



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

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

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Tuesday, January 30, 2018

9:00 AM

Room 330 City Hall & Court House

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

##### Remove/Repair Orders

- 1     **RLH RR 17-46**     Ordering the rehabilitation or razing and removal of the structures at 1060 AVON STREET NORTH within fifteen (15) days after the January 3, 2018, City Council public hearing.

Sponsors:     Brendmoen

*Donald J. Klemmer, owner, appeared.*

*Ms. Moermond: I don't see Bill Cullen here today, why is that?*

*Mr. Klemmer: I've not been able to touch base with him; the last time I talked to him he said that the city officials needed a lock box on the door so that they can get in & do the inspection; & I've not been contacted by any city officials.....*

*Ms. Moermond: let me role back here; I've called your sister; I've emailed; I've written; I've called Bill Cullen & talked to him on the phone 3 times; sent emails; I've talked to the Ward 5 Office, who talks to you periodically & asked them to tell you that we need a lock box; so, I'm thinking, "How dare you say that we're not trying to get a hold of you;" all we have to contact you right now is the 1060 Avon address; we have no cell phone; we have no email; we happen to have your sister's address; you need to come up with something for real so we can talk to you because I'm not taking that as an excuse any more; and if your developer, Bill Cullen, can't get a hold of you, how can I -- he's not even here; how can I trust that you have the capacity to do this? I really am a loss here; what are you going to do to convince me that we can get a hold of you when we need to;*

*-what kills me is that you have real equity in this house that you could walk away with that could get you some security with your housing moving forward; this isn't an empty conversation; this is a very, very serious conversation where you either walk away with real equity or you walk away with a hole in the ground at a \$20,000 cost; how come you can't get that act together?*

*Mr. Klemmer: I'm trying; I don't have a cell phone; I can't afford it; I don't have the financial ability to do much of anything, to be honest with you; I'm doing the best that I can with what I've got, which is nothing*

*Ms. Moermond: and you haven't gotten the place cleaned out yet so that the inspectors can look at it*

*Mr. Klemmer: I have a storage facility & have been....*

*Ms. Moermond: your sister said that she paid for one & that she'll probably have to pay for another one*

*Mr. Klemmer: the place will be cleaned out in 6 days; it'll be done; I'm taking all of my personal belongings out of the home & cleaning the property out; I don't want to leave a mess for anybody*

*Ms. Moermond: so, what kind of commitment can you make to me that you're going to be reachable -- & tell me exactly how that's going to happen*

*Mr. Klemmer: I'll touch base with my sister every other day (Mon, Wed, Fri)*

*Ms. Moermond: Bill Cullen said that he's been trying to contact you; I provided him with your sister's information; have you tried to call him back?*

*Mr. Klemmer: I have not; the last I spoke with him was the conversation re the lock box; I told him that I was working on getting situated to where I could put a lock box on it; he said, "OK, Doug; I'm still interested;" we have a meeting at the end of the month*

*Steve Magner, Code Enforcement Manager: we had to send a Work Order for shoveling the sidewalk; they should be out there today; but it should have been done within 24 hours; it was not*

*Mr. Klemmer: I shoveled the driveway and the sidewalk at the same time*

*Ms. Moermond: Your Purchase Agreement with Mr. Cullen has expired; when will you be ready for the inspection?*

*Mr. Klemmer: I'll be ready on Mon; I'll have all the stuff out of the house*

*Ms. Moermond: OK; let's get this done; you get a hold of Mr. Cullen; he needs to go thru the house & start to come up with some numbers; we'll need to see a fresh Purchase Agreement that includes a provision that he won't acquire title until the work is done; you have some seriously delinquent property taxes on this property & as I understand it, you're going to lose the property at the end of Jul 2018 for nonpayment of taxes; so, I'm sure you'll need to have that concern rolled into any agreement with Mr. Cullen*

*-let's see both you & Mr. Cullen back her on Feb 13, 2018 LH; get some draft agreements in place so that we can discuss them*

*-it's worth a lot of money to you to be able to get yourself back on your feet again & pull this together; there's definitely reason for you to try harder on this*

*-we will send you a letter & copy Mr. Cullen confirming what we discussed today*

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*Need to provide the following:*

- 1. Mr. Klemmer is to have the building cleaned out by February 6 so that the code compliance inspection can be conducted; noting lock box combination needs to be provided so inspectors can access the property for inspections;*

2. A \$5,000 performance deposit will need to be posted with DSI at 375 Jackson St, Ste 220, St Paul MN 55102 – please note that the deposit will be returned with interest when the code compliance certificate is issued within the grant of time from the City Council – which is proposed to be 180 days;
3. The outstanding delinquent property taxes will need to be paid;
4. A detailed work plan or sworn construction statement, including timelines and bids, for completing the work will need to be provided;
5. Documentation of financing sufficient to execute the above work plan will need to be demonstrated (line of credit, construction loan, personal bank account). The City estimates the cost to repair to be \$50,000; however, this number is likely to change based on the estimates you bring forward;
6. If the funds being used are not tied to the project (such as a construction loan), we require an affidavit that states the necessary funds will be set aside from other business or personal accounts;
7. if you will be selling the property, the above conditions must be met by you and/or the purchaser and the agreement between you must be approved by the City. This will likely involve the provision of a new Purchase Agreement which will include a clause that purchaser will be undertaking the rehabilitation of the property while the property is still owned by Mr. Klemmer in order to be in compliance with City Codes pertaining to the transfer of nuisance/dangerous properties. Please note that the property closing cannot occur until the nuisance condition is abated; and
8. the property must be maintained.

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

**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)

**Sponsors:**      Thao

*Ling Zhou, owner, appeared.*

*Steve Magner, Code Enforcement Manager:*

*-read letter sent Jan 19, 2018 by Legislative Hearing Coordinator Mai Vang (attached)*

*Mai Vang: \$5000 perf dep not posted*

*-code compliance inspection application submitted Jan 18 including lock box combination*

*Ms. Moermond: why hasn't the performance deposit been posted?*

*Mr. Zhou: I will post the bond today right after this meeting*

*Ms. Moermond: have you talked to contractors about doing the rehab on this property?*

*Mr. Zhou: I talked to a drywall guy, a mechanical guy; I haven't talked to the plumber*

*yet or carpenters about finishing the cabinetry; they have not yet submitted their bids; I'm expecting to get them soon*

*Ms. Moermond: if you as the owner lived there, you could do the electrical -do you have \$25,000 towards this project?*

*Mr. Zhou: not yet; it will be tricky; part of the funds is from my future income*

*Ms. Moermond: that's not acceptable; I need to see the money now as in a personal account, business account; a construction loan; I need to see that you can pay for it up front because I need to see that this will be done in a timely fashion; the funds need to be set aside for the purpose of this project*

*Mr. Zhou: right now, by putting everything together, I probably have \$20,000*

*Ms. Moermond: I don't know whether or not that's going to be sufficient; I don't have a Work Plan or bids from your contractors*

*-once you get that Perf Bond posted, the inspectors can go ahead & start the inspections*

*-one inspector already called me*

*Mr. Magner: it looks like Mechanical, Plumbing, Electrical all have sent Correction letters, so, it's just in Mr. Seeger's hands*

*Ms. Moermond: this is scheduled for the City Council on Feb 14, 2018; at that point, I'd like to see your Work Plan with specific bids on it from the subcontractors; you'll need to show me the funds*

*-has he property been maintained?*

*Mr. Magner: there was a Work Order back in Nov 2017*

*Ms. Moermond: I'll schedule a hearing on Feb 13, 2018 to discuss your Work Plan & your specific bids; using that information, we'll figure out what to say to the City Council on the following day*

*Public hearing on February 14 with a Legislative Hearing on February 13, 2018.*

- 1. post the \$5,000 performance deposit at DSI, 375 Jackson St, Ste. 220, St Paul, MN 55102;*
- 2. provide a work plan or sworn construction statement with timelines for the completion of the rehab; including 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. provide a letter of affidavit dedicating the funds for the project;*
- 5. stay current with Confession of Judgment for delinquent taxes with Ramsey County Property Tax Record; and*
- 6. the property must be maintained.*

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

**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)

Sponsors: Stark

*Douglas M. Henneman, owner, appeared along with Attorney Greta Bjerckness who is representing the mortgage company.*

*Steve Magner, Code Enforcement Manager: update  
-read the letter that was sent out Jan 19, 2018 from the Legislative Hearing Coordinator, Mai Vang (attached)*

*Mr. Henneman: I have applied for the code compliance inspection including the lock box combination; I have 1 written bid; I do not have the Perf Bond; I'm working on acquiring that*

*Ms. Moermond: we have no actual code compliance insp report yet*

*Mr. Henneman: I hope to be financing the rehab with a construction loan; it's possible that I'll need to sell the property (my Plan B) in case that I'm not able to acquire the funds*

*Ms. Moermond: what that would mean is that you're selling it to another party who is willing to do all of the work & not have title to the property until the code compliance certificate is issued*

*Mr. Henneman: I've actually talked to someone who is willing to take that risk, Matt Solbweber; we don't have anything in writing so I would not want to represent that he's actually going to do this; he has expressed an interest in it  
-I've talked to a bank & a credit union about a construction loan; they're both not making construction loans  
-I owe \$100,000 on my mortgage (\$94,000 on the first; \$7,000 on the second); one's with Fannie Mae & the second is with MN Housing Finance*

*Ms. Moermond: have you had a contractor look at the work?  
-real estate value was reported to be \$160,000*

*Mr. Henneman: entered a copy of the rough estimate of \$110,000  
-I've had 2 verbal rehabbed estimates that place the value at close to \$300,000*

*Ms. Moermond: we would need to see the contract you have with your outside party, who would be fronting the money for the rehab (the city needs to approve that contract) & acquiring the property upon completion of the rehab; you or they will need to hire an attorney to draft such an arrangement; you would probably need to have the mortgage holder be party to that because they have a vested interest in that  
-let's get that code compliance inspection done; I will try to expedite the inspection  
-I will Lay this Over to Feb 13, 2018 LH; that's a Tue at 9 am 2 weeks from today  
-at that point, we'll try to have the code compliance inspection report in your hands  
-if you have a purchaser, they should probably be present on Feb 13; & I'd like them to demonstrate that they have the financial ability to complete this work*

*Mr. Henneman: noted that his work schedule changes very frequently; I work for transit & with the Super Bowl, we have 3 different work schedules; I won't know what my schedule is for that week until this Fri; I'm not sure that I'll be able to attend; getting off is generally considered an \_\_\_\_; just to give you a heads up that I'll let you know on Fri; my days off the next 2 weeks are Mon & Wed; the past 2 Tue that we've met, I've had evening shifts; so, it's possible that it will not be an issue but I just wanted you to know that*

*Ms. Moermond: I'd like to see that Perf Deposit; we were anticipating that it would be posted today but it isn't; you don't have a code compliance inspection yet; we'll need more specific bids & I'd like to see who the purchaser is going to be & have him be part of this conversation moving forward*

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*Public Hearing on Feb 14 with a Legislative Hearing on Feb 13, 2018;*

- 1. a code compliance inspection must be completed, noting access to building need lockbox;*
- 2. A \$5,000 performance deposit will need to be posted with DSI at 375 Jackson St, Ste 220, St Paul MN 55102 – please note that the deposit will be returned with interest when the code compliance certificate is issued within the grant of time from the City Council – which is proposed to be 180 days;*
- 3. A detailed work plan or sworn construction statement, including timelines and bids, for completing the work will need to be provided;*
- 4. Documentation of financing sufficient to execute the above work plan will need to be demonstrated (line of credit, construction loan, personal bank account). The City estimates the cost to repair to exceed \$100,000; however, this number is likely to change based on the estimates you bring forward;*
- 5. If the funds being used are not tied to the project (such as a construction loan), we require an affidavit that state that necessary funds will be set aside from other business or personal accounts; and*
- 6. the property must be maintained.*

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

## 10:00 a.m. Hearings

- 4      [RLH RR 18-9](#)      Making finding on the appealed nuisance abatement ordered for 106 KING STREET EAST in Council File RLH RR 17-21.

**Sponsors:**      Noecker

*Lauron & Molly Morgan, owners, appeared.*

*Steve Magner, Code Enforcement Manager: I talked with staff, who talked to the owners, who were in the process of contacting Mr. Seeger for a final; Mr. Yannarely went out & took a few pictures; the property is maintained & looking good*

*Ms. Morgan: Mr. Seeger will be out tomorrow at 1 pm; the plumbing inspection is done; the mechanical inspection will also be done tomorrow at 1 pm; the electrical is left - it will either be at 1 pm tomorrow or Thu (all finals)*

*Ms. Moermond: Jan 30 is the deadline - close enough*

*Mr. Magner: as soon as Mr. Seeger issues a code compliance letter, which will take a day or two (it's all predicated on him finaling the building permit & the electrical*

*inspector finaling that permit); as soon as that's completed, Mr. Seeger will issue the Code Compliance Certificate; then, the owners need to contact Reid Soley, DSI, to make the request to process the return of the Performance Deposit; it will need to go thru the system & take about 30 days to send you the check*

*Ms. Moermond: in this case, I will continue the matter to Feb 27 LH & put it in front of City Council on Mar 7, 2018; so, you should have your Code Compliance Certificate easily by then; if there's a snag, we'll have time to deal with it; if we get it done in that time period, I see no reason for the Perf Dep not to be returned with interest*

*Mr. Magner: you won't need to appear for either of those hearings as long as Mr. Seeger issues the Code Compliance Certificate*

*Ms. Morgan: do we need to post another \$2500 for the VB Program?*

*Mr. Magner: the computer shows that the VB fee is not due until May 3, 2018  
-the minute Mr. Seeger sends the Code Compliance Certificate, the VB file is closed & the VB fee goes away  
-just get those 2 permits finalized*

*Legislative hearing on Feb. 27 and Public Hearing to March 7 to get permits finalized.*

**Laid Over to the Legislative Hearings due back on 2/27/2018**

**5**      [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 to February 28, 2018)

**Sponsors:**      Thao

*Mr. Ben Jacksen, Community Enhancement Group LLC, appeared.*

*Steve Magner, Code Enforcement Manager: I thought this was put off until Feb 13?*

*Mr. Jacksen: she wanted the documents that I just gave her by Jan 30, 2018 & Pastor thought that we were supposed to meet to give those to her today; we do have the City Council Public Hearing on Feb 14*

*Ms. Moermond: I have in my records that it was Jan 30 to show at least 50% done*

*Mr. Magner: we didn't hear anything from Mr. Seeger to draw that conclusion; he said that roofing & framing were 88%; he said nothing about the project's entirety  
-the conversation my staff had with Mr. Seeger was that he didn't want to go back out there until the electrical, plumbing & heating permits were all pulled & they had their rough-ins ready to do; I was under the impression that the appellant was going to try his best to get those contractors out during this period of time & I thought that period of time was 30 days, not 15 days*

*Mr. Jacksen: my assumption was that we had to have the document showing our new general contractor & the sworn construction statement by the 30th; that by Feb 14, we had to have the electrical, HVAC contractors pinned down & that the permits would be pulled & that there would be a new inspection in between that time frame; we have the contract for the electrical; \$19,000 for HVAC; hot air system for \$13,000 (scanned)*

*Ms. Moermond: let's schedule Mr. Seeger between Feb 9 - 12; I'm looking for Mr.*

Seeger to give me that 50% green light (50% including the addition); that affects the perf dep

Mr. Jacksen: we still have to submit our HVAC plan to the city, which may take a while for review; a plumbing permit was pulled for the rough-in in Sep

Mr. Magner: Yes; there is a plumbing permit from Sep; we are accepting the electrical & HVAC permit applications; I will reach out to Mr. Seeger - that he needs to contact Mr. Jacksen

Ms. Moermond: I want to get to the 50% mark before I get to City Council on Feb 14, 2018, so that I can ask them to continue the Perf Dep instead of asking them to add another \$5000 on it

Mr. Magner: I'll have Mr. Soley contact you

Ms. Moermond:

Forthcoming.

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

**6**      [RLH RR 18-5](#)

Making finding on the appealed nuisance abatement ordered for 670 WESTERN AVENUE NORTH in Council File RLH RR 17-22. (Public hearing to be continued to February 21)

Stephen P. Laitinen, Attorney, Larson King Law Firm, and Les Stroklund, Mastercraft Construction LLC, appeared.

Steve Magner, Code Enforcement Manager: Update

-a Resolution had been passed on this property

-read letter dated Jan 11, 2018 sent by Ms. Marcia Moermond, Legislative Hearing Officer (attached)

-Mr. Yannarely did not get a call; he went out to the property; he indicated in an email that no permits have been pulled within the last 6 months & no work has been completed

-the Performance Deposit was received by credit card on Jul 10, 2017

-a forfeit letter was sent out Dec 19, 2017 by Jim Seeger; the owner may have contacted Mr. Seeger; I don't know

Ms. Moermond: this building was declared a dangerous & nuisance structure; and it went thru a process following that where the Council allowed 6 months for the rehabilitation of the structure (the abatement of the nuisance & dangerous conditions); at the conclusion of that time, it's incumbent upon the Council to make a determination about whether or not those conditions have actually been abated; this is a hearing to provide them with background information on exactly that; hence, the letter; I'm trying to put together a file to put in front of them so that they can make that finding; in order to get that grant of time, a number of conditions had to be met; they were met (Work Plan; Performance Deposit; documentation of actual ability to complete the project; etc.); however, nothing has been done

Mr. Laitinen: I was retained by Walker Properties LLC to commence a lawsuit against Travelers Insurance Co to recover the additional funds that will be necessary to rehabilitate this property; we commenced that lawsuit on Dec 5, 2017; entered copies of that lawsuit



-we commenced that lawsuit because Travelers solicited a number of bids to complete the work; they picked the low bidder; it turned out that the low bidder could not do the work; so then, my client went back to Travelers & told them that the low bidder could not do the work; & so for the last 6 months, my client has been trying to engage Travelers to provide additional funds to rehabilitate this property; those efforts have been unsuccessful; so, I was retained in late Sep - early Oct to pursue Travelers with a lawsuit

-Travelers has answered the complaint; we have a trial judge assigned to the case: Shawn Bartsh; it's now in litigation

-Mr. Stroklund can give you an update on what's been done at the property; the permits have been applied for but the city has indicated that we have to go thru a manual process for permits

Mr. Stroklund: I presented bids in Jul 2017 when I was here last; the electrical contractor was Southside Electric; they applied for a permit; I have an email from him stating that he applied for the permit but it's going to take until Tue of next week when it gets approved because of some red flags on the property; our heating contractor & plumbing contractor - the same thing

Mr. Magner: we have 2 permit applications both dated Jan 26, 2018; I don't know exactly when they came in but the contractors, Steven Gary Plumbing & Southside Electric tried to apply online for a plumbing permit & an electrical permit; those permits cannot be issued online because of the fact that it's a Category 3 Registered Vacant Building; because of that status, it is required that the contractor come into the office to apply in person for those permits; and of course, now that we're beyond the 180 day time frame on the Perf Dep & we would have required 50% completion to extend that deposit, the dept cannot extend the deposit or issue those permits

Ms. Moermond: City Council has to clear additional time & allow an extension of the deposit or make a determination about.....

Mr. Magner: administratively, our hands are tied; we have to follow the Ordinance

Mr. Laitinen: again, the reason for the delay from my client's perspective is that we were trying to work with Travelers to deal with the low bidder who bowed out & to get the additional funds required - that was unsuccessful & that's why we commenced with the lawsuit

Mr. Stroklund: we had 1 complaint on the lawn so, we contracted with a lawn company that would also keep the sidewalks shoveled in the winter; we did the interior demolition of the building; it's all gutted; we are preparing it for the subcontractors; we did a back spray, which in a fire situation is a sealing of all the wood with a pigmented shellac that seals the odors into the wood

-none of the plumbing or electrical has been started

Mr. Laitinen: my client has decided, if they can, to proceed to prepare the property without getting the funds from Travelers first

Ms. Moermond: I have a letter from Walker Properties LLC that says that they will pay for the rehab above & beyond what Travelers is willing to commit to; Travelers' estimate was about \$120,000; the letter says that Walker Properties will pay the additional costs to MasterCraft Construction

-so Walker told United Claim Service..... I guess I don't understand

*Mr. Laitinen: it is my understanding that Travelers did not pay \$120,000; Travelers paid around \$80,000; that's where the dispute is; we also believe that Travelers needs to pay more than \$120,000; our understanding is that Travelers has released somewhere in the neighborhood of \$70,000 - \$80,000*

*Mr. Laitinen: I've been retained by Walker Properties; MasterCraft Construction is working for Walker Properties*

*Mr. Stroklund: clarifying the ownership: Walker Properties is owned by my employer, Wayne Benson; I work for MasterCraft Construction; both MasterCraft & Walker Properties are owned by Wayne Benson; I, typically do these fire repairs; we are an insurance restoration company*

*Mr. Magner: but in this case, MasterCraft Construction is not doing the rehabilitation; is that correct?*

*Ms. Stroklund: we are at this point; originally, there was another construction company, Maverick Construction; they were contacted by Travelers to write a scope of work on the property; they came up with the low bid; afterward, they said that they could not do the work for the bid they had submitted  
-when I was here in Jul 2017, Maverick was going to do the job; Wayne Benson said that we'd keep an eye on it; Maverick fell thru; then, we stepped in*

*Mr. Magner: the city needs some type of confirmation that Walker is going to finish the rehabilitation above & beyond the initial sum of money, which is somewhere between \$70,000-\$80,000 that they might have received; & on a side track, the attorney is going to proceed to go after Travelers for the money that Walker believes they are owed; MasterCraft Construction will do the repairs; if I were the hearing officer, I'd say that there are a couple of things that we need in writing to get this commitment out there beyond the fact that you need to ask the hearing officer to make a recommendation to the Council to get a grant of time before my dept, DSI, can issue the permits; we're kind of in a Catch 22 here; the hearing officer will identify what the city needs*

*Ms. Moermond: I need a Revised Work Plan with timelines from whomever is doing the work; I want a detailed Sworn Construction Statement with all the subs listed that demonstrates you are addressing all the items in the Code Compliance Inspection Report, which is dated Jun 6, 2017; you will need to maintain the property; I need documentation that you have the funds to complete the project; an affidavit from Wayne Benson, Walker Properties LLC, that he has the financial capacity & willingness to finish the project  
-your \$5000 Perf Dep will be forfeited; another \$10,000 Perf Dep will be required to get a grant of time*

*Mr. Stroklund: realistically, I think that we could do a very nice job in 120 days from issuance of permit*

*Mr. Magner: it's our experience that when a project is not completed under the time frame established by City Council, the City Council chooses to either forfeit the Perf Dep/require an additional Perf Dep up to \$10,000; if the situation is that the company is going to post a new Perf Dep & if they failed again, my assumption would be that we'd be back here to do a Making Finding & Council would then forfeit the 2nd Perf Dep & order the dept to raze the structure; so, if 6 months from today, the rehab is not completed, not only would the owner have lots \$10,000 in Perf Dep but he would also*

*end up with a vacant lot & an assessment*

*Ms. Moermond: we will send you a letter confirming everything that we talked about, which will give you an opportunity to respond*

*-this is scheduled to go in front of City Council Feb 7, 2018 at 3:30 pm; at that time, I'll ask them to continue the matter for 2 weeks for the paperwork to be pulled together; so, the deadline is Feb 20, 2018 for us to review everything at LH; you may submit materials ahead of time; I will recommend to Council that they forfeit the Perf Dep & require an additional \$10,000 Perf Dep; then, we will be back at Council on Feb 21, 2018*

*Mr. Stroklund: I will be out of town on Feb 20*

*Mr. Laitinen: Mr. Stroklund will have a sworn construction statement by then with a revised work plan, so, I would think that you don't have to be here*

*Ms. Moermond: I would like a pretty high level of detail in your sworn construction statement, including the bids that you're using; I want to see a demonstration that all of the items in the code compl insp report are going to be done*

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*Public hearing continued to Feb 20.*

*The following conditions need to be met by February 16 in order to get a recommendation of a grant of time to rehabilitate the structure from the City Council:*

- 1. An additional \$10,000 performance deposit will need to be posted with DSI at 375 Jackson St, Ste 220, St Paul MN 55102 – please note that the deposit will be returned with interest when the code compliance certificate is issued within the grant of time from the City Council; (NOTE: Ms. Moermond is recommending the City Council forfeit the current \$5,000 performance deposit);*
- 2. A detailed work plan or sworn construction statement, including timelines and bids, for completing the work will need to be provided;*
- 3. Documentation of financing sufficient to execute the above work plan will need to be demonstrated (line of credit, construction loan, personal bank account);*
- 4. If the funds being used are not tied to the project (such as a construction loan), we require an affidavit from Walker that states the necessary funds will be set aside from other business or personal accounts; and*
- 5. the property must be maintained.*

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

## **11:00 a.m. Hearings**

### **Summary Abatement Orders**

- 7     [RLH SAO 18-8](#)     Appeal of Liberty Tax to a Summary Abatement Order at 472 LEXINGTON PARKWAY NORTH.

**Sponsors:**     Thao

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 2/6/2018**

**8**      [RLH SAO 18-9](#)      Appeal of Kendra Logan to a Summary Abatement Order at 1082  
SHERBURNE AVENUE.

**Sponsors:**      Thao

*Kendra F. Logan, owner, appeared.*

*Supervisor Lisa Martin: on Jan 18, 2018, a Summary Abatement Order was issued to the Occupant & owner at 1082 Sherburne Ave: "Remove discarded flower pots & chair from the blvd by Jan 25, 2018;" photo; I spoke with Ms. Logan & I went out there myself; there's a metal folding chair that is obstructing; Ms. Logan said that she sets the chair there so that people can't walk the walkway (not something that we would allow); the flower pots are very nice big, beautiful flower pots; unfortunately, we look at actual plantings in the blvd after they receive a permit; there is no permit on file and Public Works considers flower pots an obstruction on the blvd; I asked Ms. Logan to remove the chair & to possibly put the flower pots in her yard - not on the blvd; when I went back to do the inspection, the chair was still there; I encouraged Ms. Logan to file an appeal*

*Ms. Moermond: is this an area with a driveway or with an alley?*

*Ms. Logan: there is an alley*

*Ms. Martin: PW won't allow any obstruction of any kind in a public right-of-way above a certain height without a permit*

*Ms. Logan: that's a large plastic flower pot; I've been there for 4 years & it's been there for 4 years; obviously, they've plowed for 4 years & nothing has been damaged; it doesn't come near the curb; it's a very wide blvd; I have 2 pots on each side*

*Ms. Moermond: you can easily see thru the plantings; it's not going to obstruct*

*Ms. Logan: and, even when people open their car door, the pot is nowhere near the car - approx 2 ft from curb*

*-I plan to move the chair & get a "Do Not Park" sign to put out; we have a lot of parkers there (light rail, too) & that causes trouble for my mom, who walks with a cane, comes over; she comes over quite often*

*Ms. Moermond: so, you may qualify for "handicapped parking" - check out that application process with Public Works*

*-checking the code, if the conditions continue to be substantially the same as shown in this photograph, I'll recommend that Council grant your appeal*

*Grant the appeal.*

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

**Correction Orders**

**9**      [RLH CO 18-6](#)      Appeal of Victoria Downey to a Correction Notice at 865 HOWELL

## STREET NORTH.

Sponsors: Stark

Victoria Downey, owner, appeared.

Supervisor Lisa Martin: Jan 17, 2018 Corr Not issued; talks about no permit/site plan for fence that appears to be 12 feet high at some point  
-I spoke to owner regarding the fence & when she purchased the home, the fence was there; it's blocking the industrial area behind the fence

Ms. Downey: the fence is definitely not 12 feet high; bought house Apr 2013 with existing fence; at the time, the fence was extremely dark in color; it had been built a long time ago; don't know when; it was clearly built the same time the neighbor's fence was built (extends into their yard); I think the fence is only about 8 ft high; there's an alley between my land and the industrial land

Ms. Moermond: in the photo you submitted, the section of fence close to the garage, it looks like it's taller than the roof line; could be 10 ft

Ms. Downey: it's the angle of the photo; it's not actually higher than the building

Ms. Moermond: were there Orders written for the adjacent property (861)?

Ms. Martin: I do not know; (after checking: no)  
-actually, this was a Fire C of O for the neighbor's property; Ms. Huseby took a photo of the fence & she referred it to the neighboring property

Ms. Moermond: the neighbor's property is a rental (Fire C of O); yours came in as a Corr Order because yours is an owner-occupied property  
-I can live without you having a fresh permit; it's old; it seems to be structurally sound but I do have a problem with the height; even the industry couldn't have a 12 ft high fence  
-I will recommend that you get a 2 foot variance which would take you down to what an industrial area would allow; deadline: Jul 1, 2018 - get it down to 8 ft (a 2 ft variance)

Deny the appeal but will recommend City Council grant a variance for the fence to be 8 feet tall.

## 2/1/18 FOLLOW-UP NOTES:

-Code allows maximum 7 foot fence residential, 8 feet industrial.  
-This fence measure at 8 1/2 feet high, which measurement was provided AFTER the Legislative Hearing. In photos, it's clear the fence exceeds the height of the rain gutter on the garage and so it was presumed to be 10 feet tall.  
-Recommendation to allow fence to be 8 feet tall will need to be revisited based on new information.  
-MM

**Referred to the City Council due back on 2/21/2018**

10 RLH CO 18-5

Appeal of Maria T. Denison to a Correction Notice at 1990 HOYT AVENUE EAST. (Legislative hearing on February 20, 2018)

Sponsors: Bostrom

*Maria Denison, owner, & her husband, appeared.*

*Inspector Stephan Suon: back in Jun 2017, we received the original complaint; I Condemned the properties for lack of egress; fire hazard; excessive storage & other deficiencies; then, the Condemnation was lifted; we had an appeal; we've had correction notices since then; an excessive consumption which she appealed -13 items on the Corr Notice: oversized beds in the very small bedrooms (purpose is to create room for movement); there are plenty of photos; in the basement, there are fixtures missing, exposed wires, holes*

*Ms. Moermond: are these conditions different from what you've been seeing or have things worsened?*

*Mr. Suon: there's been some attempt to clean things up but there's still .... primary violations for Condemnation were excessive accumulation, fire hazards, lack of egress; House Calls brought in 3 dumpsters; the bedrooms had never been taken care of*

*Ms. Moermond: would you say that the lack of ability to move around is sufficient for a Condemnation again?*

*Mr. Suon: No; the photos are dated Dec 11, day of inspection*

*Supervisor Lisa Martin: looking at the Orders, there could be some clarification; we will address that*

*Ms. Moermond: oversized beds on the main floor  
basement includes: living room ceiling fixture; laundry room; electrical panel; fixtures; light fixture covers; bathrooms, excessive accumulation (asking for a reduction by 25%)  
-wondering what the plan is  
-the bill for excessive consumption is for failure to comply*

*Ms. Denison: I'm trying to work with Stephan; I've donated more; basement looks more clean; & upstairs looks better; about the bed - I have 1 Queen & 1 bumper bed in 1 room; the Master bedroom looks little because it's a king size bed & the room doesn't have a closet; I have 6 kids in my little house; the Queen bed is in front of the window; kids can jump right out; the room with king size has a bid window in front of the bed; have only 3 bedrooms*

*Ms. Martin: #5 - the electrical throughout basement needs to be looked at; our concern is about an electrical fire; we have 6 children & parents; what is the possibility of getting an electrical contractor out there to make sure this is a safe environment for them to remain there?*

*Mr. Denison: some of that is resolved now; there's room for the electrical panel, water heater*

*Ms. Martin: do you have someone lined up for the electrical to get a permit pulled to check the electrical?*

*Ms. Denison: I called 3 companies; it's expensive; I spoke with the social worker & they have no programs for this kind of money; right now, husband has no work - the company closed & I'm working from 10:30 pm - 6:30 am; it's \$450 for electrical bill & I*

*must pay that bill; I'm working hard & have no money to pay for electrical contractor*

*Mr. Denison: we took care of fixture covers; there's no daisy chain in the basement; we put face plates on; most electrical stuff is superficial; the extension cords are gone; if we can eliminate this electrical expense, it becomes achievable; -are king size beds illegal?*

*Ms. Moermond: it's about movability; I need better info about what size the room is & how big the bed is*

*Ms. Denison: all my clothes are downstairs; it looks like a big closet*

*Ms. Moermond: we'll get a fresh inspection; if the electrical things are taken care of, I'm happy*

*Ms. Martin: I'm willing to assist with this; I will go out with Stephan & do a final walk-thru*

*Ms. Moermond: I would like to send Inspectors Martin & Suon out again; when do you think that you'll have this list addressed? I'm willing to work with you on the beds*

*Ms. Denison: give me a week or so*

*Ms. Martin: I'd suggest that they contact Xcel for their Inability to Pay Program, which is based on only 1 income & number of children; they may qualify for a reduced amount; call them & let them know your situation*

*Ms. Denison: I did already with the social worker; she gave me \$500 & said there was no more money available*

*Ms. Moermond: there are several kinds of energy assistance programs out there; I'd check with Xcel*

*Ms. Martin: when I come out there, I will bring you a bunch of information; in your area there are places where you can get food..... etc.*

*Ms. Moermond: I will give you 2 weeks; let's get an inspection done*

*Ms. Martin: I can do a Feb 14, 2018 inspection at 11 am*

*Ms. Moermond: that will work; I'd like a report back at Feb 20 LH; I will review it; it will go to City Council on Feb 21 (a resolution for an extension to get things under control) -I will be looking for floor space to be able to move around -one thing that's not in the Orders - you need clearance around the water heater & service panel*

*Legislative Hearing on February 20. Forthcoming, pending result of February 14 inspection.*

**Referred to the City Council due back on 2/21/2018**

**Sponsors:** Noecker

*Jeff Groves, tenant, appeared.*

*Supervisor Lisa Martin: Inspector Mark Kaisersatt went out Jan 5, 2018 & issued a Correction Notice to 873 Scheffer Ave; there are 2 enclosed trailers on an unapproved parking surface; also, a temporary structure that does not meet the requirements of the building code; we asked that those be removed from the property; I also received information from Fire Supervisor A. J. Neis that they have issued an Order to remove a wood burning stove, as well*

*Ms. Moermond: I see that the Order went to 2 different parties: 1) Roscoe Anderson in Eden Prairie; and to 2) Renae Mularky/Weir Sr at 873 Scheffer*

*Mr. Groves: I am the tenant; the temporary structure was put together by my neighbor & myself; it has industrial canvas over it & I am more than happy to take it down; I didn't think it was an issue with my neighbor; I have an X-girlfriend, who called the Fire Dept & told them that we were burning trash in the wood stove, which we are not; we're burning oak fire wood; since Mr. Kaisersatt was out, we aren't burning anything; I've had several conversations with him about it; I'm asking if I could have until the weather thaws to take it down because it's all frozen into the ground right now -the trailers have been removed; they won't be back; if I decide to bring them back, I'll put down pavers & get it approved by the city*

*Ms. Moermond: things should be thawed out by May 1, 2018; the stove should not be used during the interim*

*Grant to May 1, 2018 conditioned that the stove is not being used.*

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

## **11:30 a.m. Hearings**

**Orders To Vacate, Condemnations and Revocations (NONE)**

## **1:30 p.m. Hearings**

### **Fire Certificates of Occupancy**

- 12**     [RLH FCO 18-14](#)     Appeal of Minnesota Place, LLC to a Correction Notice - Complaint Inspection at 46 FOURTH STREET EAST.

**Sponsors:** Noecker

*Renee Retterath & Kaytee Schugel, regional property manager, appeared.*

*Fire Supervisor Leanna Shaff: re: this is a 137 unit high rise; Inspector Brian Schmidt responded to the complaint that smoke detectors did not go off when a small fire occurred & both elevators were inoperable leaving no alternatives for the disabled; just a week before, there were a couple of fires in the building (candles & unattended cooking); Insp Schmidt was involved with both referrals; he writes: I went to the property; the elevators are working which is a good thing; the alarm system was in trouble (if it's in the trouble mode, it may not be reporting a fire; the Fire Dept doesn't*



know what is actually going on); it means that the indicator isn't working properly; there's some confusion because the alarm company said that it was working  
-Insp Schmidt wrote Orders that the fire alarm system must be maintained in an operative condition at all times; also, to provide a fire watch until the fire alarm system is returned to service (provide documentation)  
-later on, Insp Schmidt got indication that building management said they learned from a technician that the fire alarm system was working; the city needs that report in writing; he also said that they do have a security presence, so a fire watch isn't necessarily an additional burden  
-the appeal says that the complaint was made by a trespass squatter who was evicted but later broke back into the unit  
-supposedly the alarm company came out & checked it out but we don't have any documentation that they did

Ms. Schugel: we are appealing the Correction Notice, dated Jan 17, 2018 (ref #10205), only pertaining to Unit #405

Ms. Moermond: there's been a subsequent Order, dated Jan 25, 2018

Ms. Schugel: we plan to appeal that, too

Ms. Shaff: Orders dated Jan 17, 2018: they had a fire & Insp Schmidt responded to a referral; the list is re: Unit #405 (photos):

1. clean discoloring from wall due to smoke & all other surfaces
2. repair kitchen cabinet drawer in an approved manner
3. reduce combustibles by 50%; I was unable to walk thru the unit
4. remove the latch lock to the front door

Ms. Schugel: from my understanding, there wasn't an actual fire; we had some discoloration on the wall from soot from a candle & that's why the fire alarm went off having the Fire Dept respond; we don't have actual fire damage in that unit but there's soot on the wall

Ms. Shaff: Fire Dept comments: unattended candle had burned down & started a small fire

Ms. Schugel: that's not what my understanding was

-the reason why we wanted to appeal the Correction Notice was because we didn't have control of the situation because we had removed the individual from the unit & they broke back in, lit a candle & left it unattended; we didn't know that they had access to the unit; they broke a hole in the door

-we certainly want to correct these items & keep our good standing with the city  
-the lock on the exterior of the door was installed to keep the person out of the unit because she kept returning & re-entering; it was the only way that we could keep her out while we repaired the door (photo)

-we have been having homeless issues

-this person is actually the daughter the tenant of that uni, who had passed away; she moved herself into her mother's unit after her mother had died; she has a lot of mental issues & has been harassing our residents; she keeps breaking into our building

-we've done 2 trespass Orders but she comes during the early morning hours, pushing her way into the building

-the door has been fixed now & we have an occupant waiting to get in

Ms. Moermond: the Jan 17 Orders are now in control; you are in compliance with unit

#405; re-inspection Feb 7, 2018

-let's deal with Unit 304 from the Jan 25 Correction Orders - the cooking fire that happened on Jan 23, 2018

Ms. Shaff: Jan 23: Fire Dept called to report an alarm sounding in a high rise building; smoke condition outside the apartment with water flowing under the closed door; made entry thru an unlocked door; found food on the stove - fire was extinguished by a sprinkler head (unattended cooking); photos

Ms. Moermond: taking these 2 units together  
-something happened that there was a trouble reading when the fire inspector went out there; when was the Fire Inspector there?

Ms. Shaff: the referral came in Jan 24, 2018: smoke detector didn't go off when a small fire occurred on Jan 16, 2018; the elevators were inoperable

Ms. Moermond: so the city needs documentation that the alarm is operational; who is your company?

Ms. Schugel: Brothers Fire

-we have a tenant in that bldg who was fearful because the alarms on the 13th floor did not go off when the fire occurred; she made the complaint, so Insp Schmidt came out; the actual complaint was that the elevators were not working; they were down for a little while because the Fire Dept pushed water down our elevator shaft when the fire happened, which shut down the elevators; the tenant was not happy about that, called to complain; Insp Schmidt came the morning of Jan 25; the elevators were back up & running again; we had addressed that; 3 sensors were not working because they had gotten wet; they were taken out & put on tests so that the rest of the system would continue operating properly; the system in the Minnesota Bldg is a floor by floor system; it will evacuate the floor below, the floor above, then, the alarm stops being set off to a certain floor; it was just her sense of fear that the elevators were not operating on her floor & that's why the complaint was submitted; it, however, was operating the way in which it was designed to operate; I got a report from Brothers Fire in response to the 25th

Ms. Moermond: so, we can see that report

Ms. Schugel: yes; I have it via email; haven't been able to print it yet; I will email it to you

Ms. Shaff: then, it looks like this whole issue would be resolved

Ms. Moermond:

Grant the appeal, noting that they are now in compliance.

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

**13**     [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

Brian L. Kraut, owner, appeared.

*Ms. Moermond: we have a re-inspection for a set of Fire Orders*

*Mr. Kraut: I have lived there full time for 3 1/2 years; I'm currently helping someone who is disabled (back surgery) & lives 2-3 doors away; he is now getting assistance -entered documentation; the property was a foreclosure that I bought with a partner, where I had paid about 95% of the cost of the home; we had gone in on a business partnership under Metro Home Sales but as we proceeded to buy the first house at 679 Maryland Ave (which has since been sold), the partnership had dissolved; we had gone to court & I was awarded the house that I'm currently living in & half the proceeds of the other property at 679 Maryland Ave; he had put both properties under his name -I also paid all the back taxes that my partner did not pay; I had gotten served by a sheriff; I haven't paid the most recent taxes of Oct 15, 2017; I went down to Ramsey County after Brian Schmidt told me what I needed to do but things didn't change right away & Mr. Schmidt kept coming out -it's Brian's concern now that I have a renter in there; it's temporary*

*Ms. Moermond: you're allowed to have people live with you -so, you are in the process of getting this recorded into your name*

*Mr. Kraut: Correct; I thought I did it properly at the time when I paid the taxes but... I filled the wrong paperwork out.. or .. I don't know*

*Ms. Moermond: so, you need to pay the last half of your 2017 taxes & you need to file this paperwork; the court judgment does seem to be clear that you will become the owner upon completion of those things -should probably take about 3 weeks to get it all resolved -taking this all together, I will Recommend that Council grant your appeal that you are an owner-occupant*

*Grant the appeal.*

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

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 14 RLH VBR 18-3** Appeal of Danielle Sobaski to a Vacant Building Registration Requirement at 1124 MATILDA STREET.

**Sponsors:** Brendmoen

*Danielle Sobaski, owner, appeared.*

*Ms. Moermond: we went through a discussion on the Vacate Order & eventually, I recommended that the City Council deny the appeal & the Vacate Order & to send this to the VB Program; you are appealing the Council's decision on that to Appeals Court; in the meantime, you're in the VB Program & I'd like to see you get some credit for the work you have been doing & to get a fresh assessment of whether this continues to be a building that should be considered a Category 2 or a Category 1 VB because the conditions were by & large, sanitation issues; so, I'd like Mr. Dornfeld to go out & .....*

*Supervisor Matt Dornfeld, Vacant Buildings: I have not been on the interior; Inspector Martin has a detailed report on past inspections; I would be happy to re-inspect the*

*interior of the property to see what improvements have been made; it appears that there was an approved electrical permit with corrections done Dec 29, 2017; so, that's a positive*

*Ms. Sobaski: I'm putting brand new cabinets into my kitchen, so I'd like at least a day or two to finish the cabinets before Mr. Dornfeld comes over; the kitchen was the primary concern for the sanitation issue, so I pulled the counter & cabinets*

*Mr. Dornfeld: we can do it whenever you would like*

*Ms. Moermond: on Feb 13, 2018, I'd like a report back from Inspector Dornfeld on his assessment of the condition of the building, whether it merits a Code Compliance Insp or Correction Orders for completing what yet needs to be done*

*Mr. Dornfeld: I will email you in the morning with some open dates closer to Feb 13 to allow the most time to deal with the life safety issues*

*Inspection to occur for assessment of the condition in the building to determine whether it needs a code compliance inspection or a correction order to make the repairs.*

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

**15**     [RLH VBR 18-5](#)

Appeal of Randall Bibeau, on behalf of William Gobely, to a Vacant Building Registration Fee Warning Letter at 1560 CANFIELD AVENUE.

**Sponsors:**         Stark

*Randall Bibeau appeared on behalf of William Gobely.*

*Supervisor Matt Dornfeld, Vacant Buildings: history -- I Condemned this property on Feb 8, 2017; since then, we do have a code compliance inspection on file; currently, we have open building & electrical permits; the plumbing permit has been finaled; throughout 2017 & briefly 2018, we had 210 days worth of Vacant Building fee waivers*

*Mr. Bibeau: for some reason, they've got the VB going back to 2016, 5 months prior to your coming into the space; the woman I talked to at VB couldn't explain it either; it now shows a credit from Nov 2016 - Feb 2017*

*Mr. Dornfeld: I will look into that; I had to leave my computer back in the office today due to getting a new system; either way, the VB fee of 2017 has gone to assessment*

*Ms. Moermond: we're talking about the 2018-2019 VB fee*

*Mr. Bibeau: I had an electrical guy call me last week, so, somebody must be talking.... & wanted to know why the electrical permit was still open since it's been finaled since DSI approved it & it was closed (in STAMP); we're going to move the mast when we do the roof..... and*

*Ms. Moermond: what are you looking for today?*

*Mr. Bibeau: after we did the Code Compliance... the direction the last time we met was that we thought that there was major code violations & that you wanted Abel to look at it & say whether it should go to code compliance or whether... ; based on the pictures...*

*-the code compliance report came back & we now know that it doesn't have the major code violations that were suspected*

*Ms. Moermond: the building was Condemned; it is automatically a Category 2 Registered Vacant Building; by definition of the Legislative Code, you needed to get the code compliance done; the fact that it is a small code compliance report is a blessing - there's very little to do then & it sounds like you're making great progress -I am surmising that you're here to say, "We're almost done; we'd like a waiver on the VB fee because we're going to be done soon"*

*Mr. Bibeau: we're not going to be able to do the roof until summer but we really don't have a lot of stuff to do; I just wanted to point out that we did not have the major code violations that were suspected*

*Ms. Moermond: but it was Condemned; it was a gross unsanitary....*

*Mr. Bibeau: I assume that's cleared up to now*

*Ms. Moermond: but when you are in that condition, the Legislative Code is clear, you go from Condemned to a Category 2 Registered Vacant Building & Mr. Gobely could not live there because of the health & safety issues in the house  
-you are close to being done; you want the VB fee waiver; let's try to save this guy some money so he can put it back into the house  
-with us today is the City's Building Official, Mr. Steve Ubl; he is in charge of all of the trades & I'd like to get his read about how he feels about the roof  
-Mr. Ubl, what are you looking for in order to have the Code Compliance Certificate issued either on a temporary or permanent basis?*

*Mr. Ubl: we had a conversation with Mr. Bibeau & Jim Seeger last week; it is my understanding that a scheduled final inspection has not yet been set up; it is my understanding that there are still some deficiencies that need to be completed inside the house and we can't determine that until somebody asks for a final inspection; it is my understanding that the roof is not completed; I have no idea the condition of the roof, whether it leaks, is it a hazard; etc; that is an assessment that Mr. Seeger needs to make whenever an inspection is scheduled; it's my understanding that you, Mr. Bibeau, obtained the electrical permit & that you purchased that electrical permit to perform above & beyond the code deficiencies that were on the code compliance insp report*

*Mr. Bibeau: correct*

*Mr. Ubl: one of those items is to elevate the mast of the electrical service company to the home that is to be done when the roof is completed; notes in the computer system state: "all electrical deficiencies on the code compliance report have been completed & satisfied;" so, the additional fees that he has paid under an electrical permit still afford the luxury of that permit staying open for work to be completed within 180 days; the building permit is something that we can't do anything about until there's a scheduled appointment for a final inspection (that's what we're waiting for at this point)*

*Mr. Bibeau: Jim Seeger was out a couple of weeks ago which allowed us to close out the remaining walls; & he looked at the rest of the stuff*

*Mr. Ubl: some of the work that was performed could have been & was satisfied under the plumbing permit; also the deficiencies that were under the mechanical permit;*

*those items have been satisfied*

*Ms. Moermond: my concern is getting everything in the bldg signed off except for the roof & would that be adequate for Mr. Gobely to move back in again? We won't know until Mr. Seeger takes a look, right?*

*Mr. Ubl: yes; a report should come from Mr. Seeger*

*Mr. Bibeau: the roof was installed in 2006 under permit; there's a recall on the shingles, themselves; because Mr. Gobely put on rain & weather shingles, there won't be a leak*

*Mr. Ubl: Mr. Seeger can tell us  
-when are you anticipating scheduling the final inspection with Mr. Seeger?*

*Mr. Bibeau: probably in May for the interior stuff; Mr. Gobely is the homeowner; every day he goes to work & has about 2 hours each night from 6-8 pm to work on it & the weekends; & he's doing the work himself (taping, skin coating & everything that needs to be done)  
-I'm Mr. Gobely's representative*

*Mr. Ubl: can you define representative?*

*Mr. Bibeau: I'm a friend of his; I've been helping him; he doesn't have email, he doesn't have....*

*Mr. Ubl: how did you obtain the electrical permit?*

*Mr. Bibeau: I went down & paid for it; he filled out the paperwork*

*Mr. Ubl: so, he signed the affidavit; he pulled the permit under his name*

*Mr. Bibeau: correct; he's the guy that went to electrical school*

*Mr. Ubl: that's not what we're seeing in our system, here; that's a different issue I'll adjust later*

*Mr. Bibeau: I didn't do anything wrong; I just turned it in.... did the same thing for building & plumbing; well, actually, my cousin pulled the plumbing  
-I don't know if I did anything wrong*

*Ms. Moermond: this entered the VB Program on Feb 8, the same date as the Condemnation; so, it's real easy to do a 90-day waiver on the VB fee, which will get you out to May 8, 2018*

*Mr. Bibeau: we're not even starting the roof until the summer*

*Ms. Moermond: but if the roof is OK enough, then, Mr. Seeger has the option to allow occupancy while that roof is getting done if everything else is completed*

*Mr. Ubl: the building section of the Dept of Safety & Inspections typically allows escrow items to be extended until May 31 of the following spring; I didn't quite hear that here  
-this arena is not my arena; it's yours; I'm expressing what is typical from our bldg*

*division*

*Mr. Bibeau: I didn't understand what he meant*

*Ms. Moermond: what he means is that if Mr. Seeger went in today & finalized the interior & you still have the roof, the normal course of events would be that May 31 would be the deadline to finish the roof*

*-I'm willing to go a bit further out, to Jul 8, 2018 for roof completion*

—  
*Waive the VB fee for 90 days (until May 8, 2018). If in compliance with all interior items, building official has agreed to allow re-occupation, noting an additional 60 days (until July 8, 2018) will be granted to come into compliance with orders on the roof. (Note, if additional roof violations found, they will also need to be addressed.)*

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