



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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651-266-8585

Tuesday, July 17, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 18-28](#) Ordering the rehabilitation or razing and removal of the structures at 1332 DAYTON AVENUE within fifteen (15) days after the August 15, 2018, City Council Public Hearing. (Amend to remove or repair within 180 days)

Sponsors: Thao

Mark Ronea, ESSO, appeared.

Ms. Moermond: I have Red Dirt Lending LLC showing up as an owner; how does this connect to Red Dirt?

Mr. Ronea: Bristol Properties owns the property; just happened the end of Jun 2018

Ms. Moermond: that would have been an illegal sale

Mr. Ronea: Red Dirt Lending was the first lein holder; Bristol Properties was the 2nd lein holder & I partnered with Hendrei who took the property back; Hendrie owns Bristol Properties; Red Dirt didn't get paid off; I'll be doing the rehab on the project; I'm not sure who Beneficial Investments LLC is

Ms. Moermond: Beneficial show up in Jun on a code compliance report & they show up as an owner with the county

Mr. Ronea: I believe they're the ones who lost the property..... ?

Ms. Moermond: Bristol didn't show up in the Ownership Encumbrance Report - they didn't have their name in the title chain & Red Dirt did (?)

Mr. Ronea: I believe Bristol came in later in the process; they stopped making payments to Red Dirt when the foreclosure process started; I'm sure when things got recorded

Supervisor Steve Magner: Summary

-The building is a two-story, wood frame, duplex with a detached, two-stall garage on a

lot of 4,792 square feet. According to our files, it has been a vacant building since March 12, 2012.

-The current property owner that we have listed is Red Dirt Lending LLC per AMANDA and Ramsey County Property records.

-On April 18, 2018, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 25, 2018 with a compliance date of May 25, 2018. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$72,000 on the land and \$58,000 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees were paid by assessment on March 30, 2018.

-A Code Compliance Inspection was done on June 22, 2018.

-As of July 16, 2018, the \$5,000 performance deposit has not been posted.

-There have been fourteen (14) SUMMARY ABATEMENT NOTICES since 2012.

-There have been eleven (11) WORK ORDERS issued for:

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

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish exceeds \$20,000.

-looking at our paperwork, Allen & Pearl McIntosch Federal, dated May 24, 1967, in the amount of \$15,150; then, there was a mortgage executed by Allen & Pearl McIntosch in favor of Pay Setter Products Inc, dated May 6, 1981 & filed ___ 10 for the amount of \$6000; then, we skipped fwd to Combination Mortgage Security Agreement & Fixture Financing executed by Beneficial Investments LLC in favor of Red Dirt LLC on May 11, 2016, filed on May 25, 2016 in the amount of \$199,615; so, at some point, Beneficial Investments becomes the owner; then, there's a collateral assignment of that mortgage by Red Dirt LLC dated in May 2016; then, the above mortgage document has been assigned to Red Dirt in Sep of 2017; then, in Oct, there's a Notice of Pendance, Power of Attorney, obviously a foreclosure going on; then, a request for ___ any mortg foreclosure ___ in Oct; this is done by Red Dirt; so, Red Dirt is in the process of foreclosing that mortgage; it would go back to Beneficial; then the above mortg has been foreclosed & the premises were sold to Red Dirt Lending by a Sheriff's Certificate on Dec 20, 2017; as of Dec 2017, Red Dirt is the owner of the property; at some point, Red Dirt owns this property; I don't see where Mr. Grant could Mr. Grant have bought the Certificate from Red Dirt? it's possible

Ms. Moermond: did that happen after Apr 25?

Mr. Magner: that question we'd have to discuss with our attorneys because if there was a chain of mortg companies.....; it seems like Red Dirt, who was noticed on the Order to Abate, had cleared the title & held possession of the property - if they'd sold it after the Order to Abate, that would be a non-qualified sale; we need to know how if you're getting it from Hendrie, how did Hendrie get it from Red Dirt; and Mr. Grant is certainly someone who's not aware of the laws/requirements of the City of St. Paul

Ms. Moermond: him not being here is the problem

Mr. Ronea: this is my first Cat 3 home

Mr. Magner: moving fwd, we would need some type of explanation of how we got to this point

Ms. Moermond: as of 2 weeks ago, the county had Red Dirt Lending as being the owner of record; I need to see a contractual agreement between the actual owner, Red Dirt & the entity that wanted to do the rehab; that title would not transfer until the rehab were completed

Mr. Magner: the problem here is if you're partnering with Hendrie, I don't know that it's recorded because Ramsey Co still shows Red Dirt as the owner

Ms. Moermond: we can only talk to the owner about doing the rehab

Mr. Ronea: I did come with a Scope of Work (scanned); he plans to spend \$120,000; we have sufficient funds & are ready to start now; I did a lot of leg work preparing for this

Ms. Moermond: we don't have the \$5000 perf dep posted yet; we need that before any recommendation for rehab is made; has someone been maintaining?

Mr. Magner: Jun 4-TGW Apr 27-boarding; snow/ice in Feb; TGW in Sep & Jul 2017; it's been a VB since Mar 2012

Mr. Ronea: it's structurally sound; he entered proof of funds & a statment from Mr. Grant (scanned)

Mr. Magner: Beneficial went thru Sale Review in 2016; the city needs clarification; how did Mr. Grant end up holding the property becauseis he Red Dirt?

Ms. Moermond: I will continue this to Jul 31, 2018 LH; I need an affidavit from ESSO; I need Mr. Grant's contact info; CCPH Aug 15, 2018

Mr. Ronea: I'll call back with Mr. Grant's contact info.

Ms. Moermond:

Continued to July 31. The following conditions must be met in order to receive a grant of time:

- 1. 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;*
- 2. A revised detailed work plan or sworn construction statement which includes timelines for completing the work required in the code compliance inspection report 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). The City estimates the cost to repair to be \$75,000. Your bids indicate the cost will be approximately \$115,000.*
- 4. 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. Also, please clarify if the Esso account funds will be*

used for this project or another source. We will need updated account information in both cases.

5. If owner wants to sell the property to the person or organization rehabilitating the property, the agreement between these parties must be approved by the City. This will be a contractual agreement which must stipulate that the purchaser will be undertaking the rehabilitation of the property while the property is still owned by Red Dirt Lending, in order to be in compliance with City Codes pertaining to the transfer of nuisance/dangerous properties; and

6. the property must be maintained.

Laid Over to the Legislative Hearings due back on 7/31/2018

2 [RLH RR 18-29](#)

Ordering the rehabilitation or razing and removal of the structures at 769-771 UNIVERSITY AVENUE WEST within fifteen (15) days after the August 15, 2018 City Council public hearing. (Amend to remove within 30 days)

Sponsors: Thao

*Mandy Pant, Project for Pride in Living (PPL) ADYC LLC, owner, appeared.
Dan Bayers, Planning & Economic Development (PED), also appeared.*

Steve Magner, Code Enforcement Manager: Summary

-The building is a two-story wood frame duplex on a lot of 23,087 square feet. (clarification: this originally did not have 23,087 sq.ft; over time, the adjoining properties have been razed & there's a lot of history with this property; I remember being there in the 90's dealing with it; it is now, surrounded by vacant parcels, which have been combined for future development.) According to our files, it has been a vacant building since February 11, 2016.

-The current property owner is PPL ADYC LLC per AMANDA and Ramsey County Property records.

-On April 12, 2018, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 25, 2018 with a compliance date of May 25, 2018. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$579,500 on the land and \$88,100 on the building.

-Real estate taxes are current.

-The Vacant Building registration fees were paid by check on March 1, 2018.

-As of July 16, 2018, a Code Compliance Inspection has not been done.

-As of July 16, 2018, the \$5,000 performance deposit has not been posted.

-There have been nineteen (19) SUMMARY ABATEMENT NOTICES since 2016.

-There have been fifteen (15) WORK ORDERS issued for:

- Garbage/rubbish

- Grass/weeds

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

-it is our understanding that there is targeted new development & the property's going to be razed; part of the problem were having is site control; I know that the site was previously looked at & something should have happened a number of years ago; then, things happened so they didn't; I don't know why this has become such a dumping ground but we are having a lot of problems out there

Ms. Moermond: the photos seem to show evidence of break-ins, perhaps squatting in the house; I don't see squatting, break-ins or boarding listed among the nuisances here in the past couple of years

Mr. Magner: we have done contracted boarding in Apr 2018 & in Mar 2017

Ms. Pant: PPL acquired the bldg on Jul 11, 2017

Mr. Magner: I don't believe that PPL is putting all those things out there; they are leaving them there - not taking them away; SA's were sent to PPL

Ms. Pant: we have somebody going out there every week to clean it up but people just keep dumping - it's amazing; we want to tear the bldg down

Ms. Moermond: that's the plan; staff are estimating the cost to raze the bldg at \$20,000; excluding hazardous abatement, which could cost an additional \$1500 (approx); what's your timeline?

Mr. Bayers: the city is involved because the developers requested financial assistance from the city; we went to the HRA Board, allocated some resources for this project; the developer finalized the bid, which came in a little higher than anticipated

*Ms. Moermond: PPL ADYC is a limited partnership for purposes of this project but you are separately operating non-profits (?) Ms. Pant: yes
-so, you, Mr. Bayers, got requested by this partnership for the city to assist - went thru HRA*

Mr. Bayers: the bids for the development of this project came back higher than anticipated; this project is a 22-unit efficiency to assist homeless youth with an emphasis on Native American youth; they had all the funding together except that the bids came in higher than anticipated so they asked the city to assist to help fill that gap; the city agreed to do that; we're going to the HRA Board on Jul 25 to request additional funding; if approved at that time, the project will be fully funded & we anticipate closing sometime around Sep 1, 2018; once closed, the bldg will be removed & the site will commence with the environmental clean-up, which will begin a week after

Ms. Moermond: how much are you asking from HRA?

Mr. Bayers: they're asking us for additional tax credits & that ends up being about \$194,555 annually for a period of 10 years

Ms. Pant: it depends on the pricing at the time; about \$900,000

Ms. Moermond: what if there's a delay in the HRA's consideration & you aren't able to move forward in Sep? what's the plan?

Mr. Bayers: if the HRA does not approve this additional funding,..... the tax credits we're requesting are 2018, so they have to be used this year; technically, we can push them back to 2019 but they are 2018 tax credits that we can use this year; so, we do anticipate allocating them at this time

Ms. Moermond: is there money right now to remove the bldg if there's a delay?

Ms. Pant: we have grants from Met Council to remove the bldg

Mr. Bayers: Met Council has approved those funds; City Council has accepted those funds; we're in the process right now of finalizing the loan documents for those funds; in most cases, we would close at the same time that we'd close all the financing on the project

Ms. Moermond: so, closing is on Sep 1 if approved by HRA on Jul 25; City Council Public Hearing is on Aug 15, 2018; we'd have good information right before that Council meeting; let's touch base on Aug 14, 2018 at 9 am & put together a plan of action; CC Agenda will list a Resolution that will say "remove/repair within 15 days" - boiler plate language that will be amended based on our conversation on Tue, Aug 14, 2018

Mr. Magner: has the total site been acquired now?

Ms. Pant: yes, we're done with the acquisition

Mr. Magner: the original vision by the previous developer was to expand a little more

Ms. Pant: that's not in our scope

Ms. Moermond:

Continued to August 14 LH with a August 15 PH.

Recommendation is forthcoming. If owner wishes to pursue with demolition, the City would need to see a signed contract with a licensed demolition contractor.

Referred to the City Council due back on 8/15/2018

3 RLH RR 18-30

Ordering the razing and removal of the structures at 877 WOODBRIDGE STREET within fifteen (15) days after the August 15, 2018 City Council public hearing.

Sponsors: Thao

Steve Magner, Code Enforcement Manager:

-The building is a two-story, wood frame, duplex on a lot of 3,049 square feet.

According to our files, it has been a vacant building since November 6, 2007.

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

-On April 11, 2018 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on April 19, 2018 with a compliance date of May 19, 2018. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$7,700 on the land and \$89,600 on the building.

-Real estate taxes for 2017 are delinquent in the amount of \$5,399.11, which includes penalty and interest. -Taxes for the first half of 2018 have not been paid. The property is scheduled for tax forfeiture July 31, 2019.

-The Vacant Building registration fees were paid by assessment on December 4, 2017.

-A Code Compliance Inspection was done on February 2, 2012 and has since expired.

-As of July 16, 2018, the \$5,000 performance deposit has not been posted.
-There have been twenty-six (26) SUMMARY ABATEMENT NOTICES since 2007.
-There have been seventeen (17) WORK ORDERS issued for:
-Garbage/rubbish
-Grass/weeds
-Snow/ice
-Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$20,000.
-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Ms. Moermond: it's been a Reg VB for 11 years; taxes stopped being paid a few years ago - will forfeit next year; code compl done in 2012, 6 years ago, ordered by Ling Jian Zhou; no perf dep; city has done a lot of maintenance; photos show that it's an extremely dilapidated structure; appears abandoned; some permits in 2012

Remove the building within 15 days with no option for repair. (No one appeared.)

Referred to the City Council due back on 8/15/2018

10:00 a.m. Hearings

Special Tax Assessments

- 4 [SR 18-103](#) Review request of Owner, Lynn Fagerness, dba Amadeus Holdings LLC, to a Ratification of Assessment File RLH AR 18-5, adopted by City Council on February 28, 2018, for property at 1119 RAYMOND AVENUE 2. (File No. VB1805, Assessment No. 188804)

Sponsors: Henningson

Lynn Fagerness, dba Amadeus Holdings LLC, owner, appeared.

Ms. Moermond: I talked with Judy Hanson, Litigation Division, City Attorney's Office; it is my understanding that you've appealed the assessment associated with the Vacant Building Registration at filed at District Court because you did not receive a letter that there was a pending assessment & therefore, did not have the opportunity to address the City Council about why you thought you shouldn't have to pay that VB fee; that you have a hearing in Aug & today, we're establishing a record & giving you an opportunity go forward to the City Council

Supervisor Steve Magner, Code Enforcement Manager: a VB file was opened on Jun 7, 2017; a letter was generated on Jun 8, 2017 - a Vacant Building Registration Notice; a warning letter was sent out Jul 10, 2017; after that, the fee had not been paid during the first 30 days; on Jul 26, 2017, the Supervisor for the West Team put in a 90-day VB fee waiver to allow Team Inspection to be completed & permits to be pulled to bring the bldg into compliance so that the Certificate of Occupancy could be issued for the units; on Oct 24, 2017, a warning letter was sent out indicating that the property is not in compliance - still a Registered VB & that the VB fee now needs to be paid; that fee wasn't paid & so the Oct assessments were processed & left our office & went to the assessment role; my understanding is that a letter would be sent out with a gold

postcard to the responsible party/owner & they would be given the opportunity to submit that postcard back to the city indicating that they wanted to appeal; because no one showed up for that appeal, the assessment was processed along with the other assessments & sent to taxes; that's how we got here

Ms. Moermond: you are the owner of Amadeus Holdings LLC; your address is PO Box 3074, Burnsville, MN 55337-8074 (the address of record; it's on the VB Reg Notices & our assessment role); you did appeal the Vacate Order on this property when the C of O was Revoked; you told me that the previous owner had done a fair bit of work without permits; a code analysis/architectural plans would provide a map of how to bring this bldg into compliance; to the best of my knowledge, no plans were submitted to DSI & no permits have been pulled

Ms. Fagerness: I didn't get that last letter with the gold postcard; I've been working on the bldg-renovating - work that did not require permits to be pulled; I had an architect come through & he said that it was structurally sound; there was nothing that he could do; my understanding from your direction was that I should order a code compliance inspection, which I did on Sep 26, 2017; the trades inspectors came when I was there; they hadn't given me any warning; I had a company, Home to Home, that was going to do the work; at that point, they were waiting to get their contractor's license from the State of MN; then, they'd pull the permit; they are interested in doing the work but they haven't put me on their schedule; it's been a very long time; I keep contacting them but they don't return my phone calls; so, I'm started contacting other contractors - all are over-booked; - say they can start on Xdate but when that date comes, they continue the delay; then after they've dragged me along for a few months they say, look, we're not going to be able to do the work; then, the next company does the same thing; I've done as much as I can do

Mr. Magner: you can't do the work in the other units that you do not inhabit; the other units need licensed people to do the work; there's very significant work that needs to be done; I'm concerned with your appeal on the 2017 VB fee; we gave you time; we need to be reimbursed; also for the 2018 VB fee, which is due

Ms. Moermond: have you received the VB renewal Notices & are you going to appeal those? If you would have gotten the letter, what you would have said, "I'm trying to get this done but I feel like I've been getting the run around from a bunch of contractors so I shouldn't have to pay the fee;" I'm putting words in your mouth; is that what you're saying?

Ms. Fagerness: yes

Ms. Moermond: but you're in the Program for the entire year and to get out of the VB Program you need to get your Certificate of Code Compliance or your Certificate of Occupancy; are there any notes in the file, Mr. Magner?

Mr. Magner: the VB inspector has been going out every 2-3 weeks; the bldg is secure, maintained; there's no SAs; it's the requirement of the property owner to register the property & pay the VB fee

Ms. Fagerness: Inspector Gavin came by one day while I was there; he said that this property was always good; I didn't have to worry about it; I took that as a good sign -I have a list of other contractors; they find it a challenge when they see the long list; no one wants to take on the job; I have the funds

Ms. Moermond: you were in the VB Program for 1 year; if you would have gotten your code compliance inspection earlier, I could have cut down the fee; now, it's difficult for me to cut the fee; I can't prorate; I don't know who your prospects are; if you can get it done in 90 days (Sep 7); I would delete the 2018-2019 VB fee or prorate; & I can recommend dividing payments over time; it's the best option I have now

Approve and spread over 5 years. Preparing new resolution to amend File No. AR 18-5 to go to PH on 7/25.

Received and Filed

11:00 a.m. Hearings

Summary Abatement Orders

5 [RLH SAO 18-39](#) Appeal of Elizabeth G. Burr to a Summary Abatement Order at 2025 FAIRMOUNT AVENUE.

Sponsors: Henningson

Elizabeth Burr, Owner & Phillip Freeland appeared.

Lisa Martin:

-on June 28, order was issued to Elizabeth Burr. It was to cut and remove overgrown vegetation throughout the yard, compliance date was for July 16. I spoke to Ms. Burr regarding the property and photos in file as well. I can't even see the address numbers so I didn't call it out. I am hoping once everything is trimmed back, I will be able to see the numbers. We talked about rodent harborage. She said she has a few mice coming into the house but they're contained. I did sent out a more detailed description for some of the things we are looking at, back yard is very good.

-she has done a lot of work in the front yard and is pretty close to come into compliance but needs a little more work to be done.

-current photos this morning.

(Lisa Martin showing photos to Ms. Moermond and explaining photos)

Ms. Burr:

-I also took some photos taken yesterday

Ms. Moermond:

-from looking at this, we have some trimmed down and path has been cleared?

Ms. Martin:

-yes.

Ms. Moermond:

-please forward photos to record.

-asking why appealing and what she is looking for

Ms. Burr:

- I can deal with and I understand about clearing walks and sidewalk and clearing the street to the house. I get that. I think I pretty much comply with that. And the other part I was bit overwhelmed. This was my husband's garden. He died and I didn't know how to garden. Last summer, I had to do the garden without him. I had medical issue

and was gone for 10 days. I came back and the garden was up in the sky and then I got the abatement order. I want to keep my native plants and my flowers, my rose bushes.

-I understand the boulevard has a different code for it.

-husband won a native garden award in 2015

Ms. Moermond:

-you got it trimmed down but the boulevard still seems to be a problem.

Ms. Burr:

-the east blvd is good. The western side has my rose bushes.

-in the past, the inspector has allowed us to keep them.

-I have cut them down and can be cut down further.

Ms. Martin:

-there seems to be a large bush somewhat tree in that blvd, purplish leaves.

Phillip Freeland:

- I attend church with her and know she was under a lot of stress so I went to chat with her. I have son who is 19 and was looking for some work and she asks him to help with the garden.

-I have a wild garden myself and was featured in the Star Tribune

- I felt I have some qualification to help Eliza. This was a garden that went out of control and that is huge job to put back into control. I have been spending time over there guiding my son and all and what might be able to be done. Our first issue was to address the the boundaries

- the 2nd issue was relative to the blvd area which was overgrown

-she tried to maintain which was had been started by her husband and trying to bring back into control with the City. The plants became the focus.

-I have two pages here identifying the wild flowers there growing in her yard.

-I have been trying to find these plants and make sure to create new spaces.

-We are making good progress on it.

-She is very concerned about the rose bush/tree on the west end of the blvd, been there for a long time. Some consent from earlier that the rose bush can stay there.

-what we are dealing with is not a typical yard but it's a garden.

Ms. Burr:

-I have 2 appts with arborists. there is a berry bush up to the roof line and I am trying to trim down.

[LHO looking at photos with Ms. Burr and Mr. Freeland]

Ms. Burr:

-the large rose bush is in the boulevard

Ms. Burr:

-yes

-photos showing that the first issue has been taken care of.

Ms. Moermond:

-continue this matter for a month as long as she continues to make progress.

Continued to August 21. Looking for owner to reduce the volume of the overgrowth vegetation/plants.

Laid Over to the Legislative Hearings due back on 8/21/2018

6 [RLH SAO 18-44](#) Appeal of Rynn Burke to a Summary Abatement Order at 1729 RANDOLPH AVENUE.

Sponsors: Tolbert

Rynn Burke, owner, appeared.

Ms. Burke: my wife & I bought our property in 2000

Supervisor Lisa Martin: Summary Abatement Order was issued on Jun 29, 2018 re: 24 inch fencing on a blvd garden

Ms. Burke: it's temporary fencing; I put it in when butterflies are emerging in the spring; I can pull it out very quickly but I actually love having it there; the birds love it & I've had such reduced trash in the butterfly garden; I have natural stones where the community can come & sit & watch the birds & butterflies; she brought up photographs of the fencing & garden; the milkweeds far exceed the height of the fencing; I can pull the fence sections out because they are not permanently installed; only the footings are but I'd rather not pull the fence; it has added to the appearance of the property & made people pay more attention to the signage & learn; it's well set back from the street; the Monarch Butterfly emerges right now; they should be finished flying in another 2 weeks (major migration); I like to put it out Mar-Apr & pull it out in Aug

Ms. Moermond: there are concerns with fencing on the blvd: car doors, visibility, snow plows; what I'm seeing here is a temporary fence that you intend to pull out; it's an open, not closed fence; & you have it set back from the street; so, I would recommend that the Council allow the fence to be in place from Apr 15 - Sep 15 in the fashion that you've shown me in these photos (scanned)

Ms. Burke: is there a mechanism in City of Saint Paul to have an area declared some sort of sanctuary?

Ms. Moermond: it has been assessed from time to time; what trips up everyone is which plants would be considered native planting; I hear what you are saying & I'll make sure that it's brought to the attention of the Council; it does come up from time to time

Ms. Burke: I want to make you aware that there's the Xerxes Society has worked with the U.S. Dept of Fish & Wildlife as well as the Dept of Transportation & has a local plant list for things that support native wild life & they worked with the Obama Administration for the wild life part of the whole thing; if you're interested, I could propose to the city that would be helpful

Ms. Moermond: grab a business card & send me info/link, etc. that would be helpful

Grant variance from April 15 to September 15 to allow fencing on boulevard.

A making finding resolution will be scheduled for September 18 LH with a CC on September 26 to determine if the fencing has been abated by deadline.

Referred to the City Council due back on 8/1/2018

- 7 [RLH SAO 18-41](#) Appeal of Juliana Winner and Sei Ko to a Summary Abatement Order at 386 ROSE AVENUE EAST.

Sponsors: Brendmoen

Juliana Winner & Sei Ko Keo, owners, appeared. (Nathan Seng, Karen interpreter, also appeared.)

Supervisor Lisa Martin: Summary Abatement Order with photo was issued Jun 25, 2018, by Supervisor Paula Seeley re trash along the rear fence; compliance for Jul 2, 2018; on Jul 2, Insp Seeley issued a 2nd SA with photo to remove garbage behind garage in wooded area; compliance Jul 6, 2018

Ms. Moermond: is this garbage, etc. outside of their backyard or farther back?

Ms. Martin: I'm not familiar with the property so, I'm not sure

Mr. Keo: I didn't know that it was there; I got the letter Jul 2 & went back there & cleaned it up; I have the 2nd letter, it was not done by compliance date

Ms. Moermond: so, you didn't put it there but the city is saying, "It's on your property;" did they have a concern with cleaning it up?

Ms. Winner: we cleaned it up; it's gone; entered photos (scanned); it appears to originate from the neighbor's property

Ms. Moermond: I think what happened was the original Order was sent Jun 25 with a deadline of Jul 2; Insp went out on Jul 2 & saw that the work wasn't done so a 2nd letter was sent; after that, it got cleaned up by the owner, so, we're fine

Grant the appeal as the nuisance has been abated.

On July 23, 2018, Juliana Winner called and stated that the nuisance from the July 2nd SA order is not abated. She said that she abated the June 25th order.

Referred to the City Council due back on 8/1/2018

- 8 [RLH SAO 18-42](#) Appeal of John Flaherty to a Summary Abatement Order at 38 WYOMING STREET EAST.

Sponsors: Noecker

DSI has withdrawn the appeal as the nuisance is abated. Refund appeal fee.

Withdrawn

- 9 [RLH CO 18-29](#) Amending Council File RLH CO 18-1, adopted January 17, 2018, to grant the appeal for Nancy Mork & Amy Mork for property at 601 CALIFORNIA AVENUE EAST.

Sponsors: Bostrom

Amy Mork, owner, appeared.

Ms. Moermond: I believe that this appeal is about getting out of the Fire C of O Program; it looks that it was a Fire C of O file that I recommended be closed because it had become owner-occupied & referred to Code Enforcement; Code Enf, evidently contacted Ms. Shaff, who said that there are no open Orders on the property; it was kind of an obscure email that Insp Seeley sent to Ms. Shaff; bottom line: I need to know what's going on with the mechanical permit; we have a contractor & a permit & an inspector that are not in sync; have they talked?

Supervisor Lisa Martin: I have no notes from Ms. Seeley

Ms. Mork: we have some work that needs to be done; some of these permits are from the previous owner's time & these contractors say that I need to go to the inspectors & the inspectors say that I need to go to the contractors; I want to know what to do

Ms. Moermond: you have one open permit that was pulled under your ownership; what I'd like to see Ms. Seeley do, Ms. Martin, is to go & take photographs of those items where the permits have not been closed; I want to see photos to make a determination about whether a code violation exists for those items; if a code violations exists, then we'll worry about the permitting; if there's no code violation, I'll consider the matter resolved

-for the permits prior to your ownership, let's get the inspector out there to take pictures & show them to the relevant trades inspectors; if there's no problems that are visible from the photos, the matter is closed

Ms. Mork: OK; another issue - I had somebody out & there's also a new problem that is not listed for which I would probably have to come up with \$10,000

Ms. Moermond: we'll cross that bridge when we come to it

Fire Supervisor A.J. Neis: Mechanical Inspector Aaron Havlicek's phone number: 651/266-9043

(I don't have a recommendation)

Referred to the City Council due back on 7/18/2018

10 [RLH SAO 18-45](#) Appeal of Harlan Dorman to a Summary Abatement Order and Correction Notice at 547 STINSON STREET.

Sponsors: Thao

Harlan Dorman, occupant, appeared.

Supervisor Lisa Martin: Summary Abatement Order & Correction Notice

Correction Notice: has 9 items listed: parking; garage & house have exterior paint issues; garage either needs to be repaired/removed; garage roof is deteriorated; entire garage should come down; I've talked with Mr. Dorman regarding that; stairs are unsafe; there's a temporary structure in the back yard; exterior sanitation - they are working on; this file was started on a complaint; on Jun 15, 2018, we issued a Summary Abatement Order: 1) garage repair/remove - Jul 2 compliance date; issued to Occupant & also sent to Frank & Alice Mattson, 571 Front Ave; unique situation; Frank & Alice Mattson are Mr. Dorman's grandparents, who have passed; Mr. Dorman & his mother were living there & they have water damage; they had to vacate that home

so, he's now now staying here at 547 Stinson Street, which was his grandparents' home; his mom assists him at the house; we're working with House Calls; they have provided a dumpster; the home has a lot of combustible materials, much of which is from the other property at 571 Front that had all the water damage; there's a lot in the yard & in the house; Mr. Dorman is unable to go up/down the stairs; he has a bed on the main floor; there's a lot of stuff in the kitchen; since I've been working with them, they've cleaned out a lot of stuff - they have almost a full dumpster; we'll get more dumpsters if we need to; Erica was hoping to be here

-the garage, definitely, needs attention

-Mr. Dorman is doing a great job but obviously, needs more time; they have smoke/CO detectors; there's some housing issues & some financial restraints; other problem is that ownership is still in grandparents' name; so, technically, this would fall under a C of O file; however, because of the circumstances & my involvement, I would like to still work with Mr. Dorman to try to get compliance getting the house cleaned out

-garage - financial restraints; we talked about the city taking down the garage - file appeal to spread out the payments; right now, he & his mom are taking care of the taxes; the house is paid for; we want to make sure that he is able to maintain living in this home

-due to his medical injury, he needs extra help

Ms. Moermond: so, things are started - moving along - you have House Calls helping; Mr. Dorman & his mother Marilyn are working hard at the clean up; you are trying to gather solutions; property isn't in great shape; a lot of things need repair; probably need financial assistance, which will take some time
-does your mom work?

Mr. Dorman: she does daycare for my brothers; the house was paid for a long time ago; we're behind on the taxes; the house at 571 Front Ave was sold for very little money; technically, my mom lives at 547 Stinson but she spends a lot of time at my brother's; I have a brain injury & other physical damage; I get a disability check

Mai Vang checked on the taxes

Ms. Moermond: you have an income stream; it's possible that you could get an equity loan to pay for some repairs

Ms. Martin: my biggest concern is that the garage needs to be demoed

Ms. Moermond: average cost of removing a garage: \$1500-\$2000; if the city does that, I can divide those payments over 5 years

Ms. Martin: that's what we talked about

Mr. Dorman: maybe my brother & his buddies could do it; I need more time

Ms. Martin: you could pull a permit for that

Mr. Dorman: could we have separate deadlines; I have a hard time with steps; I need time

Ms. Martin: he'll need assistance for continuing progress; first get the house cleaned out; then, we'll have a new inspection

Ms. Moermond: based on Ms. Martin's assessment, I want the basement cleaned out

next because of the furnace, water heater, etc. (fire hazard); upstairs cleaned out by Aug 15, 2018; garage demoed by Oct 15, 2018
-financial resource; check with Ms. Michele Vojecek, Planning & Economic Development (PED) when the time comes; she understands money/resources for rehab

Grant extensions for the following:

-basement to be cleaned out by August 15, 2018
-upstairs by September 15, 2018
-demolition of the garage by October 15, 2018

1 making finding resolution will go before LH on August 21 with CCPH on August 22 to determine if the basement clean-out is abated

1 making finding resolution will go before LH on September 18 with CCPH on Sept 19 to determine if the upstairs is abated

1 making finding resolution will go before LH on October 16 with CCPH on Oct 17 to determine if the garage is demolished

Referred to the City Council due back on 8/1/2018

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 11 [RLH VO 18-25](#) Appeal of Randall Wilke and Cameron Gilgenbakh to a Fire Certificate of Occupancy Correction Notice- Complaint Inspection & Order to Vacate at 1198-1200 LAUREL AVENUE. (Legislative Hearing on July 17)

Sponsors: Thao

Cameron Gilgenbach, owner, and Randall Wilke appeared.

Fire Supervisor A.J. Neis: an anonymous complaint came in about this being an illegal triplex; Fire Inspector Steve Pieczykolan went out to the property & identified that there were 3 units in the building on the 1st, 2nd & 3rd (attic) floors; he Condemned the 3rd floor attic unit; all records point to the fact that this is a duplex dating back to 2006 when a permit for windows was pulled indicating this was a duplex; it has never been in the C of O Program; based on that, Insp Pieczykolan issued Orders Condemning the attic unit; that is being appealed today

*Mr. Gilgenbach: I've owned this place since 2007; we are appealing because we'd like our renter to be able to ride out her lease (end of Aug) or to remove both her stove & refrigerator; both she & we are willing to do this;
-we are owner-occupants living on the 2nd floor & our dream is to convert the attic a master suite - making it part of our unit*

Ms. Moermond: if they're calling it a 3rd unit, we're talking about separate access to that unit; does the person who lives there go through your place to get to her place?

Mr. Gilgenbach: it's a locked door

Mr. Neis: neither occupant has easy access to the others' unit

Ms. Moermond: I'm not thrilled about taking out the refrigerator & stove; I consider those basic things for living; we're much safer with a refrigerator & stove than we are substituting them with a hot plate, etc;

-you can take this to Zoning if you want to make the determination that you are a triplex or you can empty the unit; it sounds like you are more interested in making it part of your unit

Mr. Gilgenbach: once she's out & we can rent it any more; we're going to make it our master suite but I would like to give her 60 days to find a new place

Ms. Moermond: I will go out to Oct 1 to empty the attic unit or for the house to be a legal triplex

Grant until October 1, 2018 to get Zoning approval to be used as a triplex or the property must be vacated. (Owner can remove the placard.)

Referred to the City Council due back on 7/18/2018

12 [RLH VO 18-19](#)

Appeal of Lavonne Louismet Deyo to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 132 WESTERN AVENUE SOUTH.

Sponsors: Noecker

Laura Jelinek, Attorney and Mr. Al Harris, Southern Minnesota Regional Legal Services (SMRLS) appeared;
Katie Haugen, Social Worker, The House Calls Program, Ramsey County, also appeared.

Fire Supervisor A.J. Neis: waiting on a Work Plan

Ms. Jelinek: we did submit a Work Plan dated Jun 19, 2018; waiting for your approval -re probate: our first attorney determined the case too difficult; our new attorney is a full time probate attorney, Drew Basey, & he is on SMRLS board of directors; so, I feel like I'm in good hands

Ms. Moermond: is there outstanding property taxes?

Ms. Jelinek: yes; Mr. Basey explained to me that even though title hasn't transferred, Ms. Deyo is responsible for the taxes under probate laws; our next step is to work on those (\$6686.44 total)

Ms. Moermond: for our purposes, we'd like to actually see title registered with Ramsey County; these things usually take 3-6 months; does Ms. Deyo have resources to pay the taxes? Does she have the ability to pull equity out of the house, if necessary?

Ms. Jelinek: she may; I was contacted by the Land Trust folks & he said that they had resources to get the taxes paid; he is amazingly resourceful

Ms. Moermond: last question re item #9 - replacing the door in the bedroom - estimated completion date: end of Dec 2018; why so long to complete a simple door on a bedroom?

Ms. Jelinek: I didn't think that it was an emergency; so, I was using my budgeting

power & the bedroom door was last on the list

Mr. Harris: the guy doing the repairs said that doors were pretty expensive - between \$200-\$300

Ms. Moermond: OK; so, based on this, we have 2 deadlines: 1) Sep 30, 2018 deadline; and 2) Jan 1, 2019 deadline; I accept this plan & they can do a re-inspection accordingly

Grant to September 30 for the remaining items except the transfer of title, back door and bedroom repairs which shall have a deadline of January 1, 2019.

Referred to the City Council due back on 8/1/2018

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 13 [RLH VO 18-30](#) Appeal of Camille Perry to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 71 MARYLAND AVENUE EAST.

Sponsors: Brendmoen

Camille Perry & Larry Arman appeared.

Fire Supervisor Leanna Shaff: this was in LH a couple weeks ago; your recommendation was to grant 2 weeks for toilet repair, gas line connection, smoke/CO detectors, water heater installation permit finalized, etc; Insp Franquiz went out Jun 27, 2018 & was allowed access by Mr. Arman; he says that all deficiencies had been done except for the permit; husband informed him that he's been unable to reach the contractor; Insp Franquiz consulted with his supervisor, Insp Neis & was instructed to Revoke the Fire Certificate of Occupancy for non compliance; so we're here not only on the Fire C of O Orders but also the Revocation -Supervisor Neis staffed this at the last hearing & it looks like the Appellants were to come up with a Work Plan on Jul 31, 2018

Ms. Perry: we tried to figure out something for the water heater permit; we cannot find this contractor & I've called multiple companies and with plumbing issues, they don't want to put their name on someone else's work; a few places are willing to un-install & re-install the water heater for \$1200-\$1500; yesterday, I was contacted by my mother's friend, who's a plumber, who is willing to come out to check if it's done right; I'm in school full time & don't have \$1500 just laying around -I've been in contact with the mortgage company to get all the proof of ownership paperwork done; entered the initial paperwork

Ms. Moermond: Kirkland Investors LLC will be working with the county to get the title squared away (email dated yesterday); setting aside the permitting issue, where are you at with the rest of the repairs?

Ms. Perry: there are a few things that we could possibly get done like the window screens but we are so stressed for cash; we own a business, too, that's registered to the home & we just got a transmission repair (worked on right now); I have 3 kids & am in school full time; I don't think the things on the list are very dangerous & the aesthetic things are not a big deal for me; we have limited funds; we're buying on

Contract for Deed; if our mortgage company would have filed the paperwork correctly, I would not have needed an inspection; now, we're between a rock & a hard place; we can get the Work Plan done by Jul 31, 2018

-I had a contractor come in to give us some estimates; entered to show Ms. Moermond what it's going to cost

Ms. Moermond: these estimates are talking about more than the Orders; the Orders are more about repairs; these estimates seem more like total rehab; I'm fully willing to work with you, the Work Plan - what you think is doable; as soon as the ownership issue fades away, you'll be out of the Fire C of O Program but you'll still need to get the repairs done because this will be transferred to Code Enforcement & will be enforced differently (easier, I think)

Ms. Shaff: you have to hire a licensed contractor for the water heater permit

Mr. Arman: we're just asking not to be rushed; I'm a tow truck driver; I don't have any time

Ms. Moermond: do the dryer venting more quickly; you can email the Work Plan to me by Jul 31; bring me something that you can manage; enforcement is stayed; you can remove the placard; CCPH Aug 8, 2018

Grant until July 31, 2018 for appellant to provide a work plan for consideration (appellant can remove the placard). Staff Report Only.

Laid Over to the Legislative Hearings due back on 7/31/2018

14 [RLH VO 18-31](#)

Appeal of Laura Orr, Southern Minnesota Regional Legal Services, on behalf of Sandra Gustafson, to a Correction Notice-Complaint Inspection (which includes condemnation) at 899 CLEVELAND AVENUE SOUTH, UNIT 512.

Sponsors: Tolbert

Laura Orr, Attorney, Southern Minnesota Regional Legal Services (SMRLS) o/b/o Sandra Gustafson

Katie Haugen, The House Calls Program, Ramsey County

John Whatley, St. Paul Public Housing, City Attorney's Office

Condemnation of Unit 512, 899 Cleveland Avenue

Supervisor Leanna Shaff: started out as a referral; Insp Huseby went out to Unit 512; found fruit flies; huge cockroach infestation; there's a lot of items strewn through the unit; it's hard to get through; unfortunately, Ms. Gustafson has some medical issues that prevent her from doing the work by herself; Insp Huseby went back to re-inspect (photos in file); there's been some progress made but the cockroaches/fruit flies are still there; & there's still a lot of stuff; we were holding off because we were of the understanding as of Fri afternoon that there was going to be somebody in there on Sat to give a bid on what it would take to clean the place; we didn't want to make any more judgements until we got information on that course; & that's where we're at today

Ms. Moermond: tell me a little bit about your client

Ms. Orr: entered photos; we are a week advanced from the last photos taken Jul 10; a

cleaning service visited yesterday; 20-yard dumpster was brought out on site; extermination services were scheduled at 11 am today contracted by St. Paul Public Housing Agency, Mr. Whatley's client

Mr. Whatley: I believe the first extermination treatment was conducted this morning; the condition of the unit prevented successful treatment earlier; the unit just recently became in ready condition to be treated; I haven't consulted on how that went; it will require a revisit to treat; they treat everything accessible to stop it from spreading

Ms. Orr: we are appealing to ask that the Vacate Orders be lifted immediately so that Ms. Gustafson can return to the apartment; now that the cleanup service was performed yesterday & the first round of extermination was performed; & provided that Ms. Gustafson complies with continued extermination instructions, there should be no reason why she shouldn't be able to return living there; she has been living in Motel 6, which is not handicapped accessible; she has severe arthritis & needs a walker; she has been physically ill & has been unable to do things; now, she's in a condition where she can get back to her place

Ms. Moermond: is this something that House Calls has been able to assist with?

Ms. Haugen: she is in a hotel with our grant money; only for 5 days though

Ms. Shaff: is there a plan going forward because she does have such health issues that she would need to be getting help so that she is not in this place again?

Ms. Orr: she has made her request for reasonable accommodations for disabilities with St. Paul Public Housing for a transfer to a more accessible unit; she has to apply for the service programs

Ms. Moermond: is that something that House Calls can help facilitate?

Ms. Haugen: we don't provide that service but she does has a social worker who will help her follow up

Mr. Orr: she is currently looking at a private individual who can help her; those services are only offered at certain St. Paul Public Housing High Rise Bldgs, that's why she is asking for a transfer to one of those bldgs; I understand that Mr. Whatley's client has intent to ____a grant in her request for a transfer until the immediate Condemnation issues are resolved

*Ms. Moermond: I will go ahead & recommend that Ms. Gustafson will be allowed to re-occupy today; the cleanup has taken place & the extermination has started -this goes to City Council Public Hearing on Aug 1, 2018
-I'm going to condition her re-occupation on her continued cooperation with extermination services & not re-cluttering her unit so that there needs to be some monitoring; don't know who that will be thru because as you know, there's a propensity to re-fill places where there's been hoarding/clutter, etc, especially when there's been infestation problems*

Ms. Orr: 2 of Ms. Gustafson's adult children have been very engaging on this - trying to help their mother

Ms. Shaff: can we expect to do some inspections some time in the near future?

Ms. Moermond: make an appointment any time next week to check on safety/de-cluttering

Grant appeal to re-occupy the unit on condition that appellant cooperates with the extermination and continued efforts to de-clutter her unit.

Referred to the City Council due back on 8/1/2018

15 [RLH FCO](#)
[18-115](#)

Appeal of Barbara Ransom, Ree Parkside LLC, to a Fire Certificate of Occupancy Correction Notice-Complaint Inspection at 250 FIFTH STREET EAST. (To be referred back to Legislative Hearing on November 6)

Sponsors: Noecker

Barbara Ransom, Ree Parkside LLC/C/O Real Estate Equities, appeared along with Chuck Repke.

Ms. Moermond: NOTE: the appeal documents reference an attached letter; there's a note here that says our front desk didn't find an attached letter

Ms. Ransom: there is no attachment; see email from me

Fire Supervisor Leanna Shaff: Correction Notice from a complaint inspection conducted by Inspector David Smith; it has 1 deficiency on it (photos): all the dryers are vented inside the bldg; the Order says that they need to comply with the Mechanical Code and be vented outside

Mr. Repke: first, to be clear, those buildings were rehabbed, initially, in the 1980's; so, this condition has existed since at least 1986; and my client acquired the bldg in 2012 with these dryers & this system; & to be able to comply in the short time stated in the Order, is impossible, because we have one additional problem, which is that we're in an HPC District - this is an historic bldg; when you think about drilling 59 holes into the side of an historic bldg to vent..... they're not going to be thrilled; so, it's going to take some time to work out a plan

Ms. Shaff: there are manufacturers that make dryers that do not have to vent outside (an option)

Ms. Moermond: that would also be a significant investment

Ms. Shaff: but it may be easier than drilling 59 holes in the bldg

Mr. Repke: we need to be able to talk to the HPC & you know how long it takes to get on their agenda; my preference would be to get 120 days to be able to come back to you with a plan (it's existed for 30+ years without there being any great mold growth; without there ever being a fire in the bldg; the vent filter dumps the lint into a wet cup to reduce the potential of there being a fire (the lint trap blows the lint into the water); so, it's not a particularly combustible material anymore; the moist air has never shown signs of there being any mold anywhere; so, I would like a reasonable period of time so that we can discuss this with the HPC to see what's possible

Ms. Moermond: this goes to Council on Aug 15, 2018; at that time, I will ask them to refer it back to LH on Nov 5, 2018 when we can review any plan of action with an appropriate deadline

To be referred back to Legislative Hearing on November 6.

Referred to the City Council due back on 8/15/2018

16 [RLH FCO](#)
[18-114](#)

Appeal of Jeffrey Peterson to a Correction Notice- Complaint Inspection at 1082 JAMES AVENUE.

Sponsors: Tolbert

Jeffrey Allen Peterson, 1082 James LLC, owner, & Jeff Bergeaux, Program Mgr for Better Ways __ __, appeared.

Fire Supervisor Leanna Shaff: I'm the inspector at this property; there are photos; being appealed today is the upper level attic expansion; it has sloped ceilings; the code requires that half the floor area needs to be at or above 7 ft in height; about 1/3 of this one is 79 inches

Ms. Moermond: compliance with these Orders means either you make the ceiling taller or vacate that room;

Ms. Shaff: it looks like it was converted quite some time ago

Ms. Moermond: It should have been communicated that I don't do variances on ceiling height; you need to go to Steve Ubl, the city's Building Official to seek a variance in ceiling height; I can work with you on deadlines on the C of O Orders; right now, the Order is asking for compliance by Aug 2, 2018; tell me a little bit about your occupancy & how long it would take for you to come into compliance

Mr. Peterson: Jeff started the Sober Living Company in 2017; he's been with us since Jan 5, 2017 & it was Feb of Mar when we started occupying this new house on James with some of our residence; so, he's been there for 15 months; he's stayed sober - this has been conducive to his recovery to be in that space; if we do have to get him out of that room, which he's been in for quite some time & find somewhere else for him in other properties - it would be displacing him when he's pretty comfortable staying here & has the fellowship of the others who live there

Ms. Moermond: it's been conducive to be in sober housing, I don't know how much a particular room or ceiling slope has to do with that situation

Mr. Peterson: I don't know if we could raise the roof or get this appeal by the building official by Aug 2, 2017

Ms. Moermond: the building official usually turns them around pretty quickly but I would say that I haven't seen one granted to this extent but that doesn't mean that I won't see one; but maybe someone else in the house would be willing to move to another house

Mr. Peterson: we have 5 other sober homes;& I think that because our tenants have a disability status, they should get an accommodation

Ms. Moermond: actually, it would not be a case of a reasonable accommodation for a specific room; that does not apply at all as a term for this situation

Ms. Shaff: I had encouraged them to appeal to look for a different outcome; I would certainly support giving them some time to make a decision

Ms. Moermond:

Grant to October 1, 2018 to have the attic space vacated.

Referred to the City Council due back on 8/15/2018

- 17 [RLH VO 18-32](#) Appeal of Laura Jelinek, Southern Minnesota Regional Legal Services, on behalf of Lakeisha Ivy, to a Fire Inspection Correction Notice, which includes condemnation, at 527 TEDESCO STREET.

Sponsors: Brendmoen

Per Laura Jelinek, SMRLS on behalf of tenants, stated that the tenants have vacated the unit and there is no longer a need for a hearing. They have canceled the appeal.

Withdrawn

2:30 p.m. Hearings

Vacant Building Registrations

- 18 [RLH VBR 18-39](#) Appeal of Michael and Rebecca Amidon to a Vacant Building Registration Notice at 1285 BEECHWOOD PLACE.

Sponsors: Tolbert

Rebecca A. Amidon, owner, appeared.

Supervisor Matt Dornfeld, Vacant Buildings: VB Inspector Mike Kalis made this a Category 1 VB per code enforcement referral due to a complaint from St. Paul Regional Water Services; water service has been off since 2015; Insp Kalis confirmed that the water had been off since 2015; he went to inspect & he found the building vacant & secured by normal means; & the property area was in fair shape; photos; from what we could tell, it's a vacant home with no water

Ms. Moermond: what's going on?

Ms. Amidon: we are remodeling the kitchen in the house but it's taking longer than we expected; we think that we're going to move into it; my husband does most of the work there; he also works full time at another job; we pay the water bill so, I assumed that there was water; it's a surprise about the water; I'm going to call Water Services; will be finished remodeling around Jan 1, 2019; we do have lawn service & keep the house up

Ms. Moermond: will recommend waiving the VB fee for 90 days so you can pull permits

Ms. Amidon: we want a big kitchen-family room area

Mr. Dornfeld: I'll have her call me Oct 1 to schedule an inspection

Ms. Moermond:

Waive the VB fee for 90 days.

Referred to the City Council due back on 8/15/2018

19 [RLH VBR 18-41](#) Appeal of Anh Pham to a Vacant Building Registration Fee at 1113 GALTIER STREET.

Sponsors: Brendmoen

Anh Pham appeared.

Supervisor Matt Dornfeld, Vacant Buildings: *this is a Category 2 Vacant Building; the Appellant was approved by our Sale Review Office to purchase the property in Aug 2017; all permits are on file; there's not been a nuisance complaint; I'm assuming we're here to discuss the VB fee that is past due since Jun 30, 2018*

Ms. Pham: *we hired a guy who was supposed to complete the job in May but he had to go to Vietnam, so that put us backward; he'll be back this or next month; if you could give me more time - I paid him half the money already so, I don't want to call someone else; I don't know how long it will take but if you could give me 3 months*

Ms. Moermond: *if it takes longer than 3 months, appeal the VB assessment & we can talk & I can prorate*

Waive the VB fee for 90 days.

Referred to the City Council due back on 8/15/2018

20 [RLH VBR 18-42](#) Appeal of Desta Bedasso to a Vacant Building Registration Fee at 685 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Desta R. Bedasso, owner, appeared.

Supervisor Matt Dornfeld: *this is a Category 2 Vacant Building; opened Mar 2016; Mr. Bedasso was approved to purchase this property on Mar 10, 2017; all permits are on file; we got 1 TGW complaint but we did not have to update that - is now in compliance; VB Insp Tom Friel issued a 90-day VB waiver on Mar 23, 2018 (good thru Jun 18, 2018); this VB fee that was due in Mar has gone to assessment as of Jul 2, 2018; I'm assuming that we're here today to discuss that fee*

Ms. Moermond: *you have already gotten a 90-day VB fee waiver; tell me what's going on?*

Mr. Bedasso: *has just taken more time than anticipated; just need a short time to do the touch-ups (more talking but audio is muffled)*

Ms. Moermond: *where are the permits at?*

Mr. Dornfeld: *all permits are open; went to assessment Jul 2, 2018*

Ms. Moermond: *the LH for that assessment will be on Sep 4, 2018 at 9 am in this room; I promise that if you're done at that time, I'll cut the VB fee in half*

Deny the appeal; VB fee has gone to assessment and is scheduled for LH on 9/4/18.

Referred to the City Council due back on 8/15/2018

21 [RLH VBR 18-43](#) Appeal of George Stone to a Vacant Building Registration Notice at 1079 MARYLAND AVENUE EAST.

Sponsors: Bostrom

George B. Stone, owner, appeared.

Fire Supervisor Leanna Shaff: this started out as Fire Certificate of Occupancy Orders in 2016 with Fire Inspector Efrayn Franquiz; the Orders were not complied with (long term noncompliance); went to the Vacant Building Program in 2016; on Sep 14, 2017, we discovered that the VB file was closed; it needs a re-inspection; now, Fire Insp Niemeyer has been assigned to this area; he writes that St. Paul Regional Water Services & Xcel show that there has not been any usage at the property; an email has been sent to Rich Singerhouse & Tom Friel & myself that this property should still be in the VB Program; don't know why that file was closed; Feb 2, 2018, Insp Niemeyer conducted a property check; the bldg appeared to still be vacant; front door boarded up; he reviewed that we me; we sent email to VB - that the bldg is still vacant

Mr. Dornfeld: on Jun 7, 2018, Insp Tom Friel writes as follows: this is a 1 1/2 story wood frame single family house with at detached 1 car garage; Insp Singerhouse & I inspected the property & it appears vacant & is secure; the front door & window on front porch are boarded; referred by Fire Insp Niemeyer; Certificate of Occupancy still shows "Revoked" from 2016; per Fire Insp Littleton, no water usage; owner had previously indicated that he was moving or that he was living here occasionally; ownership indicates him living at another address, per Ramsey County; house is partly boarded; will open a Cat 2 VB

Ms. Moermond: your appealing; what's going on?

Mr. Stone: this was my parents home; I lived there with my mother & took care of her until she passed in 1999 & I addressed it with everybody; Mr. Friel was very kind; he counseled me & suggested what to do; when those placards went up, there was kicking in doors & breaking glass, etc; I got a realtor involved; I was going to sell the house; it was an emotional thing; the early part of 2017, I incurred a Staph infection & had to have hand surgery; I wasn't able to do much then with the property; I had always taken care of it; I'm there constantly; I've painted quite a few rooms; I've had carpet put in; I want to get on this wonderful market & sell it; in 2017, the church next door wanted to lease the house for some of their parishioners; I told then that I couldn't do that; I have a neighbor now who wants to have some relatives look at it; it's been an emotional ride

-the front door was boarded up but it wasn't visible from the street; I painted the exterior, etc; I tried to get the woodwork cleaned up; that house was an absolute mess when I got it back; I hauled about 10 loads of stuff out of there & I finally got everything out - I want to sell it

Ms. Moermond: so, in Dec 2016, Council changed the status from Cat 2 to Cat 1 VB & granted an extension to Jan 1, 2017 to get your C of O re-instated; if the Fire C of O cannot be re-instated then, a code compliance inspection would be required; that was the recommendation to the Council and the Fire C of O was not re-instated according

*the report I just received and there's no code compliance inspection on file
-it's time to get a code compliance inspection, which was described in the letters that
you've received indicating that you needed to register this as a Vacant Building*

*Waive the VB fee for 90 days but the appellant needs to go through a code
compliance inspection.*

Referred to the City Council due back on 8/15/2018

- 22** [RLH VBR 18-28](#) Appeal of Ryan Kempenich to a Vacant Building Registration Notice at 1464 MINNEHAHA AVENUE WEST.

Sponsors: Henningson

LO to Jul 24, 2018; No one appeared.

Laid Over to the Legislative Hearings due back on 7/24/2018

- 23** [RLH SAO 18-43](#) Appeal of Deanna Dorf to a Summary Abatement Order at 2101 KNAPP STREET.

Sponsors: Henningson

Marcia Moermond reading Deanna Dorf's email of appeal.

-what is the condition of the garage?

Matt Dornfeld (provided photos)

-has no entry to the garage

Marcia Moermond:

-deny the appeal. There were two orders, one for tall, grass & weeds and one for the garage.

-proceed with the demolition after the 25th

Referred to the City Council due back on 7/25/2018

3:00 p.m. Hearings

Other

- 24** [RLH OA 18-5](#) Appeal of Tom Harrington to a denial of a Request for Fence Variance at 1011 JESSIE STREET.

Sponsors: Brendmoen

Tom Harrington appeared. Fence Variance

Ms. Moermond: you were turned down for a fence permit by the City's Building Official, Steve Ubl; you applied for a 5 ft high fence along the front sidewalk to keep large German Shepherds from putting their heads over the fence when people walk by; you provided a diagram in your application of where you wanted the fence to go (40 feet of a 5 ft high fence in front yard along the sidewalk); I have a picture of your property, an elevation map and an aerial photo

*Mr. Harrington: he came up to verify his property
-there'd be a 1 1/2 foot setback from the sidewalk to allow room for a hosta border; we want an open metal bar fencing between wood posts; the only adjustable fence I could find because there is a little slope (discussing elevation map with Ms. Moermond)
-the dogs are in the front yard & side yard; I have a motor home & fire pit in the back*

Ms. Moermond: I'm going to agree with the building official; these are not exceptional circumstances; in the long run, I think it's really hard on neighborhoods to have these extra tall fences in the front yard

Mr. Harrington: there are 5 ft - 6 ft fences in the front yard all over the neighborhood

Ms. Moermond: they can be from the front of the house back; I will recommend denial; the Council could look at this differently

Deny the appeal.

Referred to the City Council due back on 8/15/2018