



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, February 3, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 15-9](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1503, Assessment No. 158802 at 1064 ARGYLE STREET.

Sponsors: Brendmoen

Craig Johnson and Alex Johnson appeared.

Inspector Joe Yannarely:

- Vacant Building fee covering time period from May 16, 2013 - Jan 5, 2015
- 4 waivers were granted
- recommends prorating for half a year
- sign-off: Jan 5, 2015

Mr. Craig Johnson:

- he paid \$1400 Nov 2013

Ms. Moermond:

- so, last year's VB fee was paid in the fall
- we are looking at May 16, 2014 - May 16, 2015

Mr. Yannarely:

- in Nov, he paid the 2013 VB fee (May 2013 - May 2014)
- he'd been granted waivers; it went on a different roll
- he was granted 2 waivers for last year's fee
- this, year in May, he got 2 45-day waivers

Mr. Craig Johnson:

- the building was finished -- but what happened was that we requested a separate building permit to finish off the basement; plumbing for basement bathroom; the building permits for that were pulled in May 2014
- when he talked to the contractor, the building was done in Jun-Jul of the year; the inspectors just hadn't cleared all of their reports because they thought it was still open because we pulled an additional permit

Mr. Alex Johnson:

- he was told by his contractor that it was finished in Jun; the final sign-off was in Jun

Mr. Yannarely:

- no work orders on the property

Ms. Moermond:

- wants to talk with Steve Ubl, building official about this one

- there've been a lot of moving parts and a number of permits pulled

Mr. Yannarely:

- closed permits: plumbing (finaled Sep 9) - because of the extra basement bathroom

- mechanical: May

- electrical: Aug

- design review: Apr 2014

- Jim Seeger: Apr framing structural approved

- final inspection: Jun 25, 2014

- guesses that the Code Compliance Certificate was issued late because of the plumbing in basement

Ms. Moermond:

- would like to look into it; half of that fee is gone already; she will look at the rest of it; it could go to 1/4 or it could go away

Mr. Craig Johnson:

- they were just putting a bathroom in the basement and it was a completely different permit; when he spoke with Mr. Seeger, he didn't realize that it was a separate job

Ms. Moermond:

- it sounds good to her; she just needs to confirm it for the record

- she will contact him to let him know what she finds out

Reduce from \$1595 to \$797 and may reduce further. LHO to contact building official to check on plumbing permit.

Follow-Up: Upon review of the file, it looks like there was a fair bit of BZA activity in Spetember and October. Also, it's not clear why there was no follow-up by the owner with the City when he found the Code Compliance Certificate was not yet issued. Additionally, significant consideration had been provided in the previous year through multiple waivers on the VB fee. No further reduction. -Moermond

Follow-Up 20819/15: Spoke with Steve Ubl on permit situation. It looks like everythong but electrical was done. Job could have had Code Compliance in Sept. Therefore, it would have been in the VB program for 3 months out of 12. Recommend reduction to \$400.

Referred to the City Council due back on 2/18/2015

2 [RLH TA 15-96](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 361 BATES AVENUE.

Sponsors: Lantry

No show; approve.

Referred to the City Council due back on 3/18/2015

- 3 [RLH TA 15-101](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 4 BELVIDERE STREET WEST.

Sponsors: Thune

Daniel Hecker, owner, appeared.

Inspector Joe Yannarely:

- Vacant Building fee
- Category 2 Duplex VB opened Oct 4, 2013
- still active
- warm air is finaled; mechanical is finaled; plumbing is active
- close to being done
- tall grass/weeds Work Order this past year
- a couple complaints and a snow walk complaint in Dec 2014

Mr. Hecker:

- hoping to get the fee waived
- bought it in May 2014 and wasn't able to get to it because of other projects
- is very close to being done; will finish before the end of this month

Ms. Moermond:

- if finished by the end of Feb, you will have been in the VB Program for 6 months out of 12 for this time period
- will cut it in half if finished by end of Feb
- City Council Public Hearing Mar 18, 2015
- let me know by Mar 11 and no later than Mar 17
- a building is considered vacant up until it becomes code compliant and you've received your certificate on it
- If the work is completed by March 18, 2015, will reduce from \$1595 to \$797.*

Referred to the City Council due back on 3/18/2015

- 4 [RLH TA 15-65](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 174 CONGRESS STREET WEST.

Sponsors: Thune

George Latimer, Jr., owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Nov 6, 2014; compliance Nov 12; re-checked Nov 12
- work done Nov 14, 2014 for a cost of \$130 + \$40 = \$170 (removed mattress)
- sent to George Latimer, Jr., 422 Stryker Ave; and Occupant
- bold letters: including especially but not limited to mattress by garage
- little history
- no trip charge added
- photo

Mr. Latimer, Jr:

- asking that the fee be waived because this item had nothing to do with his property; it was left in the alley
- he was going to get rid of it anyway but when he went to remove it, it was gone

VIDEO

Ms. Moermond:

- a week went by between when the Orders were written and when it was picked-up
 - Parks Dept did not add the usual hourly charge that they normally do; it could have been \$260 more
 - you property goes to the center of the alley
 - will recommend approval
- Approve the assessment.*

Referred to the City Council due back on 3/18/2015

- 5 [RLH TA 15-90](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 1349 EDGERTON STREET.

Sponsors: Brendmoen

No show; approve.

Referred to the City Council due back on 3/18/2015

- 6 [RLH TA 15-80](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 511 EDMUND AVENUE.

Sponsors: Thao

No show; approve.

Referred to the City Council due back on 3/18/2015

- 7 [RLH TA 15-93](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 561 EDMUND AVENUE.

Sponsors: Thao

No show; approve.

Referred to the City Council due back on 3/18/2015

- 8 [RLH TA 15-58](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 820 FIFTH STREET EAST.

Sponsors: Lantry

LaVonne Hamilton, owner, and Luches Hamilton appeared.

Inspector Paula Seeley:

- clean-up
- Summary Abatement Order issued Nov 5, 2014; compliance Nov 12; re-checked Nov 13
- work done Nov 14 for a cost of \$316 + \$160 = \$476
- history: Oct 15, 2014 another issue of a large amount of debris; living room chairs,

broken dresser, broken patio table, white bench, stained glass window, mattress in front yard, mattress on side of house, van is parked on grass in back yard frequently; surveillance cameras were suggested; etc.

- sent to: Lavonne and Kristi Hamilton, 2116 Lamplight Dr, Woodbury; and Luches Hamilton, PO Box 600335, St. Paul; and Occupant
- in bold letters: remove large pile of garbage, tires, rubbish from rear yard near alley
- this was clearly not in the ROW and happened also a month before
- photos don't seem to be indicative of illegal dumping; trash container is full; looks like a partial move out

Mr. Hamilton:

- had written a letter to DSI regarding this instance, an attorney representing (Wagner, Falconer & Judd Ltd)
- DSI responded with a letter
- asked if Ms. Moermond saw the police report; Ms. Seeley entered the report

Ms. Seeley:

- a couple bags of trash may have come from dumping but not the rest of the stuff

Mr. Hamilton:

- he sent his wife and handyman over there to clean it up; they found a lot of payroll checks, which looked as though someone might have robbed someone; Mr. Hamilton told him to call SPPD, which he did
- Police came over there and looked at; they told his wife and handyman not to touch it and to leave it there, which they did
- none of that material was theirs; it's right by the alley and people like to dump stuff there all the time and he has to clean it up but in this instance, it was checks and stuff; police told them not to mess with it, and they didn't; they were going to do an investigation; they would follow-up on it
- they had an eviction in Oct; they were not paying rent and we could not control them

Ms. Moermond:

- the disposition on this police call says that they advised; it doesn't say that they wrote a report
 - if they had written a report, there would be a nice narrative describing the incident
 - is surprised that the police said to leave the payroll checks there
 - sounds as though there was a problem with the information SPPD provided to you
 - will recommend this assessment be deleted
- Delete the assessment.

Referred to the City Council due back on 3/18/2015

9 [RLH TA 15-81](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 415 FINN STREET NORTH.

Sponsors: Stark

No show; approve.

Referred to the City Council due back on 3/18/2015

10 [RLH TA 15-66](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 480 FOREST STREET.

Sponsors: Lantry

No show; approve.

Referred to the City Council due back on 3/18/2015

- 11 [RLH TA 15-72](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 226 GROTTO STREET NORTH.

Sponsors: Thao

Owner no show but asked that the fees be divided over 5 years. The Legislative Hearing Officer granted his request.

Referred to the City Council due back on 3/18/2015

- 12 [RLH TA 15-89](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 362 JENKS AVENUE.

Sponsors: Brendmoen

Delete the assessment; VB file closed in time and fee should have not been assessed. (No hearing necessary)

Referred to the City Council due back on 3/18/2015

- 13 [RLH TA 15-95](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 1026 LAWSON AVENUE EAST.

Sponsors: Bostrom

No show; approve.

Referred to the City Council due back on 3/18/2015

- 14 [RLH TA 15-45](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A2, Assessment No. 158511 at 878 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

Owner did not appear; approve the assessment.

Referred to the City Council due back on 2/4/2015

- 15 [RLH TA 15-67](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 2079 MARGARET STREET.

Sponsors: Lantry

Lorna Rosebrock, owner, appeared.

Ms. Moermond:

- *significant clean-up*
- *some issues with documentation*

Inspector Paula Seeley:

- *Summary Abatement Order issued Nov 7; compliance Nov 13; re-checked Nov 13*
- *failure to maintain exterior*
- *work done Nov 18, 2015 for a cost of \$1500 + \$160 service charge = \$1660*
- *underlined: remove improperly stored accumulated refuse, including garbage bags, rubbish, mirrors, blinds, tarps, appliance, carpeting, scrap wood/metal, recycling materials, household items, sheet rock, tires, etc., from yard areas, trailers, rear deck and under deck*
- *sent to Lorna Rosebrock, 2079 Margaret St and Occupant*
- *no returned mail*
- *photos*
- *a separate Correction Notice was issued for putting a door onto the sauna; it was taken care of*

Ms. Rosebrock:

- *has lived here 20 years*
- *she received 2 Notices: 1) for clean-up on the yard; and 2) put a door onto the sauna (this one was extended)*
- *she was confused; she thought that the extension covered everything*
- *she did do some clean-up in the back yard; then, it snowed and she wasn't able to get everything done that she wanted to get done*
- *she had tile sitting on a cart that she was going to pull up to the house for remodeling here entry way and bathroom*
- *the people at the house told her that a crew had come and left again so she thought that they found it OK; but then, she spoke to an inspector, who told her that they would be going back out there (she was on her way to work); she left early from work to try to get more done before the crew would come; it was the first nice day - a good day to clean-up; the snow was melting*
- *her son was told that if they boarded up the sauna, it would be OK; so they did that; the inspector said that was not OK; so, she bought a door and put it on*
- *back in 2011, she was incarcerated for 17 months and during that time, there was a time that the house sat vacant and it was vandalized; it has been a process getting all that cleaned up - she had a long dumpster from Poor Richards for a long time for a flat rate; Officer Booth and she did not see eye to eye and when they came to pick up that dumpster, Officer Booth was there and ordered Tom to dump that dumpster into her yard because they were going to be condemning the house; if he were to take it away, Officer Booth was going to have it towed (she tried to get a letter from Tom but was unsuccessful)*
- *all of that froze into the snow/ice*

Ms. Moermond:

- *that was 4 years ago*

VIDEO

Ms. Rosebrock:

- *the house was not Condemned*
- *the trash was cleaned up as good as possible, given the time of year (frozen)*
- *her daughter eventually moved in and got more dumpsters*

Ms. Moermond:

- *how does that situation in the Nov of 2011 apply to the clean-up in the fall of 2014?*

Ms. Rosebrock:

- it costs money to get rid of trash; a lot to clean-up in 2011; now, more money in 2014; we didn't have enough money to get rid of it all at one time
- why they took her tarps and trailer she doesn't know; her trailer was jacked -up to change the tire; they took it all
- there's a privacy fence around her house; you can't see any of this from the road; she doesn't understand why they would come into her backyard and take building materials; they took a \$10,000 chandelier that was leaning on the back fence; it was from the Manor on W 7th
- everything was pillaged in 2013 after people moved out of the house

Ms. Moermond:

- it was fully 10 days between when the Order was issued and when the crew arrived
- it was a cold Nov; however, the crew did get the things out

Ms. Rosebrock:

- she misunderstood and thought that she had the compliance date of the sauna for everything else cleaned-up
- when he spoke to the crew person, he said that they were out there for 1 1/2 hours cleaning up; the paperwork says 3 hours
- her son's girlfriend had just put laundry out to be taken to the laundromat and it was taken by the city as trash; no one came to the front door to say that they were there cleaning up; they just took everything

Ms. Moermond:

- asked about the hourly charge; was not listed
- VIDEO again

Ms. Rosebrock:

- the trailer wasn't junk; the tire wasn't junk
- the work I did doesn't even show
- it's a big yard; 2 feet short of a football field

Ms. Moermond:

- would like to get a copy of the letter
 - will check on the hourly fee; otherwise, it's looks legitimate
 - will look into decreasing it, maybe by \$260; otherwise, I'll recommend approval and divide it over 5 years
- Approve and spread over 5 years but LHO may decrease further. She needs to check on the hourly fee and transport time.

FOLLOW-UP: It's not the hours which drive up the costs in this case, but rather the volume and types of material removed. Rec approval of whole. -MCM

Referred to the City Council due back on 3/18/2015

16 [RLH TA 15-98](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 134 MARIA AVENUE.

Sponsors: Lantry

No show; approve.

Referred to the City Council due back on 3/18/2015

- 17 [RLH TA 15-104](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1503T, Assessment No. 159002 at 1417 MARION STREET.

Sponsors: Brendmoen

Kelly Franco, owner, appeared.

Inspector Chanel Rockymore:

- sent diseased tree letter Aug 8, 2014
- compliance date was Sep 8, 2014; re-checked Sep 15 and left a Notice stating that the work hadn't been done and needed to be completed
- doesn't have office paperwork to see if there was any communication back from Ms. Franco
- have photos taken Sep 15
- do not have an invoice
- cost of assessment: \$554 + \$144.90 service charge = \$698.90
- diameter of elm trees with Dutch Elm disease: 1) 8 inch diameter; and 2) 16 inch diameter

Ms. Franco:

- they opted for the city to come out and take care of the trees
- she is concerned about the work that was done and the price that she is paying for it because although they cut down the 2 trees, they left the stumps quite high and all the bark is still on; also there's a large branch growing out of one of the stumps; she thinks that all should have been taken care of
- they didn't do the whole job

Ms. Rockymore:

- when they are made aware that a contractor hasn't done what they are supposed to do, we will have them go back out and either cut that stump flush with the ground or take the bark completely off so that disease doesn't fester there
- they use contractors that bid out, yearly; the price is determined by the diameter of the tree; a difficult location of the tree might also play into the price
- this contractor should have already been paid for this job

Ms. Moermond:

- would it be possible to contact the contractor and ask them to go back out and take care of this; her preference is for them to "get it right"
- thinks that it's the simplest to hold them accountable
- let's get this squared away in 30 days

Ms. Rockymore:

- most definitely

Ms. Moermond:

- City Council Public Hearing Mar 18, 2015
- will recommend approval of this assessment divided over 3 years
- Approve and spread payments over 3 years.

Referred to the City Council due back on 3/18/2015

- 18 [RLH TA 15-94](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 1899 MARSHALL AVENUE.

Sponsors: Stark

Michael Mugaas, owner, appeared.

Inspector Joe Yannarely:

- annual Vacant Building fee: \$1440 + \$155 service charge = \$1595
- entered VB Program Jul 2, 2014 as fire exempt with a 90-day waiver; that expired and no more extensions were requested or granted
- open permits: electrical and building

Mr. Mugaas:

- there was a fire in this building Jun 19, 2014; that same morning, he hired Restoration Professionals to begin work immediately restoring the building
- has not been through this process before
- got a letter a month or 2 ago that said he owed \$1600 for a VB fee; he called DSI; they said that was a mistake - that they don't charge in cases of a fire; was advised to file an appeal
- the fire didn't cause much damage; it was a lightening strike, but the firemen came in and flooded the house and destroyed it
- now, everything needs to be brought up to code; it's 100 year old building, an expensive property
- this all takes longer than he thinks it should
- it's supposed to be done this month; it was supposed to be done on Feb 13; believes it will be more like Mar
- the people at DSI said that we should not have to pay this fee

Mr. Yannarely:

- usually, they are extended out longer than this, if extensions are requested; generally speaking, they would grant another 90 days

Ms. Moermond:

- what's the value of the building permit pulled?
- what was the value of the damage to the building?

Mr. Mugaas:

- insurance estimates that he's seen, he thinks are more in the \$300,000-\$400,000 range

Mr. Yannarely:

- building permit fee was \$1100
- valuation was \$92,000

Ms. Moermond:

- you are in the VB Program and you haven't been required to get a Code Compliance Inspection because of your fire exempt status; you are operating off the building permit (that's less money)
- in about 6 months
- she wants to talk with the building inspector, Steve Ubl, about this

Mr. Mugaas:

- he's hired a company to take care of things immediately; it seems ridiculous that he's being fined for it

Mr. Yannarely:

- it's not a fine; it's covering costs for the city to monitor it to make sure it's secure

Mr. Mugaas:

- it's not secure; it's been broken into 10 times

- they city didn't board it up; he hired people to board it up; he paid for that; so, what is it that the city is doing?

Mr. Yannarely:

- when a VB does get broken into, the city has to send out a private contractor in order to board it up

Mr. Mugaas:

- it wouldn't be broken into if the city didn't put stickers all over it saying this building is vacant

Mr. Moermond:

- will talk with building inspector
- the best way to gauge when this will be done and why this has been slowed up
- she is trying to discount this fee

Mr. Mugaas:

- he's talked to DSI, who said this was an error; it seems silly that he is here this morning, going thru this

Mr. Moermond:

- re: the placards put onto the building; there's a good debate going on in the city right now about placards and where they're placed; it's hard to discern what the best policy is

FOLLOW-UP: The building has been vacant since 7-2-14, meaning that by the 3/18/15 public hearing, it will have spent 8.5 of the 12 months being billed in the program. Also, no permits finalized at this time.

Referred to the City Council due back on 3/18/2015

19 [RLH TA 15-106](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1505A, Assessment No. 158504 at 984 MINNEHAHA AVENUE EAST.

Sponsors: Lantry

Alex Volkson, AXL Management, appeared.

Inspector Paula Seeley:

- tall grass/weeds Order sent Oct 2, 2014; compliance Oct 6; re-checked Oct 9
- work done Oct 14, 2014 for a cost of \$160 + \$160 service charge = \$320
- sent to AXL Construction Co, 13284 Pennsylvania Ave, Savage MN; and Occupant
- no returned mail

Ms. Moermond:

- this assessment has already been approved

Mr. Volkson:

- he always cuts the grass on his properties
- there was 2 weeks of rain and when they went to cut the grass after it rained, we saw that it had already been cut
- a week later, his neighbor gave him a letter from the inspector saying the grass should be cut (Notice); the mailman put this letter in my neighbor's mailbox; it was late - delivered to his neighbor's house in Savage
- he told the inspector that he could email me anytime; he checks his email every 20 minutes and there was no email

Ms. Moermond:

- the inspector can email but the city is not yet in a position where it can use email as an official notification
- looking at the photo, the grass on the neighboring property is cut; however, the grass on this lot is much longer
- looks like the work needed to have been done

Inspector John Peter Ross:

- there was a previous tall grass/weeds in Jun, 2014 but done by owner

Ms. Moermond:

- the city's legal obligation is to send the Notice to the owner of record via US Mail; clearly, the city met it's obligation but the Postal Service delivered it to your neighbor's house
 - the Notice was delivered to the wrong address
 - will reduce this assessment to \$100
- Reduce from \$320 to \$100.

Referred to the City Council due back on 2/18/2015

20 [RLH TA 15-68](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1504G, Assessment No. 158703 at 1036 MINNNEHAHA AVENUE EAST.

Sponsors: Lantry

Delete the assessment due to inspector error. (No hearing necessary)

Referred to the City Council due back on 2/18/2015

21 [RLH TA 15-69](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1505G, Assessment No. 158704 at 1036 MINNEHAHA AVE EAST.

Sponsors: Lantry

Delete the assessment due to inspector error.

Referred to the City Council due back on 3/18/2015

22 [RLH TA 14-695](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1503E, Assessment No. 158302 at 1059 PARK STREET. (Amended to delete)

Sponsors: Brendmoen

Paul Switala, owner and his mom, JoEllen Switala, appeared.

Inspector Paula Seeley:

- Excessive Consumption fee
- Summary Abatement Order issued Jul 31, 2014 for failure to remove a couch from the yard; compliance Aug 6; re-checked Aug 9 and sofa was still there; inspector issued a noncompliance EC for a cost of \$150 + \$35 service charge = \$155
- inspector went back again on Aug 15 and the loveseat had been removed
- there's no history here

Mr. Switala:

- *at the time of the Order, the couch had been put on the blvd for "free"; he took it off the porch because they were repairing the porch; they put the couch on the blvd*
- *received a letter that it had to be removed from the blvd and disposed of*
- *they brought it back into the yard; they had tried to put it into the trailer with the first load of stuff from the porch; the flooring and siding was going to be taken to the dump*
- *he doesn't drive nor does he own a car*
- *he was borrowing his sister's trailer; his sister came back that weekend (his father drove the vehicle twice with the trailer and they took the couch on the 9th*

Ms. Switala:

- *Paul doesn't own a vehicle; he doesn't have a driver's license, so he couldn't rent something*
- *they don't own a vehicle that's big enough to haul anything or one with a hitch*
- *his sister lives in St. Louis Pk, who has a trailer and a vehicle with a hitch; however, the work and so they had to coordinate with them to get the truck and trailer over to take the stuff to the dump*
- *Paul did it as soon as he could; the couch was gone the day after it was supposed to be gone; he couldn't do any more than he could do because he had to rely on other people and their vehicles; there was no intention of beating the fee or anything like that*
- *today, as she was picking Paul up, there was a serpentine belt laying on his blvd (he does not own a vehicle)*
- *the whole neighborhood is a garbage pit*
- *the only reason he bought in that area is because it's close to work; he does not drive*

Ms. Moermond:

- *will recommend deleting this assessment*
- *there was a good faith effort made and there's no history*

Mr. Switala:

- *questioned the short turn around time; is new to being a homeowner*

Ms. Seeley:

- *they are told by the City Council President that she wants 4-day abatements on garbage and anything outside; if you would call and ask the inspector for a couple days extension, you would probably be granted that*

Ms. Switala:

- *noted that not everyone has a vehicle or ones large enough; they have to rely on other people to help out*

Ms. Moermond:

Delete the assessment.

Referred to the City Council due back on 2/4/2015

23 [RLH TA 15-92](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 341 RAMSEY STREET, UNIT A.

Sponsors: Thune

Laurel Little, owner, appeared.

Inspector Joe Yannarely:

- annual Vacant Building fee
- unit A, 341 Ramsey St - fire exempt status started Mar 14, 2014
- changed to a Category 2 VB Oct 21, 2014
- the electrical permit has been finalized
- still no sign-off

Ms. Little:

- the city inspector and fire inspector were in last Fri and both signed off

Ms. Moermond:

- guesses that this work sheet was prepared at the same exact time as when the sign off was; the computer should have caught up by now

Ms. Little:

- has photos
- the challenge with this building has been that only her unit out of 4 was effected by the fire that occurred in common space below her unit
- Inspector Hall recommended that she bring up at LH that because the building was never vacant and her unit never should have fallen into the VB status
- the fire started in common space below her unit; the Association actually paid for the restoration because it happened in common space; they paid for the restoration in her unit and had no interest in getting it done in a timely manner; they hired a contractor who refused to communicate with anyone
- final bill was \$51,000; the first contractor was fired because of his poor work; the 2nd contractor began in Nov and has just completed the work
- if this fee has to be assessed, can it be assessed to the Association, which is actually responsible for the damage done to her unit
- it's been a nightmare
- the only thing that her insurance covered was the loss of income for the tenant, who was not able to occupy
- the fire occurred in the basement - water coming into the foundation with snow melt
-

Ms. Moermond:

- considerations: 1) fire was last Mar (would have been in the VB Program for a full year; 2) she is not sure how the taxes are set up with the Condo Association; in general, the individual units each get an individual property tax statement; doesn't know if there's one that goes for the general common spaces or if that's assumed to be covered with the others; the assessment has to go with a property; it can't go with an entity
- you could file to have that paid by the Association
- the code is clear that a part of a building can be Condemned or Vacated

Ms. Little:

- she was hoping to get it waived
- now, the work is done
- brought up photo of final sign-off

Mr. Yannarely:

- has not found a C of O
- there have been no Work Orders or anything
- Mr. Steve Magner noted in Nov, 2014 to change this back to a Cat 1 as the owner provided a scope of work
- there have been no problems for the city

Ms. Moermond:

- will recommend reducing the assessment to \$250
- Reduce from \$1595 to \$250.

Referred to the City Council due back on 3/18/2015

24 [RLH TA 15-78](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 1812 ROSS AVENUE.

Sponsors: Lantry

Telma Vides appeared.

Inspector Paula Seeley:

- clean-up
- Summary Abatement Order issued Nov 7, 2014; compliance Nov 14; re-checked Nov 17
- work done Nov 18 for a cost of \$344 + \$160 = \$504
- sent to Telma Vides, 996 Fremont Ave; Federal National Mortgage Association, 14221 Dallas Pkwy PO Box 65004, Dallas TX; and occupant
- no returned mail
- it is now a Category 2 Vacant Building
- indicates old decking materials, pails in rear yard and alley area

Ms. Vides:

- it was a VB when she bought it Sep-Oct 2014
- when she got the clean-up letter, she had her husband and his friends take down the handicapped walkway onto the deck; they were going to re-inforce the deck with some of the wood; her husband said they had piled up the wood on the side, a dumpster was in the front with some stuff in it; the guys stopped and went to breakfast, then Menards, and when they came back, everything was gone, even the wood they were going to use to reinforce the deck; so, we were in the process of getting it all cleaned-up already

Ms. Moermond:

- deadline was Nov 14; crew didn't come until Nov 18 (a few days grace)
- there was lots of brush, mattress frame

Ms. Vides:

- a lot of stuff was left behind by the previous occupants
- it was a mess

VIDEO - city removed items

Ms. Moermond:

- you got the Notice; there was a lot to clean-up and the city did the work
 - the cost is cheaper than she would have anticipated
 - will recommend approval of this assessment
- Approve.

CCPH Mar 18, 2015

Referred to the City Council due back on 3/18/2015

25 [RLH TA 15-87](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 1169 SAINT PAUL

AVENUE.

Sponsors: Tolbert

Approve the assessment; the work was done by City. Owner lives in Boston and was not able to attend hearing.

Referred to the City Council due back on 3/18/2015

26 [RLH TA 15-88](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 1173 SAINT PAUL AVENUE.

Sponsors: Tolbert

Delete the assessment; 1169 and 1173 are abutting vacant building vacant lot. Each has its own pin, but same owners. Also recommend treating both properties as one parcel and a duplicate appeal under 1169 St Paul Ave. Reference File No. TA 15-87.

Referred to the City Council due back on 3/18/2015

27 [RLH TA 15-84](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 683 SHERBURNE AVENUE.

Sponsors: Thao

Mary Durkup, property manager, appeared.

Inspector Paula Seeley:

- clean-up
- snow Order issued Nov 14, 2014; compliance Nov 17; re-checked Nov 19
- work done Nov 20 for a cost of \$180 + \$40 service charge = \$220
- sent to Bee Vee LLC, 3853 Central Ave NE, Columbia Heights and Occupant
- no returned mail
- inspector reported: public walk had not been shoveled all season
- history: Dec 12, 2014 WO to remove snow/ice - done by owner; Sep 24, 2013 WO to remove snow/ice - done by Parks
- photos show compacted snow/ice

Ms. Durkup:

- wrong address
- is here for 683 and 695 Sherburne Ave
- she filled out the 1 page change of address form a long time ago
- the Notices go to 3853 Central Ave NE, which is an attorney's firm so by the time she gets them, we're past the due date; she didn't know that her name wasn't on the list to be sent Notices until Mike Urmann called her Jan 14, 2015 asking if she was the property mgr for this building because he couldn't find her
- she doesn't know what's going on but she is not getting the Notices in a timely fashion

Ms. Moermond:

- the legal obligation on the part of the city is to notify the owner of record on file with Ramsey County; they would be responsible for notifying any property mgr that they have in place; there is a strong effort made by the city to make sure the property mgr is notified but there's no legal obligation to do that
- but why should the city have to tell property managers that a walk needs to be

shoveled; isn't that what property managers do?

Ms. Durkup:

- on the mattress issue on 695 Sherburne Ave: she has her maintenance man's hours and a photo from Nov 17, 2014 that he did clean up mattresses; that was not due to a Notice because she didn't have that Notice

VIDEO- city did the work

Ms. Moermond:

- it looks pretty bad

Ms. Durkup:

- is not saying that the city didn't do the work; she is asking for a reduction due to the address issue

Ms. Moermond:

- that's just not happening; the city did the work

Ms. Seeley:

- on the mattress issue at 695 Sherburne, we are recommending that be deleted due to the fact that on the Summary Abatement Order, the inspector did not indicate what needed to be removed (inspector error)

- commented that Ms. Durkup needs to get the Certificate of Occupancy Responsible Party in her name at her address (Mai provided a form)

Approve the assessment for 683.

Referred to the City Council due back on 3/18/2015

28 [RLH TA 15-105](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 695 SHERBURNE AVENUE.

Sponsors: Thao

Mary Durkup, property manager, appeared.

Inspector Paula Seeley:

- we are recommending Deletion due to inspector error

Ms. Durkup:

- wrong address

- is here for 683 and 695 Sherburne Ave

- she filled out the 1 page change of address form a long time ago

- the Notices go to 3853 Central Ave NE, which is an attorney's firm so by the time she gets them, we're past the due date; she didn't know that her name wasn't on the list to be sent Notices until Mike Urmann called her Jan 14, 2015 asking if she was the property mgr for this building because he couldn't find her

- she doesn't know what's going on but she is not getting the Notices in a timely fashion

Ms. Moermond:

- the legal obligation on the part of the city is to notify the owner of record on file with Ramsey County; they would be responsible for notifying any property mgr that they have in place; there is a strong effort made by the city to make sure the property mgr is notified but there's no legal obligation to do that

Ms. Durkup:

- on the mattress issue on 695 Sherburne Ave: she has her maintenance man's hours and a photo from Nov 17, 2014 that he did clean up mattresses; that was not due to a Notice because she didn't have that Notice

Ms. Seeley:

- on the mattress issue at 695 Sherburne, we are recommending that be deleted due to the fact that on the Summary Abatement Order, the inspector did not indicate what needed to be removed (inspector error)
- commented that Ms. Durkup needs to get the Certificate of Occupancy Responsible Party in her name at her address (Mai provided a form)
Delete the assessment for 695.

Referred to the City Council due back on 3/18/2015

29 [RLH TA 15-47](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502A1, Assessment No. 158512 at 582 SIMPSON STREET.

Sponsors: Stark

Andrew Flagger, tenant, appeared along with his mother, Kate Lombardi.
Mr. Flagger lives in a house with 3 other roommates; they are renting from Renters Warehouse.

Inspector Paula Seeley:

- clean-up
- Summary Abatement Order was issued for garbage overflowing and 8 bags of open garbage on the ground near container near alley
- sent Jul 29, 2014; compliance Aug 2; re-checked Aug 11
- work done Aug 11 for a cost of \$288 + \$160 service charge = \$448
- Jul 29, 2014: 2nd complaint: garbage is piling up in alley; has been there for 2 weeks
- Orders sent to Adam Streets and Susan Streets, 3589 Glenrose Ave, Altadena, CA; and Occupant
- SA- including contents overflowing garbage container

VIDEO on clean-up: bags, bags & bags and overflowing Coolidge container

Mr. Flagger:

- they had Coolidge; they called in Jun when he moved into the house early Jun; they waited to have it picked up and they never did; also, they didn't receive a bill; then, he got the Notice from the city so he called Coolidge again; this time, they said that the bill needed to be paid but the never received a bill
- entered Aug invoice from Coolidge saying the bill was paid (dated Aug 20, 2014)
- they called Coolidge multiple times early in late Jul - early Aug (voice messages) but no one every got back to us
- they tried to keep the trash as orderly as they could
- they took some trash to his friend's house

Ms. Moermond:

- this clean-up by the city was done Aug 11 (earlier than when the bill was paid) - \$448

Mr. Flagger:

- that's a hefty price
- didn't know what to do about Coolidge; they already had a container

- later they found out that they would need to pre-pay for the container

Ms. Lombardi:

- these are all college students at Hamline
- Coolidge did not send a copy to let you know that there was service

Mr. Moermond:

- it's a private contract with you and the garbage hauler; the city won't step into that relationship
- the property owner is responsible for making sure that the property is maintained

Mr. Flagger:

- they received the Notice and gold card after the deadline of the clean-up
- instead of calling the city, he called Coolidge and told them that now he's in trouble with the city because they didn't pick up the trash and trash container
- he asked the neighbors which trash hauling service they use and they told him, "Coolidge" - so he called them, too

Ms. Lombardi:

- they aren't asking for a waiver but for some forgiveness because it's the parents who will be paying for this

Ms. Seeley:

- Inspector Gavin's notes indicate that on the 28th when he went out: garbage container overflowing and 8 bags of garbage are on the ground near container; Aug 11: garbage container overflowing and garbage on the ground; Work Order sent to remove; Garbage Man service has been suspended, per Garbage Man rep
- so, you must have had Coolidge at a later date

Mr. Flagger:

- other previous tenants must have had Garbage Man
- they had Coolidge from the start

Ms. Lombardi:

- when he moved in Jun - the place was pretty messy; there was stuff on the front porch, etc.
- it's not a nice home

Ms. Moermond:

- Orders were issued Jul 29; the work wasn't done until Aug 11 - it took a very long time for the crew to go out

Ms. Seeley:

- Inspector Gavin was sick during that period of time; so, he probably didn't get back as soon as he wanted to

Ms. Moermond:

- is concerned because a 3-day Order didn't get follow-up even when the inspector was ill
- it's Jul-Aug, neighbors must have been smelling garbage
- the Appellant had 2 weeks

Mr. Flagger:

- during that time, where would they put their trash?
- not sure what to do when Coolidge was not returning their phone calls

Ms. Moermond:

- *in a pinch, take it to a dump site*
- *is not feeling sympathy for the Appellant or for city staff; is feeling sympathy for the neighbors who had to put up with this*

Mr. Flagger:

- *he doesn't have a car either*
- *he wasn't going to dump it illegally, either*

Ms. Moermond:

- *will recommend approval of this assessment*
- Approve.*

Referred to the City Council due back on 2/18/2015

30 [RLH TA 15-48](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502G1, Assessment No. 158706 at 582 SIMPSON STREET.

Sponsors: Stark

Andrew Pleger, tenant, appeared along with his mother, Kate Lombardi.

Mr. Pleger lives in a house with 3 other roommates; they are renting from Renters Warehouse.

Ms. Moermond:

- *2 assessment for garbage hauling; with a situation like this with garbage all around the garbage container; it looks very much like a household that doesn't have garbage service; so, the inspector Orders city containers to be put there; now, you have the city container and the company's container; it's at that point, it looks as though you were starting to get service*

Mr. Pleger:

- *yes, we had full service in Aug'*

Ms. Moermond:

- *there a 2 assessments for weekly garbage pick-up*
- *DSI is saying that 1 of them should be deleted*

Inspector Paula Seeley:

- *the first Notice for garbage hauler was sent Jul 29, 2014; compliance Aug 2; re-checked Aug 11*
- *Garbage Man service had been suspended, per Garbage Man rep*
- *city sent a city container: drop fee and a 1-week pickup fee for \$100 + \$160 service fee = \$260*
- *no returned mail*
- *Orders sent to Adam Streets and Susan Streets, 3589 Glenrose Ave, Altadena, CA; Occupant; and Renters Warehouse, 6101 Baker Rd Ste 200, Minnetonka, MN*
- *inspector sent email to Parks to remove the container on Sep 3 but Parks didn't remove it until Sep 10*

Ms. Moermond:

- *the letter originally sent from the city saying there needs to be garbage service and a work sheet that tells her when the container got dropped off went out the same time the clean-up letter went out, Jul 29; that work needed to be done Aug 2; the city container wasn't dropped off until Aug 20*

Ms. Lombardi:

- those costs are pretty
- but they did put forth an effort to keep it contained
- there were no mattresses or tires or stuff sprawled all over the lawn
- asking for some forgiveness and understanding

Mr. Pleger:

- there have been no police calls to this property
- they are in good standing with their neighbors; phone numbers have been exchanged

Ms. Lombardi:

- they will be evicted if they don't take care of this

Ms. Moermond:

- the owner is responsible; the city will attach this assessment to the property, not to a person or a property management company
 - the owner put it on his tenants to take care of this (contractual arrangement); check your lease agreement
 - suggested that they contact Southern MN Legal Regional Services (SMLRS); they may be able to help you in small claims court
- Forthcoming.

Referred to the City Council due back on 2/18/2015

31 [RLH TA 15-49](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1503G, Assessment No. 158702 at 582 SIMPSON STREET.

Sponsors: Stark

Delete the assessment. Inspector sent email to Parks to remove container on 9/3/14 but Parks didn't remove until 9/10/14.

Referred to the City Council due back on 2/4/2015

32 [RLH TA 15-103](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 758 SIXTH STREET EAST.

Sponsors: Lantry

Alex Lakson, AXL Mgmt LLC, owner, appeared.

Inspector Joe Yannarely:

- Category 2 Vacant Building since Sep 29, 2010
- annual VB fee is due
- appear to be 4 open permits but not a lot of activity on them; issued May 2013
- there's an outstanding Summary Abatement Order for garbage and rubbish

Mr. Lakson:

- bought the house in 2012 and it was already a VB
- he paid a VB fee for 2 years
- they started to work on this house after they got the Code Compliance Inspection Report
- most was interior work; when they started to work on the interior, they discovered a lot of structural issues which needed to be addressed: rot, foundation concerns;

those things take much longer to repair

- had to special order siding, which will take 5 weeks; should be here by end of Feb and we can finish

- he could not do anything until he had HPC approval; we've worked with them for a long time

Mr. Yannarely:

- Summary Abatement Order issued Jan 22 has a compliance date of Jan 29 (water heater, construction debris in backyard)

Mr. Lakson:

- all that is gone now; Xcel is coming to cut more trees; then we will remove them all at one time

- interior is done; will take a few more weeks after siding comes at the end of Feb

- HPC has approved everything

- the final electrical has not yet been signed off; need special box

Ms. Moermond:

- City Council Public Hearing Mar 18, 2015 (6 weeks out)

- if you are signed off by then, she will recommend cutting the VB fee in half

- if you aren't signed off by then, call her office

- suggested that he talk with Mr. Seeger and if only the exterior work is left to do, he can issue a Certificate of Occupancy and Order that you finish the exterior work when the weather is better

If owner is in compliance by March 18, 2015, Legislative Hearing Officer will recommend prorating the VB fee to half.

FOLLOW-UP: as of 3/10/15 no code compliance. Open permits for mech, bldg and warm air. Finaled permits for elec and plumbing.

Referred to the City Council due back on 3/18/2015

33 [RLH TA 15-86](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 871 SNELLING AVENUE NORTH.

Sponsors: Stark

Francis W. Crowley, tax owner, appeared.

Inspector Paula Seeley:

- Snow letter sent Nov 17, 2014; compliance Nov 20; re-checked Nov 21

- work done Nov 25, 2014 for a cost of \$160 + \$40 service charge = \$200

- failure to remove snow and ice full width of sidewalk

- inspector comments: only small path cleared and rutted

- sent to Frank Crowley, 1769 Snelling Ave N; and Occupant

- no returned mail

- photos

Mr. Crowley:

- the tenants broke their shovel trying to get it up; he went and got it down to the sidewalk for just a path; it was frozen so hard that he just couldn't do anymore
VIDEO

- snow plow throws snow up onto the sidewalk from the street

- tenants are supposed to do the shoveling but their shovel broke; the aluminum ones aren't good enough

Ms. Moermond:

- there's a lot of pedestrian traffic in that area on Snelling; the sidewalk is very icy and very rutted because it hadn't been taken care of
 - City Council may look at this differently because you did make an effort; she will give him the photos
 - will recommend approval
- Approve.

Referred to the City Council due back on 3/18/2015

34 [RLH TA 15-6](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 370 UNIVERSITY AVENUE WEST.

Sponsors: Thao

Mai Vang:

- it was at LH on _____ 2014
- you ordered the VB fee to be adjusted to \$720, which he paid
- are we to refund or delete the difference?

Ms. Moermond:

- if he's paid it, then, we delete; clean **DELETION**
- we cut it in half and he paid that half; everything else should go away because technically, half of that was double billed

Delete the assessment.

Referred to the City Council due back on 3/18/2015

35 [RLH TA 15-97](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1503P, Assessment No. 158402 at 2459 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Delete the assessment; property did have a graffiti waiver on file. It uses multiple addresses for mailing, 2455 and 2459 University. Waiver now on both addresses. (No hearing necessary)

Referred to the City Council due back on 3/4/2015

36 [RLH TA 15-79](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. 1503T, Assessment No. 159002 at 253 WARWICK STREET.

Sponsors: Tolbert

No show; approve.

Referred to the City Council due back on 3/18/2015

37 [RLH TA 15-59](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 125 WHEELLOCK PARKWAY EAST.

Sponsors: Bostrom

Delete the assessment; inspector did not put in compliance date. (No hearing necessary)

Referred to the City Council due back on 3/18/2015

38 [RLH TA 15-91](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1504, Assessment No. 158803 at 343 WINIFRED STREET EAST.

Sponsors: Brendmoen

Andrew Dunbar, owner, appeared.

Registered Vacant Building fee

Ms. Moermond:

- *went into the VB Program Oct 14, 2010*
- *according to Inspector Matt Dornfeld, all the owner needs to do is to get a sign-off on the furnace to close the VB file but he refuses to do so despite Inspector Dornfeld speaking personally to him on multiple occasions*

Mr. Dunbar:

- *bought house last May*
- *the furnace needed to be replaced so he did that before he moved in*
- *the inspector came out saying there was something wrong with the work; had Metric Heating & Cooling do the work; he kept calling them and they don't come out*
- *the inspector said that everything was OK but Metro Heating just needed to call*
- *he called Joe Collins about this*
- *Metro Heating & Cooling is working with inspector*
- *calling everyday to get someone to final*

Inspector Paula Seeley:

- *Inspector Gary Riesberg went out there May 20, 2014 and made corrections; what they needed to do was replace with a new furnace; it's not finaled and the warm air ventilation has been withdrawn on May 31, 2014*
- *sounds like Inspector Dornfeld wants him to have the contractor call the inspector to set up a time to get it finaled*
- *you are getting Excessive Consumption fees for not doing this; have 3 already*

Ms. Moermond:

- *it sounds like Metric Cooling hasn't followed thru on this side and we have a rather funky permit situation; one of them was withdrawn... ?*
- *I will call the building official to see what's up*
- *went into VB Program Oct 14, 2010; she'd be making a calculation on the annual VB fee which covers Oct 14, 2014 - Oct 14, 2015*
- *leave your Email address*
- *we will contact you with what we find out*
- *I should be able to give you a name at that point on how to follow thru on this*

Forthcoming; LHO to contact building official.

-Follow-Up: after contacting the building official, the matter was quickly resolved and the code compliance certificate was issued. Therefore, recommend deleting the fee.

Referred to the City Council due back on 3/18/2015

- 39 [RLH TA 15-71](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1506A, Assessment No. 158505 at 1105 WOODBRIDGE STREET.

Sponsors: Brendmoen

No show; approve.

Referred to the City Council due back on 3/18/2015

Special Tax Assessments - ROLLS

- 40 [RLH AR 15-1](#) Ratifying Collection of Vacant Building fees billed November 5, 2013 to September 19, 2014. (File No. VB1504, Assessment No. 158803)

Sponsors: Lantry

Referred to the City Council due back on 3/18/2015

- 41 [RLH AR 15-2](#) Ratifying Property Clean Up services during November 3 to 26, 2014. (File No. J1506A, Assessment No. 158505)

Sponsors: Lantry

Referred to the City Council due back on 3/18/2015

- 42 [RLH AR 15-3](#) Ratifying Trash Hauling services during November 5 to 26, 2014. (File No. J1505G, Assessment No. 158704)

Sponsors: Lantry

Referred to the City Council due back on 3/18/2015

- 43 [RLH AR 15-4](#) Ratifying Tree Removal services from November 2014. (File No. 1503T, Assessment No. 159002)

Sponsors: Lantry

Referred to the City Council due back on 3/18/2015

11:00 a.m. Hearings

Summary Abatement Orders

- 44 [RLH SAO 15-6](#) Appeal of Sharon K. Moore to a Vehicle Abatement Order at 883 PALACE AVENUE.

Sponsors: Thune

Sharon K. Moore, owner, appeared.

Inspector John Peter Ross:

- Vehicle Abatement Order

- Inspector Kaisersatt received a notice about a car that might be in violation; he went

out there Jan 12, 2015 and issued Orders that day for a brown Pontiac with CA plates

- the vehicle lacked current license and tabs; some dismantled parts; appears inoperable; it also appears to be parked on an unapproved surface; however, that was not referenced at the time
- picture on screen
- compliance date Jan 23, 2015; prior to the compliance date, it was appealed

Ms. Moore:

- bought this house a few years ago; it was a big mess, so, she renovated it completely; it's a rental property
- the tenants that are there are very good tenants and they do a pretty good job
- she bought this car as an investment years ago; her husband decided that he wanted to renovate the car and a fair amount of work was done in their garage; later, it was moved to this address in order to work on it with her son (the plan)
- the garage, however, was not as available as they thought it was; so, they parked it there and it's been there for several months
- she drives by her houses frequently to check on things; however, she ignored this part of it because her husband was involved with it and because she really hasn't had any time - she has been assisting a couple of her cousins, who are in a very bad physical condition
- her husband is an engineer and loves to work on this car (his retirement plan)
- after she got this Notice, she went over to check it out and insisted that her husband pull his act together and he has
- she did not realize that she needed a MN license for a car that's on her property; once she found that out, she took care of it; the license plate is sitting in the back window; it's an antique; the car is back together; tires are on it; the junk is gone; it appears to be an operable car
- the code is so vague; it says "it appears" and then doesn't give a time limit on how long a person can be working on a car there
- her own car is sitting in their driveway in Mpls; properly licensed and is not being repaired right now because it's too cold; it will be in spring
- she picked up the junk but was unable to get out a frozen-in bin and broke part of it off
- it's important to her that her houses look good
- she did not understand that there was a surface issue (class 5) when she built the private parking space; it passed code; no one said anything about it
- has photos of the vehicle; it looks fine; it's not an eye soar or a danger
- vehicle is not running at this time; more engine parts have been ordered
- she has always had it insured
- is transferring the title to a MN car; has copy of license place (antique)

Ms. Moermond:

- don't know what to tell you about the gravel surface at this time of year; will address that in spring; it's not in the Orders now anyway
- you can work on cars however, we're talking about having a car parked and having a car being defined as a nuisance
- a car that has those specific things wrong is defined as a nuisance vehicle and that can't continue
- you're saying that it's not a nuisance now except for the fact that it doesn't run; you will have it running again when the parts come

Ms. Moore:

- right now, her husband is out of town during the week; he works on the car on the weekends
- she would like to have a continuance until Jun 1, 2015

- the car does not look like a nuisance car right now (photos)

Ms. Moermond:

- photo shows that rear tires are back on again; she can see the plate in the back window
- all work should have been done in a garage
- is kind of concerned that it's not running

Ms. Moore:

- her renovation tools are stored in this garage; she will have to find a storage unit to put them into
- will need some time
- she will be out the whole month of Apr and part of Mar
- she would like to wait until she returns to do this

Ms. Moermond:

- deadline: May 15, 2015: it's operable or removed from where it's parked

Mr. Ross:

- an approve parking surface in St. Paul is either concrete, asphalt or paver blocks; it also requires a site plan approval from Zoning

Ms. Moermond:

- when that parking surface Order comes out, you could appeal it
 - when the abutting alley has an asphalt surface, then, that parking surface also needs to be asphalt
- Grant until May 15, 2014 to come into compliance with the vehicle.

Referred to the City Council due back on 3/4/2015

45 [RLH SAO 15-7](#)

Appeal of Don Frable for Selable Purchasing, LLC to an Order to Provide Garbage Service at 1187 WOODBRIDGE STREET.

Sponsors: Brendmoen

No show; deny the appeal.

2/9/15: Denial letter sent to owner. Owner called and stated he was confused on the hearing date and thought it was 2/10. He don't wish to reschedule; stating that the property will be sold this week and new owner will be providing garbage service. He stated he has garbage service now and I advised owner to contact Joel Essling with the garbage company information.

Referred to the City Council due back on 3/4/2015

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

46 [RLH VO 15-3](#)

Appeal of Anna Ovsyannikova to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 670 FIFTH STREET EAST.

Sponsors: Lantry

No one appeared.

Fire Supervisor Leanna Shaff:

- *Fire Certificate of Occupancy Revocation*
- *going on since last Mar*
- *have no compliance; owner hasn't done any repairs*
- *photos in Amanda speak*
- *Appellant is looking for more time and Fire isn't interested in giving her more time; she hasn't made any effort to make any repairs*
- *not here today*

Ms. Moermond:

- *will recommend denial of this appeal*
- No show; deny the appeal.*

2-10-15 - owner called and wants to reschedule. Rescheduled to 2-17-15.

Laid Over to the Legislative Hearings due back on 2/17/2015

47 [RLH VO 15-4](#)

Appeal of Dave Wellstone for St. Paul Family Homes, LLC to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 360 FULLER AVENUE.

Sponsors: Thao

Dave Wellstone appeared for St Paul Family Homes LLC, owner, and William Bode appeared.

St Paul Family Homes LLC

Fire Supervisor Leanna Shaff:

- *Fire Certificate of Occupancy Revocation and Order to Vacate*
- *Inspector Jeremy Hall*
- *8-Unit building*
- *been going on since Feb 2014*
- *there's a history of noncompliance*
- *Sep 2014 - new owners; not a lot of progress yet*
- *owners are asking for more time*
- *building is completely occupied*

Mr. Wellstone:

- *he was told to appeal by Inspector Hall and his boss*
- *when they bought it mid-summer, it already had been flagged and had been a problem property*
- *they came in, not really to make money, but to help Frogtown (Carol Carey, Caty Royce and Bill)*
- *they are trying to do good stuff*
- *it's a rugged building; a slumlord must have owner prior to them*
- *they should have done their due diligence but the guys they bought it from told them that the prior list was already taken care of*
- *since they've bought the building, they have invested a lot of money into it and have made nothing*
- *have completely re-done 5 out of the 8 units*
- *had to evict some problem tenants; have had a lot of police calls; now, they have none*
- *his partner on this is Dan Ordway, who has a mailing address somewhere; he was getting mail saying that fire inspectors wanted to come into inspect and that message wasn't getting to him; in the meantime, we were doing a lot of work; Inspector Hall did come thru once and he pointed out the bigger issues and said that fixing the units would take care of it; later, Mr. Hall called him to say that he was going to Revoke the*

C of O because they couldn't get in

- he spoke with Mr. Hall's boss who said, "When we can't look at a building, what are we supposed to expect."*
- they've replaced the 2-yr old fire extinguishers; had the boiler inspected; put self-closing doors on the units*
- have almost completely turned the building around*
- he thinks that they've taken care of the list except for a few tiny items; they are ready for an inspection on the 13th*
- now, he will be getting the notices*

Ms. Moermond:

- asked when was an inspector inside the building in order to generate this list of Orders*

Mr. Wellstone:

- this list was generated before we bought it*
- when Mr. Hall was in the building last, he told us to continue - we were making progress*

Ms. Shaff:

- read Inspector Hall's notes*
- Nov - responsible party called and re-scheduled due to tenant moving and more work will become available; final attempt in advising appeal, if needed*
- Jan 15, 2015: went to inspection; unable to obtain access; called RP (responsible party), states never got appointment letter; Revoking C of O with compliance on or before 2-13-15; advised AJN taking file for enforcement action and advised about appeal, if needed*
- Oct 24, 2014: went to inspection; RP not present; walked thru building and some access was obtained; some work completed; work still in progress; supervisor approved an extension; awaiting a call from RP to re-schedule*
- Oct 30, 2014: called RP - sending new Orders*
- reminded the appellant, that inspection fees so far are already \$882*

Ms. Moermond::

- the most recent access was Oct 24 with limited access*

Mr. Wellstone:

- he tried to call and say, "We know you guys are busy and we screwed up your schedule; we're ready; come and look"*
- A. J. is the boss of Mr. Hall and he said that he they can come, they will and get rid of the Revocation*
- we've just gotten good tenants in the building; we've turned it into a good place*
- when you probably saw it last, it was the biggest piece of junk you ever saw, which is why we were asked to go in as "responsible landlords"*
- we've been taking care of it; we are making the place good*

Ms. Moermond:

- the city needs to have an inspector get in there*

Ms. Shaff:

- there's an appointment on the 13th at 2 pm with Inspector Hall*

Ms. Moermond:

- it was good advice from Mr. Hall that you appeal this*
- right now, the Orders say everything should be done or the property vacated Feb 13, 2015*

- right now, while you are in the appeals' process, enforcement is stayed; will give you a chance to whittle down the list
- Appellant must provide access to every single nook and crannie in the building on Feb 13, 2015; make sure that everyone gets Noticed that it's happening and that they make themselves available for that

Mr. Wellstone:

- will make sure that will happen

Ms. Moermond:

- we can talk about that set of Orders and any additional timeline you need to do after that
- normally, she would put together a work plan with the owner, manager and start marching thru the balance of the Orders
- we should have that list by next Fri
- let's talk again Tue Feb 17 at 11:30 if there are still items that need to be addressed
- if Fire issues the certificate right away, we won't have anything to talk about; if they don't, we do have something to talk about

Mr. Wellstone:

- in the event that he is unable to come Feb 17, could he send someone else

Ms. Moermond:

- yes; just looking for someone responsible to do that work
- Owner to give access to the building for inspection on February 13. If there are remaining item(s), it can be discussed on February 17 Legislative Hearing.

Laid Over to the Legislative Hearings due back on 2/17/2015

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 48 [RLH FCO 15-12](#) Appeal of Julie Wearn to a Fire Inspection Correction Notice at 2075 CLEAR AVENUE.

Sponsors: Bostrom

Julie Wearn, owner, appeared.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy Correction Notice by Fire Inspector Jeremy Hall, Jan 15, 2015
- inspector requires access to all areas of the building
- according to the definition of the ordinance, this would not be an owner-occupied property and that is what Ms. Wearn is appealing

Ms. Wearn:

- she has lived in this house with her family for many, many years
- her son continues to live there
- the house is in her name; she owns the home; she pays the mortgage
- her first husband passed away; she and her son lived in the house 5 years after that; then, she remarried and now, she and her husband rent an apartment in Lowertown while Robert, her son, 27, lives in the house
- the only time Robert did not live in this house was while he went to college at St.

Cloud State

- he works full time; he is not disabled
- it's family; she doesn't consider it a rental unit
- there's no danger in the property; she was surprised that she received the Order; she thought it was wrong
- if something happened at the apartment, she would go back to her home tomorrow
- she has no lease agreement, nothing in writing with Robert; she would have access to the house in a heartbeat

Ms. Moermond:

- her question: does this look more like the family home or a possible rental situation
 - if he's dependent on you, it's a clear case that this would not be in the Fire C of O Program
 - she is seeing that this is a life-long thing here; it's not new for him; he's been a life-long resident
 - it's makes sense to her that this is a family home
 - will recommend that this property be out of the C of O Program
- Grant the appeal; this property is released from the Fire C of O Program.

Referred to the City Council due back on 3/4/2015

49 [RLH FCO 15-15](#) Appeal of Nancy Phillips to a Fire Inspection Correction Notice at 1117 WHITE BEAR AVENUE NORTH.

Sponsors: Bostrom

Nancy Phillips, owner, appeared.

Fire Supervisor Leanna Shaff:

- Fire Certificate of Occupancy Inspection Correction Notice
- inspection took place Jan 23, 2015 by Inspector Efrayn Franquis
- 21 items on deficiency list
- photos

Ms. Phillips:

- her nephew already took care of the fire hazard items; he lives in the house and caretakes it for her
- she had only 10 days to come down here; the inspection was done Jan 23rd; mailing was stamped Jan 26th; she did not get it until Jan 28th; her mail doesn't come until 5 pm, which left her less than 5 days to come down here; thinks that the city should give more time
- will not be able to paint the garage by Feb 25, re-inspection date
- the object of her nephew caretaking the house was that she could fix it and then, move back in
- it's a 1-family dwelling with a walk-out basement
- my nephew, his wife, his daughters and his son-in-law live in that house; nobody else was ever in that house or never will be
- the agreement is that he has to take care of the property; make sure the sidewalk is shoveled; the grass is cut and he is helping me do the renovation so that she can move back into it; he pays no rent; he pays the insurance, gas & lights, taxes, rubbish; he takes care of everything that there is to be taken care of for the house
- she purchased a co-op; gave her house to her daughter in Oct 2012; a year later, she got a note from the city saying that she needed to update the homestead; her daughter homesteaded it; she was unable to keep up things; unable to pay insurance, taxes, etc.; Ms. Phillips couldn't keep up both places, so her daughter moved out May 29 and she had HomeVestors come out when she found out that her daughter had left; then, she let her nephew move in

- he nephew has homesteaded
- the inspector says that she will need to rezone the property
- half of the items on the list are about the kitchen downstairs, which was there when she bought the house in 1971
- she discussed her photos with Ms. Moermond

Ms. Shaff

- let's go through the list
- # 1 - address not complete on front of house - DONE
- #2 - garage is very distressed; needs scraping/painting; door frame is in a state of failure
- #3 - metal frame on outside of garage - GONE NOW
- #4 - gas meter vehicle impact protection - Bob Larsen, Xcel is supposed to come out and check this
- #5 - kitchen in lower level

Ms. Phillips:

- garage is used for storage, not cars; and it's not accessed frequently; will be fixed by her brother and her nephew
- the house has 2 kitchens; nephew's oldest daughter is staying downstairs; she is more than willing to change zoning if she needs to; the house was built with a walk-out basement rambler and a bedroom downstairs with wrought iron bars on the windows; her daughter raised her 3 children in the lower level; house is all brick; there's an exit door in the back

Ms. Shaff:

- it's been a long time since she has seen wrought iron bars on windows; people just don't do it much because if there's an issue where people can't get out in a fire, for instance, that's problematic; that's why state law requires that people be able to exit a bedroom with an emergency escape and rescue opening; and you can't have special knowledge or tools to be able to get out of it; we can't cage people
- one of the easiest solutions is to not use those rooms with bars on the windows for sleeping purposes (Ms. Phillips: she will have the people move to main floor bedrooms)

Ms. Moermond:

- moving people out of the rooms is an option; another option is modifying the wrought iron grill work to create a simple opening device
- there are 2 kitchens: main floor and basement; are there any locks between the floors

Ms. Phillips:

- she put a chain lock and a deadbolt into the floor, which Todd has already taken off
- there are 2 entrances into the house

Ms. Moermond:

- in this case, the inspector is checking to see if this house looks like a duplex or a single family home
- when you have 2 kitchens and formal locks in between those 2 spaces, it's looking like a duplex and this building isn't built to be a duplex and it's not zoned to be a duplex; so, if it's being used as a single family home; the spaces are connected; people can pass thru easily, then, it can be labeled a single family home

Ms. Shaff:

- to her, this house sounds like a duplex; Ms. Moermond agreed

Ms. Moermond:

- rezoning is a huge investment of time and some heavy lifting to get that done; you are not going to be able to go back and forth easily; it takes time and money
- is trying to think of ways to di-convert the building: 1) take the locks off the doors, which is done; or 2) figure out how the use of the interior can look much more like a single family home (shared living rooms, shared kitchens, shared bathrooms, etc.)

Ms. Phillips:

- it's not a duplex; was never intended to be a duplex and will not be in the future
- she is moving back into the house as soon as she can get all the things done that she needs to get done (garage; new roof; etc.)
- is considering having her nephew stay there; she doesn't want to go back to shoveling snow; she's 72

Ms. Moermond:

- advised her to call Wendy Lane, Zoning Dept, DSI; or YaYa Diatta; tell them you want to use the house as a duplex so, you need to get a variance from the Zoning Code

Ms. Shaff:

- there may be some fire separation issues; a lot needs to be dealt with - it's not a small thing

Ms. Moermond:

- back to the list:
- interior basement light fixtures - DONE
- #7 replacing smoke detector near the electrical room and in the kitchen on lower level, if needed (ask inspector); (Ms. Shaff: if no one is sleeping in basement, you can take down the smoke detector brackets; CO detectors are required within 10 feet of rooms used for sleeping purposes)
- #8 outlet cover in furnace room - DONE
- #9 fasten electrical outlet in furnace room - DONE
- #10 provide leak type caps/plugs on disconnected/unused gas lines - DONE
- #11 remove cans of paint - DONE
- #12 DONE
- #13 light and ventilation in bathroom - there's an openable window - DONE (took down styrofoam)
- #14 grates on windows - DONE
- #15 interior south bedroom (obstruction blocking egress window) - DONE
- #16 CO - DONE
- #17 ferret and iguana need exotic animal permits - thinks it's been addressed (involves getting a sign-off from neighbors)
- #18 using kitchen on lower level - needs to be addressed
- #19 dog license - in process
- #20 furnace test (Feb 13 or Feb 19)
- #21 smoke detector affidavit; sign it and make sure all smoke detectors are working

City Council Public Hearing Mar 18, 2015

Grant until March 16, 2015 for the garage door frame repair (item #2) and gas meter with Xcel (item #4); grant until July 1, 2015 for the scraping and painting of the exterior garage (item #2); grant until February 25, 2015 or in accordance with the inspector's schedule for the remaining items; if using as a duplex, need zoning approval, but LHO will talk to CAO about the 2nd kitchen. As to the wrought iron bars, these need to be taken off if the room is being used as a sleeping room.

March 9: Ms. Moermond will recommend that the Council allow the second kitchen based on her conversation with Peter Warner, City Attorney. Basically, if this is used as a single-family home. She would define that as a one-family and no locks between the two areas, upstairs and downstairs. Also, whether this should be out of the C of O Program. If Ms. Phillips moves back into the house, then this would be an owner-occupied house. However, if it's her nephew homesteading the house, Ms. Moermond says it would not be owner-occupied. She suggests putting the nephew's name on the deed as part owner if Ms. Phillips wants to go that route.

Referred to the City Council due back on 3/18/2015