



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final-revised

Legislative Hearings

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

Tuesday, July 5, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 16-316](#) Ratifying the Appealed Special Tax Assessment for Property at 903 BEECH STREET (File No. J1611A, Assessment No. 168527).

Sponsors: Prince

Attachments: [903 BEECH STREET. SUMMARY ABATEMENT. 4-13-16](#)
[903 Beech St.Photo.4-21-16](#)

Approve; no show.

Referred to the City Council due back on 8/17/2016

- 2 [RLH TA 16-328](#) Ratifying the Appealed Special Tax Assessment for Property at 747 BURR STREET (File No. J1611A, Assessment No. 168527).

Sponsors: Brendmoen

Attachments: [747 Burr St.SA 4-5-16](#)
[747 Burr St.Photos 4-11-16](#)

Approve; no show.

Referred to the City Council due back on 8/17/2016

- 3 [RLH TA 16-323](#) Ratifying the Appealed Special Tax Assessment for Property at 692 CHARLES AVENUE (File No. J1611G, Assessment No. 168711).

Sponsors: Thao

Attachments: [692 Charles Ave.Hauler Order.3-24-16](#)
[692 Charles Ave.Photos.4-1-16](#)

David Youmans, owner, appeared.

Inspector Paula Seeley:

-Trash hauler Order sent Mar 24, 2016 for failure to have trash service; compliance

Mar 31; re-checked Apr 1-still no trash service; Inspector confirmed with East Metro Environmental

-there was an over flowing container in the back yard

-cost for 2 weeks of service; drop off fee of \$50 & 2 weeks service for \$100 + code enforcement fee of \$160 = \$310

-inspector's notes: No trash service East Metro was cancelled per East Metro; homeowner said they have Coolidge but Coolidge/Advanced said they don't have service; homeowner has his own unmarked barrel full of trash in yard

-photo

Mr. Youmans:

-I had just bought that house; it was empty; he totally remodeled it; he had a dumpster there

-Coolidge had been his trash hauler for some of his rental properties; in the transition, they sold their company

-he did end up getting a garbage container there but he didn't see why he needed one there because the house was empty

-he has a before/after picture

-he keeps the container in the garage; he has a U-haul truck that he pulls up and uses it as a dumpster

-when he got the letter, he threw that can into his dumpster

Ms. Moermond:

-the photo is evidence that he is in need of garbage service

Mr. Youmans:

-that photo is from when he bought the house; then, it looked like that

-he showed Ms. Moermond a photo of the finished rehabbed house/yard (new yard, new deck, new fence)

-that whole alley looks super bad with couches, furniture, every other house, there's a mattress or something

Ms. Moermond:

-asked why he didn't appeal the Order when he got it

Mr. Youmans:

-he called the inspector and said that he was flipping the house; the inspector said, "OK; don't worry about it;" my partner suggested that I just order trash service - the smallest can possible

-the alley is a cesspool; there's at least 8 houses that look like a community alley for dumping; so, why was I picked out of all of those? I pick up trash up & down the whole block

Ms. Moermond:

-you may not have been singled out; when an inspector finds a case like that, the whole alley might get a Notice

-now, you have weekly service with Advanced as of Apr 6, 2016

-the Order was written and things weren't taken care of by you; the city did it

Approve the assessment.

Referred to the City Council due back on 8/17/2016

4 [RLH TA 16-327](#)

Ratifying the Appealed Special Tax Assessment for Property at 179 GRANITE STREET (File No. J1611G, Assessment No. 168711.

Sponsors: Brendmoen

Attachments: [179 Granite St.SAO hauler order.3-25-16](#)

Sarah Allen, owner, appeared.

Inspector Paula Seeley:

*-Garbage Hauling Order issued Mar 25, 2015; compliance Mar 31; re-checked Apr 4 and still no trash service; the bill hadn't been paid at East Metro
-city put out 1 container for a week
-cost: \$100 + \$160 service charge = \$260
-the owner has Aspen Trash Service as of 4/5/16
-history: refrigerator on blvd; no photo*

Ms. Allen:

*-they sent me a letter that I don't have a trash can in my yard; I have a trash can but I was having a problem with this guy picking up trash; he had several break downs and would call and say that he'd pick it up next week; I was tired of him so she called Aspen and signed up with them
-the very day they came to pick up, I had a trash can in my yard; the dog barked and I looked out the window and saw 4 or 5 men bringing a trash can into my yard; so, I went outside and asked them why they were bringing a trash can into her yard; they said that someone had ordered it; I told them that I had one already; they said that they were just following orders; I told them that I would call Paula or Lisa; I called and left a message; then, I called later in the afternoon because I had to go to work; and either Lisa or Paula said that they would send someone tomorrow to pick it up; she asked the company I was with and told them Aspen (was on Apr 6)*

Ms. Seeley:

-Inspector John Ross was the inspector, found an East Metro container, called them but found no current service because of nonpayment; he called them again on the 4th, they still said, "Bill not paid;"

Ms. Allen:

-that refrigerator is not mine; someone brought it there - dumped it; she had no problem for 16 years and now people bring couches, etc; we have to keep reporting the dumping; we have to try to work this out

Ms. Moermond:

-the charges are for dropping off and picking up the can; the can hadn't been used because you had Aspen

Ms. Seeley:

-the drop off fee is \$50; weekly service fee is \$50; and the service fee is \$160 = \$260

Ms. Moermond:

*-was there any kind of Summary Abatement Order or pile of garbage, etc, that precipitated the garbage hauling letter?
-what was the situation that led to this Order?*

Ms. Seeley:

*-a complaint came in Mar 22, 2016 that said, "Trash; possibly no service since Jan"
-there was no SA issued for that*

Ms. Moermond:

*-there isn't a history; the refrigerator was dumped there and has disappeared
-is there are no similar problems, she will recommend deletion; if there are problems, she will recommend approval*

Layover to Oct 19, 2016 Public Hearing and if no same or similar violation(s), will rec deleting the assessment.

Referred to the City Council due back on 8/17/2016

- 5 [RLH TA 16-320](#) Ratifying the Appealed Special Tax Assessment for Property at 934 HAWTHORNE AVENUE EAST (File No. J1611A, Assessment No. 168527).

Sponsors: Bostrom

Attachments: [934 Hawthorne Ave E.Summary Abatement Order.3-30-16](#)
[934 Hawthorne Ave E.Photos.4-6-16](#)

Approve; no show.

Referred to the City Council due back on 8/17/2016

- 6 [RLH TA 16-313](#) Ratifying the Appealed Special Tax Assessment for Property at 717 HOPE STREET (File No.J1611A, Assessment No.168527).

Sponsors: Prince

Attachments: [717 Hope street. summary abatement. 4-12-16](#)
[717 Hope St.Photo.4-20-16](#)

George E Richie and Robert A Richie, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Apr 12, 2016; compliance Apr 19; re-checked Apr 20

-work done Apr 22, 2016 for a cost of \$344 + \$160 service charge = \$504

-sent to: George A Richie, 2247 5th St E, St. Paul; Robert Richie and Occupant at this address; and to George E Richie, 2303 A 7th St, Cumberland WI

-no returned mail

-remove scrap, refuse, debris from around the house and rear deck

-history: city did clean up on 5-18-15

Mr. George Richie:

-my son, Robert, lives on Hope St; he has an issue with cleaning up the yard and doing the chores that he should be doing; most of the time, he is in depression; he is bipolar and always has trouble with things; he's not very ambitious and I'm not there to monitor him at all times

-I have paid a couple of times in the past and I can't afford to keep paying; needs to get his son into some other kind of housing where he can function better and be monitored; I'm 63 years old; can't keep going forever

Mr. Robert Richie:

-there's commotion in the area; the people in the vacant house have been making a ruckus; it was disturbing to him to the point that he wasn't paying much attention to what he had in the yard

-a fellow who had a truck was supposed to help me; he has had trucks in the past where I don't get any use out of it

-I did spent a lot of my own money when I first moved in to remove a lot of clutter and things that were left in the basement

VIDEO -many items in the yard; picked up the trash & garbage; left some of the tools, equipment, etc.

Mr. Robert Richie:
-a picture is worth a thousand words

Ms. Moermond:
-sounds like you don't have a long term plan to keep this from happening again

Mr. George Richie:
-I do but he doesn't....he's living there; he has had this problem forever -
accumulating stuff; he doesn't seem to catch on

Ms. Seeley:
-this has been going on for years; he keeps collecting stuff; it's kind of a hoarding
thing
-it's very visible - on the corner of Hope and Minnehaha
-House Calls would refer him to a training class on hoarding

Inspector Lisa Martin:
-MN Hoarding Task Force also has services available; can mail information on those
services through Mai Vang

Ms. Moermond:
-assumes that some things have been picked up and moved into the house and they
too, will need to be gotten rid of, moving forward; perhaps, the House Calls Program
could be of assistance

Mr. George Richie:
-last year, the Fire inspection people got him 2 dumpsters last year; the 2nd
dumpster he didn't get to use because the neighbors filled it up with their stuff
-no one lives in the 2nd unit of this duplex now

Ms. Moermond:
-the city gave Notice and did the work; and this has been an on-going issue
-will recommend approval of this assessment
-suggested that he may qualify for a deferment as a senior

Approve the assessment.

Referred to the City Council due back on 8/17/2016

- 7 [RLH TA 16-326](#) Ratifying the Appealed Special Tax Assessment for Property at 1241 SEVENTH STREET WEST, (File No. J1611A, Assessment No.168527)

Sponsors: Noecker

Attachments: [1241 Seventh St W.SAO.4-8-16](#)
[1241 Seventh St W.Photo.4-14-16](#)

Approve; no show.

Referred to the City Council due back on 8/17/2016

- 8 [RLH TA 16-324](#) Ratifying the Appealed Special Tax Assessment for Property at 892 LAFOND AVENUE (File No. J1611A, Assessment No. 168527).

Sponsors: Thao

Attachments: [892 Lafond Ave.Photo.4-21-16](#)
[892 Lafond Ave.SAO.4-21-16](#)

Tricia Schmidt, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Apr 14, 2016 compliance Apr 20; re-checked Apr 21

-work done Apr 22, 2016 for a cost of \$288 + \$160 = \$448

-sent to Occupant and Tricia E Schmidt/Michael L Bauch at this address

-no returned mail

-remove all household items from rear yard, including high chair, kennel, wood and misc rubbish

Ms. Schmidt:

-brought up her photos because in Frogtown, we put out what someone may still be able to use and then someone else may/may not want to pick it up; the inspector saw it and we got a letter to dispose of it

-she threw it all away except the high chair and the kennel - wouldn't fit into their garbage can, so she moved them in the back for the next trash cycle; during that time, the city crew must have come by and taken them (32 feet back from the alley)

Ms. Moermond:

-asked Ms. Schmidt to look at the photo she had, which included broken wood, brush and yard waste

-the description does talk about the rear yard vs the alley

-the Orders should have been more clear

Ms. Seeley:

-history - Mar 16, 2015: also Orders on refuse

VIDEO - crew picked up what was in the photo - inside the yard

Ms. Moermond:

-will ask the City Council to look at it Oct 16, 2016; if there are no incidents, she will recommend deletion; if there are violations, she will recommend approving the assessment divided over 3 years

Layover to October 19, 2016 Public Hearing and if no same or similar, will reduce the assessment in half and spread over 2 years.

Referred to the City Council due back on 8/17/2016

9 [RLH TA 16-321](#)

Ratifying the Appealed Special Tax Assessment for Property at 1330 SEVENTH STREET EAST File No.J1611A, Assessment No. 168527).

Sponsors: Prince

Attachments: [1330 7th St E.Summary Abatement Order.4-5-16](#)
[1330 7th St E.Photos.4-12-16](#)
[1330 7th St E.Aerial Map.2015](#)

Layover to get Amharic interpreter.

Laid Over to the Legislative Hearings due back on 7/19/2016

- 10 [RLH TA 16-329](#) Ratifying the Appealed Special Tax Assessment for Property at 861 PAYNE AVENUE (Address listed under 623 WELLS STREET) (File No. J1611A, Assessment No. 168527).

Sponsors: Bostrom

Attachments: [861 Payne Ave.SA 3-31-16](#)
[861 Payne Ave.Photos 4-6-16](#)
[861 Payne Ave.Aerial Map](#)

Ramon Leon, Latino Economic Development Center, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order sent Mar 31, 2016; compliance Apr 4; re-checked Apr 6
-work done Apr 7, 2016 for a cost of \$336 + \$160 service charge = \$496
-this also falls under 632 Wells Street (the corner of the bldg)
-remove multiple mattresses, multiple couches, TV and scrap wood on property near dumpster*

Mr. Leon:

*-we teach people how to start and run a business legally
-I don't run the operation
-feels bad about this situation
-this is the first building they own in Saint Paul; they have limited resources; the person who they relied on to take care of the building is no longer with them
-they rely on donations; and they try to abide the law
-their cash flow is extremely low; 2 tenants left right after they bought the building
-they are not property managers; the last one was very troublesome with no interpersonal skills*

VIDEO - city crew picked it all up

Ms. Moermond:

*-Orders were sent to Michael Wagner c/o Wagner Management, 2924 Anthony Lane N, Mpls, MN; Latino Economic Dev Center, 1501 E Lake St Unit lowerlev, Mpls; and Occupant, 632 Wells St, St. Paul
-you didn't talk about when you got the letter (?)*

Mr. Leon:

*-Mr. Wagner is the former landlord
-we have 24 employees; he asked one of them to get someone to go and pick up whatever needs to be picked up; he assumed that she did but he doesn't know*

Ms. Moermond:

*-sees that your organization is responsible; the mess was created by your tenants on your property; the letter went out and the mess wasn't cleaned up so, the city went and cleaned it up; there is a cost associated with that
-she supports your great mission; however, the rest of St. Paul's taxpayers should not be responsible for your tenants mess
-will recommend approval of this assessment
-the City Council could look at it differently*

Approve the assessment.

Referred to the City Council due back on 8/17/2016

11 [RLH TA 16-319](#)

Ratifying the Appealed Special Tax Assessment for Property at 1504 SHERBURNE AVENUE (File No. J1611A, Assessment No. 168527).

Sponsors: Stark

Attachments: [1504 SHERBURNE AVENUE. SUMMARY ABATEMENT. 4-5-16](#)
[1504 Sherburne Ave.Photos.4-12-16](#)

Aberta Mulugeta, responsible party, appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Apr 5, 2016; compliance Apr 12; re-checked Apr 12

-work done Apr 14, 2016 for a cost of \$344 + \$160 = \$504

-sent to Occupant; Abera Mulugeta, 15571 Finch Ave, Apple Valley; and SHS Property One LLC, 15571 Finch Ave, Apple Valley

-no returned mail

-photos show a lot of litter & trash along his retaining wall

-no history

VIDEO - crew picked up trash & litter along alley; shopping cart was gone in the Video, along with the storage underneath the stairs

Mr. Mulugeta:

-he got the letter and looked at his property; the trash was off my property on the street; that's not mine; the other side of the house are business people; they have dumpsters - have a lot of stuff

-I called the inspector after I got the Notice and the only thing he told me was about the cart under the porch, which is used by the upper level tenant when she goes to the Midway; that was all he talked about

-everything I saw was off my property

Ms. Seeley:

-it's the alley but owners are responsible for their side of the alley

Ms. Moermond:

-so, you're thinking the line is where the retaining wall is; unfortunately, that's not a correct understanding; the retaining wall helps to provide a separation between the alley and the back yard; it retains soil (holds up the back yard a little bit)

-the alley itself is semi-private property; it's half your property and half the property of the person on the other side of the alley with a public right-of-way through it; you are responsible for picking up and maintaining your side of the alley

Mr. Mulugeta:

-from my yard, you don't even see what's on the other side of that wall

-there are so many businesses near there along Snelling Ave

-I keep what's in my property clean

Ms. Moermond:

Layover to October 19 Public Hearing; if no same or similar violation(s), will delete due to good faith effort made.

Referred to the City Council due back on 8/17/2016

- 12 [RLH TA 16-317](#) Ratifying the Appealed Special Tax Assessment for Property at 256 SIDNEY STREET EAST (File No. J1611A Assessment No.168527).

Sponsors: Noecker

Attachments: [256 SIDNEY ST E. SUMMARY ABATEMENT. 4-20-16](#)
[256 Sidney St E.Photo.4-28-16](#)

Approve; no show.

Referred to the City Council due back on 8/17/2016

- 13 [RLH TA 16-318](#) Ratifying the Appealed Special Tax Assessment for Property at 1454 SIMPSON STREET (File No. J1611A, Assessment No. 168527).

Sponsors: Stark

Attachments: [1454 Simpson St.summary abatement order.4-18-16](#)
[1454 Simpson St.Photo.4-25-16](#)
[1454 Simpson St.Owner Photos.7-5-16](#)

Brian Lebakken, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order sent Apr 18, 2016; compliance Apr 25; re-checked Apr 25

-work done Apr 27, 2016 for a cost of \$316 + \$160 service charge = \$476

-sent to Occupant and Brian Lebakken at this address

-no returned mail

-remove scrap lumber near alley

-no history

Mr. Lebakken:

-context: there was a pile of lumber in the back alley in Nov, 2015; we had a wind storm and part of my fence blew down, right before it was scheduled to snow; so, he stacked it up, moved it and figured that it would be covered with snow; he'd fix the fence in the spring

-he received the Notice Sun Apr 24 (he had been out of town that weekend); the order stated, "Please remove scrap lumber near alley." Mon Apr 25, it was raining, so he didn't do anything; the morning of Tue Apr 26 at approx 9 am, he moved the lumber away from the alley (has photos); he thought it was about 'moving it from the alley;' (the issue); pictures showed where he put it

-Wed Apr 27 at 11 am, he was doing dishes and saw a work crew came by (he thought that he had addressed the issue) so, he went out and asked to speak to the supervisor..... I pleaded with them that the Order had said to move the lumber near alley; he said that he had a Work Order and if I had questions or issues, I should call the inspector; so, I called Inspector Mark Kaisersatt; he discussed it with him and he essentially said that once he puts in a Work Order, there was nothing else he could do; if I had any further issues, I should send in the card

-he showed Ms. Moermond his photos, pointing out where the wood had been near the alley and where he had placed it

-when he moved the lumber, he stacked it neatly in the area behind his Prius and covered it with a blue tarp; he thought that the separation from the alley was sufficient -he had 1 day to address this; the stack is barely noticeable from the alley unless you are specifically, looking for it

Ms. Moermond:

-scanned the photos and added them to the record

VIDEO - showed crew picking up the stacked wood from in front of the Prius

Ms. Moermond:

-thinks you made a good faith effort; although, it wasn't the best decision; the wood should have gone into the garage; wants to credit him for the good faith effort

-will recommend reducing the assessment to \$150

Reduce assessment from \$476.00 to \$150.00.

Referred to the City Council due back on 8/17/2016

- 14 [RLH TA 16-325](#) Ratifying the Appealed Special Tax Assessment for Property at 544 UNIVERSITY AVENUE WEST, (File No. J1611A, Assessment No. 168527).

Sponsors: Thao

Attachments: [544 University Ave W.SAO.4-1-16](#)
 [544 University Ave W.SAO.3-25-16](#)
 [544 University Ave W.Photos.3-31-16](#)
 [544 University Ave W.Photos 4-7-16](#)

Approve; no show.

Referred to the City Council due back on 8/17/2016

- 15 [RLH AR 16-48](#) Ratifying Collection of Vacant Building Registration fees billed during January 21 to February 24, 2016. (File No. VB1611, Assessment No. 168812)

Sponsors: Stark

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/17/2016

- 16 [RLH AR 16-49](#) Ratifying Collection of Vacant Building Registration fees billed September 14, 2014 and August 18, 2015 at 1202 Margaret St. (File No. VB1612, Assessment No. 168813)

Sponsors: Prince

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/17/2016

- 17 [RLH AR 16-50](#) Ratifying Property Clean Up services during April 1 to 28, 2016. (File No. J1611A, Assessment No. 168527)

Sponsors: Stark

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/17/2016

- 18 [RLH AR 16-51](#) Ratifying Trash Hauling services during April 6 to 27, 2016. (File No. J1611G, Assessment No. 168711)

Sponsors: Stark

Attachments: [Assessment Roll](#)

Referred to the City Council due back on 8/17/2016

11:00 a.m. Hearings

Correction Orders

- 19 [RLH CO 16-15](#) Appeal of Philip Varchenko to a Correction Order at 1627 MARSHALL AVENUE. (Public hearing continued from May 18)

Sponsors: Stark

Attachments: [1627 Marshall Ave.appeal.4-15-16](#)
[1627 Marshall Ave.Photos.4-7-16](#)
[1627 Marshall Ave.Appellant Letter for Appeal.4-25-16](#)
[1627 Marshall Ave.Varchenko Ltr.4-28-16](#)
[1627 Marshall Ave.Photos.5-2-16](#)
[1627 Marshall Ave.Photos #2.5-2-16](#)
[1627 Marshall Ave.Vang-Varchenko Email.6-15-16](#)
[1627 Marshall Ave.Varchenko Ltr.6-3-16](#)
[1627 Marshall Ave.Varchenko Ltr.6-1-16](#)
[1627 Marshall Ave.Varchenko Ltr.7-7-16](#)

Deny the appeal and grant until July 1, 2017 to come into compliance on the condition that House Calls go out to property every 3 months to check the interior and exterior condition of the property for safe and sound and report appropriately. (original compliance date was July 1, 2016)

Referred to the City Council due back on 7/20/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 20 [RLH VO 16-26](#) Appeal of Herbert D. Steele to a Notice of Condemnation as Unfit for Human Habitation and Oder to Vacate at 1321 DAYTON AVENUE.

Sponsors: Thao

Attachments: [1321 Dayton Ave.appeal.6-20-16](#)
[1321 Dayton Ave.Steele Ltr.7-7-16](#)

Herbert D. Steele, Unit 2 tenant, appeared,

Mr. Steele:

-he is in the process of buying out his grandmother, Carolyn Carter, who's in a nursing home at 1605 Eustis St, Unit 310. His mother previously lived in Unit 2 at this address

-Ms. Carter is in the early stage of Alzheimer's

-unit 1 is occupied

Inspector Paula Seeley:

-our office received a complaint Jun 8, 2016 from Xcel that the electricity was off to Unit 2

-Inspector Kaisersatt sent an inspection Notice to enter Jun 14

-Jun 15, he called Xcel again; electric still off in Unit 2

-he sent a Condemnation letter with a Vacate date of Jun 21, 2016

Ms. Moermond:

-Xcel usually waits a good 6-8 weeks before they send info to the city that the utilities had been shut off, so you've been without electric

Mr. Steele:

-the electricity wasn't shut off but when the inspector showed up, it had been his first actual week of being without power

-his aunt lives downstairs in Unit 1

-he has always lived in an apartment; now, he is trying to keep this house in our family; his mom is trying to convince him to keep it; he has tried to keep up with the bills, while he's had different issues and other bills

-he has been employed for 11 years; doesn't have good credit; he's been through a divorce and has a lot of things coming out of his check; he does get paid every week

-he has a denial letter from the county because he does make a significant amount of money and they couldn't help him

-he has taken some money out of his 401K; he has spoken with Xcel and if he just pay what it actually due, they'll re-instate his electricity; the total bill is \$2600; waiting for 401K to come through

-he is trying to save some money because next year, he needs to pay nearly \$11,000 on the property taxes

-my grandmother and her husband worked hard for 40+ years to have this house and now, the family is bickering

-he goes by the name Darnell (middle name) Steele although Herbert is his first name

Mr. Steele:

-has documentation from Xcel Energy; will take his word on the 401K stuff

Ms. Seeley:

-as of this am, Xcel still has his electricity off; there's no record of making arrangements

Ms. Moermond:

-has asked Mai Vang to pull the property tax records

Ms. Vang:

-property taxes from 2013, 2014, 2015 are delinquent in the amount of \$18,849.08; also due is the first half of 2016; forfeiture is scheduled to take place in 2019

Mr. Steele:

-the paperwork he has is from after they came to an agreement; he agreed to pay \$11,000 by Apr 2017; his family - the people who are living there

Ms. Moermond:

-the Confession of Judgment is a payment plan for paying property taxes by the property owner and right now, there's a clear property owner, your grandmother -the people involved need to work through this for clear ownership or your grandmother, herself would need to enter into the Confession, which given her deteriorated mental state, might not be acceptable; that would be a way to make a payment plan on the property taxes- easier than an \$11,000 bite
-living without utilities won't close the building down; you can have access to it from 8 am to 8 pm without electricity
-the Vacate date will be effective Jul 22, 2016; unit 2 is not livable
-see what you can get squared away
-as soon as the electricity is restored, you can move in

Mr. Steele:

-he made sure that he turned off the gas stove

Ms. Moermond:

Deny the appeal and grant until July 22, 2016 to restore the power in Unit 2 or the unit must be vacated by July 22. Appellant can access the property from 8 a.m. to 8 p.m.

Referred to the City Council due back on 7/20/2016

21 [RLH VO 16-19](#)

Appeal of Nancy Barnes to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1159 PASCAL STREET NORTH.

Sponsors: Stark

Attachments: [1159 Pascal St N.appeal.5-4-16](#)
 [1159 Pascal St.Photos.3-24-15](#)
 [1159 Pascal St.Photos #2.3-24-15](#)
 [1159 Pascal St N.Brian Karpen email.5-5-15](#)
 [1159 Pascal St N.Barnes Ltr.5-13-16](#)
 [1159 Pascal St N.Barnes Ltr.6-1-16](#)
 [1159 Pascal St N.Barnes Ltr.7-7-16](#)

Donna Corbo, NWHP, appeared on behalf of Donna Barnes, owner.

Ms. Moermond:

-NeighborWorks has freed up approximately \$25,000 in funding to help with the repairs of the needed \$52,000+ and MFHA is able to provide the other monies (their condition was that Ms. Barnes come current on her property taxes, which she has so, MFHA has cleared her
-a scope of work has been done
-now, we need to draw a deadline for when the work can be done

Ms. Corbo:

*-the bids went out the middle of Jun; usually takes a month to get them back
-July + 4-6 months to complete the work (estimate)*

Ms. Moermond:

-how about Dec 31, 2016

Inspector Paula Seeley

-she sees 2 items that can't wait that long

-the only hazard thing she sees that the dryer vent needs to be rigid metal going to the outside

-the other thing is the deck; if someone were to step on it, they could go thru; for now, she could just remove the deck; she had said that she was going to remove it

Ms. Moermond:

-thinks that it's reasonable to say that those 2 things can be taken care of by Aug 1, 2016

-Dec 31, 2016 for the balance of the work

-will attach the scope of work to the resolution for Council

Grant until August 1, 2016 to address the dryer vent and deck; grant until December 31, 2016 for the remaining items to come into compliance.

Referred to the City Council due back on 7/20/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 22 [RLH FCO 16-93](#) Appeal of Adam Graf to a Fire Certificate of Occupancy Approval with Corrections at 2250 LUTHER PLACE.

Sponsors: Stark

Attachments: [2250 Luther Pl.appeal.06-27-16](#)

[2250 Luther Pl.Photos.6-28-16](#)

[2250 Luther Pl.Graf Ltr.7-7-16](#)

[2250 Luther Pl.Neis Email.7-15-16](#)

[2250 Luther Pl.email to Graf.7-15-16](#)

Adam Graf, Advanced Innovative Management, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice

-currently on a referral because the C of O has already been approved with the exception of this remaining violation

-what's being called out is the code requirement for storage too close to the sprinkler heads; in particular, some closets that were constructed for the condo owners in the basement of the building; the building is sprinklered

-he spoke with the Appellant before the hearing

-looking at some of the photos from Ms. Huseby and speaking with the Appellant about the configurations, he thinks it needs a 2nd set of eyes, either by him or by the City's Fire Engineer, Angie Wiese

-the Appellant did do diligence; he was looking in the file to see if there had been a

permit pulled for these storage lockers; actually, permits are not required for lockers
-the lockers appear to have mesh over them to allow for more storage; he has no issue with that; if they are up against a wall, we might not even have a violation
-Ms. Huseby is correct about the heads; but he noticed that there was some email correspondence that talked about the shelving needing to be moved, etc., which is confusing
-he and Ms. Moermond reviewed the photos
-where we might have some violations is where some boxes might need to be lowered but that's not a structural thing

Ms. Moermond:

-the Order says: Interior - Locker 10 in Storage Room - MSFC 315.2.1 - Provide and maintain a minimum of 18 inches clearance between the top of the storage and the sprinkler heads throughout the space. Check all.
-saw a cardboard box in one area that's way too high
-asked Mr. Neis what his concern is when he looks at these Orders?

Mr. Graf:

-these are individually owned & occupied condominiums and there is a storage locker facility in the lower level that's off the underground parking area; it was built at some time years ago; no one can recall exactly when; it allows individual owners to store their personal affects
-he was not present at the original inspection when Ms. Huseby found that there were some items that were within that 18-in clearance for the sprinkler heads, which is absolutely understandable; we had no problem with complying with that
-he and Ms. Huseby met at the 2nd inspection; we were able to close out other issues on the Orders; he noted that there were some particle board portions of these storage locker structures that, in her opinion, were hampering the sprinkler system
-email correspondence from Ms. Huseby on May 23, 2016: "Please find attached an inspection report approval letter. There's one more left in regards to the sprinkler head in storage area. If you can have the property decide which option they would like to do, I will verify compliance with the inspection on Jun 23, 2016 or the closure of a permit for sprinkler head re-location."
-there wasn't anything attached and he indicated back to her on May 25, that he wasn't clear as to the options she was referring to and to please expand, to which she replied shortly thereafter, "Thank you for asking. The areas where the sprinkler spread or coverage is impacted by the chip board wall/ceiling may be replaced by a chain link fence or other material that does not in ____ coverage of the sprinkler system in the storage areas. Areas where a piece of board has been cut away to allow for the sprinkler head..... is not acceptable. If you have any further questions or would like to meet at the property, let me know." In his mind, that means that we need to re-build or re-design and alter the structure or re-design and alter the sprinkler system, which is much different from complying with an 18-inch clearance

Ms. Moermond:

-she thinks so, too

Mr. Graf:

-there was some concern by the Board of Directors
-as Inspector Neis indicated, I'd would be happy to meet with him/city fire engineer to discuss this
-knows that some owners have taken it upon themselves to add shelves, which extend into the 18" clearance window and those will need to be corrected
-the owners have individual locks on these lockers and aside from cutting their personal lock, we need to try to coordinate a time to help them be compliant

-changing the structure is not an easily accomplished because everything's connected

Ms. Moermond:

-the Orders don't say the things that the email says and that's really frustrating and as a hearing officer, it's unacceptable that she's giving Orders through an email rather than through the official actual document

Mr. Neis:

-he is feeling the same frustration, which is why he had wanted to go out there

Ms. Moermond:

-let's go look and get that cardboard box down (the single violation that she does see documented in the photographs; and if there's another violation of that nature, that should be addressed

-would like Mr. Neis to take a look at this

Mr. Neis:

-this has always been a Class A building and was last inspected in 2009

-has always had a great history

Ms. Moermond:

-will Lay this Over for 3 weeks to Jul 26, 2016 LH

-in the meantime, Mr. Neis and Mr. Graf will find a time to be at the site; and the cardboard box will have been lowered to an appropriate level and that there would not be similarly highly stacked items blocking the sprinkler system

-will put a deadline on those Orders if there is something more

-City Council Public Hearing Aug 17, 2016

AJ Neis to do inspection and if the boxes are reduced to a minimum of 18 inches, a hearing may not be necessary. If there are new issues, will re-write order to be discussed on July 26, 2016.

Laid Over to the Legislative Hearings due back on 7/26/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 23 [RLH VBR 16-40](#) Appeal of Michael Unger to a Vacant Building Registration Requirement at 1134 BEECH STREET.

Sponsors: Prince

Attachments: [1134 Beech Street.appeal.06-23-16](#)

[1134 Beech St.Photos.5-5-16](#)

[1134 Beech St.Unger Ltr.7-7-16](#)

Michael T and Reyna L Unger, owners, appeared.

Inspector Rich Singerhouse, Vacant Buildings:

-on May 4, 2016, he got a call from SPPD saying that there were possibly squatters at this address; kids had broken windows; there was illegal dumping

-Inspector Tom Friel and Mr. Singerhouse went out and found the building open to entry; SPPD board it and later than afternoon, the kids had broken in again

-Mr. Friel sent out another Summary Abatement Order to have it boarded and it was
-at that time, they opened a Category 2 Vacant Building; there were numerous
broken windows, missing siding, defective roof and foundation

Mr. Unger:

-has copies of all police reports

-Apr 22, 2015, they got a separation letter sent from federal courts and were Ordered
to Vacate the house in 45 days after their bankruptcy by the Bank of America, which
called them every single month and asked if they were living in the house to which
they responded that they were not; moved into their new home Apr 15, 2015

-around Oct 2015, they sent a certified letter to our home, which we signed letting
them know again that we were not living at 1134 Beech; then, they started
foreclosure proceedings

-today, the answer that the Attorney General's Office got was that we moved back
into 1134 Beech

-we gave the house back to the Bank of America but they do not want that house; so,
now, they know society will gobble the house up and turn it into a drug/meth house or
maybe someone will burn it down; people have stripped the house of its copper, all
that was left that is good; they even stole the air conditioning unit; they took all the tin
work off the house

-we had been taking care of the house the whole year and in Feb 2015 (we paid for
grass mowing and shoveling the sidewalk); we drove buy the house in Feb and my
wife noticed that the heat was on (we had shut off Xcel - no gas; no elect; everything
had been turned off and we hadn't been billed by Xcel since)

-the individuals who broke into the house called Xcel and said that they were the new
tenants and asked that the elect and gas be turned back on, which Xcel did; they
couldn't turn the water back on because they had broken the toilet; there was a piece
of the toilet outside in the yard and a Christmas tree in the driveway; the lights in the
house were on; there was also a lock box on the back door; they had changed the
locks; they also told all the neighbors that they were buying the house; it was their
new home

-after we drove by in Feb, we called our attorney, who said that we could not go back
there because the Bank of America must have taken the house back; however, the
bank does not communicate with them at all

-we have a letter from the attorney Bank of America hired to do the foreclosure
proceedings; that attorney told the Attorney General's Office that they had thought we
had moved back into the house

-we boarded the house up after we realized that we were still responsible for this
home; in the boarding process, SPPD had boarded it up once; we drove by a couple
hours later and someone had already broke back in again; then, he boarded up the
house the next day and noticed that the bathroom window was open and there were
buckets outside the back door; so, he called SPPD because he wasn't sure whether
or not someone was in there; at that point, he thinks those people may have harmed
them had they gone into the house

-they are sly; the whole garage is filled with about 2-3 loads of trash in there; it looks
like they were taking money from others to remove their garbage and then dumped it
into the garage

-there is feces and urine all over the basement

-he had SPPD tow the vehicles that he thought were stolen and parked in the
driveway; I used the city's letter for enforcement; now there are signs on the garage

-now, the neighbors all know that these people had lied to them; the neighbors have
my phone number and will call if anything happens; the neighborhood is still ravaging
that property; they've taken the appliances, dirt from the garden, all the block & bricks
from the ground, etc.

-SPPD removed a lot of drugs; 4 people are still in custody being charged with
breaking & entering; they are felons and are looking at another 10 years for doing

this; some are being charged with prostitution
-all this started in 2014 when Bank of America increased their monthly mortgage payment from around \$450 per month to roughly \$1400 per month; and the Xcel bill was \$300 per month; there's no way you can live at that house without security;
-they removed the fence because the first night that their house was boarded, the neighbors reported that at least 20 people were squatting in that yard; this is a huge problem that's going on all over the country
-is hoping that the city goes after the Bank of America for being irresponsible
-we had disconnected the alarm system at the end of Jun 2015; if the bank had taken the house over then, this wouldn't have happened but they don't want their name on this property; they would rather have our name on it because it looks better for them; they call us and pretend that we had never filed bankruptcy but every time they call me, they are calling from the Bankruptcy Division (?) and they know we filed bankruptcy
-now the taxpayers will be paying for everything that goes on there and they will have a clean slate

Ms. Moermond:

-unless this property goes tax forfeit to the State of MN, the cost associated with the assessments will stay with that piece of property; ultimately, she pictures this going to demolition

Mr. Unger:

-good people, who don't break the law, don't believe that people can be so devious and they are the ones who get taken advantage of; the banks have learned that if they don't take over the property - maintain it, etc., the rest of society will eventually destroy the property and city will have to take over and we need to stop that; by stopping that, we'll be stopping the foreclosure proceedings
-they are seeking out a new attorney who will do foreclosures; he has a list of them

Ms. Moermond:

-had Ms. Mai Vang check the property tax record for this property; taxes are current, although the 1st half of 2015 hasn't yet been paid
-the county will just send letters to the owner of record; you'll get letters for 3-5 years until non-payment of taxes turns the property into a property that belongs to the State of MN; that's the tax forfeiture process; it might even take longer because things are set up to help owner occupants the most

Mr. Unger:

-he would like to see Ms. Moermond/city help him make a difference and to stop these charges coming his way; asked if she could write a letter for him to take to the Attorney General's Office; he wants to contact Betty McCullom; he wants to turn this thing into a big issue
-he spoke with Mr. Singerhouse earlier, who said that I didn't even need to be here

Ms. Moermond:

-I don't have the ability to change the name on the bill to a different responsible party; what name gets pulled up automatically by the city's computer system is determined by who the county has listed in their Taxation records
-one of the many reasons that the city does that is that we had to have provided due process and Notice to the owner of record so that person can object to that by appeal
-unfortunately, you are still the owner of record of 1134 Beech Street; it hasn't been converted yet to the Bank of America

Mr. Unger:

-we've had a lot of problems with that home; it was a HUD house and the loans at the

time were really bad; and I had to put a lot of money into it; and we had a lot of health problems, too, which wiped him out financially

Ms. Moermond:

-she's heard and seen the havoc the mortgage foreclosure crisis has left on our neighborhoods

-she is not in the business of writing policy letters; great idea to write a letter to Betty McCullom

-we are here about the Vacant Building fee today because you meet the definition of a Vacant Building and if this bill doesn't get paid, it will turn into a proposed assessment onto the property taxes

-will recommend denial of this appeal; it should be in the VB Program

Ms. Mai Vang:

-noted that there's boarding and clean-up assessments pending

Ms. Moermond:

Deny the appeal.

Referred to the City Council due back on 7/20/2016

- 24** [RLH VBR 16-41](#) Appeal of Keelan Bailey to a Vacant Building Registration Requirement at 1455 THOMAS AVENUE.

Sponsors: Stark

Attachments: [1455 Thomas Ave.appeal.06-27-16](#)

Appellant has until the end of the month before VB fee is assessed. If work is done by then, no VB fee will be assessed.

Withdrawn

- 25** [RLH VBR 15-93](#) Appeal of Marcus Landrum to a Vacant Building Registration Renewal Notice at 1308 VICTORIA STREET NORTH.

Sponsors: Brendmoen

Attachments: [1308 Victoria Street N Appeal 10-15-15](#)
[1308 Victoria St N.Landrum Ltr.10-22-15](#)
[1308 Victoria St N.Landrum Ltr.12-7-15](#)
[1308 Victoria St N.Code Compliance Report.12-16-15](#)
[1308 Victoria St N.Owner Photos.12-1-15](#)
[1308 Victoria St N.Owner Photos #2.12-1-15](#)
[1308 Victoria St N.Landrum-Lundborg Ltr.1-28-16](#)
[1308 Victoria St N.Initial Workplan.7-1-16](#)
[1308 Victoria St N.vang-landrum email.7-7-16](#)
[1308 Victoria St N.Landrum-Lundborg Ltr.7-22-16](#)

Ms. Moermond:

-update: she did go out and walk through the house with Building Official Steve Ubl
-problem: there was a fire and the house is completely gutted right now

- she thinks that they have permits that have all expired
- owners live across the street and they maintain the property neat as a pin on the outside; the inside is a work in progress
- she had asked for a Work Plan, which has been entered on how they were going to complete the work; it is too vague, right now; the timeline that they are talking about is much too long
- it's clear that they want to treat this more as a hobby rehab project than a "let's get it done" project
- it's also clear that they would benefit from a consultation with a rehab advisor of some type; for example: one of the ideas that they wanted to show us is that they were going to be adding a large sitting porch in the back of the house; the back yard is nicely landscaped; however, it's not on the code compliant list; right now, the only thing that they need to worry about for a back porch on the code compliance list is a couple of code compliant concrete steps that will get someone out the back door safely; and get through the code compliance list first
- she needs to talk with the Councilmember for this area and explain how set this is
- for the moment she needs to provide feedback to them on the Work Plan and look for something that's much more aggressive
- suspects that the owners will need to seek financing, which they were not wanting to do; they wanted a "pay as you go" type of rehab; doesn't think that's going to be possible
- also, the VB fee needs to be considered
- wants to do one more 2-week LAYOVER so that she can do some more back & forth communication on it
- they will need to pull all new permits
- they are concerned that they will not be able to finish the work fast enough & that the permits will expire again
- LAYOVER to Jul 19, 2016 LH

Laid Over to the Legislative Hearings due back on 7/19/2016