



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final-revised

Legislative Hearings

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

Tuesday, September 5, 2017

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 17-364](#) Ratifying the Appealed Special Tax Assessment for Property at 1325
ARKWRIGHT STREET. (File No. J1706C, Assessment No. 172005)

 Sponsors: Brendmoen

 Florence Matadi, owner, appeared.

 Supervisor Joe Yannarely:
 -Dec 2016 demolition cost: \$12,367.16 + \$1,203.69 service charge = \$13,570.85

 Ms. Matadi:
 -cost too high; can you cut the cost & can you put it on payments for me?

 Ms. Moermond:
 -I cannot cut the cost but I can put it on payments
 -the city had to pay a contractor to demolish the bldg and the average cost to demo a
 house is about \$15,000; so, you got it done a little cheaper
 -I will recommend approving the assessment & dividing it over 10 years at 4.5%

 Approve and spread over 10 years.

 Referred to the City Council due back on 10/4/2017
- 2 [RLH TA 17-388](#) Ratifying the Appealed Special Tax Assessment for Property at 857
ASHLAND AVENUE. (File No. J1715A, Assessment No. 178528)

 Sponsors: Thao

 Approve; no show.

 Referred to the City Council due back on 10/4/2017
- 3 **RLH TA 17-386** Ratifying the Appealed Special Tax Assessment for Property at 244
BAKER STREET WEST. (File No. J1710E, Assessment No. 178313)

 Sponsors: Noecker

Approve; no show.

Referred to the City Council due back on 10/4/2017

- 4 [RLH TA 17-358](#) Ratifying the Appealed Special Tax Assessment for Property at 574 BAY STREET. (File No. J1713A, Assessment No. 178523) (Legislative Hearing on September 5) (Amend to delete the assessment)

Sponsors: Noecker

Andy Taylor appeared o/b/o John Blitzter & Shangyan Blitzter, owners.

Supervisor Paula Seeley:

-Summary Abatement Order issued Apr 13, 2017; compliance Apr 18; re-checked Apr 19

-work done Apr 20 for a cost of \$400 + \$162 service charge = \$562

-no returned mail

-sent to: Occupant; John Martin, 17638 Kettering Trail, Lakeville; & CU at Home LLC, 1349 Robert St, Unit 201, West St. Paul

-overflowing dumpster & bags of garbage on the ground

Mr. Taylor:

-we never received Notice

-my clients live in CA; I'm property manager

-clients closed Apr 3, 2017

Ms. Moermond:

-Notice went out Apr 13 to the previous owner

-there's no way that you could have known

-will recommend it get deleted

Delete the assessment.

Referred to the City Council due back on 9/6/2017

- 5 [RLH TA 17-359](#) Deleting the Appealed Special Tax Assessment for Property at 574 BAY STREET. (File No. J1711E, Assessment No. 178314)

Sponsors: Noecker

Andy Taylor appeared o/b/o John Blitzter & Shangyan Blitzter, owners.

Ms. Moermond:

-this Excessive Consumption Notice also went to the previous owner

-will recommend deletion

Delete the assessment.

Referred to the City Council due back on 10/4/2017

- 6 [RLH TA 17-367](#) Ratifying the Appealed Special Tax Assessment for Property at 1765 BEECH STREET. (File No. J1715A, Assessment No. 178528)

Sponsors: Prince

John A. Hayes, owner, appeared.

Supervisory Paula Seeley:

-Summary Abatement Order issued May 18, 2017; compliance May 24; re-checked May 25

-work done May 26 for a cost of \$288 + \$102 service charge = \$450

-no returned mail

-sent to John A. & Dawn C. Hayes, 1656 Juliet Ave, St. Paul; John A. Hayes, 1399 Burke Ave W, Roseville; & Occupant

-remove all bags of garbage from the ground in rear yard

Mr. Hayes:

-I am here for a learning experience

-this particular tenant just left me; they had been with me for 3 years

-I've received other Notices before for snow shoveling in 2014; I called them on it & they took care of it; there was a TGW in 2015; I called them & they took care of it

-when I received this in May, I called him and he said, "No problem; I'll get on it;" I followed up with a phone call; he said that he took care of it; then, I got this in the mail

VIDEO - crew picked up bags of garbage in rear yard, near garage & alley

Mr. Hayes:

-it looks like they removed about 6 bags of garbage

-\$450 seems a little steep

Ms. Moermond:

-you should have done it yourself; it's so much cheaper to do it yourself

Mr. Hayes:

-I'm going off what someone has told me

Ms. Moermond:

-and, it's your responsibility because it's your property

Approve the assessment.

Referred to the City Council due back on 10/4/2017

- 7 [RLH TA 17-395](#) Ratifying the Appealed Special Tax Assessment for Property at 400 BLAIR AVENUE. (File No. J1712B, Assessment No. 178114)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 10/4/2017

- 8 [RLH TA 17-392](#) Ratifying the Appealed Special Tax Assessment for Property at 401 CENTRAL AVENUE WEST. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 10/4/2017

- 9 **RLH TA 17-378** Ratifying the Appealed Special Tax Assessment for Property at 252 CHARLES AVENUE/537 GALTIER STREET. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Feingold G. Vang, owner, appeared.

Supervisor Paula Seeley:

-clean-up

-Summary Abatement Order issued Apr 20, Apr 27 & May 5, 2017 to remove a sofa on an open exposed deck

-work done May 15 for a cost of \$158 + \$162 = \$320

-he was forewarned 3 times to remove it

-sent to: Feingold G. Vang, 537 Galtier St, St. Paul & Occupant

-no returned mail

Mr. Vang:

-I just put the sofa out there to use in the summer; it was all well protected

-we clean everything & keep things in order

-I just don't feel that it's right

-I live here at 252 Charles; it's a duplex; 537 Galtier is the same house

VIDEO - city crew removed couch from the front porch

Ms. Moermond:

-you got 3 letters & you didn't appeal any of them

-it says right on the Orders: "If you disagree with the Orders, appeal them"

Mr. Vang:

-I wrote to the inspector that we put it out there to use in the summer

-it's protected from the rain, etc.

Ms. Moermond:

-if it rains once with wind, that couch is wet & will get moldy; & little mice will be moving in

-it's not the type of furniture that's meant to be outdoors

-I'm also looking at 3 sets of Orders, all saying that you have the right to appeal those Orders

Mr. Vang:

-I wrote a letter to the inspector

-we keep things clean & orderly; - my neighbor's yard, you can't even walk in it; I have evidence; & no one does anything about it

Ms. Moermond:

-the Supervisor for the Western half of the city is here

-Are there Orders for the neighboring property, Ms. Martin?

Supervisor Lisa Martin:

-is it Galtier or Charles?

Mr. Vang:

-it's on Charles; it's incredible; & no one does anything; it's been like that for a year; they just select us as a target

Ms. Martin:

-I'll go by there

-if you have a complaint on other properties, call 651/266-8989 & give them the address; we'll send out an inspector to take a look

-I spoke to your inspector, Mr. Vang, & he did not receive your letter

Ms. Moermond:

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 10/4/2017

10 [RLH TA 17-377](#)

Ratifying the Appealed Special Tax Assessment for Property at 754 COOK AVENUE EAST. (File No. J1715A, Assessment No. 178528)

Sponsors: Bostrom

Shataya Diamond, Danmark Properties, property manager, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order issued May 15, 2017; compliance May 22; re-checked May 23

-work done May 23 for a cost of \$158 + \$162 service charge = \$320

-extensive history

-sent to Occupant; Lorna M. Pettis, 923 Payne Ave; and Danmark Properties LLC, 7100 Northland Cir N Ste 410, Brooklyn Park

-no returned mail

-remove head board, mattress in rear yard near alley

VIDEO - crew took head board, mattress, furniture in rear yard

Ms. Moermond:

-was Lorna Pettis, perhaps, a previous property manager?

Ms. Diamond:

-yes

Ms. Moermond:

-she should be removed from the property tax records

-make sure you change the Fire C of O on all the addresses (on-line)

Approve the assessment.

Referred to the City Council due back on 10/4/2017

11 [RLH TA 17-375](#)

Ratifying the Appealed Special Tax Assessment for Property at 773 COOK AVENUE EAST. (File No. J1715A, Assessment No. 178528)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 10/4/2017

- 12 [RLH TA 17-368](#) Deleting the Appealed Special Tax Assessment for Property at 1843 COTTAGE AVENUE EAST. (File No. VB1714, Assessment No. 178820)

Sponsors: Bostrom

Rehab completed within 6 weeks of anniversary date; DSI recommends deleting the assessment.

Legislative Hearing Officer concurs with the recommendation.

Referred to the City Council due back on 10/4/2017

- 13 [RLH TA 17-382](#) Ratifying the Appealed Special Tax Assessment for Property at 546 EDMUND AVENUE. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Shataya Diamond, Danmark Properties, owner, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order issued Apr 17 & against on May 1, 2017; compliance dates Apr 24 & May 8; re-checked May 9

-work done May 9 for a cost of \$316 + \$162 = \$478

-remove mattress, couch, etc, near alley

-sent to Occupant; Lorna M. Pettis, 923 Payne Ave; and Danmark Properties LLC, 7100 Northland Cir N Ste 410, Brooklyn Park, MN

-no returned mail

-issued Orders again Aug 8, 2017 for refuse

Ms. Diamond:

-I have a different one; it's for tall grass & weeds

VIDEO - crew removed couches & rubbish near alley

Ms. Moermond:

Approve the assessment.

Referred to the City Council due back on 10/4/2017

- 14 **RLH TA 17-365** Ratifying the Appealed Special Tax Assessment for Property at 914 EDMUND AVENUE. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Approve the assessment. (No one appeared.)

Referred to the City Council due back on 10/4/2017

- 15 [RLH TA 17-397](#) Deleting the Appealed Special Tax Assessment for Property at 692 FOURTH STREET EAST. (File No. VB1714, Assessment No. 178820)

Sponsors: Prince

Assessed in error; 90 days automatic fire waiver not granted. DSI recommends deleting the assessment.

Legislative Hearing Officer concurs with the recommendation.

Referred to the City Council due back on 10/4/2017

16 [RLH TA 17-373](#)

Ratifying the Appealed Special Tax Assessment for Property at 65 GEORGE STREET WEST/529 STRYKER AVENUE. (File No. J1715A, Assessment No. 178528)

Sponsors: Noecker

Shataya Diamond, Danmark Properties, owner, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order issued Apr 28, 2017; compliance Date May 5; re-checked May 5

-work done May 8, 2017 for a cost of \$288 + \$162 service charge = \$450

-no returned mail

-some history

-sent to Occupant; Epstein Enterprises LLC, PO Box 18004, St. Paul; & 65 West George LLC, PO Box 18004, St. Paul

-SA indicates including TV, shopping cart, misc rubbish on blvd, containers, garbage; must provide large enough container to hold all garbage with lid in place

Ms. Moermond

-it looks like 65 West George & 529 Stryker are the same

-so, the city records are for 529 Stryker but both addresses apply to this property

Ms. Diamond:

-I don't recall getting that notification but I'm sure it was sent

-I go by that place at least twice a week & pick up excess garage, putting into my car, hauling it to....; I've hauled away countless TVs, etc.....

-there's a convenience store in this bldg and Sam who owns/runs it says that the City of St. Paul will not allow him to have garbage service; if he would have his own garbage service, that would alleviate 3/4 of the stuff

Ms. Moermond:

-I have never, in all my years, heard such a thing

-he should have his own trash service

VIDEO - crew removed shopping carts, etc.

Ms. Diamond:

-this is a landlocked property; there's no back; just front on the blvd; it was built in the 1800's

-I don't like it that these shopping carts are sitting out on the blvd

Ms. Moermond:

-it says that both containers have overflowing garbage; close lid all the way

Supervisor Lisa Martin:

-you can call the store if you have/find their shopping carts

Ms. Moermond:

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 10/4/2017

17 RLH TA 17-384 Ratifying the Appealed Special Tax Assessment for Property at 874 GORMAN AVENUE. (File No. J1711E, Assessment No. 178314)

Sponsors: Noecker

Richard E. Johnson, owner, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order issued Feb 14, 2017; compliance Feb 20; re-checked Feb 22

-Excessive Consumption fee of \$120 + \$35 service charge = \$155

-vehicle (truck) parked blocking public sidewalk (photo)

-you got an EC instead of a parking ticket

Ms. Moermond:

-for blocking a right-of-way, they could have called the police & done a parking ticket; they could have written an Abatement Order to have it towed; or they could have written the simple Excessive Consumption fee, which they did & in which case, nothing happens unless the work isn't done & they'll charge you for a reinspection for when the work wasn't done

Mr. Johnson:

-I own part of the property; the person who occupies it, Leslie, owns part of the property, too

-did Leslie get notification?

Ms. Moermond:

-notification went to Richard & Jeannette Johnson, 88 Belvidere St. E; and Cassandra M. Johnson, 874 Gorman Ave

Mr. Johnson:

-so Leslie did not get notification; Cassandra no longer lives there

-I informed Ramsey County Taxation about 1-2 yrs ago; today, I went down & got documentation to prove it (entered it)

-Leslie is buying it on a Contract for Deed

Ms. Moermond:

-is it Leslie Goeman - listed as the fee owner; does that mean that you are buying it on a Contract for Deed?

Mr. Johnson:

-he is - Leslie

Ms. Moermond:

-usually the owner means the person who owns the title or the deed

Mr. Johnson:

-I own the title & the deed

Ms. Moermond:

-and the tax owner is the person who's buying the property

Mr. Johnson:

*-I'm paying the taxes because I know they are getting paid then & he is paying me
Contract for Deed*

Ms. Seeley:

*-I run into it all the time where if someone sells something on Contract for Deed,
Ramsey Co won't put them on the record for Contract for Deed; I don't know why*

Ms. Moermond:

*-you are the legal owner of record & you were notified
-what did you do when you got notification?*

Mr. Johnson:

*-more paperwork
-I contacted Leslie to fix it; the check was written & never cashed; so, a stopped
payment was issued on it because it was missing; we are willing to repay it
-I'm curious as to why Leslie did not get notification*

Ms. Moermond:

*-when the city writes an Order, these addresses come straight from Ramsey Co Tax
records; so, if Leslie Goeman's name/address isn't coming up from there, then, there's
no way for them to know*

Mr. Johnson:

*-Cassandra is no longer there & if Leslie would have gotten notification, he probably
would have moved the truck the first time*

Ms. Moermond:

-I will approve the Excessive Consumption fee but delete the \$35 service charge

Reduce from \$155.00 to \$120.00.

Referred to the City Council due back on 10/4/2017

18 [RLH TA 17-390](#)

Ratifying the Appealed Special Tax Assessment for Property at 664
HOYT AVENUE EAST. (File No. J1715A, Assessment No. 178528)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 10/4/2017

19 **RLH TA 17-366**

Ratifying the Appealed Special Tax Assessment for Property at 760
JESSAMINE AVENUE EAST. (File No. J1715A, Assessment No.
178528)

Sponsors: Bostrom

Shataya Diamond, Quality Residences LLC, property manager, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order issued Apr 26, 2017; compliance May 2; re-checked May 3

-work done May 4 for a cost of \$158 + \$162 service charge = \$320

-sent to Occupant; Lorna M. Pettis, 923 Payne Ave; and Danmark Properties LLC, 923 Payne Ave

-no returned mail

-sofa near garage

Ms. Moermond:

-so, Danmark has an address on Payne, as well; another address on Brooklyn Park

VIDEO - crew picked up sofa near garage

Ms. Moermond:

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 10/4/2017

20 [RLH TA 17-370](#)

Ratifying the Appealed Special Tax Assessment for Property at 911 JOHNSON PARKWAY. (File No. J1715A, Assessment No. 178528)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 10/4/2017

21 [RLH TA 17-383](#)

Ratifying the Appealed Special Tax Assessment for Property at 331 LAWSON AVENUE WEST. (File No. J1715A, Assessment No. 178528)

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 10/4/2017

22 [RLH TA 17-391](#)

Deleting the Appealed Special Tax Assessment for Property at 675 MAGNOLIA AVENUE EAST. (File No. VB1714, Assessment No. 178820)

Sponsors: Bostrom

Rehab completed 30 days after anniversary date; DSI recommends deleting the assessment.

Legislative Hearing Officer concurs with the recommendation.

Referred to the City Council due back on 10/4/2017

23 [RLH TA 17-380](#)

Ratifying the Appealed Special Tax Assessment for Property at 711

MARYLAND AVENUE EAST. (File No. J1711G, Assessment No. 178713)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 10/4/2017

- 24 [RLH TA 17-374](#) Deleting the Appealed Special Tax Assessment for Property at 1120 MINNEHAHA AVENUE EAST. (File No. J1715A, Assessment No. 178528)

Sponsors: Prince

DSI recommends deleting the assessment; illegal dumping and owner is disabled.

Legislative Hearing Officer concurs with the recommendation.

Referred to the City Council due back on 10/4/2017

- 25 [RLH TA 17-387](#) Ratifying the Appealed Special Tax Assessment for Property at 1728 MINNEHAHA AVENUE EAST. (File No. J1715A, Assessment No. 178528)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 10/4/2017

- 26 **RLH TA 17-381** Ratifying the Appealed Special Tax Assessment for Property at 799 PARK STREET. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Shataya Diamond, Quality Residences LLC, property manager, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order issued May 4, 2017; compliance May 11; re-checked May 11

-work done May 12 for a cost of \$140 + \$162 = \$302

-Vehicle Abatement Order also sent

-sent to Occupant; Lorna Pettis, 923 Payne Ave; and Danmark Properties LLC, 7100 Northland Cir N Ste 410, Brooklyn Park

-please remove mattress, box spring from blvd, mirror, iron & other discarded material from behind the house

VIDEO - crew removed mattresses, etc.

Ms. Diamond:

-where do I go to take Lorna Pettis off the record?

Ms. Moermond:

-DSI web page has a Change of Address Form you can get

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 10/4/2017

27 RLH TA 17-399 Ratifying the Appealed Special Tax Assessment for Property at 1196 REANEY AVENUE. (File No. VB1714, Assessment No. 178820)

Sponsors: Prince

Roman Derevyanko, owner, appeared.

Supervisor Joe Yannarely:

-this is the annual Vacant Building fee for a cost of \$2085 + \$157 = \$2242

-entered the VB Program May 21, 2012

-numerous permits open

-the VB fee was waived by LHO on Jun 16 until Aug 21

-it's been re-instated

-there's a history of Orders on the property

Mr. Derevyanko:

-in Jun, you gave me 3 months because I seemed motivated to fix it; and I was but also a bit ambitious, I think, with the contractors

-looking to see if we could extend this time frame; I have a rough estimate (entered his estimate)

-plumbing & HVAC roughing complete; electrical

-trying to get contractors out as quickly as possible

-I ran into a mistake by trying to do some of the work myself when the time wasn't there

-week 1 is this week

Ms. Moermond:

-I see you pulled your first permit Jul 19; I gave you a waiver until Aug 21 & you pulled your bldg permit Jul 19 first; the following week you pulled plumbing; a couple weeks later, warm air & mechanical; the week after that, electrical

-so, you weren't working at the beginning of your waiver period at all

Mr. Derevyanko:

-well, I was but I had to clean up- interior demo

-I can only do bldg & landscaping

-the economy must be doing well because the contractors are booked up

Ms. Moermond:

-will Lay this Over until Oct 18; if done, I'll cut the VB fee in half

To continue public hearing to October 18 and if owner is done with the repairs, will cut the VB fee in half.

Referred to the City Council due back on 10/4/2017

28 RLH TA 17-371 Ratifying the Appealed Special Tax Assessment for Property at 733 SHERBURNE AVENUE. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Shataya Diamond, Quality Residences LLC, property manager, appeared.

Supervisor Paula Seeley:

-tall grass & weeds

-Summary Abatement Order issued May 11, 2017; compliance May 15; re-checked May 15

-work done May 17 for a cost of \$160 + \$162 = \$322

-no returned mail

-sent to: Quality Residences, 9617 Oak Ridge Trl, Minnetonka; Lorna M. Pettis, 923 Payne Ave; & Occupant

VIDEO - city crew cut grass & weeds

Ms. Diamond:

-we had a tall grass & weeds Abatement in our system completed on May 10; received May 9

Ms. Moermond:

-the Order went out May 11

-to me it looks like it's been growing for several weeks to be that tall; perhaps, your contractor didn't get to that one

Supervisor Lisa Martin:

-this item must be new with Quality Residences; I've never seen Ms. Diamond but I would just make sure that the garbage is picked up, the grass is cut & no one is parking in the backyard; it's a big job & you've got a lot of properties; try to coordinate with your maintenance people; we've been dealing with these issues for a long time
-if you have any questions when you get an Order, feel free to contact one of the inspectors listed

Ms. Diamond:

-those tenants are gone

Ms. Seeley:

-there was a tall grass & weeds May 3 but it was done by owner

-there've been on-going tall grass & garbage issues

Ms. Moermond:

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 10/4/2017

29 RLH TA 17-385

Ratifying the Appealed Special Tax Assessment for Property at 400 SIDNEY STREET EAST. (File No. J1715A, Assessment No. 178528)

Sponsors: Noecker

Shataya Diamond, Quality Residences LLC, owner/property manager, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order issued May 10, 2017; compliance May 15; re-checked May 15

-work done May 18 for a cost of \$160 + \$162 = \$322

-no returned mail; no history

-tall grass & weeds

-sent to: Danmark Properties LLC, 7100 Northland Cir N Ste 410, Brooklyn Park;
Lorna M. Pettis, 923 Payne Ave, St. Paul; Adelo Sanchez, 400 Sidney St. E, St. Paul,
(tax owner); and Occupant

VIDEO - city crew cut the grass

Ms. Moermond:

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 10/4/2017

30 [RLH TA 17-344](#)

Ratifying the Appealed Special Tax Assessment for Property at 662
THIRD STREET EAST. (File No. J1701V, Assessment No. 178000)
(Public hearing to be continued to October 4)

Sponsors: Prince

Alan Anthony Beatrez, owner, appeared.

Supervisor Joe Yannarely:

-Vehicle Abatement Order issued Jul 27, 2016; compliance Aug 2; re-checked Aug 2

-SPPD towed it on Aug 11, 2016 for a cost of \$430 + \$162 service charge = \$590;

(SPPD cost breakdown: \$602; sold at auction for \$175; admin fee \$162)

Mr. Beatrez:

*-I signed a Purchase Agreement for this property in Mar 2016; at that time, there was a
vehicle in the driveway but I closed on the property Aug 16 & at the prior walk-thru, I
noticed that it wasn't there any more*

-I'm appealing because I didn't own the property when the vehicle was there

Ms. Moermond:

*-Wells Fargo owes you the money for the assessment; they received the Notice that it
needed to be taken care of & the work was done during their period of ownership; take
this information to your realtor or broker who you worked with; they need to bring it to
the attention of Wells Fargo that you are owed this money*

-this assessment will go onto your taxes

-will recommend approval of this assessment

Approve the assessment.

Referred to the City Council due back on 9/20/2017

31 [RLH TA 17-372](#)

Ratifying the Appealed Special Tax Assessment for Property at 644
THOMAS AVENUE. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Shataya Diamond, Quality Residences LLC, property manager, appeared.

Supervisor Paula Seeley:

-Summary Abatement Order for tall grass & weeds issued May 15, 2017; compliance

May 19; re-checked May 22

-work done May 22 for a cost of \$160 + \$162 = \$322

-no returned mail

-sent to: Quality Residences LLC, 9617 Oak Ridge Trl, Minnetonka, MN; Lorna M. Pettis, 923 Payne Ave, St. Paul; and Occupant

Ms. Moermond:

-photo with a ruler

VIDEO - city crew cut the tall grass & weeds

Ms. Moermond:

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 10/4/2017

32 [RLH TA 17-362](#)

Ratifying the Appealed Special Tax Assessment for Property at 402 UNIVERSITY AVENUE WEST. (File No. J1711P, Assessment No. 178411)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 10/4/2017

33 [RLH TA 17-396](#)

Ratifying the Appealed Special Tax Assessment for Property at 571-575 VAN BUREN AVENUE. (File No. J1715A, Assessment No. 178528)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 10/4/2017

34 **RLH TA 17-393**

Ratifying the Appealed Special Tax Assessment for Property at 708 WESTERN AVENUE. (File No. VB1714, Assessment No. 178820)

Sponsors: Thao

Calvin Burton, owner, appeared.

Supervisor Joe Yannarely:

-annual Vacant Building fee \$2127 + \$157 service charge = \$2284

-Category 2 VB; entered the VB Program May 7, 2015

-code compliance inspection report completed Aug 22, 2017

-currently, no permits pulled

Mr. Burton:

-wanted to mention: we received a \$190+ for boarding up the garage; I had put in a card for that, someone said it was too late for that; it was before I purchased the property that they did it, so, we never got a Notice on it; then, the city said, "It was already on your assessment"

Ms. Moermond:

-when did you buy the property?

-if you find your HUD statement & want to send it in, I can look at it & see when the work was done & who was Noticed; if it was Noticed to the previous owner when the previous owner still owned it, you've got yourself an assessment; if you got no Notice but you owned the bldg, then, I can possibly look at

Mr. Burton:

*-here, we were trying to get permits; I paid the money to buy the property; they put it into my wife's name; took time to get it thru; but I did not receive a 30-day Notice; they usually give you a 30-day Notice when they send that out to be due - the VB fee
-my son & the contractor went there & they had nothing with our name on there at that time*

Ms. Moermond:

-I'm guessing that the original bill would have gone out in early Apr; the warning letter would have gone out in early May; now, we're looking at an assessment

Mr. Burton:

-we had trouble pulling permits; several contractors went in; Reid was on vacation; there wasn't much work to do; we could have gotten done in a short period of time but they said we needed to get it in our name when it was already in our name; they wanted \$280 for switching that over before we could get it in our name; the bank already put it in my wife's name; we just wanted to get the permits

Ms. Moermond:

-sounds like you were missing 2 things: 1) you needed to go thru a Sale Review Process because it was a Category 2 VB; and you didn't have a code compliance inspection done yet

Mr. Yannarely:

-yes, the code compliance insp report wasn't done until Aug 22

Mr. Burton:

-a previous one was done

Mr. Yannarely:

-but was it valid?

Mr. Burton:

-at the time we purchased it, the cc report was not more than 1 year old; there were still a few months left; that's when we went in to get the permits; that money had already been paid; inspection already done

Mr. Yannarely:

-the VB fee wasn't paid; that would have helped

Mr. Burton:

*-my understanding at the closing was that the VB fee was already paid
-we had a copy of the code compliance insp report*

Ms. Mai Vang:

-checking permits, etc.

-previous cc insp report dated May 19, 2016

Mr. Burton:

*-we were deprived that time to get the permits
-the work won't even take more 2-3 weeks*

Mr. Yannarely:

-sale approval went thru Jun 19, 2017

Ms. Moermond:

-you bought it on May what?

Mr. Burton:

*-I'm not positive of the date; they sent us different papers; it took a long time; it was months getting it taken care of; because they said they needed to get things taken care of with the city; then, we had to pay for the same inspection report after it was already done
-if we could have just pulled permits, things would have been done a long time ago*

Ms. Moermond:

*-but you didn't go thru the Sale Approval which is incumbent upon the purchaser
-the Vacant Building fee wasn't paid; it was billed but not paid at the time of your closing*

Mr. Burton:

-they had paid that fee

Mr. Yannarely:

*-they paid last year's VB fee (May 18, 2016 - May 17, 2017) by check
-the May 18, 2017 - May 17, 2018 VB fee is currently due*

Ms. Moermond:

*-as a purchaser, you're not new in the world of city regulations in terms of understanding how the processes work; and if there was a disclosure problem with the seller not telling you that they didn't pay a bill, that's a problem between you & the seller
-today, we looking at the unpaid VB bill that's 4 months into the billing year
-how long before you finish this project?*

Mr. Burton:

-about 30 days once we can pull permits

Ms. Moermond:

-you were allowed to pull permits starting Aug 22, 2017

Mr. Burton:

*-no; we weren't; we went in there twice to try to get them & they would not let us pull the permits
-in fact, we just went in last week & tried to get permits again*

Ms. Moermond:

*-the code compliance insp report was done
-and, the VB fee had gone to assessment; so, I don't know why you were unable to pull permits*

-the Sale Review was completed in Jun
-the code comp insp report was mailed out Aug 22

Mai Vang:

-the warning letter went out May 8, 2017; it went to Beverly Burton

Ms. Moermond:

-I will Lay this Over to Oct 18, if you have your Code Compliance Certificate by Oct 18, 2017 (in your hands), I will recommend cutting the VB fee in half; if not, you pay the entire VB fee

Mr. Yannarely:

-I will send an email to Reid Soley; there's no reason why he shouldn't be able to pull permits

To continue public hearing to October 18 and if owner receives his code compliance inspection certificate, will reduce by half.

Referred to the City Council due back on 10/4/2017

35 [RLH TA 17-376](#)

Ratifying the Appealed Special Tax Assessment for Property at 953 WESTMINSTER STREET. (File No. J1715A, Assessment No. 178528)

Sponsors: Brendmoen

Approve; no show. (Property owner called and stated he is no longer appealing)

Referred to the City Council due back on 10/4/2017

36 **RLH TA 17-402**

Ratifying the Appealed Special Tax Assessment for Property at 888 MARYLAND AVENUE EAST. (File No. VB1714, Assessment No. 178820)

Sponsors: Bostrom

Hasan Hasan, owner, appeared.

Supervisor Joe Yannarely, Vacant Buildings:

-Commercial Vacant Building fee (previously Taco John's)

-cost: \$2127 + \$157 service charge = \$2284

-had Revoked Certificate of Occupancy; transferred to VB Program May 6, 2016

-8 complaints during that time frame & 4 Work Orders issued to maintain the property

Mr. Hasan:

-the plan is to put some type of BBQ joint over there; we wanted to do it sooner but I got busy with other things

-I have a plan for it; I have a general contractor; we're working on it every day; maybe, in a month we'll be done

Ms. Moermond:

-is there a code compliance inspection on this property?

Mr. Yannarely:

-I don't see anything

Mr. Hasan:

-I never received any Notice about a vacant bldg; a lawyer contacted me & said that I needed to go to a hearing today

Ms. Moermond:

-who did the VB registration letters go to?

Mr. Yannarely:

-L.H. Meltzer LLC, 513 Summit Ave, St. Paul; and SMH Inc, 15593 Shadow Creek Rd, Maple Grove, MN

Ms. Moermond:

-before you can pull permits to do the work, you need to get a code compliance inspection - a TEAM inspection for commercial bldgs

-in this case, it sounds like the bldg transaction happened without that inspection having occurred

-you are buying this on a Contract for Deed; I'm not sure if the Notice went to the fee owner & not you, in which case, how you are communicating is pretty important

Mr. Hasan:

-we had miscommunication with the owner about maintaining the property; now, we know that it's our responsibility

Ms. Moermond:

-you need to apply for a code compliance inspection report & do everything that's on the list

-re: VB fee: it doesn't sound as though you'll be done with this any time soon; if you can get your code compliance certificate by Oct 18, I will cut the VB in half; if not and it goes thru in full, I can divide it over 2 years

-and, make sure the property is maintained

Layover to City Council Public Hearing on October 18; if owner receives code compliance certificate; will cut VB fee in half.

Referred to the City Council due back on 10/4/2017

37 RLH TA 17-403

Ratifying the Appealed Special Tax Assessment for Property at 1706 MONTANA AVENUE EAST. (File No. J1715A, Assessment No. 178528)

Sponsors: Bostrom

Soua Vang, owner, appeared.

Supervisor Paula Seeley:

-clean-up

-Summary Abatement Order issued Apr 21, 2017; compliance Apr 28; re-checked Apr 28

-work done May 2, 2017 for a cost of \$358 + \$162 service charge = \$520

-remove multiple tires, trash bags in rear yard

VIDEO - city crew removed tires & trash bags

Mr. Vang:

-do those tires add up to \$500?

Ms. Moermond:

-the fees add up to \$500

Ms. Seeley:

-cost breakdown: \$28-general refuse; \$70-auto tire fee; \$122-code enforcement fees; \$260-abatement fee

Ms. Moermond:

-you're getting socked with fees

-will recommend approval divided over 3 years

Ms. Seeley:

-there is a forthcoming tall grass/weeds assessment

Ms. Moermond:

Approve and spread over 3 years.

Referred to the City Council due back on 10/4/2017

38 RLH TA 17-404

Ratifying the Appealed Special Tax Assessment for Property at 345 GOODRICH AVENUE. (File No. VB1714, Assessment No. 178820) (Layover to October 18 Public Hearing)

Sponsors: Noecker

Kristi Iverson, owner, appeared.

Ms. Iverson:

-I carried down my post card, so, I don't know why I wasn't on your list

-I forgot & didn't realize this was an annual fee; I paid last year's fee immediately; and I hadn't picked up my mail from my PO Box this spring for several weeks; when I picked it up, it was already past the time for me to even pay the fee; so, I just did nothing & figured that it'll go onto my taxes

-I was dealing with my mother in the nursing home & medicaid...

-this is my home; I live there; I'm not sleeping in but I'm working in it everyday but I have a hip that's bone on bone; I can't carry things - Rick Gavin knows that; Diane Gavin knows that; Mark Kaisersatt knows that; they've been very patient; those inspectors have been really wonderful; that is not the issue

-my issue has been trying to find people to help me & just last week, like a gift from God, 2 people came out of the woodwork, who are going to give me some physical help with this

-but I don't know, really where the appeal came from - if Rick initiated this for me because I got a letter in the mail with a postcard---- if I'd like to appeal this but I thought, if there's an option for me - if I can appeal something, I will take advantage of that because I have complied with everything that the city has asked me to do

Ms. Moermond:

-when did this go into the VB Program & how did it come to your attention?

Supervisor Joe Yannarely:

-this went into the Vacant Building Program May 18, 2016

-Condemnation

Ms. Iverson:

- Mark Kaisersatt condemned it because he said that it was just too full of stuff; basically, it's a hoarding house
- I have an issue with the terminology "vacant" because it's not vacant; it has 3 generations of family heirlooms
- I haven't been getting help from House Calls
- one helper is a neighbor's son, who had hoped to go to college this year but they don't have enough money, so he's helping me
- I've talked to House Calls; Mark gave me their name & number, so, I called them right away; and I have never had anyone be so rude; & I told Mark about it; I have no interest in calling House Calls again because I don't need a dumpster; I don't have trash in my house; I have a Tea Shop that I am now too broke to ever probably open, so I will be selling that; I have my father's things; my brother was killed, my mother shipped his things; I have family heirlooms
- I do not have trash in my house; I have papers & things that need to get out (fire hazards)
- my entire life, I've had an immaculate house - until the last 5 years when everything in my life - my job was eliminated at the same time that my mother fell & broke her hip and put into a nursing home; it's collapsed in on me & that's when the hoarding started; now, that I'm kind of thru a lot of the depression; I'm trying to get back on working on my house, my hip has gone to pot & I can't get my hip taken care of until I'm 65; MN Sure won't insure me; I don't have enough income & I'm not going to go on medical assistance because then they'll take my house; so, I've had 5 years of just HELL & I'm trying to crawl out of that
- last summer, I rented a POD; I paid the permit; I hired 2 Men & a Truck, who walked in & said that they don't do this (I just wanted them to carry the boxes out so that I could sort); I had everything set up
- I tried to get some other friends who I trust; I will not let just anyone in

Ms. Moermond:

- you're working at cleaning things out but your health is slowing you down
- I can divide this fee over 5 years; it's going to be an annual fee until you can get out of the VB Program; and the problem that you're facing is getting it cleaned up to the point where the walls are readily visible by an inspector.....

Ms. Iverson:

- the walls are visible now
- what I don't have is the 42"; that's what they want

Ms. Moermond:

- they want more than that to do a code compliance inspection; they want it to be like a regular house; with a small amount of furniture

Mr. Yannarely:

- it appears that it's a Catetory 1 VB; doesn't need a code compl insp

Ms. Moermond:

- how long before you can get it cleaned out?

Ms. Iverson:

- this 18-year old guy can help me; & I'd really like to have it cleaned out by Nov 1, 2017

Mr. Yannarely:

-on a site called MN Hoarding Task Force; they have some helpful information & professional organizers that can help you

Ms. Iverson:

-I actually am an organizer; I've done this for other people in my life; when I need help, nobody has been there for me

-when I called House Calls, a woman answered and I told her my name & that Mark Kaisersatt told me to call you and she said, "I don't talk to citizens; citizens can't call me; you're not allowed to call me; you have to be referred by an inspector;" I said, "I was referred by an inspector; he told me to call you; he gave me your phone number;" she said, "Well, he knows better than that; he has to do the paperwork; I don't talk to citizens;" and that was the end of that; I have no interest in House Calls at all

Ms. Moermond:

-I want to hook you up with the head of House Calls; I will give her a call ahead of time because that should not have happened; I don't know who answered the phone; their brochure has services & phone numbers

-the Hoarding Task Force will have some references

-Lauren Lightner is the person who runs the House Calls Program; 651/266-1285

-it sounds like they're giving you a chance to get this cleaned out

Ms. Iverson:

-Insp Kaisersatt said, "Your house is not dirty; it's not pest ridden; it simply has a lot of stuff in it;" it is not filthy; it doesn't have trash; it just has a lot of stuff

Ms. Moermond:

-Deadline: Oct 18, 2017; get your inspector to go thru & I will cut the VB fee in half & spread it over 5 years

-Insp Mark Kaisersatt needs to sign off on it

Layover to October 18 PH; if Inspector Kaisersatt signs off on it, I will cut VB fee in half and spread payments over 5 years.

Referred to the City Council due back on 10/4/2017

Special Tax Assessments-Rolls

- 39 RLH AR 17-73** Ratifying the assessments for Collection of Vacant Building Registration fees billed during March 15 to April 21, 2017. (File No. VB1714, Assessment No. 178820)

Sponsors: Stark

Referred to the City Council due back on 10/4/2017

- 40 RLH AR 17-74** Ratifying the assessments for Collection of Vacant Building Registration fee billed September 28, 2016 at 1372 VICTORIA STREET NORTH. (File No. VB1715, Assessment No. 178823)

Sponsors: Stark

Referred to the City Council due back on 10/4/2017

- 41 RLH AR 17-75** Ratifying the assessments for Property Clean Up services during May 1 to 30, 2017. (File No. J1715A, Assessment No. 178528)
Sponsors: Stark
Referred to the City Council due back on 10/4/2017
- 42 RLH AR 17-76** Ratifying the assessments for Trash Hauling services during May 2 to 31, 2017. (File No. J1711G, Assessment No. 178713)
Sponsors: Stark
Referred to the City Council due back on 10/4/2017
- 43 RLH AR 17-77** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during February 22 to April 21, 2017. (File No. J1711E, Assessment No. 178314)
Sponsors: Stark
Referred to the City Council due back on 10/4/2017
- 44 RLH AR 17-78** Ratifying the assessments for Boarding and/or Securing services during May 2017. (File No. J1712B, Assessment No. 178114)
Sponsors: Stark
Referred to the City Council due back on 10/4/2017

11:00 a.m. Hearings

Summary Abatement Orders

- 45 [RLH SAO 17-73](#)** Appeal of John Brandon to a Vehicle Abatement Order at 996 MARION STREET.
Sponsors: Brendmoen
No one appeared.

Supervisor Lisa Martin:
-Vehicle Abatement Order compliance was Aug 24, 2017
-look at the photos: it's parked in clover

Ms. Moermond:
-the tires appear to be melting into the ground

Ms. Martin:
-it's been there for some time and there is a driveway next to it

Ms. Moermond:
-I will recommend Council deny the appeal

Deny the appeal.

Referred to the City Council due back on 9/20/2017

Correction Orders

- 46 [RLH VO 17-36](#) Appeal of Jenifer Snavelly to a Vehicle Abatement, Summary Abatement, Condemnation as Unfit for Human Habitation and Order to Vacate at 575 ASHLAND AVENUE. (Legislative Hearing on September 5)

Sponsors: Thao

Appearing: Jenifer Snavelly, Appellant, & Charles Lee; Annette Snavelly & her daughter, Stephanie Snavelly

Ms. Moermond:

-there's a lot going on with this property & a lot of people are involved; there are a lot of life safety issues in the house

-Darlene Snavelly is listed as the legal owner; she is deceased (Jun 27, 2017); Darlene is the mother of Jenifer & Annette Snavelly

-those appearing live in the house; the Probate process has not yet begun

Jenifer:

-there's no will but it was always said that the house would go to all the children (7)

Ms. Moermond:

-so, it will need to go thru the probate process & the house will then be divided among the 7 children

Mr. Lee:

-we are trying to figure out if there are any documents of any kind

-I've been in the family for 37 years

Inspector Sean Westenhofer:

-complaint came into DSI Aug 21, 2017

-the description was a bit strange: duplex; can't get upstairs because the doors are locked; all the entrances are blocked with stuff

-I went out to the property Aug 22; no one was home so, I went back Aug 23 (I had sent an appointment letter because I didn't know if I was going to hear from the owner; I didn't know that she was deceased); shortly after that, I received a phone call from the occupant of the bldg stating that they wanted me to come by & see the property; I met them (Annette & her daughter Rose) at the property; they showed me that the front door was locked or that you couldn't push it open - something was behind it; we went around to the back door on main floor; that door was being blocked with a chair underneath the handle

-about the time, Jenifer & Charles showed up; I tried to explain what I was doing there; they wanted to talk to me alone, in private - away from Annette & her daughter Rose; we walked toward the garage & Annette & Rose were trying to get into the side door; Charles was telling me the story of what was happening at the property with the family; Annette & Rose also came over & within a minute or 2, things started to get out of control; I called 911 & squads showed up to the property to help break up the confrontation/loud argument in the alley area; squads explained to me that this wasn't the first verbal altercation at this property

-after that, I called Supervisor Neis to assist/advise me

Ms. Moermond:

-explained that Code Enforcement deals with owner occupied properties & because this owner is deceased, the owner does not live there anymore, so, the property becomes a Fire Certificate of Occupancy concern

Mr. Westenhofer:

-we asked Charles to allow entry, which he did
-we had learned that the property had bedbugs so, when we walked in, we were very careful about it
-we started inspecting the 2nd floor; there were locked bedroom doors; it was explained that the bedrooms contained somebody else's personal belongings

Mr. Neis:

-there was an excessive amount of materials & gross unsanitary conditions
-they kept saying that they had been working on it; however, it did not appear so; there was a lot of dust & debris - nothing had been moved around
-we went thru the entire house; downstairs we found additional gross unsanitary conditions; smoke/CO detectors had not been working; the house, overall, was kept in very poor condition; in a state of disrepair, dilapidation
-we asked to see some documentation that said this property was going to belong to somebody at some point but there was not any such documentation
-at one point, things were getting heated & we had to separate the 2 sisters
-Charles was continuously trying to control the situation so, I asked him if he was related & he said that he's been with the family for quite some time; we were trying to find out who could make decisions about this property, legally; there's no paperwork concerning legal ownership, etc; the 2 sisters, Annette & Jenifer are the closest to any potential legal ownership

Ms. Moermond:

-what was your observation about who was living there at the time?

Mr. Westenhofer:

-it was really hard to know where they were sleeping
-on the 2nd floor, it appeared that Jenifer & Charles were living there - in a kitchen; there was a counter top with a sink & a bed right next to it
-on main floor, Annette was living there in the living room near the front window
-when I showed up, Annette was living with her daughter on Grand Avenue; she was not living on Ashland because she couldn't get into her apartment; meanwhile Jenifer & Charles could go freely thru the whole house

Mr. Neis:

-this appeared to have been a duplex at one time & had been converted several years ago into a single family home; it could possibly be used as a duplex again, if approved; however, they've been using it as one large single family home for quite some time
-it appeared that the people on the 2nd floor were locking out the other sister
-at that point, we were even asked if we could, essentially, kick one occupant out so that they could clean the house to get it back to the way it should be; as we explained, that was not our determination

Ms. Moermond:

-talk to me about the rear interior staircase (in Orders): missing & defective handrails on interior/exterior stairways
-there's block exiting; doors; hardware; defective chimney; did not get access to all the rooms

Mr. Neis:

-the first thing that we were told by the occupants (Charles) was that it was infested with bedbugs

Charles:

-I did not say that

Mr. Neis:

-and, with that amount of clutter, we were not going to trample over personal belongings, dirty clothes, etc. to access areas; I'm not bringing bedbugs home with me

Ms. Moermond:

-you also wrote a Vehicle Abatement Order & a Summary Abatement Order

Mr. Neis:

*-the vehicle is a boat/trailer along the back rear fence near driveway; has 2014 tabs; appears inoperable & is being used for storage; photos; still there today
-the SA is for rubbish, garbage, trash, electrical cords, debris throughout the backyard near alley, west side of house, east side underneath the staircase on the fence line & on the front porch*

Mr. Westenhofer:

*-the stuff on the porch, side of house & majority of backyard is cleaned out
-still some tree branches, etc, near the boat*

Ms. Moermond:

*-asked about the living circumstances before their mother passed
-both Annette & Stephanie had lived there with Annette's mother, Darlene, who lived there up until her death; they lived on the main floor; Chuck & Jenny lived upstairs
-now, Annette & Stephanie are living with Annette's daughter on Grand Avenue
-asked if the condition of the house has always been bad*

Annette:

*-it's always been bad; we've been trying to get rid of the bedbugs; right after mom died, I started to clean out one room at a time
-and, right after mom died, I was locked out because I could not pay the bills
-just recently, I've been there with Sean & from 8 am - 8 pm to clean the house
-I got rid of a lot of clutter; I have a little more work to do; had friends help me take stuff out
-I want to get back into the house*

Ms. Moermond:

-I can only deal with the condition of the house & whether or not it's Condemned/Vacated but I can't step in as the police could with respect to who's allowed access & locking people in & out, etc; that's not something I can deal with; I can't solve that problem; that's not my role

Jenifer:

*-I've had traumatic brain injury & I have a problem staying focused (began to sob)
-entered her written statement; Ms. Moermond read it, some of it out loud
"Mom passed away the end of Jun with no will; it's always been understood that the house goes to the kids; my hubby & I have been residing on the 2nd floor for the past*

15 years; it was decided we should continue living there since we need a place anyway.... they proposed that we could pay the mortgage & Annette would pay for Xcel, water & trash; based in her history that she made sure that my mom's bills did not get paid & that my mom did not get the mail re: past due or threats to do into collections;... we've tried to inform the appropriate authorities about the potential vulnerable & elderly abuse, extortion, neglect, psychological & emotional unsafe living conditions for my disabled & elderly mother; my hubby & I were able to recognize the telltale signs of aging when the perpetrators of her abuse were respectfully confronted & advised that we have had concerns about my mother & explained those concerns to the victimizers, it appeared to have worked against us; it basically assured them of their master plan..... in my hubby & my opinion is that we couldn't count on Annette to take care of the house; there was also mention of her daughter Stephanie living in the same house, which makes.... very dangerous.....sisters, the group that puts a lot of effort & manipulation into deceiving county officials, law enforcement, support groups, churches & charities while victimizing handicapped, disabled & elderly along the way; we've witnessed physical abuse to my nieces & nephews & the senseless uncalled for hostile throw downs, push-pull, even kick the kids when they are on the ground; this done in front of other witnesses & when the appropriate authorities are informed of such an act on the child, " (continues for quite a long time) -the written statement was copied & entered into the record
-Ms. Moermond skims the rest: you feel overwhelmed with the system; you feel that the county isn't hearing you even though they're saying that they are; you feel like your mother & brother told the county they were doing OK but they were not being honest because they felt threatened; there's been a lot of mis statements, neglect, distortions of the truth; mean things were said at the funeral; hoarding behavior; getting the city involved to be able to push this further; you feel like there's a scam going on against you; you want to be able to get back in, pull permits & do repairs & update the place

Jenifer:

-that's what our plan was; we have the resources to do that

Ms. Moermond:

-the others don't have the resources & you're the ones living there
-you feel like you're the victim of your sister in this whole thing
-mom was neglected but the county did get involved & made a different determination
-Mai Vang will make a copy of this & bring it right back
-that was a nice statement about how you feel & the bad dynamics of what's going on; sounds a lot like you're experiencing trauma

Jenifer:

-I would like to continue to live there while fixing it up; I have 2 sisters who are OK with this & 2 sisters who are rebelling against everything we stand for

Ms. Moermond:

-probably Probate Court's going to get it, divide into 7 & there isn't going to be enough agreement among the 7 of you to have you continue to live there unless you can buy them out; and they may just disagree because there's been hard feelings in the meantime

Jenifer:

-I don't know because siblings have not been talking to each other
-I've received threatening phone calls on my phone from them
-I lock the doors after 10 pm because I'm nervous that they might come late at night; they have come late at night before

-explained why the doors were locked on the day that Insp Westenhofer came; they had left & forgot to unlock the doors for Annette (had tried to call her) but then, they rushed back to unlock the doors & found Insp Westenhofer there with Annette & Rose

Charles:

-I never said anything about bedbugs
-we get along with our neighbors
-the boat has stuff in it; I can get tabs & I can get the stuff cleaned out
-we don't like this kind of mess
-the 32 bags of trash sitting up against the fence is from interior mess that they cleaned up
-we just want to take care of things; a dumpster was coming; we don't want to be part of the problem; we agree with you
-I was trained in nurse care - geriatrics

Mr. Neis:

-the upstairs was not as bad but not much better than the downstairs - very untidy

Mr. Westenhofer:

-the main floor was gross unsanitary; the 2nd floor would be unsanitary
-when we first walked in, the cleanest room in the entire house was where the bed was in the kitchen of the 2nd floor

Ms. Moermond:

-we've determined now, that this is a non owner occupied property
-what kind of Order would you write then?

Mr. Neis:

-Insp Westenhofer was also a very long tenured fire inspector; so, as far as our Orders go, I would fully trust Insp Westenhofer's inspection report/judgement; our reports would not be very far off or different

Ms. Moermond:

-the requirement that a non owner occupied property has a Certificate of Occupancy would be an Order in & of itself
-now, there's a provisional folder open; there is not, at this juncture, a responsible party - a property manager - somebody like that; the owner would have to designate a person like that and here, the owner is deceased

Mr. Westenhofer:

-pointed out that in the Condemnation letter, there was c/o Ervin Snavelly & Annette Snavelly; there's no mention of Jenifer or Charles

Annette:

-Ervin is my older brother; he's a ward of the state

Charles:

-the locked doors are secured for his belongings

Mr. Neis:

-is it possible that there's some kind of a trust that we don't know about?

Jenifer:

-my brother has a trust, I believe

Mr. Neis:

-perhaps, there's a trust - speculation -

-we don't usually put these into the Fire C of O right away to give the family time to work it out

-but whether it be a Fire C of O or Code Enforcement issue, it doesn't change the conditions of the property: bedbugs, clutter, gross unsanitary on 1st floor, unsanitary on the 2nd floor, sewer issues, etc. - it warrants the Vacate

Jenifer:

-we do not have bedbugs on the 2nd floor; we did not want to clean Annette's room because of the bedbugs down there

Charles:

-we thought this might happen after ma died

-we've changed a lot in the house; it's highly liveable; I can figure this out if given the opportunity; I can fix this

Jenifer:

-I have not been cleaning my space because I've been going to work with him during the day because I don't want to be attacked by them

Stephanie:

-I would like them to stay up on the 2nd floor - not to come down on the 1st floor & jump us

Mr. Neis:

-the 2nd floor has to have access to the 1st floor because the house is no longer in use as a duplex; this is one large house

Mr. Westenhofer:

-until something can be worked out between the siblings, the status should stay the same

Ms. Moermond:

-I'm going to recommend that your appeal be denied; Vacate date is Sep 20, 2017; that means that no one can live there after Sep 20

-you can access the house from 8 am - 9 pm for cleaning & repairs

-the property will be referred to the VB Program

-I don't see a path out for you guys; no one owns the house; no one can, ultimately for take responsibility for doing the necessary repairs

-the house may not be lived in; only cleaned & repaired

-it needs to be probated; this situation cannot continue

-City Council Public Hearing, Sep 6, 2017 at 5:30 pm

Deny the appeal and grant to September 20, 2017 to vacate the property.

Referred to the City Council due back on 9/6/2017

47 RLH CO 17-29

Appeal of Michael G Behan to a Vehicle Abatement Order at 601 TOPPING STREET.

Sponsors: Thao

Michael G. Behan:

Supervisor Lisa Martin:

-Aug 16, 2017, Inspector Richard Kedrowski issued Orders re: boat, motor & trailer parked on an unapproved surface; we also had SPPD removed some tree debris from the east side of the yard

-I received information from Mr. Behan; he felt that was grandfathered in

-I fwd an email to you from Zoning that showed there was never an approval site plan for that area; in 2004, there was no driveway; 2008 photos show some type of driveway; it was not pre-existing & it hasn't been maintained over the years

Mr. Behan:

-I think the reason that the inspector came to the property was because I had tree debris & it took a while for me to remove it; I removed that - the nature of the complaint

-he also cited me for the boat parked on this gravel driveway; at first he indicated that it wasn't a gravel surface to which I said, "It most certainly is;" 10 minutes later he called me & said that he had given me false information on it - that it was never approved & that I needed to submit a site plan to be approved before I could park the boat there

-I feel as though the city is coming down a little heavy handed; the boat is not a piece of junk & I've done a lot of improvements to the property

Ms. Moermond:

-Zoning says they've never approved parking in that area; you did get incorrect info but the inspector corrected it right away; however, it was bad news

-it doesn't look like this was an original driveway area looking at where the trees are placed

-I also see that at some point, there was a parcel split; you have 1 1/2 parcels; there's a commercial structure to the east that straddles the property line (aerial map)

-we have to figure out a better place to park that boat; this won't work

-I'll bet that Zoning won't approve a gravel driveway

-you already have an asphalt/concrete surfaced driveway and you may have a parking space beside the garage - you could Y out the driveway

-two different kinds of surfaces would not be allowed to abut one another

Mr. Behan:

-I could extend that concrete pad

-it's been there for 10+ years; I live about 200 feet from St. Paul's maintenance dept; they drive by there every day & nothing has been said; I work in code enforcement myself; I just don't get it

Ms. Moermond:

-if I called in every code violation that I saw, I would never get to work

-if a complaint comes in or if something else is there that draws one's attention to the property, the inspectors need to check it out; that's what happened here; and this is pretty obvious

Mr. Behan:

-it's obvious but it's not a junk car or a nuisance; I don't see the philosophy behind it

Ms. Moermond:

-St. Paul has exterior property maintenance standards and that's what we're talking about here

-I want to give you enough time to establish an appropriate parking surface for this boat; I don't want to come down heavy handed on you - looking into next year

Grant an extension to June 1, 2018 to come into compliance with an appropriate parking surface/space for the boat.

Referred to the City Council due back on 10/4/2017

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations - Code Enforcement

- 48 [RLH VO 17-38](#) Appeal of Jenny Rundenza to a Summary Abatement Order, and Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 784 HOLTON STREET.

Sponsors: Stark

Jeannette Rundenza, owner, and Mike Hart, friend, appeared.

Supervisor Lisa Martin:

-Aug 17, 2017 - a complaint came in about using this home as an illegal triplex; some are living in the basement; front steps were jack-hammered away; police issues

-Aug 18, I sent an appointment letter for an inspection Aug 23 at 11 am

-in the meantime, I also sent a Summary Abatement Order for the yard & tall grass & weeds

-I spoke to the owner over the phone; Ms. Rundenza agreed to meet me the following day; she had not received the appointment letter; there were issues with the tenants on the main floor, who may have taken her mail; there was a lot of traffic coming & going into the home

-Aug 23, we did do the re-inspection and found several issues; we had police officers with us, as well, due to the amount of traffic in & out of the home

-missing smoke detectors/CO alarms on the main floor; we did not have access to the upper level or basement at our first visit; on our 2nd visit we made sure that the smoke detectors/CO were working; it appeared that there was an illegal unit in the basement

-this case was heard previously for the same situation - someone living in the basement; that appeal was denied back in 2015

-I Condemned the bldg based on the exit issues (photos)

-SPPD also had a discussion with Ms. Rundenza re: the smell of marijuana in the home

-I explained things that needed to be taken care of; Ms. Rundenza understood all the Orders & was willing to comply with everything; she is having issues trying to get the tenants out of the main floor; a lot of people were visiting; people sleeping all over the floor; looks like there was quite a bit of partying going on

-Ms. Rundenza claims that she lives on the 2nd floor

-this is a duplex being used as a triplex

-there's a lot of debris in the yard

-no permit for the deck

-unit in 2nd floor: there's a door that opens & you can fall right down to the ground (photo); looks like a staircase had been removed when they put in the egress window

-exit issues are a huge concern

-we don't know who's living there

-I asked Ms. Rundenza to prepare some type of timeline for the repairs & to make sure that permits are pulled

Ms. Rundenza:

-I bought the property in 2016; I'm not aware of what happened there before I bought it; when I bought it, the basement was kind of finished but not really; I demoed it completely & I finished it for my daughter

Ms. Moermond:

-you turned the basement into a legal unit?

Ms. Rundenza:

-no; I turned it into extra living room; my daughter was planning to move there from college; basically, a game room, a bathroom, 2 small bedrooms.... not intended to be a triplex

-you need a key to get into that living area

Ms. Moermond:

-that's 2 different living areas; that is an illegal triplex

-if you could walk from one room in one unit to another..... if you were living in the first floor with easy access between the 2 living spaces..... but you can't have a basement-2nd floor considered as one living unit; that's not acceptable

Ms. Rundenza:

-in Mar 2017, all units had smoke detectors & CO; when the tenants moved in, everything was in there; now, they are in the process of moving out

Mr. Hart:

-they are physically moving out, currently; there's a U-Haul there

Ms. Martin:

-one of those tenants has also filed an appeal

-for the record, Ms. Rundenza's daughter did not move into the basement; it's a friend of hers who rents the basement

Ms. Rundenza:

-entered some photos; she is in the process of doing a lot of renovations

-she is planning to put a small deck where the door leads to "nowhere"

-the handrail was falling out when I bought it; I hired the tenant's brother to build the deck as is

-asking to finish my project; the front porch will be done; planning to finish before Nov 1, 2017

-used screen tape for the screens

-I'm doing a lot of exterior renovations, right now

-has permits to do exterior work

Ms. Moermond:

-are there any permits reflecting the basement work?

-any note about fire separations....?

Inspector Westenhofer:

-there's an open bldg permit for exterior work Aug 30, 2017

-basement work was approved Feb 23, 2017

-RT-1 Zoning

Ms. Rundenza:

*-there's no kitchen
-bldg has a furnace
-it was never my intent to change this to a triplex*

Ms. Martin:

-look at the photos: they show a microwave, sink, refrigerator; there is a separation between all the units

Fire Supervisor A.J. Neis:

*-the basement was finished but not as a triplex
-to change the entire use of the property would be a significant upgrade*

Ms. Moermond:

-is the person staying in the basement paying you?

Ms. Rundenza:

*-yes; he's paying me
-when my daughter decided not to come back, my 2nd plan was to connect those 2 units
-but I probably will just leave it*

Ms. Moermond:

*-this will go in front of City Council Sep 20, 2017 at 5:30 pm
-you will want to have Inspector Martin inspect the property before then to demonstrate that all of these issues have been addressed to her satisfaction; some of these items will require a permit; if not completed by noon on Sep 20, 2017, I will recommend that the house should be vacated as of Oct 1, 2017 until it is code compliant*

Ms. Rundenza:

-I'm a little confused; I'm just doing exterior work

Ms. Moermond:

*-the Orders include a lot of issues
-I'd be willing to give a little more time on the exterior walls & roof; let's go out to Dec 1, 2017; all else will go with the Sep 20 deadline
-hire a contractor fast & get this done
-I'd be so much more sympathetic if it wasn't such a shit show; it was horrible to need to involve the police to achieve even minimal code compliance; and you are living right there
-I'm guessing that the neighbors hate you*

Mr. Hart:

-the neighbors hated her because the tenants were black; that's why police were there

Ms. Moermond:

-when I saw the interior of that unit & I hear about all the people living there, I hear a lot of noise, a lot of partying.....

Mr. Hart:

-I see a lot of race involved with the people who were living there

Ms. Moermond:

-until you opened up your mouth, I didn't even know the race of people who were living there

Mr. Hart:

-I believe the police knew; & I believe the inspectors knew

Ms. Moermond:

-I see a lot of bldg code violations; I see a lot of emergency personnel in & out; I see a lot of things that the owner, who lives right there, should have been taking care of -the front steps need to be fixed; if you have it, it needs to be maintained

Ms. Rundenza:

-I was unaware of the police activity going on there; it looked much different 2 months ago; I don't go down there daily

Ms. Moermond:

Grant to September 20 for the items in the Condemnation Order to be addressed (some items may require permit(s); if not completed by 9/20 at noon; vacate date is October 1; grant to December 1, 2017 for the roof and exterior walls.

Referred to the City Council due back on 9/20/2017

49 [RLH VO 17-39](#)

Appeal of Sam Barth (tenant) to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 784 HOLTON STREET.

Sponsors: Stark

Deny the appeal. Sam Barth, tenant, did not appear. If property owner can't come into compliance with the Condemnation Order by September 20, with the exception of exterior walls & roof, the entire property must be vacated by October 1, 2017.

Referred to the City Council due back on 9/20/2017

1:30 p.m. Hearings

Fire Certificates of Occupancy

50 **RLH FCO
17-143**

Appeal of Michael Roberts to a Reinspection Fire Certificate of Occupancy With Deficiencies at 320 JENKS AVENUE.

Sponsors: Brendmoen

Michael Roberts did not appear.

Grant extension to June 1, 2018 for both neighbors (324 & 320 Jenks) to address the driveway.

Referred to the City Council due back on 10/4/2017

51 **RLH FCO
17-148**

Appeal of Charlnitta Ellis to a Correction Notice - Re-Inspection Complaint at 801 AURORA AVENUE.

Sponsors: Thao

Charlnitta Ellis, owner, appeared.

Fire Supervisor A.J. Neis:

-Fire Certificate of Occupancy Inspection conducted by Inspector Robert Corrie was approved with Corrections in Dec 2016; when Mr. Corrie left, it was transferred to Inspector David Smith
-exterior corrections were left: retaining wall, peeling paint, parking surface near alley
-all interior life safety deficiencies have been corrected
-this has been going on for over a year & that's why I instructed Insp Smith advise Ms. Ellis that we've exhausted the time that we can allow in our office but if more time is needed, to file an appeal

Ms. Ellis:

-I'm really just looking for more time; I've had a horrible with the tenants; I had to spend \$3000 a year ago trying to get rid of bedbugs; the house next door is horrendous, so trying to get good tenants is really difficult; I haven't had anyone in the property for a year now; my brother is living there to make sure that maintenance is done; I haven't had the income to do what is necessary to the exterior; it's spotless inside; it's been very well kept
-I grew up in the neighborhood; I'm contemplating selling it; people send me offers
-I did have someone come out and do an estimate for painting
-the concrete work is estimated over \$12,000

Mr. Neis:

-there maybe some additional funds available for situations like these for properties like this but that takes time

Ms. Ellis:

-I'm never going to get a quality tenant as long as the house next door is operating the way that it does (807 Aurora -right next door)

Mr. Neis:

-807 Aurora, Quality Residences; it met minimum compliance in Jan 2017 but there were dumping complaints; excessive litter in the alley; water shut-off in Oct 2016; more illegal dumping

Ms. Moermond:

Grant to June 1, 2018 for compliance.

Referred to the City Council due back on 10/4/2017

**52 RLH FCO
17-154**

Appeal of Darrell E. Lewis-Bey I to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 324 JENKS AVENUE.

Sponsors: Brendmoen

Rose Lewis appeared.

Ms. Moermond:

-this is a shared driveway situation where it needs repair & it needs cooperation between the 2 parties

Ms. Lewis:

-the neighbors are discussing it; they just need to come to terms with which contractor to use & the cost
-Darrell Lewis asked me to represent the company & ask for an extension to get that

done

Fire Supervisor A.J. Neis:

-this is 324 Jenks; at the previous hearing for 320 Jenks, you granted to Jun 1, 2018 for both parties to come into compliance with the driveway; (Ms. Moermond advised me to get Inspector Schmidt to strongly encourage 324 to appeal so that we could get on the same page)

Ms. Moermond:

-my thinking was that if we had Orders on both properties & both were under appeal, you guys were likely to talk to each other & jointly problem solve the situation

-checked out the photos; looks in pretty bad shape but you're both working together on it

-no extension beyond Jun 1, 2018

Grant extension to June 1, 2018 for both neighbors (324 & 320 Jenks) to address their shared driveway.

Referred to the City Council due back on 10/4/2017

**53 RLH FCO
17-151**

Appeal of PaoLee Lor to a Fire Safety Inspection Appointment at 970 JENKS AVENUE.

Sponsors: Bostrom

PaoLee Lor, property manager, appeared.

Fire Supervisor A.J. Neis:

-the inspection, itself is being appealed; owner does not think that the home should be in the Fire C of O Program; Inspector George Niemeyer

Mr. Lor:

-my parents live here; I bought the property for my parents; for the last couple of years they rented it because they were in Section 8; now, they are not in Section 8

-I don't make any money at all

Ms. Moermond:

-you did rent to your parents but you don't have Section 8 any more; they had vouchers & the vouchers went to you; it was a rental property in Section 8

-since you don't have those vouchers coming in any more, you are saying that it's not a rental any more

Mr. Neis:

-Chapter 40 of the Legislative Code is very clear; it pertains to non owner occupied properties; the owner clearly does not live here; if his parents were still receiving Section 8 vouchers, he'd gladly be collecting the money; now, they longer have the voucher & he thinks that he should no longer be in the program

-in our definition, this is clearly a C of O building

Ms. Moermond:

-the code says if you're the owner & you're not living there, it's not owner occupied

-you could give your parents a partial ownership interest in the property; that would mean that they are part owners & they are living there; it's an option for you

-if they are not part owners of the property, then, it's non owner occupied & it does need to have a Certificate of Occupancy

-we don't make our decisions on whether or not you're receiving Section 8 vouchers
-if your parents name is on the ownership, even in small measures, then, it's owner occupied

Mr. Neis:

-Mr. Lor has owner this property since 2001; it has an impeccable inspection history; there was 1 complaint in 2009
-you are not due for your next inspection until 2023; the fee would be right around \$200; & you don't need to pay for a furnace inspection

Ms. Moermond:

-when you get your bill, one option is to wait for it to go to assessment (if you don't pay it, it will turn into an assessment, which is appealable); if you appeal, I can make the bill payable over a few years
-will recommend denial of the appeal

Mr. Lor:

-one more thing; the last time the inspector came last month, I told him that I was going to appeal & he said that he will still charge \$74 no-entry fee

Ms. Moermond:

-don't worry about it; no; there's no charge

Mr. Neis:

-no; we'll take care of it

Ms. Moermond:

-there will not be a charge; the inspector spoke incorrectly; Mr. Neis will make sure that it's cleared up

Mr. Neis:

-he did charge you a fee; I will delete the fee

Ms. Moermond:

Deny the appeal.

Referred to the City Council due back on 10/4/2017

**54 RLH FCO
17-147**

Appeal of Jose Felix to a Reinspection Fire Certificate of Occupancy With Deficiencies at 1108 WESTERN AVENUE NORTH.

Sponsors: Brendmoen

Taweh Anderson, Attorney, appeared o/b/o Jose Felix, owner.

Supervisor A.J. Neis:

-this property has been inspected multiple times this year by Fire Inspector Efrayn Franquiz: Mar 29, May 23, Jul 12 rescheduled to Sep 5 at 10 am

-after 4 inspections, 56 code violations remain

-Mr. Filix has owned the property for 1 1/2 years; during that time, there's been 11 code enforcement complaints: TGW, trash, containers, box springs, recycling materials, mattresses- sounds like dumping; overflowing garbage

-he's an absentee landlord

-looks like there's a pending sale agreement

-asking for time

Ms. Moermond:

-for the past 18 months, the property has seen numerous complaints

Mr. Anderson:

-he is in the process of selling the bldg; he had hired a contractor, who began making repairs on the bldg; that contractor had a heart attack; then, he hired another contractor, who is still not finished with the repairs but he has sold the bldg, which is supposed to close Nov 18, 2017

-he is asking for an extension to Dec 2017

-part of the reason he hasn't finished the repairs is that he didn't have the money

-I believe that he plans to repair the bldg before the new landlord takes over

-I have receipts showing that he's paid for things

Mr. Neis:

-if the repairs are passed onto the new owner; then, the new owner will call in Nov asking for time because he just purchased the bldg and I'm really concerned about the tenants who continue to live with these violations

Mr. Anderson:

-the new owner is the NYA Group

Mr. Neis:

-if the deal falls thru, then we're at square 1 and the tenants are left with smoke/CO alarms not working, no outlet covers, etc.

-is there someone local, like you, who could help him manage during the interim?

Mr. Anderson:

-I didn't know about any of this; he sent me the letters & said that he couldn't make it to the hearing; I started gathering all these documents; he's been trying to sell this bldg for a while & I'm trying to help him out

-he does have a maintenance person but I don't know what's going on with that; some things are getting done, he said

Ms. Moermond:

-he needs to come up from Texas to get this stuff done

-he could hire a local management company; there's a lot of deferred maintenance; they do these kinds of repairs

-is there a permit in the system?

-if we do a 1 to 2 week Layover; then get a list of what's left, I can put together a deadline for the balance of the repairs

-let's get an inspector out there to check on the status of these repairs

Mr. Neis:

-Fri, Sep 15 at 2:30 pm - next inspection with Inspector Franquiz

Mr. Anderson:

-I'll make sure someone is there; I can be there myself

Ms. Moermond:

-will Lay this Over to Sep 19 LH

Forthcoming. (Inspection to occur during the interim.)

Laid Over to the Legislative Hearings due back on 9/19/2017

2:30 p.m. Hearings

Vacant Building Registrations

- 55 **RLH VBR** Appeal of Kevin Kostka to a Vacant Building Registration Notice at 873
 17-63 MARION STREET.

Sponsors: Thao

Kevin E. Kostka, owner, appeared.

Fire Supervisor A.J. Neis:

-we messed up

-I had an opportunity to speak with the Appellant briefly; he purchased it Jul 21, 2017, approximately

-an appointment letter was sent out to a My Vu on Jul 10 with an initial C of O inspection Aug 19, 2017; Inspector Dan Klein went out to the property Aug 19; looked in the windows and noted that the property was missing floor coverings; and there are no furnishings in the house; it's clearly a Vacant Building; walls & floors are torn up; not sending letter; sending to VB Program; no open permits, Dan Klein

-we have to give Notice if we're sending it to over to the VB Program, which we didn't do; we didn't give Notice of any Revocation

Ms. Moermond:

-are the records cleared up now in terms of ownership at Ramsey County?

Mr. Neis:

-no; they're still under My Vu's name; the change can take up to 6 months, I've been told

-Mr. Kostka can fill out a Fire Certificate of Occupancy form, so we can get responsible party information

-he has just shown me a timeline of all the work that he's been doing on the property; looks like mostly cosmetic

Mr. Kostka:

-this will be an investment property; I'll be pulling a rental license within the next 90 days

Ms. Moermond:

-you will get a new appointment letter

-what kinds of things have you done here?

Mr. Kostka:

-mowed the lawn the 2nd day I owned it; moved the rubbish; my daughter & I hauled away 100 lbs of trash from inside the house; I installed a refrigerator & electric stove; flooring; painted the bathroom; stained cabinets; trimmed branches; fixed broken fences, etc, I have receipts

-I spoke with someone from inspections, who said that I should pull permits for the windows & doors but when I tried, I was unable to do it

Ms. Moermond:

-I think you should be able to pull permits as soon as tomorrow after Mr. Dornfeld puts a note into the system

Supervisor Matt Dornfeld, Vacant Buildings:

-we have this listed as a Cat 2 VB; should we change it to a Cat 1 VB to avoid any confusion?

Ms. Moermond:

-I would like to grant the appeal so that he's out of the VB Program

-in no more than 90 days, he should have his first C of O Inspection

-Mr. Kostka is filling out the form today; he can get that to your office & you can send him an appointment letter with some basic information on things that he should be working on

Mr. Dornfeld:

-you'll be able to pull permits now, if you want

Ms. Moermond:

Grant the appeal on the Vacant Building status and allow owner to get Fire C of O reinstated.

Referred to the Charter Commission due back on 10/4/2017

**56 RLH VBR
17-62**

Appeal of Tuan Phan to a Vacant Building Registration Requirement at 1628 VAN BUREN AVENUE.

Sponsors: Stark

Tuan Phan, Appellant, appeared.

Supervisor Matt Dornfeld, Vacant Buildings:

-Code Enforcement received a complaint Jul 26, 2017 that stated there were holes in the gutter line, which are allowing pigeons in & out of the home

-Jul 31, 2017, Inspector Dan Hesse followed up on that complaint; he stated the complaint was valid & documented the holes in the gutters; more importantly, he also documented that there were some downed active power lines laying in the backyard; he immediately called Supervisor Lisa Martin & Xcel Energy; Xcel proceeded to disconnect the active downed wires from the house & Inspector Martin issued an immediate Condemnation

-Insp Martin documented numerous violations: electrical mast being damaged; downed service wires; eaves & soffits; windows/screens; tall grass & weeds

Ms. Moermond:

-doesn't she mention the pigeons going in & out?

Mr. Dornfeld:

-Inspector Hesse observed the pigeons

Ms. Moermond:

-so, they have an infestation as well

Mr. Dornfeld:

-it's not worded in the Condemnation

-photos

-Ms. Martin also documented the roof - deteriorated; in state of disrepair; garage & accessory structure in disrepair; exterior walls need paint
-I do not see a Correction Notice that preceded this
-Ms. Martin transferred it to Vacant Buildings & Inspector Kalis opened a Category 2 VB on Aug 1, 2017; he also issued a Summary Abatement Order to cut the grass; the grass was not in compliance as of Aug 9, 2017; so, a Work Order was issued to cut the grass
-at the time of the inspection, there was also yard waste on the property & a SA Order was issued to remove it; it was not in compliance as of Aug 15, 2017; a second Work Order was issued for that
-as of today, the property is now vacant, secured & maintained

Ms. Moermond:

-is the owner, Jacques Xung Phan, a relative?

Mr. Phan:

-that's my father; he is deceased
-the property is in Probate; my uncle is executor
-when this happened, I was visiting my brother who is ill; I was to be gone for a week or two but then, his condition got worse & I had to stay longer to take care of him; so, I was gone 4-5 weeks
-no one was looking after the house while I was gone; I hadn't planned to be gone so long
-this has been in Probate for 2 years; it is not contested

Ms. Moermond:

-I don't know what to do with your situation here

Mr. Phan:

-my uncle's name is Johannes Hguyen
-my brother, Hung Phan, pays the bills; he lives in Lakefield
-I lived there with my dad

Ms. Moermond:

-looks like a tree fell & took out the power lines
-there's a lot of exterior repairs that need to be made; & we don't know what's going on in the interior
-what's your ability to do the repairs on the outside of the house? Is there the money to do them?

Mr. Phan:

-yes; we are a big family; lots of brothers & sisters; we are in the process of talking with a contractor to re-do the whole house, inside & out
-now, I'm staying with family
-the electricity has been restored

Mr. Dornfeld:

-an electrical permit was pulled for meter socket replacement

Mr. Phan:

-my neighbor is an electrical contractor, Jim Konkel

Mr. Dornfeld:

-no electrical permit in the system pulled for Mr. Konkel's work - he attempted

-it's showing abandoned in the system (the permit is not valid in the system) as of Sep 3, 2017

Ms. Moermond:

-your electrical contractor needs to pull a permit for that work; he needs to talk to DSI
-I will Lay this Over for 1 week; I need to see that a permit was pulled & then an electrical inspector can go out
-I want to make sure that the electricity has been addressed
-if possible, I'd like to get you out of the VB Program & turn the rest of these Orders into Correction Orders with a time line

Mr. Dornfeld:

-I'm guessing that Mr. Konkel went to pull a permit; the DSI office staff began the process but then realized that it was a VB 2; and without the Code Compliance, they wouldn't allow it

Ms. Moermond:

-is there a way for you to communicate to DSI that he should be allowed to pull the electrical permit?

Mr. Dornfeld:

-it would be easiest to just change it to a Category 1 VB to allow for the permit

Ms. Moermond:

-let's do that now

Layover to 9/12 for owner to get electrical permit pulled by his contractor and signed off. If completed, recommends appeal be granted and balance of the orders be converted to Correction Orders.

Laid Over to the Legislative Hearings due back on 9/12/2017

Staff Reports

- 57 [RLH SAO 17-65](#) Making finding on the appealed nuisance abatement ordered for 25 ELIZABETH STREET EAST in Council File RLH SAO 17-56. (To be referred back September 26 Legislative Hearing and to continue Public Hearing to October 4)

Sponsors: Noecker

Jonathan Gutierrez, owner, appeared.

Ms. Moermond:

-the work wasn't done on Aug 1, 2017
-it goes to City Council tomorrow, Sep 6, 2017

Supervisor Matt Dornfeld:

-status report: Mr. Gutierrez called & requested an extension to Sep 1, 2017 for the work on the retaining wall; I spoke with Inspectors Magner & Benshoof; they agreed to allow that because there's an engineer involved
-I got a report today from Inspector Benshoof that says no work has been done; they are still waiting for them to hire an engineer to design the wall

Mr. Gutierrez:

-I spoke with Insp Benshoof about a half an hour ago; the reason that we are unable to move forward is that our situation is very unique; the engineers have been unable to identify a system that will work in this situation

-I've been communicating all of this with the city all along

-based on the system we need to use here, they think we need to get a variance in order to get this done

-2 feet from the other property; we need to go 5 feet deep according to what they think; any other system can compromise structure of the garage that is within 3 feet from the line

Ms. Moermond:

-so, you would need to encroach 2 feet into the neighbor's property; that's not a variance; it would be buying property

Mr. Gutierrez:

-I'm not sure what I really need to do to make this happen; probably, we need to have city involved for the benefit of both properties but I don't know what process I need to make this happen; as long as the neighbor is OK with it

Ms. Moermond:

-I think that you need to talk with the neighbor first & both of you would need to apply; I can see that it's in their interest, as well; but the city can't give you permission to build on their property; only they could do that; I can see where you would have a very good application for a variance; what you're saying makes perfect sense

Mr. Gutierrez:

-is there any way the city can give me a document saying that this is our only option that I could share with them

-because the neighbors don't seem to be too willing to cooperate in any way

Ms. Moermond:

-no; we don't do that; we couldn't say that this is the only engineering plan that could work; our structural engineer will look at the bldg permit & say, "Yes, this a solution that will work to address the problem;" & he'll sign off on it (I'm assuming) but he's not going to say, "This is the one & only thing that will work"

-you are really relying on the professionals that you hired

Mr. Gutierrez:

-is there a way that the city can suggest to the neighbor...

Ms. Moermond:

-I think you need to sit down with Site Plan Review & Steve Ubl, the bldg official; & I'm not sure what they would look for

Mr. Dornfeld:

-I think Mr. Gutierrez is asking the city to step in and say, "This is the best route"

Mr. Gutierrez:

-we figured out a way to access (nbrs weren't too cooperative) to make this happen

-I've been communicating with Insp Benshoof every step of the way so that he understands what's going on

Ms. Moermond:

-there needs to be a sit down with you & city staff to help you put together a road map of the things that need to happen; to me, it looks like you would need a variance to build up to your property line & the neighbor would need a variance to allow the building within the first 3 feet of their property line; so, both would need to apply for it & you'd need permission to get onto their property; & you'd need engineering approval that this was a solution
-to find out exactly what you need to do, talk with those folks, who can pull this together

Mr. Dornfeld:

-I think that Insp Benshoof & Steve Ubl can bring this together with plan review & the city engineer
-I can start this facilitation by emailing Benshoof & Ubl right now

Ms. Moermond:

-this is in the Vacant Building Program
-the Order is a Summary Abatement Order that means, if the owner doesn't do it, the city will step in & do it & the city would shore it; so, the city would face the same problem
-can we get these people together within the next 3 week?

Mr. Dornfeld

-I can facilitate but not guarantee

Ms. Moermond:

-tomorrow at CCPH, I will Lay this Over to Sep 26, 2017 LH
-City Council Public Hearing Oct 4, 2017
-I can call Mr. Ubl, too
-maybe Magner should be there, too, if an Emergency Order needs to be issued
-Mr. Gutierrez, make that meeting with your engineer

Mr. Gutierrez:

-let me know; I really want to resolve this

Ms. Moermond:

-see you in 3 weeks, Sep 26 at 2:30 pm

To be referred back to Legislative Hearing on September 26 and laid over to October 4 Public Hearing.

Referred to the City Council due back on 9/6/2017

3:00 p.m. Hearings

Other

58 RLH OA 17-19 Appeal of Chang Yang to a Request for Fence Variance at 1242 EARL STREET.

Sponsors: Bostrom

Chang Yang appeared. Mai Vang interprets.

Fence Variance

Ms. Moermond:

-this is an application for a fence variance; in reading the application for the permit, it indicates that you requested a 6 foot high fence around the entire house, including the front

-it looks like you are proposing a narrow chain link fence

-one of the boxes checked is "barbed wire fence;" and I don't know if he really means "barbed wire fence"

Mr. Yang:

-he doesn't really know what it means

Ms. Moermond:

-explained what barbed wire is

Mr. Yang:

-no, I didn't mean that; I don't need that

Ms. Moermond:

-the law says that you can have a 6 ft high fence from the front of the house, along the sides & in the back but you can have only a 4 ft high fence from the front of the house forward

Mr. Yang:

-the sides and back already have fencing; he's just asking for the front - for 6 ft high fence in front & a gate that goes to the back leading to the garage

Ms. Moermond:

-there's no problem with the 6 ft high gate in the back

-the code is specific about having no more than a 4 ft high fence in the front; however, you are trying to accommodate someone with a disability & I'm not sure, legally, if I need to make that accommodation within the fence permit or not; I need to consult with the attorney, who does this kind of work

-I will give you an answer within a week of two after I've had a chance to consult further because disability law is not my specialty

Mr. Yang:

-I would like to get this resolved this year

-he's a cousin & there's no one else to take care of him, Bee Vang; he has schizophrenia, low functioning & he likes to get out; he climbs, too; that's why I need mini mesh

-the family takes turns caring for him; wherever they go, they take him along

-we call SPPD when he goes missing

-one time, he got onto his bike & wanted to go to Iowa; he got as far as Rochester

Ms. Moermond:

-I will talk with the City Attorney & get back to you this week

Deny the appeal.

Referred to the City Council due back on 10/4/2017