



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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

Tuesday, April 10, 2018

9:00 AM

Room 330 City Hall & Court House

10:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 17-47](#) Ordering the rehabilitation or razing and removal of the structures at 380 YORK AVENUE within fifteen (15) days after the January 3, 2018, City Council public hearing. (Public hearing continued from January 3) (Public hearing continued to May 16 with a Legislative Hearing on May 15, 2018)

Sponsors: Brendmoen

Erick Flyckt, Usset, Weingarden & Liebo PLLP, appeared o/b/o US Bank.

Mr. Flyckt: we do have a code compliance inspection report -the clean out created a delay; this is an FHA HUD property subject to the guidelines for reimbursement; I believe that when the original clean out was done, HUD refused to provide additional resources for the clean out so, the original contractor cleaned out 56%, I believe

Ms. Moermond: I have MN Housing Finance Agency listed

Mr. Flyckt: correct; they're the mortgage of the property owner, at this point; it is an FHA mortgage (HUD mortgage) so in order to sell it back to HUD, they have to follow those guidelines; until you brought the clean out to my attention, I didn't even know that process existed & it created the delay in getting the code compliance done -plans: preliminary rehab cost is around the \$150,000 range for this property; they have demolition bids in the \$40,000 range, which I thought was high; I think I gave them an estimate of \$15,000 - \$20,000 for the demo; at this point, I don't have a Work Plan; I believe the decisions that need to be made in conjunction with US Bank as servicer & MN Housing--- I think they will probably end up on the demolition side & probably want to handle that themselves but the contractor is still getting bids on the rehab -I do have an affidavit from US Bank saying that they would set aside resources, at least to complete whatever rehab would be required if that's the course they choose or to cover the cost of the demolition (submitted)

Steve Magner, Code Enforcement Manager: I think their demo number is a little high; you might want to recommend to the local contractor that he contact Mr. Joe Yannarely, 651/266-1920 at DSI; Joe would be happy to send a list of vendors that bid

our demo projects; generally, we don't see that number being that high, unless a hazard waste analysis determined that asbestos abatement was needed; I think that the city would be closer to \$15,000 demo cost

Ms. Moermond: that list of demo contractors would give the biggest range of choices; if it's made out of asbestos bricks, the demo cost would be high but

Mr. Magner: we started looking at this Dec 12, 2017

Ms. Moermond: I'm in no hurry to get this knocked down but it has been dragging on for quite a while

-asked if the federal tax lien had been paid

Mr. Flyckt: that was primarily an issue with the redemption period; the federal tax lien was properly served through the foreclosure but when we shortened the redemption period to 5 weeks, it doesn't wipe out the federal government's right to a full 120 days redemption period; that period has passed & the federal tax has been wiped out -noted that the contractor is looking at a complete replacement of plumbing & electrical on the property; there are also foundation problems

Ms. Moermond: are the plumbing & elect systems completely shot? normally, it says repair/replace, depending on how damaged it is

Mr. Magner: the requirement is - if portions in the dwelling that have been opened up (walls removed) to do the rehab, then, you are required to bring the plumbing into full compliance; generally, your rough-in costs, especially, if the house is gutted, are not going to be the main driver of costs; your finishes always cost you more than the rough-ins

Ms. Moermond: referring to the code comp insp report, it doesn't specifically mention the foundation but it does talk about re-leveling & that can be foundational

Mr. Magner: it's most likely failure of joists & things like that

Ms. Moermond: OK; how long before you think your client is going to decide what they want to do?

Mr. Flyckt: I have a request from US Bank to ask for 30 days to get contractors in there & get their bids

Ms. Moermond: we have the \$5000 perf dep, the code comp insp report & the affidavit -the only concern I have is item #7; it says US Bank intends to obtain a Certificate of Occupancy for the property or demolish the property within 180 days of the posting of the performance bond; if they're going the demolition route, there's not going to be 180 days granted; the Order would say "within 15 days" which would give you guys 15 days in which to initiate the action

Mr. Magner clarified: if the Council were to grant 15 days for your client to move forward, we would simply need a signed contract between your client & a demolition contractor within that 15 days; the expectation is that the property is not going to be removed within that 15 days; so, during that period of time, you would simply submit the signed contract, which should specify that the work would be done within a reasonable time period (30 or 45 days); we would monitor to see that permits were pulled & the project was completed

Ms. Moermond:

- I will Lay this Over tomorrow at City Council Public Hearing; I'll give you a month but we're pulling the trigger on May 16, 2018 one way or the other; so, by May 15, submit Work Plan for doing the rehab including bids with timelines so that we can review it; on May 16, 2018 I'll stand in front of the City Council & say, "Remove within 15 days with no option for rehabilitation," which may be the way your client wants to go anyway; I'll give you your time but there will be no other layovers after that

To continue public hearing to May 16 (Legislative Hearing to be heard on May 15).

Referred to the City Council due back on 4/11/2018

2 [RLH RR 18-7](#)

Making finding on the appealed nuisance abatement ordered for 675 AURORA AVENUE in Council File No. RLH RR 17-18.

Sponsors: Thao

Coretta B Walker rinehart, owner, appeared.

Steve Magner, Code Enforcement Manager: a letter, dated Mar 23, 2018 was sent to the property owner to let her know that we're at the end of 180 days & that she needs to contact the city & attend the hearing today; ultimately, the owner did contact Mr. Seeger & Mr. Yannarely

-read Mr. Yannarely's email into the record: toured property with Jim Seeger & Emmett Booker, contractor; Jim believes that 75% is completed & Mr. Booker says he will have no problems having the rehab completed by the end of May 2018; so, he's requesting a small extension of time passed the Apr 18 deadline; pictures were taken & put into Amanda

-I've also spoken with Ms. Walker rinehart in regards to this situation; she confirmed that they're just finishing up the last ends of the house & waiting for the weather to improve to work on the exterior

-DSI has no objections at all to granting an extension to complete the rehab of this property; they are moving in the right direction

Ms. Moermond: let's prepare a Resolution making finding that the work is not complete as of the Apr 18, 2018 deadline but I will recommend that the \$5000 Performance Deposit be continued for another 90 days for which the property to be rehabilitated

Recommend continuation of first \$5,000 performance deposit as the rehab is 75% completed and will grant another 90 days to complete the project.

Referred to the City Council due back on 4/18/2018

3 [RLH RR 18-8](#)

Making finding on the appealed nuisance abatement ordered for 880 CLARK STREET in Council File RLH RR 17-37.

Sponsors: Brendmoen

The property has been razed. Nuisance is abated.

Referred to the City Council due back on 4/25/2018

4 [RLH RR 18-13](#)

Making finding on the appealed nuisance abatement ordered for 1426

DESOTO STREET in Council File RLH RR 17-29. (Public hearing continued from April 25)

Sponsors: Brendmoen

Michael Sauer, Attorney, Wilford & Geske, appeared.

Steve Magner, Code Enforcement Manager: update

-we were hoping that by today the contractor would have obtained the code compliance certificate; I didn't have a chance to check this morning; maybe Ms. Mai Vang could do that; I looked yesterday, when there were still a couple permits outstanding

Mr. Sauer: there's a final inspection scheduled for Apr 16, 2018 at 11:30 am; the remaining items were: to expose the duct work for inspection; also pull permit for 1 or 2 bathroom exhaust fans - pending approval by the city according to the contractor; I think that's relatively insignificant work

-delays are twofold: 1) getting an HVAC contractor to work on our schedule is a lot tougher than it used to be; and 2) they were set out a week for inspections - was supposed to have been completed by now; because of those compounding delays, the inspection got pushed to the 16;

-we put a significant amount of money into this property; probably 90% done, maybe more

-I'd ask for a short extension just to wrap up; it's obviously on the right path

Ms. Moermond: your deadline was Feb 23, 2018 to get the work done; your final inspection is scheduled for Mon, Apr 16, 2018

-City Council Public Hearing is Apr 25, 2018; the deadline for you to have your Code Compliance Certificate; at that time, I'd like to make a finding that the nuisance condition has been abated

Public hearing to be continued to April 25.

Referred to the City Council due back on 4/11/2018

11:00 a.m. Hearings

Summary Abatement Orders

- 5 [RLH SAO 18-23](#) Appeal of Mark Collis to a Summary Abatement Order at 289 DEUBENER PLACE.

Sponsors: Noecker

Mark E. Collis, owner, appeared.

Supervisor Lisa Martin: Apr 2, 2018 a Summary Abatement Order was issued by Inspector Richard Kedrowski to remove furniture, scrap wood & misc. debris from the front porch, rear yard & driveway areas; the owner is looking for more time; photo

Mr. Collis: I need extra time; I didn't get this until the 4th; snow & frozen ice slow the process; 5 days wouldn't be enough; I started & the porch is all done; I have a truck loaded up with debris; I'm over half done; warmer weather this week should help; I put down salt to help

Ms. Moermond: I'm going to deny your appeal; Council will meet on Apr 25, 2018; enforcement won't be taken until after Council votes; so, you've got a couple extra weeks; the inspector will go out Apr 26 or 27

Deny the appeal.

Referred to the City Council due back on 4/25/2018

Correction Orders

6 [RLH CO 18-12](#) Appeal of John Krenik to a Correction Notice at 1270 CLEVELAND AVENUE SOUTH.

Sponsors: Tolbert

John F. Krenik, owner, appeared.

Ms. Moermond: asked Insp Martin to differentiate these Orders from other existing Orders on this property

Supervisor Lisa Martin: Mar 19, 2018 Correction Notice issued regarding 2 issues: 1) removing vehicles that were parked on the grass; (DONE) and 2) make sure that vehicles parked in the driveway have current tabs (tan Buick - DONE); note: upon re-inspection, collector vehicles under the tarp would be towed if not in compliance by Mar 29, 2018

-the collector vehicles were addressed in a separate issue in the Court of Appeals of MN & the Supreme Court (have copies of those decisions)

-the case has been going on for quite some time prior to my time here

Ms. Moermond: so, you are appealing the last sentence of item #2? (vehicles under the tarp)

Mr. Krenik: yes; vehicles under the tarp

-I'm here to offer a little history & a solution

-originally, the vehicles were parked on a pad that was approved by the City of St. Paul signed in 1995 (entered); Insp Essling & I had a disagreement about it; he said that was an illegal parking area because my lots were not adjoining, even though the city had approved my use of it for 13 years; on Oct 18, 2010, we met with Supervisor Magner, Insp Essling & Mary Montgomery; it was determined that current place where my cars are parked would be the new parking pad site because it's a continuous part of the property (entered parking site approval by the city)

Ms. Moermond: that has been submitted into the record in past cases

Mr. Krenik: we met here & you, I & Insp John Ross had talked about this issue; entered his appeals for that; basically, there was a concern about the fence that I had provided, which you guys said was not sufficiently concealing the vehicles from public view; so, I was given an amended Order (with your suggestion) from Insp Ross to fully enclose the vehicles; there's a Screening Ordinance; you provided me with this documentation; following the MN Supreme Court ruling & the Appeals Court ruling & taking your recommendation, Ms. Moermond

Ms. Moermond: I'm out of it; it's not my recommendation; it's the City Council's

decision; I simply make a recommendation to them; they voted on it & it was upheld by the Supreme Court; it doesn't matter what I recommended; it's not me anymore

Mr. Krenik: I was trying to get at.... through your suggestion of the Screening Ordinance, what I've done is provide a removable blind screening for the vehicles on all sides (entered photos for Ms. Martin's review)

Ms. Martin: looking at this, we would probably issue a Summary Abatement to have it (screening) removed based on the fact that Zoning does not allow a fencing in the front of the property

Mr. Krenik: the original fencing was built to code & it was deemed insufficient; according to the Outdoor Storage Screening provided by this office, the 6 foot high screening was sufficient; it's not a permanent fence; it's "screening;" this was originally built to city code & it was deemed insufficient (entered org fence photos); now, that I've followed city code with screening, it's deemed insufficient; you & I want to be done with this; I'm trying to comply with what the City Council has said that it needs to be sufficiently screened; relying on city documents, I have done that

Ms. Martin: on these vehicles: I've worked with Mr. Krenik over the last year & we've definitely been reasonable with extensions; I'm trying to get this issue to resolve so we can close this out

-Mr. Krenik asked me to come out to take a look with the Correction Notice making sure that these things were in compliance; I went out & took photographs; I think the issue is that the collector vehicles appear to be inoperable; they have flat tires, though putting them behind a fence is not going to solve the situation with the vehicles; you're just hiding the vehicles- they are inoperable, clearly

-we did explain that you can't put up that type of fence without going through Zoning; when Mr. Krenik & I talked on Mar 19, 2018, we talked about some options; one of those, which he was considering was just putting regular plates on the vehicles & showing that they are operable with inflated tires; then, he could keep them in the driveway in the front of the house; at this point, that has not happened despite the fact that we gave him an extension to try to get these vehicles in compliance

Mr. Krenik: in the original abatement Order by Insp Ross, that was never the issue because they were properly licensed with the state as collector vehicles and in the process of being restored; so that was never brought up in the Appeals Court, Supreme Court or any of the abatement Orders from Mr. Ross concerning these vehicles; the collector status gives people who like to restore cars the ability to do so; the issue was that the neighbor was able to see this - the visibility of these vehicles to the neighbor about 200 feet to the south; that was the issue; licensing was never the issue; it was never the issue of John Ross - that's something new

Mr. Martin: I'm looking at a copy of the Vehicle Abatement Order issued on May 6, 2015 from Mr. Ross that clearly indicates "lacks current tabs; missing vital parts or dismantled; and appears inoperable, undrivable"

Mr. Krenik: the Buick Regal was missing a grill; that was the only thing, so that's not correct

Ms. Martin: at this time, the vehicles have flat tires & appear inoperable

Mr. Krenik: I'll be very happy to correct the flat tire; that's not an issue; they are properly licensed with the State of MN; that has never been an issue

-I think that the confusion was that the Buick Regal had expired tabs, which was brought up to code & my daughter took the car

Ms. Moermond: I'm going to recommend to the City Council that they deny your appeal; the 2 items that are new items in the Correction Order have been addressed; the other item pertains to the on-going conversation you've had with the Dept of Safety & Inspections (DSI); & the matter had already been decided by the MN Court of Appeals & Supreme Court; and I'm not going to re-visit it or recommend that the Council re-visit it; you are welcome to talk to the City Council about your own position the matter

Mr. Krenik: with the decision of MN Supreme Court, they talked about the blind screening or concealing it; this does do that; may I ask why you are denying it?

Ms. Moermond: your position is that it is screened; I'm not re-visiting the Summary Abatement Order; that is something DSI does; the Council heard your appeal; they denied your appeal; it is now in the dept's hands to enforce that decision; I cannot & will not re-hear an appeal of something that's already been handled; if you take issue with the dept's decision to enforce, I'm sorry but it has been decided; you can sue the city; you can I'm not re-opening the case

Mr. Krenik: the direction of the MN Supreme Court...

Ms. Moermond: that is your position; that is not position of..... I'm not rehearing something the Council's has heard, the Court of Appeals has heard, the Supreme Court has heard --- this is done; it's in the dept's

Mr. Krenik: this is different from what was before & this

Ms. Moermond: I don't believe that it's different; more to the point; more

Mr. Krenik: how so, by looking at those pictures?

Ms. Moermond: ... more to the point, it is not my opinion in this matter; it is in DSI's purview to enforce the Orders that were previously issued upon which the appeal was denied; if they find that you are still not in compliance, it's not an appeal I'm going to re-hear on the same Order; I simply do not re-hear appeals

Mr. Krenik: this is different

Ms. Moermond: no; it's not

Mr. Krenik: it is; it's concealed on all sides like you asked at the hearing; it's in the minutes here; it's in the minutes that we submitted to the Supreme Court; you said that it needs to be concealed on all sides; this is concealed on all sides; we followed your directive; you're just saying "no" for the sake of saying "no;" all I ask is to be fair & to have equal treatment as guaranteed under the Constitution; that's all I ask for; & I have tried to work with the city & I've gotten no direction; I've only been stone-walled; I have gone out of my way to follow to the letter what you brought up at the hearing that the vehicles be concealed on all sides; I built it to the city code & then I was told that it's not city code; & that it would be.

Ms. Moermond: I believe that Ms. Martin explained the dept's position on this matter

Mr. Krenik: *you're being very unreasonable*

Ms. Moermond: *that is something you can say; I don't believe that I am*

Mr. Krenik: *there's no way I can come into compliance with the City of St. Paul when you're not willing to work with this; I did what you asked*

Ms. Moermond: *I didn't make this decision; the Supreme Court made this decision; you took it all the way up there & that's the way it went; this is simply the city enforcing a decision that was already made; I'm sorry that the dept's choice is not to your liking; this is not something that I can have in front of me today*

Mr. Krenik: *(entered the courts' decision's) I have to give this to you; my attorney couldn't be here but he will be here for the City Council meeting; when we try to do what you asked - to have these cars concealed because one neighbor didn't like what she was looking at; and right across from this neighbor at 1301 Murray is her neighbor that has this pile of junk there; entered pictures; the piles haven't moved from when I was working with Insp Essling, who didn't want to deal with it; I've made several complaints on it & Mr. Essling.... (scanned); this neighbor thought that my tarped cars were an eye soar yet this pile of junk is sitting there & it's acceptable (?); it's a double standard*

-all I ask is to be treated fair & equally under the law, Ms. Moermond; & I have really tried to follow what the city has asked of these cars to be concealed; this vendetta of this neighbor, who Ms. Martin will attest to; I've gotten calls how many times with snow letters about snow on my sidewalk -- 8, 10 times (?) & my sidewalk was the first one on the block to be cleared; I'm not a deadbeat like I'm being made out to be here

Ms. Moermond: *Ms. Vang will scan those photos - they'll be attached to this record; they will also be forwarded to DSI; Ms. Martin has opened a complaint on that property*

Mr. Krenik: *I have 37 neighbors; my property was former railroad property & the neighbors thought that they could dump & do whatever they want to (& they still do); & I have worked very hard to keep it clean & nice; I have a couple of neighbors who feel they can call the city any time they want to; it's truly unfair; when you walk up & down the street, you can see the violation of these neighbors & nothing being done; I'm not calling the city tit for tat on all this stuff; it's just very frustrating when I have a nice yard; I've tried to comply with the city at concealing these following state law as it's written and interpreted by the MN Supreme Court & then, you, here today, tell me that you're denying it; I just*

Ms. Moermond: *I'm not denying anything; it's not in front of me today*

Mr. Krenik: *this is new because there was a complaint made about the vehicles; I got a Summary Abatement Order or a Correction Order; I put in the screening that the MN Supreme Court said was to conceal the vehicles; it's removeable so that I can take the cars out & put them back & put the screening back; I put a lot of effort into this; I'm not just trying to come here to give you a hard time; I want to resolve this & the only resolution that you've given me is to remove the cars*

Ms. Moermond: *Ms. Martin, you mentioned a couple different options*

Ms. Martin: *yes; we actually did; as long as the vehicles are operable (no flat tires & can start & move); he can either put regular plates on them or if he wants to keep them as collector vehicles again, he would need to re-view with his attorney, what the*

Court of Appeals & Supreme Court decision was to make sure that they meet the code on that

-I do believe that Mr. Krenik tried to contact City Attorney Theresa Skarda regarding an option to build a 5 x 6 foot temporary fence, which again, we explained that was not something that would be allowed under code restrictions in the City of St. Paul; I think he was advised by Ms. Skarda to contact his attorney; I can't speak on her behalf but this is where we're at

Mr. Krenik: how is this not in code?

Ms. Martin: the vehicles didn't appear operable with flat tires & the screen that you now have - did you go through Zoning to see if that was approved?

Mr. Krenik: I did call Zoning & I said that I was building a blind screening & they told me that I did not need a permit because they told me that what I had proposed was acceptable

Ms. Martin: do you know who you talked to?

*Mr. Krenik: I don't have it with me but I did talk to Zoning; & I have made the effort to do it within the code; it's just not something willy-nilly that I'm trying to do or pull over on anybody; I work with some very stressful situations & repairing my cars - working on the cars - that's my wellness; I work for the Dept of Corrections & I work with some pretty tough guys; that's my wellness; I'm just trying to comply with the city & every time I try to do something, I'm being told, "No; No; No;" then, I see other people down the block with collector cars or whatever & they're parked out all year round & nothing is ever said to them except for this one neighbor, who keeps calling on me
-Ms. Moermond, I don't want to come here & talk to you any more on this; I think you're a nice person but I don't like to be here under these circumstances; I'm trying to work with you; I'm not trying to be oppositional; I'm really trying....*

Ms. Moermond: this is not in front of me today; I cannot make a decision on this; this matter was decided long ago & it's in the dept's hands to enforce the Council's decision, which was ratified by the Supreme Court

Ms. Martin: this whole case started years before I came into the picture; the only thing I can go by is what I've been directed, which is to enforce what the Supreme Court had stated that these collector vehicles would be removed from the property; so,

Mr. Krenik: there's nothing in the Supreme Court that says they have to be removed; it says they have to be screened; that's what the Supreme Court said; there's nothing in the Supreme Court decision that says they have to be removed

Ms. Moermond: you asked for options; you were given options; the option you chose is not in the view of the Dept of Safety & Inspections, a code compliant option; the Council already made its decision on your appeal of the Summary Abatement Order & it is not going to be in front of them; all that we have in front of City Council is the Correction Order, which the dept has testified you aren't in compliance with; so, I have nothing to add

Mr. Krenik: the only thing I have to add is over the last several weeks, I wrote numerous emails to Mr. Magner & others, using the wording from the MN Supreme Court decision, I asked if this would be acceptable & I got no reply from the City of St. Paul; Mr. Magner did not reply nor did anyone else (entered copy)

Ms. Moermond: I think you've received the answer today

Mr. Krenik: I'm willing to work with DSI to resolve this issue & to come to an understanding based upon the Supreme Court decision; the Supreme Court decision did not say to remove the cars; they said.....

Ms. Moermond: you were given several options & I'm hearing the same thing over & over again

Mr. Krenik: can I have an opportunity to talk to the powers that be in a face to face meeting - to talk with them so that we can resolve this issue?

Ms. Moermond: I don't have any control over DSI

Mr. Krenik: Ms. Martin, is that an option?

Ms. Martin: here again, what I'm looking at is the SA Order on the vehicles that says it has to be in compliance or the city will tow the vehicles; that Order was sent to you by Mr. Ross, if you look back at those Orders

Mr. Krenik: reading that, it says that they have to be sufficiently screened & they are sufficiently screened; the Amended Order says, "This VA Order has been amended in two regards. It hereby cites city Legislative code 63.114 which defines visual screens (which I have right there-6 ft screening) which is in addition to the MN Statute listed above, the full text of city Leg Code is available on the Internet;" I have complied with what he had asked for; this visual screening is city code

Ms. Moermond: that is your position; DSI clearly disagrees in saying that it's not a code compliant solution; they've provided options for what is code compliant; I have nothing else to offer on this matter

Mr. Krenik: so, even though I followed all what's written in the Amended VA Order....

Ms. Moermond: the VA Order is not in front of me today

Mr. Krenik: it's the same issue

Ms. Moermond: it's not in front of me today

(continued arguing)

Ms. Moermond: Mr. Krenik, I'm done with the hearing; I suggest you bring your case to the City Council

Deny the appeal for the vehicles under the tarp. The vehicles parked on grass have been abated.

Referred to the City Council due back on 4/25/2018

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

7 [RLH VO 18-11](#)

Appeal of Prenesse C. Hamilton to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 686 IGLEHART AVENUE.

Sponsors: Thao

Prenesse C. Hamilton, owner, appeared.

Supervisor Lisa Martin: Ms. Hamilton's been in hearings before; we've had issues with overflowing garbage, clean-ups, etc & to date, I don't have proof that there is garbage service; we did do an Emergency Summary Abatement Order on the property & alley -I had issued Orders to provide garbage service but the appeal was filed & I was not able to provide that garbage service from the city; I'm waiting to find out if she has been able to get garbage service

-the property is in very poor condition; it's under tax forfeiture right now; on Mar 27, 2018, we issued a Notice of Condemnation Unfit for Human Habitation; they were heating the home with the oven; there were no smoke detectors/CO alarms; there were issues with maggots; they've stripped out all of the carpeting; it's one of the longer Condemnations that we've done

-I contacted St. Paul Fire Dept & they went out and installed smoke/CO detectors for some measure of safety while we're under the appeal process

-I'm not sure if the furnace/heat has been resolved; I spoke with Lauren Lightner, Ramsey County House Calls & tried to get services set up; she said that at this time, there were no services being accepted by them

-Ms. Hamilton is caring for her father, who is in a home for hospice care; we need to come to some conclusion on how these violations are going to be resolved

Ms. Hamilton: right now, my father was fighting for his life in Dec-Jan; we got thru that & he's still in hospice; I'm in the process of selling the house; the house was overwhelming for me; it was just me, my triplets & my dad at the house; my triplets are 16 years old with ADHD

-what it came down to is that I sold the house; I was going thru Edina Realty, Brian Parker; it was all too much for me

Ms. Moermond: I'm wondering where in the tax forfeiture process are you?

Ms. Hamilton: it is still coming; hasn't happened yet; I have a Purchase Agreement; closing/move out day is scheduled for Apr 27, 2018

Ms. Mai Vang: there is a TISH on file (Apr 3, 2018)

Ms. Moermond: what's going on in the basement?

Ms. Hamilton: there's one bedroom down there; a bed was just being stored down there; the teens have bedrooms upstairs

-the house was just too big; too much

-my father has dementia; he went outside & brought in a bag of garbage & maggots were everywhere; I didn't know that we had to have a permit to strip the house; or a permit to move stuff; I didn't know anything about this; I've never been a home owner; I was just doing the best that I can for my father - keeping him going & being there for my kids; it's a lot of work

-I want to be somewhere where I can be comfortable & continue to take care of my father & kids

Ms. Moermond: item #9 - Emergency escape & rescue openings; Ms. Martin, tell me

about your observations

Ms. Martin: photo of bars on all of the lower level windows; her father was down there in that lower level bedroom

Ms. Moermond: are those bars releasable?

Ms. Hamilton: I don't know; all I know is that I was raised in that house; I don't know anything about the walls & the bars - anything like that; if he's been there that long, it must have been OK; this is all new to me

Ms. Moermond: you're got to be able to get out of a room is there's a fire

Ms. Hamilton: I don't know what my dad fixed on the house; all I know is that I was there taking care of him; doing what I can as a daughter; I don't know about stuff like that

Ms. Martin: there's also 3 bedrooms upstairs; there are also 2 kitchens: 1) in basement; and 2) on main floor; we couldn't open the front door because her father has dementia; he's a walker; there's some type of locking mechanism on the front door

Ms. Hamilton: we are moving to a place that's handicapped accessible; it's all set up -I'm packing stuff up; my father is with me & my 3 daughters at my friend's house; she's letting us stay there until I can move into our new place; I just need more time to get our stuff out

Ms. Moermond: there's nothing preventing you from being in that house to do work from 8 am - 8 pm

Ms. Martin: we just need a plan for the garbage or anything that's left; we did an emergency abatement-clean-up of the property; there will be some charges

Ms. Hamilton: I was told from Edina Realty to leave it up to the new owners -my father has bills, back taxes, etc; how is that taken care of; I don't know

Ms. Moermond: when you sit down to close on the house, the title company at the table will have figured out all of those numbers & they will deal with all of that

Supervisor Leanna Shaff: suggested that Ms. Hamilton ask House Calls about programs for Elder Care

Ms. Moermond:

Deny the appeal, noting that the owner/tenants are no longer residing in the home.

Referred to the City Council due back on 5/2/2018

8 [RLH VO 18-12](#)

Appeal of Shalehta Marx-Larson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 610 JESSAMINE AVENUE EAST.

Sponsors: Bostrom

Shalehta Marx-Larson, new owner, appeared.

Revocation of Fire Certificate of Occupancy/Order to Vacate

Fire Supervisor Leanna Shaff: this has been a long process; Ms. Marx-Larson has worked extremely hard to not only come into compliance & clean-up the property but also thru a partnership with Ms. Marx-Larson; Erica Minus, House Calls; Inspector Brian Schmidt; myself & countless nameless others, we've come to a point today where this is no longer an issue before us
-originally, it was a duplex under the Fire C of O; the former owner, Mr. Kim, lived in Hawaii; he was not a very present landlord; hands-off landlord, who expected Ms. Marx-Larson, occupant, to take care of anything that may happen; there were numerous issues inside & outside; and through a series of inspections & the help from House Calls, etc, we've been able to bring the home into reasonable compliance; there's still work & everyone is still working together but as of last week, although the paperwork still hadn't been changed, I believe that Ms. Marx-Larson has filed ownership with Ramsey County

Ms. Shaff: it is no longer a C of O property

Ms. Moermond: it is now owner-occupied; OK

Ms. Shaff: but I would like to continue to work with Ms. Marx-Larson on compliance, if that's possible; or at least, be involved

Ms. Moermond: let's keep Supervisor Seeley apprised of what's going on; I'm satisfied as long as she knows

-your appeal on the Order to Vacate is granted; you were pretty much Withdrawing it anyway & you can continue to work on your Work Plan with Fire C of O staff to get those items addressed

-we have a solution

-City Council Public Hearing Apr 25, 2018

Grant the appeal on the revocation and order to vacate, noting the orders will be converted to standard Correction Orders.

Referred to the City Council due back on 4/25/2018

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 9 RLH FCO 18-45** Appeal of Joseph Simmonds to a Fire Inspection Correction Notice at 949 CONWAY STREET.
- Sponsors:** Prince
- Joseph D. Simmonds, owner, appeared.*
- Fire Supervisor Leanna Shaff: Fire Certificate of Occupancy Correction Notice - inspection conducted by Fire Inspector James Thomas on Mar 12, 2018; list contains 7 Orders*
-appealed today is item #7: Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.
-here, the bedroom upstairs from the west side goes through the bedroom on the east side; one of these rooms cannot be used as a sleeping room.
-photos

Mr. Simmonds: there are 3 rooms upstairs; one room to the south & adjoining rooms on the north addition of the house, one facing east & the other facing west
-I didn't know this would be an issue for renting out the house
-the mom was in the south bedroom; the boys were in the west bedroom & the girl was in the small east bedroom
-originally, the house had only 1 bedroom; then someone put on a north addition
-the inspector suggested I put a door into the room from the landing; however, the chimney is in the way & that wouldn't be possible

Ms. Moermond: suggested a hallway but that would eat part of the east bedroom, which is only 10 x 10 & it would no longer be a legal bedroom only a large closet
-asked Ms. Shaff her position on a bi-fold door, if a certain portion of the wall is open; maybe we can talk with the bldg official (?) I want to sort this out with Steve Ubl
-one of the ways to resolve this beside just stopping to use one of the rooms for sleeping is to have more than 50% of the wall open between the two; is there a way to do that in a way that would still provide a partition between the spaces?
-this is a tough one
-this hasn't been called out in the past; is listed as a 2+ bedroom house

Ms. Shaff: accordion doors; it's pretty hard to latch them shut without being able to get thru them; the whole idea is to prevent people from being trapped in a room during a fire, etc.

Mr. Simmonds: the door connecting the east & west bedrooms is in the middle of the wall

Ms. Moermond: we will continue this hearing for 2 weeks; Mr. Ubl will review it with the Fire Code people; we will have specific information to talk with you about

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 4/24/2018

10 [RLH FCO 18-50](#)

Appeal of Lee Bellefeuille to a Fire Inspection Correction Notice at 869 JESSIE STREET.

Sponsors: Brendmoen

Lee Bellefeuille, owner, appeared.

Fire Supervisor Leanna Shaff: Fire Certificate of Occupancy Inspection conducted on Mar 26 by Fire Inspector George Niemeyer; 9 deficiencies; not sure what the question is on how to fix the deficiencies

Mr. Bellefeuille: I'm acting for my son who owns the property; his name is Phillip Bellefeuille; he is renting it to his sister, Laura, who has 2 children, one, age 20, is bipolar; the other, age 18, is autistic; he is renting it to her at a reduced rate to try to help her out; she is having a terrible time
-some of the deficiencies I agree with (smoke detector that wasn't in place; missing door knob on door to basement)
-I have pictures of the other deficiencies that I'm questioning; they are number as to their deficiency

Ms. Shaff & Ms. Moermond reviewed the photos (scanned)

Ms. Moermond: #3 - maintain window glass; needs new glass pane
-#4 - repair, maintain ceiling in an approved manner; cracks which might be the result of water damage; patch/repair

Mr. Bellefeuille: the house is over 100 years old; how do these deficiencies effect the Fire Code?

Ms. Shaff: we also enforce the city's property maintenance code

Ms. Moermond: #5 - broken sash; the windows need to stay open on their own (bedroom) - replace sash cord on the sash; option: clips can go in these tracks; option: replace windows, if necessary; a trip to Ace Hardware or Home Depot may do the trick

Mr. Bellefeuille: Laura works part time (20-25 hours/week)

Ms. Moermond: #9 - wall
-perhaps, at one point in the past there was some water damage
-deadline for getting the glass pane, window sash cord fixed & the door knob/latch: 4 weeks to May 8, 2018
-deadline for the rest of the items: 3 months to Aug 1, 2018

Mr. Bellefeuille: we'll have to hire the patch work done
-maybe we'll get a new door or new knobs; the basement stairway is so narrow - you can't get a regular size washer/dryer down there

Grant to May 8, 2018 for the missing latch and knob, window glass & broken sash cord (Items 2, 3 & 5); grant to August 1, 2018 for the remaining items.

Referred to the City Council due back on 5/9/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 11 [RLH VBR 18-19](#) Appeal of Louis Yanez to a Vacant Building Registration Requirement and Summary Abatement Order at 740 WASECA STREET.

Sponsors: Noecker

Louis Yanez, his wife & their daughter, appeared.

Ms. Moermond: I got a call from Maria Weatherall, Veterans Services; she wanted to know what was going on; I briefed her

Supervisor Matt Dornfeld: brief timeline:

*-Certificate of Occupancy was Revoked by Fire Inspector Dan Klein on Oct 3, 2017 for long-term refusal to allow access to the property
-Nov 3, 2017 - access was allowed; Insp Klein created a lengthy deficiency list
-Nov 29, 2017 - an appeal was filed
-Dec 6, 2017 - Ms. Moermond heard the appeal & granted a 2-week extension
-Dec 19, 2017 - the Appellants were back at LH & were granted until Feb 1, 2018 to finish the deficiency list & to have the owners title changed with Ramsey County*

-Feb 13, 2018 - per Ms. Moermond: ownership must updated & the list completed by Apr 1, 2018 or the property must be Vacated

-Apr 1, 2018 - per Insp Klein: none of these things had happened; the property remained occupied; he transferred it to the Vacant Building Program

-Apr 2, 2018 - Officer Dave Quast, Inspector Klein & I met at the property, which was occupied; we advised the tenants of their rights & options & asked them to gather their belongings & Vacate, which they did in a timely manner; I posted VB placards & issued a Summary Abatement Order for trash, junk, etc; that enforcement is stayed because I believe they also appealed the SA; so, I don't know whether or not that has been cleaned up

Mr. Yanez: the trash has been removed; we just have the trailer in the back

Ms. Moermond: 2 things going on: 1) you had to finish the probate; and 2) you had to get the property switched into your name, which you couldn't do while there were past due property taxes

Mr. Yanez: right; our counselor thought she could help us out; might be here today but I haven't heard anything from her; we are in the process of cashing out mom's certificates that were found in a file cabinet; we're in the process of verifying that we're beneficiaries; should take about 2 weeks, they said

Ms. Moermond: what kind of certificates?

Mr. Yanez: Honeywell, LyonTech, _____ stock certificates

Ms. Moermond: you have things cleaned up in the yard except for a trailer that's frozen in that should be loosened up on Thu when it's going to be a warm day; let's give you a deadline for getting that taken care of; & I'd like to give you a 90-day waiver on the VB fee so you'll have a little bit of time to get things corrected before the VB fee kicks in -if you get this property put into your name, it will be owner-occupied & the Fire Certificate of Occupancy stuff is off the table so, ...

Mr. Dornfeld: the most recent set of Orders is from Feb 13, 2018

Ms. Moermond: when I read thru these Orders, I think that these things need to be done but I'm not seeing anything that would require a code compliance inspection

Mr. Dornfeld: I agree with that

Ms. Moermond: so, I'd like to convert these Orders into Code Enforcement Orders & give you a 90-day waiver on the VB fee; & if you can get this property into your name within that 90 days, we'll get you out of the VB Program & these Orders will be converted & a different inspector, who works with owner-occupied property, will follow-up on them

-with that money, you'll be able to deal with the dryer vent; the other things are more odds & ends

Mr. Yanez: most of them are done

Ms. Moermond: if it goes longer than 90 days, we'll be having a longer conversation; it will be coming forward as a tax assessment

-trailer deadline: Mr. Dornfeld or one of his staff will check it out on Mon; get it done by Mon & the yard cleaned up; then neighbors aren't annoying

*-get those taxes paid & get that title changed; then you can move back in
-gave him a couple copies of the updated Feb 13, 2018 deficiency list*

Ms. Yanez: we were working with a lady a Neighborhood House ?

Mr. Yanez: she gave us a number for an attorney & we're waiting for him to call back

Ms. Moermond: recommended calling Southern MN Regional Legal Services (SMRLS)

Ms. Yanez: that's who I called; did the intake over the phone

Ms. Moermond: follow up with SMRLS; if they don't assign an attorney from their office, they work with attorneys from other offices, too, ones who do pro bono work; they will guide you thru this legal process

Grant to Monday, April 16, 2018 to remove the trailer; waive the vacant building fee for 90 days for appellants to get title transferred to their names. If the title transfer happens within this time (to be confirmed by the Legislative Hearing Officer), the fire orders will be converted to Code Enforcement Correction Orders and the property may be re-occupied.

Referred to the City Council due back on 5/9/2018