



# 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, May 23, 2017

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Remove/Repair Orders

- 1 [RLH RR 17-11](#) Ordering the rehabilitation or razing and removal of the structures at 855 LEXINGTON PARKWAY SOUTH within fifteen (15) days after the June 21, 2017, City Council Public Hearing. (Amended to remove only.)

**Sponsors:** Tolbert

*Edward Pardee, Attorney, appeared.*

*Steve Magner, Code Enforcement Manager:*

*-The building is a one-story, wood frame, single-family dwelling with a detached wood accessory shed on a lot of 12,632 square feet. The detached garage on the property was demolished; however, the stone foundation and a wall of the garage still remain (note: a permit was not pulled for the demolition of the garage). According to our files, it has been a vacant building since June 2, 2015.*

*-The current property owner is Emeritus Investments LLC (Edward Pardee, attorney) per AMANDA and Ramsey County Property records.*

*-On February 23, 2017 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 March 2, 2017 with a compliance date of April 1, 2017. 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 \$50,000 on the land and \$113,900 on the building.*

*-Real estate taxes for the first half of 2017 are due and owing in the amount of \$1,389.44, which includes penalty and interest.*

*-The Vacant Building registration fees in the amount of \$2,127.00 are due on June 3, 2017. The vacant building fees for 2016 were paid by assessment.*

*-As of May 22, 2017, a Code Compliance Inspection has not been done.*

*-As of May 22, 2017, the \$5,000 performance deposit has not been posted.*

*-There have been ten (10) SUMMARY ABATEMENT NOTICES since 2015.*

*-There have been eleven (11) WORK ORDERS issued for:*

- Boarding/securing*
- Grass/weeds*
- Snow/ice*

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

\$100,000. The estimated cost to demolish exceeds \$20,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Ms. Moermond:

-what are your intentions?

Mr. Pardee:

-I am representing Emeritus Investments LLC; city has had conversations with the principal, Gary Johnson, who lives in AZ; he wants to repair this bldg; he has suffered some medical issues & was delayed in making progress

-the bldg had a burst pipe; that froze up and now, mold is in the bldg; he has entered into a contract with Diversified Contracting Inc & paid them \$8000 to start a mold remediation on the bldg to be done within the next couple of weeks (total cost will be \$18,000); then, he is ready for the compliance inspection; his plan is to repair the bldg - get it back in shape; he has the funds to do the work; the mold remediation is the first step; entered an unsigned copy of the contract with Diversified (scanned)

Ms. Moermond:

-it's a huge parcel with a single family dwelling, which has been owner-occupied in the past

Mr. Pardee:

-Mr. Johnson purchased the house for a family member, who had lived there for a time; however, he didn't pay the utilities, which caused the freeze-up

Ms. Moermond:

-this goes to Council on Jun 21 & there won't be a plan of action at that point with specifics, which is what I'm going to look for in order to recommend that they grant X number of months to do the rehab

-I'll need to see a work plan, maybe a sworn construction statement with detail including deadlines for completion of different tasks; a performance deposit of \$5000 with DSI

-noticed a lot of Orders for basic maintenance - this isn't someone who cares about the property; I'm not sure how he can remedy this situation; there's no reason the neighbors should be putting up with that

Mr. Pardee:

-he has cleaned up the outside; he took down the garage

-I do know that his medical condition has slowed him down for a period of about 8 months, which may be part of the problem

Ms. Moermond:

-right now, I'm looking for a commitment from you that a property management company will be contracted with to make sure that while we go through this process that it is maintained

Mr. Pardee:

-I agree that should be a condition

-Mr. Johnson will be up here around the first of Jul

-I think that the mold remediation will be completed within a couple weeks; showed scope of work to Mr. Magner; also asbestos abatement

Ms. Moermond:

-there's usually about 3 weeks between applying for a code compliance insp & it being conducted; you will need a lock box on the door - give combination to DSI - Jim Seeger (Mai Vang provided him with an application)  
 -performance deposit should be posted by Jun 14  
 -the annual vacant building fee due Jun 3 should be paid  
 -would like to see the mold remediation completed by Jun 21  
 -make application for the code compliance by Jun 21  
 -taxes need to be paid  
 -if those things happen, I can lay the matter over for 6 weeks to give time for the code compliance inspection to occur and for you to get the report & solicit some bids for the work & come back here on Aug 22; then, we'll send it back to City Council on Sep 6 for public hearing  
 -Mai Vang will send you a letter confirming our conversation here & confirm the dates

The following conditions must be met in order to receive a recommendation from the Legislative Hearing Officer to have the Council continue the matter to August 22, 2017 Legislative Hearing for a review of rehabilitation work plans, including timelines (NOTE: the work plan should include a permit for the demolition of the garage), bids, and evidence of financing and to continue the Public Hearing to September 6.

- 1) post the \$5,000 performance deposit by June 14;
- 2) pay the 2017 vacant building fee due in the amount of \$2127;
- 3) pay the first half of real estate taxes due and owing on June 3, 2017;
- 4) apply for the code compliance inspection;
- 5) provide report that the mold remediation is completed; and
- 6) the property must be maintained.

FOLLOW-UP: Code compliance application made 6/9/17.

**Referred to the City Council due back on 6/21/2017**

**2**      [RLH RR 17-13](#)

Ordering the rehabilitation or razing and removal of the structures at 666 MINNEHAHA AVENUE WEST within fifteen (15) days after the July 11, 2017, 2017, City Council Public Hearing. (To be referred back to Legislative Hearing on July 25 and to continue Public Hearing to August 2)

**Sponsors:**      Thao

*Peter Vang, appeared o/b/o Muaj Hmoo Property LLC, owner; Mr. Vang is the principal of the LLC.*

*Steve Magner, Code Enforcement Manager:*

*-The building is a one-and-one-half story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 4,992 square feet. According to our files, it has been a vacant building since May 17, 2016 due to a fire at the property.*

*-The current property owner is Muaj Hmoo Property LLC per AMANDA and Ramsey County Property records.*

*-On March 1, 2017 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 March 6, 2017 with a compliance date of April 5, 2017. 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 \$10,100 on the land and \$36,500 on the building.*

*-Real estate taxes for 2016 are delinquent in the amount of \$994.99, which includes*

penalty and interest. -Taxes for the first half of 2017 are due in the amount of \$1,644.24, which includes penalty and interest.

-The Vacant Building registration fees were waived for 90 days to August 16, 2016 due to the fire at the property. The fees were then paid by assessment on August 29, 2016. The fee for 2017 in the amount of \$2,127 is due and owing at this time.

-As of May 8, 2017, a Code Compliance Inspection has not been done.

-As of May 8, 2017, the \$5,000 performance deposit has not been posted.

-There have been five (5) SUMMARY ABATEMENT NOTICES since 2016.

-There have been two (2) WORK ORDERS issued for:

- Garbage/rubbish

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$70,000 to \$80,000. The estimated cost to demolish exceeds \$12,000 to \$15,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Ms. Moermond:

-what are your plans?

Mr. Vang:

-I have done 5 Category 2 houses in the past 4 years

-I already have all the estimates with me today

-in early May, I already hired people to clean up all the house; there's no damage on the 2nd floor at all; most of the damage is in the front porch; they removed all the trash, sheet rock & plaster on the first floor; all that is gone; thstructure is still good; mostly, I need a builder for the front porch

Ms. Moermond:

-since we don't have a code compliance inspection report, I can't accept that as the ultimate determinant here; we need the code compliance insp report to know what need to be fixed to bring this house up to code

-the construction bids that you have are great but they will need to be revised based on the code compliance insp report

Mr. Vang:

-OK

-what I want today is to ask you today is change the status from a Cat 3 to a Cat 1 or Cat 2

Ms. Moermond:

-that's not happening today, Mr. Vang; that ship has sailed; this is a Cat 3 VB & it's subject to demolition if we don't get the rehab done

-because you have done Cat 2 rehabs, I have every confidence that we can get through this process but the status is not changing; that's over & done with

-I am surprised that the bldg has gone a year without even the fire damage having been cleaned out of the property; the fire was May 17, 2016

Mr. Vang:

-we've been dealing with the insurance company for almost a year & they haven't paid for the damage; I'm going to use my own money to repair the property

-so, no matter what, it's listed as a Cat 3; I talked to Joe, one of the inspectors & he said that I needed to put down \$5000; what's the process; I'm ready to start the rehab

Ms. Moermond:

-the first thing you need to do is to apply for a Code Compliance Inspection Report;

*Mai Vang provided him with an application*  
*-post the \$5000 perf deposit (refundable with interest upon completion of the project within the time granted by City Council)*  
*-pay the taxes; pay the VB fee*  
*-I can ask if the code compliance insp can be expedited; you will need to base your work plan on that inspection report*  
*-maintaining the property during this process is very important; it's a condition*

*Mr. Magner:*

*-SA's last year after the fire; in Jul, Dec; most recently, we issued a SA for a commercial vehicle in the rear of the property*

*Mr. Vang:*

*-people just threw mattresses & garbage in the back; I went to remove it but it was already gone*  
*-that's my vehicle*

*Ms. Moermond:*

*-that vehicle can't be there; it's a zoning issue; if you don't have an occupied house, then parking can't be an accessory use to it; so, you can park there only during the day while work is going on*

*Mr. Magner:*

*-a commercial vehicle needs to be parked on an approved surface; if it's licensed, operable, a commercial vehicle can be parked there during the day but they can't be parked for long term along residential areas; you can't park there overnight*  
*-most communities do not allow commercial vehicles to be parked on residential properties*  
*-the deadline on the SA for removing the vehicle from the property is scheduled for re-check May 30*

*Ms. Moermond:*

*-you've got the code compliance insp application; you've done this before; I will call Jim Seeger to see if they expedite it*  
*-this will be on the Jun 21 City Council agenda; I will ask for time for you*  
*-in order for us to react to your bids & give you any feedback that we might have, I'd like to ask for a little bit more time (a built-in cushion)*  
*-on Jun 21, I will ask CC to continue the matter for a month because they don't have public hearings the week of Jul 4; my only opportunity in Jul is on Jul 19*  
*-if you are mostly done by Jun 21, I could say, "Let's have a CCPH now, you can talk with CC; they can close the PH but they could vote on it on Jun 28, if another week would do the trick; I'm not sure"*  
*-I know you want to rebuild & I support that; don't think we'll have a problem, we just have to go through some of the hoops*

*The following conditions must be met by June 16 in order to receive a recommendation from the Legislative Hearing Officer:*

- 1. apply for a code compliance inspection;*
- 2. post the \$5,000 performance deposit;*
- 3. pay the 2017 vacant building fee of \$2,127;*
- 4. pay outstanding real estate taxes for 2016 in the amount of \$994.99, which include penalty and interest; as well as the first half of 2017 in the amount of \$1644.24, which includes penalty and interest;*
- 5. remove the commercial vehicle from the property by May 30 as indicated in the Vehicle Abatement Order (may only be there from 8 am to 8 pm and must be parked*

on approved surface);

6. provide evidence of financing (construction loan, line of credit, or personal bank account);

7. if personal bank account, must include an affidavit indicating the dedication to be used for this project (City's estimate to rehab exceeds \$70,000); and

8. the property must be maintained.

*If the code compliance report (CCI Report) is done prior to the June 21 Public Hearing, must provide a work plan, with timelines to address the items in the CCI report, including contractor bids. If these documents are approved, a hearing is not necessary and Ms. Moermond will recommend granting 180 days for the repair. If the code compliance report is not done, she will ask the City Council on June 21 that they continue the matter to July 19 Public Hearing so that plans can be developed in accordance with the CCI report.*

**Referred to the City Council due back on 6/21/2017**

**3**      [RLH RR 17-12](#)

Ordering the rehabilitation or razing and removal of the structures at 544 MINNEHAHA AVENUE WEST within one hundred eighty (180) days after the June 21, 2017, City Council Public Hearing. (Public hearing held June 21)

**Sponsors:**      Thao

*Dr. Loyace Foreman, Jr., New Vision Development Corp, a nonprofit developer in partnership with Aurora-St. Anthony; and Ben Jackson, 501 C3 Resource Center, in partnership with Aurora-St. Anthony, appeared.*

*They, plus Aurora-St. Anthony formed Community Enhancement Group LLC, a for profit developer, owner.*

*Steve Magner, Code Enforcement Manager:*

*-The building is a two-story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 4,792 square feet. According to our files, it has been a vacant building since August 12, 2011.*

*-The current property owner is Community Enhancement Group LLC per AMANDA and Ramsey County Property records.*

*-On March 1, 2017 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 March 6, 2017 with a compliance date of April 5, 2017. 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 \$50,000 on the land and \$113,900 on the building.*

*-Real estate taxes for 2016 are delinquent in the amount of \$1,016.66, which includes penalty and interest. Taxes for the first half of 2017 are due in the amount of \$2,076.88, which includes penalty and interest.*

*-The Vacant Building registration fees were paid by assessment on August 29, 2016.*

*-A Code Compliance Inspection was done on September 8, 2015 and has since expired.*

*-As of May 22, 2017, the \$5,000 performance deposit has not been posted.*

*-There have been twenty-eight (28) SUMMARY ABATEMENT NOTICES since 2011.*

*-There have been twenty-five (25) WORK ORDERS issued for:*

- Garbage/rubbish*
- Boarding/securing*
- Grass/weeds*
- Snow/ice*

*-Code Enforcement Officers estimate the cost to repair this structure is \$50,000. The*

estimated cost to demolish exceeds \$12,000 to \$15,000.

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Mr. Jackson:

-we have a contractor; we've posted the \$5000 performance bond; the plans were originally submitted to the city in Feb, new plans; we were in conversation Larry Soderholm and Brian \_\_\_\_\_; since were in conversation with the city, why, all of a sudden, did it become a Category 3 - this happened in Mar; we were marching along and all of a sudden, we got this letter

Ms. Moermond:

-I see a bldg that's been vacant for 6 years; it looks terrible; that has had a ton of abatement orders & does constitute a nuisance just based on it's maintenance  
-let's talk about what we want to do now  
-the code compliance inspection report that you have has expired; it was done Sep 8, 2015; so, it would need to be updated before a bldg permit could be issued for the work; unless there's been major damage to the bldg between when it was conducted in Sep 2015 & now, we could get by with doing a "bldg only" report (main bldg inspector Jim Seeger does a walk-thru); it's a lot cheaper to do-\$127  
-you've talked to a contractor & you've got your scope of work  
-are you ready to get the taxes paid up?  
-we'll get you the form for the Perf Dep - take it to DSI  
-Mai will provide a code compliance app - write Building Only on it

Mr. Magner:

-they can take those items to DSI now, 375 Jackson; I can indicate that to our office now

Ms. Moermond:

-we'll need to see the scope of work, the bids, the timeline - work done in no longer than 180 days, and the evidence of financing (already escrowed & ready to go)  
-estimate: \$190,000

Mr. Magner:

-following some discussion about having razed the building:  
-doesn't believe that there's a specific requirement from an historic preservation standpoint about keeping that structure; the issue might be more about zoning because if you were to remove that structure, based on the size of the lot, I don't think that you could rebuild without going to the Board of Zoning Appeals (BZA)  
-I think the wise financial move is for rehabilitation for the existing structure so that you can keep that individual residential unit there vs removing it & having it become a vacant lot

Ms. Moermond:

-I would like to have the financial pieces together by Jun 14: back taxes paid; performance deposit posted; bldg only code compliance insp applied for; so that, if on Jun 21 you don't have your work plan done because of revisions or financing, etc, then we can continue the matter at that point  
-think you'll have everything in place by CCPH Jun 21 so that I can ask them to grant 180 days for the rehab of this property

Mr. Foreman, Jr:

-we're actually on the other side; we've already hired a contractor; our subs are

already on line to do the project -they've been waiting for 4-6 weeks while we've been coming down; if we have all of our ducks in a row, can we apply for our permit & get started and come back to that hearing saying, "It's already underway....etc.?"

Ms. Moermond:

-my recommendation would be to wait to pull the permits until the day after the Council vote because I think that it will be only a week or 2 different from where you are now; and I don't like it when people get into a position of pulling a permit but then not getting a grant of time from the City Council so that, even though you have a permit, you are potentially subject to demolition; in your case, I don't see that happening but as a legal matter, I think it works best for both parties involved to have that go together (pulling the permit & getting the grant of time from CC)

Mr. Magner:

-the dept, DSI, won't issue the permit until the City Council rules

Ms. Moermond:

-let's schedule this for a legislative hearing on Jun 13 here when we will follow-up & if everything is in order, I can make my official recommendation, Mr. Magner can put a note into the system and you can then pull permits

Mr. Magner:

-I sent an email to Jim Seeger to expedite the "bldg only" inspection; don't think he'll be able to get out there until next week; he was gone last week & he's trying to get caught up; the reality is that there are a bunch of cases in front of you  
-the other option: if they have everything to you before that Jun 13 LH, you can share it with me & on Jun 13, you can just approve it so that they don't have to come back

Ms. Moermond:

-I'm comfortable with that if you get materials in beforehand & the Seeger inspection is done before that - then, I can get a resolution in with a recommendation; I'll schedule you for Jun 13 so that if it doesn't happen before that, it can happen on Jun 13

—  
The following conditions must be met:

1. pay delinquent 2016 real estate taxes in the amount of \$1016.66, including penalty & interest and half of 2017 due in the amount of \$2076.88, plus penalty & interest;
2. apply for a "building only" inspection;
3. post the \$5,000 performance deposit;
4. maintain the property;
5. provide a work plan or scope of work, including timelines, for completing the rehab;
6. submit bids from a general contractor and subcontractors; and
7. provide financial documentation demonstrating funds necessary to complete the project (line of credit or construction loan).

A Legislative Hearing is scheduled for June 13 at 9:00 am but if the conditions are met and documents approved before June 13, the hearing is not necessary.

**Laid Over to the Legislative Hearings due back on 6/13/2017**

## Special Tax Assessments



- 4 [RLH TA 17-121](#) Ratifying the Appealed Special Tax Assessment for Property at 544 MINNEHAHA AVENUE WEST. (File No. J1707A, Assessment No. 178506; amended to File No. J1707A4, Assessment No. 178521 and to delete the assessment)

**Sponsors:** Thao

*Dr. Loyace Foreman, Jr., New Vision Development Corp, a nonprofit developer in partnership with Aurora-St. Anthony; and Ben Jackson, 501 C3 Resource Center, in partnership with Aurora-St. Anthony, appeared.*

*They, plus Aurora-St. Anthony formed Community Enhancement Group LLC, a for profit developer, owner.*

*Steve Magner, Code Enforcement Manager:*

*-clean-up assessment: garbage/rubbish & snow/ice*

*-Orders issued Dec 21, 2016; compliance Dec 27; re-checked Dec 28*

*-work done Dec 30 for a cost of \$448 + \$160 service charge = \$608 (2 work orders)*

*-No Video*

*Mr. Foreman:*

*-I would challenge all of those because we did hire a person to remove snow all winter*

*Ms. Moermond:*

*-but I just saw the VIDEO for 550 Minnehaha Ave West where it wasn't done, which undermines what you just said*

*Mr. Foreman:*

*-I don't have it with me but I have a cancelled check for payment to the contractor for doing the snow removal; wouldn't that be proof?*

*Ms. Moermond:*

*-proof that they were paid but not proof that the work was done*

*-I will DELETE this assessment because I don't have a video*

*Delete the assessment.*

**Referred to the City Council due back on 6/21/2017**

- 5 [RLH TA 17-122](#) Ratifying the Appealed Special Tax Assessment for Property at 550 MINNEHAHA AVENUE WEST. (File No. J1707A, Assessment No. 178506; amended to File No. J1707A3, Assessment No. 178520)

**Sponsors:** Thao

*Approve the assessment.*

*Dr. Loyace Foreman, Jr., New Vision Development Corp, a nonprofit developer in partnership with Aurora-St. Anthony; Ben Jackson, 501 C3 Resource Center, in partnership with Aurora-St. Anthony, appeared.*

*They, plus Aurora-St. Anthony formed Community Enhancement Group LLC, a for profit developer, owner.*

*Steve Magner, Code Enforcement Manager:*

*-clean-up assessment to remove snow & ice from the public sidewalk*

*-Orders sent Dec 14, 2016; compliance Dec 19; re-checked Dec 20*

-work done Dec 22 for a cost of \$160 + \$160 service charge = \$320  
-no returned mail  
-VIDEO - crew removed snow/ice; salt & sanded

Ms. Moermond:  
-will recommend approval

**Referred to the City Council due back on 6/21/2017**

## Staff Reports

### 6 [SR 17-45](#) Request for Stay of Enforcement of Order to Remove or Repair at 106 KING STREET EAST.

**Sponsors:** Noecker

*Put a resolution for June 7 Public Hearing.*

*Molly and Lauron Morgan appeared.*

*Marcia Moermond:*  
-the Council grants you 180 days and the work is not done yet  
-going back to make some findings on that  
-figuring out how to move forward  
-you are past the 50% mark  
-need to put a bow on this thing legally

*Steve Magner:*  
-Mr. Seeger and Mr. Yanarrelly went out to the property yesterday to take a look around and took photos  
-will share that with Ms. Moermond  
-Mr. Seeger indicated he believes 65% of the project is completed  
-there are couple concerns 1) have not reached 100% completion (180 days have come and gone); 2) the accessory structure (single detached garage) was removed and there was no permit for razing that (don't see listed in the computer); and 3) do see that most of the permits are pulled for elect, building, plumbing gas fitting  
-not sure if there are other mechanical going on or started

*Ms. Morgan:*  
-there is cleaning of the duct work that mechanical that to have done  
-not sure when they come out yesterday  
-we have photos of the property from 6:00 yesterday when we visited the property

*Ms. Moermond:*  
-just looked at the photos  
-photos from 2016 which is no longer there

*Mr. Magner:*  
-don't see mechanical permit, not listed here yet  
-indicated in the heating section - mechanical work and warm air must be cleaned  
-there is a permit for the gas line  
-will need that taken care of

*Ms. Moermond:*  
-I am looking for the code compliance inspection report  
-you are working on it, getting there

-contractor should have pulled a permit  
-what is the situation

Ms. Morgan:

-about 6 weeks before our May end date, we went to get structural verification of the additional structure that was added or needed to be added to the building; we were told a \$3,000 additional cost to have the engineer come out and look at all the connections and the systems that are there  
-we have systems from 1885; joists are not on standard spacing; some are 3 inches wide and some are 2 inches wide so that hit us as a surprise. Then we were told that due to the 4 inches insulation we need type x ignition barrier between the foam and the attic space and the space back of the house  
-we originally plan to put back in (inaudible) siding in those spaces  
-at that point, i found out we are losing the \$5,000 bond

Ms. Moermond:

-we put a stop on the forfeiture of these bonds so we can talk about extension and not forfeiture  
-I have sent a stearn letter  
-would like to extend these performance deposits but will have conditions and additional money that needs to be posted  
-would like to take off the demolition but solving this

Ms. Morgan:

-we have been trying to save as much as we can for the next bond

Ms. Moermond:

-you got a new \$3,000 you're not expected; wasn't in your original plans and you're financing as you go

Ms. Morgan:

-right now the plumber and electrician are waiting until we have the sheet rocks in  
-the plumber is about 4 hours to hook up the tub, toilet and sink in  
-the electrician has to put in the fixtures already purchased and put into place, probably a day  
-when they're done we will hire mechanical to install the vents and final cleaning of the duct work. all that is in the budget, but not in the budget was the 5x8 sheetrocks and the engineering

Mr. Magner:

-in the couple spaces, you were covering with e board (?) vs. sheetrock?  
-saved that and was going to put back on  
-normally sheetrock is the cheapest

Ms. Morgan:

-yes, there are 3/4 inch thick for e-board (?)  
-that part was only \$1,400  
-I can break my 401K, that is the next stop  
-the \$3,000 was for the engineer to come out and look at the joists and all connections  
-Jim Seeger is requiring that  
-wasn't in the original one we have and thought in code compliance  
-windows are built out of giant timbers

Mr. Magner:

-was that original to the code compliance or additional

*Ms. Moermond:*

*-asking if contractor has considered appealing because that determination can be appealed*

*-photos taken of the situation and have it reviewed by the building official*

*-how much money to take from now until done*

*-how long until done*

*Ms. Morgan:*

*-he says if the engineer have drawings of the system, they should be fine with it*

*-materials are all purchased and ready*

*-it's the labor that we have to pay in cash*

*-\$9,780.00, including the engineer's work and contractors*

*-about \$7,200 cash on hand*

*-need to check with my plumber and electrician to see how they can come out, 3 weeks out*

*Mr. Magner:*

*-so we are sitting here with a structure that needs to having framing sign off before insulation can be done but sheetrock is not the issue and then the plumber and electrician come in to finish, then the mechanical guy but the big hold off is getting the bare studs to the insulation to the sheetrock. You have not hired the engineer.*

*-what happens if the engineer comes back besides the \$3k person service fee. I guess my concern is what if he says that the windows need to be redone, etc. What happened then?*

*-are there other issues the engineer has brought to your attention?*

*Ms. Morgan:*

*-at this point I would would lose the windows.*

*-yes, we use simpson strong tie nails*

*-wrong nails on the beam because too small even though engineer says it's fine*

*-engineer has plans, facts about the materials*

*Ms. Moermond:*

*-wants to see the money you have*

*-will look for that additional \$5k and will give you another 6 months on this.*

*-can make a request to have the deposit returned in writing*

*Mr. Magner:*

*-if I am looking at this correctly, the orig resolution was adopted sept 12. That would be the 180 from there. -this resolution compliance date would be end of March.*

*-if we go 180 days from the orig resolution, the language in 33.03 regards to the 50%*

*-I don't know when they reached the 50%*

*-If the 65% occurred w/in the 180 days and because they reached that point, would we grant the normal 180 day extension without the requirement of the 2nd additional bond vs if they don't reach that 180 days then they would be subjected to forfeiture and would required*

*Ms. Moermond:*

*-in my reading of 33.03, Section F(4), not requiring a second performance deposit*

*-still need to show me where you are at financially with \$10,000 and the work plan by June 2nd*

*Put a resolution for June 7. That resol will give you the additional 180 days conditioned on fresh set of plans and evidence of financing and deadlines attached to that. Continue the current \$5k and not requiring additional bond.*

**Received and Filed**

- 7 [SR 17-44](#) Request for Stay of Enforcement of Order to Remove or Repair at 874 PASCAL STREET NORTH.

**Sponsors:** Stark

*If the work is incomplete by June 14, owner must have provide a letter from the contractor of progress with the repairs and payments made to subcontractors, and, owner must provide evidence of financing for the remaining work being paid.*

*If the code compliance certificate has been issued by June 14, 2017, no further Council action is necessary.*

**Received and Filed****11:00 a.m. Hearings****Summary Abatement Orders**

- 8 [RLH SAO 17-32](#) Appeal of Sherold Mustin to a Summary Abatement Order at 1027 CASE AVENUE.

**Sponsors:** Bostrom

*Sherold Mustin, owner, appeared.*

*Ms. Moermond:*

*-we gave you some time to figure out what path you wanted to pursue with the garage*

*-where are you at with that?*

*Ms. Mustin:*

*-the garage is all cleaned out and now I want to ask if the city could restore the garage for me*

*Ms. Moermond:*

*-the city isn't going to fix it for you*

*-I have an enforcement action here that says that this is a leaning garage; it either needs to be fixed or demolished*

*-Planning & Economic Development (PED) dept has programs where you might be able to get money to help you do the stabilization of the garage but from an enforcement perspective, the city is going to demolish it*

*-the Order was written to abate the nuisance; either you fix it or tear it down*

*-if you want to keep the garage, you need to find the financing and find a contractor who will fix it; if you want to remove it, the city can remove it but will assess the charge to your property taxes; & we can spread it over 5 years*

*Steve Magner, Code Enforcement Manager:*

*-the standpoint of our office is that the owner has a couple options: hire a contractor, who will apply for a permit & get the garage repaired to a structurally sound condition, which would ultimately need to be inspected by a city bldg inspector once the contractor is finished; or they could hire a contractor, who will apply for a permit to demolish the garage; the city does not require anyone to have a garage but if they do have a garage, they are required to maintain it; if you choose not to do anything, they*

city will ultimately hire a contractor to remove the garage and charge you via an assessment onto your property taxes

Ms. Moermond:

-when we spoke last, you wanted more time to empty it out & to decide whether to fix it or knock it down

-based on your comments here today, you haven't talked about financing with someone

Ms. Mustin:

-no because I thought - the way I understood it, the city would restore it - keep it from leaning; I didn't know that the city would just knock it down

Ms. Moermond:

-do you want some time to talk to a contractor about what it would cost to stabilize it & then look for some money to do that?

Ms. Mustin:

-yes; I can do that; I don't even know who to call

Ms. Moermond:

-I can't, ethically, give you recommendations about who to call to fix a garage

-I can tell you that there are resources out there

-there's a non-profit close to you: Northeast Neighborhood Development Corporation, located on the NW corner of Ivy & White Bear Ave, 651/771-6955; they may have some advice for you on this; they might be able to help you finance it; it's worth asking about

-in 30 days, I'd like to see a plan for saving the garage & the money to do that; or the city is going to begin the process for its removal; if you have a plan in place in 30 days, I will grant 60 days to execute that plan

-I will have a follow-up hearing on Jun 27, 2017

Grant 30 days for owner to remove garage or provide a plan for repairing the garage within the following 60 days. Plan should include contractor bid and proof of financing for repair. If work is incomplete at that juncture, City will proceed with removal of the garage.

**Referred to the City Council due back on 6/7/2017**

**9**      [RLH SAO 17-34](#)      Making finding on the appealed nuisance abatement ordered for 1400 BRADLEY STREET in Council File RLH SAO 17-19.

**Sponsors:**      Brendmoen

No one appeared.

Ms. Moermond:

-looking at the photos that were taken yesterday; looks only slightly different

-owner did receive notice of this hearing

Supervisor Paula Seeley:

-he cleaned up a little bit; he's got a very long lot & there's stuff everywhere

-he's called me & I told him to be out there at 1:30 yesterday but he wasn't there

Ms. Moermond:

-my recommendation to the City Council is that the nuisance conditions have not been abated and that they should direct DSI to pursue abatement

-City Council Public Hearing Jun 7, 2017; after that DSI will have the green light

The nuisance conditions from the Summary Abatement Order were not abated.

**Referred to the City Council due back on 6/7/2017**

- 10 [RLH SAO 17-40](#) Making finding on the appealed nuisance abatement ordered for 824 FREMONT AVENUE in Council File RLH SAO 17-14.

**Sponsors:** Prince

No one appeared.

Supervisor Paula Seeley:

-I was out there yesterday & walked around with the owner; the inspector was not able to access the yard at the time that we did the short sweep

Ms. Moermond:

-it looks worse

Ms. Seeley:

-it's unbelievably bad; there are 2 cars with expired tabs; an RV with expired tabs; grass is growing through the parking surface

-there are 7 riding lawn mowers; motorcycle & debris everywhere

-I asked her about the 4 girls that were going to help her clean this up; she did call Erica, House Calls, who said that she is willing to get her a dumpster but the owner thinks that she will be able to put push mowers & everything else in there; I told her, "absolutely not;" so, I don't know why she needs a dumpster because it's all stuff that can't go into a dumpster

-need another Summary Abatement Order

-need a Vehicle Abatement Order, too

Ms. Moermond:

-the finding will be that the nuisance has not been abated; will go to City Council Public Hearing on Jun 7, 2017

-Jun 8, you have the green light to issue a SA Order

-I don't have a Vehicle Abatement Order in front of me to act on

Ms. Seeley:

-we'll do a VA Order on the RV & cars after Jun 8

Ms. Moermond:

-Mai will send a letter to Ms. Schilling to let her know the recommendation; let her know that she can bring evidence to the CCPH

-she still has 2 weeks to address this; wondering if it isn't premature to make a finding today; we can take a look at it again on Jun 5/6 so that CC has the most recent information; take a look & let our office know

Steve Magner, Code Enforcement Manager:

-so Mai will include in her letter that a re-inspection will be completed on that day & that those findings will be reported to Council for a final decision

Ms. Moermond:

The nuisance conditions in the Summary Abatement Order were not abated.

**Referred to the City Council due back on 6/7/2017**

**Correction Orders**

- 11 [RLH CO 17-13](#) Appeal of Patricia K. Scholtes to a Correction Order at 660 WHEELLOCK PARKWAY EAST.

**Sponsors:** Bostrom

*John M. and Patricia K. Scholtes, owners, appeared.*

*Supervisor Paula Seeley:*

*-received a complaint Apr 17 about the house being in disrepair; I went out and found that the roof is deteriorated around the eaves & fascia; one area is a flat roof; I thought that I gave ample time  
-she has filed an appeal & asked for more time*

*Ms. Scholtes:*

*-I've appealed; I'm trying to ask apply at organizations to get funding to fix the roof because financially, we're strapped; it's going to take a while; I filed with Daytons Bluff Nbhhd Housing Services and Rebuilders Together; I have the applications in and it's pending*

*Mr. Scholtes:*

*-does the city have a program?*

*Ms. Moermond:*

*-no but you are working with the right people to get funding  
-will grant to Oct 1, 2017 to come into compliance*

*Grant an extension to October 1, 2017 for compliance of the roof, eaves and soffits.*

**Referred to the City Council due back on 6/7/2017**

**11:30 a.m. Hearings****Orders To Vacate, Condemnations and Revocations**

- 12 [RLH VO 17-2](#) Appeal of Bruce Magnuson to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1271 SEMINARY AVENUE.

**Sponsors:** Stark

*Bruce Magnuson, owner; Attorney Darcy Erickson; and friend Lawrence Law appeared.*

*Steve Magner, Code Enforcement Manager:*

*-there's been little or no change since we last met  
-2 things that I am aware of: 1) a document from Mr. Magnuson's attorney indicating that they need additional time to acquire the financing; and 2) right before I left for these hearings today, I received an email from Officer Ludwig, Western District, SPPD: "FYI re: 1271 Seminary: squads were sent to the address last night after a complainant observed 4 people other than Bruce Magnuson entering the residence; squads arrived and located 4 people inside the residence including Magnuson; Magnuson admitted that no one other than he is allowed in the home per court order; one of the other occupants was arrested on an active arrest warrant; the 2 other*



persons left Magnuson's home without incident" (attached)  
-a public narrative was attached to the email (attached)

Ms. Moermond:

-Ms. Erickson, were you aware of this?

Ms. Erickson:

-not until 10:15 this morning as I was walking to the court house; when I sent my email yesterday, I knew nothing about this

-I've been working with Lauren Lightner to get all the documentation to Neighbor Works; they need a 2017 Social Security Benefits Award; Bruce had provided a 2016; he obtained the 2017 but mailed it to 25 Robert St instead of 35 Water St; so, I hope it comes back to him undeliverable; at any rate, I instructed him to obtain a 2nd letter & send it to Lauren but I don't know that Lauren has received it; Neighbor Works needs that piece to finalize the financing piece; I tried to get in touch with Lauren but she's out until May 25

-last night: having talked briefly with Mr. Magnuson this morning, my understanding is that one person was a personal care person, who was there to help; I have no knowledge about the other people

Ms. Moermond:

-asked a man in the audience if he was one of those people

Mr. Law:

-no; Bruce was over at my house & when he went home, a young man was cutting the grass and .... (I could not understand what he said.....); the girl who was arrested was the driver..... he called & told me they were there; he thought that I sent them over there.....

Ms. Moermond:

-how did they get into your house, Mr. Magnuson?

-and, who are they to you?

Mr. Magnuson:

-I left the back door open

-just friends; one cut the grass for me

Ms. Erickson:

-I have told Mr. Magnuson that if he needs this type of assistance, he should be dealing with Lauren Lightner for coordination of the services

Ms. Moermond:

-let me be super clear with you: there's a Condemnation/Order to Vacate on your house; that Order says that your house needs to be emptied; nobody can live there; it's not considered habitable; but we have worked with you so hard to keep you living there, to get the financing to get the repairs done on the condition that you're the only one there because every time somebody goes there, there's criminal activity going on in your house & you don't have control of your house; that's why we said, you can be there but nobody else but you can be there; we've said this numerous times  
-why should I not say that this house should be Ordered vacated by Jun 1? What's going to be different? Why not because it can't seem to sit still without having criminal activity go on; there's a Condemnation Order on it & you don't have the prospects right now to get it fixed; What's going to change?

Mr. Magnuson:

-I've got to keep these people out of there

*Ms. Moermond:*

*-you needed to do that all along & you haven't done it  
-I don't know what other support services we can provide to help you do that; Lauren Lightner bent over backwards to help you --- trying to make this work so that you could continue to be there but it can't seem to go for more than a few weeks without running into a problem; and it's the same problem*

*Mr. Law:*

*-long time friend  
-Bruce has been at my house a lot of the time during the day; it's not him; these people go there when he's not there; I drive by to see if anyone's there*

*Ms. Moermond:*

*-the city can board it; they can screw the doors shut so that nobody can get in  
-how is it that the city can secure it and he can't*

*Mr. Law:*

*-when he leaves, he leaves the door open so that the dog can come out & go to the bathroom; sometimes, he forgets because he's not used to locking the doors all the time*

*Mr. Magnuson:*

*-people have tried to break in twice*

*Mr. Law:*

*-someone broke the side door & were in the basement when he wasn't home; I told the neighbors to call the police if they see somebody there*

*Ms. Erickson:*

*-I don't know what the answer is; I think that there are people, who are in his life and people who know people... & I don't know that he can control the actions of third parties; I don't think that Mr. Magnuson is actively inviting people over  
-I agree that there are unwanted guests who are causing him problems; obviously, locking the doors would be of tremendous help when he leaves so that he is not creating a situation where people can enter his property and cause trouble  
-I recommended that he get all the services he needs through Lauren Lightner  
-I think that we are really, really close to getting the financing to get the house repaired; I'm working really hard to try to help him save the house that he's lived in for 70 years; it would be a real tragedy to see him out on the street when he has a house to provide shelter  
-re: Neighbor Works: I think they were waiting for the 2017 SS Benefits Award; he had an increase  
-asking for time until mid-Jun, maybe; we should have some definite answer on funding; PED's \$25,000 is an option; we're waiting to see if there's a larger funding source to address all of the issues*

*Mr. Magnuson:*

*-I had an MRI yesterday; I have a raging headache; this thing is taking it's toll on me*

*Ms. Moermond:*

*-I'm struggling with whether or not you should be considered a vulnerable adult; I'm wondering, too, whether or not an emergency conservator should be appointed  
-you are not making decisions in your own interest right now*

*Mr. Law:*

-he doesn't really know these people; he has met them through other people; I don't even know who they are  
-his dog has been with him for 14 years; Bruce has been going through depression a lot more; he's been coming to my house & I spend as much time as I can with him; he is seeing a doctor about his depression

Mr. Magner:

-since Mr. Magnuson has counsel, maybe counsel could research the state trespassing laws & give him a recommendation to post signage; the state laws are very specific as to what needs to be done, what the signs have to say & what the follow up is; in other words, after the signage is posted, if there's a violation by any individual, there has to be a follow up letter or notification to that individual

Ms. Erickson:

-I'm certainly willing to do that but I don't know that Mr. Magnuson knows where these people live & where to address such a letter

Ms. Moermond:

-I'm not ready to make a decision on you leaving your house; I'm very frustrated that all these efforts have been made & you are not able to control the flow of people in & out of your house; we are going to get that fixed; one way is for you to leave the house; another way to fix it is changing the locks; you have an issue with your pet (incontinence) - you need to keep your house clean, too; maybe you need to get a new companion  
-bottom line is that you've got to secure your house; you can't leave that door open

Ms. Erickson:

-I believe that when we were here in Feb or Mar, Mr. Magnuson said that he had changed the locks but if the door is not closed, it's not going to work

Ms. Moermond:

Layover to see what plans are in place from Neighbor Works.

**Laid Over to the Legislative Hearings due back on 5/30/2017**

**13**     [RLH VO 17-13](#)

Appeal of William and Wendy Jansen to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 677 THOMAS AVENUE (610 SAINT ALBANS STREET NORTH).

**Sponsors:**        Thao

William & Wendy Jansen, owners, appeared.

Ms. Moermond:

-there are 2 properties on this parcel but today we're talking about the 677 Thomas Ave address

Steve Magner, Code Enforcement Manager:

-this is the front house on this parcel; it's been an on-going file in regards to it's condition

-we issued a Condemnation due to a number of principle violations leading to dilapidation & deterioration

-the owners don't have the finances to make the repairs; and currently, the property has been forfeited for back taxes to the State of MN, Ramsey County Trust Exempt  
-unless something changes dramatically, they will need to vacate the premises and the county will take full possession of the property

Ms. Moermond:

- what is your relationship with Ramsey Co right now?
- the property forfeited for nonpayment of taxes but you're still there (?)
- have you come to some arrangement with them?

Ms. Jansen:

- yes; we weren't able to make our Confession of Judgement payment in time; therefore, we forfeited; then, the county gave us a Notice to move; we didn't know what to do or where to go; so, we didn't go at that time; a couple of months ago, we signed a Repurchase Application; we paid \$250 to see if we could go ahead & repurchase our home in hopes to get some things done & sell it & have a little money to get something in the future; we had stopped doing work on the house because we didn't know what was going to happen; the people in charge told the people upstairs that they no longer needed to pay rent; so, we've gotten no rent from them since Aug 2016; and they are still living there; we've told them that they had to go but the other people have not told them; I'm hoping that they will get out so that we can take care of our business & sell the property; we have 90 days to either sell it or that's it; we're hoping to have the opportunity to stay today
- we had many people who were interested in buying it but unfortunately, the time ran out & then, we couldn't sell it

Ms. Moermond:

- asked to see the letter they got

Ms. Jansen:

- we are stuck; we don't know what to do

Ms. Moermond:

- these Orders are exterior Orders but the interior was not reviewed but I know from past reviews that it was rough inside
- have to talked with Kris Kujala about the tenants living upstairs?

Ms. Jansen:

- Kris Kujala was in that meeting this morning but I didn't know who she actually was; so, after the meeting, I didn't know what we were supposed to do; I called down to the office & spoke to someone, who said she was waiting for the lady to get back; then, she'd be able to give us more information on it
- Paul Scharf is the one who told the tenants that they didn't have to pay any rent; he told us that they were going to have to move but they didn't make them move
- I'm not sure what we're supposed to do
- we'd love to fix it up & live there for the rest of our lives but that's just not possible at this time; so, we'd like to sell it

Ms. Moermond:

- Mr. Magner, you chose to use the Condemnation/Order to Vacate from your tool box as opposed to a Correction Order on the exterior violations

Mr. Magner;

- we've had outstanding exterior violations and we've had no success with getting the repairs done; they've indicated that they don't have the funds to do the repairs

Ms. Jansen:

- we did get a lot of that work done; there still are some things to be done but it's not like we haven't done anything

Ms. Moermond:

-the only way I know for sure that you can get rid of the people upstairs is to file an unlawful detainer and there's a court cost that goes with that  
-have you figured out where you're going to move to? Do you have money to pay rent some place else?

Ms. Jansen:

-we do have a few places in mind that we're looking at

Ms. Moermond:

-how quickly can you do that?

Ms. Jansen:

-could we have 90 days & then, we could have it all done before that?

Ms. Moermond:

-I think that's hopeful; on the one hand, you could go the unlawful detainer route; you will have to have it empty if you're going to sell it  
-and you're going to be moving out, regardless; that's where you're headed  
-the other way to empty the house besides the unlawful detainer action is this Order to Vacate for long term noncompliance; getting it emptied in a certain length of time; then, the city would turn it into a Registered VB, which will also give you an empty house to sell but I would have to put a much shorter lease than 90 days on that  
-I don't know which is the better thing for you, right now; I think putting a Vacate date on this is the best thing right now so you get started fresh - get moving things out of there; so you could sell it in that 90 day window

Ms. Jansen:

-but we'd like that money to help with the move, etc; maybe they will move by the 2nd

Ms. Moermond:

-I'm looking at the bldg, not the people; it would be the conditions of the bldg that dictate whether or not it can continue to be occupied

Mr. Jansen:

-I just got a little bit more of the trim work; the rest of the house is all stuccoed  
-there's only about 1/4 of the area that's not finished (trim)

Ms. Moermond:

-Mr. Magner, how long has this been an on-going Order on the exterior?

Mr. Magner:

-since 2013

-if you're going to sell the property, normally what happens, you sell it & you have to vacate along with your tenants prior to a closing date; unless they are going to move in, they would need a Fire C of O, which would require an inspection; at this point in time, it would become a Registered VB because of those outstanding violations; so, whoever is going to buy it will have to buy it with the intent of fixing it up & they aren't going to pay you until you're out; so, when you say that you want the money to move - it won't work that way; you need to move so that you can sell it  
-from the city's standpoint, one way or another, we're going to need the house to be completely rehabilitated before we allow occupancy; unless, for some reason, you find a bunch of money & are going to rehabilitate it, including putting a roof on, etc, I don't know how you're going to do that in the next 90 days

Ms. Moermond:

-it's almost unheard of to get paid for the house before you're out of it  
 -so, how do we get you some place else & get the house emptied so that it can sell  
 within th 90 days the county is giving you to sell it?

Mr. Magner:

-read the letter into the record: re: the county board's hearing on Repurchase  
 Application 667 Thomas Ave/610 St. Albans:

Your application to repurchase the property at 667 Thomas/610 St. Albans St N is  
 scheduled to be heard by the Ramsey County Board on May 23, 2017. The meeting  
 will be held at the City Council Chambers located at 15 W. Kellogg Blvd. The Dept of  
 Records has reviewed your application & supporting documentation & is  
 recommending that the county board approve your Repurchase Application subject to  
 the following conditions:

the Applicant will: 1) provide a fully executed Purchase Agreement or Arm Length  
 Sale by the applicant to a 3rd party buyer; 2) the executed Purchase Agreement will  
 be for the full payment; & 3) meet the terms of the above condition within 90 days the  
 approved Resolution

-in other words, they will let you purchase the property on the condition that you  
 actually sell the property to a 3rd party; and the 3rd party pays all the back taxes; and  
 then, you may keep any proceeds above & beyond that; for example, you sell it for  
 \$100,000; you owe \$25,000 to the county; you get to keep the \$75,000; however, I  
 think that the problem you're facing is that you have a very short timeline to do that;  
 most real estate transactions take 60 days to complete (from the time someone says,  
 I'll buy it, when they sign the Purchase Agreement to when the title work is all done &  
 they can go to closing because unless they're an arm length transaction where the  
 person it coming in with cash, not using any type of financing, most likely they can't  
 turn that around in 2-3 weeks; if it's a cash transaction, it's plausible but they still are  
 going to need title work & want to make sure that they're going to get a clean  
 Warranty Deed once they pay everyone off

Ms. Moermond:

-you don't have hardly any time at all - to get out, get the place clean, work with  
 potential buyers because these things take a long time; you need to find some place  
 else to live now, not in 90 days

-will grant to Jul 1 to Vacate

-City Council Public Hearing Jun 7, 2017; if you want to ask for more time, you'll need  
 to ask the City Council at that time

-no one can remain in the house past Jul 1

Mr. Magner:

-Mai Vang will send you a letter stating that the city will enforce the Vacate after Jul 1,  
 2017 unless something changes; you can give a copy of that letter to your upstairs  
 residents and tell them what's going to happen

Ms. Moermond:

Grant to July 1, 2017 to vacate the property.

**Referred to the City Council due back on 6/7/2017**

**14**     [RLH VO 17-14](#)

Appeal of Vanessa Jenkins to a Correction Notice - Complaint  
 Inspection at 345 WABASHA STREET NORTH, APT 709.

**Sponsors:**         Noecker

Vanessa Jenkins, tenant, appeared.

*Fire Supervisor A. J. Neis:*

*-inspection complaint notice issued to Madison Equities for unit 709 for a utilities shut off; the only violation is the power has been shut off due to nonpayment to Xcel  
-the Appellant is requesting additional time*

*Ms. Jenkins:*

*-I've been without power for about 3 weeks  
-the apartments over there are tiny; my light bill is only about \$20 per month  
-I began working here in 2014; I had lived in Minneapolis; when my lease was up, I found this apartment & I moved in Nov 2015; in Oct, 2015, I contacted Xcel to transfer my service to my new apartment #806 & I moved in; everything was going fine; my lease was up here in Nov 2016; so, the manager there told me that #709 was larger & I could move down there, if I chose; I said, OK and contacted Xcel to transfer my service to #709 & I moved down there; everything was fine; then, about a month ago, I sent my son over there; he was running errands for me & he called me, "Mom, you don't have electricity;" I called Xcel & they told me that I owed \$2400+; and I said that wasn't possible; she said, "Well, I see that your bill on Wabasha is paid every month; the issue is at your previous address;" they didn't turn off that service until Aug 2016, so all that time, the service was on; she said, "I do show on the record that you did call us in Oct 2015 but whoever moved into that house, the service was just continued; you need to go over to that house & tell them that they owe you this money;" these are total strangers; I don't know these people; she said, "we can do an investigation, too but that will take a few months;"  
-in the meantime, I got a sticker on the door that said the apartment was going to be Condemned; of course, the landlord is not happy about that; I asked the lady at Xcel, "What can I do?" she said, the only thing you can do is to pay up; we'll restore your service; then, once the investigation is done, we will re-imburse you/"  
-so, I get paid on the 2nd; I will just pay it & be done with it; she said that the minimum I could pay is \$1908 to restore the service  
-they told me about emergency assistance, etc; I don't qualify for any of those because I do work & I don't need to have this on my record  
-I live alone; my son comes now & then; I work at the Social Security Administration right down on MN; I just walk back & forth to work but since this issue came up, I've been staying at my daughter's house in Burnsville; I still go there to get my mail, clothes, etc.*

*Steve Magner, Code Enforcement Manager:*

*-so, to clarify, you called Xcel & they have a record of when you vacated your previous residence in Mpls (Oct 2015) but they never changed the bill over to either the owner or the new tenant; so they would like you to reimburse them for a minimum of \$1908 for utilities that were used when you were not a tenant at that residence*

*Ms. Jenkins:*

*-I talked to supervisors, managers, - the same thing; they said that they have a dispute department.....  
the process has started  
-I faxed all my documents to Xcel already: previous lease in Mpls; new lease in St. Paul, etc.  
-Xcel said the dispute was between me & the new tenants in Mpls*

*Ms. Moermond:*

*-I'm wondering, too, why they weren't shut-off for non payment of the bill  
-they had to talk to someone or they would have assumed it was a VB*

*Ms. Jenkins:*

*-I asked them that too; she said that Xcel got a call in Aug 2016 to get the service*

switched over

-I also asked Xcel if there was a problem, why did they allow me to transfer service from #806 down to #709? I just did that in Nov 2016

Ms. Moermond:

-all that should be evidence in your favor

-I have no problem giving you more time

-you can take the sign off the door

-we will set this up for the 16th; DSI will check on the 19th

Grant to June 16, 2017 to restore the electrical in Unit 709.

**Referred to the City Council due back on 6/7/2017**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 15 [RLH FCO 17-46](#) Appeal of Jeff Guertin to a Fire Certificate of Occupancy Correction Notice at 826 COMO AVENUE.

**Sponsors:** Brendmoen

Jeff Guertin, owner, appeared.

Mr. Guertin:

-my architect, Bill Madden, is in the process of doing formal plans; he's taken on another guy to help him with this project because it is time sensitive

-the financing isn't going to be a problem; we've figured it out

-I'm waiting to walk into DSI with my formal plans; they will tell me what will work & what won't; we'll keep moving forward

Ms. Moermond:

-I put a Jul 1 deadline on the items in the Apr 3 letter, is that enough time to get your plans in?

Mr. Guertin:

-the fire people come in on the 5th

Ms. Moermond:

-I want to reschedule that - push it out a month

-I want to give a deadline that captures getting those things listed in the Apr 3 letter; wondering if your architect could have those in by Jul 1

Mr. Guertin:

-I am confident that he can

-every time the Fire people come out, there's a \$75 fee

-an inspector, John came out; my demo permit wasn't lapsed - still working with the same permit; at what time does Fire realize that this is under construction & I don't have to get billed on a regular basis

Ms. Moermond:

-I'm trying to put an end point on it so that you don't have an unnecessary inspection

Mr. Guertin:



*-we will have those plans in & approved by Jul 1, 2017*

*Ms. Moermond:*

*-you won't have a fire inspection in Jun; that's cancelled; it wouldn't happen until after Jul 1; they will send out a fresh appointment letter*

*Fire Supervisor A. J. Neis:*

*-the downstairs has been vacant for quite some time, if I recall; if I'm not mistaken, you've been having challenges getting that approved for certain businesses, correct?*

*Mr. Guertin:*

*-no; all that's down there is a garage & an office*

*-I've never solicited the downstairs for a tenant; I'd like to utilize that space myself*

*-the space above it is being demoed right now*

*Ms. Moermond:*

*-if you decide between now & Jun 7 that isn't going to work & you need more time, let my office know & we can talk with you about that*

*-City Council Public Hearing will be on Jun 7, 2017; will send you an letter*

*Grant an extension to July 1, 2017 for compliance.*

**Referred to the City Council due back on 6/7/2017.**

- 16**    [RLH FCO 17-79](#)    Appeal of Wamoua Lee to a Fire Certificate of Occupancy Correction Notice at 1050 EDMUND AVENUE.

**Sponsors:**        Thao

*Appeal withdrawn; referred to building official.*

**Withdrawn**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 17**    [RLH VBR 17-38](#)    Appeal of Christopher Eggers to a Vacant Building Registration Notice and a Fire Certificate of Occupancy Revocation and Order to Vacate at 939 BURR STREET.

**Sponsors:**        Brendmoen

*No one appeared.*

*Ms. Moermond:*

*-for fire inspection purposes, if Mr. Eggers is able to come up with a responsible party, like his mother, for example; the property needs to be probated but if mom agrees to be the responsible party, I'm comfortable with him to continue to be there but we need that responsible party at least, 2 degrees removed from inheriting; so, it's not OK for him to be doing that*

*-we would also want to know that there's some effort to probate the property - some commitment*

*-right now, the timeline that the Fire C of O Orders is a reinspection date Apr 28 at 10 am; let's have that reinspection --- everything needs to be taken care of by Jul 1,*

2017

Grant to July 1, 2017 for compliance.

Referred to the City Council due back on 6/7/2017

### 3:30 p.m. Hearings

- 18 [RLH VO 17-8](#) Appeal of Gary D. Schultz to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1818 NEVADA AVENUE EAST.
- Sponsors:** Bostrom
- Gary D. Schultz, owner, and his wife, Cynthia Schultz, appeared.
- Ms. Moermond:  
-getting caught up with 1818 Nevada Avenue East & some of the corrections that need to happen there - basic maintenance items; however, the problem with getting these corrections made has been financial  
-none of the items are hazardous
- Ms. Schultz:  
-the carpet's been cleaned; CO alarms have been installed where needed; the smoke detectors were there
- Mr. Schultz:  
-there's a cupboard built around the electrical box & a couple contractors told us that was not illegal; that's been held against us; would it be acceptable to take the door off? (basement near dryer area)
- Ms. Moermond:  
-I don't have anything in the Orders that speaks to that  
-the only electrical Orders are: repair light fixture in upstairs hallway; all light fixtures need protective globes  
-you had mentioned that you wanted to sell the house but it needs to be probated; have you had a chance to talk with Southern Minnesota Regional Legal Services (SMRLS), 651/222-5863, because they might be able to hook you up with a pro bono elder attorney; if you can get it probated, you can sell it and your daughter will need to find some place to live but if we put a deadline way out for you to complete this set of Orders, and between now & then you hook up with an attorney & start the probate process, then, you can sell it & not even have to worry about taking care of the Orders; it will be off your plate  
-you need to get your deceased mother's name off the property so that you can sell it  
-I'd like to extend this set of Orders out to Jan 1, 2018, which should be enough time to get this through probate; if it isn't, we can visit it again later; you need to get on that because probate takes a little bit of time  
-I don't know if you can file the paperwork on your own or not  
-there's a Probate Office in the basement of this bldg; the directory is on main floor
- Ms. Schultz:  
-what do we do with our daughter & grandchildren?  
-my daughter received a letter from Dakota County, which says, "Dear Caroline: You are currently active on a waiting list for the Scattered Sight Public Housing Program. Due to a long wait time, the CDA will be closing all of the rental housing waiting list effective 4 pm Thu Jun 1, 2017. The CDA anticipates the waiting list remain closed for at least a year. As a current applicant, you will not removed from the waiting list

*because of the closure."*

*-so, now we have at least a year minimum*

*-she does not qualify for the waiting list in Ramsey County; it's a 3-year list; Dakota County moved her down because she's working full time*

*-she could pay rent or they could have food or car payment or her insurance; she pays medical insurance out of her wages*

*Ms. Moermond:*

*-you have to focus on your stuff & your going to sell the property, which will give you some money; you can choose to use some of that money to assist your daughter, to buy a new house in which you all can live, sell both houses, etc.; I don't know the answer*

*-this situation isn't going to work in the long term for the reasons that we've discussed*

*-this is a doable process*

*-focus on getting this house sold*

*Mr. Schultz:*

*-we are*

*Ms. Moermond:*

*-good realtors can provide you with some good advice about what you need to do; you can consult, not hire, with the North East Neighborhoods Development Corp (NENDC), White Bear Ave & Ivy; they are a nonprofit but they own a realty company called Capital Brokerage; there are 2 people there: Chuck Repke & Beau Ku Vang; 651/771-6955*

*-you can tell Chuck that I recommended that you talk to him*

*Grant an extension to January 1, 2018.*

**Referred to the City Council due back on 6/21/2017**