



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, January 16, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [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. (Public hearing continued from July 19) (To be referred back to Legislative Hearing on January 9, 2018)

Sponsors: Noecker

Carol Carey, Historic Saint Paul
Elyse Jensen, Historic Saint Paul
John Yust, Architect

Steve Magner, Code Enforcement Manager: update:

-a letter was sent Sep 14, 2017 to Mr. Murphy, Ms. Carey, Ms. Jensen, Mr. Brock (attached) listing conditions; a subsequent letter was sent Dec 26, 2017 (attached) to re-schedule the LH to today

-we refunded Mr. Murphy's Performance Deposit on Sep 22, 2017

-there's a code compliance letter dated Jul 25, 2017

Ms. Moermond: so, there is no Perf Dep in place; do you guys have a work plan?

Ms. Carey: we have a contract, which was originally presented at our hearing in Sep; we can walk through the time table to update you; I have a packet with some additional information, including info on some fundraising events that we posted to the press to build awareness to the project; photos in the back

-there's a community advisory group & several of the members are here, as well; the group is meeting on a weekly basis to keep things on track & to work on things (planning, instruction, planning & implementing fundraising activities)

-Historic Saint Paul accepted the donation of the property in late Nov 2017

-we are not actively involved with exploring National Register eligibility right now but we are in regular communication with the HPC to make sure that the plans that we are moving forward would not preclude designation at some point in the future

-predevelopment work on fundraising will move forward up until the time of construction

-we are about 1/3 of the way to our anticipated goal of \$45,000; we had a small donor event in Nov at Brewing; we are scheduled to have a major donor event in mid-Feb 2018

*Ms. Moermond: so, you have \$15,000 & you need \$30,000 more
-in the last hearing, you showed a letter of credit from Land Bank of up to \$200,000;
how does that fit together with the money that you're fundraising?*

*Ms. Carey: the Land Bank line of credit will provide our construction financing; they also approve other costs, as well (development budget, etc.); in order to close, we will have to demonstrate that we have that additional equity raised in the form of private funding; combined, those will get us through the project
-developing/adjusting the architectural plans; we were in consultation with HPC last fall; you have a set of plans that reflect that; we just got thru the bidding period in Dec 2017; we got the first set of responses back from contractors last week; we are looking at removing and reconstructing the back portion of the house while restoring the front portion of the house (model - created by Naomi Austin)
-we're currently working with 2 contractors: 1) Don Peltier, Pelco Construction, who is proposing to do the lion's share of the work, which includes the reconstruction of the back (foundation, mechanical); and 2) Fred Livsave, who's here & who has been participating in the advisory group & is planning to do the finishing work (scanned)*

Mr. Yust: I completed a schedule for windows; don't have a door schedule yet; we're planning to use some original 2- panel doors & there's a man in the neighborhood who has some we could use; we have 1 door coming from Prescott, WI; 2 doors are brand new-may end up as front/back doors

Ms. Moermond: when do you think you'll be finished with your fundraising?

Ms. Carey: I would hope that we would stay on our schedule & be able to close on construction financing in Apr & begin in May; we can keep you posted on a more informal regular basis as we're going along

*Ms. Moermond: we need the \$5000 perf dep posted as a place holder - the skin in the game; as soon as it's posted, the clock starts ticking: you get 6 months on that & if you're 50% done at the 6 month mark, it will extend automatically for another 6 months; I need this to come back to Council for approvals & at the same time, I want to give a little more time here before we formalize an action for the Council for a layover
-your fundraiser is scheduled for Feb 21, 2018; so, by Feb 23, I want to see the \$5000 perf dep posted; the City Council public hearing is Feb 28, 2018 & we'll continue the LH to Feb 27, 2018*

Ms. Jensen: we actually have a community member, who is happy to provide the perf deposit

Ms. Carey: for clarification, based on my understanding from the last hearing in Sep 2017, when we talked thru the challenges & timetable, my understanding was that you had anticipated putting it in front of City Council in Mar or Apr 2018; then, having the perf dep posted before permits were issued.....

Ms. Moermond: I wasn't recalling it being that far out but we can push it to Mar 8, 2018 LH; City Council on Mar 16, 2018; I will need to have the perf dep posted by Mar 8, 2018

Mr. Yust: the quicker that the perf dep is posted, the more pressure there is for us to move on everything; I think that we're moving at an appropriate rate in getting

everything put together; I'd be more comfortable if posting the deposit would be a month or two later; we could put that money in escrow so that you're protected.....

Ms. Moermond: no; and this is why: Mr. Murphy asked for his money back 4 months ago; you've been riding with no perf dep since that time; & I'm willing to give you another 2 months grace; that never, ever, ever happens that a property is in a position of getting a layover for this length of time without having a perf dep on the record; it is intended to put some time pressure on & I'm willing to work with you in the long run to keep things moving but I cannot be treating you that differently than everyone else; you have all kinds of special circumstances that justify going a 6 month time period without any perf dep at all but I cannot see going further than that

Ms. Carey: I want to make it clear that we understand that in order to get this project done; we will have to pull in whatever bit of creativity that we have & we think that's a good thing; but those types of things take more time & we understand that we are working towards a common goal but I want to highlight that we are proposing an 18-month construction period in order to accommodate those other aspects & we talked about this in Sep 2017; I just want to be clear

Ms. Moermond: I will need to see something much more detailed here & I can work this thru with the City Attorney's Office but I need that place holder on the record to get us rolling; & I want to meet you more than half way on all of it; I do & I can

Mr. Magner: can you review those dates because Mar 8 is on a Thu

Ms. Moermond: Mar 13, 2018 LH & Mar 21, 2018 for City Council; \$5000 perf dep due prior to Mar 13, 2018

-I do see your circumstances being special because of how you're approaching this & I think that we need to make sure that it's really, really clearly articulated in the record that goes in front of City Council on why you'd be treated differently under the same codes

-let's get some work plans in so we can start to figure things out regarding timelines

Continued to March 13 Legislative Hearing and City Council Public Hearing on March 21. Owner to post the \$5,000 performance deposit before the March 13 hearing and provide revised work plans and updated project financing information.

Laid Over to the Legislative Hearings due back on 3/13/2018

2 [RLH RR 18-4](#)

Ordering the rehabilitation or razing and removal of the structures at 642 CHARLES AVENUE within fifteen (15) days after the February 14, 2018, City Council public hearing. (Amend to remove within 15 days with no option for rehabilitation)

Sponsors: Thao

Ling Zhou, owner, appeared.

Steve Magner, Code Enforcement Manager:

-The building is a two-story, wood frame, single-family dwelling on a lot of 2,614 square feet. According to our files, it has been a vacant building since September 12, 2012.

-The current property owner is Ling Zhou per AMANDA and Ramsey County Property records.

On October 25, 2017 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs

were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on October 30, 2017 with a compliance date of November 29, 2017. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
-Taxation has placed an estimated market value of \$6,700 on the land and \$22,500 on the building.

-There is a Confession of Judgment for real estate taxes due and owing for 2014, 2015, and 2016 which was executed on July 20, 2017. The total amount owing is \$6,724.87; however, the real estate taxes for 2017 have not yet been paid which are due and owing in the amount of \$1,859.89. If payment for the 2017 taxes is not received by March 1, 2018, the contract will be cancelled.

-The Vacant Building registration fees were paid by assessment on October 2, 2017.

-A Code Compliance Inspection was done on March 7, 2013 and has since expired.

-As of January 12, 2018, the \$5,000 performance deposit has not been posted.

-There have been twenty-four (24) SUMMARY ABATEMENT NOTICES since 2012.

-There have been seven (7) WORK ORDERS issued for:

- Garbage/rubbish
- Grass/weeds
- Snow/ice

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$25,000. The estimated cost to demolish exceeds \$15,000.

Mr. Zhou: I've owned it since 2013

Ms. Moermond: the city has been telling you when to mow lawn/shovel snow but you have been taking care of it mostly on your own; you have some tax problems which tells me that you may not have the money to do the rehab; what would you like to do at this address?

Mr. Zhou: I already spent some money on this property: siding & all new windows; & I have the intent to complete the rehab; right now, I have all the material; have all plumbing & electrical rough-in completed already

Ms. Moermond: do we have permits on any of that? Mai, you want to pull the records?

Mr. Zhou: I have the work done but not inspected yet; I have a bldg permit, not a plumbing permit; a plumber did the work

Mr. Magner: a bldg permit was issued in Jan 2014; an electrical permit was issued in Aug 2014; no plumbing permit; don't know if those permits would still be good

Mr. Zhou: the house has been broken into once; probably some homeless people

Ms. Moermond: there's a tall order for you on this one because you are already behind & I need you to leap far to get ahead; why haven't you gotten a new code compliance inspection?

Mr. Zhou: the letter I got from Inspector Matt, the time was too short to get everything done before then

Ms. Moermond: but you didn't apply for it either

Mr. Zhou: because I'd have to pay \$500-\$600 for that inspection; I don't want to pay that amount if you guys aren't going to approve it

Ms. Moermond: well, it's going to go the other way: if you don't get the inspection report & do the Work Plan, you're not going to get an approval

Mr. Zhou: Oh; OK

Ms. Moermond: you have to show your cards first; so, what I'd look for in order to recommend that the Council give you some time to do this is: a new code compliance inspection report; this one is expired; new permits; they won't issue new permits until.. you need to post a \$5000 performance deposit; and get a grant of time from the City Council; the \$5000 perf dep is refundable if the Council doesn't give you a grant of time; it's also refundable if the Council does give you a grant of time & you complete the work within the time allotted

Mr. Zhou: OK

Ms. Moermond: you need to come current on your property taxes (you have a Confession of Judgement in place); the city shouldn't have to tell you to clean-up the property; I need to see a Work Plan with Timelines that will show me that you can get this done in 6 months (you'll need bids from the subcontractors you're working with)

Mr. Zhou: I am a construction worker myself

Ms. Moermond: put in the Work Plan the value of your labor & also the cost & labor that you have to hire; I'll be looking for at least \$25,000 to do the work

Mr. Magner: we don't know the value of the work that's already been completed & our assumption is that the electric & plumbing rough-ins aren't completed because we don't have signed off permits

Ms. Moermond: I need to see those bids, a detailed Work Plan with Timelines & the amount of money these tasks are going to take; you will have to show me that you have \$25,000 for this project (money that you already have on hand; a bank statement; an affidavit or to see the money escrowed for this project so that it's clear to me that you're not going to be spending the money on something else in the interim); I'm concerned because you haven't been able to pay your taxes for so long that you don't have the money to do the work; there may be other resources that you can seek out to help you

-we need to get this done; I believe that right now, you'll need \$30,000+ minimum on hand (taxes, \$5000 perf dep, code compliance insp, \$25,000 in work)

-get that \$5000 performance deposit posted & apply for the code compliance inspection right away; & I can ask the building official to expedite the inspection; then, I can ask the Council for more time to do the work

-will continue this in 2 weeks on Tue Jan 30; you'll need to get a lock box

Continued to January 30. Owner to provide the following conditions by 1/30/18:

- 1) post the \$5,000 performance deposit at DSI, 375 Jackson St, Ste. 220, St Paul MN 55102; and*
- 2) apply for the code compliance inspection to include lockbox combination.*

If the above conditions are met, may grant additional time to present the following:

- 1) a work plan or sworn construction statement w/ timelines for the completion of the*

- rehab;
- 2) provide bids from subcontractors;
 - 3) provide financial documentation indicating the amount of at least \$25,000 to do the rehab (this may change based on estimates);
 - 4) a letter of affidavit dedicating the funds for the project; and
 - 5) stay current with Confession of Judgment for delinquent taxes with Ramsey County Property Tax Record.

Laid Over to the Legislative Hearings due back on 1/30/2018

3 [RLH RR 18-2](#)

Ordering the rehabilitation or razing and removal of the structures at 1536 VAN BUREN AVENUE within fifteen (15) days after the February 14, 2018, City Council public hearing. (Amend to remove within 15 days with no option for rehabilitation)

Sponsors: Stark

Douglas M. Henneman, owner, and Greta Bjerkness, attorney for the Henneman's mortgage holder, Fannie Mae & servicer, Seterus, appeared.

Ms. Bjerkness: the mortgage is current.

Steve Magner, Code Enforcement Manager:

-The building is a two-story, wood frame, duplex with a detached, two-stall garage on a lot of 4,748 square feet. According to our files, it has been a vacant building since August 31, 2016.

-The current property owner is Douglas and Mary Henneman per AMANDA and Ramsey County Property records.

-On October 18, 2017 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on October 25, 2017 with a compliance date of November 24, 2017. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$19,800 on the land and \$140,000 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees were paid by assessment on October 2, 2017.

-As of January 12, 2018, a Code Compliance Inspection has not been done.

-As of January 12, 2018, the \$5,000 performance deposit has not been posted.

-There have been three (3) SUMMARY ABATEMENT NOTICES since 2016.

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

- Boarding/securing*
- Grass/weeds*

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish exceeds \$20,000.

Mai Vang: there was an appeal for a Summary Abatement and Condemnation/Order to Vacate adopted by Council on Sep 6, 2016; there was an appeal for a Vacant Building Registration Notice adopted by Council on Oct 19, 2016

Ms. Moermond: we don't have a code compliance inspection report so we don't have up-to-date information on what's necessary to bring this up to code - minimum safety standards, at least

Mr. Henneman: I got this Notice saying there would be a hearing & I got the Order to

abate a nuisance building; I called & spoke with Mike Kalis, I believe; he outlined the 4-5 steps - my intention was to start the process but when I got the Notice, it had been changed to a Cat 3 VB & I had 60 days and that totally changed things because I was not going to be able to do it out of pocket; I would have to get a loan, which so far, I haven't been able to do; since I could not get a loan, it did not seem reasonable to get an inspection, post a performance deposit & I had only 60 days to do this; there was no way that I'd be able to comply, so I didn't start the process; I tried to sell it but the house is a Cat 3 so, I understand that would need city approval but I was not successful until a couple of weeks ago when someone told me that they would be interested in doing it & they had said that they worked with the city on problem houses.... but that requires the mortgage company... they're not going to pay the balance; they are not willing to offer the balance of the loan; the mortgage company would have to short sell it

Ms. Moermond: what do you owe on your mortgage?

Mr. Henneman: \$94,000; I have a 2nd for \$7,000; so, about \$100,000

*Ms. Moermond: well, you're not going to be able to do anything until you get that code compliance inspection report; it hasn't been applied for yet
-this doesn't go in front of City Council until Feb 14, 2018*

Mr. Henneman: this is 6 months worth of work; I'm not in the contracting business but I don't believe that someone is going to come in & do this in 90 days; just getting the inspection completed could be several weeks; getting a loan - several weeks, then, getting bids - several weeks; so, it's not going to happen in 60 days; that's why I didn't start

Ms. Moermond: you've got to get in the game & get that code compliance inspection report; I'm willing to work with you, within limits, to get this house rehabbed; my job is to make sure that the nuisance condition is taken care of; what I recall from the condemnation hearing is that there's some significant safety violations going on & that was 18 months ago; those things get worse over time; I'm willing to ask the bldg official to expedite the code compliance inspection report (duplex cost: approx \$640) but you've got to get the application in & you have to submit the combination for the lock box, so that when the inspectors are available, they can get in & do it; you're first bench mark is getting that code compliance inspection application in by the end of this week

*Mr. Henneman: if I do this & they get the inspection done, what will be the next step?
Am I going to have another 60 days or 30*

Ms. Moermond: we'll talk about that now: when Feb 14 comes (your City Council date), you will not be ready to talk to them about your plans because they will not be finished; so, what I need to do is to get you to show that you're committed - that you've taken some concrete steps & I want to outline those steps today: 1) the very first step is to get that code compliance inspection applied for; 2) post the \$5000 performance deposit (refundable to you if the Council does not grant you time & it is also refundable to you if you finish the work within the time granted); that shows me that you have skin in the game

-right now, you can get a contractor to walk thru to put together a work plan for you, which can be modified based on what the code compliance inspection report itself says; you can also wait until the code compliance insp is done

Mr. Henneman: I've already done that; I don't have anything in writing; I have a verbal estimate

Ms. Moermond: I need something in writing that breaks things down & shows me how this would be approached with details & with timelines

-I will talk to you again on Jan 30, 2018 LH; at that point, I'd like to have the code compliance applied for; I'd like to see that bid that you've already gotten; & I'd like to have the \$5000 perf dep posted; then, we can start to figure out what the next steps will look like

Continued to January 30. Owner needs to apply for the code compliance inspection, post a \$5,000 performance deposit and provide bids

Laid Over to the Legislative Hearings due back on 1/30/2018

4 [RLH OA 18-1](#)

Making recommendation to Ramsey County on the application of David L. Och for repurchase of tax forfeited property at 1508 SEVENTH STREET EAST.

Sponsors: Prince

Steve Magner, Code Enforcement Manager:

-read Repurchase application & letter for 1508 Seventh Street East

-the reason/circumstance that led to forfeiture of the property is described as a hardship; Applicant David L. Och is a 74; his mother, Clara Och died in 1979; David was appointed personal representative of Clara's estate on Mar 31, 1981; David was not represented by an attorney at this time, etc.....

..... David learned this year that the State of MN now owns this property; David told his son, Tom, about the situation & Tom started looking for an attorney to handle the Repurchase process; Tom & David have been working with the attorney this fall to Repurchase the property; David was able to locate general administration letters establishing that he is the personal representative of Clara's estate & that he has the authority to apply to Repurchase the property

Ms. Moermond: there is absolutely no history during his period of ownership; no abatements, no police history/calls; no nuisance activity; I would recommend to allow for Repurchase of this property

Mr. Magner: it's a residential vacant parcel; there's no reason not to allow Repurchase

Ms. Moermond:

Allow for repurchase.

Referred to the City Council due back on 2/14/2018

5 [RLH RR 18-3](#)

Ordering the rehabilitation or razing and removal of the structures at 735 MARGARET STREET within fifteen (15) days after the February 14, 2018, City Council public hearing. (Public hearing to be continued to April 4)

Sponsors: Prince

Ms. Kris Kujala & Mr. Paul Scharf, Ramsey County Property Records & Revenue, appeared.

Steve Magner, Code Enforcement Manager:

-The building is a two-story, wood frame, duplex with a detached, two-stall garage on a lot of 7,405 square feet. According to our files, it has been a vacant building since April 23, 2010.

-The current property owner is State of MN Trust Exempt (Ramsey County - Tax Forfeit Properties) per AMANDA and Ramsey County Property records.

-On October 31, 2017 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on November 7, 2017 with a compliance date of December 7, 2017. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$18,000 on the land and \$25,000 on the building.

-Real estate taxes are exempt.

-The Vacant Building registration fees (\$525) were paid by check on May 1, 2017.

-A Code Compliance Inspection was done on March 11, 2011 and has since expired.

-As of January 12, 2018, the \$5,000 performance deposit has not been posted.

-There have been fifteen (15) SUMMARY ABATEMENT NOTICES since 2010.

-There have been thirteen (13) WORK ORDERS issued for:

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

-Code Enforcement Officers estimate the cost to repair this structure is \$50,000 to \$75,000. The estimated cost to demolish is \$12,000 to \$15,000.

Christine Boulware, Heritage Preservation Commission: 735 Margaret Street is a contributing property within the Dayton's Bluff Heritage Preservation District; this is known as the Charles Grewe House; it's a Queen Anne style residence constructed in 1890 as a single family home; it's 2 1/2 stories; wood frame construction; exterior is clapboard with wood shingles on the gable on the front elevation; currently, there's asphalt shingles that cover some of the clapboard in detail on the other elevations; roof is hipped with cross gabled dormers that are also covered with asphalt shingles; foundation is limestone with a parched coating; the 2-story front porch was actually constructed circa 1905, which would also be within the period of significance for the district; the facade, while partially concealed by the front porch asymmetrical Queen Anne in detailing; it is classified as contributing to the Dayton's Bluff Heritage Preservation District; so, there is interest by both HPC staff & the HPC, obviously, in seeing this property be retained & rehabbed

Ms. Moermond: this is in a precarious position, financially, to say the least

Ms. Kujala: because there is an active Repurchase on the property by the prior owner, which has not been acted on yet by the county board, the city took action & then sent their recommendation over; I believe Matt acted on it at the county board level; management has had several conversations & as you know, on Repurchases, we can recommend conditions on the property with the county board to approve where a prior owner has to meet certain conditions upon getting the property back; a couple conversations have occurred where a condition couldn't be placed on this property where the prior owner would be required to sell it - it's a Cat 3 now, which in conversation with you in the past, there would be difficulty it, according to Ordinance, unless it were sold to a very specific buyer

Ms. Moermond: someone who could come up with a contract with the county.... to say that they're going to do the work; I think that's actually a requirement that you have right now; is it not?

Ms. Kujala: while we've had that condition on other Repurchases, however, those have been Cat 2 houses; so some of the questions that we have..... How does this differ now that this is a Cat 3? Are we still able to put a condition on this one to say, "Sell to an open market to a 3rd party buyer; not a specific 3rd party buyer;"

Ms. Moermond: I think this calls for the City Attorney & the County Attorney to put their heads together

Ms. Kujala: if that were the case, how narrow is the pool? Because if he won't be successful in that, why would we put that condition on it? so, then, other conditions would be for Mr. Denny to bring it up to code; and then, sell it to a 3rd party buyer;.... some of this is all being affected by this hearing today.. what do you want to see? this could end up back in our inventory; then, we would have to make some response

Ms. Moermond: when Mr. Magner & I looked at this to review the case for City County, we looked at a 5-year record of what's been happening with the property; in this particular case, not a lot had happened; if we would have opened up 10 years, a lot had happened & it was clearly a problem property but the county asks us to only look at 5 years

Ms. Kujala: we are not looking at a financial capability; we're not expecting him to come forward & prove his financial capacity to restore this property; so, he himself has to decide if he has the financial means to actually Repurchase (approx \$65,000-\$70,000); would the board allow him to pay in full or allow him to go on terms .. - a 20% down payment

Ms. Moermond: so, he owes between \$65,000-\$75,000 in past due taxes

*Ms. Kujala: past due taxes & maintenance costs; while part of that is made up of taxes, the other portion is made up of the county's response to this property when we received it in our inventory (a very large clean-up that occurred in Aug 2015)
-I would like to get this moving into the system; to get it out there because, technically, most Repurchases have been treated on a consistent basis.....
-Ms. Malena Drexler, County Attorney advisor*

*Ms. Moermond: I'd like to have a sit down with Ms. Drexler, Theresa Skarda, City Attorney for DSI, Steve Magner, myself & you two; we'll create a record afterward but allow them to develop their legal opinion independently of how to approach this very complicated situation
-I'm not going to make any referral to HPC or take any other steps until we sort through the first layer of legalities*

Mr. Magner: to be clear, the question here would be, Is there an ability for the city to allow a Repurchase pass to a 3rd party that the county could approve so that they would be reimbursed for their total cost; then we would have a final entity that could actually do the rehabilitation of the property

Ms. Moermond: I think reimbursement is a question mark; we might be at a loss mitigation mode based on how much the county could get for the property

Mr. Magner: *but if it were a 3rd party, the county's not going to write down those costs; they have to be paid*

Ms. Kujala: *there will not be a recommendation for a denial here; there will be an approval of the Repurchase at this time, with conditions, which then would require Mr. Denny to pay*

Ms. Moermond: *I think we need to play out the implications of each option & have that put forward*

Ms. Kujala: *a meeting is certainly welcome*

Mr. Magner: *does the county have the ability through the Repurchase process to stipulate that this is a pass through sale to a 3rd party?*

Ms. Moermond: *yes; you can stipulate anything you want, is my understanding*

Mr. Magner: *has Mr. Denny brought a 3rd party to the table or has he said anything to that effect?*

Ms. Kujala: *we haven't consulted with Mr. Denny; he's only indicated in his application that he would be doing the rehab; he hasn't heard any conditions yet*

Ms. Moermond: *this goes to City Council Feb 14, 2018; I will ask them to continue the matter to Apr 4; that should give us time to pull together the right people & still give them time to do an analysis & any follow-up meetings that need to occur*

Mr. Magner: *my other thought on this - normally, we don't have a scenario like this; we sent this only directly to the county, the legal owner of the property; my concern: Does Mr. Denny know about this?*

Ms. Moermond: *the property is posted, so there has been notification through that means but should we send a package of materials to Mr. Denny? Let's wait until we have an analysis that would ... it's not actually in our court; it's in the county's court*

Mr. Magner: *I'm just raising the question from a legal standpoint. Should we send him a copy of the Order to Abate & a copy of the public hearing so that he can participate in this action?*

Ms. Moermond: *right now, he's an interested party*

Mr. Magner: *when the Ordinance was written, this scenario was nowhere in the scope of possibility for notification*

Ms. Kujala: *in the end, whatever is decided will ultimately affect him and it could depend on the success or failure of this project; it's something we do need to discuss; I'll take it under discussion with senior management, etc.*

Ms. Moermond: *so, the question, "Is it incumbent upon us to send him notification knowing that....." and I'm going to answer, "Yes"
-we'll send him a copy of the letter that Ms. Vang sends out after our hearings so that he becomes aware of what's going on & can participate in the conversation going forward*

-we will also send him the Order to Abate a Nuisance Building & Notice of hearings attached (Mai Vang)

Ms. Boulware: noted that there are 3 HPC meetings between Feb 14 CPH & Apr 4 CPH: Feb 22, Mar 8 & Mar 22, 2018; if it can reported to them at one of those, it would be appreciated

Ms. Moermond: I'm going to hold off on that until we have some legal analysis done; what is really important is that this is a contributing property in the Dayton's Bluff Historic Preservation District - the main piece of information that we need to operate from

Ms. Boulware: as a matter of context, between DBA, DBNHS as well as private owners, we've had quite a bit of rehabilitation in the last 5-8 years, so, there's a lot of investment on that block of Margaret & it's great to see that continue

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To be referred back to April 4 Legislative Hearing.

Referred to the City Council due back on 2/14/2018

10:00 a.m. Hearings

Making Finding of Substantial Abatement Orders

- 6 [RLH RR 18-10](#) Making finding on the appealed nuisance abatement ordered for 947 BARCLAY STREET in Council File RLH RR 17-8.

Sponsors: Bostrom

Ahmad Kian, owner, appeared.

Ms. Moermond: Mr. Magner, do we have a report from Mr. Seeger?

Ms. Mai Vang: (I didn't understand Mai's report)

Steve Magner, Code Enforcement Manager: I think we missed this one; I don't know why

Ms. Moermond: in terms of doing the follow-up inspection, that should have happened? Did you call for one?

Mr. Kian: yes, Mr. Seeger was out & looked at the framing; I spoke to him last week; he said that his boss would be representing him here; I thought I would see him here

Ms. Moermond: what is Mr. Seeger up to?

Mr. Kian: because, you had him copied on email; I said, "Jim, I'm going to see you on Tue;" I actually spoke to him yesterday & he mentioned that he saw the email but his boss would be here

Ms. Moermond: are there any notes in the system?

Mr. Magner: I'm waiting for those to come up

Ms. Moermond: so, tell me where you're at with the project

Mr. Kian: we are trying to bring this house up to code compliance; we pulled permits for \$15,000; unfortunately, we figured out that the house was too small so, we're going to add to the property; so, we have pulled an additional permit for extending the square footage; those permits have been approved by the city; Mr. Seeger has OK'd our roof, siding & our framing; he needs to come out & do the final on those; and since this was significantly more work, it's going to take us a lot longer to finish; & mother nature is not helping things; so, I'm here to ask for an extension

Ms. Vang: there's a plumbing permit pulled Sep 29, 2017 - active; there's a building permit pulled Jun 20, 2017; there's another building permit pulled Oct 10, 2017 (394 sq.ft. addition); also a permit for a new accessory structure

Mr. Kian: we've been promised by Eco Electric & heating guys to do it this week

*Mr. Magner: the 30-day forfeit notice went out on the 12th
-Mr. Seeger's notes indicate that on Dec 7, 2017, the framing structural work was on-going; on Dec 14, 2017, he approved the framing with conditions (add a post to the basement); Dec 20, 2017, slab on grade approved; basement footing slab; rebar & wire OK'd; also barrier in place*

*Ms. Moermond: that doesn't tell me anything that I need to know
-a letter went out late Jan 12; it should have gone out a month or two ago, telling you that you'd be losing your Performance Deposit unless you got your Certificate of Code Compliance within the next 30 days; one of the things that we were supposed to be talking about today is that Perf Dep; (the letter should have gone out earlier so that we could be taking care of all this business at once); we don't have that letter....*

Ms. Vang: the letter actually is dated today, Jan 16, 2018; it's probably going out today

*Ms. Moermond: so, on Feb 27, we will get a report from Mr. Seeger as to exact percentage completed; I will put this in front of Council on Mar 7, 2018; it's scheduled to be on the Council agenda Feb 7, 2018; so, on Feb 7, I'll ask them to do a 1-month Layover so that we can gather this additional information; Mr. Seeger appears to have made a number of errors in this case
-so, we are going to talk about this on Feb 27; between now & then, you need to arrange an inspection with Mr. Seeger & Mr. Yannarely will probably be along too; based on that inspection & the percent done, we'll be having a conversation both about an extension of time from City Council & about an extension of the Performance Deposit, if that's possible; we'll be talking about both things
-continue working*

Layover to get update from DSI staff.

Laid Over to the Legislative Hearings due back on 2/13/2018

7 [RLH RR 18-1](#)

Making finding on the appealed nuisance abatement ordered for 689 CONWAY STREET in Council Files RLH RR 15-44 & RLH RR 17-14.

Sponsors: Prince

Carol Carey & Aaron Rubenstein, Historic Sant Paul Corporation, appeared.

Steve Magner, Code Enforcement Manager: Mr. Seeger & Mr. Soley met with the representatives of Historic Saint Paul & walked thru the property; Mr. Seeger states that he believes that 689 Conway Street is about 75% completed -bldg, electrical, plumbing & HVAC permits have all been issued

Ms. Moermond: this is scheduled to go to City Council Feb 7, 2018; how much more time do you need to finish the project?

Mr. Rubenstein: the timeline that I gave you a copy of calls for completion by Mar 9, 2018

Ms. Moermond: OK; I will go with 90 days; on Feb 7, I will ask the City Council to give you 90 days to complete the project & to maintain your Performance Deposit in place

Grant 90 days to complete the rehab.

Referred to the City Council due back on 2/7/2018

8 [RLH RR 17-48](#)

Making finding on the appealed nuisance abatement ordered for 544 MINNEHAHA AVENUE WEST in Council File RLH RR 17-12. (Public hearing continued from February 14)

Sponsors: Thao

Loyace Foreman, Jr. and Ben Jacksen, Community Enhancement Group LLC, appeared.

*Steve Magner, Code Enforcement Manager:
Jim Seeger estimates that the work at this property, 544 Minnehaha Avenue West, is 30% completed; a fairly large addition has been added at the back of the home (still in progress); to date, 2 building permits have been pulled: 1) code compliance rehabilitation; and 2) addition at a valuation of \$160,000; for siding & roofing, a valuation of \$18,700; in addition, a plumbing permit has been issued; no electrical or HVAC permits have been pulled*

Ms. Moermond: we did have a Summary Abatement Order; you are significantly under the 50% mark of completion

Mr. Foreman: once we got into the building, we realized that we had to gut the entire building; so everything going into the house is new

Ms. Moermond: how did you not know this before you initiated the work?

Mr. Foreman: once we got underneath the floors, we realized that all the joists were rotted out & along the exterior of the bldg, all of the headers, etc, were rotted out; there was mold in the plaster-lathe walls where water had been dripping in from the chimney so, all of that had to go; we moved the chimney; all the wiring was shot; to get the house next door, we had to take this house (a package deal); all mechanicals will be new - everything

Ms. Moermond: the Work Plan that you guys gave me is meaningless

Mr. Foreman: like Jim said, "There's really not a lot for me to base the work on because everything is new"

Mr. Jacksen: particularly, the code compliance; 30% is not doing a whole lot in 180 days; however, we've got an addition that's actually about 60% of the property now completed; we've got a total gut rehab now vs. going in & bringing things up to code; & all that preliminary work is done;

Mr. Magner: I don't remember getting into detail about this new rear addition to having to re-do the whole front house, too; so, I understand what Mr. Seeger is saying here but historically, if a totality of a project is 50% - that means we got to the point where the rough-ins are completed & if they've done all the construction - framing, foundation, etc. & plumbing is almost there, what we're missing is the electrical & HVAC rough-ins, but I don't know that that's 20% of the project -because it's new construction - it's all gutted vs. a rehab, you're literally talking about having 2 crews in there who could do both of these things in 1 week (HVAC & Elect)

Mr. Foreman: we have our electrical & HVAC contractors

Ms. Moermond: who is doing that work & do you have revised work plans?

Mr. Foreman: the original contractor, Dominionaire - backed out, so Morris Construction is our new contractor - you should have a copy

Ms. Moermond: I don't have a copy; I do have your financing with Twin City Land Bank

Mr. Foreman: our electrical guy will be out there tomorrow; HVAC is out there today

Mr. Magner: the bigger question is how to get to the end; maybe LO for a couple of weeks; can't see that taking very long; have them put together a new timeline

Ms. Moermond: I would like to look at that & also how the financing changed as a result of the addition & the problems that have been encountered

Mr. Foreman: we had a conversation with Justine - need to get a new assessment of the property's worth; if we need more money, they can look at increasing the amount; we also have the ability to go to MN Housing Finance to get additional funding

Ms. Moermond: I need you to firm this up considerably in terms of: where you're at; the work plan; how your going to get from where you're at to being done

Mr. Foreman: we have approximately \$92,000 left at the bank

Ms. Moermond: I need to have something really firm about how you're going to finish this project & how much additional money you'll need; my legal obligation is to report to the City Council about how far you are with the project; if not yet 50% complete, the city will look to ask for an additional performance deposit (\$5000); Mr. Magner is saying that if we Lay this Matter Over for a couple of weeks, maybe you can push this further done to get to the 50% mark; then, I can report that to the City Council, & therefore, I can recommend continuing

Mr. Magner: I think that we are closer to the bubble than Mr. Seeger thought based on the totality of this proejct; so, if they can get that rough-in completed & complete a new Work Plan, including the rear addition, I think that it's reasonable to extend their

performance deposit for another 180 days to complete the project

Ms. Moermond: so can you have those documents together in 2 weeks? (Revised Work Plan; and evidence of money to complete that Work Plan)

Mr. Magner: it's imperative that you talk to your electrician & your HVAC contractor to make sure they're getting those permits immediately & make sure they can put you ahead of everyone else to get all the rough-in done so that Seeger is ready to sign-off in insulation

Ms. Moermond: we'll talk again on Jan 30, 2018 LH; I will ask City Council tomorrow to continue this to Feb 14, 2018

To be referred back to January 30 Legislative Hearing and to continue to February 14 Public Hearing. LHO is looking a new work plan and financing documentation due to significant change in scope of project and new contractor. Current DSI assessment is that they are not near 50% complete. However, they will reassess this number, taking into account addition to house, post original work plan may change this. If they aren't at 50%, additional performance deposit will be required.)

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

11:00 a.m. Hearings

Summary Abatement Orders

9 [RLH SAO 18-6](#) Appeal of Ward Jefferson to a Vehicle Abatement Order at 798 IGLEHART AVENUE.

Sponsors: Thao

Ward Jefferson & his wife appeared.

Ms. Moermond: Correction Order & a Vehicle Abatement Order

Steve Magner, Code Enforcement Manager: VA Order: White Mallard Camper lacks current tabs; appears that it hasn't moved in a long time & it's parked on an unapproved surface

-we also have 2 other trailers, one a boat trailer; the other a flat utility trailer - parked on unapproved surfaces

-for any vehicles to remain on private property in the City of St. Paul, they have to be licensed, operable & parked on an approved surface

Ms. Moermond: you wrote both a SA & a VA

-in the appeal, Mr. Jefferson is saying that he is planning to put the tabs on in spring & he's looking to get quotes for re-surfacing

Mr. Jefferson: we already picked up the tabs for the camper; the boat & trailers already have tabs

-we are planning on probably building a duplex on that lot with a 3-4 car garage, which will probably end up being a rental property

-this is a lot next to my home that I bought years back; I had talked to Jeff in Zoning 10-15 years ago; he told me that it was an unapproved surface & that I needed to put

down some class 5; I put class 5 down but when we talked to Zoning last week, they said that I needed to maintain the class 5, which I wasn't aware of; all of these vehicles are operable; if I do need to move the vehicles, I'd ask for an extension at least until fall, when we can take them up North until we get a place built or put down an approved surface

Ms. Moermond: the Orders talk about an unapproved surface but they don't talk about this being a vacant parcel & being an accessory use

Mr. Magner: I don't think that staff realized that the parcel is not connected to the parcel with the house

Mr. Jefferson: it's 2 parcels; separate addresses; I own/live at 790 Iglehart; this is 798 Iglehart

Mr. Magner: normally, the simple solution would be to ask the appellant to tie the pins together & then redress the class 5 that's there & make sure that it's maintained; if it was done a number of years ago, whether with a site plan or not, if it can be distinguished that it's there, I guess we could just accept it with tying the pins together & allow this to be an additional parking space; if it were a new parking space, we'd need to have a site plan & technically, paved because any new parking spaces under the Zoning code need to match the exterior surface of the adjoining street
-the wrinkle that we have here is that Mr. Jefferson would like to develop the lot & put a primary dwelling on it, which then would allow for parking in the future; again, when he develops it, he would have to pave that surface, etc. & that development would have to occur under a site plan; it's not going to be in his benefit to tie 798 to 790 & then, 6 months from now, come in to get a bldg permit because we can't allow him to build 2 primary structures on one lot
-so, from our standpoint, for DSI to stay enforcement, provided that the tabs are installed on the Mallard RV, if the Hearing Officer makes a recommendation to the Council & the Council stayed the enforcement of the parking on approved surfaces to a time when re-development was going to occur, that would nullify this issue.

Ms. Moermond: how far away are you from developing this as a rental property next door to your own?

Mr. Jefferson: about 6-8 months

Ms. Moermond: so, that's pretty quick
-that surface looks like grass, not like class 5
-is there a way that the boat & the RV can be in the back half of the property where the parking was set up to be, originally?

Mr. Jefferson: yes

Ms. Moermond: get those pallets out of there
-I will grant an extension to Jan 1, 2019 if you keep this organized; no extraneous stuff on the lot; vehicles parked to the back; during that time, you can get your plans developed, filed, etc; at that point, DSI will take over & manage

Mr. Magner: for clarification: the owner will install tabs on the RV; he's going to move the RV, the boat & trailer to the back of the lot where it was originally class 5; & he will remove the wood pallets, etc, by Feb 1, 2018; he has until Jan 1, 2019 to 1) have a permit & start construction, which includes a site plan; 2) remove the vehicles; or 3) tie

the pins & improve the class 5

Grant to February 1, 2018 to remove the pallets and move the vehicles to the rear of the house.

Referred to the City Council due back on 2/7/2018

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 10 [RLH VO 18-1](#) Appeal of Tou Lee to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate and Vacant Building Registration Notice at 1042 BURR STREET.

Sponsors: Brendmoen

Tou Lee, owner, and Chris Boline, Attorney, appeared.

Ms. Moermond: we talked last week about being able to pull permits to do the repairs on the boiler & water heater; Mr. Lee said that he was going to go with a forced air furnace instead; I have no concern there; my concern with this particular property is 2-fold: 1) there was a significant CO leak; and 2) the fact that none of the CO detectors worked or were even hooked-up, so that the line of defence to protect the people living there was completely absent; that says to me that we have problems with maintenance & management of the property; since the property is empty right now, there are 2 paths that I'm looking at: 1) one path is for the bldg to go into the Vacant Building Program, which means a VB fee, getting a complete code compliance inspection & doing all of those repairs; or 2) completing the Fire Certificate of Occupancy inspection list

-Mr. Neis, you performed that Fire C of O, give us your observations of the critical issues

Mr. Neis: I was called out to 1042 Burr St by the Saint Paul Fire Dept immediately after they had determined that there was a CO issue within the bldg; they were concerned about safety habitability; I believe that 10 people were transported to the hospital; I found the bldg in great disrepair; it was disturbing, especially because this building had previously received a Class "A" grade & no violations were even noted by the inspector, which leads me to believe that really nothing has been done to maintain that property since we've been in the building in 2012; whether negligence, incompetence, general lack or disregard of care for the property & the people who live there, I don't know the situation; I generated this list walking thru the house in about 5 minutes; as comprehensive as this list is, there was so much stuff in the units, that if I had taken my time, I'd probably discovered a list twice this size

-on top of multiple code violations, Animal Control had to remove several roosters in the basement, which are illegal to have; they may signify illegal cock fighting

-this place was in rough, rough shape; once the situation was identified, the owner has been trying to get this resolved; he is working to get heating/ventilation contractors in; one contractor bowed out after they found asbestos - he didn't want to put his workers in the gross unsanitary conditions; that caused the owner to work diligently throughout the night getting the basement broom clean so that the contractor agreed to do the work

-one concern then, was that the pipes had burst & the repairs would be much more

extensive than just replacing the boiler; again, the contractor said that he would not do that work because the conditions would be unsanitary on the 1st & 2nd floor & he did not want to put his workers in those working conditions; I believe that the owner is trying to remedy this & make it right

*-based on the fact that this has been vacant for so long & there are so many code violations, I would recommend that it become a Category 2 VB and get a code compliance inspection (no working smoke alarms & no working CO alarms, together with the rough conditions, really tells me something); we could have had a major catastrophe because of the lack of maintenance in this property
-in this building, they will have to put in 2 furnaces, one for each unit*

Ms. Moermond: what's the plan?

Mr. Boline: thanked everyone for granting the short extension; Mr. Lee understands the severity of what's going on here & I hope that his response thus far has shown he's trying to remedy this as quickly as possible

Ms. Moermond: where are the tenants who used to live there?

Mr. Lee: I don't know

Ms. Moermond: so, they haven't brought a Tenant Remedy Action - asking a judge to have you cover costs for their re-location but you're not helping them with paying for some place for them to stay while this gets fixed

Mr. Lee: the tenant on the first floor said that they wanted their deposit back; I gave it back to them; they've moved 90% of their stuff out; the 2nd floor tenants are not completely moved out; after that, I will give their deposit back

Mr. Boline: Mr. Lee said that he hadn't received any complaints nor was he aware of any issues with the city; that doesn't negate landlord's responsibility; if he'd had a complaint, he would have taken care of it

Mr. Neis: the upstairs tenants had just moved into the property; there were boxes on the floor; their contract began on Jan 1, 2018; normally, when a landlord is turning a unit, he is at least checking the CO/smoke alarms & other life safety components

Ms. Moermond: did you not hear the roosters?

Mr. Lee: I heard roosters but I thought they were the neighbor's

Ms. Moermond: it just doesn't seem right that you are still holding on to the 2nd floor tenant's deposit when they need to look for another place to live & need another deposit

Mr. Boline: Mr. Lee plans to have 2 furnaces & his intent is to get this done as quickly as possible; he has contacted a contractor to deal with the frozen pipes, asbestos, etc.

-re: the Vacant Building registration; costs will be in excess of \$30,000; a VB fee waiver could help

Mr. Neis: in a situation like this, a Condemned/Vacate, a VB file was opened immediately on Jan 4, 2018

Ms. Moermond: we can modify the appeal to include the VB fee; I'm happy to waive the VB fee for 90 days but the bldg needs a code compliance inspection (4 trades)

Mr. Boline: Mr. Lee put down \$14,000 for the new furnaces/air conditioners -I don't know if 90 days will be enough time to do everything that may come up

*Ms. Moermond: if Mr. Lee is not done in 90 days, I would like to process it as a special assessment onto the property taxes & prorate it if he's done between 3-6 months; apply for the code compliance inspection; put a lockbox on the bldg & provide the combination to DSI on the code compliance application
-you'll get a letter confirming what my recommendation is
-Jim Seeger coordinates all the trades inspections
-this will be on the City Council's Public Hearing agenda on Feb 7, 2018*

Deny the appeal and a code compliance inspection is required but will waive the vacant building fee for 90 days.

Referred to the City Council due back on 2/7/2018

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 11 [RLH FCO](#)
[17-222](#) Appeal of Lise Day to a Fire Inspection Correction Notice - Complaint Inspection at 1620 SEVENTH STREET WEST. (Legislative Hearing on January 16)

Sponsors: Noecker

Lisa Day appeared.

Ms. Moermond: we were looking for working Interconnected Smoke Detectors

Fire Supervisor Leanna Shaff: Inspector Migdal was out Jan 8, 2018 & yes, there are 4 Nest Interconnected Smoke Alarms

Ms. Day: we were also able to test it while he was there; have photos

Ms. Moermond: this will be at City Council Public Hearing tomorrow & I will recommend granting 90 days to get a Code Analysis; & I'll ask them to send it back to LH

Ms. Day: we originally had until May, I think.... May 1, 2018; we applied for a permit to comply with the residential & business separation but I wasn't able to get the permit; so, we can't complete it

Ms. Moermond: right; that's why you need to Code Analysis

Ms. Shaff: the Code Analysis will get a designer or architect or somebody like that....

Ms. Day: we've already done that

Ms. Shaff: .. and they're going to tell you what it's going to take in order to separate

those 2 spaces; the contractor that you hire is the one who would apply for a permit but they would be submitting plans on how to accomplish that; the plan examiner would make sure that it was in compliance with the code

Ms. Day: we already hired an architect & we've submitted drawings to Jim & that's when we applied for the permit; I do have a general contractor who is licensed to do that kind of work; on the plans, it says exactly what kind so, that's already been done

Ms. Shaff: has he approved those plans?

Ms. Day: I don't have that final information

Ms. Shaff: they won't issue a permit until the plans are approved

Ms. Day: they were going to meet on it

Ms. Shaff: the file says that it's still under review; went in on Jan 8, 2018

Ms. Moermond: I report back to Council tomorrow

REC: Grant an extension of 180 days to come into compliance with orders, as an inter-connected smoke detector system has been installed, a code analysis completed and an application for permit made to make the necessary corrections.

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

12 [SR 18-4](#)

Requesting additional time for repair for an Appeal of Gary D. Schultz to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1818 NEVADA AVENUE EAST.

Sponsors: Bostrom

Don Frable, Frable Realty, appeared.

Ms. Moermond: this is a follow-up hearing; the deadline was Jan 1, 2018

Mr. Frable: they have a lot of confusion; I talked to them about a year ago; Cindy, the wife is working right now - just started a new job & can't take any days off

-I believe that Gary Schultz owns the house; his mother owned it originally; it went to him when she died; they probated it; their daughter has moved in with them in their house with her 2 kids

-I think that they also had confusion with the Orders they were given

-the house is going to be sold (have pictures)

-the 7 things are done; they will get their C of O; they are out of Nevada but the beds are still there

-I'm hoping to get the inspection tomorrow or the next day

Ms. Moermond: based on what they said when they were here in hearing, I imagine that their Arlington property is filled to the brim; they might do well to get a hold of the House Calls Program to get a free dumpster, which, I believe they are in need of for their Arlington address

*Mr. Frable: the problem is that everything that they have is worth something
-their daughter is going into the military in Mar 2018*

Ms. Moermond: we'll get Inspector Dan Klein in there or someone else to get that C of O inspection

A new resolution will go before Council on February 14 to grant until April 1, 2018 to have a Fire Certificate of Occupancy.

Received and Filed

13 [RLH FCO 18-5](#) Appeal of Kyle Colbert (MOMO, LLC) to a Correction Notice - Re-inspection Complaint at 1889 HYACINTH AVENUE EAST.

Sponsors: Bostrom

Kyle Colbert, MOMO LLC, owner, appeared.

Fire Supervisor Leanna Shaff: a complaint came into our office on Dec 7, 2017 - the ceiling leaking & caving in the kitchen (a board was put over to cover); plumbing issues (problems in the shower/tub); rats; Inspector Pettiford responded; there was no answer at the door; she had to go back & wrote some Orders; photos; upon re-inspection, the work was not all completed; this is not a full C of O because it recently passed a full C of O inspection - Class "A" building was approved Aug 22, 2017

*-Orders include: shower head needs to be securely attached to the structure; from door latch needs to be repaired - door is missing weather stripping; kit ceiling is damaged due to a leak (photo looks like a patch over); Mr. Colbert told me that he had a plumber out there but we need the plumber's report on what happened rather than it being covered up; check light fixture in kit where ceiling was leaking; window in north bedroom not installed correctly -does not function property; an exterminator was on site 12-27 - insp waiting for report; needs licensed contractor to check heating facility, including a residential heating report - main floor temp was 61 degrees; main floor back bedroom temp was 49 degrees; heat registers in the upstairs north bedroom are not affixed to anything; in south bedroom, heat register is coming away from the wall; insulate exposed pipe in upstairs north bedroom; radiator covers need to be installed per manufacturer's specifications; bathroom tub faucet is missing
-the case is going to be in front of housing court tomorrow for an eviction action
-during one of the inspections, a maintenance person was present but decided to leave midway thru the inspection; the tenant was still there*

Mr. Colbert: Inspector Pettiford came out in Jun & did an inspection; there was nothing wrong in the interior of the house; the exterior had a parking pad that had deteriorated so, she wrote that up along with some fascia stuff; I had to clean-up a fence area - we did that & she came out for a re-inspection; I met her there & she passed everything (we had removed the parking pad & put in grass); then, we rented to the current tenant, who had missed some rent payments + some fees; we sent her a letter dated Dec 6, 2017, basically stating that we were going to file for eviction; 7 days later, we got a letter from the Fire Inspector; we went over there & took a look; on Nov 3, prior to us doing this, she had a tidy bowl container in the top of the toilet tank & at 1:30 am, she left a message that there was a flood; I called her back at 6:30 am, she did not answer; my guy got over there at 8:30 am & there was no more water problem; he went to assess the situation and asked the tenant what had happened; she said, "Well, it was leaking water from the tank lid;" he said, "That's impossible; it can't leak water from there;" she showed him a Video & it was flooding the kitchen; what had happened was that the tidy bowl thing had lodged between the valve & the overflow in

the upper tank portion; it was stuck there causing water to come out from the top of the lid; my guy pulled it off; I don't know how long it was in there
-to support the kit ceiling, they put up tongue & groove; there wasn't any more leaks
-on Dec 6, we had the problems with rent not being paid, etc; when the fire inspector came out, we got that list; I called Jill when we got out there & asked her if she had seen a leak when she was out there; she said that she had not seen a leak but if there was one it needed to be fixed; so, there is no leak; it was just the major leak on Nov 3 that happened; radiator covers pop off; the current tenant doesn't have box springs; she doesn't have much; so, she has mattresses on the floor in both bedrooms & they are pushed up against the heaters causing stress on the brackets; we can strengthen those up
-asked if he could use brackets to tighten up the radiator covers?
-tongue & groove fixed the kit ceiling

Ms. Shaff: looking at a photo, that ceiling isn't fixed in a professional state of repair & just adding an L-bracket to the radiators wouldn't be OK
-it's hard to ascertain how this deteriorated in a matter of months

Mr. Colbert:

-the tenants moved in Sep 27, 2017; they are subsidized by Wilder Foundation; her portion of the rent is \$359, which was paid late so there were late fees; an Unlawful Detainer was also filed because the sidewalk wasn't shoveled, the leaves weren't raked, the service call & the flooding of the ceiling
-we called Action Pests because of the tenant's claim of mice & rats (the Insp wrote it up); the pest report showed that there was no evidence of rat/mice infestation; no holes downstairs, etc; we set traps 3 times & nothing was caught
-there is no leak; there are no mice; there's no rats
-yes, there was a temporary patch in the kitchen ceiling
-there was never a text from her for anything that needed fixing, etc, except for the rats
-I run 46 properties in Mpls & St. Paul; I have a maintenance company; I have 2 employees & you don't know me, which is a good thing
-my guy Dr. Johnny Boiler came out & found no problem with the heating; he checked out the boiler; we blocked off the back bedroom window because it was compromised & now there's no more draft; do I still need an Orsat Test? (another \$150)

Ms. Moermond: Orsat's aren't required as a matter of course anymore but this is a unique situation

Ms. Shaff: yes, so, we're going to assume that there will be issues with the heat plant; so, the Order says to have someone come out & look at it

Ms. Moermond: the Order is just actually, asking for service #7

Mr. Colbert: our boilers get bled, yearly; so, they contain pressure; the pressure is what causes them to push around if you get an air gap in there from sitting over the summer; so, you turn it on & you go around to every radiator..... sometimes, there's an air pocket; Dr. Johnny Boiler didn't find any air pockets when he went thru & 180 degrees was the max
-I just wanted to know if I'm required to get an Orsat so that when she comes back out I won't have to get that
-I'm trying to find specifically what it is so it's not a moving target

Ms. Shaff: if we would have a report from a licensed contractor stating what was done..... that would be more than sufficient; it needs to be a licensed contractor who is

licensed to work in the City of St. Paul

Ms. Moermond: do you have a document from the exterminator? Email your documentation

Mr. Colbert: absolutely! I'll get documentation from the heating contractor (I'll email it)

Ms. Moermond: I have a concern about #4 - the lighting fixture in the kitchen underneath the space that had been flooded; I don't have a good sense of what's going on with the electrical underneath that area

Ms. Shaff: that may need a licensed electrician for that because 1 1/2 inch tongue & groove is pretty thick

Mr. Colbert: we are contemplating whether we're just going to fix the tub spout or redo all the plumbing for \$15,000; we may also switch from boiler to furnace

Ms. Moermond:

-#1 shower head - not a problem

-#2 door latch, weather stripping - not a problem

-kitchen ceiling - needs to be checked

-#4 need a licensed electrician to look at & perhaps, re-install the light fixture

-#5 window in north bedroom not installed correctly - completely blocked off; have alternate egress

-#6 you will provide documentation from exterminator that shows no evidence of infestation

-#7 provide documentation from licensed contractor for heat test

-radiator covers; heating in lower bedroom- caulked window

-tub faucet-plumber

-will go to Council Feb 7, 2018

Grant until January 30, 2018 to repair the electrical issue; grant to February 13, 2018 for the remaining items.

Referred to the City Council due back on 2/7/2018

- 14** [RLH FCO 18-7](#) Appeal of Brian L. Kraut to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 749 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 1/30/2018

- 15** [RLH FCO 18-6](#) Appeal of Michael Johnson to a Correction Notice-Reinspection Complaint at 958 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Deny the appeal. No one appeared.

Referred to the City Council due back on 2/14/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 16 [RLH CO 18-2](#) Appeal of Linda Cerreno to a Correction Notice at 670 SIMS AVENUE.

Sponsors: Bostrom

Appellant withdrawn appeal. Issue resolved.

Withdrawn