpeting, all of which ruined the hallways; they are replacing all that carpeting with commercial-grade vinyl and they are putting in rubberized steps; they are also upgrading the fire door requirements on the 3rd floor (1 1/2 hour rated)

- the inside of these apts are in great shape: granite tile in some apts; most have brand new carpeting and new kitchen flooring;
- has photos
- the hallways were a mess; things were dropped by the rehabbers; for that reason, they wanted to wait until Unit #6 was finished before they put the new vinyl flooring in the hallways; hopefully, the flooring will be installed yet this week
- they have taken care of most of these items
- the police activities: there was a gang around the building playing dice, handling drugs, getting into the apartments (get behind a little kid and walk in)
- Mr. King was working with Officer Mike Dinanski and 2 other officers, David Kentorowitz and Dean Keenan; he met with them and told them about his situation; the police came over and raided the building and caught them
- for him and his tenants challenging these people would put them in jeopardy
- handed Ms. Moermond the police report showing that one of those people had come from Oakdale; these were not his tenants; his tenants are not attracting these people - they are young women with young children
- because of the police raid, we don't have anyone hanging around the building anymore
- he doesn't think that it's appropriate for him or his tenants to approach 15-20 people and challenge them; you don't know whether or not they have weapons
- since the raid was done, there has been no problems with anyone hanging around the building
- he took action and he wants to personally thank those 3 officers for the work they did
- they probably need 3 weeks to get all the rehab done; they've had to custom order specialty doors
- this is not a dilapidated building; it's a solid brick 1960s bldg
- new windows have been installed in Unit #6
- the hallways were in terrible shape and the new flooring will all be done by next week
- he entered all the photos with explanation
- things have taken longer time: had to order custom doors- takes 4-6 weeks to get them; delays in getting permits (did it electronically); took time for the insurance company to approve all the work; code had changed for bathroom ventilation system- needed another permit; hired subcontractors; also custom cabinets

Mr. Neis:

- from his understanding after speaking with Ms. Shaff this am, she talked with Mr. King about getting the FORCE unit involved, he hadn't yet been in full contact with them until she initiated that with those officers, who accompanied her

Mr. King:

- he disagrees with that; it's a mis-statement; the police report was done Aug 12, 2014; she didn't call him until Aug 14, and he had already had a conversation with the officers; that's why they did the raid
- he introduced more documents (police report, fax from Officer Dinanski, etc.)
- 11 units in bldg
- they are on dumpster #3, not the dumpster that's been there since day 1

Mr. LeMaster:

- it's taken a long time because ---- doesn't have exact dates, however, fire happened in Apr; and it takes a long time to get the insurance company's (Country Insurance) approval (it was more than a few weeks); insurance adjuster and he worked together  
- it wasn't finalized until last week; then, the insurance company issues a check to the mortgage company; then, the mortgage company required a number of forms to be filled out and then, they came out to inspect; they had to get the money first before they could start to rebuild; believes the first check was a month ago or so; however, they did start work before then; the vent for the bathroom permit took a long time, about 1 month; they did everything that they could up to that point

- hallways: usually, you do all the demo and rehab before you do the hallways; you want to put all the dirty stuff, etc. on the carpet that's going to be torn out instead of, perhaps, ruining a new floor and damaging the walls; Mr. King pressured him so they fixed and painted the walls and demoed the flooring

Mr. King:

- there are no criminal records on his tenants  
- is not looking to put bad people into his buildings  
- he's not happy about having his property damaged; it takes a lot of money to fix things  
- doesn't care to have criminal activity outside his building that doesn't get taken care of; fortunately, when he call them, these officers came over and took care of the problem immediately; however, he can't control the whole neighborhood

Ms. Moermond:

- commented on her research on properties over the course of the 20 years she's been with the city; and one distinct patterns she sees is that the women are on the lease and they bring into their home boyfriends/partners/etc who do have the criminal background; she gets the apt with her clean background and brings the other element in

Mr. King:

- their lease says that if you bring any one in for Xamount of days, he needs to have their I.D. and he does a background check; he's had to do it twice within the last 1 1/2 months  
- rent is \$825 for a 2 bedroom  
- this will cost \$120,000 in renovations  
- they do not allow animals

Ms. Moermond:

- asked Mr. Neis to make a commitment on his calendar for an inspection to take place Tue Sep 2 at 9:30 am (no LH that day); all items must be addressed by Sep 2, 2014  
- this is time sensitive issue; want to see it on the City Council Public Hearing Agenda for Sep 3, 2014  
- will recommend denying this appeal in the meantime  
- if the Condemnation is not lifted on Sep 2, she will recommend to the Council that the building be Vacated by Sep 12, 2014 (an inspector won't be there until Sep 15, 2014); the new floor covering will need to have been installed by Sep 2, 2014  
- will get a letter confirming

**Referred to the City Council due back on 9/3/2014**

**1:30 p.m. Hearings**

**Fire Certificates of Occupancy****8 RLH FCO  
14-125** Appeal of Georgia Duncan for Heidy Flores to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1457 ALBANY AVENUE.

**Sponsors:** Stark

*Layover to September 16 at 2:15 p.m. for progress of cleaning out the interior property (kitchen, counter, bathroom, etc). This deadline is September 12, 2014. Grant until October 17, 2014 for the fence and carpet issues.*

*RE: 1457 Albany Avenue (Single Family)*

*Georgia Duncan appeared.*

*Ms. Moermond:*

- she and Ms. Duncan have talked via email
- there are 2 sets of Orders: 1) started with Correction Orders issued Jul 29, 2014; compliance Aug 13, 2014; and 2) Condemnation Order / Order to Vacate, which is contingent on today's hearing
- between when those Orders were written, there were some behavioral problems at the property, which triggered an earlier inspection (checking for emergency conditions)
- Ms. Duncan's daughter, Heidy C. Flores, owns this property
- Ms. Duncan's daughter, Amber, lives there with a son and a daughter (ages 3 and 5)
- referenced: 1) House Calls Program; and 2) Dayton Avenue Presbyterian Church for services

*Fire Inspector A.J. Neis:*

- Notice of Condemnation issued by Inspector Lisa Martin as a result of unsanitary conditions and other issues
- photos in file
- has been on-going for a few months where there are multiple code violations
- the occupant has some challenges and as a result, cleanliness is an issue and it can quickly spiral if not dealt with
- on Aug 13, it was decided it would be best to Condemn the house for unsanitary conditions in hopes that it could be cleaned up or find the necessary resources to get the occupants some help
- additionally, there have also been some behavioral issues; the inspector noted drugs and there were some disturbances with neighbors across the street (a Salvation Army homeless program for young adults)
- need to figure out a way to get compliance and put proper resources in place

*Ms. Duncan:*

- did not invite Amber here today because it's so difficult to get kid care; she would like her to be a part of this and if there is another hearing, Amber will be coming
- also, Amber is very prone to anxiety

*Ms. Moermond:*

- perhaps, we'll set up a time certain
- kids are welcome and are here often
- clean-up; maintaining good sanitary housing conditions will be needed
- behavioral issues will generate more problems with neighbors and more complaints (spiral)

- at this juncture, we either need a work plan (was emailed) or figuring out a way to force crisis, which would close down the house and moving on
- her preference is to have a good work plan with follow-thru

Mr. Neis:

- the house, itself, is not a bad dwelling; the issue is mostly upkeep and clutter; also, the fence is rotting and needs work
- it's an unsanitary cluttered house (could be because of the behavior of allowing people across the street in, who may be taking advantage of the situation)

Ms. Duncan:

- believes that Amber thought that she was building friendships with the young people across the street and they turned on her
- she thinks that Amber has learned a huge lesson
- the carpet was perfectly fine when Amber moved in 1 year ago; now, it's totally destroyed (wood floors underneath)
- Erica, House Calls, said she could bring out a dumpster for the carpet and the fence
- Amber is not good at cleaning up; however, this really shook her up - she does understand, intellectually now, that you can't be as dirty and messy as she is; people won't allow you to keep your children
- she had the chimney cleaned; the man who came out said it's safe and that the loose brick is not a problem; (Mr. Neis: have the repairman put that on the Orsat Test with his license number); the fireplace is not allowed to be used - there's a bookshelf in front of it
- the furnace was checked
- she has already sent in the paperwork on the chimney and furnace; smoke detector/CO alarm

Mr. Neis:

- render the fireplace inoperable by sealing the flue/chain and put a board over it
- we will forbid burning of any sort: cigarettes or smoking, candles, incense, etc.

Ms. Moermond:

- clean and sanitize the entire home
- have carpet out of house and the fence taken down by Oct 17, 2014
- will LAY this OVER to check progress on conditions Sep 16, 2014, 2 pm
- Deadline of Sep 12, 2014 for the sanitary issues: kitchen, bathroom, etc.
- letter will be sent for Sep 12 inspection
- placard can come down

**Laid Over to the Legislative Hearings due back on 9/16/2014**

9 [RLH FCO  
14-132](#)

Appeal of Sally Hoppe to a Fire Inspection Correction Notice at 757 BLAIR AVENUE.

**Sponsors:** Thao

Grant until December 1, 2014 for the items to come into compliance. If owner can provide proof that son is part-owner to property, the property will be out of the Fire C of O Program.

RE: 757 Blair Avenue (Single Family)

Sally Hoppe, owner, appeared.

Fire Inspector A.J. Neis:

- Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Lisa Martin



- 13 code violations were identified
- Ms. Hoppe is asking for additional time to complete repairs
- Appellant advised him that they are currently in the process of adding their son to the deed as a co-owner (ready to be filed)
- then, it will be out of the Fire C of O Program; however, the Orders would be followed up by Code Enforcement

Ms. Hoppe:

- Remodeling by Nelson will be doing the repairs: replacing roof and trim; garage
- may need a new furnace if it won't pass the test
- her son has been living there
- she collects no rent from her son; his wife walked out and left him with the kids about 5 years ago
- she will put him on the title
- if painting won't do it, she will re-side the house

Ms. Moermond:

- the exterior Orders will be left (roof, painting, window frames) or new siding
- holes, cracks, repairs need to be done (around windows) this fall
- will recommend an extension to Dec 1, 2014
- provide the document showing son is on the title; then, he will be out of the C of O Program

**Referred to the City Council due back on 9/17/2014**

10 [RLH FCO  
14-128](#)

Appeal of Debra Lassegard Johnson to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 2108-2110 HIGHWOOD AVENUE.

**Sponsors:** Lantry

Grant the appeal.

RE: 2108-2110 Highwood Avenue (Duplex)

Debra Lassegard-Johnson appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice issued by Inspector James Thomas
- appealed is a couple of bookshelves located on the staircase landing
- Ms. Lassegard-Johnson thinks the code does not apply here
- the International Fire code does apply; however, looking at the photos and seeing 42 inches clearance on the landings, he doesn't have an issue with it
- he recommends granting this appeal

Ms. Moermond:

- she thinks it's advisable to put up brackets and attach the bookcase to the wall, up higher
- she is comfortable with the clearance but worried about the danger of it falling

**Referred to the City Council due back on 9/17/2014**

11 [RLH FCO  
14-126](#)

Appeal of Irene McBride to a Fire Inspection Correction Notice at 780 STEWART AVENUE.

**Sponsors:** Thune

*Grant the appeal on the condition that driveway is clean and a no parking sign is posted.*

*RE: 780 Stewart Avenue (Three-Four Family)*

*Irene McBride, owner, appeared.*

*Fire Inspector A. J. Neis:*

*- Fire Certificate of Occupancy Correction Notice issued by Michael Urmann and A.J. Neis*

*- appealed is their back driveway; Orders to repair/replace Class 5 driveway which goes into an asphalt alley*

*- when they did the inspection, the driveway had a lot of overgrown weeds; was in really bad shape*

*- since then, Ms. McBride has cleaned it up immensely*

*- there is off-street parking*

*- there is a 2-car garage in the front with a 2-car apron; there is ample parking in the front*

*- the Class 5 now looks good in the back and there will be a "No Parking" sign installed*

*Ms. Moermond:*

*- will recommend the Council grant this appeal*

*Ms. McBride:*

*- entered photos*

**Referred to the City Council due back on 9/17/2014**

**12**    [RLH FCO  
14-131](#)

Appeal of Ken Keacher for Lifeline Properties, Inc. to a Correction Notice - Complaint Inspection at 1935 WILSON AVENUE.

**Sponsors:**        Lantry

*No one appeared. Deny the appeal.*

**Referred to the City Council due back on 9/17/2014**

**Staff Reports**

**13**    [SR 14-76](#)

Reviewing Appeal of Gee Lee to a Fire Inspection Correction Notice at 1088 CONWAY STREET adopted by Council on May 21, 2014 (RLH FCO 14-63) .

**Sponsors:**        Lantry

**Laid Over to the Legislative Hearings due back on 9/8/2014**

**2:30 p.m. Hearings**

**Vacant Building Registrations (NONE)**