



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

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

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Tuesday, August 23, 2016

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Remove/Repair Orders

- 1     [RLH RR 16-36](#)     Ordering the rehabilitation or razing and removal of the structures at 106 KING STREET EAST within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (Amend to grant 180 days.)

**Sponsors:**     Noecker

*Lauron & Molly Morgan, owners, appeared.*

*Inspector Steve Magner, Vacant Buildings:*

*-read letter of Aug 11, 2016:*

*This is to confirm that on August 9th at the Legislative Hearing, the Legislative Hearing Officer, Marcia Moermond, recommended continuing the above-referenced matter to Tuesday, August 23, 2016 at 9:00 a.m. in Room 330 City Hall. She is requesting that you provide the following:*

- 1.obtain a new code compliance inspection with the Department of Safety & Inspections;*
- 2.post a \$5,000.00 performance deposit with the Department of Safety & Inspections;*
- 3.provide general and subcontractor bids;*
- 4.provide a work plan or sworn construction statement with timelines for the completion of the rehab of the building;*
- 5.provide financial documentation indicating the amount of funds available to do the rehab (line of credit, construction loan, personal bank account). (City estimates the rehab to exceed \$50,000); and*
- 6.obtain a building permit for the structural work already done. NOTE: You may be charged a double fee for this work since the work was done without obtaining a permit. Please contact Jim Seeger at 651-266-9046 for more information.*

*Ms. Moermond:*

- reviewed the documents provided (scanned)*
- code compliance inspection application has been made*
- \$5000 performance deposit has been provided*
- have a variety of bids*
- a Work Plan has been submitted; it appears to take you to the end of this year (final finish)*

*Ms. Morgan:*

- exterior work will be completed by the end of Sep 2016*

-the roofing contractor will start immediately; he's 4 weeks behind right now  
-electrical, roofing and siding people are waiting to start  
-we can't pull permits yet  
-roofing contractor has all the supplies and wants to know if they can off-load on site

Ms. Moermond:

-next step is the City Council Public Hearing Sep 7, 2016; once they vote on it, then, you can pull permits

Mr. Morgan:

-the city wants us to hurry up and finish yet they hold you back

Ms. Moermond:

-you will get more time to do the work  
-the Work Plan shows that you'll be done by the end of the year, if all goes well  
-she will recommend that you get 180 days (6 months) from Sep 7, 2016 to finish  
-it looks as though you have your act together  
-"temporary" storage on site is OK

Ms. Amy Spong, Heritage Preservation Commission (HPC):

-I got an email from Lauron on Aug 10 but have not had a chance to respond  
-I have some real concerns about some of the advice I think that you've been getting; you talked about the masonry - the helibars - these are available all throughout the U.S; we've been using them for many, many years; you've purchased them from England - I'm concerned that we don't have a comprehensive solution  
-the brick is really porous; we've had similar brick in St. Paul, where the Historic Society said that the paint cannot be removed because it would do too much damage

Ms. Moermond:

-with this not being a designated house or district, are there still services that your office is able to provide advisewise about this situation? Would you refer them to John Skradski, DSI, a plan examiner?

Ms. Spong:

-I'd be happy to provide advice; I haven't had a chance to do that  
-you've spent a lot of money already; \$30,000 on a roof is huge; historically, we do nice laminate shingles that look more like a wood shingle  
-American Testing on University Ave is one of the few testing companies that will come out and analyze the masonry and they can recommend a scope of work; I want your limited resources to be directed

Ms. Moermond:

-John Skradski, a plan examiner, kind of specializes in masonry

Ms. Spong:

-I think that you'd have to ask him to go further into it than just a permit/code perspective

Mr. Magner:

-concerns about the Work Plan  
-there are some things that you can start doing: retaining walls, grading work before you can start the permitting work; if the retaining wall is fewer than 4 feet in height, you are not required to pull a permit; and the rough grading for landscaping is also not a permit item at this point; also site clean-up

Ms. Moermond:

-although the code compliance inspection has been completed, it is not yet noted in the computer  
-when you get that report, revise your Work Plan accordingly and send in your revised Work Plan

Ms. Morgan:

-there are 2 missing items from the packet: 1) no permits; and 2) plumbing contract

Ms. Moermond:

-pending completion of the code compliance inspection report and revision of the Work Plan, she will recommend 180 days to complete the project at the City Council Public Hearing on Sep 7, 2016

-DSI will issue permits the next day on Sep 8, 2016

Mr. Magner:

-noted: if contractors come in to DSI and are denied permits, have them ask for Reid Soley

Ms. Moermond:

Pending completion of code compliance inspection report, plumbing bid and revision of work plan, will grant 180 days for rehabilitation of the building.

**Referred to the City Council due back on 9/7/2016**

## 2 [RLH RR 16-28](#)

Ordering the razing and removal of the structures at 129 JESSAMINE AVENUE EAST within fifteen (15) days after the August 17, 2016, City Council Public Hearing. (Amended to grant 180 days)

**Sponsors:** Brendmoen

Pablo Murillo and Craig Norenberg appeared.

Inspector Steve Magner, Vacant Buildings:

-this summary was originally read into the record at LH on Jul 26, 2016

-The building is a two-story wood frame duplex with a detached one-stall garage on a lot of 5,663 square feet. According to our files, it has been a vacant building since July 19, 2013.

-The current property owner is 129 Jessamine LLC per AMANDA and Ramsey County Property records.

-On May 11, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 18, 2016 with a compliance date of June 17, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$11,300 on the land and \$65,600 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees are currently due and owing.

-A Code Compliance Inspection was done on November 4, 2015.

-As of July 22, 2016, the \$5,000 performance deposit has not been posted.

-There have been twelve (12) SUMMARY ABATEMENT NOTICES since 2013.

-There have been seven (7) WORK ORDERS issued for:

- Garbage/rubbish
- Boarding/securing
- Grass/weeds

-Code Enforcement Officers estimate the cost to repair this structure exceeds

\$50,000. The estimated cost to demolish is \$15,000.

-at the time of that hearing, no owner was present and Ms. Moermond had recommended removal within 25 days; although, we had a neighbor present, who testified

-just sent a Work Order for tall grass/weeds on Jul 26

Ms. Moermond:

-and, we read a letter from another neighbor

Mr. Magner:

-read letter of Jul 27, 2016 (attached) indicating your recommendation to remove within 15 days, etc.

Ms. Moermond:

-Ms. Suhan did not have the packet on this address with her on Jul 26

Ms. Amy Spong, Heritage Preservation Commission (HPC):

-there is a Work Sheet and packet for me today

-this house was constructed in 1900; appears that the original bldg permit index card is not present

-American 4-sq style; simple 2 story home with an enclosed front porch, hipped roof and front gabled dormer; has a ribbon driveway goes to the rear and a 1-stall garage; some vinyl windows and non-historic siding, possibly covering the original; in the North End and was last surveyed for historic resources was in 1983; no recent survey work has been done in this neighborhood

-there are early houses in the area of the North End but it was developed later; more sporadic; more vacant lots that were filled in over a longer period of time (several decades)

-demolition would not have an adverse effect on the surrounding neighborhood

-SHPO - no historic properties will be impacted by removing the building

Ms. Moermond:

-after the Jul 26 LH, I heard from Mr. Murillo (I had already made my recommendation); both of you were at the City Council Public Hearing, as was the neighbor

-based on some of the information that I saw, she asked the City Council to take one more look at it; so, here we are

Mr. Magner:

-read the letter of Aug 18, 2016 after the CCPH that was sent to Mr. Pablo Murillo, referring this matter back to LH on Aug 23 (today); Ms. Moermond is looking for the following conditions by close of business Fri, Aug 19, 2016: 1) post \$5000 performance deposit with DSI; 2) provide documentation demonstrating financial capacity to complete the project (\$75,000 to be set aside for the project); 3) provide an affidavit from the owner indicating the amount of funds toward the rehab; if these conditions are met, the discussion at the Aug 23 LH will include providing a Work Plan with timelines for completing work in accordance with the Code Compliance Inspection Report; promaintenance and security; getting general and subcontractor bids; if additional materials are needed, they will need to be finalized by Aug 30, 2016

-it will go to City Council again Sep 7, 2016 at 3:30

-note for the record: he did receive a letter from Dr. Alfonso Morales indicating that he is the owner of the building (he is 129 Jessamine LLC); he plans to remodel the property and bring it up to code within the next 3 months

-subsequently, we received a couple affidavits from Kay Nelson, White Bear Lake, pledging \$75,000 on behalf of Alfonso Morales; an Alfonso Morales affidavit

*indicating that he's dedicating \$75,000 towards this; and a bank account from David Nelson and Kay Nelson, indicating that there's an available credit line of \$72,000*

*Ms. Moermond:*

*-I think that the affidavits need to be re-done; although, they indicate that there is that amount of money available for the project; it doesn't indicate that the money will be spent for the project*

*-asked if Dr. Morales is going to be using Time Financial Group or US Bank account?*

*Mr. Murillo:*

*-he had never done anything like this; has done some affordable homes in Mpls as a donation for people who need some help*

*-Dr. Morales specializes in chronic pain and people who have a serious situation of addiction*

*-he has a good heart but we have been retained to act as his consultants, only; we are not taking any financial responsibility but we will make sure that things are done right*

*-we are developing newer projects for people who have addiction and clinics for treatment*

*-if we are going to move forward with this, it has to be done right*

*Ms. Moermond:*

*-I need to have an affidavit saying, "Yes; \$75,000 will be spent from this account for that purpose;" set aside*

*-if using US Bank, a simple revision in the affidavit should work but if he's relying on a financial group that I don't know, I would not accept it as being a valid documentation of financing*

*Mr. Murillo:*

*-this can be fixed; we will be having a meeting with them*

*-a credit line is probably easier because we, as consultants are going to recommend getting a professional project manager involved and that everything is done by the book, especially when we don't know what this really involves; the intent is to use this property to house people who don't have the ability to pay for post treatment services*

*-we are hoping to help, if necessary; however, the timeline concerns them.... if they could be given 6 months*

*Ms. Moermond:*

*-you bring us the Work Plan; show us the bids; timelines and 180 days (6 months) will be the maximum time that you will get to do the project*

*Mr. Murillo:*

*-asked about the environmental concerns, like asbestos*

*Mr. Magner:*

*-give the code compliance inspection report to your contractor, who can have the subcontractors look at it and put together a proposal or a bid*

*-the state regulates hazardous materials (asbestos & lead fall to the State Health Dept)*

*-an independent evaluator or survey company can identify whether or not there's asbestos or lead; you would hire them and they would pull a permit and interact with the MN Health Dept*

*-in St. Paul, we have a lead program that's administered by Ramsey County, usually based only on referrals of elevated blood levels*

*-we do not recommend any type of removal of lead; we recommend encapsulation*

*-there are multiple companies that do surveys for asbestos*

Mr. Murillo:

- we will do that; the time line is my concern
- entered a rough draft to Ms. Moermond, provided by one of the potential lenders
- it's possible that the roof will need to be replaced but most of it is interior work
- ADT will be installed immediately
- will hire a private security company

Ms. Moermond:

CPH September 7 - 3:30 p.m.

Need the following by August 30:

- 1) revision of affidavit
- 2) detailed work plan, including timelines
- 3) plumbing bid
- 4) general and subcontractor bids
- 5) maintain the property

**Referred to the City Council due back on 9/7/2016**

**3**      [RLH RR 16-40](#)

Ordering the rehabilitation or razing and removal of the structures at 874 PASCAL STREET NORTH within fifteen (15) days after the September 21, 2016, City Council Public Hearing. (Public hearing to be continued to October 5)

**Sponsors:**      Stark

Anita E. Mack, owner, appeared.

Inspector Steve Magner, Vacant Buildings:

- The building is a one-and-one-half story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 5,663 square feet. According to our files, it has been a vacant building since March 26, 2011.
- The current property owner is Anita E. Mack per AMANDA and Ramsey County Property records.
- On June 8, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on June 14, 2016 with a compliance date of July 14, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
- Taxation has placed an estimated market value of \$28,700 on the land and \$86,000 on the building.
- Real estate taxes for the first half of 2016 have not been paid.
- The Vacant Building registration fees were paid by credit card on March 25, 2016.
- As of August 19, 2016, a Code Compliance Inspection has not been done.
- As of August 19, 2016, the \$5,000 performance deposit has not been posted.
- There have been ten (10) SUMMARY ABATEMENT NOTICES since 2011.
- There have been nine (9) WORK ORDERS issued for:
  - Garbage/rubbish; -Boarding/securing; -Grass/weeds
- Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$12,000.
- most recent WO was Jun 2016 for garbage/rubbish; complaint in Aug 2016 for tall grass & weeds; boarding order in Jul 2016; rest are sprinkled backward

Amy Spong, Heritage Preservation Commission:

- single family 2-story worker's cottage built in 1908; original owner was F. Swanstrom

*(The Swanstrom House)*

- still appears to be a red stone foundation or colored concrete block foundation*
- some one/over/one double hung windows*
- porch has been enclosed*
- appears to be asbestos cement siding covering up the original narrow lap siding*
- last time the neighborhood was surveyed for any historic potential was in 1983 & was not identified at that time; that information is out of date*
- we do have grant money right now to be surveying the Hamline Midway neighborhood; no RP going out yet*
- it's close to Hamline University and to Snelling Ave; and also close to the Railroad*

*Ms. Mack:*

- I live across the street*
- there is no current mortgage holder; the mortgage was paid in 2004*
- was in process with a well-reputed rehab person to do the rehab; we were working on paperwork in May and discovered that the satisfaction of liens was never filed with the county; I contacted Chase Mortgage, which provided a letter saying that they know that they've been paid but they need to do due diligence back to the original mortgage holder .....; it will take them up to 90 days to file the proper paper work; she has that letter (entered into the record)*
- I have a plan in place; illness had delayed moving forward*
- a construction worker, Nate Burg, inspected did a walk-thru in Apr-May and he is still interested in working with me; he had the funds; we were waiting until this hearing happened; have spoken with Jim Seeger; during that time, the property moved from a Cat 2 to a Cat 3; he going to request a Code Compliance Inspection next week*
- Nate Burg owns a company called \_\_\_\_\_ (he does crime scene clean-up, rehab & reconstruction)*
- my goal is to get a full rehab; it's not my intention to hold on to the property after the work is completed (at this point)*

*Ms. Moermond:*

- I want to do a referral to Rondo Land Trust & have them take a look at this, too; they are a non-profit community development corporation*
- to rehab, you'll need a Code Compliance Inspection Report*
- also, I look for the financial capacity to do the rehab*
- \$5000 Performance Deposit*
- Work Plan with timelines*
- property maintenance*
- you can't sell the house as long as it's a Cat 3 VB; only to the HRA or another nonprofit that works in the community*
- if you sell to the person doing the rehab, the title cannot transfer until the nuisance condition has been abated (need a legal contract for that, which has to be viewed and approved by me and Mr. Magner)*
- the first half of 2016 taxes need to be paid*

*Ms. Mack:*

- I can pay the taxes today*
- my contractor will be demonstrating fund availability; we also have a back-up in place*

*Ms. Moermond:*

- by Sep 9, 2016, I'd like you to have the taxes paid and the \$5000 Perf Dep posted*

*Mr. Magner:*

- if it turns out that the costs become prohibitive or you want to remove the building or you want the city to remove the building, you can make a request in writing to DSI*

*and we will return the \$5000*

*Ms. Moermond:*

*-I'm going to ask that you apply for the Code Compliance Inspection within the week*

*Ms. Mack:*

*-she believes that her contractor did it yesterday*

*Mr. Magner:*

*-it is not in the system as of this morning*

*-it is best to supply a lock box (it's already in place)*

*Ms. Moermond:*

*-we will need to look at the bids from the specific trades, around \$50,000 total project*

*-will Lay this Over to Sep 13, Legislative Hearing with the City Council Public Hearing on Sep 21, 2016*

*-on Sep 13, I want to be talking about a Work Plan and the financing*

*Owner to have the following done by Friday, August 26:*

*1) post the \$5,000 performance deposit;*

*2) obtain a code compliance inspection; and*

*3) pay the real estate taxes for the first half of 2016.*

*At the September 13 hearing, Ms. Moermond will be looking for detail work plan with general and subcontractor bids and financing plan.*

**Laid Over to the Legislative Hearings due back on 9/13/2016**

**4**      [RLH RR 16-41](#)

Ordering the razing and removal of the structures at 503 WINONA STREET EAST within ninety (90) days after the September 21, 2016, City Council Public Hearing.

**Sponsors:**      Noecker

*Kris Kujala & Paul Scharf, Ramsey County Forfeited Land, appeared.*

*Ms. Kujala:*

*-tax forfeited Aug 2, 2016*

*-Ms. Scharf reviewed last week; it was difficult to actually get the door open; the house was filled to the brim (hoarding and unsanitary conditions)*

*-we will remove this building after the clean-out; we will need to hire professionals to do that; then, we will do the asbestos abatement*

*Inspector Steve Magner, Vacant Buildings:*

*-The building is a one-story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 10,019 square feet. According to our files, it has been a vacant building since October 26, 2011.*

*The current property owner is State of MN Trust Exempt per AMANDA and Ramsey County Property records.*

*-On June 8, 2016 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on June 14, 2016 with a compliance date of July 14, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*-Taxation has placed an estimated market value of \$31,200 on the land and \$70,100 on the building.*

*-The property went tax forfeit on July 31, 2016.*



- The Vacant Building registration fees were paid by assessment on November 30, 2015.
- As of August 19, 2016, a Code Compliance Inspection has not been done.
- As of August 19, 2016, the \$5,000 performance deposit has not been posted.
- There have been twenty-eight (28) SUMMARY ABATEMENT NOTICES since 2011.
- There have been twenty-nine (29) WORK ORDERS issued for:
  - Garbage/rubbish
  - Boarding/securing
  - Grass/weeds
  - Vehicle
- Code Enforcement Officers estimate the cost to repair this structure exceeds \$65,000.

Amy Spong, Heritage Preservation Commission (HPC):

- a 1925 one-story cottage; original owner, Ace G. Scott
- simple structure; there were no interior photos
- on the West Side; we don't have good survey work for the West Side
- was not identified in the 1983 historic site survey and not part of a potential historic area or district
- we have some very early structures scattered throughout the West Side
- SHPO -if federal funds are used in the demolition, there would not be an adverse effect
- demolition would not an adverse effect on surrounding historic properties

Ms. Kujala:

- county funds would be used for the demolition; the county does not have access to federal funds to be used for demolitions

Ms. Moermond:

- so there's nothing stopping you, right now, from going forward with your plans
- she will put a resolution in front of the City Council on Sep 21, 2016 that will give you 90 days to Remove the structure

Ms. Kujala:

- with all that we have going on, I will be lucky to get this down by the first part of Dec 2016

Remove the building within 90 days.

**Referred to the City Council due back on 9/21/2016**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 5     [RLH SAO 16-30](#) Appeal of Ron Richardson to a Summary Abatement Order at 964 CHARLES AVENUE.

**Sponsors:**     Thao

Ron Richardson appeared.

Inspector Lisa Martin:

- Summary Abatement Order issued Aug 5, 2016 to Sherry J Loyd and Darrell S Revels to remove a Blue Oldsmobile with expired tabs from 2015 that appeared to be

*inoperable from an unapproved parking surface; remove by Aug 12, 2016 or be towed*

*-photo of vehicle in back yard*

*-no site plan on file for an approved parking area in the back yard*

*Mr. Richardson:*

*-it's my car; property owners are family*

*-the car runs and I have tabs*

*Ms. Martin:*

*-handed Mr. Richardson a copy of the required paving in a residential parking area with a site plan; it needs to be approved; they will tell you what is an acceptable material to park on*

*Mr. Richardson:*

*-the garage burned down*

*-I just moved over there; I moved the blocks from what the garage was built on to the grass to park the car*

*Ms. Moermond:*

*-close..but no*

*-you need a driveway to get to a parking pad; a driveway can be as simple as 2 ribbons of cement to the parking pad; the parking should be concrete or asphalt (something not permeable)*

*-you can figure out what approach you want to take*

*-you can park on the street until the parking pad can get squared away*

*-an inspector will come by on Mon Aug 29 and the vehicle should be moved*

*-get your site plan in*

*Grant to August 29, 2016 to remove the vehicle from the unapproved parking surface or get approved parking surface.*

**Referred to the City Council due back on 9/7/2016**

**6**      [RLH SAO 16-31](#)    Appeal of Anthony Gulden to a Summary Abatement Order at 31 KIPLING STREET.

**Sponsors:**      Prince

*Anthony T Gulden and Susan J Bertrand, owners appeared.*

*Inspector Lisa Martin:*

*-Aug 15, 2016 issued Summary Abatement Order to remove fire damaged items: wood, metal, tires, rubbish throughout the yard; clean-up the rear yard; the garage appears to be gone but there's still a lot of debris in the yard*

*-photos take Aug 12 showing excessive amount of stuff in the yard*

*Mr. Gulden:*

*-the garage was done & taken care of right away; the insurance company wanted an inventory*

*Ms. Bertrand:*

*-we've been sorting things out before we can make our inventory; we are almost done and the dumpster is almost full; more things go in today and then, we can remove it*

*Mr. Gulden:*

-rear yard by the fence is clear and clean to make sure it's safe for our 2 big Great Danes  
-waiting to hear from the insurance company  
-we've taken a lot of photos for the insurance company

Ms. Bertrand:

-we just another week to get through the rest of it

Mr. Gulden:

-we want to start getting contractors, to  
-he has 2 shelves and a safe to take out yet

Ms. Moermond:

-Deadline is Sep 12, 2016

Grant to September 12, 2016 for compliance. Grant to September 12, 2016 for compliance.

**Referred to the City Council due back on 9/7/2016**

**7**      [RLH VO 16-36](#)      Appeal of Douglas M. Henneman to a Summary Abatement and Condemnation & Order to Vacate at 1536 VAN BUREN AVENUE.

**Sponsors:**      Stark

*Douglas Henneman, owner, appeared.*

*Inspector Lisa Martin:*

*-this originated Jun 13, 2016 with a complaint that came in regarding the condition of the property; I spoke with Mr. Henneman on site trying to gain access; original inspection date was Jun 29 at 10 am regarding a vehicle; we re-scheduled to Aug 9; in the meantime, she issued Orders on the exterior for tall grass & weeds, overgrown vegetation, some brush, wood and debris in the yard; also, a Red Chrysler appeared in operable with flat tires and expired tabs in the driveway; nothing has been resolved  
-Aug 9, we issued an Order of Condemnation for the property; Mr. Henneman started a construction project many years ago; no active permits for much of the work; holes in the floor, walls, ceilings; there's a lot of deficiencies  
-photos*

*-St. Paul Fire Dept posted this house on Aug 10, 2016 as a dangerous structure to warn fire fighters not to go into the building because they could fall through the flooring*

*-he would like to renovate this property but in it's current condition, it doesn't appear to be safe for someone to be staying inside this house while renovations are going on*

*Mr. Henneman:*

*-the vehicle's been moved; the fence has been taken down (posts still remain); brush has been removed; the yard is cut; the garage still needs to be painted and the chopped wood still needs to be removed; hopes to have it all done by the end of this week*

*Ms. Moermond:*

*-the Deadline for all of the exterior items is Mon, Aug 29, 2016; also remove all of the improperly stored items, #1 on the Summary Abatement Order*

*Ms. Martin:*

*-noted that the garage is not in the SA Order; the garage is under the Condemnation Order; it's not in danger of collapse; the roof & eaves just need some general*

*maintenance*

*Mr. Henneman:*

*-I live in the house; my wife lives in an apartment*

*-I just started a full time job in Mar, 2016 & I don't have a lot of cash but I probably can find a place to stay in the short term; the longer I can stay at the house, the more money I'll have to put into the house but I do understand that there are other issues and concerns*

*-this is the only asset we have; for a variety of reasons, we've never been able to save any money*

*-we almost lost this house in 2008 but re-financed during the hard times and our monthly payment is significantly lower; because of the job situation, we don't have money; most of what was done was things that I could do*

*-over the years, we have gotten several proposals & plans to deal with some of the issues that they saw*

*-bought house in 2000 (FHA loan) from a woman who had lived there since 1946, who hadn't done any upgrading; about 6 months later, we called the electrical inspector from the city to look at it and he said that the FHA blew it - they approved the loan although the house was not up to code; then, we realized that we had an electrical issue mostly in the upper unit (had been converted into a duplex at some point); there was no wiring in the ceiling; she had a lot of extension cords; we did what we could do to deal with the small things; we got a loan for the roof and insulation; had to put up a fence and started a permit to deal with the framing; a lot of flooring has been cut out; we had an engineer come to look and make recommendations on what needed to be done; we weren't able to pay him in full, so he didn't sign-off on it; I have his invoice, his recommendations, his notes, etc; it's not finalized; if I paid him the balance, he'd probably sign-off*

*Ms. Moermond:*

*-we're in a place where things have gotten a lot worse since you started; the Fire Dept placarded it*

*-now, it's figuring out how to get you back in there again, quickly and affordably, as possible; I think that will mean that you're not going to be the one doing all the work because time is going to be a consideration; it will cost you more to be living some place else than it would be to getting it done, etc.*

*-have you talked with nonprofit developers in your neighborhood area: Rondo Land Trust and Neighbor Works? Have a conversation with them; they do financing as well as fixing so that you could get in more quickly; we can provide information in the letter that will be sent to you in a day or two*

*Mr. Henneman:*

*-entered a 6-page list - a very detailed itemization for fixing things, which he has never been able to execute*

*-I can have the external items done by Mon, Aug 29, 2016 now that it doesn't involve the garage*

*-I've already begun to clean out any non-building materials*

*Ms. Moermond:*

*-you are thinking through all the right phases to get it fixed*

*-but this is a Condemnation and because the Fire Dept won't go in any more, I will have to have you leave the house, which will put this into the Registered Vacant Building Program - and it changes the game in terms of the Work Plan that you will need to do moving forward*

*-I think that you are aware of what needs to be fixed; this will provide a punch list; some things you can do by yourself; some things have to be done by a contractor, for example, plumbing work*

-the Code Compliance Inspection Report is one aspect of the VB Program  
-the second piece is that there's an annual fee of \$2000 (for you it's from Sep 2016 - Sep 2017); you can appeal that fee and I can get you a waiver for a certain period of time so that you can pull permits without having to pay the fee and get things rolling; I can also work on getting the fee prorated, if you are done in a shorter amount of time  
-this has you finishing in a year's time but there are things that you can do that can get you sign-offs before you have the finishing work all done; I want to make this as painless as possible  
-your next step is moving out of the house  
-talk to Rondo Land Trust and Neighbor Works  
-you'll get a letter saying you are in the VB Program and you need a Code Compliance Inspection Report  
-you can be in the house to work from 8 am - 8 pm  
-Vacate Date is Fri, Aug 26, 2016  
-apply for the code compliance inspection (\$450+); and after the trades people have been in, you will get a list of deficiencies  
-file an appeal on the VB fee; I'll waive it and you can start pulling permits

Grant until August 29, 2016 for compliance of the Summary Abatement Order; grant until Friday, August 26 for owner to vacate the property and refer property to Vacant Building Program.

**Referred to the City Council due back on 9/7/2016**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 8 [RLH VO 16-38](#) Appeal of Winston Nguyen, representing Dianna Dong Thi Bui, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 850 UNIVERSITY AVENUE WEST.

**Sponsors:** Thao

Winston Nguyen and Dianna Dong Thu Bui, owners; Thuy Hguyen, Washington Nguyen, Tina Tri Nguyen; Lauren Lightner, House Calls; and Heather Meyers, Southern Minnesota Regional Legal Services (SMRLS), appeared representing the Dianna Dounge Thu Bui and Winston Nguyen. (Thuy Hguyen interpreted.)

Inspector Lisa Martin:

-Apr 12, 2016, we received a referral about the house & garage at this address being in disrepair  
-numerous safety & maintenance violations, including peeling paint, missing siding & railings, broken windows, etc.  
-the bldg is an owner-occupied single family dwelling; there was a suspicion that they were running an unapproved business out of the home  
-the inspector went out and noted: peeling & flaking paint; saw signs that there was a notary public at the property; he sent a Correction Notice for the exterior painting of the bldg to be complied with by Jun 3, 2016  
-I spoke with Mr. Winston Nguyen, who said that he needed some extra time to get that done; I met with his painter and the paint job looked great on Jul 7, 2016; at that time, I asked to have access to the entire bldg because I could see from the exterior that it looked like a hoarding issue  
-they did not show up to allow access on Aug 12, 2016; Mr. Nguyen contacted me; we set up an appointment at which I met them & we walked through the property; I

asked if they had any children who could help them take care of some of these issues; they said that their children lived out of town; so, I made a referral right away to Ramsey County House Calls to get some assistance

-I issued a Notice of Condemnation; there were many doors to this house which would prevent exiting; there are also electric issues, excessive accumulation issues (not garbage; not dirty), just a lot of storage; with all the combustibles, we could not get anyone out safely if there were a fire at this property; we needed a plan to get things out; House Calls can provide some dumpsters to help get things cleaned out; we can try to get a hold of family to help; the main issue is the safety of the occupants and emergency responders going into the home

-we found padlocks on the exterior of many interior doors that also had numbers on them, making it appear to be a rooming building; in case of a fire, occupants could not get out of the rooms; all of the rooms have beds & clothing and look as though they are individually occupied yet the owners say that they and their son, Abraham, are the only ones who live there

Ms. Moermond:

-you Condemned this structure; this is a hoarding situation but a clean situation; this bldg does not have problems with mice or animals, etc; it's sheer volume; so, the fire load would be great and you can't get out of the doors

Ms. Martin:

-I have never seen so many doors in one bldg and so many individual locks on doors; the maximum number of locks you can have on a door are 2; here, each of the doors with numbers on them appears to be a rooming unit

Ms. Meyers:

-a lot has changed; we have pictures and their adult children are willing to testify  
-this is not a room & board situation; there's a very good explanation about why there are so many locks & pad locks

Mr. Winston Nguyen:

-explanation of locks & pad locks; our family has a son who is just like a child; he disturbs things so we need the locked doors; we talk to the social worker many times  
- they can do nothing; many times we want to put Abraham into a foster home because we can't go anywhere-he doesn't know anything; many times, he cooks a big pot enough for 20 people to eat; I feel like I'm in prison; he has a disability; the Dr. says that he is badly retarded; so, that's why I put on locks so he doesn't go into other people's rooms and do things that he shouldn't do because he doesn't know; we have 12 children and when they go to school, he goes into their rooms and disturbs things; the numbers on the door is because I collect things and put things in certain rooms; I talked to my wife and kids and say, "Thank you, Lisa; if not for Lisa, this may have not been discovered and I might get more stuff-more junk; also, because I collect things for when we go trip overseas, we bring it to the needy overseas; now, I learned a lesson - I should not do that

-no one else lives in the house except me, her & Abraham

-thank you for all my children; they are all so good; they came and helped us throw away things

-now, we'll get a dumpster go help out so that there's no more stuff around the house

-my children are so wonderful; sometimes, they did remind me, "Don't bring that stuff home-too many;" when I go on vacation/somewhere, they throw some things away

-I did go to legal service; used to work for them; they helped us; we'll get a dumpster

-please let us stay in the house; now it's clean; we will invite you to come & see

-photos

Tina Tri Nguyen:

-I moved to TX; when I came home, I'd see the bedroom and I said to take a lot of stuff out; mom said that your dad won't let you; now, I see a big change; yesterday, I flew from Houston; we got many bags to either throw or donate; dad's not going to keep anything any more; I was really happy about it because mom & dad let us to that & we will make it way better

Mr. Washington Nguyen:

-we looked over the Orders & took every item seriously; we took care of the pressing concerns

-I took care of the smoke alarms and CO detectors right away; we removed the old alarms that were no longer working

-I removed every pad lock and the hooks; I installed a dead bolt with lockable knob on the downstairs entrance, which they use the most; there are 2 main entrances and now they are easily accessible to enter & exit

-father went to get a permits for the corrections: general & electrical - will be overseen by DSI

-we cleared windows and doors for access

-I offered my parents to stay at my place; I do care about their safety; I love them & I wouldn't let them live there after reading the report; we made changes & will continue to do more; I want my parents to be able to live there

Ms. Thi Bui:

-thank you, Lisa, for writing us up; I feel happy about it; this gives me the power to do major cleaning; I am grateful to you; I couldn't live like that before; let me stay; I need to do more cleaning; this has given me great freedom

Ms. Lauren Lightner:

-I met this family this morning; I went from top to bottom; I was able to walk through

-there is still a high content of things but 2-3 dumpsters should help

-the family is extremely cooperative about helping to clean the house out and wanting assistance

-the garage is still full and needs to be cleaned out

-they may need some assistance with some of the repairs

Ms. Moermond:

-great that the smoke detectors and CO alarms have been taken care of; sounds like the hard-wired smoke detector may not have been functioning

Ms. Martin:

-they will need to make sure the hard wired one is working correctly or it may need to be replaced; should all be covered under the electrical permitted work

-has a number for someone to double check to make sure they are installed properly

Ms. Moermond:

-you will need smoke detectors/CO for guest rooms as well as for the sleeping rooms that they currently use

-#14 -plumbing fixtures (bathroom & kitchen)

Ms. Martin:

-main floor kitchen: couldn't find the sink; there were refrigerators; not sure what's in there; we'd have to take a look to see and make sure everything is working properly

Mr. Washington Nguyen:

-at one point, that room was a kitchen but now, they store fresh & frozen foods in the refrigerator/freezers plus other storage; he & his brothers plan to make that a kitchen again so that they don't have to go up and down stairs

*Ms. Moermond:*

*-you are all working together; you are here and cooperating*

*-deadline: let's get half of the remaining material out of the house by next Fri, Sep 2, 2016; Ms. Martin will take a look in the next day or 2 to confirm progress for my records; and there's a chance that she may see something that she didn't see before*

*Ms. Martin:*

*-is happy to meet you either tomorrow or Thu (will set up)*

*-she is available at 11 am on Sep 2*

*Ms. Moermond:*

*-I wish you well; we'll be sending you a letter to confirm my recommendation; we may have modifications to that letter depending upon what Inspector Martin sees; we'll hold off on sending that letter until after she has taken a look and sends me her information*

*-with the locks coming off the doors, how are you going to manage Abraham's movements in a way that all of you are safe?*

*Mr. Washington Nguyen:*

*-their main concern was with the kitchen and him accessing the stove; I'll set a lock with a key and you can open from the inside without a key - rather than a pad lock*

*-and, with the reduction of the clutter, there won't be anything for him to go through and disturb*

*-Abraham is not here right now; he's at his job training program for special needs adults*

*Ms. Moermond:*

*Grant until Friday, September 2, 2016 to reduce the volume of accumulation by half. Ms. Lisa Martin will inspect the property this week to make sure smoke detectors and carbon monoxide detectors are working properly, padlocks have been removed, confirm progress and will make recommendation for the balance of the repairs.*

**Referred to the City Council due back on 9/7/2016**

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

### **Fire Certificates of Occupancy**

- 9**      [RLH CO 16-29](#)      Appeal of Mai Yer Soung to a Fire Inspection Correction Notice at 569 DALE STREET NORTH.

**Sponsors:**      Thao

*Mai Yer Soung, owner, appeared.*

*Fire Inspector Leanna Shaff:*

*-Fire Certificate of Occupancy inspection Correction Notice*

*-we were here Aug 16, 2016; we talked about the fact that it had been converted to all office use without approval for the city*

*-Ms. Soung was to go to the Dept of Safety & Inspections, with a decision on whether to leave the upstairs residential or convert it to commercial; and pull a building permit for the remodel*

*-since then, Ms. Soung pulled a building permit on Aug 5, 2016 to convert the 2nd floor to all office use*



-Inspector Sutter, bldg inspector, met with the owner to discuss requirements for conversion.....walls constructed and finished without permit or inspection; electrical & plumbing work done without permit  
-plans were submitted

Ms. Soung:

-I need some time to consult with a contractor to make sure it meets code

Ms. Moermond:

-looking at the Order and coming to a resolution is her concern

-there are 3 things on the Order: storage area in the basement, fire extinguisher and this conversion to be dealt with

-thinks that in 90 days you should be able to complete the conversion

Ms. Soung:

-starting Oct 5, 2016, I will be out of the country for a month; and I need to look for a contractor

Ms. Moermond:

-will grant until Dec 7, 2016 to finish the conversion project

-the deadline for the other 2 items is Sep 9, 2016

Owner to work with Plan Review with regard to the second story use; grant until Dec 7, 2016 to finish conversion project; and grant until September 9, 2016 for Items 1 and 2.

**Referred to the City Council due back on 9/21/2016**

**10**     [RLH FCO  
16-118](#)

Appeal of Mark Cemensky to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 2156 SAINT ANTHONY AVENUE.

**Sponsors:**     Stark

No one appeared.

Fire Inspector Leanna Shaff:

-this was Laid Over to today about the driveway

-last week, "Ms. Moermond's recommendation is forthcoming; Supervisor Neis and Inspector Corey will re-visit the site to determine parking spaces allowable and the type of materials already in place and that an actual hearing might not be necessary."

-Inspector Neis was there yesterday and has emailed you some photos; you asked that they be attached in Amanda, which they are

Ms. Moermond:

-Mr. Neis writes: a portion is approved; the rest is unapproved parking surface, which would mean that new ground cover needs to be installed

-I think the Appellant needs to talk with Zoning

-will recommend denial of the appeal; granting until Dec 1, 2016 for compliance

Deny appeal and grant to December 1, 2016 for compliance on the parking spaces.

**Referred to the City Council due back on 9/21/2016**

**11**     [RLH FCO  
16-132](#)

Appeal of Robert Kopf to a Fire Safety Inspection Appointment at 950 ASHLAND AVENUE.

**Sponsors:**     Thao

*Robert Kopf, owner, appeared.*

*Fire Inspector Leanna Shaff:*

*-Fire Certificate of Occupancy Inspection appointment letter; inspection scheduled for Sep 20, 2016 with Inspector Mike Cassidy*

*-the last C of O inspection was finalized on Sep 21, 2015 by Inspector Robert Corey; unfortunately, that process had started long before that on Apr 16, 2013 by Inspector Mike Efferson*

*-due to personnel changes, etc, it got lost between the cracks; at that point, this bldg was rated a "C" which puts it in a 2-year cycle; and that clock starts ticking at the 1st inspection; so, basically, before we finished, it was due for the next inspection*

*Ms. Moermond:*

*-according to your appeal, you, Mr. Kopf, were told by the inspector in 2015, that it would be 3-5 years before another inspection took place*

*-asked Ms. Shaff to confirm that it is a Class "C" which is a 2-yr cycle (and she did so confirm)*

*Mr. Kopf:*

*-I believe that we had always been on a 3-yr cycle before that happened*

*Ms. Shaff:*

*-before 2007, our division typically for residential, only inspected 3-unit bldgs or larger & everything was on a 2-yr cycle; in 2007, we started doing single family and duplexes; at the same time, we started a grading system, A, B, C; the points are calculated on the deficiencies with life safety deficiencies having more points; and part of the delay was because we got a lot of new inspectors and we've also had quite a bit of turnover*

*Mr. Kopf:*

*-you have Mike Efferson listed as the inspector on Apr 16, 2013 but the inspector who came out was a woman and the reinspection was done by a woman; that appointment was not kept by the inspector; then, it took 2 years for your dept to re-schedule a visit; that was entirely on you and not on me*

*-in 2015, your inspector came out and the C of O was issued on Sep 21, 2015*

*-due to delays that I didn't cause, I believe the next inspection should take place this time next year*

*Ms. Shaff:*

*-the initial process started in 2013; the next inspection was scheduled for Jun 2013; on May 31, 2013, the Inspector Efferson writes: made a few corrections and is requesting an extension until the end of Jul 2013; so, he was there twice*

*Mr. Kopf:*

*-it was that follow-up reinspection that didn't happen*

*Ms. Moermond:*

*-I think you're driving this 3 times into the ground; it started in Apr 2013, you got your certificate in Sep 2015; the normal way they measure the time between certificates is from when they initiate the cycle; you want it to be measured from when they concluded the cycle because it was so recent.... all that doesn't hurt you; what it means for you is that you didn't have to pay a bill for those 3 years and you could have been in this position a year ago, paying another bill*

*-you're measuring it one way; and Fire measures it another way; and you think the way you are measuring is the correct way*

Mr. Kopf:

-I am saying that the normal way of measurement is not valid in this case because of the long delay of the city to come back out

Ms. Moermond:

-the inspector was last in the bldg on Sep 21, 2015 (Ms. Shaff: the next inspection is on Sep 20, 2016 - 364 days since the last one)

-asked what kinds of Orders came up since this is a "C" bldg

Ms. Shaff:

-the initial inspection on Apr 16, 2015, had CO alarms missing; damaged walls & ceilings in units & stairwells; exposed wood floors on 1st floor apt; worn carpet on main stairs-clean & maintain carpets; damaged bathroom floor; broken glass 2nd fl, basement & garage; excessive accumulation of combustibles in the basement; asbestos abatement; paint on accessory structures and main bldg; foundation grout for openings

-2nd inspection, end of May, 2016: still damaged walls & ceilings in units & stairwells; damaged bathroom floor; broken glass; basement storage; remove old bldg materials from around the yard & garage; paint for garage and main bldg; foundation needs grout

Mr. Kopf:

-the bathroom ceilings were stripped & repainted; bathroom floor was replaced; foundation was grouted; house painted; materials removed; I was working on it after the 1st inspection

Ms. Moermond:

-will recommend scheduling the next appointment during the 1st quarter of 2017

Grant until the first quarter of 2017 to make the next fire safety inspection appointment.

**Referred to the City Council due back on 9/21/2016**

**12 RLH FCO  
16-121**

Appeal of Joseph Fine and Robert Fine to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 690 CLEVELAND AVENUE SOUTH.

**Sponsors:** Tolbert

Robert Fine, owner, and Joseph Fine appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy inspection conducted Jul 20, 2016 by Fire Inspector Sebastian Migdal

-#2 - the wheel chair ramp is being appealed

-Inspector Migdal writes: Repair or replace the wheelchair ramp in an approved manner. When walking on the ramp at the time of inspection, the ramp was spongy.

-on 7/20/16, he writes: Ramp is still spongy in several locations. Rotted out boards were also observed. Have the ramp repaired or replaced by a qualified contractor under permit prior to the re-inspection deadline.

-photos

Mr. Robert Fine:

-the dispute is with nothing in the bldg; this used to be the Edyth Bush Theater; I acquired it 3-4 years ago; it's a great bldg and in great shape

-there is a meandering ramp on the outside

-when I acquired the bldg, it was vacant; now, we have a lot of tenants and I was thinking about just getting rid of the ramp but it was useful; it's all wood  
-last fall, because of new tenant coming in, who might use the ramp once in a while, I decided to fix up the worn looking ramp; so, I hired a contractor; all we did was put plywood over the base to provide extra support and painted it but because it's wood, it bowed a little underneath, so that when we put plywood on top, we got the complaint that it was spongy (softness in some areas because of the air space in between the woods); we sent our contractor back out there; he tried to fill the air space by drilling holes  
-it's not a safety issue; it is secure although there may be areas on this very long ramp that are a little bit soft but the ramp itself has no insecurities at all; what we did was to add more security; it would have been fine before; we could have just painted it; Joseph has videos showing him jumping on it pretty high and you cannot see anything move; you do not see anything physically move; this isn't something that bows, this is something that you can feel - a little bit of give; it's very secure; if this were a heavily used ramp, I might be more inclined to replace it but this is a left over ramp in the farthest area of the bldg and not even visible from most angles; only 1 tenant actually has access to the ramp  
-the code talks about constructed safety and capable of supporting a load and in sound condition; the ramp is totally in sound condition or we would replace it  
-the problem is that to completely solve the "sponginess," we may have to replace the whole thing; but it has nothing to do with problems of a wheel chair going up or someone walking on it, etc.  
-in the report, the inspector also cited that there's some wood that shows deterioration; we have found no deterioration - just flaking paint, which has nothing to do with support  
-and there is no insect / rodent infestation  
-frankly, we could rip the whole thing out; you can see that there's no way a wheel chair would have any problems with the ramp; I didn't know "spongy" was a violation even though I don't consider it spongy

Ms. Moermond:

-I want to see the VIDEO of Joseph jumping up and down; Inspector Shaff should see it too

Ms. Shaff:

-asked why the ramp went in; were there some accessibility issues?

Mr. Robert Fine:

-when I acquired this bldg, it had been used by the single tenant for 25 years; they were a semi-private public corporation that moved to a bigger headquarters; their agency dealt with people with disabilities and that's why they put in the ramp

Ms. Shaff & Ms. Moermond viewed the VIDEO

Mr. Moermond:

-I did not see deflection

Ms. Shaff:

-this had been a commercial space (?); not sure about ramp usage according to code  
-suggested that the building official, Steve Uhl, be consulted to see whether the ramp can even be removed or whether the repairs that were done were code compliant

Mr. Robert Fine:

-this only happened after this work had been done; and the worker said that maybe he should have put in thicker plywood

*-I did send another contractor over there and he said, "Yea, it does seem a little spongy"*

*Ms. Moermond:*

*-let's have the bldg official take a look; he can make a determination from that perspective*

*-what was done was not done under permit*

*-we could try to set up an appointment (Mr. Fine: I'd prefer a set appointment, if possible.)*

*-will Lay this Over to Sep 13, 2016 LH*

*-I may have a Resolution by phone or email by that time*

*Legislative hearing officer will contact building official to determine if the ramp can be repaired instead of removed.*

**Laid Over to the Legislative Hearings due back on 9/13/2016**

**13**     [RLH FCO](#)  
[16-133](#)

Appeal of Ivan Wijetunge to a Correction Notice-Child Care Inspection at 2149 EDGCUMBE ROAD.

**Sponsors:**     Tolbert

*Property owner has decided not to pursue with the change in use for child care center. Appeal withdrawn.*

**Withdrawn**

**14**     [RLH FCO](#)  
[16-131](#)

Appeal of Leo Cassady to a Fire Safety Inspection Appointment at 628 WESTERN AVENUE NORTH.

**Sponsors:**     Thao

*Leo F Cassady, owner, appeared.*

*Fire Inspector Leanna Shaff:*

*-Fire Certificate of Occupancy Inspection appointment letter sent by Inspector Jonathan Gaulke on Jul 20, 2016 for a single family inspection on Aug 8, 2016*

*-this is obviously not owner-occupied*

*-Mr. Cassady lists Mapleton, MN as his address; Chap 40 defines an owner-occupied bldg as one the owner of record lives in and is recorded at Ramsey Co as their primary residence*

*Mr. Cassady:*

*-it is owner-occupied; I've owned it since 1985 and it's not rental*

*-15 years ago, I was offered a promotion in the Mankato area; I held on to this piece of property because I had relatives in St. Paul; and it was cheaper for me than getting a motel room*

*-I've been retired now for a year and I'm trying to decide where I want to live*

*-no one has lived there except for me and my son for the last 30 years*

*-I occupy this house as much as I occupy my place down in Morris County*

*Ms. Moermond:*

*-the reason this came up is because the computer systems at the County and the City cross reference each other and identify when someone isn't an owner-occupant; when you are living in Mapleton and homesteading in Mapleton, you are not here; so, it got sent to Fire's C of O Program*

Ms. Shaff:

-Inspector Jeremy Hall, no longer with the city, inspected it and closed it out as not a C of O property back in Feb 2013; he received homestead documentation from Ramsey County verifying it as not a C of O bldg  
-Ramsey County 2016 proposed property tax lists 2015 as homestead and 2016 as not homesteaded; so, that's what triggered it

Ms. Moermond:

-the other piece is that records show that there isn't any water usage

Mr. Cassady:

-I'm there every other weekend and I don't take that many baths while I'm there and I don't water the lawn - I don't waste water; it's not that I don't have water; I have plenty of water  
-up until a year ago, I worked so, I spent most of my time in the Mankato area; I was holding on to this piece of property for convenience  
-I am still trying to decide where I want to live; I didn't know that a decision was going to be forced upon me

Ms. Moermond:

-if it's a non-owner occupied bldg, it needs a Fire C of O inspection  
-it's not a Vacant Building  
-will Lay this over for one month for you to decide  
-I won't make any decision or recommendation until then  
-one unit of water is a tiny, tiny amount of water; so, is that OK? Let me talk to an attorney to see what they think

Mr. Cassady:

-right now, I'd like to spend 3-4 months to spruce up the place; then, I'll put it on the market

Ms. Moermond:

-you don't have to do that; I'm not in a hurry to send an inspector over there  
-I'm not ready to grant/deny your appeal  
-when you know where you're going, I think I can help you get there  
-we'll talk in a month

Recommendation is forthcoming. Ms. Moermond is giving owner time to make decision on where he wants to reside, his home in Mapleton, MN or at this property.

**Laid Over to the Legislative Hearings due back on 9/20/2016**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 15     [RLH VBR 16-54](#) Appeal of Casey Doyle to a Vacant Building Registration Renewal Notice at 1048 VAN SLYKE AVENUE.

**Sponsors:**     Brendmoen

Brian and Casey Doyle, owners, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

-was made a Category 2 Vacant Building on Sep 9, 2015

-the dwelling was in foreclosure  
-there was a swimming pool that was not secured correctly and had stagnant water so, the city drained the pool and assessed the cost to the property taxes  
-12-21-2015, a Sale Review was approved by Inspector Reid Soley to the Doyles  
-since then, we have a code compliance inspection on file and permits; everything is going well  
-I have not noticed anything out of the ordinary with the property  
-I have been told that the pool has been used  
-this is a very nice neighborhood; and I have had VBs in that area before that have been complained about constantly; this one has not had even 1 complaint  
-assuming that we are here to appeal the VB fee due coming due in Sep

Ms. Moermond:

-asked about the securement of the pool area; have you checked to see if the fencing has been re-established in a safe manner?

Mr. Dornfeld:

-I have not been there since Jun; at that point, it was; and I haven't had any reason to check  
-this is a nice place if someone does it right

Ms. Doyle:

-we are close to being done; been working for the past 8 months

Mr. Doyle:

-we are very close to moving into the property  
-we are living with friends, right now  
-we've been talking with Steve Ubl; close to getting our Certificate of Occupancy  
-hoping to move in this weekend  
-we are here to talk about the VB fee

Ms. Moermond:

-will recommend a 90-day waiver on the VB fee

Mr. Dornfeld:

-asked them to promise to keep people out of the pool; lock it

Mr. Doyle:

-we keep it locked all the time; we put up a picket fence instead of the chain link fence that was there; you can't see our pool anymore

Mr. Dornfeld:

-we are not anticipating a problem

Ms. Moermond:

Waive the vacant building fee for 90 days. In the meantime, the pool gates must be secured until the repairs are completed.

**Referred to the City Council due back on 9/21/2016**

- 16**     [RLH VBR 16-52](#) Appeal of John and Marjorie Kisch to a Summary Abatement Order and Vacant Building Registration Notice at 612 WELLS STREET.

**Sponsors:**     Bostrom

Marjorie Kisch, owner, and her son John Kisch appeared.

*Fire Inspector Leanna Shaff:*

- this Vacant Building resulted from a Revocation of the Fire C of O by Inspector James Thomas in Jun 2016
- the C of O process started with numerous appointment letters; there were 4 letters before we got someone there for us to gain access
- the Revocation is due to some long term noncompliance (no shows; no repairs completed; tenant-landlord disputes)
- we gained access at the end of last Feb 2016

*Inspector Matt Dornfeld, Vacant Buildings:*

- Inspector Friel opened a Category 2 VB on Aug 4, 2016
- he documented that this is a 1-story wood frame single family house that's vacant and open to access; front door was open; west and south side windows were open; house was referred by Revoked C of O by Inspector Thomas; there were several broken windows, defective screens, siding defects, hole in the eaves, defective west side concrete steps
- mattress in back yard; table in front; a detached 8x8 metal shed is unsecured
- Mr. Friel issued a Summary Abatement Order on all of the exterior code violations
- 8-10-16, Mr. Friel noted that the bldgs are now vacant & secure; & exterior property area is maintained; the SA is in compliance; the city did not have to take any action
- owner has filed an appeal for the VB fee

*Ms. Moermond:*

- the Notice went to you and to Ms. Kisch at 510 115th Ave NW, Coon Rapids, MN; to Marjorie Kisch, 510 115th Ave NW, Mpls; and to Occupant

*Mr. Kisch:*

- I haven't received anything; we didn't get the letters
- the house was built in 1970; about 7 years ago, we turned it into a rental and my mom moved in with us
- we rented it to an 84 yr old woman and her 60 yr old son; they were down on their luck; the son's mother passed away 2 yrs ago and he thinks that by the smell and the stains in the carpet that she had laid there for some time before he called the city; they both suffered from paranoid schizophrenia so, we've had a number of issues over there; at times, when I'd go over to the property, he wouldn't answer the door; sometimes he'd sit with a pistol in his lap in the kitchen, so, I'm not just going to walk into the house
- we've had issues with the inspections; an Officer has met us at the property and the tenant agreed to open the door; the fire inspector was looking around and asked, "Where are all the cats? There's a smell in here of cats." (He had just come from a property where they had 140+ cats.) This property had only 2 cats; the smell was coming from the son; he had a rare lung disease; he was on oxygen; he'd sit in the kitchen and defecate on himself; he wouldn't get to the bathroom at all; the bathtub was full of feces - the house was bad; the officer was more concerned about his health and he put a note in the file for Section 8
- Mr. Kisch wrote a long letter (attached) with all of this information
- we put the house up for sale in Jun 2016 and explained to the tenant that he had to be prepared for someone coming to look at the house; the tenant was totally against that, saying he was sick and couldn't have people in the house; he is embarrassed because he's so dirty and smelled badly; it's terrible; right now, he's in the hospital; long term care; he moved out Jul 31, 2016
- I asked the inspector for an extension but received no response; we began cleaning and removing the contents; while we did this, the bldg was secured, doors were locked but windows were opened with fans to ventilate the dwelling
- on Aug 6, 2016, I found city code enforcement stickers on the windows and doors



*and the front entry door forced open; an inspection revealed no internal damage or stolen tools; we called the police and filed a complaint*  
*-we are in the process of bring everything up to code: alarms, carpet in the bathroom, furnace CO inspection*  
*-we are appealing the vacant property; it's not a vacant property; the tenant just moved out Jul 31*

*Ms. Moermond:*

*-Vacant Building wise; if you are a VB, you have to do a code compliance inspection; there's also a \$2085 annual Vacant Building fee*  
*-we have this Fire Certificate of Occupancy list - the Revocation; and I'm really getting a flavor of why there was long term noncompliance*  
*-asked about their plan*

*Mr. Kisch:*

*-we have the house for sale right now; we just dropped the price a little*  
*-the house is actually in fairly decent shape for a home from the 1870s; we plan to paint, put down some flooring and new carpet, etc; the smell is gone now since we got rid of all the carpet, etc.*

*Ms. Moermond:*

*-this is a pretty short list*

*Ms. Shaff:*

*-I am concerned about the property owner having difficulty with their tenants; and it sounds like that if it hadn't been for our inspection, everything would still be going on, which dismays her*

*Mr. Kisch:*

*-we had the property for sale before the inspection; it was May or Jun when we started the realty process*

*Ms. Moermond:*

*-I want you to get your Certificate of Occupancy; the inspector wrote the list at a time when the tenant was living there in his own poop; and I'm not seeing poop on the list; and so, I'm nervous about having another set of eyes; it sounds like you've pulled the carpet... this stuff is gone now*  
*-if you can get your C of O by Oct 1, 2016, we'll get you out of the VB Program & you can avoid the code compliance inspection and VB fee*  
*-make an appointment with Inspector Thomas soon; a couple of other things might pop up*

*Mr. Kisch:*

*-we didn't get a mailing; we didn't get the list; Mai gave me the list*

*Ms. Moermond:*

*Grant the appeal on the summary abatement order as the issues have been abated; change to VB Category 1 and grant until October 1, 2016 for owners to get the Fire Certificate of Occupancy reinstated.*

**Referred to the City Council due back on 9/21/2016**

- 17**     [RLH VBR 16-53](#) Appeal of Malcom Terry & Brook Nelson to a Vacant Building Registration Notice at 162 GEORGE STREET WEST.

**Sponsors:**     Noecker

*Owner has withdrawn his appeal.*

**Withdrawn**