



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, October 25, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 15-44](#) Ordering the rehabilitation or razing and removal of the structures at 689 CONWAY STREET within fifteen (15) days after the December 16, 2015, City Council Public Hearing. (Amend to remove or repair within 180 days)

Sponsors: Prince

Aaron Rubenstein, Historic St. Paul, appeared.

Mr. Rubenstein entered documents.

Ms. Moermond:

-we were looking for a revised letter of commitment from Twin Cities Community Land Bank; a scope of work-that's changed because now you are using a different main contractor, Paul Ormseth; and GAP Youth Build will do the interior demo and framing; the work plan covers both their activities; and financing to complete the project; total cost talked about last time was \$195,000; assumes that the property has been maintained; lastly, the performance deposit (when Wells Fargo donated the property to Historic St. Paul, they said to take their performance deposit, too; however, it's been a while developing the plan and Wells Fargo included it with a list of properties that they wanted a performance deposit returned on; that was a mistake; I called you folks to let you know that you were losing your perf dep and either you or Carol had already talked to them; we heard from the attorney, who said, "We didn't mean to do that! Put the perf dep back into place;" but Mr. Magner's people had already shredded the return of the perf dep so that there actually is money and day 1 will be when this resolution passes

Inspector Steve Magner, Vacant Buildings:

-for clarification, when the project is finished, we should be returning the perf dep to the original party, Mr. Dockry, Attorney; and not to Historic St. Paul

Mr. Rubenstein:

-went thru the plans for redevelopment documents that he entered
-first page on the bottom is the existing first floor plan; the top half is the slightly revised first floor plan (remodeling the kitchen; changing doorways); second floor new floor plan is on the top half of the next page (we're creating a new hallway down the

middle of the second floor where none existed creating 3 bedrooms plus a den); next page is development budget total cost: \$209,445; it's gone up a bit; total sources of \$210,000

-Wells Fargo gave us the house and \$15,000 to cover the gap

-next page-expenses to date

-next page-email from Rondo Community Land Bank - good for \$200,000

-next page-construction costs broken into 2 phases: 1) Paul Ormseth, general contractor to do phase 2; and phase 1 (first 3 months) the project doing demolition and framing comes to \$12,000

-subsequent pages are the phase 2 costs broken down into code compliance work and remodeling

Ms. Moermond:

-one thing different about this rehab is that there's a request for 2 building permits to be pulled: 1) by Gap Youth Build; and 2) Mr. Ormseth; traditionally, these rehabs have had 1 building permit covering the entire project; is that the preference of the bldg official?

Mr. Rubenstein:

-yes

Ms. Moermond:

-I did consult with Mr. Ubl, bldg official, last week and given the circumstances on this one, he is willing to do 2 separate bldg permits; GAP Youth Build isn't operating under Mr. Ormseth; they are on their own

Mr. Magner:

-I will make sure that we make a note of that and we will put it into AMANDA; I will have Reid Soley double check with Steve Ubl for the verbiage so that the clerks can issue those permits separately

-I will also make a note to return the performance deposit to Mr. Dockry

Amy Spong, Heritage Preservation Commission (HPC):

-2 separate contractors; 2 separate permits but that does break it down into exterior and interior because this is something we've been doing a lot of for the Cat 3 VB in historic districts, which this one is; in order to get that moving on the interior work, they will often separate out a permit, often times, and then do an exterior permit that we're working on

-we've had a couple of issues though where we have issued a Certificate of Approval but it didn't get matched up with the appropriate permit; also something you need to pay attention too

Ms. Moermond:

-maybe put a note in the file for Reid Soley so that both permits should be forwarded to HPC for review

Ms. Spong:

-and we're looking only at exterior items; not necessarily at interior items

Mr. Rubenstein:

-the only part of the GAP Youth Build scope that's exterior is a new _____ over the basement access in the rear

Mr. Magner:

-so, we will make a note that both permits need to go to HPC

Ms. Moermond:

-Mr. Ubl asked that there be clear language on what tasks are covered by which permit so there's not confusion about who needs to be dealing with what

Mr. Rubenstein:

-the next section is the cost related to the code compliance work, which adds up to \$79,000; and the following section is the remodeling work, which adds up to \$41,000
-the last page is the misc costs
-total is \$143,000 for Phase 2 and \$12,000 for Phase 1 = \$155,000
-timeline: permit and HPC approvals in Nov, 2016; GAP Youth Build's work - Dec - Feb, 2017; Paul Ormseth's work - subsequent work to Jul 2017

Ms. Moermond:

-City Council Public Hearing is Wed Nov 2, 2016 with a recommendation for 180 days to rehabilitate or remove the building
-the City Council will go with my recommendation on this matter unless someone will speak against it; I am not aware of anyone who wishes to speak against this rehabilitation

Mr. Magner:

-get your permit applications in now so that Ms. Spong and her staff can start working on those so that they are ready to be pulled ASAP

Ms. Moermond:

Remove or repair the building within 180 days.

Referred to the City Council due back on 11/2/2016

2 [RLH RR 15-13](#)

Ordering the razing and removal of the structures at 870 FULLER AVENUE within fifteen (15) days after the June 3, 2015, City Council Public Hearing. (Public hearing continued from January 6, 2016) (To be referred back to Legislative Hearing on June 21 14, 2016; Council public hearing to be continued to July 6)

Sponsors: Thao

Greg Finzell, Rondo Community Land Trust, appeared.

Mr. Finzell:

-I have not yet come up with all of the heirs for probate; many people have worked on this & they have not come up with all of the family
-Marvin Anderson actually tracked down someone who knew the family in CA; turned out that he has Alzheimer's; his daughter tried to help but she couldn't get any information about where the remaining family members were
-Stephanie Wright also knew one of the family members; I tried talking to her
-we are trying to talk to the next generation down; a number of people took the challenge because they know the family and felt that they had a shot at it

Vacant Buildings Manager, Steve Magner:

-house forfeits Aug-Sep 2018

Ms. Moermond:

-the county doesn't care about this property; they have a difficult time with the family's property across the street, a very bad experience with the family and the neighbors, so they are not very motivated to take an interest in dealing with this one; so, my

concern is that if we get to that place, this is over unless somehow they can be convinced to sell it.....

Mr. Finzell:

-I can give it one last shot with the family
-I can also talk with Kris at Ramsey County

Ms. Moermond:

-the county did rehab the property across the street; it turned out fine and it did sell but they found it to be a painful process
-asking the court to expedite the forfeiture is gone; if we had the interested parties and their contact information, there'd be a chance that we could ask the court to forfeit this with the county more quickly and then, a nonprofit could step in;
-we need to call this our last run around the track on it

Mr. Finzell:

-I think the E. Diane Smith is tired of this but I think that she can still make a decision
-maybe we can enlist House Calls to talk with her as well

Mr. Magner:

-I'm concerned that we've dragged this on so long; thinking that there needs to be more activity here; from DSI's standpoint, I think we need to consider making a recommendation to do 30 or 45 days, and then, if something happens, we can pull it back; but it seems like we're going way too far out on this one

Ms. Moermond:

-will grant 30 days to get people's input; after that I will make a recommendation to the City Council
-asked about the maintenance

Mr. Magner:

-a Work Order went out Oct 18, 2016 for tall grass & weeds
-a tall grass & weeds Summary Abatement went out in Sep & Aug 2016
-SA on the yard in Sep 2016
-we've had Work Orders in Oct, Sep 2 in Jul, 2016

Ms. Moermond:

-looks as though no one cares enough to step in and maintain the property and the assessments are piling up

Mr. Finzell:

-we've not yet asked the neighborhood if they are willing to help with maintenance but we can do that for a month or so

Ms. Moermond:

-will Lay this Over for 4 weeks to Nov 22, 2016 LH

Laid Over to the Legislative Hearings due back on 11/22/2016

3 [RLH RR 16-35](#)

Ordering the razing and removal of the structures at 1242 HEWITT AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (To be referred back to Legislative Hearing on October 25)

Sponsors: Stark

Tyler Layman, ReMax, appeared o/b/o Chronos Solutions and US Bank

Mr. Layman:

-I was sent by Chronos Solutions, which was hired by US Bank as the asset management company, Dallas TX

-they hired me to handle the maintenance and market it, eventually

Ms. Moermond:

-Chronos Solutions took over the file on this property from Safeguard or someone else; they were new to this when we started; no one had been taken care of business; it was ready to be demolished; it had been so poorly managed; no one had been coming to hearings to engage in conversation to problem solve; by the thinnest hair, there was an attempt to come into compliance with the requests from my office; they ordered the code compliance inspection but there was no lock box; then, there was a complaint that city staff could not get in because the lock box was not there; the inspectors had been sent out twice; I asked a favor of the building official to do the code compliance inspection ASAP so that the City Council could consider the matter; he said that he'd do it for me; but there was no lock box

Mr. Layman:

-I was in the property 5 minutes after they were there; Matt Martin/Chronos Solutions took this property over; the prior servicer decided to fire them; they fired them for a reason; no one work on things; no one would manage properties

-this property was in redemption; US Bank has taken a different stance on redemption properties, not necessarily with what state allows..... redemption is now over with, which is about the exact time that I was brought in on this; advancement was never sought; in redemption, US Bank wants us not to even approach the property; so, I was slapped on the wrist for taking a picture of the posted Notice on the door; after that things seem to move forward a little quicker

-now, I'm here; I go to the property weekly; I have a local management company monitoring it, as well

-the prior company to Chronos went in before you gentlemen, so kindly went back, and attempted to drill out our highly secure Schlage locks, which can't be drilled out without a platinum drill bit, thinking that they still were allowed to re-key the property, which is why your gentlemen could not get into the property to complete the inspection; we went back out to the side door, removed the locks and re-did it -now, that I'm working on this, I'm the point of contact and I'm the one who's monitoring it, managing it - trying to make this a good property and prevent it from being taken down

Ms. Moermond:

-asked Mr. Wagner to repeat the staff report on Aug 2, 2016 on this

Inspector Steve Wagner, Vacant Buildings:

-do you want me to thru the Oct 3 letter - a lengthy letter?

Ms. Moermond:

-let's get the basics

Mr. Wagner:

-reviewed Oct 3 letter (attached)

-at letter was sent to Mr. Barbee Usset, Weingarden & Liebo PLLP to inform him that the LH on this was held on Sep 27, 2016 at 9 am; no representative was present and we had still not received a work plan; there had been a phone conversation on Sep 21, between members of our office and Terri Hunter at Chronos Solutions to avert a vote for the property's demolition by having this matter sent back to LH for Sep 27, 2016; it was agreed that the LHO would ask for a delay if you client were to

address the following conditions: 1) post a \$5000 performance deposit; 2) apply for a code compliance inspection; and 3) obtain a general contractor to inspect the property and start a work plan or sworn construction statement

-after the LH on Sep 27, we received an email from Brandon Wilmore at Chronos Solutions; he indicated that they were now in possession of the property and had re-keyed it and replaced a lockbox; additionally, they have sent a preliminary work plan for the LHO and the Vacant Building Mgr for review

-since they have met the first 3 required conditions, Ms. Moermond is asking the City Council on Oct 5, 2016 to refer the matter back to the Oct 25 LH at 9 am; this should give ample opportunity for the development of a revised work plan incorporating the forthcoming code compliance inspection findings and allow to demonstrate the financial plans to execute the rehabilitation; also, based on review by Mr. Wagner and Ms. Moermond, there will be significant changes required once they receive the code compliance report; based on our experience, the scope will need to be broadened as internal city estimates are that the project will cost in excess of \$50,000 rather than the \$30,000 estimate provided; in these cases, Ms. Moermond usually asks for bids from each of the trades involved; lastly, she wants to let you know that she has asked the building official to expedite the code compliance inspection so that a revised work plan and financial documentation can be provided no later than the Oct 25 LH.

Ms. Moermond:

-we have the \$5000 performance deposit now

-they are maintaining the property (no recent summary abatement activities on record); last SA in May 2016

Ms. Spong, Historic Preservation Commission (HPC):

-this is a 2-story Victorian builders box with some Queen Anne influence from 1913, certainly representative of the area; cross-gabled roof and an open front porch with one over one double hung windows

-original owner was RH Heimbach, who is also listed as the contractor

-non historic siding, maybe covering up earlier siding, early footprint and form still present

-Hamline Midway neighborhood, survey from 1983; this property was not identified for potential historic resource or part of an historic district at that time

-no Sanborn Insurance map for this area

-this area is going to be re-surveyed in 2017; we already have grant money and are under contract to begin that; it would be a shame to have the house torn down before we can actually go in and do an updated historic site survey on this area; there is potential, but we don't know where those districts may be identified in this neighborhood;

-this house sits up on a hill, somewhat of a stately setting; the block faces have similar eras of development

-if the recommendation were to remove this house, we should at least do some photo documentation prior to that

-this was reviewed by SHPO in case CDBG funds are used for its demolition; they said that the property does not appear to be eligible for the national historic register

-our survey will look at both national & local eligibility

Ms. Moermond:

-looks like you've had a general contractor go thru and prepare a statement; you got some comments back on what was prepared; have the \$30,000 bid (a pre-bid)

Mr. Layman:

-I advised them to stick to a local general contractor now that I'm managing this

-once we have the code compliance inspection report, we will be able to tighten up the bid; it's been explained to the bank that the \$30,000 pre-bid is a far cry from

the actual total cost

-the bank will spend the money to get the job done

Ms. Moermond:

-we need something in writing from the bank that they are willing to do this rehab; the amount in the memo from Mai indicates that the cost per city staff will be in excess of \$50,000

-I need something that shows me the sub bids done by individual trades; then, we'll have a better idea of what the actual total cost will be

Mr. Layman:

-we had just 2 days to prepare this which is why it's lacking

-noted that he advised \$60,000

Mr. Magner:

-I will talk to the building official, Steve Ubl, today to see if he can expedite the code compliance inspection/ report to get it done this week

Ms. Moermond:

-I'll Lay this Over to Nov 8, 2016 LH, with the intention of putting it on the Nov 16 City Council Agenda

-hopefully, you'll have the inspection report by Halloween from which you can develop all of those bids and work plan with specific timelines connected to it for when things are going to be done; so that, in mid-Nov, you will get a grant of time

Mr. Layman:

-the roof has got to get down first; all the neighbors are calling him and he's trying to work with them; we did send someone up there and they said that it could not be repaired; it needs to be re-done; the roof will be item #1 to do; I know that the bank can approve that within a day

Ms. Moermond:

-I will look for a letter from a bank official indicating that they will spend the money to finish the rehab

Conditions to be met:

1) provide a letter of commitment from the Bank dedicating the amount of funds for the project;

2) provide a detailed work plan, with timelines, or sworn construction statement and must be done in accordance with the code compliance inspection report; and

3) provide bids from general and subcontractor bids.

Laid Over to the Legislative Hearings due back on 11/8/2016

4 [RLH RR 16-47](#)

Ordering the substantial abatement/cleanup of the property at 776 DESOTO STREET within fifteen (15) days after the November 16, 2016 City Council Public Hearing.

Sponsors: Bostrom

Thomas DeLisle, Delco LP, owner, and Frank Winship, occupant, appeared.

Vacant Building Manager, Steve Magner:

-property is zoned I-1, light industrial and contains a single-story, commercial/industrial warehouse on a lot of 19,602 sq.ft. The current property owner is Delco LP per AMANDA and Ramsey County Property records. The known

occupant of the property is Frank Winship.

-in Oct 2015, a complaint was received that the property was being operated as a recycling collection center. On Oct 28, 2015, orders were issued by DSI-Zoning to immediately cease operations and remove all scrap metal from the premises or obtain the required recycling collection center business license. The owner and/or occupant failed to comply with those orders so a subsequent letter was sent Jan 12 & 22, 2016, again ordering all operations cease or that the owner and/or occupant obtain the appropriate business license. Since the owner and/or occupant have failed to comply, the matter was forwarded to DSI-Code Enforcement to proceed with substantial abatement orders against the property.

-On Jul 28, 2016, Code Enforcement conducted an inspection of the property; a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Property was posted on Aug 15, 2016 with a compliance date of Sep 15, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Real estate taxes are current. Taxation has placed an estimated market value of \$99,600 on the land and \$33,600 on the building.

-Code Enforcement officers estimate the cost to abate this property exceeds \$20,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to abate/cleanup the property within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to abate the nuisance and assess the costs to the property.

-from time to time we issue these substantial abatement orders to comply with Chapter 45 to abate something that, we believe, the cost would exceed our \$5000 threshold that's set forth in ordinance

-we are not removing the structure here; we're just looking at cleaning the site

Mr. DeLisle:

-what do you want cleaned?

-what besides the scrap metal needs to be removed?

Ms. Moermond:

-Aug 15, 2016 letter says immediately cease operations and remove all scrap metal and other materials from the exterior of the property

-invited all to come up and view the photos with her

-explanations were given by Mr. Winship

Mr. Magner:

-this is primarily, a land use issue; and based on its land use and conditions required for doing that type of business there; it would not be allowable there; if the use was contained 100% within the building and everything happened inside of the building, then, you'd just need the license to run that business

-but without the license and doing this work on the exterior, it constitutes a nuisance condition (storage)

-in this zoning, there's no exterior storage allowed; you can have a building; you can have a parking lot; but you can't put into the parking lot: dumpsters, scrap metal, items to be stored; it would be similar to a residential property; you can't just decide that you're going to put tractor trailers in the backyard of a residential property

-zoning is asking us to remove anything that would be considered storage

-items in the photos show large containers/truck boxes that are used to store items

Mr. DeLisle:

-what if it were covered with a tarp, for instance?

Mr. Magner:

-no; it's still storage
-and a truck box is a stored object with storage in it

Mr. Winship:

-also stored: new steel door with frame on a pallet; walk-in cooler on flatbed; my son's boat; big air tank; etc.

Mr. Magner:

-Zoning is asking use to inform you about what's not clear enough in their letters; the site cannot be used for storage; if all these items were in the building, there'd be no issue

-whether it's property than you own or rent, the use of the land is dictated by the Zoning authority, who is saying, "You can do this but you can't do this"

-under Chap 66 of the Legislative Code, recycling collection center is a permitted use in an I-1 light industrial zoning area subject to the following conditions: -facility shall not abut property zoned for residential use" (one of the issues); you need to be 300 ft from a residential use

-unless you get a variance but I don't know if the BZA would give you a variance for that specific item

Mr. Winship:

-what license are you talking about?

Mr. Magner:

-you would have to have a license to process at that location; Zoning's interpretation is that this is a recycling collection facility; they're seeing piles of stored materials there; their assumption is that these materials are being brought in and removed at some point, which meets the definition of recycling collection; even if those materials were never moved off the sight, you'd still have problems with the storage

Mr. Winship:

-with that being said, the property's worthless

Mr. Magner:

-you really need to go back and talk with the Zoning Administrator and her staff; ask her, if this use, as it is, is not allowable, how can I get this use allowable or what would be the other options for this use; there are uses for I-1's; we have them all over town

Mr. Winship:

-it's good property; and a great bldg
-it's very orderly

Ms. Moermond:

-Zoning is looking at this and seeing big bins and that in those bins are stored like materials (big wood chips; tires; metal; etc.); they're saying it's sorting and recycling of these materials; the same as has been observed over time

Mr. Magner:

-the orders say to immediately cease operations and remove all the scrap metal from the premises or obtain variances to a, c & e listed in the Board of Zoning Appeals and obtain the required recycling collection center business license (you can't get the license unless you get a variance because of the proximity to the residential area)

Mr. DeLisle:

-we have a hard time having it being called a recycling facility; there's no public....no

one bringing things; he's just a hauler; Frank likes to save stuff

Mr. Magner:

-that's their interpretation; I can't change their interpretation

Mr. DeLisle:

-we need to change their interpretation by talking to them?

Mr. Magner:

-pretty much; you need to talk to the zoning people

-basically, we have the same situation going on at the next property, 778 Jessie Street

-have a conversation with zoning staff; ask them how Frank can continue his operation there; is there any allowable way of doing it? How do we do that?

-part of the problem, the zoning got changed over the years; originally, that zoning came down that far; I think part of it got rezoned; because now we have this use right up against a residential use and the two don't mix; there's supposed to be something of a buffer in there but there's not

Ms. Moermond:

-you need to go to DSI and talk to someone who is skilled in both zoning and licensing skills, preferably a Project Facilitator to bridge this situation; suggested Larry Zangs, 266-9082; he will have the best understanding (DSI Zoning); we'll have him also look at 778 Jessie Street

-Layover to Nov 22, 2016 LH

-I want to give you guys a shot to get your paperwork squared away but it's a tough row to hoe; you have a tight proximity to residential that will be hard.....

-I want you to discuss this with Larry Zangs and get completed application for the necessary licenses and zoning changes for both parcels (776 DeSoto & 778 Jessie); get it done by close of business on Nov 14, 2016; I don't know if you'll need an attorney; get a hold of them right away and get your paperwork in; I want to see something happening; if I can see progress, I can tell the City Council that these gentlemen are working to resolve this problem and I can see giving it another month to let them push it through the BZA process but if I don't see a completed application, then, I have so much noise that I would say, "I know how to resolve it; I'll ask the City Council for a vote to simply remove things from the property"

-with respect to removing things from the property: if you do it, it's your stuff and you put it where you want; if the city hires a contractor to remove it, there's a provision in the resolution that the Council adopts so that if we demo a bldg or whatever, it says that everything that's left in that bldg belongs to the contractor; that same kind of provision would be in this particular case; so, you want to be the one to remove things to drive down the cost

-I feel like you guys will be following thru on this; if it makes sense, I will set up a hearing and have Larry Zangs present, too, to hammer it out

-you do your part & I will ask the City Council for another month in order for us to take the next step

Layover for owner to communicate with Zoning about what can or can't be at the property.

Laid Over to the Legislative Hearings due back on 11/22/2016

5 [RLH RR 16-48](#)

Ordering the substantial abatement/cleanup of the property at 778 JESSIE STREET within fifteen (15) days after the November 16, 2016 City Council Public Hearing.

Sponsors: Bostrom

Ray Caliguire, owner, appeared. Frank Winship, occupant also appeared.

Vacant Building Manager Steve Magner:

-the property is zoned I-1 light industrial and contains a single-story commercial/industrial warehouse on a lot of 4,792 sq.ft. The current property owner is Ray Caliguire per AMANDA and Ramsey County Property records. The known occupant of the property is Frank Winship.

-in Oct 2015, a complaint was received that the property was being operated as a recycling collection center. On Oct 28, 2015, orders were issued by DSI-Zoning to immediately cease operations and remove all scrap metal from the premises or obtain the required recycling collection center business license. Since the owner and/or occupant have failed to comply, the matter was forwarded to DSI-Code Enforcement to proceed with substantial abatement orders against the property.

-on Jul 28, 2016, Code Enforcement conducted an inspection of the property; a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Property was posted on Aug 15, 2016 with a compliance date of Sep 15, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-real estate taxes for the first half of 2016 have been paid. Taxation has placed an estimated market value of \$29,300 on the land and \$47,700 on the building.

-Code Enforcement officers estimate the cost to abate this property exceeds \$20,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to abate/cleanup the property within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to abate the nuisance and assess the costs to the property.

-read first part of the Zoning letter referred to dated Oct 28, 2016 (attached); "There's no record of this office approving or having received a request to approve a recycling collection center license at the referenced location and there's never been a license issued for the referenced location for the use was never legally established and you must comply with the current standards for recycling collection center. Therefore, in order to bring the property into compliance, you must either immediately cease the operation, remove all the scrap metal from the premises or obtain a variance for conditions of a, c & e listed above from the Board of Zoning Appeals and obtain a required recycling collection center business license."

-broken down: we have a gentleman who's running a business; he is doing it at 2 different parcels; they are owned by different individuals; he is hauling recycling around and some of the product is ending up back at these locations on Jessie & DeSoto; the city says that you have to have a license to do that and you have to meet certain zoning requirements

-most likely, you need to talk to Larry Zangs, DSI and ask: 1) how would I get variances to conduct this business at these 2 properties (778 Jessie St & 776 DeSoto St) and how do I get the licenses for these 2 separate addresses

-Land Use has a couple components: 1) can you do what you want to do on the parcel? and if you can; 2) you also need a license to do that

-this is more of a commercial type recycling center (collect, sort & sell)

Mr. Caliguire:

-read what he thinks must be a misprint from the Aug 15, 2016 Order to Abate Exterior Nuisance he received: "Previously licensed recycling collection center license has lapsed"

Mr. Magner:

-there was never a license at this property; it's either a misprint or an assumption that there was a license there

Ms. Moermond:

-scheduled to go to City Council Public Hearing Nov 16, 2016

-I want to give you guys a shot to get your paperwork squared away but it's a tough row to hoe; you have a tight proximity to residential that will be hard.....

-I want you to discuss this with Larry Zangs and get completed application for the necessary licenses and zoning changes for both parcels (776 DeSoto & 778 Jessie); get it done by close of business on Nov 14, 2016; I don't know if you'll need an attorney; get a hold of them right away and get your paperwork in; I want to see something happening; if I can see progress, I can tell the City Council that these gentlemen are working to resolve this problem and I can see giving it another month to let them push it through the BZA process but if I don't see a completed application, then, I have so much noise that I would say, "I know how to resolve it; I'll ask the City Council for a vote to simply remove things from the property"

-with respect to removing things from the property: if you do it, it's your stuff and you put it where you want; if the city hires a contractor to remove it, there's a provision in the resolution that the Council adopts so that if we demo a bldg or whatever, it says that everything that's left in that bldg belongs to the contractor; that same kind of provision would be in this particular case; so, you want to be the one to remove things to drive down the cost

-I feel like you guys will be following thru on this; if it makes sense, I will set up a hearing and have Larry Zangs present, too, to hammer it out

-you do your part & I will ask the City Council for another month in order for us to take the next step

Layover for owner to communicate with Zoning about what can or can't be at the property.

Laid Over to the Legislative Hearings due back on 11/22/2016

11:00 a.m. Hearings

Summary Abatement Orders

- 6 [RLH SAO 16-40](#) Appeal of Kimie Clinton Kearney to Summary and Vehicle Abatement Orders at 408 BANFIL STREET.

Sponsors: Noecker

Kimie Clinton Kearney, owner, appeared.

Ms. Moermond:

-we put a date on this; have you started the process?

Ms. Kearney:

-my son requested a title replacement for the Audi; I have paperwork; he hasn't received the title as of yesterday; the DMV told him that it could take up to 2 months; he applied for it on Oct 17, 2016

-we can't get the title for the smashed car; apparently, it's fallen off the system; so, I talked with Parking Enforcement and I sent an email to Mai; the woman at Pkg Enf suggested that I contact the DMV to find out if I could get a quit-claim on it; then, I could have it tagged & towed; another option was to have the city tag & tow it; or I could call a private company to have it & towed; and it all costs money

-I will keep calling private companies to see how much it would cost

Ms. Moermond:

-deadline for the vehicles will be Dec 16, 2016; either they are gone or the city will take them; or they could be properly licensed & parked on an approved surface
-how are you doing with the yard clean-up?

Ms. Kearney:

-I sent an email to Mai letting her know that I will be able to have the money to rent a truck to take everything away until Nov 18, 2016; I tried to talk with Mark Kaisersatt but he was on vacation last week so, I talked with Paula; I asked her about the concrete block and she wasn't sure why that was written up because they were stacked; I asked if I could use them to make a raised garden bed in my backyard and she said that would be fine, so that's what I'm going to do with the concrete block

Ms. Moermond:

-will grant until Nov 21, 2016 to get rid of the stuff in the yard
-deadline for the soffit/fascia: Dec 1, 2016

Grant to November 21, 2016 for the clean-up of scrap wood/metal, fencing, concrete blocks and all misc rubbish from back yard; grant to December 1, 2016 for soffit and fascia; and grant to December 16, 2016 to remove the vehicles unless properly licensed, operable and parked on an approved parking surface.

Referred to the City Council due back on 11/16/2016

- 7 [RLH SAO 16-41](#) Appeal of Dr. Michael W. Ross to a Summary Abatement Order at 883 FRY STREET.

Sponsors: Stark

Grant the appeal as the property is in compliance.

Referred to the City Council due back on 11/16/2016

Correction Orders

- 8 [RLH CO 16-38](#) Appeal of Brad Woodbury to a Correction Notice at 1105 IOWA AVENUE WEST.

Sponsors: Brendmoen

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 11/8/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 9 [RLH VO 16-44](#) Appeal of Glenn Bartelmy, on behalf of owner Samantha Bartelmy, to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 1323 BUSH AVENUE.

Sponsors: Prince

Glenn Bartelmy, o/b/o Samantha Bartelmy, his daughter, who owns the property.

Condemnation/Unfit for Human Habitation-Order to Vacate

Mr. Bartelmy:

-my dad lived here for years; he did some work; my grandfather built the house in 1923, I think; and when my dad passed away, I gave my inheritance to my daughter and bought my sisters out of this house, so that she could have extra money to help pay for her college; so, we filed with the city as a triplex; we had a fire inspection; we found out that none of the work there had been inspected; a week ago that all the tenants had to leave; so, I appealed

Fire Supervisor Leanna Shaff:

*-this is a combination of a Fire Certificate of Occupancy Inspection conducted by Inspector Daniel Klein
-it was on our provisional program
-introduced a copy of the owner's self evaluation, saying there are 3 occupants (it doesn't tell us that there are 3 apartments)
-the provisional Fire C of O is for single-family & duplex buildings
-Inspector Klein found quite a bit going on
-there are 17 Orders; one of the biggest one is that this building is a single family home that has been chopped up into a triplex; one issue with that is that there is only 1 furnace; only 1 electrical meter and no occupancy separations; the only permit found was pulled in 2001 - an express permit that was finalized for some roofing work
-so, we have 3 units that are unsafe for multiple reasons, primarily the occupancy separation and no permits for plumbing, electrical, mechanical, warm air or building for any of those units
-we have shared air - a big problem*

Ms. Moermond:

*-we have all kinds of doors & locks that create these 3 distinct living units
-what is the least expensive way to clean this up?*

Ms. Shaff:

*-di-convert back to a single family home
-there are 3 kitchens, so some of them will have to come apart
-I don't know this was done because there were no permits
-when it's owner-occupied, permits are required but the homeowner can do the work and the work needs to be inspected
-creating a triplex out of a single family home definitely needs permits*

Mr. Bartelmy:

*-my daughter is a full time employee at CH Robinson and she goes to school at night
-when I talked with Inspector Klein, he said that the good news is that the house was registered as a duplex in the past
-the bottom unit just appeared; so, it's been a duplex for many years since I was very small; to make it a duplex, he had to build a deck to make sure that there were 2 exits
-there's an older couple in their 60s living on the 1st floor; a 20 something couple upstairs and a single 50s guy in the basement
-my daughter doesn't live there; she has her own apartment*

Ms. Shaff:

-when this was in the rental registration program, it says that it was a single family house on Jan 15, 2004; there's no TISH

Mr. Bartelmy:

-I agree with what Ms. Shaff is saying; permits need to be pulled and I'm willing to do

anything that needs to be done; I just would hate to see the 1st & 2nd floor tenants being thrown out; they don't know where to go; right now, they are scared out of their mind; the guy in the basement will do fine; he'll figure it out

Ms. Shaff:

*-spoke with Inspector Klein and being that we don't know (a lot of variables for which we don't have answers); we don't have issue with one of the units being occupied but we do have issue with all 3 units being occupied due to the occupancy separation issues; it would be alright if just a single family lived there
-explained occupancy separation, shared air and shared electrical concerns*

Ms. Moermond:

*-we have some conflicting information: Ramsey County says this is a single family home; AMANDA, the city system, says it's been considered a duplex; that it's been viewed as a duplex without the proper separations of things that you would expect would exist for that categorization to be present; it's disjointed; it doesn't make sense; however, even if the city's in error, it still needs to be fixed
-thinking that we'll need a code compliance inspection*

Ms. Shaff:

-the rental registration, on the front folder page, says it was changed on Oct 13, 2016 to a duplex by Jean McClair; that is quite recent

Ms. Moermond:

-we should find out why she did that

Ms. Shaff:

*-looking for comments
-the only comments in the system are dated May 2015 that say it's a non-homestead; Ramsey Co lists new owner
-as far as the DSI is concerned, it's been a single family since at least 2004
-noted that the building permit in 2001 said that it's a single family*

Ms. Moermond:

*-explained the code compliance inspection by the 4 trades
-you need to go to DSI to talk with them about whether you want to apply for making this a duplex (converting to a duplex) and what that would involve; note that you've been working with Inspector Shaff and Mr. Klein
-I want to be sympathetic about the people living there but I will need to put a time certain on getting this down to 1 family; 2 of these units need to be shopping for a place to live because this project will take longer than what I can give as a time to Vacate; as the landlord, you get to decide who stays and who goes
-deadline for Vacate: Dec 5, 2016; the house needs to be a 1-occupied unit
-Inspector Shaff will work with the trades team about the concerns
-we need the punch list of what has to be done, which the code compliance inspection will provide
-the sooner you get the code comp insp done, the sooner you can garner rents from the other space(s)
-run the numbers of the costs to convert to a duplex vs the costs to maintain the single family; do your homework*

Ms. Shaff:

*-for duplex, you'll need 2 separate furnaces; 2 separate electrical services; you'll need appropriate occupancy separations, etc.
-I will take over this file; I knew his father very well*

Ms. Moermond:

Deny the appeal and grant until December 5, 2016 for two of the three families in the property to be vacated. Property is listed as a single-family dwelling and if owner wants to use as a duplex, he may apply for a variance through DSI-Zoning. Ms. Shaff will continue to work with owner on the one unit that is occupied.

Referred to the City Council due back on 11/16/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

10 [RLH FCO
16-183](#)

Appeal of Teresa Hamernick to a Fire Inspection Correction Notice at 1023 BURNS AVENUE.

Sponsors: Prince

Teresa Hamernick, owner, appeared.

Fire Inspector A.J. Neis:

*-Fire Inspection Correction Notice dated Oct 11, 2016 by Fire Inspector Daniel Klein
-approximately 15 code violations were identified; nothing too major; a lot of maintenance-related issues
-no life safety issues except for CO detector and some electrical wiring
-it's being appealed because this is not a rental property and should not be part of the Fire Certificate of Occupancy Inspection process
-the house has been kept for her daughter & grandchildren
-one would not think this was a rental property
-it's homesteaded with Ramsey County by her daughter; however, her daughter's name is not on the title
-there's a current TISH; house will be put on the market relatively soon and the daughter will be moving next door*

Ms. Hamernick:

*-I own this property and live in Amery WI; my daughter lives here
-this caught me off guard; I moved to Amery about 8 years ago and my daughter & grandchildren have lived in the home since I moved out; this is the first time that I heard that I was considered a landlord; why now?
-it's the first time, I've received a Notification form the city
-I've owned it since 2003 and lived there for 5 years; then, I got married and moved to WI
-the basement is under construction; that's why a lot of that is undone
-it's the first that I was aware that this was an issue
-I'm not sure how I should be addressing this*

Mr. Neis:

-there are no permits on file for the work that's being done

Ms. Hamernick:

-water damage was done to the basement; all the sheet rock & insulation is being replaced

Mr. Neis:

-that would require a permit; it was removed & replaced

Ms. Hamernick:

- even on the sheet rock & insulation that was there?*
- I am selling the house because my daughter wants to move to the larger house next door; it's been in the works for a while; her buying that house is contingent upon my house being sold*
- we do intend to put everything in order*
- our garage needs work but there's not enough time any more this year*
- there are just 3 items on the interior that have not yet been completed in the last week*

Ms. Moermond:

- you were noticed of this inspection by cross referencing the address of the property with the address of the current property owner listed in Ramsey County records; if they don't match, the system automatically funnels it to the Fire C of O Program; a simple computer sort*
- this was once a family home but now you meet the definition of a property that should be in the C of O Program because the house is not owner-occupied*
- whoever owns the property has until Jul 1, 2017 to finish the garage (exterior Orders carry over) & will give you a reasonable schedule to finish the interior*
- when you sell the house, simply disclose the Order by showing the buyer the letter or the City Council Resolution after they act on it; the Outstanding Order needs to be disclosed by the seller*
- Mai Vang can write a letter confirming my recommendation*

Ms. Hamernick:

- the detectors are already up*
- putting covers on the outlets will get done very soon; after testing, the wires were found to be dead & were just pulled out; and the handrail is off for painting the wall*

Ms. Moermond:

- I will give you 90 days to sign-up for landlord training #1, should you need one*
- repair garage & other exterior items deadline - Jul 1, 2017*
- deadline for everything else - Dec 1, 2016*
- if someone makes an offer, it's typically 30 days until closing, which will give you time to complete & get a sign-off on all the things on this list (permits finalized); call the inspector before 9 am to schedule a time for him to come out and re-inspect*
- we will email a letter confirming today's action*

Mr. Neis:

- if the property sell, let Inspector Klein know*

Ms. Moermond:

Grant owner an extension of 90 days to take Landlord Training 101; grant to July 1, 2017 for the exterior repairs and grant to December 1, 2016 for the remaining items to come into compliance.

Referred to the City Council due back on 11/16/2016

2:30 p.m. Hearings

Vacant Building Registrations