



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
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Tuesday, September 12, 2017

9:00 AM

Room 330 City Hall & Court House

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

##### Remove/Repair Orders

- 1 [RLH RR 17-18](#) Ordering the razing and removal of the structures at 675 AURORA AVENUE within thirty (30) days after the July 19, 2017 City Council public hearing. (Public hearing continued from August 16) (To be referred back to Legislative Hearing on October 10; Council public hearing to be continued to October 18)

**Sponsors:** Thao

*Coretta B. Walker Rinehart, owner, and Gene Adkins, Attorney, Hitchcock Law Firm, appeared along with Mr. Booker, construction contractor*

*Steve Magner, Code Enforcement Manager:*

*-update: read letter sent by Mai Vang Aug 10, 2017 (attached)*

*-looking for: 1) a detailed work plan or sworn construction statement with timelines for the completion of the rehab of the building; 2) actual money - liquid assets set aside in a separate account to use to pay for the project; 3) a lock box combination to gain access for the inspectors; and 4) maintain the property*

*Ms. Moermond:*

*-what do we have?*

*Mr. Magner:*

*-the code compliance inspection report was provided on Sep 5, 2017*

*Mr. Booker:*

*-I have a work plan; I had plumbers & electricians go thru; but basically, once we pull a permit, work is scheduled out*

*-we did have a lockbox*

*Ms. Moermond:*

*-when I say I need a work plan, do you understand that I need to see all of that before I would recommend that you get the time to even pull a permit because this is a Category 3 VB?*

*Mr. Booker:*

*-we haven't got that paperwork - we haven't got the code compliance report*

*Ms. Walker Rinehart:*

*-we haven't received a code compliance report*

*Mr. Booker:*

*-the house isn't as bad as it seem; it's not as bad a Cat 3*

*-we have to upgrade the boiler, the bathrooms, kitchen,,,,, but*

*Mr. Magner:*

*-I'm sorry; the code compliance inspection was requested on Sep 5*

*Ms. Walker Rinehart:*

*-we applied for it before then; we put the lock box on; Booker told Jim Seeger it was ready to go*

*Mr. Booker:*

*-Jim had called me back just the other day & said that they couldn't get in; we did have it boarded up because somebody kicked in the door; so, I had to go back out there & put a new pad lock on it but Seeger didn't have the right combination to get in; I believe that he was able to get in eventually; Jim was in there but he wasn't sure if the other inspectors had been in there at that time*

*Mr. Magner:*

*-Sep 7, he sent a trial letter, which means that he's done his part; & the electrician inspector, Dave Blank, has done his part; plumbing & mechanical have not yet been in there*

*-Seeger did send me an email that said he didn't get the lock box until last week*

*Mr. Booker:*

*-he had it a little earlier; I think there was a little miscommunication because the lock box was on there for at least a month*

*Ms. Moermond:*

*-I have a 1-page construction statement from Mr. Booker*

*Mr. Booker:*

*-we are waiting on the code compliance inspection, too; we will spell it out but just going thru it, we knew what work had to be done*

*Mr. Adkins:*

*-re financing: as I understand it, the state has 759 shares of 3M stock; the certificates have been lost over the years and so on Jun 30, 2017, Ms. Walker had requested Wells Fargo (transfer agent at 3M) to re-issue those shares of stock so that it can be sold; 3M responded back by letter dated Aug 11, 2017 with the requirements for them to re-issue the stock & then in order to sell it, including a fee of \$4700, which Ms. Walker has now paid; she's also filled out the stock transfer power form, which was sent in; they are waiting with the Order to sell the stock, all 759 shares, which is about \$156,000 - we are waiting for that to be processed thru Wells Fargo*

*Ms. Walker:*

*-I called Wells Fargo yesterday & they are in the process of re-issuing the stock; then, they can transfer the stock to the state; then sell*

*-I do have everything showing I requested, with dates & times, everything; I had to*

come back down here because 3 days before the Letter of Testimony had expired; it to be within 60 days, so I had to come back down here & get another Letter of Testimony, then go back; I filled everything out in the presence of Wells Fargo staff to make sure it was complete & thoroughly done; they said that 759 shares will take 14 days to re-issue; then maybe another 10 business days to sell; we're 12 days in now

Ms. Moermond:

-so, we're 3 weeks out, minimum

Ms. Walker:

-I want to put on the record that I started the transfer of the stock in Jun 2017 when we started talking about this (when I called them initially, they said \$75, for which I actually sent them a check; they sent the check back saying, "No; you have to pay \$4798 to pay for the replacement of the stock;" so, I had to get that money & I paid all of it

-I have no control over Wells Fargo but I've truly done everything I can

Mr. Adkins:

-I have copies of that paperwork if you'd like to see that

Ms. Moermond:

-I'm looking for a sense of timing; how far out are we from getting the liquid asset in place?

-and, how far out there are we from getting a sworn construction statement with some level of detail on timing in it?

-just recently, the lock box combination was provided & inspections have started; as soon as they are finished, the report will be in your hands & you can re-do the sworn construction statement with details & timelines; also more info on the subcontractors

Mr. Adkins:

-based upon my experience with transfers on lost stock, it usually takes about 30 days after you've submitted all the paperwork to Wells Fargo

Ms. Moermond:

-I'd like to Lay this Over to Oct 10, 2017 LH

-I'd like everything done on Oct 10 for us to review & approve & put it in front of City Council Public for a vote on Oct 18, 2017; I'm not inclined to do another Lay Over

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To be laid over to October 10 Legislative Hearing and continue the public hearing to October 18.

Owner needs to provide:

-a revised sworn construction statement, including timelines and subcontractor bids

-financial documentation of available resources to be used for the project

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

**2**      [RLH RR 17-37](#)

Ordering the rehabilitation or razing and removal of the structures at 880 CLARK STREET within fifteen (15) days after the September 20, 2017, City Council Public Hearing. (Public hearing to be continued to October 4)

**Sponsors:**            Brendmoen

Greta Bjerkness, Attorney at Wilford, Geske & Cook, representing US Bank,

appeared.

Steve Magner, Code Enforcement Manager:

-update: read Aug 24, 2017 letter from Mai Vang (attached)  
-conditions that must be met by Sep 12, 2017 in order to receive a grant of time: 1) house to be cleaned out by Aug 31; 2) \$5000 Performance Deposit posted; 3) documentation of \$40,000 available finances; 4) affidavit of dedication of \$40,000 for this project; and 5) maintain the property

Ms. Moermond:

-I was just handed a Sep 11, 2017 letter; it doesn't tell me that the bank will use this \$40,000 to rehab this property; I need to have a letter that says that they have the money & are willing to spend it for this purpose  
-re: email - at the end of the last hearing, I was under the impression that the clean-out could occur the last week in Aug; the email says that it couldn't occur until the first week in Sep because your client didn't have access to the property, which I take issue with because I think that the bank does have access to the property to clean it out  
-the material inside the property could be stored elsewhere under eviction law  
-we're giving you a break on this & we've been waiting for a while to get this taken care of  
-are you ready to go now with the property all cleaned out as of the 2nd week in Sep?

Ms. Bjerkness:

-yes

Mr. Magner:

-on Sep 7, 2017, the plumber for mechanical went out there - no access; no lockbox  
-on Sep 11, the electrician indicated there was no key in the lockbox  
-on Sep 12, today, no key in lockbox  
-the inspectors can't perform an inspection if they don't have access to the bldg

Ms. Bjerkness:

-Mr. Seeger did tell me that there was no key in the lockbox on Thu or Fri of last week; my client did replace it; I spoke with Mr. Seeger this morning & told him that a key was now in the lockbox

Mr. Magner:

-call Seeger today & leave him a message to see where it's at; normally, we don't have this much problem with the lockbox  
-the property has been maintained; there hasn't been any problems

Ms. Bjerkness:

-pointed out that the Sep 8 letter from her client does specifically state that US Bank has at least \$40,000 to put aside for the rehabilitation/repair at 880 Clark Street in St. Paul MN & will dedicate at least \$40,000 to use for this sole purpose

Ms. Moermond:

-OK; I'm looking at the Sep 11 letter that was just provided to me and I thought that supplanted the earlier letter, is that not the case?

Ms. Bjerkness:

-that's not the case

Ms. Moermond:

-so, why do I have another letter telling me that you have less of a commitment than you had previously?

Ms. Bjerkness:

-because the letter from the city on Aug 24 listed 2 different items: #3 - must provide financial documentation indicating the amount of \$40,000 to do the rehab.....; also #4 - must provide an affidavit indicating the dedication of \$40,000 for this project -I don't see the difference in my client's saying that they have \$40,000 period and then \$40,000 dedicated to this project; they're both saying the same thing; one's more specific than the other; the letter is notarized -one of the requirements in the city's letter is "indicating the dedication of \$40,000 to be used for this project"

Mr. Magner:

-I think the big thing is to verify with the client how to get the key -send an email to Joe Yannarely; tell Joe that I said he can go out to verify that the key is there -I'll call Joe after this & tell him that you'll send him an email & he will try to check today yet; then, I'll have Joe call/email Jim tomorrow morning

Mr. Magner:

-do you happen to have the lockbox combination?

Ms. Bjerkness:

-I can look thru my emails

Ms. Moermond:

-I'll call Steve Ubl, the building official, & ask that the code compliance inspection report can be done by the end of this week; then you can get your people out there to do a Work Plan -how long do you think it will be doing that?

Mr. Bjerkness:

-do you want a more specific Work Plan than what we gave you?

Ms. Moermond:

-we need the Work Plan to be consistent with the code compliance inspection report

\_\_\_\_\_ To continue public hearing to October 4, 2017.

Provide a work plan in accordance with the code compliance inspection report by October 3; and provide key in lockbox as soon as possible.

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

**3 RLH RR 17-19**

Ordering the rehabilitation or razing and removal of the structures at 412 GOODRICH AVENUE within fifteen (15) days after the July 19, 2017, City Council Public Hearing.

Sponsors: Noecker

Many people from the neighborhood attended the hearing. The following provided testimony:

*Christine Boulware, Heritage Preservation Commission*

*Naomi Austin, \_\_\_\_\_*

*Carol Carey, Historic Saint Paul*

*Elyse Jensen, Historic Saint Paul*

*Tom Brock, Little Bohemia Neighborhood Association, Historic Saint Paul & Historic*

*Irvine Park Association President*

*John Yust, Architect*

*Ms. Moermond:*

*-I've heard good pieces here & there about good things happening*

*-there's a lot of different organizations that have been in conversation as a community on how to pull this together and Historic St. Paul will be taking the lead in this and acquiring the property*

*-I need to establish a record that progress is being made & figure out what kind of timeline we need to get us to the next steps*

*-because of it's condition, I need to see a Work Plan with some level of detail - a*

*Scope of Work; the timing on that will be dependent up the funders & partners*

*-the property needs to be maintained*

*-I need to see evidence of financing to complete the rehab; sweat equity can be included in that*

*-\$5000 Performance Deposit/Bond*

*-we already have the Code Compliance Inspection Report (Bldg only)*

*-I understand that Timothy Murphy, Hosford Properties LLC, owner, will be donating the property*

*Ms. Austin:*

*-maintaining the property will not be a problem*

*-John Yust, architect, is a good source of material; he has started drawing; we have a fund raiser coming up; everyone wants to get this going; the neighborhood is very excited about having a Pioneer House in the immediate vicinity; we've put signs out to let them know about this house*

*Mr. Brock:*

*-working with Historic Saint Paul, we've produced a preliminary development budget; Carol has also secured funding from Twin Cities Land Bank, for the construction costs; we've also produced a timeline, which we feel would be useful*

*-what we've seen in the neighborhood thru the Inspiring Communities Program is that these things tend to take time; some of those houses were vacant for several years; as a neighborhood we are willing to be patient & understand that this will probably take more time than we'd prefer; we understand that this type of difficult project that's historically sensitive needs even more time*

*Ms. Jensen:*

*-we also have a Donation Agreement in place already; when the time is ready, we can take ownership*

*Ms. Carey:*

*-Mr. Murphy forwarded a Donation Agreement; we are really impressed with all of the work that the community is doing to put all of this in motion; although the house is only 800 sq.ft., it's an 1856 property, which is very early for Saint Paul; we really recognize the importance of taking the time to do it right*

*-Mr. Yust has generously volunteered his services; he has experience with a number of similar properties so that the development of a scope is important in consultation with*

*the Heritage Preservation Commission (HPC); and we recognize that there is going to be a gap - there will be a need for private fund raising, which will add to the timeline -we want to be sure that when we agree to accept the donated property, that we will be able to execute without feeling like we're under the gun with every single week & month of the timeline*

*Ms. Moermond:*

*-I'm not sure of HPC involvement in the sense that although I know this is an eligible property for designation, it is not actually designated and so, my understanding is that this could be rehabilitated in an historically sensitive & appropriate manner without designation*

*Ms. Boulware:*

*-in meeting & speaking with members of the community at Historic Saint Paul staff & board, also in response to the Historic Preservation Commission's resolution regarding finding all options to retain & rehabilitate the property; the 2011 Neighborhoods of the Edge of the Walking City Survey did identify this as eligible for local designation; as part of this process to get this where this needs to be, in order to protect that asset, they will also be looking at the local designation, probably in tandem or just afterwards; and so, the goal would be to have some HPC staff involvement to make sure there is nothing in that plan that would negate the bldg's ability maintain its architectural character*

*Ms. Moermond:*

*-and I have heard valid concerns that HPC involvement, coupled with DSI review of the permits, would add on significant time to permit review*

*Ms. Boulware:*

*-we wouldn't actually, be doing the review*

*Ms. Moermond:*

*-so how would you view your participation?*

*Ms. Boulware:*

*-it would be a voluntary review of the scope; there would be no requirement for HPC review; staff would be available as a resource*

*Ms. Moermond:*

*-I want to know if there are interim steps that need to be taken to button up the house for the winter - Is it subject to weather problems? Is the envelope secure?*

*Mr. Brock:*

*-we scheduled a fundraising event for early part of Oct  
-we already received about \$7000 already; some is matching*

*Ms. Jensen:*

*-during the opening week of Waldman Brew House, John Schroeder & John Yust have generously volunteered to allow us to have a fundraiser from 4-6 pm on Thu, Oct \_\_; we should have a lot of bodies, in addition to creating a lot of positive attention*

*Ms. Carey:*

*-budget: I really try not to be too overly optimistic; I'm trying to approach this from a realistic perspective  
-entered a preliminary budget, which is based on a lot of unknowns with a ball park*

estimate

-the time frame also has a lot of unknowns

Mr. Yust:

-entered a large diagram

-you asked about securing the bldg for winter; there are a few things that need to be done but the house is basically secure right now; all windows are boarded up; there is a little bit of light coming thru in one part of the roof (not directly open to the sky but you can see some light at an angle); we will take care of securing that; I don't see any problem - the bldg will not be hurt by the winter coming up; the back part of the house is in worse shape; it's been pretty much gutted; not much can happen to cause a problem there; the front part of the house is the gem in the rough

-what I gave to you is just an existing site plan; we'll be looking at doing a couple of different options for how to rebuild the back part of the bldg; it could be 1 bedroom or a 2 bedroom; after knowing that it's been officially donated to Historic Saint Paul, I'll do complete architectural drawings for it

Ms. Carey:

-neighbors are really anxious to see what's underneath the vinyl siding; we have pictures from the 70's & 80's that show it in a more original state; we thought it would be really helpful to get permission to remove that siding to get a better look at what's underneath & to show some progress to the surrounding neighborhood

Ms. Boulware:

-that is actually one of the strategies that we've worked on with the HRA.... one of the things that not only helps the neighborhood understand ... .. we did what we call "exploratory demolition" - removal of non original materials, which also helps the architects put together better plans & get better bids moving forward

Ms. Moermond:

-when were you thinking of doing that?

Ms. Carey:

-I think people are pretty anxious; as soon as you give us permission

Ms. Moermond:

-I can talk with the building official, Steve Ubl about doing this; & I would like to have this under permit & I can allow you to pull permits on a Cat 3 to do this particular kind of demolition work but I would like you working in concert with Jim Seeger so that if something is discovered, appropriate measures are taken so that the envelope retains its integrity; including all mothballing measures for winter; and that might take 2 different permits (express repair permit & a partial demo for vinyl removal)

-I think that this will be going to City Council on Oct 4; I will be asking for a Layover; when do we think would be a good time to check in on the progress of this project? How about the end of Dec 2017 - beginning of Jan 2018?

Ms. Carey:

-that sounds great

Ms. Moermond:

-once the Council adopts the resolution for a grant of time to abate this nuisance bldg (they are empowered to grant 180 days), if you, at that 180-day mark, are at more than 50% of completion, you will come here to LH, we will look at your perf deposit/bond,



*we'll talk about where you're at and if it is at 50% +, you will be granted an extension of another 180 days - that's the way the code works*

*-if you're not at 50% completion at the 180-day mark, which is measured by Steve Ubl or Jim Seeger, then the Council would impose an additional \$5000 performance deposit onto the project*

*-this is not a project that we want to see fail*

*-if the construction is pictured to be done in one year's time, if before May we get a grant of time from the Council, that allows you to not have this languishing in Legislative Hearings forever; and to get you the time you need; I want to work together on that*

*-my concern, isn't about 412 Goodrich because I see you all here & I know that there's a lot of skill in the room; my concern is about the other properties, a couple of which you saw earlier today, which have been significant problem properties in their neighborhoods; and needing to use the same law with them as with your case - to treat things as equally as I can*

*-I'd like to touch base around the New Year & then, at that point, hopefully, you would have a vision of when you would be able to have things gel with the transfer of the property & have a scope of work or have someone selected to do the scope of work & the property would have been maintained & we'd be looking at the Perf Dep/bond at the last minute before Council votes*

*Ms. Jensen:*

*-Tim wants his perf dep back*

*Ms. Moermond:*

*-he can ask for his perf dep back right now; all he has to do is send an email saying he wants it back*

*-and, I'm not going to require that a perf dep hang on this in order to do the Layover*

*Ms. Jensen:*

*-in a perfect world, we'd just love to have some time to fund raise so we know that it's right there & we can just hand it over*

*Ms. Moermond:*

*-I'd like to Lay this Over to Jan 9, 2018 LH, when you have a clear vision of when your plans will be coming together & when you will have the money together so that I know that everything is in place & I can put a resolution in front of Council at such & such a date*

*-you will get a letter*

*-at that point, we will probably Lay is Over for another 3 months at which point, we'd have a scope of work & a much clearer notion of where we're going so that I can know when to put it in front of Council for a vote (Mar-Apr 2018)*

*-I will talk with Steve Ubl, the building official, about the narrow parameters under which these early mothballing permits will be issued & how they would be monitored*

*Ms. Jensen:*

*-Mr. Murphy is ready to transfer ownership and we can execute the Donation Agreement any time*

*Ms. Moermond:*

*-the owner of the property should be pulling the permits; so as soon as Historic Saint Paul takes possession of the property, it's my position that you can go ahead & pull the permits to do those 2 talked about activities*

*-I will put this on the Consent Agenda for the Oct 4, 2018 Council meeting to refer is*

*back to LH for Jan 9, 2018*

*To be referred back to Legislative Hearing on January 9, 2018 for the following conditions to be provided:*

*-evidence of transfer has occurred*

*-in the ensuing month; anticipated scope of work and evidence of funding/financing to make the repair*

*-LHO reached an agreement with building official whereby Historic St Paul can pull permits to 1) repair the roof; and 2) remove the siding to expose the clapboards. They don't need to post the performance deposit or bond at this time.*

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

#### Other

- 4 **RLH RR 17-24** Making finding on the appealed substantial abatement ordered for 129 JESSAMINE AVENUE EAST in Council File RLH RR 17-23.

**Sponsors:** Brendmoen

*Steve Magner, Code Enforcement Manager:*

*-they were to complete the project by Sep 2, 2017*

*-we had a staff member contact Mr. Collins in regard to this a couple days prior; my understanding is that at that time, they had their plumber scheduled; since then plumbing has been finalized; building has been finalized; electrical has been finalized*

*-warm air is held up for 2 reasons: 1) the mechanical permit needed a pressure test; it has come back & is reported to be OK; they've notified Xcel - so, although it's not been finalized, according to the notes, it looks like it could be; and 2) warm air - under this permit, there was an issue with inspecting a duct that was covered up; apparently, they are in the process of getting that uncovered in order to inspect it*

*-we have not forfeited the Perf Dep because they are at the point of sign off and that might have been done yesterday*

*-according to Amanda, there's 1 item left for the completion of this project*

*Ms. Moermond*

*-this had been previously scheduled to be on Council's agenda Sep 20, 2017*

*-it sounds to me that things will be gelling over the course of the next 7 days*

*-I'd like to Lay this Over to Oct 4, 2017; so, on Sep 20, I'll put this on to be a Layover to Oct 4, at which point we could say that the nuisance condition is abated and the matter has been resolved*

*Mr. Magner:*

*-we will notify you the moment the code compliance certificate is issued*

*Ms. Moermond:*

*Continued to October 4 public hearing.*

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

- 5 [RLH OA 17-16](#) Making recommendation to Ramsey County on the application of Mee Lee Moua, DBA Malina's Sports Bar, for repurchase of tax forfeited property at 691 DALE STREET NORTH.

**Sponsors:** Thao

Steve Magner, Code Enforcement Manager:

-Repurchase Application by Mee Lee Moua, DBA Malina's Sports Bar, for a non-operating business (as of Aug 15, 2017)

Ms. Moermond:

-I thought this was a non-operating business, too, but I was told by Ms. Schweinler that it was still operating

Mr. Magner:

-I haven't been there; maybe they're trying to run it

-the application indicates that the reason for this issue is because of financial hardships after opening the business in 2014 following 10 months closing due to the death of a spouse

-he read the story into the record: from WCCO - police have released the identity of a man who was shot & killed inside a sports bar... they also confirmed that someone had been arrested in the case; the victim was 45 year old \_\_\_\_\_; he owned Malina's Bar where the shooting took place; it happened shortly before 3 am on Sun, Jun 19, 2013; two other men have also been hurt; one man was treated & released at Regions; officials say the injuries are non life threatening; the names of the other men have not been released; it was not a random attack but they are not releasing information; still investigating

-we've had different complaints over time; we have an abundance of license violations; (reading notes from Ms. Schweinler) there have been on-going issues

-this property owner, who's applying for Repurchase was notified in 2 separate cases in regards to 2 other bldgs that were brought in front of you for Remove/Repair & he didn't bother to even show up; so, we removed both those bldgs on DeSoto; so, why do we believe that they're going to be a good community member now & all of a sudden pay their back taxes (in excess of \$81,000) & starting running the bar efficiently

-representing DSI, I would recommend to not allow for Repurchase

Ms. Moermond:

-I made a request of the records unit at SPPD to run the police calls; so far, they haven't gotten back to me

-I'd like to withhold our recommendation on this for 2 weeks in order to get those police calls for review

Layover to get police calls report.

**Laid Over to the Legislative Hearings due back on 9/26/2017**

**6 RLH OA 17-18**

Making recommendation to Ramsey County on the application of Mariana Lazo for repurchase of tax forfeited property at 581 HALL AVENUE.

**Sponsors:** Noecker

Steve Magner, Code Enforcement Manager:

-Repurchase Application for an unoccupied single family home

-the Applicant states that they have a 6th grade education; they don't speak English; his spouse does

-they bought the house for cash on May 25, 2015; my spouse got approval to work in Aug 2015

-they began renting the house in Sep 2015 to pay expenses; his spouse did not have steady work

-we moved & I did not know to update my address with the property tax dept, so they did not receive the notices  
 -Jan 2016, I was diagnosed with epilepsy, I don't work; I also had a car accident & had medical bills to pay  
 -I am also caring for 2 children, one of whom is 8 months old  
 -my spouse is starting a full time job at Pier Foundry at the end of Aug & with this income, we should be able to get current with the taxes & make future payments  
 -I also have a pending application for disability benefits  
 -amount of delinquent taxes owed is \$6000

Ms. Moermond:

-there are a few Summary Abatement Orders that were issued for tall grass/weeds over the past few years; otherwise, I'm not seeing anything significant  
 -2 police calls that don't amount to anything  
 -will recommend allowing approval of Repurchase

Allow for repurchase.

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

- 7 RLH OA 17-15** Making recommendation to Ramsey County on the application of Darius Denny for repurchase of tax forfeited property at 735 MARGARET STREET.

Sponsors: Prince

Ms. Moermond:

-Application for Repurchase by Darius Denny; he was incarcerated

Steve Magner, Code Enforcement Manager:

-there's an attachment (attached) to the Repurchase Application sent in by Darius Denny

-I'll read it: I bought the property in 1996 and with the help of family, I was able to pay off the mortgage in 2010 despite losing a good paying job in 2003. I was in prison from 2007 to 2012 during which time I lost my homestead status; taxes doubled and a series of costly code requirements mounted; and, the building became vacant and was repeatedly vandalized.

I did try, desperately, to maintain the taxes through two separate Confessions of Judgment with Ramsey County but was unable to find employment. I now have a job in real estate remodeling and a private financial backer to repair and renovate the property.

I deeply regret the circumstances that have led to my need to make this request. I, respectfully, as that you consider my application and grant me the opportunity to redeem this important part of my life.

-we have a VB that goes back to Apr 2010 with numerous complaints: snow/ice; tall grass/weeds; Summary Abatements & Work Orders; illegal occupancy; the city spent a large amount of staff time maintaining this property

-in late 2016, we started to see maintenance again; prior to that, there's been a lot of stuff

-as of this last year, it is being maintained

-we have an outstanding code compliance inspection report from 2011

-there's been a number of calls for service from SPPD - every year - mostly investigate; break-ins; squatting; in 2014, there was a disturbance of disorderly boys & girls

*Ms. Moermond:*

*-socially, I'm concerned about the difficulty of someone coming out of prison being able to find gainful employment & poverty related to that; but at the same time, we are presented with the charge of reviewing whether or not the property has presented a municipal problem over the past 5 years; and, in terms of code enforcement, it has definitely presented a municipal problem; and because of that, would you concur that City Council should recommend against Repurchase of this property?*

*Mr. Magner:*

*-the only way that I could recommend for allowing Repurchase is to see a concrete plan - if Mr. Denny had a plan to repair & renovate the property - if he could show how he would do that - get a code compliance insp report, etc.,  
-I understand that he couldn't do anything while he was incarcerated; he didn't have resources to take care of it  
-the problem - he's already lost it twice on Confession of Judgment & how do we know ...*

*Ms. Moermond:*

*-he was in prison from 2007 - 2012 and the 5 years of records that we are looking at are records from when he was in the community; this are things that did happen on his watch*

*Mr. Magner:*

*-I just can't give a blanket "go ahead" based on this paragraph; it's not enough for me to give the go ahead  
-he was out during this period of time and could have done something - even sold it before it forfeited*

*Ms. Moermond:*

*-he owes almost \$35,000 in past due taxes*

*Mr. Magner:*

*-and looking at the plumbing & heating, there's at least \$80,000 in repairs*

*Ms. Moermond:*

*-in the absence of concrete plans for rehab, which is estimated over \$50,000 & based on code enforcement history.....*

*Ms. Christine Boulware Heritage Preservation Commission (HPC):*

*-and, it's in the Daytons Bluff Historic District*

*Mr. Magner:*

*-which will drive up the cost*

*Ms. Moermond:*

*-will recommend against Repurchase*

*Deny for repurchase unless owner can demonstrate a clear plan and financing for making the repairs in accordance with a new code compliance inspection report.*

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

M. McGraw for repurchase of tax forfeited property at 1023 MARSHALL AVENUE.

**Sponsors:** Thao

*Steve Magner, Code Enforcement Manager:*

*-the Application for Repurchase says that they were trying to help their daughter & grandkids set up a place to live & help her set up a car so she could get back & forth to work in Anoka*

*-it doesn't explain a lot of why there's \$16,000+ owed in delinquent taxes*

*-I'm assuming that Mr. McGraw is, at some point in time, allowing his daughter & granddaughter to live in the property & either he wasn't getting the Notices or .....*

*-we have a tall grass/weeds complaint from 2017; a garbage/rubbish from 2013*

*-maybe this is a history of people not knowing where the tax statements are going*

*-I don't see any police calls; no calls for service in 5 years*

*-I don't see an issue with allowing Repurchase*

*Ms. Moermond:*

*-I agree*

*Allow for repurchase.*

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

### 10:00 a.m. Hearings

### 10:00 a.m. Hearings

- 9**      **RLH RR 17-40**      Making finding on the appealed nuisance abatement ordered for 672 RIVOLI STREET in Council File RLH RR 17-4.

**Sponsors:** Brendmoen

*Nuisance is abated and matter is resolved.*

*The Code Compliance Certificate has been issued.*

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

### 11:00 a.m. Hearings

### Summary Abatement Orders

- 10**      [RLH SAO 17-74](#)      Appeal of Maria T. Denison to a Summary Abatement Order at 1990 HOYT AVENUE EAST.

**Sponsors:** Bostrom

*Maria T. Denison, owner, and an interpreter appeared.*

*Supervisor Lisa Martin:*

*-sent Summary Abatement Order Aug 30, 2017 to clean up the yard with a deadline of Sep 6, 2017*

*-Ms. Denison is appealing for more time*

Ms. Denison:

-we have a lot of stuff

-the last time I was here, I explained that I had many bags of garbage in the garage

-and, I'm trying to separate things because there are things that you cannot put into the dumpster

-I rented a concrete mixer for fixing the sidewalk/steps; I have the material; the

inspector said it needs to look perfect; everything in front of the house is being fixed

-I'm almost finished with this project but I need more time because I need to separate garbage from donations

-I need only about 2 weeks..

Ms. Moermond:

-I'm really frustrated because you've received free dumpsters from the county to deal with all of the materials that you have

Ms. Denison:

-you can't put construction things into the dumpsters; things need to be separated

-nothing more is in the house

-and the yard is not a disaster any more; I have proof; have pictures; I worked really hard this week; it's really clean

-I'm working in the garage right now; I need to put things into piles; the missionary from my church is coming & putting things into the container

-the social worker says I have only 2 more weeks; then, the container is gone

-she brought up the photos on her phone to show LHO (photos comparing what it looked like last week & what the yard looks like now)

-I promise that I will clean everything; I'm alone & I do the best I can

Ms. Moermond:

-you're not alone; you have a husband & children

Ms. Denison:

-my kids are in school & my husband starts work at 6:30 am & comes home at 8:30 pm

-only the missionary from my church helps me sometimes

Ms. Moermond:

-this will go to City Council on Sep 20, 2017; at that time, I will recommend denying your appeal, which means that after that day, DSI can go & clean up your yard & charge you for doing it

-it sounds like all the work will be done by then so, it won't make a difference

-the missionary would have helped with the construction materials

-your original deadline was Sep 6; now, your deadline is Sep 20, 2017

Deny the appeal.

**Referred to the City Council due back on 9/20/2017 at 3:30 p.m.**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 11     [RLH VO 17-37](#)     Appeal of Graham Butler, o/b/o William J. Uhlenkott, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 529 PORTLAND

AVENUE.

Sponsors: Thao

*Deny the appeal; however, the issue has been resolved so no action is needed.  
(Property has come into compliance.)*

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

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

12 RLH FCO Appeal of Kyle Coglitore to a Correction Notice - Complaint Inspection at  
17-150 2083 MARSHALL AVENUE.

Sponsors: Stark

*Kyle Coglitore, owner, appeared.*

*Fire Supervisor Leanna Shaff:*

*-complaint received Aug 14, 2017 for several broken windows; photos  
-inspection conducted by Steve Pieczykolan Aug 14 & issued Orders on the exterior,  
which include the cloth type materials between the windows; replace broken window  
glass in back porch area; remove unusable fire pit & any damaged furniture in the  
back yard; remove all burned debris from the damaged fire pit & dispose properly; also  
repair/replace damaged or missing window screens throughout the bldg; replace the  
missing siding piece at the top on the front of the bldg  
-Appellant was given a Sep 18 compliance date  
-property is not due for it's Fire Certificate of Occupancy inspection until Sep 11, 2021;  
it was approved Nov 20, 2015  
-it's a student housing bldg*

*Ms. Moermond:*

*-so there's rapid turnover of tenants - changing conditions*

*Ms. Shaff:*

*-there have been 7 complaints mostly due with tenant behavior*

*Ms. Moermond:*

*-you wrote 3 things on your Appeal Application: 1) more time; 2) unfair; and 3)  
prejudice*

*Mr. Coglitore:*

*-I'm talking about the neighbors (unfair/prejudice)  
-I have new college kids every year; I've been on them about the windows; they are in  
place to get the new windows done  
-I was getting nervous about getting things done so I tried to get in touch with Steve to  
get more time; it's hard to get the kids to come up with the money; when they finally  
get thru that, they realize they shouldn't be breaking things - it costs money; so, it  
slows them down*

*Ms. Moermond:*

*-so, it's your private agreement with these tenants that they need to pay for these*



*repairs along the way*

*Mr. Coglitore:*

- yes; the windows will be fixed in about 2 weeks*
- I've been in contact with Steve about it all along*
- my previous fire inspector, Rob Corrie told me that I didn't have to have screens; he said that there was no need for them; now, it's completely different & that's why I was confused; when I bought the house 5 years ago, only a few windows had screens in the first place; I might need time for that because I really don't know where to have screens re-built*
- the flashing will get taken care of*
- the kids already took care of the trash, garbage, rubbish, stuff in yard*
- prejudice: SPPD & the school have kind of let the neighbors do their own thing because they've been a little over the top; they've been calling the cops everyday for anything; they called about 8 guys sitting in the living room watching the McGregor/Mayweather fight; the cops were called immediately saying it was too loud & that there was a huge party; the cops got there & there were 8 people watching the fight; SPPD told them to continue what they were doing*
- I feel like the neighborhood is trying to get my house in trouble at all time*

*Ms. Moermond:*

- I am seeing photographs of windows that are double hung & built to have screen installed - item #3: Replace screens*

*Mr. Coglitore:*

- the stained glass got knocked out; they put in a blanket to prevent things coming in*
- I told the kids to replace it with just a glass window*
- I also talked to Steve about the houses on each side of this one; there's a house to the right of mine that literally has a tree growing through it; the house on the left, their whole retaining wall is caved into the exit from their basement; neither house is getting complaints but they are regular residential houses*
- I feel like my house is being pointed out*

*Ms. Moermond:*

- you, as the owner will be held accountable by the city for all of these repairs; if you've abrogated your responsibility & put it into the hands of the tenants, that's your private business with your tenants; you are putting your own C of O and your ability to use this as a rental investment property at risk by doing that*
- these Orders were written Aug 17, 2017 based on an inspection Aug 14*
- it would appear that you were unable to address these violations within the 1 month that was granted*

*Mr. Coglitore:*

- Steve told me not to do them until I came here to LH*
- he said that everything was on hold until I talked to you*

*Ms. Moermond:*

- enforcement is stayed; not the work that needs to be done unless your debating the work that needs to be done*
- I would have expected that you'd be doing some things about this stuff already*

*Mr. Coglitore:*

- I have done some things*
- when I talked to Steve he said that he'd give me as much time as I needed & that the*

*only thing that I'm coming in here really for is to find out if I actually had to put on the screens because he said that he didn't care either way but that it was up to you*

*Ms. Moermond:*

*-if the windows are constructed to have screens & storms, they need to be maintained with screens & storms*

*Ms. Shaff:*

*-every room in the house is required to have code compliant light & ventilation unless it's a special window like a stained glass window*

*Mr. Coglitore:*

*-the only place on the house that has screens is the back porch, which is not even a room; that's why I'm confused*

*Ms. Moermond:*

*-is that the only place that was originally constructed to have screens?*

*Mr. Coglitore:*

*-yes; that's why I'm wondering*

*-the rest of the house has picture windows & different kind of windows*

*Ms. Shaff:*

*-so, the bedroom windows don't have escape & rescue windows?*

*Mr. Coglitore:*

*-they have the ladders that fall out & go all the way down*

*Ms. Shaff:*

*-please understand that the Orders are written to Repair/Replace the damaged window screens throughout the bldg; we write Orders that way in order to not nit-pick you to death & point out every screen*

*-unless it's a fixed window, it needs to have a screen*

*Ms. Moermond:*

*-when I look at this picture that the inspector took, the window is set up to have 3 things: the window, the storm & the screen; this is a window that needs screen & storm replaced*

*Mr. Coglitore:*

*-those windows are all on the porch*

*-OK; I'll just do that*

*Ms. Moermond:*

*-if they're there; they need to be maintained*

*Ms. Shaff:*

*-I'm going to write a separate Order to you; you will be required to take a Landlord 101 Class; it's an ordinance requirement for newer landlords; expect to get a letter from me; the class will help you understand the city requirements*

*Ms. Moermond:*

*Grant to October 6 for compliance.*

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

13 RLH FCO  
17-159

Appeal of Dorina Sherman to a Fire Safety Inspection Appointment letter at 1588 WOODBRIDGE STREET.

Sponsors: Brendmoen

*Dorina Sherman, owner, appeared.*

*Fire Supervisor Leanna Shaff:*

*-this home is not owner-occupied, which would require it to have & maintain a Fire Certificate of Occupancy*

*-letter sent Aug 10 for a Sep 13 inspection by Daniel Klein*

*-the inspection was appealed*

*Ms. Moermond:*

*-tell me a little bit about this dispute with the U.S. Mail*

*Ms. Sherman:*

*-the neighborhood is really bad so we have these metal mailboxes in front of the house*

*-I was busy doing 2 different jobs - & life got out of control so, I didn't check my*

*mailbox; twice the mailbox became completely full & I had to go pick it up at the Post*

*Office; the mailman said that he would not deliver my mail any more; I talked to his*

*supervisor who said that the mailman does have a right to do that; I told him that I get*

*only 4 pieces of mail, approximately; all the rest is junk mail; I asked how I could stop*

*that; I was told that there was not way that they could stop my getting junk mail; he*

*suggested that I change my mailing address, so, I did - so that I can get my mail*

*-but, I can't afford a P.O. Box; changed my address to Roseville about a year ago*

*-I've lived in my house for 29+ years*

*Ms. Moermond:*

*-you can stop a lot of junk mail by calling the sender of the junk mail*

*-there are also some sites online that will help you stop junk mail delivery*

*-perhaps, the Attorney General's website might have some links to help*

*-you have also provided a letter from the neighbor across the back*

*-your Ramsey County tax records say that you are in Roseville*

*Ms. Sherman:*

*-I did contact the mailman & apologize but no, he won't deliver*

*-we put metal mailboxes out because some people living in the apartment bldgs were*

*stealing mail from people*

*Ms. Moermond:*

*-I will recommend that you get out of the Fire C of O Program*

*-I do believe the note from your neighbor*

*Grant the appeal and owner is to be released from the Fire C of O Program.*

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

2:30 p.m. Hearings

Vacant Building Registrations

**14 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:*

*-I checked the system this morning & I did not see any finalization or any type of information entered in the past week*

*Ms. Moermond:*

*-this is a Vacant Building registration for 1628 Van Buren*

*-there wer some exterior code problems; not significant*

*-the main concern was the electric connection & the service mast; we were looking for the electrical contractor to address the service mast*

*Mr. Phan;*

*-the contractor has sent in the application for the permit; he checked back at the permit desk & he was told that they would not issue the permit unless the VB fee was paid*

*Mr. Dornfeld:*

*-last Tue, we changed this from a Category 2 to a Category 1 VB so that the electrical contractor would be able to pull the permit*

*-there must be something wrong with the system*

*Ms. Mai Vang:*

*-it's in the system to change from a Cat 2 to a Cat 1; there's a note from Matt*

*Mr. Dornfeld:*

*-he gave his business card to Mr. Phan; when you have issues, call me & I can solve some of these problems beforehand*

*-I should just have put in a 30-day VB fee waiver instead*

*Ms. Moermond:*

*-we apologize; we had every intention to allow your electrical contractor to pull the permit*

*-that will be fixed, presently*

*-tomorrow, your contractor can call & get the permit set up; we've got it noted*

*Mr. Dornfeld:*

*-if your contractor has a problem, have him call me & we'll get it straightened out*

*Ms. Moermond:*

*-once the permit if finaled, you'll be able to move back in again*

*-you need to deal with the other fixes, too*

*-I will Lay this Over for 1 week; you don't have to come back; we will give you a call, if necessary*

*-we'll get a staff report from Mr. Dornfeld*

*Layover to allow electrical permit pulled and finaled.*

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