



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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

Tuesday, November 7, 2017

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 17-504](#) Ratifying the Appealed Special Tax Assessment for property at 821 AGATE STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Brendmoen

Attachments: [821 Agate St.Summary Abatement.8-15-17](#)
 [821 Agate Street.Photos.8-22-17](#)
 [821 Agate Street.Photos.8-22-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018
- 2 **RLH TA 17-488** Ratifying the Appealed Special Tax Assessment for property at 933 BEECH STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Prince

Attachments: 933 Beech St. Summary Abatement. 7-31-17
 933 Beech St.Photo.8-7-17

Delete the assessment.

Referred to the City Council due back on 1/17/2018
- 3 [RLH TA 17-513](#) Ratifying the Appealed Special Tax Assessment for property at 654 CANTON STREET. (File No. VB1802, Assessment No. 188801)

Sponsors: Noecker

Attachments: [654 Canton St.CCI.11-21-16](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 4 [RLH TA 17-483](#) Ratifying the Appealed Special Tax Assessment for property at 580 CASE AVENUE. (File No. J1802A, Assessment No. 188501)

Sponsors: Bostrom

Attachments: [580 Case Ave.SAO Ltr.6-29-17.pdf](#)
 [580 Case Ave.Photo.7-6-17.pdf](#)

Larry Hughs, Church Deacon, appeared.

Supervisor Paula Seeley:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: PHONE CALL

Type of Order/Fee: Summary Abatement Order

Nuisance: Concrete footing near rear stairs (dispose of)

Date of Orders: June 29, 2017

Compliance Date: July 6, 2017

Re-Check Date: July 6, 2017

Date Work Done: July 10, 2017

Work Order #: 17-057120

Returned Mail?: No

Mr. Hughs:

-the concrete footings were found to be not properly kept on the east side of church (unprotected, unsecured, not fenced in); when I was given the information to respond to this to be removed, I removed it from the location but because of the extreme weight of it, I 2-wheeled it toward the front on the Edgerton side in an enclosed fence area, which I thought would be OK; it was removed from a public area to the side yard of the church, our property, until I was able to get help with moving these heavy footings

VIDEO - crew removed 2 concrete footings within a fenced area

Ms. Seeley:

-they were by the rear stairs; this guy called & explained to me that they were really heavy

-to me, he made a good faith effort

-no history at all

Ms. Moermond:

-no history at all; you made a good faith effort

Public hearing continued to July 18, 2018; if no same or similar violation(s) ; will delete the assessment.

Referred to the City Council due back on 1/3/2018

- 5 [RLH TA 17-484](#) Ratifying the Appealed Special Tax Assessment for property at 616 CASE AVENUE. (File No. J1801A, Assessment No. 188500)

Sponsors: Bostrom

Attachments: [616 Case Ave.TG&W Ltr.6-1-17.pdf](#)
 [616 Case Ave.Photos.6-7-17.pdf](#)
 [616 Case Ave.SAO Ltr.6-22-17.pdf](#)
 [616 Case Ave.Photos.6-26-17.pdf](#)

Phil Black appeared.

Ms. Moermond:

-looks like you missed your original hearing on Oct 3, 2017; rescheduled for today

Supervisor Paula Seeley:

-Summary Abatement Order issued for tall grass & weeds on Jun 1, 2017; compliance Jun 6

-work done Jun 7

-Summary Abatement Order issued for garbage & rubbish on Jun 22, 2017; compliance Jun 26

-work done Jun 28

-total cost for both SA's: \$424 + \$284 service charge = \$708

-sent to Susan Sung, 1271 22nd Ave, San Francisco CA 94122; Siu Lui Fung, 528 Rice St; and Occupant

Mr. Black:

-I thought we had taken care of tall grass & the little bit of garbage that was there; I cleaned up a whole bunch of garbage on Jul 2; they were in the process of moving out

Ms. Moermond:

-showed him photos taken Jun 26 of a lot of garbage/trash; this clean-up occurred prior to your clean-up on Jul 2

VIDEO of tall grass & weeds: crew cut the very long grass throughout the property the other video did not work but we have photos

Ms. Moermond:

-will recommend approval of the tall grass & weeds assessment

We will get the VIDEO on the pretty significant clean-up looking at the photos tenants made a mess & the city cleaned it up; they made another mess & you cleaned it up

Mr. Black:

-once I got the Notice, I thought it had something to do with the mess I cleaned up; I didn't know that there was a clean-up prior to that

-I'm just trying to get out of this \$700+ bill

Ms. Seeley:

-there's a history with this property; a lot of complaints

Ms. Moermond:

-will Lay the clean-up Over to Nov 21, LH to view the VIDEO

Layover to view video.

Laid Over to the Legislative Hearings due back on 11/21/2017

6 RLH TA 17-515 Ratifying the Appealed Special Tax Assessment for property at 1282 EDGERTON STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Bostrom

Attachments: 1282 Edgerton St.SAO Ltr.8-14-17.pdf
 1282 Edgerton St.Photos.8-18-17.pdf
 1282 Edgerton St.Photo.8-21-17.pdf

Aihoa Tran appeared.

Supervisor Paula Seeley:

Cost: \$424

Service Charge: \$162

Total Assessment: \$586

Gold Card Returned by: Thomas Huynh

Type of Order/Fee: Summary Abatement Order

Nuisance: Rubbish/Garbage, cut back bushes obstructing alley

Date of Orders: 08/14/17

Compliance Date: 08/18/17

Re-Check Date: 08/18/17

Date Work Done: 08/23/17

Work Order #: 17-071362

Returned Mail?: No

VIDEO - crew picked up bottles & trash; removed sofa, cut back brush obstructing alley

Ms. Tran: on the day we got the notice, my husband worked with tenants to clean up & mowed lawn but tenants put the sofa there for relaxing; it was not trash; they called a couple days later & told us that someone had stolen their sofa; he cut the bushes around the house

Ms. Moermond: he must not have seen the part about removing the branches obstructing alley; the sofa is an interior sofa; it's not lawn furniture; it get moldy

Ms. Tran: we called & left a message for the inspector that they wanted to keep the sofa

Viewed Video again to check on the sofa next to the patio door & branches in alley

Ms. Moermond: will approve

Approve the assessment.

Referred to the City Council due back on 1/17/2018

7 [RLH TA 17-501](#) Ratifying the Appealed Special Tax Assessment for property at 1905 FERONIA AVENUE. (File No. J1803A, Assessment No. 188502)

Sponsors: Stark

Attachments: [1905 Feronia Ave. Summary Abatement. 8-3-17](#)
 [1905 Feronia Ave.Photos.8-14-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 8** [RLH TA 17-509](#) Ratifying the Appealed Special Tax Assessment for property at 837 FOURTH STREET EAST. (File No. J1803A, Assessment No. 188502)

Sponsors: Prince

Attachments: [837 4th St E.SAO.8-17-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 9** **RLH TA 17-499** Ratifying the Appealed Special Tax Assessment for property at 1019 GALTIER STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Brendmoen

Attachments: 1019 Galtier St. Summay Abatement. 8-16-17
 1019 Galtier St.Photos.8-24-17

Reduce from \$508 to \$478.

Referred to the City Council due back on 1/17/2018

- 10** **RLH TA 17-510** Ratifying the Appealed Special Tax Assessment for property at 50 HATCH AVENUE, (File No. J1803A, Assessment No. 188502)

Sponsors: Brendmoen

Attachments: 50 Hatch Ave.SAO.8-10-17
 50 Hatch Ave.Photo.8-16-17

Delete the assessment.

Referred to the City Council due back on 1/17/2018

- 11** [RLH TA 17-491](#) Ratifying the Appealed Special Tax Assessment for property at 893 & 895 JENKS AVENUE. (File No. J1803A, Assessment No. 188502)

Sponsors: Bostrom

Attachments: [893 and 895 Jenks Ave. Summary Abatement. 8-4-17](#)
 [895 Jenks Ave.Photos.8-11-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 12 RLH TA 17-492** Ratifying the Appealed Special Tax Assessment for property at 613 JESSAMINE AVENUE EAST. (File No. J1803A, Assessment No.188502)
- Sponsors:** Bostrom
- Attachments:** 613 Jessamine Ave. Summary Abatement. 8-2-17
613 Jessamine Ave E.Photos.8-9-17
- Approve the assessment.*
- Referred to the City Council due back on 1/17/2018**
- 13 RLH TA 17-489** Ratifying the Appealed Special Tax Assessment for property at 854 LAWSON AVENUE EAST. (File No. J1803A, Assessment No. 188502)
- Sponsors:** Bostrom
- Attachments:** 854 LAWSON AVENUE EAST. TGW ORDER
854 Lawson Ave E.Photos.3-27-15
- Approve the assessment.*
- Referred to the City Council due back on 1/17/2018**
- 14 RLH TA 17-497** Ratifying the Appealed Special Tax Assessment for property at 896 LAWSON AVENUE EAST. (File No. J1803A, Assessment No. 188502)
- Sponsors:** Bostrom
- Attachments:** 896 lawson Ave. Summary Abatement. 8-4-17
896 Lawson Ave E.Photos.8-14-17
- Public hearing continued to July 18, 2018; if no same or similar violation(s) ; will delete the assessment.*
- Referred to the City Council due back on 1/17/2018**
- 15 [RLH TA 17-454](#)** Ratifying the Appealed Special Tax Assessment for Property at 593 MAGNOLIA AVENUE EAST. (File No. J1802A, Assessment No. 188501)
- Sponsors:** Bostrom
- Attachments:** [593 Magnolia Ave. Summary Abatement. 7-7-17](#)
[593 Magnolia Ave E.Photos.7-11-17](#)
[593 Magnolia Ave E.Photos.10-19-17.pdf](#)
- Chris Higgins, Housing Hub LLC, appeared.*
- Supervisor Paula Seeley:*
Cost: \$326
Service Charge: \$162
Total Assessment: \$488
Gold Card Returned by: BILL DAVISON
Type of Order/Fee: SUMMARY ABATEMENT
Nuisance: Failure TO MAINTAIN EXTERIOR PROPERTY

*Date of Orders: 7-7-17
Compliance Date: 7-11-17
Re-Check Date: 7-11-17
Date Work Done: 7-12-17
Work Order #: 17-058683
Returned Mail?: NO
History of Orders on Property: 11-28-16 AND 12-2-16 ORDERS ON REFUSE*

*Ms. Moermond:
-this is a follow-up from LH Oct 17, 2017*

*Ms. Seeley:
-I went out & confirmed the property line & the stuff was on this property; I believe that I took photos & put them in here on 10/19/17*

*Mr. Higgens:
-I have copies of the ones I gave you last month; in the photos, it clearly shows the receptacles that belong to this property.....*

*Ms. Moermond:
-actually, I don't have photos attached to this record*

*Ms. Higgens:
-I gave them to you the last time we were here so that you would have them; the receptacles for the property are along the alley line that goes right next to the property
-I have the Google image of that alley
-then, I have the neighbor's receptacles in the photo
-the receptacles for the property are on the alley way; the receptacles for the neighbor are in the back yard & I think the discussion was, "Is this the property line, & are these pieces of litter on the property line, which I assume is the trees;" and from the earth video, it looks like that is also the case that everything to the east of the tree is the other property; so, I think the assessment is the neighbor's, not this property*

*Ms. Moermond;
-scanned those photos*

*Ms. Seeley:
-the property line is the trees; if you look on the photos from Jul 11 that Insp Williams took, it is right in line with that property line
-as we speak, we have an Ex Con multiple coming up; trash all over the back yard; carpeting; 2 vehicles parked in the mud in the back yard; it's ridiculous*

*Ms. Moermond:
-in this back yard or the neighbor's back yard?*

*Ms. Seeley:
-this back yard*

*Mai Vang:
-brought up the photos that the Appellant is talking about from last month*

*Ms. Moermond:
-viewed photos with Ms. Seeley & Mr. Higgens*

Mr. Higgins:

-the photos are time-stamped

-clearly shows our trash receptacle on our side of the bldg

Ms. Moermond:

-I agree with you; will recommend this gets deleted

Delete the assessment.

Referred to the City Council due back on 1/3/2018

16 RLH TA 17-500

Ratifying the Appealed Special Tax Assessment for property at 890 MARGARET STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Prince

Attachments: 890 Margeret St. tgw order. 8-2-17

890 Margaret St.Photo.8-10-17

890 Margaret St.Photo.8-9-17

890 Margaret St.SAO.8-3-17

11/7/17: Approve; no show.

Laid Over to the Legislative Hearings due back on 11/21/2017

17 RLH TA 17-507

Ratifying the Appealed Special Tax Assessment for property at 711 MARSHALL AVENUE. (File No. J1803A, Assessment No. 188502)

Sponsors: Thao

Attachments: 711 Marshall Ave. Summary Abatement. 8-16-17

711 Marshall Ave.Photos.8-24-17

Public hearing continued to July 18, 2018; if no same or similar violation(s) ; will reduce from \$450 to \$100.

Referred to the City Council due back on 1/17/2018

18 RLH TA 17-514

Ratifying the Appealed Special Tax Assessment for property at 955 MINNEHAHA AVENUE WEST. (File No. J1803A, Assessment No. 188502).

Sponsors: Thao

Attachments: 955 Minnehaha Ave W.TG&W Order.8-8-17.pdf

955 Minnehaha Ave W.Photos.8-16-17.pdf

Public hearing continued to July 18, 2018 for owner to provide a contract with a lawn service company demonstrating the grass will be cut at least every 2 weeks.

Referred to the City Council due back on 1/17/2018

19 [RLH TA 17-506](#)

Ratifying the Appealed Special Tax Assessment for property at 1152 MINNEHAHA AVENUE EAST. (File No. J1803A, Assessment No. 188502)

Sponsors: Prince

Attachments: [1152 Minnehaha Ave. Summary Abatement. 7-26-17](#)
 [1152 Minnehaha Ave E.Photos.7-31-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 20** [RLH TA 17-502](#) Ratifying the Appealed Special Tax Assessment for property at 422 MOUNT IDA STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Brendmoen

Attachments: [422 Mount Ida St.Summary Abatement.8-17-17](#)
 [422 Mount Ida Street.Photos.8-24-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 21** **RLH TA 17-512** Ratifying the Appealed Special Tax Assessment for property at 445 MOUNT IDA STREET, (File No. J1803A, Assessment No. 188502)

Sponsors: Brendmoen

Attachments: 445 Mount Ida Street.SAO.8-18-17
 445 Mount Ida Street.Photos.8-24-17

Brynde Barton, Our Flipping Family LLC, tax owner, appeared.

Supervisor Matt Dornfeld:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: BRYNDE BARTON

Type of Order/Fee: SA

*Nuisance: Large tree limb from front yard is partially fallen, creating potential hazard, tall grass /weeds also. Grass/Weeds (Summary Abatement). 08/23/2017: *.Tree branches,debris remains,some partly hanging in to sidewalk right of way. Tall grass and weeds too. Work orders. Grass/Weeds (Work Order).*

Date of Orders: 8/18/17

Compliance Date: 8/23/17

Re-Check Date: 8/23/17

Date Work Done: 8/24/17

Work Order #: 73101

Returned Mail?: NO

Comments: CAT 2 VB FILE OPENED ON 6/26/14

VIDEO - referred to WO to cut tall grass & weeds - crew cut it

Ms. Barton: Mr. Debney is our general contractor; the main thing: there was a wind storm & a part of our tree fell down & blocked the sidewalk, which resulted in a complaint; on the 23rd he cleaned up the tree; he hauled out a lot of it; there were a bunch more branches in the back he hauled out on the 24th; he also weed whacked everything down; he was going to go back & mow the lawn; I talked to the inspector &

what I think happened was that when he went to inspect it on the 23rd, he took photos & sent the Work Order; that afternoon, my general contractor went & actually cleaned up the tree & started doing the weed work, etc.

-we received Notice on the 21st & had until the 23rd to do it; my general contractor was able to do it on the 23rd; he spent hours cleaning up the tree, etc, weed whacking, etc. & he told the subcontractors to go mow the grass; he thought the grass had been mowed by the subcontractors; so, the majority of the work was done by the general contractor; we thought we were in compliance; I talked to the inspector; he said that we must have overlapped on the deadline day

-we bought the house the beginning of Aug; plan to finish the renovation in 2 weeks; then, we will sell it

-I live in Utah

Ms. Moermond: I'll give you credit for a good faith effort & reduce by \$100; email your City Council comments

Reduce from \$322 to \$222.

Referred to the City Council due back on 1/17/2018

- 22** [RLH TA 17-494](#) Ratifying the Appealed Special Tax Assessment for property at 460 PIERCE STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Stark

Attachments: [460 Pierce Street.Summary Abatement.8-14-17](#)

[460 Pierce St.Photos.8-22-17](#)

11/7/17: Approve; no show.

11/20/17: Gwynne Evans called and stated she missed her hearing date.

Rescheduled to December 5.

Laid Over to the Legislative Hearings due back on 12/5/2017

- 23** **RLH TA 17-498** Ratifying the Appealed Special Tax Assessment for property at 920 RANDOLPH AVENUE. (File No. J1803A, Assessment No. 188502)

Sponsors: Noecker

Attachments: 920 Randolph Avenue.Summary Abatement.7-27-17

920 Randolph Ave.Photo.8-9-17

Public hearing continued to July 18, 2018; if no same or similar violation(s) ; will delete the assessment.

Referred to the City Council due back on 1/17/2018

- 24** [RLH TA 17-496](#) Ratifying the Appealed Special Tax Assessment for property at 893 RUSSELL STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Bostrom

Attachments: [893 Russell St. Summary Abatement. 8-4-17](#)

[893 Russell St.Photos.8-4-17](#)

[893 Russell St.Photos.8-8-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 25** [RLH TA 17-505](#) Ratifying the Appealed Special Tax Assessment for property at 585 SHERBURNE AVENUE. (File No. J1803A, Assessment No. 188502)

Sponsors: Thao

Attachments: [585 Sherburne Ave. Summary Abatement. 8-11-17](#)
 [585 Sherburne Ave.Photos.8-18-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 26** **RLH TA 17-493** Ratifying the Appealed Special Tax Assessment for property at 108 SIMS AVENUE (File No. J1803A, Assessment No. 188502)

Sponsors: Brendmoen

Attachments: 108 Sims Ave. tgw order. 8-18-17
 108 Sims Ave.Photos.8-25-17

Public hearing continued to July 18, 2018; if no same or similar violation(s) ; will reduce from \$322 to \$100.

Referred to the City Council due back on 1/17/2018

- 27** [RLH TA 17-487](#) Ratifying the Appealed Special Tax Assessment for property at 1016 SIXTH STREET EAST. (File No. J1803A, Assessment No. 188502)

Sponsors: Prince

Delete the assessment; new owners were not noticed.

Referred to the City Council due back on 1/17/2018

- 28** [RLH TA 17-480](#) Ratifying the Appealed Special Tax Assessment for property at 1021 STINSON STREET. (File No. J1802A, Assessment No. 188501)

Sponsors: Thao

Attachments: [1021 Stinson St.SAO. 6-21-17.pdf](#)
 [1021 Stinson St.Photos.6-29-17.pdf](#)

Approve; no show.

Referred to the City Council due back on 1/3/2018

- 29** **RLH TA 17-495** Ratifying the Appealed Special Tax Assessment for property at 305 THOMAS AVENUE. (File No. J1803A, Assessment No. 188502)

Sponsors: Thao

Attachments: 305 Thomas Avenue.Summary Abatement.7-20-17
305 Thomas Ave.Photos.8-7-17
305 Thomas Avenue.Summary Abatement.8-21-17
305 Thomas Ave.Photos.8-29-17

Public hearing continued to July 18, 2018; if no same or similar violation(s) ; will reduce from \$804 to \$400.

Referred to the City Council due back on 1/17/2018

- 30** [RLH TA 17-508](#) Ratifying the Appealed Special Tax Assessment for property at 0 WOODBRIDGE STREET AND 1362 WOODBRIDGE STREET. (File No. J1803A, Assessment No. 188502)

Sponsors: Brendmoen

Attachments: [1362 Woodbridge Street.SAO.8-9-17](#)
[1362 Woodbridge St.Photos.8-16-17](#)

Approve; no show.

Referred to the City Council due back on 1/17/2018

- 31** **RLH TA 17-521** Ratifying the Appealed Special Tax Assessment for property at 1093 ARGYLE STREET. (File No. VB1802, Assessment No. 188801)

Sponsors: Brendmoen

Reduce from \$2284 to \$400 if permits are finaled by January 15, 2018.

Referred to the City Council due back on 1/17/2018

- 32** [RLH TA 17-518](#) Ratifying the Appealed Special Tax Assessment for property at 716 MAGNOLIA AVENUE EAST. (File No. J1802E, Assessment No. 188301)

Sponsors: Bostrom

Attachments: [716 Magnolia Ave E.SAO Ltr.6-5-17.pdf](#)
[716 Magnolia Ave E.Photos.6-5-17.pdf](#)
[716 Magnolia Ave E.EC Ltr.6-5-17.pdf](#)

Approve; no show. (This was not on the agenda; & there are no notes for it.)

Referred to the City Council due back on 1/3/2018

- 33** [RLH TA 17-519](#) Ratifying the Appealed Special Tax Assessment for property at 603 MARYLAND AVENUE EAST. (File No. J1803A, Assessment No. 188502)

Sponsors: Bostrom

Attachments: [603 Maryland Ave E.TG&W Ltr.8-1-17.pdf](#)
[603 Maryland Ave E.Photos.8-10-17.pdf](#)

Public hearing continued to July 18, 2018; if no same or similar violation(s) ; will reduce from \$322 to \$161 and spread over 2 years.

Referred to the City Council due back on 1/17/2018

- 34 RLH TA 17-520** Ratifying the Appealed Special Tax Assessment for property at 1187 REANEY AVENUE. (File No. J1803A, Assessment No. 188502)

Sponsors: Prince

Attachments: 1187 Reaney Ave.SAO Ltr.08-01-17.pdf
1187 Reaney Ave.SAO Ltr.08-10-17.pdf
1187 Reaney Ave.Photos.8-17-17.pdf

Approve the assessment.

Referred to the City Council due back on 1/17/2018

Assessment Rolls

- 35 RLH AR 17-91** Ratifying the assessments for Collection of Vacant Building Registration fees billed during March 27 to June 21, 2017. (File No. VB1802, Assessment No. 188801)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 1/17/2018

- 36 RLH AR 17-92** Ratifying the assessments for Boarding and/or Securing services during July 2017. (File No. J1802B, Assessment No. 188101)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 1/17/2018

- 37 RLH AR 17-93** Ratifying the assessments for Property Clean Up services during August 1 to 30, 2017 2017. (File No. J1803A, Assessment No. 188502)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 1/17/2018

- 38 RLH AR 17-94** Ratifying the assessments for Trash Hauling services during August 1 to 29, 2017 2017. (File No. J1803G, Assessment No. 188702)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 1/17/2018

11:00 a.m. Hearings

Summary Abatement Orders

- 39 [RLH SAO 17-51](#) Making finding on the appealed nuisance abatement ordered for 1469 ALBANY AVENUE in Council File RLH SAO 17-27.

Sponsors: Stark

Attachments: [1469 Albany Ave.chain emails.11-6-17.pdf](#)
 [1469 Albany Ave.Dodge Ltr.4-27-17.doc](#)
 [1469 Albany Ave.photos.11-6-17.pdf](#)

No one appeared.

Supervisor Lisa Martin:

-property is no longer over run with vines
-she has installed a parking area; she had a parking plan, however, she didn't necessarily meet the parking plan requirement; (photos) she put down some pavers and it's more mud than pavers - permeable pavers; you don't even see them
-entered the parking plan, notes from the inspector, etc.
-she pointed out where there are rocks, weeds, wood chips, pavers, etc.
-she still has bricks in the yard; they are stacked; & she still has the temporary structure & a shed
-there are buckets all over, planters, pallets, saw horses & maybe a fire pit in the middle

Ms. Moermond:

-she was supposed to use (making retaining walls) or store the bricks

Ms. Martin:

-she doesn't have a garage
-I can issue another Summary Abatement Order about using the bricks in an acceptable manner & list the shed again plus additional violations

Ms. Moermond:

-and let's consider this Order resolved
-we'll deal with the remaining conditions with a fresh Order

The nuisance condition has been abated. If there are further issues with the yard or how the bricks were used, it will be dealt with separately.

Referred to the City Council due back on 11/15/2017

- 40 [RLH SAO 17-94](#) Appeal of Stephanie and Scott Mohs to a Summary Abatement Order and Correction Notice at 1936 CHELTON AVENUE.

Sponsors: Stark

Attachments: [1936 Chelton Ave.appeal.10-25-17](#)
 [1936 Chelton Ave.Photos.11-6-17.pdf](#)
 [1936 Chelton Ave.Mohs Ltr.11-20-17.doc](#)
 [1936 Chelton Ave.Aerial Photo w Plat Lines 2015](#)
 [1936 Chelton Ave.Mohs Ltr.12-8-17.doc](#)

Scott T. Mohs, owner, appeared.

Ms. Moermond:

-we have a Correction Order (unapproved parking surface) & a Summary Abatement Order (remove wood pallets; cut TGW)

Mr. Mohs:

-I didn't move the pallets yet but I can move them; it's not a big deal; I leave them out there & people come & get them; we've had this pile for 3 years; I guess it's not allowed

Supervisor Lisa Martin:

-Oct 18, 2017 - sent Correction Notice to Barbara F. Pawlyshyn (Mr. Mohs: she owned it before I owned it) & Scott T. Mohs/Stephanie J. Mohs, 131 Robie St W, St. Paul
-2 items: cease parking on the unapproved parking surface & remove trailer parked on the unapproved surface or file a site plan (photos)

Mr. Mohs:

-this is commercial property; it's a vacant lot; I don't know if it ever had a building on it but it has Class 5 on it with grass & weeds growing thru & there are parking ties & little metal numbers on the fence where the trucks used to park (brought up a picture); I want to clean it up & add some Class 5 to it
-it's zoned Industrial; I own the building right across the alley
-my employees park on Chelton during the day; it's a parking area & that's why I figured that I could leave the trailer on there

Ms. Moermond:

-was it historically used for parking?

Ms. Martin:

-in our record, it just showed that it was a vacant lot; & you can't have any parking on a vacant lot; remove the parking or file a site plan with Zoning to find out if you can even put Class 5 on it - it has not been maintained

Ms. Moermond:

-the city does not have a record of it being a parking lot; so, you need to figure this out

Mr. Mohs:

-there was a factory across the street, American Can, & every night all their trucks were parked there; American Can paid rent to the guys who used to own my building, for parking their trucks there every night; that was between 15-20 years ago

Ms. Moermond:

-I'll need to talk to our Zoning Attorney about the previous/historic use
-minimally, we're going to need some fresh Class 5

Mr. Mohs:

-there's a big wide curb cut coming off Prior

Ms. Moermond:

-will Lay this Over for 4 weeks to Dec 5, 2017 LH

-you don't need to do anything except get those pallets out of there

-I will talk to our attorney

Layover to December 5, 2017. Recommendation is forthcoming on the parking issue; the wood pallets need to be removed immediately.

Laid Over to the Legislative Hearings due back on 12/5/2017

41 [RLH SAO 17-92](#)

Appeal of Patrick A. Carlone to a Summary Abatement Order and Vehicle Abatement Order at 185 COMO AVENUE.

Sponsors: Thao

Attachments: [185 Como Ave.appeal.10-23-17](#)
 [185 Como Ave.photo 10-19-17](#)
 [185 Como Ave.Carlone Ltr.11-9-17.doc](#)
 [185 Como Ave.Carlone Letter to Council.11-13-17.pdf](#)

Patrick A. Carlone, father of owner John Carlone, appeared.

Supervisor Lisa Martin:

-on Nov 9, we sent a Summary Abatement Order to John Carlone, 950 201/2 Ave, Cumberland, WI 54829

-remove everything from a vacant lot: TV, tarps, doors, vehicles, refuse including on the Marion Blvd

-on Nov 10, we also sent a Vehicle Abatement Order listing 4 vehicles, including a commercial type vehicle

-looks like he added fencing since yesterday

-photos in the file

-on Oct 19, 2017 - another Summary Abatement Order to cut tall grass & weeds; remove all construction material, wood, metal, doors, windows, mailbox, fencing post, debris; 2 trailers (1 an RV; 1 a construction trailer); all was supposed to be gone Oct 26; photos in file

Mr. Carlone:

-I'm the new owner of this property; John Carlone is my son; title is in transfer right now; it isn't registered right now because of my age

-I'm appealing the SAs on this property

Ms. Moermond:

-seems to me that we had this same conversation a year ago; did you bring the trailers back again?

Mr. Carlone:

-they're different trailers & we also had permits taken out since then from the city; this is a construction site

Ms. Martin:

-no permits listed

Mr. Carlone:

-there were 2 permits taken out in Aug 2016; the city parking enforcement does not have jurisdiction over construction sites

Ms. Moermond:

-this is not city parking enforcement; this nuisance code enforcement - an exterior maintenance code violation & it is a nuisance; therefore, they want to do a Summary Abatement on the trailers

Mr. Carlone:

-I'm within my legal right & the law to have construction equipment on a construction site and that's what I have

Ms. Moermond:

-I checked with the State of MN & they have not approved any permits at all for this site

Mr. Carlone:

-Muska Electric took out a permit & so did Xcel Power Company

Ms. Moermond:

-that is not a building permit; that could be for a light pole for all I know
-you may not have construction trailers on this site; you may not have trailers on this site

Mr. Carlone:

-if our equipment is removed from that property, you are violating the 4th Amendment of the United States Constitution of Unlawful Search & Seizure

Ms. Moermond:

-you made that argument last year at this time; it did go to court; there was a finding; it's a separate action; I do believe that you were found in error

Mr. Carlone:

-if this equipment is removed, it will have to be removed by the city & if necessary, we'll go to the United States Supreme Court because this is baloney

Ms. Mai Vang:

-there's a building permit from 2009

Ms. Moermond:

-that's not pertinent
-I'm going to recommend that the Council deny your appeal; we did exactly the same thing 1 year ago & we'll do it again

Mr. Carlone:

-then it'll go back to the US District Court

Ms. Moermond:

-our people in litigation will see you there

Mr. Carlone:

-when we went to the District Court last time, it was ruled via court that the city did not have jurisdiction over that property

Ms. Moermond:

-my understanding is that the case was dismissed

-the Council has already dealt with this situation a year ago; you recreated the same nuisance

-City Council Public Hearing Nov 15, 2017

Mr. Carlone:

-I also would like to have my accuser put under oath, under the Freedom of Information Act

-I have the right to examine my accuser

Ms. Moermond:

-we'll have the City Attorney review that request

Deny the appeal.

Referred to the City Council due back on 11/15/2017

- 42** [RLH SAO 17-93](#) Making finding on the appealed nuisance abatement ordered for 718 PELHAM BOULEVARD in Council File RLH SAO 17-82.

Sponsors: Stark

Attachments: [718 Pelham Blvd.Bergman Ltr.10-20-17.doc](#)
 [718 Pelham Blvd.Bergman Ltr.11-2-17](#)
 [718 Pelham Blvd.Photo.10-2-17](#)
 [718 Pelham Blvd.Photo #1.11-3-17.pdf](#)
 [718 Pelham Blvd.Photo #2.11-3-17.pdf](#)
 [718 Pelham Blvd.Bergman Finding Ltr.11-9-17.doc](#)

No one appeared.

Supervisor Lisa Martin:

-there is not compliance for 718 Pelham

-(photo) this is the same vehicle we towed in 2016, & in 2015; now, it has expired 2016 tabs & it still appears inoperable

Ms. Moermond:

-City Council Public Hearing Nov 15, 2017

Nuisance not abated.

Referred to the City Council due back on 11/15/2017

- 43** [RLH SAO 17-90](#) Making finding on the appealed nuisance abatement ordered for 1011 SELBY AVENUE in Council File SAO 17-85.

Sponsors: Thao

Attachments: [1011 Selby Ave. Seeber Ltr.10-12-17.doc](#)
 [1011 Selby Ave.Vang-Seeber email.10-23-17.pdf](#)
 [1011 Selby Ave.Vang-Seeber email.11-15-17.pdf](#)

No one appeared.

Ms. Moermond:
-has that little strip of lawn been mowed?

Supervisor Lisa Martin:
-I don't know as of today

Ms. Moermond:
-I will Lay this Over for 1 week to Nov 14, 2017 LH
-goes in front of City Council Nov 15, 2017
-on Nov 14, we'll have a fresh photo to find out whether or not it's been abated
-we'll send Mr. Siever an email to let him know the plan

Layover to November 14 Legislative Hearing with a Public Hearing on November 15.

Referred to the City Council due back on 11/15/2017

Correction Orders

44 [RLH CO 17-38](#) Appeal of William Long to a Correction Notice at 1818 SUMMIT AVENUE.

Sponsors: Tolbert

Attachments: [1818 Summit Ave.appeal.10-16-17](#)
 [1818 Summit Ave.Garlock-French Proposal.11-2-17.pdf](#)
 [1818 Summit Ave.HPC Documents.11-7-17.pdf](#)
 [1818 Summit Ave.Email Re work on garage.11-6-17.pdf](#)
 [1818 Summit Ave.Long Ltr.11-9-17.doc](#)

William F. Long, owner, appeared.

Supervisor Lisa Martin:
-Jul 28, 2017, we sent a letter to William F. Long regarding his garage in a state of nonprofessional repair
-I believe that Mr. Long will need some extra time to get this situation resolved
-Mr. Long spoke with Inspector Mark Kaisersatt, who advised him to appeal to get extra time

Christine Boulware, Heritage Preservation Commission (HPC):
-1818 Summit Avenue is the Bernard P. Rosenstein House & is located in both the West Summit Avenue Local Preservation District as well as National Register of Historic Places; so, all exterior work at this property requires HPC review approval before a building permit can be issued; the last work that HPC reviewed there was done in 2012
-I included copies of the National Register nomination

Mr. Long:

-the soffits on the garage are deteriorated because the inlay built-in gutters on the top are deteriorated; the same thing had actually happened with the main house; that was done in 2012 by Les Jones; it costs \$92,000 to fix the roof; I had planned to, eventually, do the garage, as well; it's the same issue, basically
-I was a bit stunned by the estimate (total work \$130,000)
-I would like an indefinite postponement so that I would have time to either retire & take a carpentry class myself or wait until I can accumulate another \$100,000
-I do want to do the restoration correctly so that it matches the original design of the house & garage

Ms. Moermond:

-I can't go out more than a year; I can grant an extension to Nov 1, 2018; hopefully, there will be some solutions that come up in that time

Ms. Boulware:

-maybe there's an opportunity to explore some separate carpentry woodworking companies to see if we could get a better bid - separated out

Mr. Long:

-the guy from Wes Jones did that & the bid he got back from that carpenter was \$60,000 for the soffits

Ms. Boulware:

-I'd be happy to provide a few more names if you wanted to look around

Mr. Long:

-repairing the soffits is pointless unless you also do the gutters

Ms. Moermond:

-I will put this in front of the City Council on Dec 6, 2017 and ask that they give you a year, which will get you into the beginning of Dec 2018
-let's see how it goes over the year & if we need to re-visit it, then, we will

Grant to December 6, 2018 for compliance on the garage.

Referred to the City Council due back on 12/6/2017

Orders To Vacate, Condemnations and Revocations

45 [RLH VO 17-50](#)

Attachments: [1124 Matilda St.appeal.10-24-17](#)
 [1124 Matilda St.Photos.10-19-17](#)
 [1124 Matilda St.Photos.11-14-17.pdf](#)
 [1124 Matilda St.Livingston Ltr.11-16-17.doc](#)
 [1124 Matilda St.Livingston Ltr.11-27-17.doc](#)
 [1124 Matilda St.Owner Statement.12-6-17](#)
 [1124 Matilda St.Owner Photos #1.12-6-17.pdf](#)
 [1124 Matilda St.Owner Photos #2.12-6-17.pdf](#)
 [1124 Matilda St.Livingston Ltr.12-8-17.doc](#)
 [1124 Matilda St.Photos #1.12-12-17.pdf](#)
 [1124 Matilda St.Photos #2.12-12-17.pdf](#)
 [1124 Matilda St.Photos #3.12-12-17.pdf](#)
 [1124 Matilda St.Photos #4.12-12-17.pdf](#)
 [1124 Matilda St.Photos #5.12-12-17.pdf](#)
 [1124 Matilda St.Photos #6.12-12-17.pdf](#)
 [1124 Matilda St.Photos #7.12-12-17.pdf](#)
 [1124 Matilda St.Livingston Ltr.12-12-17.doc](#)
 [1124 Matilda St.Westenhofer Email.12-13-17](#)
 [1124 Matilda St.Livingston-Sobaski Ltr.12-21-17.doc](#)

Aaron Livingston & Danielle Sobaski, owner, appeared.

Supervisor Lisa Martin:

*-this file came to us in Aug 2017 & started because of a water shut-off
-Aug 23, 2017, we sent a Condemnation Order to have the water restored & to clean-up the yard; at that time, the water had been restored; we had the yard issue left; photos
-Aug 23, 2017, another Summary Abatement Order went out re: yard, including furniture, car parts, tires, etc. photos in file
-Oct 19, 2017, a Condemnation Order was sent containing 29 items, including a scrapping operation
-we tried to get Ramsey County House Calls to provide a dumpster; services have been refused unless there's an update
-they had until Oct 31; I talked with Aaron, who filed an appeal*

Mr. Livingston:

*-I tried to clean up the outside in as timely a manner as possible; Ms. Martin has been very helpful with that
-it's been difficult because we lost 2 businesses this summer & we were trying to consolidate all of our belongings from 2 office bldgs roughly the size of our home - trying to find places to put all of those things was next to impossible; we've moved a lot of cars, trucks & trailers, etc; both office bldgs had kitchens with appliances; we've sold & gotten rid of things as fast as we could
-now, the front porch is fully cleaned out; the entire first floor is completely clean
-the 2nd floor needs some work that we need to pull permits for but it is also clean, habitable space; some electrical things need to be dealt with on the interior
-on the exterior, there's one more refrigerator to get rid of
-I've talked to House Calls numerous times; Erica has been very helpful; I've also*

talked to Habitat for Humanity & painting places; I've called every single public agency on the list in the pamphlet that Erica gave me; we've pretty much done it all on our own -just asking for more time

Ms. Martin:

-there were also other people staying in the home

Mr. Livingston:

-they are no longer there; we have no more roommates

Ms. Moermond:

-what do you have stored on the 2nd floor?

Mr. Livingston:

-the 2nd floor was Danielle & my bedroom; we found out that it can't be used for sleeping until we make some adjustments to it; ceiling is 2 inches too low; when we bought the house, it was considered a bedroom; it wasn't until the city came through and measured it that we found out that it did not meet code requirements for sleeping; when we bought the house, the county considered it a 4-bedroom house; our taxes need to be adjusted on that

Ms. Sobaski:

-I thought a house had to be in compliance with the building code for when the house was built

Ms. Moermond:

-if it met building code when it was built, then it continues to be allowed in almost all cases; if it was remodeled under permit, then yes; if it was remodeled without a permit, then we have to check it out

-asked Mai Vang to print out a Building Code Appeal Form - something you can use to appeal the ceiling height but wait until you have the space cleaned out so that you can show good photographs of the stairway, window access, all of it being clear, all smoke/CO detectors being in place - that way, you can make a better case for yourself; sit tight until you get the Condemnation lifted

Mr. Livingston:

-we got rid of the refrigerator; now, we have no more leaks; the floor is dry & in good condition; open walk-ways; porch is clear; took a ton of things out/condensed storage materials

-most of these things have been taken care of

Ms. Sobaski:

-wondering why such an extreme measure was taken as Condemning the house; I understand that it was not up to proper maintenance but were there grounds for Condemnation?

-I see that there are 29 items but I don't see any that are serious enough to Condemn

Ms. Moermond:

-sometimes, when you have so much stuff, you have compromised the living space & it becomes a life-safety issue

Ms. Martin:

-the home was full of combustible materials; a lot of egress was blocked; looked like a possible hoarding issue, many of the photos show open electrical, growing mold,

plumbing deficiencies, some walls have been removed, dryer vent, basement bathroom added - no permit; all work that had been done was without permits; and there were extra occupants staying there; you were being kind in letting people stay who did not have jobs

Ms. Sobaski:

-we also needed more hands to move the 4000 sq.ft. of office furniture, etc, into our house

-then, we got an abatement Order to move our trucks; how am I supposed to move things out of my house without my truck there?

Mr. Livingston:

-we did not get to move the materials from her office bldg until Jun; we had to move them to our house; we moved things from our garage so there was room for the office stuff; & we continue to sell, give away, dump, etc. (remove) items from the house

Ms. Martin:

-I haven't been there since the last time I was there so I have no idea what the interior currently looks like but there is a lot of electrical, plumbing, building stuff that all needs to be addressed

-sometimes, the city has funding

Mr. Livingston:

-what the city is saying is that no one is going to have funding to help me until spring; I'm calling anyone anywhere to cry for help & no one says that they can help with electric/plumbing free of charge; we do have family members who are electrician but... we need time to do this; we can't do it in 2 weeks or a month; if we had until spring, maybe I could arrange a lot of this stuff

-and, we have only my disability insurance income

-this has been immensely hard for Danielle & I

Ms. Moermond:

-I want to see you guys pull together a Work Plan with timelines of how you're going to tackle this stuff

-I would like to get Ms. Martin to do another walk-thru to see the progress that's been made

-I want to talk again in 1 week - Nov 14, 2017 LH

-let's give you credit where you have taken care of things

-Mai will print another Order list for you

Mr. Livingston:

-I will bring some pictures

Ms. Moermond:

Layover to November 14. Owner to bring work plan with timelines to next hearing.

Laid Over to the Legislative Hearings due back on 11/14/2017

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 46 [RLH VO 17-51](#) Appeal of William Acree to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 79 MAGNOLIA AVENUE WEST.

Sponsors: Brendmoen

Attachments: [79 Magnolia Ave W.appeal.10-26-17](#)
 [79 Manolia Ave W.photos 10-17-17](#)
 [79 Magnolia Ave W.Photos.9-29-17](#)
 [79 Magnolia Ave W.Photos.8-4-17](#)
 [79 Magnolia Ave W.Photos.6-8-17](#)
 [79 Magnolia Ave W.Acree Ltr.11-17-17.doc](#)

Rescheduled to November 14 per owner's request.

Laid Over to the Legislative Hearings due back on 11/14/2017

- 47 [RLH VO 17-49](#) Appeal of Christian Krein to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 631 WESTERN AVENUE NORTH.

Sponsors: Thao

Attachments: [631 Western Ave N. appeal.10-12-17](#)
 [631 Western Ave N.10-12-17.photos #1](#)
 [631 Western Ave N.10-12-17.photos #2](#)
 [631 Western Ave N.10-12-17.photos #3](#)
 [631 Western Ave N.Westphal Ltr.10-19-17.doc](#)
 [631 Western Ave N.Krein Condemnation appeal ltr-photos.pdf](#)
 [631 Western Ave N.email-photos.11-6-17.pdf](#)
 [631 Western Ave N.Westphal Ltr.11-9-17.doc](#)
 [631 Western Ave.Estimate.12-19-17.pdf](#)
 [631 Western Ave.Supplemental Estimate.12-20-17.pdf](#)

Christian T. Krein, owner; James P. Westphal, attorney; and David Pinks, a neighbor & a certified home health aide, appeared.

Ms. Moermond:

-this was an Order to Vacate; many, many problems (over full, some trades issues, etc.)

-I know that you've been working hard at cleaning things up & we were going to have Insp Martin go take a look

Supervisor Lisa Martin:

-I met with the owner the other day; we did a walk-thru; he has a huge dumpster in the driveway that's full but he still has a lot to get rid of; the basement & 2nd floor still have a lot of storage; both garages are still packed

-from what I could see, we have a lot of open electrical throughout the property; windows were added but no permit; dryer venting-no permit; egress windows are blocked; electrical installed-no permits

-baseboard heating on 2nd floor doesn't appear to be working

-going down the stairs, you need to crouch to up & down

- the dumpster is completely full & I think he intends to get another one
- there is still a lot of stuff on the outside
- the rear deck doesn't appear to meet code
- a lot of electrical stuff throughout
- still a lot of stuff on the 2nd floor
- hallways are not clear
- the wash machine is connected directly into the electrical box - no outlet
- there's a John Deere tractor between the 2 garages that appears to be inoperable
- appears to be some leaking plumbing (water heater or furnace); believe it will be checked today
- hanging wires from ceiling fan
- not showing any permits for any of the work
- 2nd floor still has mattresses - looks like storage; the attorney had sent me information that he served Notice on the tenants to vacate the property; I believe some of those items belong to the tenants who were there at the time
- he has been making a lot of progress, but there is still more to do

Mr. Westphal:

- they have made a tremendous amount of progress; there's none of the chemical odor that sounded so dire at the last hearing; they took out the old ratty carpet - beautiful hardwood floors underneath
- this morning when the licensed heating contractor came out, he red tagged the furnace; apparently, the heat exchange is shot; he will be putting a new one in but we are in this Catch 22 right now when we can't pull permits because it's Condemned; Mr. Krein is willing to work & get a heating contractor & an electrician in; but obviously, he doesn't want to spend the money if he's not going to be able to get back in the house
- we would like to do a rehabilitation plan going to get these contractors in; we're dealing with nearness of winter so, time is of the essence; looking for guidance
- what can we do to get the contractors to come in & do the permitted work?
- Mr. Pinks will be available so that Mr. Krein would not have to rely on any of the former tenants

Mr. Pinks:

- I will be & I have been
- I have no type of criminal record

Mr. Westphal:

- Mr. Krein is a disabled Vet who would like to get back into his home; he's been living at a friend's house for 3 weeks
- he contacted House Calls; they basically said, "Don't call us; we'll call you"
- he has not yet contacted the Veterans' people because he's been so busy trying to get the place in order

Ms. Moermond:

- OK - because they can help do exactly that

Mr. Westphal:

- Mr. Krein's goal is to get the house rehabilitated & only he will be moving back in; he'd have assistance from Mr. Pinks
- I think we've got the plan down; we've done a lot of good faith work
- now, we're in limbo; we can get contractors to come in because they can't pull permits

Ms. Martin:

- many of the permits were not pulled to begin with (windows, water heater, floor was

jackhammered, etc.)

Ms. Moermond:

-our goal was to get it cleaned out so we could get better eyes on the walls, etc.

Mr. Pinks:

-half of the upstairs stuff is gone; I'll make sure that it's all gone

Mr. Krein:

-how do we get to the point where we can bring these professionals in to do the work that requires permits?

Ms. Moermond:

-there's 2 ways: 1) we could do a Work Plan based on the Condemnation; or 2) get a full Code Compliance Inspection Report

-I've seen so many problems with this building

Mr. Westphal:

-is the city prepared to do a reverse Condemnation on it then?

-basically, you're taking this property & a just compensation exists; you're putting up so many hurdles that he can't realize the value of his property to take it

Ms. Moermond:

*-if it's being Condemned for health & safety reasons, it's not taking it; it's saying that it's not habitable & he needs to fix it to a point to where it is habitable; if he himself has diminished the value of the property by his own actions, that isn't on the city
-he has limited financial ability to do the repairs; that I know so, we'll need the involvement of others*

-I'm struggling with what to recommend

-the city code is really clear about what the expectation is when a bldg gets into this condition: it goes into the Registered Vacant Building Program as a Category 2 and needs a code compliance inspection report (then, you can pull the permits)

-I will waive the VB fee for 90 days

Ms. Martin:

-if Mr. Krein went to DSI to fill out an application for a code compliance inspection, is there any way to squeeze him in as quickly as possible?

- I will call the House Calls Program to get another dumpster (free of charge)

Ms. Moermond:

-I can ask the building official & ask to have this expedited - to schedule an inspection the first week in Dec; they will look for a lock box on the front door

-there might be some forgivable loans that he qualifies for if he continues to live in the house

-provided an application for the code compliance inspection report

-keep getting things out of the house

Mr. Krein:

-the house has an electronic lock

Ms. Moermond:

-I'm sorry that you can't go back into the house right away; I honestly don't think that it's safe for you to do that

-we'll try to keep the fees at a minimum & get you 3 free dumpsters

-you can be in the house from 8 am - 8 pm, working

Deny the appeal.

Referred to the City Council due back on 12/6/2017

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 48 [RLH FCO](#) Appeal of Caryl L. Kruchowski to a Fire Inspection Correction Notice at 598
 [17-180](#) GRAND AVENUE.

Sponsors: Noecker

Attachments: [598 Grand Ave.appeal.10-3-17](#)
 [598 Grand Ave.Photos.9-21-17](#)
 [598 Grand Ave.Kruchowski Ltr.10-19-17.doc](#)
 [598 Grand Ave.Electro Watchman Inc. Testing.11-7-17.pdf](#)
 [598 Grand Ave.Floor Plan.11-7-17.pdf](#)
 [598 Grand Ave.Kruchowski Ltr.11-9-17.doc](#)

Caryl L. Kruchowski, owner, appeared.

Ms. Moermond:

-we were going to have a interim inspection & a diagram of the 1st floor layout

Ms. Kruchowski:

-I have the diagram & documentation for the interconnecting fire alarm company

Fire Supervisor A.J. Neis:

-Fire Certificate of Occupancy Correction Notice by Inspector Justin Elvestad; this was previously appealed

-I wanted to take a look at the way the bedroom intervened with the front porch area of the house because the bedroom from Unit 1 goes onto an enclosed porch area

-I also wanted to look at the fire door

-I went out there yesterday; I found that the front porch was always intended to be an open porch; you could tell by the slope of the floor, the type of exterior doors, etc; it looks as though it's been enclosed for 30-40 years

-he explained going on the diagram: the bedroom goes onto the porch; there's also an entry door thru a window onto the porch; right next to it is a main front door to the apartment; there's a side entry door that serves as the main entry door to the building; so, there's also another door going onto the porch

-inside this porch & connected throughout are hardwired, interconnected smoke alarms throughout the bldg

-this is basically an identical situation to a case we had last week

Ms. Kruchowski:

-there's a picture of the woman who lived there many years ago with her & her husband standing on the porch - in the 1940's; back then, the trim was a little different; it had been sided & stuccoed over; it's been a great number of years that it's been enclosed

Mr. Neis:

-if they wanted to open up the porch, they would have to remove the hardwired fire alarms that have been interconnected throughout the bldg for a long time, which would essentially, decrease the level of safety in the building
-the hardwired fire alarms are interconnected throughout the building, not just for that unit; the benefit is for all the occupants, not just this occupant
-the smoke alarms in the individual units are still there

Ms. Moermond:

-I'm not thrilled about it but given the hardwired fire alarm system on the porch & significant opening between the bedroom & living room (French Doors, about 6 ft wide), I will recommend that your appeal is granted

Mr. Neis:

-I would recommend that the porch not be used for storage
-the doors with the metal (Chicago fix) need to be replaced

Grant to January 1, 2018 for the door; grant the appeal on the bedroom leading to the enclosed porch given there is an inter-connected smoke alarm system with a porch location and the wall to the living room is approximately 35% open to the rest of the apartment and exits. Note, there may be no storage on the porch.

Referred to the City Council due back on 12/6/2017

Orders To Vacate, Condemnations and Revocations

- 49 [RLH VO 17-52](#) Appeal of Ray Moore to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 1258 ALBEMARLE STREET.

Sponsors: Brendmoen

Attachments: [1258 Albemarle Street.appeal.10-27-17](#)
 [1258 Albemarle St.10-23-17.photos 1](#)
 [1258 Albemarle St.10-23-17.photos 2](#)
 [1258 Albemarle St.Moore Ltr.11-9-17.doc](#)

Ray Moore, owner, appeared.

Fire Supervisor A.J. Neis:

-Condemnation of the Fire Certificate of Occupancy issued by myself
-I'm a little disappointed in the inspection process of the previous inspection; the Condemnation followed subsequent follow-up inspection that had recently occurred by Fire Inspector Mike Cassidy in which he approved the C of O with no code violations (Class A building); & I Condemned the bldg with an immediate vacate about a week later
-Code Enforcement went out to do a re-check on a rain leader violation; when they went to look at the side of the bldg, which is not easily visible unless you actually climb between the houses, they noticed that the brick veneer was crumbling & falling onto the gas meter; the Code Enf Inspector notified their supervisor, who notified me to go take a look at this; so, I went out to the property; I called Mr. Moore immediately about my concerns; based on the situation, I contacted Xcel through the Fire Dept that we wanted the gas lines capped; Xcel looked at the problem & confirmed that the gas

meter was being compromised; something needed to be done immediately;
-so, I Condemned it; Mr. Moore has been very gracious & cooperative through the whole process; he immediately re-located his tenants without question & got contractors to meet out there within an hour of my phone call to him; he's been working diligently to get it done
-the contractors proposed several options including leaving the gas off, putting in electrical baseboard heat; but they would need time to take down the veneer & re-construct the wall, etc.
-Mr. Moore is doing whatever he can to get the tenants back in ASAP
-as of Nov 2, 2017, a building permit has been pulled for the exterior work

Mr. Moore:

-a bldg permit has been pulled to correct the brick work & make everything safe to get everything back on again
-I'm looking for up to 90 days to do this hoping that it will be done in 30 days so that I won't be kicked into being a Vacant Building

Ms. Moermond:

-OK

Mr. Moore:

-the contractor is confident that it can be done in 30 days
-a structural engineer needs to come out & we don't know what can happen, so, just to be sure, I'd like 90 days

Ms. Moermond:

-you have just this one item; so, I'm comfortable giving you until Jan 31, 2018 to finish the job & get the gas restored
-the building may not be occupied until the gas has been restored & the permits signed off
-if there are any changes, we can have another conversation

Grant to January 31, 2018 for compliance. The building may not be occupied until gas is restored and permit(s) is signed-off.

Referred to the City Council due back on 12/6/2017

2:30 p.m. Hearings

Vacant Building Registrations

- 50 [RLH VBR 17-80](#) Appeal of Wanda Baker to a Vacant Building Registration Renewal Notice at 971 ARCADE STREET.

Sponsors: Bostrom

Attachments: [971 Arcade Street.appeal.11-03-17](#)
 [971-983 Arcade St.Photos.11-29-16](#)
 [971 Arcade St.Revocation Ltr.5-7-15.pdf](#)
 [971 Arcade St.Baker Ltr.11-9-17.doc](#)

Wanda Baker, property manager, appeared o/b/o Juanita Investments LLC, owner.

Supervisor Matt Dornfeld, Vacant Buildings:

*-was made a Category 2 Vacant Building on Nov 29, 2016 by Code Inspector Tom Friel; his notes read: this is a 1-story wood frame commercial bldg that is vacant & secured; referred by Fire Inspector Migdal with a Revoked Certificate of Occupancy; the bldg appears to be in fair condition with few visible defects; utility pool does lean against side wall but does not look to be in danger of falling; exterior is clean; electric meter is yellow -tagged; opening a Category 1 Vacant Building; no major deficiencies were documented by Insp Friel or clean-up in the past 6 months
-discuss the VB fee*

Fire Supervisor A.J. Neis:

-the Fire C of O was Revoked in May 2015

Ms. Baker:

*-the electric is back on; it was tagged because we had it out on Contract for Deed & the people didn't follow through with their end of the bargain so, their license was Revoked; the power was off & we finally got it back this year; we paid the taxes, got the power back on & are trying to open the building back up
-we did not know that we had to pay for having a vacant building; this is the first time we've ever gotten something like this; so, we are trying to put all the money we have back into the building; now, we have to pay
-we are in the process of fixing it up to lease it out so that it doesn't sit vacant*

Ms. Moermond:

*-I can help with a 90-day VB fee waiver
-you have a Cat 2 Registered VB
-do you happen to know the reason for the Revocation?*

Mr. Dornfeld:

-Inspector Friel opened a Cat 1 VB & from his records, it shows that it is still a Cat 1 VB

Ms. Moermond:

-OK; you said Cat 2 to start with

Mr. Dornfeld:

-I apologize

Ms. Moermond:

-that means that all you have to do is get your Fire Certificate of Occupancy

Ms. Baker:

-that's what we're going to do

Mr. Neis:

-when the Fire inspector Revoked it on May 7, he did not identify any code violations; he just said to allow access to the bldg & that it appeared vacant

Ms. Moermond:

Waive the VB fee for 90 days to get Fire C of O reinstated.

Referred to the City Council due back on 12/6/2017

51 [RLH VBR 17-79](#) Appeal of Kim Sorn Theng to a Vacant Building Registration Notice at 483 COMO AVENUE.

Sponsors: Thao

Attachments: [483 Como Ave.appeal.11-1-17](#)
 [483 Como Ave.Photos.7-13-17](#)
 [483 Como Ave.Photos.6-9-17](#)
 [483 Como Ave.Fire C of O Revocation.6-8-17](#)
 [483 Como Ave.Theng Ltr.11-9-17.doc](#)

Kim Sorn Theng, owner, appeared.

Fire Supervisor A.J. Neis:

-Revocation of the Fire Certificate of Occupancy that started in Jun 2017 & was appealed by legal services & a tenant regarding the Vacate date which had been scheduled for sometime in Jul 2017; Ms. Moermond had granted an extension to Aug 18, 2017 for the tenants to Vacate the property
-the property still appears to be occupied; when the property was appealed by SMRLS & the tenant, the tenant went on record saying that she had been trying to get on the landlord for several years because of the poor living conditions; however, it was all that she could afford & the owner wasn't fixing anything in the home; Attorney Kaluzny, SMRLS, had asked for some additional time to Vacate to find housing for the occupants; you granted to Aug 18, 2017 to Vacate; the owner had been given Notice of the Revocation & Order to Vacate
-Inspector Efrayn noticed on Oct 24, this, for whatever reason, was not sent over to the Vacant Building Program; so, he opened up the file & sent it over to Inspector Dornfeld & his crew to open up a Category 2 Vacant Building
-looking at the records, the owner appears to have had a TISH Report done on Sep 24, 2017; many of the items on the Inspector's Report are also on the TISH Report including hazardous & unsanitary conditions, among others; the TISH inspector, who does not work for the City of St Paul, noted on the report that the house is still occupied as of Sep 21, 2017; as a result, the owner is currently occupying the house without a Certificate of Occupancy and after this hearing, it's quite possible that the owner will be issued a Criminal Citation for occupying a building without a C of O

Mr. Theng:

-I didn't know all this; I'm not living there

Ms. Moermond:

-you are renting it out

Mr. Theng:

-I wrote an eviction notice 3 times; they don't move out; that's the problem; & they don't keep the house clean; what can I do; I try fixing every time; right now, I've got a roofer lined up; got a plumber lined up; so, it's almost done

Ms. Moermond:

-are there any permits out there?

Mr. Neis:

-not a single permit pulled

-TISH Report noticed rubber adaptors (used for car repairs) being used for plumber

repairs

Ms. Moermond:

*-I remember this really clearly from the tenant's appeal that the building conditions were atrocious; they weren't bad; they were terrible
-do you have people living in there still?*

Mr. Theng:

-no people living there

Ms. Moermond:

-on Sep 24, the inspector you hired said there were people living there

Mr. Theng:

-yes; upstairs but I tried to evict them.. now, I don't know if they moved out; they have no place to go

Ms. Moermond:

*-you are responsible if somebody is living in there and it's a VB
-you've got the court system*

Mr. Theng:

*-I'd like another year until I have the roof done & the plumbing done, etc. but they couldn't pull permits because it's vacant
-the plumber tried to pull a permit last week; they said, "No"*

Ms. Moermond:

*-I'm going to recommend that the Council deny your appeal; when I look at your case, I'm looking at the fact that I saw this a few months ago & this house was in terrible condition & it sounds like it continues to be a house in terrible condition
-the inspection report from Jun has a list that's very, very long; the city's law in this regard is quite clear; if a house has been Condemned like yours has, it requires a Code Compliance Inspection Report to be conducted & those items to be corrected before it can be re-occupied
-with respect to the VB fee, I'm drawing a hard line on it because of the continuous occupancy of the structure after the City Council voted on a Vacate date six weeks earlier than when your own private inspector went through
-if you want to sell the house, your next step will be to get a Code Compliance Inspection Report (the TISH won't do); it will be a Registered VB Category 2; the person buying the house will need to pass a Sale Review (they will need to demonstrate that they have the money & the capacity to do the repairs necessary)
-provided a Code Compliance Application Form
-you will have to pay the VB fee before you pull any permits*

Mr. Neis:

-asked Mr. Theng: Is the home currently occupied?

Mr. Theng:

-no; they moved out the end of Sep, I think

Mr. Dornfeld:

-I'll issue a Summary Abatement Order to secure & board the house

Ms. Moermond:

-that'll work

—

Deny the appeal.

Referred to the City Council due back on 12/6/2017

- 52** [RLH VBR 17-78](#) Appeal of Fred Rappaport, KCR Corporation, to a Vacant Building Registration Renewal Notice at 707 MARSHALL AVENUE.

Sponsors: Thao

Attachments: [707 Marshall Ave.appeal.10-31-17](#)
 [707 Marshall Ave.Rappaport Ltr.11-9-17.doc](#)

Fred Rappaport & John Tshida, KCR Corporation, owner, appeared.

Supervisor Matt Dornfeld, Vacant Buildings:

-this has been a Category 2 Vacant Building since Nov 20, 2014
-KCR Corp went through our Sale Review process & was approved Feb 14, 2017
-all permits are in place; workers are on site
-property has not been a nuisance
-discuss VB fee waiver

Mr. Tshida:

-the house is done; we're just waiting for Jim Seeger; he required a special window;
we're waiting for the window to come in
-everything is brand new

Mr. Rappaport:

-the house had an extensive remodel: top to bottom; it was a duplex; we converted it to a single family; it's a beautiful home now & is listed on the market
-waiting on Mr. Seeger's sign-off

Ms. Moermond:

-I will recommend a 90-day VB fee waiver

Waive the VB fee for 90 days.

Referred to the City Council due back on 12/6/2017

- 53** [RLH VBR 17-70](#) Appeal of Noreen A. Moore to a Vacant Building Registration Notice plus a letter from the Department of Safety and Inspections at 1069 SUBURBAN AVENUE.

Sponsors: Prince

Attachments: [1069 Suburban Ave.appeal.10-10-17.pdf](#)
 [1069 Suburban Ave.chain emails.10-15-17.pdf](#)
 [1069 Suburban Ave.Appellant Letter.11-12-17.pdf](#)
 [1069 Suburban Ave.Moore Ltr.11-17-17.doc](#)
 [1069 Suburban Ave.Moore Revised Ltr.11-17-17.doc](#)

Noreen A. Moore appeared.

Supervisor Matt Dornefld, Vacant Buildings:

-this was made a Category 2 Vacant Building per Inspector Tom Friel on Sep 29, 2017
-his notes: 1 1/2 story wood frame & brick facade single family house referred by Fire Supervisor Shaff & St. Paul Police Dept; there is no Certificate of Occupancy for the house; listed owner is deceased; it is unclear who owns the property at this time
-Fire Inspector ordered house Vacated & secured; I met the officers at the property; occupants were removing personal items
-house was ordered to be secured by Restoration Professionals
-interior is unsanitary; the exterior has broken front door, missing front steps, defects in soffit, fascia & eaves; detached 2-car garage has some peeling paint; yard has some brush, wood, debris & rubbish in back
-I opened Category 2 VB; issued Summary Abatement Orders for garbage, rubbish in yard
-had followed-up inspection on Oct 11, 2017; the bldg was vacant, secure; exterior property is now clean & in compliance

Ms. Moermond:

-records show that Mr. Joseph R. Ficker is the owner

Ms. Moore:

-he is my uncle & he passed away on Jan 24, 2016; he had people living with him (he had met a woman 20+ years prior who didn't work, had a 16-year old daughter, who grew up & produced her own children, who also had a child; so, there were 4 people living in the home who people told me to kick out; I'm an RN & tend to be a bit humanitarian; I said that I couldn't put an infant out on the street, so, down to Dorothy Day; the family, Christine Overby, Ashley Hanson, etc, had just won lottery on Section 8 Housing; 3 days before their Section 8 Voucher expired, they finally moved out; they stole a bunch of property & damaged a lot of the house; since then, I've filed for probate, which is scheduled for Nov 21, 2017
-the estate is completely insolvent; there are no funds; I paid, out of my pocket, the current year's property taxes; there are some back taxes due; when the incident with the garage happened, I was very ill with pneumonia & I did not receive the notifi.....

Ms. Moermond:

-what's the incident?

Ms. Moore:

-the city came along & removed the entire garage overhead door & emptied the garage contents; I had been trying to clear out the house (was a hoarder's house from floor to ceiling-garbage)
-now, the house is mostly empty; still some furniture; I'm trying to clean the house; there's no lien on the property but there are back taxes due
-I've received offers from numerous companies
-apparently, when I was ill, people had been breaking into the garage, even though people were living in the home; it got to the point where stuff was coming out from underneath; I didn't get the Notice to clean out the garage from Jeffrey Hoffman until it was all done; I had already tentatively arranged to have a dumpster dropped off on Aug 4 to get everything cleared out; & I had put good property & also garbage in the garage; then, the garage door, apparently, wouldn't shut; so, the city came along & tore the garage door off & emptied the garage of everything; everything I had anticipated to sell - furniture items, windows, etc.
-I'm asking for at least 4 months until I can get a closed probate; I have buyers - people who specialize in buying vacant properties to restore & sell; it would really help

the probate status out, too

Ms. Moermond:

-there's a couple of things in play right now: 1) you have some pending assessments, which you are aware of; and 2) a VB fee because it is a vacant building

Ms. Moore:

-the other people moved out in May; then, my daughter & her family moved into the house, temporarily, to get the place cleaned up

-I'm selling the house "as is"

-I still have furniture there: a designer hutch; Korean bendogee cabinet; some mattresses; a dresser; a buffet; a roll-top desk; & a basement full of junk

Ms. Moermond:

-my concern: if we have an empty house, I want a better sense of what the building conditions are & I can't get an inspector to be able to tell me what's going on if they can't see the walls & the floor (trade inspectors)

-Mr. Dornfeld, tell me how your inspector made the determination that this should be a Cat 2 Registered VB

Mr. Dornfeld:

-he found it to be vacant with multiple code violations; unsanitary conditions; house exterior has broken out front door; missing screens/storms; major defects in exterior walks & possibly, foundation; defective, crumbling front steps; defects in soffit, fascia...

Ms. Moermond:

-so, he looked at those problems with the bldg & said, "Those are major code violations, I'm going to make it a Cat 2, which would trigger the requirement of a code compliance inspection report" (a list of minimum code compliance things generated in order for it to sell)

Mr. Dornfeld:

-according to Inspector Friel's report, this home did not have a Certificate of Occupancy; Inspector Shaff was involved; I'm not sure how; SPPD were also present at the time; so, I'm assuming there was some criminal activity; there were some neighborhood complaints; we had code enforcement; we've documented multiple interior/exterior code violations

Fire Supervisor A.J. Neis:

-Inspector Shaff didn't write up anything except that it was not a C of O building; back in 2014, there were allegations of it being a possible rental property; a complaint came in; in Jul 2017, there was a complaint about the garage door having been open for months; on Jul 26, 2017, a Summary Abatement Order was issued for the garage door

-I'm assuming that when the police had come out there, they saw conditions that they identified as unsanitary

-I don't see any Orders to Vacate

-I'm assuming Insp Shaff forwarded it over to Vacant Buildings; Ms. Shaff was out there on Sep 29, 2017; I see that a Cat 2 VB file was opened on Oct 2, 2017

Ms. Moermond:

-we had an occupied building

-I want a more thorough response about what was going on

Ms. Moore:

-I can inform you of some of the police complaints
-the guy across the street owns 3 properties; he rents the house next to us to a bunch of disabled people who are very much into drugs, alcohol.... one gentleman was found rooting around in our garage; my ex-husband, Dave, asked him to leave & he left; Dave was there prior to my daughter; he called the police because he found the guy in the garage again; when Dave was there, he was talking to the neighbors across the street when the person who was in the garage, came up behind Dave, punched him & knocked him out cold; there was a shooting that occurred across the street & the shooters were all over the property because when my son & his dad (Dave) moved into the property to try to start to fix it up, suddenly everyone from the apartment complexes across the way started coming over & literally putting guns in our faces saying, "This is our crib; we're going to use this house;" people started coming in & out of the house; David, my son, left fearing for his life; he left his father in the place
-there were incidents with the people who were renting across the street for having people bothering them & they would come running across through our property, which would then get the police over to our property; it has been the biggest nightmare I've ever seen
-I entered the property after spending the night there (I had gone to my home in Inver Grove; came back - had left my cell phone at the house in Inver Grove) and there's a black man in the house - upstairs; I don't know how he got in; I had to get him escorted out; it's been frightening; I decided that I had to have people living there so people wouldn't be coming in the house; then, my daughter left on Jun 29, 2017 & Dave, my X returned

Ms. Moermond:

-who was living there on Sep 29, 2017?

Ms. Moore:

-at that time, my daughter was back with her 3 children (3, 7, 8) & Dave, my ex-husband

Ms. Moermond:

-will Lay this matter Over for 1 week; I want to find out more specific information from the police & Inspector Shaff to help me form my decision

Ms. Moore:

-whenever I come to the property, the people who live next door will open their kitchen window & scream at me, "That's going to be our house; that's going to be our house; you're going to get the ___ out of here; & we're going to own that house;" I believe that they were the people who were constantly calling; and no, that garage door was not open for months; I can guarantee you that

Ms. Moermond:

-I get you were sick but you did get the Order to take care of business there; so, I don't want to re-open that
-it's Laid Over to Nov 14, 2017 LH

Laid Over to the Legislative Hearings due back on 11/14/2017

54 [RLH VBR 17-77](#)

Appeal of Calvin Mickel to a Vacant Building Registration Notice at 316 SUPERIOR STREET.

Sponsors: Noecker

Attachments: [316 Superior St.appeal.10-30-17](#)
 [316 Superior St.Photos.7-10-17.pdf](#)
 [316 Superior St.Photos.10-17-17.pdf](#)
 [316 Superior St.Owner Ltr-Photos.11-7-17.pdf](#)
 [316 Superior St.Mickel Ltr.11-9-17.doc](#)
 [316 Superior St.Fire C of O Revocation.11-8-17](#)

Calvin Phan Mickel, owner, appeared.

Fire Supervisor A.J. Neis:

*-Revocation of the Fire Certificate of Occupancy issued by Justin Elvestad; Insp Elvestad was advised by the property owner that this house has been vacant for 5 years due to the conditions of the house
-based on how long it's been vacant, we forwarded it to the Vacant Building Program
-photos in file*

Supervisor Matt Dornfeld, Vacant Building Program:

*-we were late to the party; this fell thru the cracks; I have no excuse as to why
-I went there after being re-notified on Oct 16, 2017 & found the house to be vacant & secured; everything documented in the Fire Inspector's report remains; there were a few vehicles & a trailer in the driveway; I contacted Mr. Mickel, who was extremely cooperative & explained his situation; I advised him to appeal to help figure out a good solution*

Mr. Mickel:

*-I grew up in the house; I bought it from my folks when they retired; I lived there for a number of years; then, the wife moved up from FL; we had some friends selling their home & it was a really good deal; the intent was to take advantage of that deal, which we did; it was a bigger yard for starting a family; at the time, we started working on the house - cosmetic; it was perfectly livable when we left but we wanted to make it nicer & get more out of it but unfortunately, it turns out that the value of my house was much lower than what I owed on it, so, we were up-side-down on the mortgage; we worked on it here & there in my spare time; eventually, I had a child, which pretty much dried up my money & time
-it's a house that I care about; it was livable when we left
-I demoed a bathroom with some cracked plaster; I haven't pulled permits yet; wanted to replace it
-I have 2 buyers interested in it
-back when it was fire inspected, I was under the understanding that I'd get a comprehensive list but I hadn't heard anything until I got the letter about the vacancy; so, I did some of the things that was mentioned to me in person
-I did invest in a new water heater & a new furnace
-I have pictures & a written statement
-the house is not an eye sore
-all the furniture is out; still some boxes in the basement
-the vehicles are my neighbors; they are great people; they watch the house & share the driveway, help mow & shovel
-we never thought about renting it -never thought it would take this long
-I still pay the mortgage
-the neighbor, who's been watching the house - his daughter was recently married; they've retired & want to live close to her, they are one of the buyers; my step sister is interested in buying the house, too*

-I feel like I'm very close to having this done; I'm very motivated to see this to resolution

-I plan to continue to work on the inside of the house; it's all cosmetic work; & hopefully, I can move this to a Cat 1 or have some time

-I haven't done any plumbing; just took the old stuff out - the plaster & the tub

Mr. Neis:

-there are no permits on file; those items would have required permits

Mr. Mickel:

-I haven't replaced the walls; it's down to the studs - there's no sheet rock up; everything is visible; I want to do it the right way

Ms. Moermond:

-it's been 5 years

-could these requirements be taken care of with a Correction Order or do we need a whole Code Compliance Inspection Report?

-Matt, is this something you'd like to look at?

Mr. Dornfeld:

-if the true intention is to sell the house, I think a VB 1 or a prelim & a TISH on file for a perspective buyer would suffice

Mr. Neis:

-concerned with VB 1: if a new buyer comes in & we have an inoperable bathroom & he turns it into a rental property, it could be re-occupied without having anything inspected

Ms. Moermond:

-let's have Mr. Dornfeld & Mr. Seeger do a walk thru; would that work?

Mr. Neis:

-another suggestion: have Insp Elvestad go thru it & give a full list of Correction Orders; his last walk thru was in Jul 2017

Mr. Mickel:

-my plan is to sell it; the house has 2 bathrooms

Ms. Moermond:

-let's get updated Orders from Mr. Elvestad

Mr. Neis:

-I'll have Insp Elvestad email that list to you & to Ms. Moermond for the file

-his list is pretty comprehensive & if these items are corrected, I'd be comfortable re-instating the Fire C of O

Mr. Mickel:

-entered his photos (scanned)

Ms. Moermond:

-I will recommend that the Council waive the VB fee for 90 days & refer the matter back to Legislative Hearings in 90 days

-we will change it from a Category 2 to a Category 1 VB

- 1) Change to VB 1;
- 2) waive the VB fee for 90 days to get Fire C of O reinstated;
- 3) refer back to Legislative Hearing on January 23, 2018 to determine if building should remain a Category 1.

Referred to the City Council due back on 12/6/2017

55 [RLH VBR 17-73](#)

Appeal of Keith Kaestner to a Vacant Building Registration Fee at 1630 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Attachments: [1630 University Ave W.appeal.10-16-17](#)
[1630 University Ave.Fire C of O Revocation.4-4-16](#)
[1630 University Ave W.Photos.4-4-16.pdf](#)
[1630 University Ave W.Kaestner Ltr.11-9-17.doc](#)

Keith Kaestner, part owner of Rixmann Midway LLC, appeared.

Ms. Moermond:

-the C of O was Revoked last year & we have a VB fee

Fire Supervisor A.J. Neis:

-Fire Certificate of Occupancy that was under Revocation by Fire Inspector Sebastian Migdal since last year

-Insp Migdal Revoked the C of O & noticed that it was a Vacant Building but it was being maintained, so, he did several vacant checks, which isn't uncommon in the commercial section, without sending it to the Vacant Building Program; on his last inspection, he noticed that the building was starting to deteriorate & was not being maintained as it had been over the last year; as a result he moved it over to a Category 2 VB

Supervisor Matt Dornfeld, Vacant Buildings:

-unfortunately, Inspector Kalis opened it as a Category 1 VB on Sep 11, 2017; he noted that the building was vacant, secured; the C of O is Revoked; exterior is all brick; several windows have been broken but has been secured; the parking lot is maintained

-an attorney called & left a message with Mike

-VB fee went to assessment on Oct 31, 2017

Ms. Moermond:

-it shouldn't have because this is under appeal; the appeal came in Oct 13, 2017

Mr. Neis:

-it looks like it was actually forwarded to VB on Sep 6, 2017

Mr. Kaestner:

-I am part owner of this property, Rixmann Midway LLC

-we bought that bldg several years ago when it was occupied; I'm also part of the Pawn America Group; Pawn America was occupying 1636 & we bought the bldg in order to create the parking necessary for the 1636 bldg to flourish

-there was a tenant in the bldg (1630) when we bought it & Pawn America was in the bldg at 1636 until Jun 2017; Pawn America has since vacated the 1636 bldg

-we have an LOI to re-develop that whole area and we'll knock those buildings down; that LOI was signed Sep 20, 2017; it is in Purchase Agreement Order right now; the intention is to close the 2nd quarter of 2018 & demo those buildings

Mr. Neis:

-which would account for the lack of maintenance

Mr. Kaestner:

-we tried to keep it up; vandalism has occurred on more than 1 occasion; now, that both buildings are empty, it's become more of an issue

Ms. Moermond:

-right now, we are 2 months into a bill that goes thru the beginning of Sep 2017 to Sep 2018; what I heard that the billing should have stopped as soon as you filed an appeal but it was missed & it went to assessment, the next step if the bill isn't paid; it becomes a proposed assessment onto the property taxes; I'd like to let that go forward; I can do a 90-day waiver here but you're not going to be anywhere in 90 days with this but there's a very good chance that you'll have those buildings down in 6-7 months; then, I can cut the VB fee in half - prorate it so that you're not paying for an entire year in the VB Program; it seems like the better approach in your circumstance -you'll get a letter in the future about the proposed tax assessment for a VB fee on this property; send in the yellow post card that comes in the letter & we can decrease the VB fee at that time
-continue as you were

Deny the appeal.

Referred to the City Council due back on 12/6/2017