



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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651-266-8585

Tuesday, September 23, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Staff Reports

- 1 [RLH TA 14-527](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1412B, Assessment No. 148111 at 30 BAKER STREET EAST.

Sponsors: Thune

Ms. Moermond:

- school district wonders why police did not call them first
- reviewed the police report
- 7:30 p.m.; arrests were made
- no mention of whether or not the schools were contacted to do the boarding
- perhaps SPPD had their hands full
- the work was performed
- will recommend approving this assessment

Referred to the City Council due back on 10/15/2014

- 2 [RLH TA 14-512](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1412A, Assessment No. 148538 at 975 BRADLEY STREET.

Sponsors: Brendmoen

Ms. Moermond:

- Laid Over to review the VIDEO

Inspector Paula Seeley:

- owner said this was under construction
- she thinks she sent the Work Order and they hadn't even started construction yet
- grass and weeds were 2 feet tall

VIEWED VIDEO - showed huge piles of dirt that had been excavated leaving holes; there was no fencing

Ms. Moermond:

- definitely tall grass and weeds
- noteworthy: huge piles of dirt that had been excavated; also, big holes in the

ground without adequate fencing around them (fall hazard) but there are no Orders on that

- will recommend approval of this assessment

Referred to the City Council due back on 10/1/2014

- 3 [RLH TA 14-526](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1411B, Assessment No. 148110 at 1145 WOODBRIDGE STREET.

Sponsors: Brendmoen

Update on whether owner is being double billed for boarding (company and city)

Ms. Moermond:

- reviewed Inspector Yannarely's E-mail

- owner was double-billed

- company billed customer who paid; then company also billed the city

- company is reimbursing the city

- recommend deletion of this assessment

Referred to the City Council due back on 10/15/2014

Special Tax Assessments

- 4 [RLH TA 14-546](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 1070 ALBEMARLE STREET.

Sponsors: Brendmoen

Mai Yang, YLM Management LLC, owner, appeared.

Ming Ying, daughter and interpreter, appeared.

Inspector Paula Seeley:

- Summary Abatement issued Jul 17, compliance Jul 23; re-checked Jul 23

- work done Jul 24 for a cost of \$288 + \$160 service charge = \$448

- including removing wood pallet, shingles and misc. refuse in rear yard by garage

- no returned mail

Mr. Yang:

- the tenants had moved out; in the process of cleaning, they put the bags out back

- next day, he went back to check and noticed that some people had opened the trash bags and went thru them; he asked his sons to pack it up

- another worker who picks up metal offered to take the leftover metal so, they left that out over night because he came the next day to pick it up

- the rest of the trash was removed the next day

Ms. Moermond:

- what was removed and what was in the Order wasn't metal or garbage; it was pallets, shingles and misc refuse

Ms. Ying:

- she helps him read the mail

- he dad says that the next day everything was bagged up by his sons; either disposed of or put into the garage

Ms. Moermond:

- the material in the photo isn't something that can be bagged up (pallets, etc.)

VIDEO - city removed shingles, pallets, brush, etc. near garage

Mr. Yang:

- he assumed that the brothers had removed it

Ms. Moermond:

- will recommend approval of this assessment spread over 3 years

Referred to the City Council due back on 1/7/2015

- 5 [RLH TA 14-531](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1501, Assessment No. 158200 at 1658 BAYARD AVENUE.

Sponsors: Tolbert

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

Referred to the City Council due back on 1/7/2015

- 6 [RLH TA 14-537](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 647 BLAIR AVENUE.

Sponsors: Thao

No show; approve

Referred to the City Council due back on 1/7/2015

- 7 [RLH TA 14-557](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 594 CASE AVENUE.

Sponsors: Bostrom

No show; approve.

Referred to the City Council due back on 1/7/2015

- 8 [RLH TA 14-542](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1501, Assessment No. 158200 at 711 CASE AVENUE.

Sponsors: Bostrom

John Oman, owner, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy fee

- the billing was correct

- 2 "no entry" fees for \$120 were removed; other fees appear to be correct

Mr. Oman:

- every time he goes to the property for a re-inspection, nobody shows up; so, he's waiting there for 1-2 hours; he calls and asks about the inspector's whereabouts; this started over 1 year ago; Benjamin used to be the inspector; don't know if he's still there

- I do the improvements and wait for the re-inspection to see if they are done properly and no one shows up

- if he can't show up, he calls and leaves a message

Mr. Neis:

- he is showing some confusing

- he has documented notes from Inspector Ellis, who is no longer with the city as an inspector

- Oct 23, 2013: he received returned mail; he resent it with new address

- Nov 1, 2013: he went to the property; owner didn't show; exterior issues not corrected; contact number not in service

- Nov 25, 2013: owner again didn't show for inspection; contacted tenant, who was unaware of the appointment and property owner has not done any repairs at the property

- Dec 19, 2013: owner "no show" - no corrections completed; spoke with occupant and received other numbers for owner; updated the file with new number

- it's a 4 bedroom single family dwelling

- Dec 23, 2013: received call from owner asking for additional time to make corrections; verified mailing address

- Mar 21, 2014: Inspector Brian Tonnancour took over the file; again, property owner didn't show; no answer at the door; phone number on file didn't work; he Revoked the Fire C of O for long-term noncompliance

Mr. Oman:

- he had an appointment in Jan 2014 with him and he was there but the inspector didn't show

- he left the Notice that he got with Dave, the guy who lives there and said that if the inspector shows up, give him this Notice and tell him that I was here (he had to go back to work)

- if he re-scheduled, he'd call and leave a message on his number

Ms. Moermond:

- she would like to go through the set of Orders in terms of things getting fixed, etc.

Mr. Neis:

- both inspectors are no longer with the city

- Aug 12, 2013: letter was sent to Candace and Jack Oman, Dresser, WI for an inspection on Sep 5, 2013; 2nd letter for inspection Sep 20, 2013

- Sep 20, 2013: inspection made; re-inspection for CO

Mr. Oman:

- I was there for that inspection; all those things that Benjamin listed were done; after he completed them, he never saw Benjamin again

Mr. Neis:

- Oct 24, 2013: letter sent for re-inspection Nov 1, 2013 at 1:30 pm - to Dresser, WI
- Nov 6, 2013: Documented: a re-inspection was made Sep 20 (assumes that was the no entry fee)

- Nov 13, 2013: reinspection made

- Dec 9, 2013 - another letter sent - re-inspection Dec 19, 2013 at 1:30, which got moved to Dec 23, 2013

- letter sent to Amery WI, FINAL NOTICE that re-inspection will be made Jan 21,

2014 at 1 pm

- Jan may have been the time of separation

Mr. Oman:

- most recent notice: do front steps, weed removal, repair ceiling - he did that Jul 29, 2014, the day he was supposed to come back; he was there all day and no one showed up

Mr. Neis:

- Mar 3: letter sent for re-inspection made Dec 20 by Brian Tonnancour; re-inspection will be made Mar 21
- finally, Mar 21: a Revocation was sent out for re-inspection Apr 22 at 2 pm when the property had to be vacated; at that point, the inspection was made and the work was completed and the Certificate of Occupancy was approved and re-instated
- fees: 1 initial and 2 re-inspection fees = \$340 approximately

Ms. Moermond:

- you got the bill and you didn't pay it when it came
- one was sent Apr 29; the other was sent May 29

Mr. Oman:

- he doesn't think that he got those bills
- he got these letters but not the bills because he usually pays them when he gets them
- he has yet to see anyone come back for re-inspections

Mr. Neis:

- there was a tall grass and weed Order issued on Jul 17, 2014, unrelated to the C of O
- after the C of O was approved, there were 2 complaints on the property: 1) water damage causing mold; and 2) tall grass and weeds

Ms. Moermond:

- in looking at this, the history is a little screwy
- at the end of the day, she sees 1 inspection and 2 re-inspections; that's all they are billing you for
- all the missed times were not billed
- the total bill is \$340 plus the administrative fee \$155

Mr. Neis:

- the bills were mailed to Amery, WI (Mr. Oman: I should have gotten them)

Ms. Moermond:

- will split the administrative fee down the middle for a total bill of \$425
- will recommend reducing the assessment from \$955 to \$425 (delete service charge in half plus some cost).

Referred to the City Council due back on 1/7/2015

9 [RLH TA 14-552](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 512 CENTRAL AVENUE WEST.

Sponsors: Thao

Kenneth Cobb appeared on behalf of Priscilla Cobb, owner.

Ms. Moermond:

- has a note that DSI is already recommending deleting 1 fee of \$120

Inspector Paula Seeley:

- Excessive Consumption fee of \$275 for too many inspections within 1 years
- Correction Notice to repair the roof issued Nov 14, 2013; compliance Nov 26, 2013; that work is still not done
- there should have been only 1 Excessive Consumption fee of \$120 as it was sent to assessment in error; fee should be \$120 + \$35 administrative fee + \$155

Ms. Moermond:

- has anyone had a chance to look at the roof lately; has a photo from May 16, 2014
- the roof looks pretty bad over the garage area

Mr. Cobb:

- his mom is in the nursing home; he is trying to get it all together
- he had someone to do the work and he was paid but he didn't finish
- has hired another person to come and finish; he has the material
- it will take 5-6 more days before that person can come to finish the work

Ms. Seeley:

- now, this property is in the Fire Certificate of Occupancy Program

Fire Inspector A. N. Neis:

- this property was heard in appeals a few months ago under the C of O
- he received a complaint from Code Enforcement Inspector Cynthia Skally that the property was vacant and the utilities were shut off; occupant was currently in a nursing home
- so he issued a Condemnation to match the Code Enforcement Orders
- doesn't look as though a Vacant Building file had ever been opened; hadn't been referred to VB Program

Ms. Moermond:

- the roof will be taken care of in a few days
- City Council Public Hearing Jan 7, 2015
- if the roof is done along with other exterior things that look rather shoddy by Dec 1, 2014 with no new problems and the property is maintained, she will recommend that the assessment be deleted; otherwise, it will be approved

Reduce from \$275 to \$155 (delete one fee of \$120 as this was sent to assessment in error). NOTE: Roof is granted until December 1, 2014 for compliance and if in compliance, she can recommend deleting the assessment.

Referred to the City Council due back on 1/7/2015

10 [RLH TA 14-549](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1466 CHARLES AVENUE.

Sponsors: Stark

No show; approve.

Referred to the City Council due back on 1/7/2015

11 [RLH TA 14-550](#)

Ratifying the Appealed Special Tax Assessment for Real Estate

Project No. J1501A, Assessment No. 158500 at 800 COMO AVENUE.

Sponsors: Brendmoen

Greg Kneisl

2 assessments: 1) clean-up; and 2) garbage hauling

Inspector Paula Seeley:

- Summary Abatement Order sent Jul 1, 2014; compliance Jul 7; re-checked Jul 7
- clean-up work done Jul 9 for a cost of \$316 + \$160 service charge = \$476
- sent to: Burton Murdock, 2082 Kenwood Drive E, St. Paul; and Greg Kneisl, 15252 W Freeway Dr NE Ste 3, Forest Lake, MN
- no returned mail
- including scrap wood, plywood, carpet, garbage, trash bags and misc refuse in yard areas

Ms. Moermond:

- that's the clean-up and because there was no trash hauling service, the city needed to provide it:

Inspector Paula Seeley:

- Summary Abatement Order sent Jul 1 for trash hauling service; compliance Jul 7; re-checked Jul 11
- sent to: Burton Murdock at above address; and Gregory Kneisl, 55 Pine St, Mahtomedi, MN and above address

Mr. Kneisl:

- Mr Murdock doesn't have anything to do with this
- is buying this property on a Contract for Deed
- at that time, we were in transition with a couple of tenants
- and they were starting to do some improvements on the building and storing some construction items
- he doesn't know anything about the trash service
- he insists that new tenants initiate trash service
- doesn't know why the city would have started trash service there because people were not living there, they were in transition

Ms. Seeley:

- if the city sees trash bags on the ground, etc. and no trash containers, they assume that there's no trash hauling service

VIDEO -

Ms. Moermond:

- sees a Walter's container in the video (?)

Ms. Seeley:

- upon re-inspection Jul 11, 2014, Inspector Skally noted that there was a Walter's container at the property; called Walter's and they said that the bill had gone to collections; they would be picking up the container; Inspector sent Work Order to drop off a city trash container; Jul 21, Inspector verified that owner had Walter's service with a Fri pick-up day; she sent email to remove city container

Mr. Kneisl:

- he had to bring the bill current because the prior tenants hadn't paid the trash bill
- Walter's container was still on the property

- if the container is there, why would he be charged from the city; why would the city initiate trash pick-up if a container was there?

Ms. Moermond:

- her guess is that when there are bags of raw garbage left out and the container hadn't been emptied, the inspectors figure that there's no trash service at the property
- the issue with the trash service here is confusing; service being off and then, on again.... but the clean-up did occur
- the city mandates that everyone has to have trash service, even if there is no one living at the property at that time; Chapter 34 Legislative Code

Ms. Seeley:

- history: SA Order 4/4/2013 - done by owner

Fire Inspector Neis:

- history: long history going back to 2001; VB monitoring, etc.... holes in roof; mold in basement; brush/plastic metal 2005; sofa in 2008; complaint in Jun 2014 and Apr 2013

Ms. Moermond:

- hearing that there is not much recent history
- there's been a good faith effort to take care of the garbage
- big lag time
- will recommend that the garbage hauling assessment be cut in half = \$155
- will recommend that the clean-up assessment be approved = \$476

Referred to the City Council due back on 1/7/2015

12 [RLH TA 14-551](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501G, Assessment No. 158700 at 800 COMO AVENUE.

Sponsors: Brendmoen

Greg Kneisl

2 assessments: 1) clean-up; and 2) garbage hauling

Inspector Paula Seeley:

- Summary Abatement Order sent Jul 1, 2014; compliance Jul 7; re-checked Jul 7
- clean-up work done Jul 9 for a cost of \$316 + \$160 service charge = \$476
- sent to: Burton Murdock, 2082 Kenwood Drive E, St. Paul; and Greg Kneisl, 15252 W Freeway Dr NE Ste 3, Forest Lake, MN
- no returned mail
- including scrap wood, plywood, carpet, garbage, trash bags and misc refuse in yard areas

Ms. Moermond:

- that's the clean-up and because there was no trash hauling service, the city needed to provide it:

Inspector Paula Seeley:

- Summary Abatement Order sent Jul 1 for trash hauling service; compliance Jul 7; re-checked Jul 11
- sent to: Burton Murdock at above address; and Gregory Kneisl, 55 Pine St, Mahtomedi, MN and above address

Mr. Kneisl:

- Mr Murdock doesn't have anything to do with this
- is buying this property on a Contract for Deed
- at that time, we were in transition with a couple of tenants
- and they were starting to do some improvements on the building and storing some construction items
- he doesn't know anything about the trash service
- he insists that new tenants initiate trash service
- doesn't know why the city would have started trash service there because people were not living there, they were in transition

Ms. Seeley:

- if the city sees trash bags on the ground, etc. and no trash containers, they assume that there's no trash hauling service

VIDEO -

Ms. Moermond:

- sees a Walter's container in the video (?)

Ms. Seeley:

- upon re-inspection Jul 11, 2014, Inspector Skally noted that there was a Walter's container at the property; called Walter's and they said that the bill had gone to collections; they would be picking up the container; Inspector sent Work Order to drop off a city trash container; Jul 21, Inspector verified that owner had Walter's service with a Fri pick-up day; she sent email to remove city container

Mr. Kneisl:

- he had to bring the bill current because the prior tenants hadn't paid the trash bill
- Walter's container was still on the property
- if the container is there, why would he be charged from the city; why would the city initiate trash pick-up if a container was there?

Ms. Moermond:

- her guess is that when there are bags of raw garbage left out and the container hadn't been emptied, the inspectors figure that there's no trash service at the property
- the issue with the trash service here is confusing; service being off and then, on again.... but the clean-up did occur
- the city mandates that everyone has to have trash service, even if there is no one living at the property at that time; Chapter 34 Legislative Code

Ms. Seeley:

- history: SA Order 4/4/2013 - done by owner

Fire Inspector Neis:

- history: long history going back to 2001; VB monitoring, etc.... holes in roof; mold in basement; brush/plastic metal 2005; sofa in 2008; complaint in Jun 2014 and Apr 2013

Ms. Moermond:

- hearing that there is not much recent history
- there's been a good faith effort to take care of the garbage
- big lag time
- will recommend that the garbage hauling assessment be cut in half = \$155
- will recommend that the clean-up assessment be approved = \$476

Referred to the City Council due back on 1/7/2015

- 13 [RLH TA 14-530](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1432 EDMUND AVENUE.

Sponsors: Stark

Delete per Legislative hearing officer from the August 5 hearing on another appeal. (No hearing necessary)

Referred to the City Council due back on 1/7/2015

- 14 [RLH TA 14-553](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1056 EUCLID STREET.

Sponsors: Bostrom

No show; approve.

Referred to the City Council due back on 1/7/2015

- 15 [RLH TA 14-535](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 2035 FOURTH STREET EAST.

Sponsors: Lantry

No show; approve.

Referred to the City Council due back on 1/7/2015

- 16 [RLH TA 14-562](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 787 HOWELL STREET NORTH.

Sponsors: Stark

No show; approve.

Referred to the City Council due back on 1/7/2015

- 17 [RLH TA 14-556](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1690 HYACINTH AVENUE EAST.

Sponsors: Bostrom

Delete. Owner did not receive EC letter dated May 21, 2014 until July 2014; presented the envelope to the hearing officer at a hearing for clean up. (No hearing necessary)

Referred to the City Council due back on 1/7/2015

18 [RLH TA 14-534](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 1830 JAMES AVENUE.

Sponsors: Tolbert

Abigail Struck, owner, appeared.

Inspector Paula Seeley:

- *Summary Abatement Order issued Jun 25; compliance Jul 2; re-checked Jul 7*
- *work done Jul 10 for a cost of \$670 + \$160 service charge = \$830*
- *sent to: Clifford Watson/Abigail Struck, 1830 James Ave*
- *remove tree debris, brush, etc. from yard area and alley way; trim back bushes and tree branches from alley right-of-way*

Ms. Struck:

- *when they got the letter, they looked around to find someone to do the work (her husband and her are both retired and not in good health)*
- *they contacted someone named Jeremy, who a lot of the work - trimming back whole alley way of lilac bushes and trees; he planned on hauling away that brush; they paid him \$200; a few days later, the brush was cleared*

Ms. Moermond:

- *notice mailed Jun 25; deadline was Jul 2; no inspector was sent to check on that until Jul 7; the crew came Jul 10 (2-week time period to clean-up)*

Ms. Struck:

- *some days later, Jeremy returned and gave them back \$40 because the brush had already been cleared when he got there*
- *they were waiting for him to come and take the brush away*
- *Jeremy said that he was waiting for a day when the brush site was open so that he could deliver it there*
- *they had no idea that the city had cleaned it up; no one knocked on their door or phoned them; they are home nearly all the time*
- *their back yard is dense and has 2 signs that say, "Beware of Dog"*
- *the crew could see that things were already started and the time frame is really tight when you consider how long it takes to find someone to do the work*
- *we were looking at paying \$200 to have this work done and now, she gets an assessment for \$830; they are living on Social Security*

VIDEO

Ms. Moermond:

- *looking at a half done job and the city cleaned up the brush*
- *you could have called the inspector to negotiate additional time*
- *the brush sites are open nearly every single day*
- *also notes that they took care of what they could; and are living on Social Security*
- *no history on this property*

Ms. Struck:

- *they are already out \$160 that was paid to Jeremy*
- *they are at the mercy of contractors because they are not physically capable of doing the work themselves*
- *they are trying to re-finance their house, too*

Ms. Moermond:

- *City Council Public Hearing Jan 7, 2015*

- a good faith effort was made
- will recommend dividing the assessment in half and spreading the payments over 5 years
(Reduce from \$830 to \$415 and spread over 5 years)

Referred to the City Council due back on 1/7/2015

19 [RLH TA 14-540](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 67 JESSAMINE AVENUE WEST.

Sponsors: Brendmoen

Debora Battisto, owner, appeared.

Tall grass and weeds

Ms. Battisto:

- introduced documents
- has a text message about hiring someone to mow the lawn
- confirmation from Mr. Essling saying that he got her message and he's going to take care of it

VIDEO- cut tall grass and weeds

Ms. Battisto:

- has owned the house for 2 years
- she wasn't in town most of the time; she travels 70% of the time
- she does have reliable people who take care of the grass, shoveling, etc.
- she spoke with Mr. Essling; he called her back; she told him that she hired Murphy, who has done it before
- has a text message from Murphy saying that it was done

Inspector Paula Seeley:

- thinks they did everything right
- all Orders went to 67 Jessamine Ave W
- but Inspector Essling notes: had phone call from Debora on 6-16 saying she had a company cutting the lot; this tall grass/weeds Order must have been sent in error; on 6-27, I found that the grass at 67 had not been cut; I called property owner and left her a message stating that her crew was cutting the wrong lot; phone call from owner stating she has hired another contractor and the lot will be cut Tue, 7-1

Ms. Battisto:

- on 7-2, he says, "Got your message and will take of the work tomorrow, weather permitting; have a nice day."
- she relied on that; she was in California
- she sent email on 7-6: "Hi there. Just want to verify that the grass was cut."
- then Mr. Essling sent this text message saying: "A crew will be out there tomorrow to cut it."

Ms. Moermond:

- sees a miscommunication of some kind
- the grass is incredibly tall
- photos taken Jun 26 - original deadline

Ms. Battisto:

- now, she has hired a company who is doing it every week and it's perfect! She just

went by there yesterday
 - she's been taking pictures every week
 - won't be an issue again

Ms. Moermond:

- suggested Ms. Battisto have a conversation with contractor, Murphy, about this
 - the city gave you proper Notice
 - the contractor screwed up
 - the city ended up having to do it
 - thinks that it's fair that the city charges for a service that they Noticed you about

Ms. Battisto:

- her dispute is that she made very attempt to have the job done and she relied on a legitimate contractor

Ms. Moermond:

- reminded Ms. Battisto that is a private relationship between her and the contractor
 - the city will hold the property owner accountable
 - a lot needed to be done; an extension was granted and the work wasn't taken care of
 - will recommend approving this assessment
 - retain the VIDEO
 - City Council Public Hearing Jan 7, 2015

Referred to the City Council due back on 1/7/2015

- 20 [RLH TA 14-536](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1152 LANE PLACE.

Sponsors: Bostrom

No show; approve.

Referred to the City Council due back on 1/7/2015

- 21 [RLH TA 14-559](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 1592 MCAFEE STREET.

Sponsors: Bostrom

Delete because work order was issued the same day as the tall, grass and weeds letter. (No hearing necessary)

Referred to the City Council due back on 1/7/2015

- 22 [RLH TA 14-532](#) Reducing (title corrected) the Appealed Special Tax Assessment for Real Estate Project No. CRT1501, Assessment No. 158200 at 1497 MARGARET STREET.

Sponsors: Lantry

Reduce from \$325 to \$170. (delete service charge because billing was sent to wrong address. Inspector has spoken with property owner)

Referred to the City Council due back on 1/7/2015

- 23 [RLH TA 14-558](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 346 MARIA AVENUE.

Sponsors: Lantry

Charlie Drake, owner, appeared.

Inspector Paula Seeley:

- 2 Excessive Consumption fees for a cost of \$240 + \$35 service charge = \$275
- Apr 21, 2004: an Excessive Consumption fee letter was sent out for having 3 or more violations during a 12-month period because a Summary Abatement was sent and Inspector Smith had to write another Order on cleaning up the yard
- May 21, 2004: another Summary Abatement for cleaning out yard
- history in 2013: all stems to a warrant back on Aug 21, 2013- automatically goes onto the "Problem Properties" list
- Sep 4, 2013: Inspector Smith has had a file open
- Sep 3, 2013: he sent an Order to just get another container because 3 of the trash containers were overflowing; he went out on compliance day and said, "Property is clean; trash containers have been emptied."

Mr. Drake:

- up until early spring, he had horrendous tenants and he was trying to get rid of them; finally, they moved out
- the Orders were written during that transition period - they were moving out and he was trying to collect all of their debris
- the last couple of Orders that he received Sep 3: garbage, rubbish, etc. - a tenant moved out at the beginning of Sep and she had put all of her garbage out around the cans on Sep 2, when the garbage service comes; he was there that day and stuffed everything into the cans so the trash service would take it away
- Jul 11, 2014: he got an Order to provide and maintain ground cover, which he has been doing

Ms. Moermond:

- all she has today are 2 Excessive Consumption charges
- one is for the work not being done by the compliance date but it was done when the crew showed up (charge you for the trip)
- the other one is for 3 or more violations in 12 months
- so, we can't talk about the Sep ones

Mr. Drake:

- this property was in a perpetual problem mode because of the previous tenants; they were hell for the neighbors
- he was working with the FORCE unit to get rid of these tenants
- it was a nightmare for himself and for the neighbors
- they are gone now and things have settled down tremendously
- the guys of his crew were there 3-4 times a week cleaning up the yard
- has spent thousands of dollars trying to get grass to grow there; he even had sod stolen the day after he put it down
- he put up fences that have been torn down
- he was told to grow grass; he put up a fence to keep people off the grass; now, he's told to remove the fence (circle)
- the other day he got a letter for a Fire and Safety Inspection (complaints trigger that)

Ms. Seeley:

- 2013 - 2014: SA - 9-25; 10-2; 11-21; snow/ice- 1-2-14;

Ms. Moermond:

- a lot of activity (Mr. Drake: there was a tremendous amount activity; all the SAs; was absolutely horrible)
- the problem is that these were founded complaints
- tenants were not adequate
- is looking for a pattern downward

Mr. Drake:

- the history is horrible
- has new tenants signed-up; will keep the property clean
- I'm there all the time; Mr. Westenhofer sees me there when he drives by several times a week
- couldn't be there much more unless I was living there

Ms. Moermond:

- if there are no founded complaints between now and the end of the year, she will recommend deleting these assessments
- you can appeal that fence issue later
- get 90 days under your belt; and then will recommend deletion

If no future founded complaints by Council public hearing date, LHO will delete the assessment.

Referred to the City Council due back on 1/7/2015

- 24** [RLH TA 14-539](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1412A, Assessment No. 148538 at 1676 MARSHALL AVENUE.

Sponsors: Stark

No show; approve the assessment.

Referred to the City Council due back on 10/1/2014

- 25** [RLH TA 14-554](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1282 MINNEHAHA AVENUE WEST.

Sponsors: Stark

No show; approve the assessment.

Referred to the City Council due back on 1/7/2015

- 26** [RLH TA 14-563](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 2023 MONTREAL AVENUE.

Sponsors: Tolbert

Mike Mumaw, Harriet Realty Company, appeared.

Inspector Paula Seeley:

- Excessive Consumption fee
- Summary Abatement Order issued Jul 23, 2014; compliance Jul 29; re-checked Jul

29

- work done Jul 30 for a cost of \$298 + \$160 service charge = \$458
- sent to Harriet Realty Co, 7800 Metro Pkwy Ste 300, Bloomington MN
- no returned mail
- remove mattresses and couches north of garage; possibly illegal dumping

Mr. Mumaw:

- they own the garages at 2023 Montreal; there's an apartment complex right behind it at 2025 Montreal; they had to move out on the weekend and they put their mattress up against their garage and a wicker love seat was also tossed out
- the complex's dumpster is next to the telephone right next to their garages

VIDEO

Mr. Mumaw:

- they went out there the day after they got the Notice and moved it right onto their dumpster so that they can take care of it
- we took it off our property and put it on their dumpster

Ms. Moermond:

- it's pretty obvious from the photos that it's associated with the adjacent property
- the telephone pole is between the properties
- this material is the neighboring property's
- will recommend deleting this assessment

Referred to the City Council due back on 1/7/2015

- 27 [RLH TA 14-547](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 141 MORTON STREET.

Delete due to illegal dumping. (No hearing necessary)

Referred to the City Council due back on 1/7/2015

- 28 [RLH TA 14-548](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 869 SAINT ANTHONY AVENUE.

Sponsors: Thao

No show; approve.

Referred to the City Council due back on 1/7/2015

- 29 [RLH TA 14-538](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 550 SAINT CLAIR AVENUE.

Sponsors: Thune

Paul Lapham, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement issued Jul 11, 2014; compliance Jul 16; re-checked Jul 16
- work done Jul 18 for a cost of \$158 + \$160 = \$318

- this was an intern issued Order
- no returned mail
- sent to Paul Lapham, 550 St Clair Ave
- in bold letters: remove couch from blvd along St Clair
- no history on the property

Mr. Lapham:

- he just saw a couch on his blvd and a couple days later, it was gone; then, he got a bill
- he did see it there but it wasn't his couch and he doesn't know where it came from
- did not received any mail regarding it; just got the bill
- he works at night; sleeps during the day and doesn't get outside

Ms. Moermond:

- there was a 1-week time period in which to act
- will check with PW about their policy
- she's convinced it was dumped there; as it looks right now, she will probably delete this assessment
- she will call Mr. Lapham after she talks with PW

Forthcoming; LHO to check with Public Works on their policy for cleaning up garbage on blvd. May delete it.

LHO recommending reduction by half, as there are no previous violations.

Referred to the City Council due back on 1/7/2015

- 30** [RLH TA 14-533](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 662 THIRD STREET EAST.

Sponsors: Lantry

No show; approve.

Referred to the City Council due back on 1/7/2015

- 31** [RLH TA 14-541](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 646 VAN BUREN AVENUE.

Sponsors: Thao

Tom Gallagher appeared.

Inspector Paula Seeley:

- Summary Abatement Pre-authorized Work Order sent Jun 12, 2014; compliance Jun 16
- work done Jun 18, for a cost of \$310 + \$160 service charge = \$476
- history: 6-15-13 and 12-5-13 Orders on refuse and vehicles
- according to the photos, there was a lot of stuff there

Mr. Gallagher:

- has photos on his phone during the exact same time frame; he had 5 couches in the back of his truck and a whole bunch of garbage before and after

VIDEO - bags of debris; full container near alley

Ms. Moermond:

- the VIDEO show a lot less than the garbage explosion of the photos

Mr. Gallagher:

- he loaded the couches up in truck and in 2 hours the whole place was cleaned up except for the leaves

- his nephew, who works for him was going to take the leaves down to the compost site

Ms. Moermond:

- will recommend reducing the assessment from \$476 to \$100

- site was cleaned up significantly from what it was

Referred to the City Council due back on 1/7/2015

32 [RLH TA 14-545](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1412A, Assessment No. 148538 at 670 VAN BUREN AVENUE.

Sponsors: Thao

9/23/14: Forthcoming. LHO need to contact Ramsey County Property Records to see when address changed.

9//29/14: Ms. Vang contacted Ramsey County Tax Record and staff there indicated that property owner, Wei Wu, called in to make address change on September 5, 2014. It will take a couple of weeks to get RC Record updated in their system.

Wei Xiang Wu, owner, appeared.

Inspector Paula Seeley:

- tall grass and weeds Order issued Jun 3, 2014; compliance Jun 7; re-checked Jun 18

- work done Jun 20 for a cost of \$160 + \$160 service charge = \$320

- sent to Wei Wu, 670 Van Buren Ave; and to Occupant

- no returned mail

- tried to find out when the C of O was updated;

Ms. Moermond:

- asked Ms. Wu about her correct address; she replied that she is living at 1279 Wilson Ave

Ms. Seeley:

- Ramsey County has 670 Van Buren

Fire Inspector A.J. Neis:

- they have 1279 Wilson address for Fire C of O - listed Feb 2014

- had code compliance inspection Jan 22, 2014; received Fire C of O right after that

Ms. Wu:

- she did not received Notice; she checked Internet for her property information last month

- she called the county to list her new address

Ms. Seeley:

- DSI has had an AMANDA glitch; the C of O address wasn't always pulled in

Ms. Moermond:

- will get a staff report from the manager and find out what was going on with the computer system

- will give Ms. Wu a call about her recommendation

- asked Ms. Wu to contact Ramsey County Tax Records, 90 W Plato

Referred to the City Council due back on 10/1/2014

- 33 [RLH TA 14-560](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 1046 WAKEFIELD AVENUE.

Sponsors: Lantry

Reviewed Video:

a large pile of brush; tree debris; logs; couch removed by the city

Ms. Moermond:

- will recommend approval of this assessment

Referred to the City Council due back on 1/7/2015

- 34 [RLH TA 14-555](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1711 YORKSHIRE AVENUE.

Sponsors: Tolbert

No show; approve.

Referred to the City Council due back on 1/7/2015

- 35 [RLH TA 14-566](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 335 CASE AVENUE. (To be deleted)

Sponsors: Brendmoen

Delete. Parks crew made a mistake and cleaned it up a day before compliance date. (No hearing necessary)

Referred to the City Council due back on 1/7/2015

- 36 [RLH TA 14-565](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 640 CHARLES AVENUE.

Sponsors: Thao

Delete; assessed in error. (no hearing necessary)

Referred to the City Council due back on 1/7/2015

- 37 [RLH TA 14-568](#) Ratifying the Appealed Special Tax Assessment for Real Estate

Project No. J1501E, Assessment No. 158300 at 547 CHARLES AVENUE.

Sponsors: Thao

Reduce fee by half given extenuating circumstances.

Gebi Tufaa appeared.

Inspector Paula Seeley:

- *Summary Abatement issued Apr 18; compliance Apr 24; re-checked Apr 24*
- *Work Order sent; work crew showed up Apr 28*
- *work done by owner which generated a PAEC*
- *cost: \$120 + \$35 service charge = \$155*

Ms. Moermond:

- *the city is charging a "trip charge"*

Mr. Tufaa:

- *he was at Mayo Clinic for 4 days when Order was issued; his niece was undergoing a kidney transplant*
- *they returned to town Apr 25*
- *on the way home, he drove around the lots and saw those things; he hired a neighbor to clean it up*

Ms. Seeley:

- *history: Feb 2014-Snow-done by owner; Jul 29 2013-tall grass/weeds*

Ms. Moermond:

- *will think about this and call Mr. Tufaa later today*

Referred to the City Council due back on 1/7/2015

38 [RLH TA 14-569](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. CRT1501, Assessment No. 158200 at 645 SEVENTH STREET EAST.

Sponsors: Lantry

Nancy Bagshaw-Reisner, Director of Metro State University, appeared.

Fire Certificate of Occupancy Inspection fee: \$180 + \$160 service charge = \$335

Ms. Bagshaw-Reisner:

- *they paid this fee*
- *she talked with someone in Real Estate; it was paid May 15, 2014 by electronic transfer, well before the due date; it wasn't posted until Jun 25, 2014*
- *she entered documentation (scanned)*

Ms. Moermond:

- *will recommend this assessment be deleted*

Referred to the City Council due back on 1/7/2015

39 [RLH TA 14-570](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 1355 STILLWATER AVENUE.

Sponsors: Bostrom

Layover to watch VIDEO.

Lohn Mem Yang, owner, appeared. Mai Vang interpreted.

Inspector Paula Seeley:

- Summary Abatement issued Jul 23, 2014; compliance Jul 29; re-checked Jul 29
- clean-up work done Jul 31 for a cost of \$344 + \$160 = \$504
- sent to Lohn Yang at this address
- no returned mail
- remove wood, plastic, metal, appliances, garbage and make-shift canopy cover from rear deck
- photo of make-shift storage area
- no VIDEO
- Vehicle Abatement also issued for expired tabs

Mr. Yang:

- says that he wasn't aware of the issue
- came home from work Jul 31 and noticed that the canopy was gone; he had stored his lawn mower under the canopy
- when he realized it was gone, he called SPPD, who told him that they would not go to a property to take things away
- he didn't know who took it; his ladder and wood for shelving were gone too; he wants what was taken
- didn't received Notice
- has 3 sons over 18 who help him read the mail; he opens his own mail
- entered his photos

Ms. Moermond:

- needs to view the VIDEO
- has seen a photo that shows an extensive amount of items on the back deck that needs to be cleaned up
- will LAY THIS OVER for 2 weeks to look at VIDEO

Laid Over to the Legislative Hearings due back on 10/7/2014

40 [RLH TA 14-567](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 642 VAN BUREN AVENUE.

Sponsors: Thao

Karli Camp, property manager for HSBC Bank USA appeared.

Inspector Paula Seeley:

- Summary Abatement Order was sent twice: 1) Jun 12, 2014; compliance Jun 16; and 2) Jun 18; compliance Jun 24
- Pre-authorized Work Order issued by Inspector Joel Essling
- cost: \$418 + \$160 service charge = \$578
- nuisance: mattress, furniture and garbage in rear near alley
- work done Jul 9, 2014

VIDEO

Ms. Camp:

- went to the property Jun 23, 2014 and did a Cash Flow Redemption Order (Cash for Keys)
- doesn't know anything about this Order other than she was told that she had to be here
- has photos in an email - it was cleaned Jun 23 doesn't have pictures of alley area

Ms. Moermond:

- will need to recommend approval of this assessment

Fire Inspector A. J. Neis:

- it's a Category 1 Vacant Building
- just had a water shut-off
- started city trash service after that

Referred to the City Council due back on 1/7/2015

Special Tax Assessments - ROLLS

- 41 [RLH AR 14-70](#) Ratifying the assessments for Collection of Certificate of Occupancy Fees billed April 14 to May 2, 2014. (File No. CRT1501, Assessment No. 158200)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/7/2015**
- 42 [RLH AR 14-71](#) Ratifying the assessments for Excessive Use of Inspection services from April 1 to May 21, 2014. (File No. J1501E, Assessment No. 158300)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/7/2015**
- 43 [RLH AR 14-72](#) Ratifying the assessments for Property Clean Up services from June 18 to July 31, 2014. (File No. J1501A, Assessment No. 158500)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/7/2015**
- 44 [RLH AR 14-73](#) Ratifying the assessments for Trash Hauling services from July 2 to 30, 2014. (File No. J1501G, Assessment No. 158700)
- Sponsors:** Lantry
- Referred to the City Council due back on 1/7/2015**

11:00 a.m. Hearings

Summary Abatement Orders

- 45 [RLH SAO 14-18](#) Appeal of Mary L. Murphy and Thomas M. Murphy to a Summary

Abatement Order at 15 BAKER STREET WEST. (Public hearing continued from October 15) (To be referred back to Legislative Hearing on May 5, 2015 and City Council Public Hearing on May 20, 2015)

Sponsors: Thune

To be referred back to LH on January 13, 2015 and CPH on January 21, 2015.

Referred to the City Council due back on 10/15/2014

- 46 [RLH SAO 14-17](#) Appeal of Roger Hodge to a Summary Abatement Order at 642 HALL AVENUE. (Public hearing continued from October 15) (To be referred back to Legislative Hearing on May 5, 2015 and City Council Public Hearing on May 20, 2015)

Sponsors: Thune

To be referred back to LH on January 13, 2015 and CPH on January 21, 2015.

Referred to the City Council due back on 10/15/2014

- 47 **RLH SAO 14-37** Appeal of Catherine Walsh to a Vehicle Abatement Order at 1080 NORTON STREET. (To be referred back into Legislative Hearing April 14, 2015)

Sponsors: Brendmoen

Catherine Walsh, owner, appeared.

Inspector Joe Yannarely:

- received a complaint about 2 vehicles that were blocking the alley
- the city has been hearing a lot about this alley

Ms. Walsh:

- the alley is in question
- introduced a diagram
- this alley was plotted from Cook - Jessamine (her father plotted this alley when he built this house)
- right now this alley is used to exit by a house on Arundel and their house at 1080 Norton St and the neighbor's next door; houses have garages
- she is 73; her husband is 75
- she is here today because they were told that they could no longer park in the alley
- her husband is going to have knee replacement; he still works and he enters/exits the house from the back with the ramp; for him to park in the front and go up the steps is nearly impossible
- the alley is finished only up to their garage; after that, it's not navigable
- her neighbor has already fenced off half of the alley years ago; Henry Ung, PW, gave her permission for the fence
- this is an unapproved alley
- their RV is gone and won't be back
- there is already blockage along the alley and it's not being used past their place
- how can anyone say we're blocking the alley when the rest of the alley can't be navigated?
- they are more than willing to stay on their side of the alley; then, nothing is being blocked

- her husband maintains the alley up to their garage; class 5; graded it
- there is not much parking available in the front of their houses

Ms. Moermond:

- the city is not maintaining the alley as a right-of-way; it's an unimproved alley; a petition is required for that space to go back to the people who live on either side of it
- will ask City Clerk about what is involved in vacating this alley

Mr. Yannarely:

- this is a Public Works deal
- the Appellant is really not impeding anyone from going farther down the alley because of the big tree and the fence
- this is beyond his expertise; PW will need to be consulted; a variance would have been needed for the fence
- if the fence is legal, then this Appellant is really not blocking anything

Ms. Moermond:

- won't be able to finish this today
- needs to talk with Public Works about this
- one would need a fence permit to install a fence into a right-of-way
- also, she needs to contact the building official, too
- building permits were approved for garages to exit into that area
- will make some phone calls and get back to you
- you are allowed to park there until the greater issue is resolved
- will LAY THIS OVER for 3 weeks to Oct 14, 2014 LH

Laid Over to the Legislative Hearings due back on 10/14/2014

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

1:30 p.m. Hearings

Fire Certificates of Occupancy

48

[RLH FCO
14-141](#)

Appeal of My Pham to a Fire Inspection Correction Notice at 650 BLAIR AVENUE.

Sponsors: Thao

Grant the appeal on the garage issues; grant until November 1, 2014 for the furnace testing and remaining items.

Pham and Ang Pham, owners, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Jeremy Hall
- 10 violations
- appealing the residential heating report
- was a simple basic inspection
- think Appellant is referring to 2009, when the building (Cat 2 VB) had a full Code Compliance Inspection; so, why is it being inspected again 5 years later

- the Orders do not pertain to building code violations other than providing a CO alarm; all else seems to be tenant related
- the building itself is structurally fine
- they had been storing propane in basement; they were using the basement for sleeping without an escape window and had too much storage inside garage
- nothing other than cleaning up

Ms. Pham:

- she put her stuff inside the garage because when she had materials outside, they were stolen; now, she has to remove all of it; she wants to keep it because she may need it later
- they can fix the sink
- the heating test costs a lot of money; she already did that when she moved in
- they live in Coon Rapids but she sometimes stay at the house during the week
- Bee Chen, a friend, lives there with 2 kids
- house has 2 bedrooms
- I slept in the basement before but now she can't do it; they moved out the bed

Mr. Pham:

- it requires licensed people to do it again and they feel as though they just did it; it's pretty new

Ms. Moermond:

- asked if Ms. Pham has taken the Crime Free Multi-housing Class
- suggested that they take it; it's a free class for landlords
- you will need to get the furnace tested; it's recommended annually
- will recommend the test be done by the end of Oct 2014; no later than Nov 1, 2014
- even if a furnace is new, it can still develop a problem of emitting CO, which is dangerous
- prices range from \$70 - \$500; a price around \$150 would be fair; called Orsat Test or Heating Report

Mr. Neis:

- the test assures you that there is not a problem with the furnace
- the garage is detached, so, she can use it for storage
- no photos to show that it was truly disorderly

Ms. Moermond:

- will recommend granting the appeal on the garage order
- will recommend until Nov 1, 2014 to get the residential heating report and remaining items
- re-inspection after Nov 1, 2014

Referred to the City Council due back on 10/15/2014

49 [RLH FCO
14-138](#)

Appeal of David Theobold to a Fire Inspection Correction Notice at 973 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

David Theobold, owner, appeared.

Fire Inspector A. J. Neis:

- Fire Certificate of Occupancy Correction Notice issued Aug 22, 2014 by Fire Inspector Brian Schmidt
- he spoke with Mr. Theobold prior to this hearing and 99% of all the work is completed

- *appealed is the retaining wall; it's a very large wall, which would be expensive to fix*
- *property to the east is a tax forfeited property from which water is draining onto Mr. Theobold's property, which may be causing these issues; so, it would not be easy to get that property owner to provide drainage*
- *according to the records, this may have been a fairly distressed property prior to Mr. Theobold's purchase in late 2009*
- *complaints have reduced drastically since his purchase*
- *the retaining wall has not changed or buckled under his ownership; maybe a little*
- *Mr. Theobold doesn't think it's in eminent danger of collapsing*

Mr. Theobold:

- *rental property*
- *Inspector Schmidt recommended that I ask for a longer extension - until Jun 2015*
- *initial estimate \$12,000; he wants to get it done; it's an eye sore rather than a hazard*
- *adjoining property (977 Jessamine Avenue East) is at a higher elevation and drains onto this one; it slopes toward his property*
- *entered some photos / diagram*

Ms. Moermond:

- *suggested he call Paul Scharf 651/ 266-2047, Ramsey County Tax Forfeited Land Division, to talk to him about this issue; tell them what you have planned and ask if they could also look at drainage on 977 Jessamine*
- *will recommend granting until Jul 1, 2015 to come into compliance with the retaining wall*

Referred to the City Council due back on 10/15/2014

2:30 p.m. Hearings

Vacant Building Registrations

- 50** [RLH VBR 14-70](#) Appeal of Houa Yang to a Vacant Building Registration Renewal Notice at 1126 ALBEMARLE STREET.

Sponsors: Brendmoen

Houa Yang, owner, appeared.

Matt Dornfeld, Vacant Buildings:

- *Category 2 Vacant Building file was opened Oct 3, 2013 per Condemnation by Code Inspector Cynthia Skally*
- *Jul 2, 2014, DSI Sale Review approved sale to Ms. Yang*
- *currently there's an open building permit*
- *property area has been maintained*
- *VB fee is coming due Oct 1 for the Oct 2014-Oct 2015 year*

Ms. Yang:

- *because it's a Cat 2, not able to move in until all repairs are complete and approved by the city*
- *doing little by little; finances are few and there's a lot of repairs*
- *they did the plumbing and electrical*

Fire Inspector A. J. Neis:

- *does not see any plumbing or electrical permits in the system*

- just a general building permit

Ms. Yang:

- they are doing little things by themselves
- they have a contractor
- they have paid home insurance and property taxes

Ms. Moermond:

- whoever is coming in to do the plumbing must come to DSI to pull a permit for the work they will be doing or did
- a building permit doesn't cover the plumbing or electrical work
- you need to pull permits for the plumbing and electrical work that has been done and get it inspected to make sure it's been done properly
- the VB fee is a charge for the time spent being in the VB Program

Ms. Yang:

- she has a financial problem and can't afford to get the place done quickly
- she will be living there after it's approved
- currently, she owns and lives in her property in Brooklyn Center
- she is moving to St. Paul to be closer to her work

Ms. Moermond:

- will ask DSI to waive the VB fee for 90 days and during that time, you can pull permit to work on the property
- if after 90 days; at that time, this will be billed again and then we can talk about whether or not it will go onto your property taxes or how to deal with it
- when that bill goes to assessment; you can appeal it again
- you can make progress during that time and we'll talk again
- will recommend waiving the VB fee for 90 days, allowing permits to be pulled

Referred to the City Council due back on 10/15/2014

51 [RLH VBR 14-71](#)

Appeal of Sarah Schultz to a Vacant Building Registration Notice at 654 GOTZIAN STREET.

Sponsors: Lantry

Rosemarie Hunter appeared on behalf of her daughter, Sarah Schultz, owner.

Matt Dornfeld, Vacant Buildings:

- a Category 1 Vacant Building was opened Sep 4, 2014 by Inspector David Nelmark
- they received a Vacant Building Registration Form in the mail from the property's mortgage company, Safeguard Properties, which generated an inspection
- Mr. Nelmark documented that the property appeared to be vacant and secure; lock box on rear door; cracks, peeling paint in foundation
- house was vacant for over 1 year and they were attempting a short sale
- they did not receive a check for the VB fee

Ms. Hunter:

- her daughter had to relocate because she had a back injury and surgery a year or so ago
- then, she went to CA to get a job
- since then, Ms. Hunter has been in and out of the country
- they have a retired neighbor, who maintains the property at all times; he takes care of every thing; walks thru the house a couple times a day to make sure that nothing's amiss
- unfortunately, his son was tragically killed in Aug of this year

- they were in the process of changing realtors, when one of them had a death in the family; so, there was approximately 2 weeks when there wasn't a sign posted "For Sale"
- plan to sell it on a Short Sale; it's ready to go

Ms. Moermond:

- there's a few minor exterior things
- it's turn-key
- it doesn't meet the definition of a VB at all
- let's monitor it as a Preliminary VB for 6 months
- will recommend changing the VB status to preliminary to allow 6 months for owner to get property sold
- if in 6 month's time, it's not sold and is getting violations, we'll have something to talk about
- continue to maintain the property

Referred to the City Council due back on 10/15/2014

52 [RLH VBR 14-69](#)

Appeal of Mr. and Mrs. William Jansen to a Vacant Building Registration Notice at 610 SAINT ALBANS STREET NORTH.

Sponsors: Thao

Wendy Jansen and her husband, owners, appeared.

Ms. Jansen:

- you said that if things weren't done by the 2nd, we'd be doing a Notice to Vacate, which she didn't understand to be to the point of a Vacant Building
- also, she received this letter on Sep 8, 2014; it was taped shut; someone kept the letter from her
- the letter was re the LH that they had on Aug 12 and if they wished to contest further, they should be in a meeting Wed Sep 3, 2014 at 5:30 pm; they didn't receive this letter until the morning of Sep 8 or they certainly would have been there to contest further
- 99% of the material in the garage was her brother-in-law's; they had to have him come from Detroit Lakes to go through it all
- she does not have the \$1400 for the VB fee; if she had that, she'd have her house fixed
- they have gone from having an \$800/month income to \$500/month (her nephew's roommate was paying \$300)
- this is so frustrating

Ms. Moermond:

- asked to see the envelope of that letter
- it's postmarked Aug 14, 2014

Ms. Jansen:

- she called Ms. Moermond right away when she got the letter
- they have been working on things but they are not getting done as quickly as the city would like them to
- they do not have the money; asking for leniency
- introduced another letter from the city; is this an assessment

Ms. Moermond:

- that is an assessment for Excessive Consumption; for too many inspections; that hearing is Oct 7; at City Council Jan 7

Ms. Jansen:

- her nephew has been sleeping in parks, etc., outside
- he just tells me, "I'm OK; don't worry about me;" he doesn't want to put us through anymore
- she just can't afford all these things: fees and assessments

Ms. Moermond:

- does your nephew know of any services to help him out right now?
- is happy to put this back in front of CC at the same time as they talk about the VB fee
- she would not change her recommendation on the Condemnation piece; the building conditions were just that bad
- encouraged Ms. Jansen to make the case to CC that things have improved; pictures showing improvements

Ms. Jansen:

- of course, they do want to get it fixed up so that will be able to rent it again-bring in some money

Ms. Moermond:

- suggested they talk with the Frogtown Community Development Program; you need to stay in the house for 10 years

Ms. Jansen:

- this is too much stress; the sooner she can get things fixed and sell the house before she loses it to the city, the better off she will be
- when they sell the houses, they hope to have enough money to be able to find another place; maybe some land

Fire Inspector A. J. Neis:

- Frogtown Community Dev Program's loan is usually a forgivable loan if you stay there for 10 years; however, if you don't stay there for 10 years, you have to pay back the loan; for example, if you get a \$10,000 loan to fix up the house, you will probably see a good return on your investment if you have to sell it, say in 5 years; so, it may still be something you'd want to consider; even if you've been denied before, keep trying
- also consult Southern Minnesota Regional Legal Services (SMRLS) - free legal advice; might be able to help you decide which way to go

Ms. Moermond:

- doesn't want to see you lose the equity in this house because of this trouble; maybe some or all can be saved
- SMRLS #651/222-5863 - really good resource
- also, Katy Royce, Thomas Dale District Council, may have other resources; #651/789-7480 Frogtown Neighborhood Association

Mr. Jansen:

- garage has only a little more in it
- house is about 90% done

Mr. Neis:

- may be able to get another dumpster from Kay Witgenstein, House Calls

Ms. Moermond:

- will get an inspector out there to take a look to see where we're at now; Mr. Dornfeld will make an appointment with you

- will Layover to Oct 7, 2014 so that inspector can go to property and take follow-up photos

Laid Over to the Legislative Hearings due back on 10/7/2014

53 [RLH VBR 14-67](#) Appeal of Robert Gotch to a Vacant Building Registration Notice at 931 SHERBURNE AVENUE.

Sponsors: Thao

Robert Gotch, owner, appeared.

Fire Inspector A. J. Neis:

- *Fire Certificate of Occupancy Revocation*
- *process started in 2012 when Fire Inspector Michael Efferson sent out an initial inspection letter to RS ARMS Holdings for Jul 18, 2012 but he was unable to gain access*
- *sent another letter Jul 18, 2012 for an inspection Aug 30, 2012*
- *sent another letter to Debra Sue Kinde, 931 Sherburne Ave to inspect Jan 16, 2013; again, was unable to gain access*
- *Inspector Jeremy Hall sent letter to Debra Sue Kinde for Jul 24, 2014; did not gain access*
- *sent another letter on Jul 30, 2014 to Debra Sue Kinde for inspection Aug 14; and also sent one to Mr. Gotch; did not gain access*
- *Inspector Hall consulted with Mr. Neis because it had taken so very long to get into the property*
- *Aug 19, 2014, Mr. Hall documented that he went to the inspection and the responsible party was not present; he spoke with the responsible party, who said that the property was sold on a Contract for Deed, which had fallen through; it was never registered*
- *Mr. Hall ultimately sent it to the Vacant Building Program on Aug 19, 2014*
- *around that time, Mr. Neis received a call from Mr. Gotch requesting to speak with a supervisor about how Insp Hall could make something a VB without ever actually doing an inspection on the property; Mr. Neis explained that it was because of the multiple attempts to gain access, the building was vacant and there were enough exterior code violations to meet the definition of a VB*
- *Mr. Neis went out to the property for a quality assurance check; he found quite a few issues with the house*
- *he peeked over the tall fence; the whole back of the house/stairway is rotted, deteriorated, which meets the definition of a Category 2 VB; he sent it over to Inspector Dornfeld, VB*

Matt Dornfeld, Vacant Buildings:

- *doesn't have a whole lot to add*
- *he opened the Cat 2 VB on Sep 3, 2014 per the referral; took photos*
- *house was secure and vacant; posted placards*

Mr. Gotch:

- *the Contract for Deed was registered at Ramsey County's Recorder's Office; he has a copy*
- *there's a lot of misunderstanding; that's why we're here*
- *his first conversation was on Jul 15 with Jeremy Hall asking him why he was not at the property on the inspection date; at that time, he caught him off guard; for one thing, he doesn't own the property so he can't let him in; he had sold the property - Debra Sue Kinde owned the property; she was behind on payments*
- *he was trying to locate Ms. Kinde to file a Quit-Claim Deed and he would keep Mr. Hall posted*

- Jul 25, he left Mr. Hall a voice mail telling him that he had contacted Ms. Kinde and they would file a Quit-Claim Deed and he would be the owner of the property and would have no problem going through with the Fire inspection; he got no response from Mr. Hall at all; he also left Mr. Hall an E-mail because he had stated that he had mailed him a Notice; but Mr. Gotch never received a Notice and later found out that they had the wrong address; that address is the neighbor's up the hill (he never did live there)
- he was never notified in any way
- Aug 12, he E-mailed Mr. Hall to let him know that he had contacted the owner; the Quit-Claim Deed had been filed and recorded with Ramsey County; he told Mr. Hall that he would definitely like to set up a time for the inspection; there was no response from Mr. Hall
- this is his busiest time of the year; he travels 3 weeks out of the month from now until the end of Dec
- he asked for a supervisor and was put into Mr. Neis' voice mail; he left his correct address, E-mail and office address
- it went to the wrong address
- now he's faced with the damages done to his property, too

Mr. Neis:

- that needs to be addressed with Ramsey County

Mr. Gotch:

- he has never not complied with a Fire C of O
- he knows how the system works; he'd been more than willing to have inspectors out
- the house will need a lot more work now; it will be vacant for the next few months
- he last spoke with Ms. Kinde around Aug 10, 2014 where she actually lived

Mr. Neis:

- this should have been Revoked 2 years ago when the inspectors could not gain access; it took so long because we had a shift in assignments and new inspectors, etc.
- the only complaint came in 2008 for graffiti

Mr. Gotch:

- the house is bad inside; kitchen cabinets are off; now, the plumbing's been ripped out of the basement; need water heater and furnace
- now, it's definitely a vacant house
- the outside is pretty bad, too; rotted wood; garage roof probably needs to be replaced; it's water tight
- the house doesn't look vacant when you drive by; I'd like to say "unoccupied"

Ms. Moermond:

- doesn't think she can help
- it is vacant and has visible code violations
- whether or not you're in the VB Program, you'll have to do the same amount of work

Mr. Gotch:

- he's been trying to get his electrician to pay the last inspection fee; and he won't do it; the homeowner can't pay it; without that, the city won't close the permit
- it's tough working with a lot of contractors; he'd rather do the work himself

Ms. Moermond:

- Sr Electrician is Dan Moynihan, 651/266-9021; he'd be able to help square up the permit
- Building Official is Steve Ubl, 651/266-9021

- will recommend denying the appeal and waive the VB fee for 90 days; get the permits rolling

Referred to the City Council due back on 10/15/2014

Other

54 [RLH OA 14-23](#)

Appeal of Gayle Gedstad and Barbara Ward to a Denial of an Application for a Fence Variance at 1380 VICTORIA STREET NORTH.

Sponsors: Brendmoen

*Gayle Gedstad, owner, appeared.
Appeal of a Denial of a Fence Variance application*

Mr. Gedstad:

- entered photos

Ms. Moermond:

*- has read the materials
- has the permit denial
- he and his neighbors have come to an agreement*

Mr. Gedstad:

*- had a 6'4" privacy fence built 10 years ago
- last year, his neighbor built a deck adjacent to that fence for about 19 feet in length; because of the height of the deck, he lost the privacy of a 6'4" privacy fence because anyone on that deck can look over and anyone on his side, including in the hot tub can see the people on her deck
- he understands that privacy fences are allowed to be 6'8" high and if his was that high, he'd be asking for only a 12-13" variance but since his is only 6'4" high, he's asking for a 17" variance*

Ms. Moermond:

*- when she has made a recommendation for a fence to be higher in this sort of circumstance, it would be an open area on the top with maybe plants growing through it or something because the fence that was originally constructed wasn't meant to hold that extra load; it was meant to hold the 6'4" load
- will recommend that the Council grant a 13-inch variance in fence height for the length of the fence separating the deck area of the adjacent property and his property; and the balance of the fence shall not exceed 6.5 feet.*

- she will copy the building official so he'll have that info right away

Referred to the City Council due back on 10/15/2014