



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
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651-266-8585

Tuesday, January 5, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 RLH TA 16-6** Ratifying the Appealed Special Tax Assessment for Property at 1866 BUSH AVENUE (File No. J1605A, Assessment No. 168504).
Sponsors: Finney
Approve; no show.
Referred to the City Council due back on 2/17/2016
- 2 RLH TA 16-8** Ratifying the Appealed Special Tax Assessment for Property at 523 CASE AVENUE (File No. J1605A, Assessment No. 168504).
Sponsors: Brendmoen
Approve; no show.
Referred to the City Council due back on 2/17/2016
- 3 RLH TA 16-10** Ratifying the Appealed Special Tax Assessment for Property at 552 CHARLES AVENUE (File No. J1605A, Assessment No. 168504).
Sponsors: Thao
Delete the assessment.
Referred to the City Council due back on 2/17/2016
- 4 RLH TA 16-13** Ratifying the Appealed Special Tax Assessment for Property at 581 COOK AVENUE EAST (File No. J1605A, Assessment No. 168504).
Sponsors: Bostrom
Approve the assessment.
Referred to the City Council due back on 2/17/2016

- 5 [RLH TA 16-4](#) Ratifying the Appealed Special Tax Assessment for Property at 495 FRED STREET (File No. J1604B, Assessment No. 168103).

 Sponsors: Brendmoen

 Rescheduled per owner's request.

 Laid Over to the Legislative Hearings due back on 1/19/2016
- 6 **RLH TA 15-578** Ratifying the Appealed Special Tax Assessment for Property at 310 GEORGE STREET WEST (File No. J1604A, Assessment No. 168503).

 Sponsors: Thune

 Approve the assessment. (video was retained for public hearing)

 Referred to the City Council due back on 2/3/2016
- 7 **RLH TA 16-9** Ratifying the Appealed Special Tax Assessment for Property at 778 JENKS AVENUE (File No. J1605A, Assessment No. 168504).

 Sponsors: Bostrom

 Approve; no show.

 Referred to the City Council due back on 2/17/2016
- 8 **RLH TA 16-2** Ratifying the Appealed Special Tax Assessment for Property at 785 JESSAMINE AVENUE EAST (File No. J1605G, Assessment No. 168704).

 Sponsors: Bostrom

 Approve the assessment.

 Referred to the City Council due back on 2/17/2016
- 9 **RLH TA 16-12** Ratifying the Appealed Special Tax Assessment for Property at 653 LAWSON AVENUE EAST (File No. J1605A, Assessment No. 168504).

 Sponsors: Bostrom

 Delete the assessment.

 Referred to the City Council due back on 2/17/2016
- 10 **RLH TA 16-14** Ratifying the Appealed Special Tax Assessment for Property at 1847 MARGARET STREET (File No. J1605A, Assessment No. 168504).

 Sponsors: Prince

 Approve; no show.

Referred to the City Council due back on 2/17/2016

- 11 RLH TA 15-582 Ratifying the Appealed Special Tax Assessment for Property at 1131 PAYNE AVENUE (File No. VB1604, Assessment No. 168803).

Sponsors: Bostrom

If all permits are finalized and owner gets Fire C of O reinstated by 2/3, will delete the VB fee.

Referred to the City Council due back on 2/3/2016

- 12 RLH TA 16-15 Ratifying the Appealed Special Tax Assessment for Property at 967 REANEY AVENUE (File No. J1604B, Assessment No. 168103).

Approve; no show.

Referred to the City Council due back on 2/17/2016

- 13 RLH TA 16-5 Ratifying the Appealed Special Tax Assessment for Property at 574 SHERBURNE AVENUE (File No. J1604B, Assessment No. 168103).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 2/17/2016

- 14 RLH TA 15-585 Ratifying the Appealed Special Tax Assessment for Property at 831 SMITH AVENUE SOUTH (File No. J1604A, Assessment No. 168503).

Sponsors: Thune

Approve the assessment.

Referred to the City Council due back on 2/3/2016

- 15 [RLH TA 16-3](#) Ratifying the Appealed Special Tax Assessment for Property at 663 THOMAS AVENUE (File No. J1605A, Assessment No. 168504).

Sponsors: Thao

Henry Stewart, appeared.

Inspector Paula Seeley:

-Summary Abatement Order for failure to maintain exterior property issued Sep 30; compliance Oct 7; re-checked Oct 7

-work done Oct 12, 2015 for a cost of \$324 + \$160 = \$484

-no returned mail

-sent to Hillbrook Properties 2 LLC, 367 Charles Ave, St. Paul; and Occupant

-remove mattress, box spring, refuse in back yard

Mr. Stewart:

-the property was vacant at that time; they left in Jun 2015; he cleaned-up the property and got it ready to rent; in Sep, a neighbor called me and said that people were dumping stuff on my property; neighbor said he called the enforcement place

and told them about it; my secretary called down there and they didn't do anything; he went down there himself and talked to Mark ... and he said they'd take care of it

Ms. Moermond:

-so, you neighbor noticed this and called the city and called you; your secretary called the city again and then you went down and talked to Mark Kaisersatt and he said that they'd take care of it; around 4 days later, it all was gone; then, he received the Notice and he went back down to talk to Mark but he wasn't in; the lady at the front desk called him and I talked to him; he said to fill out the gold card, leave it there and he would get back to me

VIDEO - city picked up about 5 mattresses or box springs, etc.

Ms. Moermond:

-she wants to talk with Mr. Kaisersatt and find out if he has notes on this
-here, the dumping is on private property unlike the other cases I've seen today
-there seems to have been some confusion about who was going to be taking care of what

Ms. Seeley:

-read Inspector Westenhofer's notes: mattress, box spring, shopping cart full of refuse found in rear yard of the property; not removed by owner because he stated that it was dumped on his property; it was down the alley prior to being on his property

Mr. Stewart:

-he removed the trash that was in the shopping cart because he has a dumpster near his building at 741 University

Ms. Moermond:

-will look at this more closely
-will LAY this OVER for 2 weeks; will ask for a staff report

Layover for staff report. Hearing officer wants to talk to inspector(s) and get feedback from them.

Laid Over to the Legislative Hearings due back on 1/19/2016

- 16 RLH TA 16-11** Ratifying the Appealed Special Tax Assessment for Property at 284 TOPPING STREET (File No. J1605A, Assessment No. 168504).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 2/17/2016

- 17 RLH TA 16-16** Ratifying the Appealed Special Tax Assessment for Property at 928 WESTMINSTER STREET (File No. J1605A, Assessment No. 168504).

Sponsors: Brendmoen

Reduce the assessment from \$448 to \$300 and payable over 2 years.

Referred to the City Council due back on 2/17/2016

Special Tax Assessments - Rolls

- 18 **RLH AR 15-99** Ratifying Boarding and/or Securing services during September 2015.
(File No. J1604B, Assessment No. 168103)
Sponsors: Stark

 Referred to the City Council due back on 2/17/2016
- 19 **RLH AR 15-100** Ratifying Property Clean Up services during October 8 to 29, 2015.
(File No. J1605A, Assessment No. 168504)
Sponsors: Stark

 Referred to the City Council due back on 2/17/2016
- 20 **RLH AR 15-101** Ratifying Trash Hauling services during October 7 to 28, 2015. (File
No. J1605G, Assessment No. 168704)
Sponsors: Stark

 Referred to the City Council due back on 2/17/2016
- 21 **RLH AR 15-102** Ratifying Tree Removal services during September to October 2015.
(File No. 1602T, Assessment No. 169001)
Sponsors: Stark

 Referred to the City Council due back on 2/17/2016

11:00 a.m. Hearings**Summary Abatement Orders**

- 22 [RLH SAO 16-1](#) Appeal of Eng Tat Ng to a Summary Abatement Order at 558
GROTTO STREET NORTH.
Sponsors: Thao

 Eng Ng, owner and tenant, Anita Hollman, appeared.

 Inspector Lisa Martin:
 -Summary Abatement issued Dec 3 to remove hay bales, wood frame lumber, tarps,
 buckets under poly located in the yard; compliance before Dec 11
 -inspector spoke with tenant, who claims that she is renting this vacant lot to do art
 work and garden in the summer
 -photos

 Mr. Eng:
 -shows his photos
 -he & his wife went to look at it; spoke with tenant and realized it was artistic, at night,
 especially; it's not trash
 -the inspector looked at it and didn't see the art

Ms. Moermond:

-is concerned about the tarping and the plastic on this vacant lot

Ms. Hollman:

-she leases this property for art and light recreation; building a fire pit, not yet completed

-they are tepees

-when it's finished, it will be educational: explaining what tepees are and the meaning of tepees from all over the world

-she is Native American/Afro American

-people go onto the lot after she leaves and tear down the tepees

-she has spent \$800 on this

-she did clean out the bales of hay; they were not in compliance

-all of the things that were out of compliance are out of the yard: bales of hay; building materials; only the tepees are there and they are not completed

-there is no electricity; what you see are battery-operated lights

Ms. Martin:

-concerned about flames, plastic, hay bales; and there's no control over the property; anyone can come in and start a fire

Ms. Moermond:

-fire hazard with bringing these materials close to one another

-another concern is that these are temporary structures; they are not intact; it's plastic sheathing and it can easily take flight; it's not safe, not secured, not approved bldg material

-another concern: this is an empty parcel; there's no building on it; gardening is a wonderful use of an empty parcel

-these temporary structures are accessory structures (garage, shed); however, in order to have an accessory structure on a parcel, you would need to have a primary structure (house); to have only an accessory structure on a parcel is no OK according to the zoning code

-whether or not it's art; it's not something she makes judgments on in this chair; she is strictly concerned with the materials being there and the way they are put together; the fire and zoning concerns

-the last concern is whether or not this constitutes a nuisance condition for the neighbors; and clearly, the hay bales are a nuisance condition along with the way these items are organized

-she sees that the Order was correct

-we need to set a deadline for taking these things off the lot

-you can't have these tepees constructed with the 2x4's, plastic sheathing, lights, etc.

Ms. Hollman:

-this type of plastic sheathing is also used for greenhouses in the winter; those tepees are also accessible greenhouses; the plastic can be roped or sewn onto the wood, instead of using staples

-the garden is sustainable in the summer

Ms. Moermond:

-but I'm not looking at a greenhouse; it's a tepee; it's still a problem and still in violation of the code

-needs clarity on the fire pit

Mr. Eng:

-doesn't think Ms. Hollman uses the fire pit (Ms. Hollman: it's not finished; it hasn't

been used); and it's 25 feet away from any structure

Mr. Neis:

-re: open burning in St. Paul; he is the designated Fire Warden thru the State of MN, Dept of DNR, to issue burning permits in addition to fire code compliance with regard to fire pits and assemblies

-a fire pit must be 25 feet from any structure; only clean burning wood can be used for recreational purposes only if a permit is not required

-this assembly with the rock: it's much too large of a pit; maximum pit we would allow is 3 x 3

-in addition, there's also hay, etc. that would pose a danger

-a permit is not required for recreation within the city

-wind is a factor; must have means to extinguish

-even if you meet all requirements, if there are multiple complaints or if the smoke is deemed a nuisance, we can still Order that the fire be extinguished

Ms. Hollman:

-it's never been used; it's not really a fire pit

-they were going to build the fire pit in compliance; the pile of rocks would be the ones they would use

-the project is just not completed yet; was planning to put a 6 ft fence around the whole area

-she had decided that she will not build a fire pit there

-the plastic is actually there as protection from the weather; the tepees are not even completed; they are going to be canvas and cloth

-she thinks that her art design should be allowed

Mr. Neis:

-a fence would also be a combustible structure

-property lines would also need to be taken into consideration

Ms. Moermond:

-has 2 concerns, which aren't going away whether or not the structure is finished: 1) being an accessory structure with no primary structure; 2) fire hazard; and 3) nuisance - the materials as they are (Code: structures shall remain structurally sound and in good repair; all exterior wood surfaces other than decay resistant wood shall be protected from the elements and decay by paint, which is non-lead based or by other protective covering or treatment....); we don't have a solid structure here

-the materials that are on that parcel would be defined as refuse and also be determined to be noxious

-will recommend to the Council that this is removed

Mr. Hollman:

-the garden area has conditioned soil

Ms. Moermond:

-City Council Public Hearing is Jan 20, 2016

-deadline to get all the plastic off: Jan 22, 2016

-deadline to get all the timbers & other materials off: Apr 15

Deny and grant until January 22, 2016 to remove the plastic sheets and grant until April 15, 2016 to remove the timbers/teepee structures and other materials.

Referred to the City Council due back on 1/20/2016

at 24 NELSON STREET.

Sponsors: Finney

1-5-16: Deny the appeal; no one appeared.

1-6-16: Ms. Vang sent appellant a letter of denial for failure to appear. After receiving the letter, Ms. Quiroz responded and stated the appeal was withdrawn because she had come into compliance with the Order. Ms. Vang consulted with inspectors and they all stated that the order has been abated.

Ms. Moermond grants the appeal.

Referred to the City Council due back on 1/20/2016

Correction Orders

24 [RLH CO 16-1](#) Appeal of John & Lee Mannillo to a Correction Order at 1335 BEECHWOOD PLACE.

Sponsors: Tolbert

John Mannillo, owner, appeared.

Inspector Lisa Martin:

-Dec 16, issued Correction Notice: the fence around the pool in a certain area was less than 4 feet in height; city requires at least 4 feet in height
-photos

Mr. Mannillo:

-his argument is multi-faceted

-this is the first private swimming pool in the State of MN; it was built in 1953 and the code for private pools was established because of this pool; the pool was for Dorothy Shepherd, a competitive swimmer for the U of M; the Aquatic Center at the U is named after her

-he moved into this property in 1978 and he restored the pool in the style that it was because of the historic part of it, which included the hedge and the fence and what was around it; everything that he's done since then has been to maintain the original look of it

-over the years, it has been enforced correctly; he thinks that this is not a safety issue but an aesthetic design issue, which he would argue is grandfathered-in - it's been there for 62 years

-this feels a little like harassment by someone; he doesn't know who

-Nov 4, there was a complaint that the fence was too high; he had replaced the existing fence with the original height and the city said that it was legal; there's a permit for it; 5 weeks later, they came back and complained that it was too low in the front; so, he doesn't think the problem was safety; there was some other motivation for that whole thing

-he has spoken with the inspector, who assumed that it was the neighbors who complained; so, he talked to his neighbors and not only did they not complain but they wrote letters of support for him (entered into the record-scanned); he is not aware of any neighbors who may have complained about it; he has no neighbors who have children; and he has no children

-he and his wife don't use the pool; the last time he was in the pool was 1988; the pool is there because of its history

-hedge: he cuts it back every winter and now, it's down to 3 feet; embedded in the hedge is a 3 foot wire fence, which has been there; you can't step over it; there's a

couple rows of hedges; there's 2 flower gardens on either side of it; no one can climb it

-the street is actually 4 more feet below the fence/hedge; this is the front yard, not the back

-they moved the diving board a number of years ago because that made it look like there was a swimming pool back there

-the code is very simple; it calls for an obscuring fence of 4 feet; it doesn't explain "obscuring"; he thinks that this hedge is pretty obscuring

-most important: the pool is covered with an automatic pool cover; he never takes it off; you can find that other communities (Minnetrista, Orono, Inver Grove Heights, Stillwater) allow pool covers instead of fences; and it's locked; you can walk on it

-reviewed the photos with Ms. Moermond; Mai Vang scanned all his photos; he will also email them

-in the spring, the hedge will again be 4 ft tall

Ms. Moermond:

-will check the pool/fencing code from 1953 and will also ponder whether or not this shrubbery can be considered as good as a 4-ft obscuring fence

-this is not a pressing issue

-will LAY it OVER to next Tue, Jan 12 LH

-CCPH Feb 3, 2016

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 1/12/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 25 [RLH VO 16-3](#) Appeal of John Prassas to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1572 SEVENTH STREET EAST.

Sponsors: Finney

Grant vacate date for another month so that fuel burning testing can be done.

Fire Inspector A.J. Neis:

-Revocation of Fire Certificate of Occupancy and Order to Vacate

-he spoke with the inspector; the Order was to have full compliance by yesterday or vacate; all the work there is completed with the exception of the fuel burning test report to our office

-based on that information, he'd be willing to extend the Revocation out for an additional 30 days

Ms. Moermond:

-appointment letters were sent out on 3 occasions before an inspection was conducted; a lot of delay on the part of the owner to get this rolling, which makes her less optimistic that the owner is going to deal with the promptly

-the vacate date can be extended another 30 days but doesn't want to put the Revocation out of play

-will grant an extension on that 1 item

Referred to the City Council due back on 1/20/2016

- 26 [RLH VO 16-4](#) Appeal of Tim Hanson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 740 STEWART AVENUE.

Sponsors: Thune

Owner called and stated he missed the hearing. Rescheduled to 1/12/16. Also, need information about the parking surfaces and possibly photos. Item 2 should be referred to Code Enforcement.

Fire Inspector A.J. Neis:

*-was a Revocation of Fire Certificate of Occupancy/Order to Vacate - long term noncompliance; multiple appointment letters sent; finally, an inspection was made
-Inspector Justin Elvestad spoke with property owner and there's been some issues with health; owner's been in and out of the hospital, which the inspector had been unaware of
-owner was looking for another month to complete the entire list
-no photos for existing parking surface*

Ms. Moermond:

-will LAY this OVER for 1 week

Laid Over to the Legislative Hearings due back on 1/12/2016

- 27 [RLH VO 16-1](#) Appeal of Mikelynn Mirtica to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 2215 WILLIAM TELL ROAD.

Sponsors: Finney

Fire Inspector Leanna Shaff:

-got an email from Appellant, which says that he apologizes for the late email; he was told per attorney/brooker not to attend the appeal today; did want to give you a quick update on things; it turns out the house did go into foreclosure and the bank bought the house back; I received the foreclosure notice/eviction notice on my door a couple weeks ago; there was a court hearing last week; this was once again all new surprise to me; nonetheless, I did work out a deal with the bank to assist them with clearing the property with all the junk left by Jamie and previous tenants that doesn't belong to me. They offered me keys for cash, which I accepted and signed the paperwork; it will cover the money I put into the house and a little extra. I have both the moving pod and dumpster scheduled to come this weekend to the house. I will be out of the house as of 1-18-16; the bank will be stopping by that day to verify the house is completely empty and do the official hand-off.

Ms. Moermond:

*-will recommend the Council deny this appeal
-item #15-removing the brush piles be referred to Code Enforcement for a Summary Abatement Order*

Deny the appeal. Item 15 should be referred to Code Enforcement.

Referred to the City Council due back on 1/20/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 28 [RLH FCO 16-11](#) Appeal of David Kehborn to a Fire Safety Inspection Appointment at

1055 CHURCHILL STREET.

Sponsors: Brendmoen

Grant the owner to be released from the C of O Program.

Referred to the City Council due back on 2/3/2016

29 [RLH FCO
15-337](#)

Appeal of Jennifer Patraw to a Fire Certificate of Occupancy
Correction Notice at 776 DESOTO STREET.

Sponsors: Brendmoen

*Jennifer Patraw and Jeffrey DeLisle, DELCO, LP, owner, appeared.
Frank Minship, tenant, also appeared.*

Fire Inspector Leanna Shaff:

*-Fire Certificate of Occupancy Inspection Nov 17 by Inspector Mitch Imbertson
-this is for the main building; there is also a storage bldg*

Mr. DeLisle:

*-this building borders DeSoto; it doesn't have 4 walls
-this is on a standard city-size lot; there are 2 and they back up to each other (the
own the lot on Bush and the lot on DeSoto)*

Ms. Shaff:

*-this process started Oct 6
-there are 21 deficiencies on the main bldg; Orders have increased since the first
inspection*

Mr. DeLisle:

*-the electrical issues; they have an electrician out there
-appealing the driveway deficiency, #4: Frank says that no one parks there; no one
uses it for parking; there's an 8-ft gate on the DeSoto lot and he keeps it locked; on
the DeSoto side there's a sheet metal fence about 8 ft or so for privacy - to hide
things
-Frank's had the water, gas and electricity off for the past since 2009; he uses the
property for storage; he doesn't do everyday business there; he was unaware of it
until it was brought up by the inspector; the bathroom pipes could burst if the water
were turned on; that's been allowed since 2009; he shut them off; they weren't shut
off for nonpayment; he doesn't need the utilities for storage use; however, they did
get the electricity turned on
-they got the furnace tested but they haven't got the water turned on yet; the plan was
to have the inspector walk through it; then, get the furnace report and then shut
down the electrical and heat; hopefully, we won't have to go thru the business of
turning on and off the water because of the weather
-Frank took down some Christmas lights
-there was an old garage there, which he got rid of; it had been moved in there some
time ago; inspector thought it should be removed
-asking to keep the utilities off
-since there's no one driving/parking there and the gate is locked, like to keep it as is
-it's been OK for several inspectors, previously; curious as to why do we have to
change this anyway; it's been OK for 6 years
-in 2012 they scraped peeling paint and re-painted*

Ms. Shaff:

-under Chap 34, utilities are required whether the building is residential or a business

-appears that the electric is back on; permit is finalized

Mr. DeLisle:

-Frank doesn't run a business here; he uses it for storage; so, it makes perfect sense to keep the utilities off

Ms. Moermond:

*-there's some discussion as to whether this is a legal use for this property
-she's not sure that she would concur that he's not running a business out of there; he is storing these things and moving them on to another location; is that operating a business; and he's been invited to apply to the Planning Commission to have a change in use to be able to do what he's doing there*

Mr. DeLisle:

-is it zoned industrial?

Mai Vang:

-it's zoned I-1 Industrial

Ms. Moermond:

-a big question looming here is that he may be using this for recycling in which case, you have to have a permit to do that

Mr. DeLisle:

-what constitutes recycling?

Ms. Moermond:

*-there is a definition: the I-1 light industrial district is intended to accommodate wholesale warehouse and industrial operations whose external physical effects are restricted to the area of the district and in no manner affects surrounding district in a detrimental way. The I-1 district is intended to permit, along with other specified uses, the manufacturing, compounding, processing, packaging and assembly or treatment of finished or semi-finished products from previously prepared materials
-so, you take that zoning and put the use on top of it and staff says that there's a disconnect; and that for these uses outlined for I-1, there would need to be the facilities; she is not seeing warehousing in this, which would be different*

Mr. Minship:

*-the warehousing came from my idea and Mr. DeLisle has a certificate for that, too.
-he turned it into a warehouse when he took possession of the property; he wanted to park a bunch of stuff inside that was in his way in the yard; he uses it as a double garage
-there's no house or other building on the parcel; there's an open end shanty, a lean-to, a farrowing hut, which has been there for many, many years; at one time, it was a Soo Line maintenance building for the Railroad*

Mr. DeLisle:

-the previous owner was in a foreclosure; we got the property back and cleaned it up; we got letters from the city commended Frank for doing such a good job of cleaning it up

Mr. Minship:

*-it's kind of a dead end, the previous person there always had all kinds of semis and trailers, roll-offs, dumpsters, junk cars, etc., on the blvd, the street
-he stores 7 brand new Craftsman lawn mowers, an all terrain go-cart, scooter, antique Schwinn sting ray peddle bikes, nice Rollie and a Fuji; washer/dryer bed*

mattresses/boxsprings, bed frames, nice huge brass chandelier, tires and rims, just a bunch of junk; all of this is my own personal property

-when the property became available, he jumped on it right away; before he rented property from Poor Richards; and property at Jesse & Bush

- I'm taking care of it; it's a beautiful place; it looks like it's vacant; very seldom does he go there unless he wants to get something or put something into the garage

Mr. DeLisle:

-got a letter from the city that it's been inspected and approved; we should be commended for our efforts..... 2009; what has changed?

-what's up?

Mr. Minship:

-Fire Engine Dave was his inspector the whole time he has been there (David Bergman); he had no problems with what I was doing and how I was cleaning it and kept it up; there were only 2 things that he stressed: make sure the aisles are 36" or wider and keep those fire extinguishers updated

Ms. Moermond:

-now, you have a new inspector with a new perspective

Mr. Minship:

-I've met him; he's very short; he doesn't have a lot of questions; he just wanders around and takes pictures; he doesn't talk and point out things that need attention; he just takes notes and sends a letter; and he wanted me to take down the old 1-car garage immediately

-he wants black top and concrete - this is the wrong time to do all that and it's not even used for parking

Ms. Moermond:

-could be put back to grass, maybe

Mr. Minship:

-there a big spot in the middle of it that has been spread out; it's black top; it was hot mix and rolled back and forth on; like a temporary huge patch of blacktop; then, there's blacktop on the driveway coming up to the garage door and service door and wrapped around towards the back

-he had an electrician go through the whole property; he took care of things; he called the city electrical inspector, who came out and thought it was fine; he was going to place the Order to Xcel to re-issue power (he called Xcel to switch on the power in Oct; he said I should have power within 4 hours but no power had been switched back on; called Xcel back 3 times; they said that it needed to be inspected by an inspector; so the inspector called them)

Ms. Shaff:

-electrical permit is in the system in date 12-22-15; finalized 12-30-15; Xcel approved service 1-4-16

Mr. DeLisle:

-they want to fire up the furnace to test it and then turn it off utilities again

Mr. Minship:

-he doesn't need the gas; it's a non-insulated cinder block building with cement span ceiling with a rubber, tar and river rock on top of the roof; and a dirt floor; \$2500/month is too expensive to heat the building and he doesn't need it

Ms. Moermond:

*-right now, it'll be too hard to deal with the pavement/parking surfaces and she doesn't have a good notion on how the whole site works; there really degraded pavement that she can see; wants to get a better idea of it
-seems that all the utility questions are based on the use of the building and the contention from DSI is that you are not using the building in a way that's compliant with the zoning code; you have to have utilities for all the legal uses for that parcel*

Mr. Minship:

-so, what would he be able to use the property for then?

Ms. Moermond:

-she's not a zoning expert but thinks that he received instructions that he needed to file for a variance

Mr. Minship:

-he heard somewhere in the past that since 2004 (?) that it had been licensed as a recycling collection center (prior tenant); that would be something he'd be interested in; could he use it as that?

Ms. Moermond:

*-he would need to pose to the Planning Commission - can it be continued ? because that use did stopped (it wasn't a legal use; they had a variance) and once it's not in use that way for more than a year, it reverts back to the legal zoning and the current use doesn't conform to the legal use
-need to talk with the zoning people; it's zoned I-1 light industrial district (read definition earlier)*

Mr. Minship:

*-this is all his own personal stuff; he has no customers coming to him; he doesn't serve the public; he collects; he's a hoarder, a pack rack; and he can't throw away
-thieves are always coming and ripping him off
-and all kinds of dumping going on during the night
-Dave Bergman classified it as a warehouse, he thinks; he doesn't know what it was prior or what it was changed to*

Ms. Moermond:

-she can't make a call on the utilities she knows what this is being written on

Ms. Shaff:

-the main building is S-1

Mr. DeLisle:

-entered photos and certificates

Ms. Moermond:

*-will LAY this OVER for 2 weeks in order to look into the codes and gather materials; talk with attorneys (Jan 19, 2016 LH)
-you need to talk with the Zoning people; I'm going to do my homework for the next hearing*

Mr. Minship:

-he called Anthony Johnson 20 times; left him voice mails; he never called back; so, he went down to DSI and talked to Carol at the counter; she said that he was supposed to wait 3-5 days and the dept manager was supposed to call him back and let him know what he's supposed to do to find out who's going to take Mr. Johnson's

case load (he apparently left the city); and no one has ever contacted him; he did make an effort to check into it

Layover so hearing officer can review codes and talk to Zoning about building use.

Laid Over to the Legislative Hearings due back on 1/19/2016

**30 RLH FCO
15-333**

Appeal of Mark Grondahl to a Fire Inspection Correction Notice at 1654-56 MCAFEE STREET.

Sponsors: Bostrom

Owner rescheduled too many times. Appeal denied.

Referred to the City Council due back on 2/3/2016

31 RLH FCO 16-6

Appeal of Joe Taylor to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 266 MARIA AVENUE.

Sponsors: Finney

Grant until July 1, 2016 to repair or replace the roof provided that owner files an application with the Heritage Preservation Commission.

Referred to the City Council due back on 2/3/2016

2:30 p.m. Hearings

Vacant Building Registrations (None)