



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 24, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 18-423](#) Ratifying the Appealed Special Tax Assessment for property at 1047 BREEN STREET. (File No. J1812A, Assessment No. 188532)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 9/12/2018

- 2 [RLH TA 18-410](#) Ratifying the Appealed Special Tax Assessment for property at 452 CARROLL AVENUE. (File No. J1812A, Assessment No. 188532)

Sponsors: Thao

Tinaisha Abdur Razzaq, daughter of Lou Wiley (deceased) appeared. Property in probate.

Supervisor Paula Seeley:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: Lou Wiley

Type of Order/Fee: Summary Abatement Order

Nuisance: Failure to maintain exterior property

Date of Orders: 3-23-18

Compliance Date: 3-30-18

Re-Check Date: 3-30-18

Date Work Done: 4-3-18

Work Order #: 18-048384

Returned Mail?: No

History of Orders on Property: Summary Abatement 5-9-18 on garbage (done by owner)

VIDEO not working; have a photo of the mess but not of the clean-up; gave Appellant photo

Ms. Abdur Razzaq: this is recycling; we've had issues with others putting random things there because we're working on the home - it's in transition & there were times that the recycling people didn't come; snow kind of covered the items; now, we had someone come to clear everything away; we're having issues with our community; called recycling & asked why they didn't come; I've lived here all my life; my mother passed 2 years ago; it's just my sister & I

Ms. Nhia Vang: anything prior to this SA?

Ms. Seeley: not really

Ms. Abdur Razzaq: I'm the representative trying to take care of everything; probate is having a tax issue; we need to finalize the tax issue

Ms. Nhia Vang: I will take a look at the VIDEO and consult with the hearing officer

Ms. Abdur Razzaq: if we'd already cleaned it up & then others came & put more stuff there..... ? because that's a lot of money for us

Ms. Nhia Vang: I'll take that into consideration

Approve & spread over 5 years based on photos taken on March 30. There was no change that the matter was taken care of from the initial order of March 23, 2018.

Referred to the City Council due back on 9/12/2018

- 3** [RLH TA 18-432](#) Ratifying the Appealed Special Tax Assessment for property at 801 CHARLES AVENUE. (File No. J1812A, Assessment No. 188532)

Sponsors: Thao

7/24/18: Approve; no show.

7/25/18: Benjamin Roberts called and stated he missed hearing; rescheduled to August 21 @ 10 am

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

- 4** [RLH TA 18-417](#) Ratifying the Appealed Special Tax Assessment for property at 120 CONGRESS STREET. (File No. J1812A, Assessment No. 188532) (Public hearing to be continued to October 17)

Sponsors: Noecker

Adelia Evenson, owner, appeared.

Supervisor Paula Seeley:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: ADELIA EVENSON

Type of Order/Fee: SUMMARY ABATEMENT (Remove metal shelf & trash behind house in backyard)

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY

Date of Orders: 4-2-18
 Compliance Date: 4-9-18
 Re-Check Date: 4-9-18
 Date Work Done: 4-10-18
 Work Order #: 18-050662
 Returned Mail?: NO
 Comments:
 History of Orders on Property: NO

VIDEO - crew removed metal shelf & trash behind house in backyard

Ms. Evenson: I left the country for 4 months from Jan 24 - Apr 24, 2018; my yard was clean when I left; I had someone staying there to shovel the sidewalk & clean the area; that shelf does not belong to me & why would the city go into a fenced yard?

Ms. Seeley: City Ordinance says that we can go into a fenced yard to follow up on a complaint to check on a violation

Ms. Evenson: the only thing I received was the bill

Ms. Nhia Vang: did you authorize the person staying there to open your mail?

Ms. Evenson: No; I had a stack of mail but this is the only piece of mail that I got from the city & this is the only address I have; I've lived there for 25 years

Ms. Nhia Vang: there's no history at all on this property
 -if no same or similar violation by Oct 17, 2018, I'll recommend deletion of this assessment

Public hearing continued to October 17 and if no same or similar violation(s), will delete the assessment.

Referred to the City Council due back on 9/12/2018

- 5 [RLH TA 18-386](#) Ratifying the Appealed Special Tax Assessment for property at 960 DUCHESS STREET. (File No. J1811A, Assessment No. 188525)

Sponsors: Bostrom

Approve; no show.

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

- 6 [RLH TA 18-434](#) Ratifying the Appealed Special Tax Assessment for property at 1431 ENGLEWOOD AVENUE. (File No. J1811A, Assessment No. 188525 Amend File No. J1811A1, Assessment No. 188558) (Public hearing continued to October 17, 2018)

Sponsors: Henningson

Gary Fabel, owner, appeared.

Supervisor Joe Yannarely:
 Cost: \$160

Service Charge: \$162
Total Assessment: \$322
Gold Card Returned by: Gary Fabel appeared
Type of Order/Fee: Snow Removal Letter
Nuisance: Snow & Ice
Date of Orders: 2/26/18
Compliance Date: 48 hours
Re-Check Date: 3/7/18
Date Work Done: 3/8/18
Work Order #: 18-035167
Returned Mail?: No
Comments:
History of Orders on Property: TGW in May 2017

Mr. Fabel: I've owned this triplex for 40 years; corner lot; we're a block off Hamline University's campus; the inspector was Rich Kadrowski; when it snows, there's a neighbor down the street who needs to get to the bus; I try to clear as best as I can; I get the tenants as part of their lease to get out & shovel; I have a son who lives across the street who helps me do that

Mr. Yannarely: Insp Kadrowski says that he spoke to property owner on Mar 1 & indicated that the sidewalk had just been salted; he said he would re-check Mar 5; he came back on Mar 7 & said the work had not been completed so, he sent the Work Order

Mr. Fabel: if I don't get their fast enough or somebody doesn't clear it fast enough, the kids walk & stomp it down; then, I throw down some salt; I got this letter that said the city sent the crew over; I have a 2nd floor tenant who called me while the crew was there & took a Video; I asked him to send it to me but hasn't yet; he said the crew was there for 20 minutes, playing with the neighborhood dog for 10 minutes & didn't clear it much better than I did

*VIDEO - it was pretty clear & dry in the center; crew cleared full width/ salted & sanded; ramps were clearer
after VIDEO again - curb cuts cleared full with -more salt/sand*

Mr. Fabel: I don't see any difference there, do you?

Mr. Yannarely: Insp Kadrowski spoke with you on Mar 1; he gave you until Mar 5

Mr. Fabel: I asked him to call me back if it was not acceptable & he didn't

Ms. Nhia Vang: you made a good effort; so no same/similar by Oct 17, I'll delete this assessment

Public hearing continued to October 17, 2018 and if no same or similar, will delete the assessment.

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

7 [RLH TA 18-350](#)

Ratifying the Appealed Special Tax Assessment for property at 1604 EUCLID STREET. (File No. J1811A, Assessment No. 188525; Amended to File No. J1811A2, Assessment No. 188559)

Sponsors: Prince

Approve; no show.

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

- 8 [RLH TA 18-387](#) Ratifying the Appealed Special Tax Assessment for property at 761 HALL AVENUE. (File No. J1811A, Assessment No. 188525)

Sponsors: Noecker

Amy Sullivan, owner, appeared.

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Amy Sullivan

Type of Order/Fee: SA

Nuisance: SnowWalk

Date of Orders: 3/14/18

Compliance Date: 48 hours

Re-Check Date: 3/19/18

Date Work Done: 3/20/18

Work Order #: 18-041182

Returned Mail?: No

Comments:

History of Orders on Property: 2/24/16 (elect fire in garage), 3/7/16 (fire debris/rubbish-abated by owner), 2/8/17, 2/23/17 (garbage - done by Park)

VIDEO - crew shoveled snow/ice full width down to concrete; salted/sanded

Ms. Sullivan: this is a vacant property; we did not get Notice; we do go out there every week to clear the snow/ice; that week, I went out of town; we sold the property 3 days after; we had paid a neighbor boy to do the work; it was not good enough

Ms. Nhia Vang:

Approve the assessment.

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

- 9 [RLH TA 18-384](#) Ratifying the Appealed Special Tax Assessment for property at 819 HARDENBERGH PLACE. (File No. J1811A, Assessment No. 188525)

Sponsors: Thao

Approve; no show.

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

- 10 [RLH TA 18-422](#) Ratifying the Appealed Special Tax Assessment for property at 1006 IGLEHART AVENUE. (File No. J1812A, Assessment No. 188532)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 9/12/2018

- 11 [RLH TA 18-427](#) Ratifying the Appealed Special Tax Assessment for property at 1074 JESSIE STREET. (File No. J1812A, Assessment No. 188532)

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 9/12/2018

- 12 [RLH TA 18-435](#) Deleting the Appealed Special Tax Assessment for property at 991 KILBURN AVENUE. (File No. J1812A, Assessment No. 188532)

Sponsors: Brendmoen

Thomas Vogel, owner, appeared.

Supervisor Joe Yannarely:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Thomas Vogel

Type of Order/Fee: Summary Abatement

Nuisance: toilet in rear yard

Date of Orders: 3-29-18

Compliance Date: 4-5-18

Re-Check Date: 4-5-18

Date Work Done: 4-10-18

Work Order #:

Returned Mail?: SA to Thomas E Vogel, 991 Kilburn St, Saint Paul MN 55103-1357 was returned on 4-17-18 marked "Return to Sender, Not Deliverable as Addressed, Unable to Forward"

Comments:

History of Orders on Property:

VIDEO - crew removed toilet

Mr. Vogel: I never received Notice; it should have been sent to my St. Cloud address (1154 Bromo Ave, Saint Cloud, MN 56303-0215)

Supervisor Paula Seeley: the county has him listed in St. Cloud

Mr. Vogel: I've owned the house since 2009; it's being restored & some debris was outside; my address hasn't been changed at the county; it's always been St. Cloud

Ms. Seeley: the county has St. Cloud but he didn't get Notified

Ms. Nhia Vang: you weren't sent a Notice; I'll recommend deletion

Delete the assessment.

Referred to the City Council due back on 9/12/2018

- 13 [RLH TA 18-425](#) Ratifying the Appealed Special Tax Assessment for property at 623 LAUREL AVENUE. (File No. J1812A, Assessment No. 188532) (Public hearing to be continued to October 17)

Sponsors: Thao

David Spar, 623 Pergola LLC, owner, appeared.

Supervisor Paula Seeley:

Cost: \$344

Service Charge: \$162

Total Assessment: \$506

Gold Card Returned by: David Spar

Type of Order/Fee: Summary Abatement (remove furniture & scattered rubbish near dumpster)

Nuisance: Failure to maintain exterior

Date of Orders: 3-26-18

Compliance Date: 4-2-18

Re-Check Date: 4-2-18

Date Work Done: 4-10-18

Work Order #: 18-050304

Returned Mail?: No

Comments:

History of Orders on Property: Not really

VIDEO - there's no furniture but crew removed scattered rubbish near dumpster

Ms. Nhia Vang: viewed VIDEO again

Mr. Spar: the furniture was removed; the rubbish was mostly recycling; the recycling bins were moved & we got a separate dumpster; some of the recycling material was left behind; the dumpster was overflowing; we didn't notice at first because of that narrow alley

-I don't recall seeing a Notice about this

Ms. Nhia Vang: you did clean it but some of the rubbish was left; good faith effort

Public hearing continued to October 17, 2018 and if no same or similar violation(s), will delete.

Referred to the City Council due back on 9/12/2018

- 14 [RLH TA 18-339](#) Ratifying the Appealed Special Tax Assessment for property at 458 LEXINGTON PARKWAY NORTH (1098 UNIVERSITY AVENUE WEST). (File No. J1811A, Assessment No. 188525 Amend to File No. J1811A1, Assessment No. 188558) (Public hearing to be continued to October 17)

Sponsors: Thao

Stuart Tapper appeared.

Supervisor Paula Seeley:

Cost: \$160
Service Charge: \$157
Total Assessment: \$322
Gold Card Returned by: Stuart Tapper called
Type of Order/Fee: SA Letter
Nuisance: SnowWalk
Date of Orders: March 1, 2018
Compliance Date: 48 hours
Re-Check Date: March 14, 2018
Date Work Done: March 16, 2018
Work Order #: 18-037343 (STAMP has it under 1098 University Ave W)
Returned Mail?: No
Comments:

History of Orders on Property:
-it's unusual for inspectors to give that long of an extension (from Mar 1 - Mar 14), especially on University Avenue

VIDEO - looks snow/ice melted, refroze; mostly cleaned; crew removed full width; salted/sanded

Nhia Vang: did you call in for an extension?

Mr. Tapper: No, we didn't because I did not receive Notice; we have a snow removal crew; the Lexington side was completely done but I don't know why my crew didn't do the University side; I don't know what to say; and why a Notice when to Mohamed Mohamed; there's no reason it should go to him, especially at my address; 700 W. Broadway Ave is my address; Mohamed is a tenant of this shopping center (1094)

Mai Vang: Mohamed is listed as the Responsible Party of South Metro Centers IV LP; if he shouldn't be, you need to change that - you need to fill out another Certificate of Occupancy form; ask the fire inspector how they got Mohamed's name on the form

Mr. Tapper: our fire inspector has no problem getting in touch with us; we take care of any issues they identify

Ms. Seeley: there's 5 different addresses for this property

Mr. Tapper: there are 7 tenants in the center

Nhia Vang: the city did go out & they did clean it

Mr. Tapper: that's very odd; during that time from Mar 1 - Mar 14, they could have been out there 3-4 times; actually I thought this was a trash issue because the back area gets dumped on all the time & we're constantly removing furniture, etc

Nhia Vang: somebody received this Notice because we had no returned mail; who opens the mail for South Metro Centers, 6001 Shady Oak Rd S Ste 210, Minnetonka MN?

Mr. Tapper: if they received it, they would have notified me as they do with other mail

Nhia Vang: there is some error in why you were given 13 days to clear snow/ice

Public hearing continued to October 17, 2018 and if no same or similar violation(s), will delete assessment.

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

- 15 [RLH TA 18-421](#) Deleting the Appealed Special Tax Assessment for property at 1295 MARION STREET. (File No. J1812A, Assessment No. 188532)

Sponsors: Brendmoen

Richard Schultz, owner, appeared.

Supervisor Paula Seeley:

Cost: \$344

Service Charge: \$162

Total Assessment: \$506

Gold Card Returned by: Richard Schultz

Type of Order/Fee: Summary Abatement (Remove tote full of trash in yard & in front of garage.)

Nuisance: Failure to maintain exterior property

Date of Orders: 4-4-18

Compliance Date: 4-11-18

Re-Check Date: 4-11-18

Date Work Done: 4-13-18

Work Order #: 18-051538

Returned Mail?: No

Comments:

History of Orders on Property: 6-7-18 Summary Abatement & Work Order

VIDEO - cannot play VIDEO

Mr. Schultz: somebody's been dumping trash back by my garage; someone ran into my garage door - tried to break in; I think it was someone who used to live with me; I cleaned up everything that was trash; I took all the garbage out of the barrel cart but I noticed that when the day was up, the barrel cart was missing; I took care of everything & I got rid of all that stuff

Ms. Nhia Vang: in addition to the barrel cart, we had a bunch of trash

Mr. Schultz: viewing photos, the carpet is still there that was covering up a lawn mower; I had cleaned all that stuff up & I had moved the barrel cart; looks like somebody threw something else in the back

Ms. Nhia Vang: the Order said, "Remove totes full of trash" but in the photo we see the tote being empty & there was trash on the outside; & we don't have any VIDEO to confirm before & after the crew coming; any past history?

Mr. Yannarely: TGW in May 31, 2017-needed a Work Order; abandoned vehicle in May 2017; Nov 23, 2016, garbage/rubbish; another abandoned vehicle in Mar 2016; there's some history

Mr. Schultz: at my house? people lived with me, abused me/stole from me; I picked the wrong friends; was in hospital 2 months this year already for heart failure

Ms. Nhia Vang: what are you asking for?

Mr. Schultz: whatever you can do to me

Ms. Nhia Vang: I'd like to have a look at the VIDEO before I make my recommendation because the Order & the photos don't match

—
Delete the assessment as the order was not clear enough.

Referred to the City Council due back on 9/12/2018

- 16** [RLH TA 18-436](#) Ratifying the Appealed Special Tax Assessment for property at 861 PAYNE AVENUE. (File No. J1812A, Assessment No. 188532) (Public hearing to be continued to October 17)

Sponsors: Bostrom

Pierce Stepp, property manager, appeared.

Cost: \$336

Service Charge: \$162

Total Assessment: \$498

Gold Card Returned by: Pierce Stepp appeared.

Type Of Order/Fee: Summary Abatement (Remove mattresses & couch from rear parking lot.)

Nuisance: Garbage/Rubbish

Date of Orders: 3/27/18

Compliance Date: 4/3/18

Re-Check Date: 4/3/18

Date Work Done: 4/4/18

Work Order #: 18-049059

Returned Mail? Mail was returned for Pierce Stepp at 2109 Main St SE, Unit 504, Mpls MN 55414

Comments:

History of Orders on Property:

VIDEO - nothing on video

Mr. Stepp: this is an apartment building with 3 addresses: 857, 859 & 861 Payne Avenue but it's all one bldg; I did not get the original SA Order; perhaps it was sent to the wrong address

Supervisor Paula Seeley: 1501 East Lake Street, Mpls ?

Mr. Stepp: no; we're at 219 Main St SE, Mpls, not 2109

-1501 East Lake Street Mpls is the owner's address & the owner didn't contact me

-we've gotten other things from the city

-I was aware of the issue - we were trying to get the trash company to come out & pick up the mattresses & couch but it was like 2 weeks in a row that they didn't do it

Ms. Mai Vang: we do have you listed as the responsible party at 219 Main St SE in the system; I don't know why it would pull up the wrong address

Ms. Seeley: fill out 3 individual C of O forms; one for each address (857, 859, 861 Payne)

Ms. Mai Vang: *actually, if there's only 1 pin number, I think you only need to fill out one form*

Ms. Nhia Vang: *you did make an attempt; the city made a slight error with the address so you weren't noticed*

Public hearing continued to October 17, 2018 and if no same or similar, will delete.

Referred to the City Council due back on 9/12/2018

17 [RLH TA 18-431](#)

Ratifying the Appealed Special Tax Assessment for property at 206 PRESCOTT STREET. (File No. J1811A, Assessment No. 188525 Amend to File No. J1811A1, Assessment No. 188558) (Public hearing to be continued to October 17)

Sponsors: Noecker

Andrew D. Zelinskas, owner, appeared.

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$157

Total Assessment: \$322

Gold Card Returned by: Andrew Zelinskas called

Type of Order/Fee: SA letter

Nuisance: Snow Repeat Offense Letter from 2/9/18 Order

Date of Orders: March 1, 2018

Compliance Date: 24 hours due to repeat offense

Re-Check Date: March 5, 2018

Date Work Done: March 7, 2018

Work Order #: 18-034115

Returned Mail?: No

Comments:

History of Orders on Property: Snow Order 2/14/18 (done by City)

VIDEO - crew removed snow/ice full width; salted/sanded

Mr. Zelinskas: I didn't receive anything but I got 2 of these; I got all my other paperwork sent from the city; I called the county & they said my address was changed May 5, 2018 to the St. Paul Park address; I didn't change anything; all my mail from the city goes to St. Paul Park; there's no mail box at 206; there's nothing at 206; I called someone- don't know who I talked to; she said that I had shoveled but not wide enough; I didn't know it was a law to shovel full width of the walk; I always clean out the corners but I just didn't receive anything

Mr. Yannarely: he didn't do one side of the property at all; you made an attempt on the other side

Nhia Vang: who would have changed your address?

Mr. Zelinskas: I'm building a brand new home there on the corner; he did not get notification any place other than 206 Prescott

Nhia Vang: no official record of your address

Public hearing continued to October 17, 2018 and if no same or similar violation(s), will delete.

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

- 18** [RLH TA 18-426](#) Ratifying the Appealed Special Tax Assessment for property at 1314 RICE STREET. (File No. J1812A, Assessment No. 188532)

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 9/12/2018

- 19** [RLH TA 18-424](#) Ratifying the Appealed Special Tax Assessment for property at 1772 SCHEFFER AVENUE. (File No. J1812A, Assessment No. 188532)

Sponsors: Tolbert

Approve; no show.

Referred to the City Council due back on 9/12/2018

- 20** [RLH TA 18-385](#) Ratifying the Appealed Special Tax Assessment for property at 1821 SELBY AVENUE. (File No. J1811A, Assessment No. 188525)

Sponsors: Henningson

Sam Daoud, property manager, MCR Property Holdings LLC, appeared.

Supervisor Paula Seeley:

Cost: \$476

Service Charge: \$284

Total Assessment: \$760

Gold Card Returned by: MCR Property Holdings LLC

Type of Order/Fee: SA (Remove trash bags, shopping carts, paint pails & litter in the front yard, backyard/under the deck & throughout the property.)

Nuisance: SnowWalk & trash

Date of Orders: 2/27/18 (snow walk), 3/15/18 (trash)

Compliance Date: 48 hrs (snow walk), 3/22/18 (trash)

Re-Check Date: 3/1/18 (snow walk), 3/22/18 (trash)

Date Work Done: 3/5/18 & 3/23/18

Work Order #: 18-045515, 18-033285

Returned Mail?: No

Comments:

History of Orders on Property: 6/1/16, 10/21/16, 12/15/17 (done by owner)

SNOW VIDEO - crew removed snow/ice full width; salted/sanded full width

TRASH VIDEO - trash bags, shopping carts, etc, items under deck; most items frozen in; lawn mower can stay

Mr. Daoud: rental property; we didn't receive Notice, just the bill

Nhia Vang: have you had issues with not receiving mail in the past?

Mr. Daoud: no; we've received snow Orders before; snow didn't change much, just the sand

Nhia Vang: how often do you go out there?

Mr. Daoud: once a week; we have a service take care of things; we didn't receive any Notice so we couldn't contact the service; the trash - the stuff in the back -the trash is obvious but the chairs & stuff?

Ms. Seeley: you can't keep upholstered furniture outside

Nhia Vang: there was a lot of trash

Mr. Daoud: all the trash under the deck has been cleaned up now; \$760 charge for the trash that wasn't picked up - that's a lot money for work that wasn't done

Nhia Vang: why was all that trash under the deck"

Mr. Daoud: that was from some past renovations done inside; I don't know why the contractor put it under there; we have a neighbor who likes to call; this situation with the frozen stuff, we couldn't do anything about that but we would not have removed the furniture

Nhia Vang: what are you looking for today?

Mr. Daoud: I think that we can prove to you that we can keep it clean & have no more violations

Nhia Vang: I can't recommend no same/similar but I can spread the assessment over 3 years because of your history; you did make an attempt with the snow

Mr. Daoud: we make an attempt with the trash

Mr. Yannarely: but you're responsible for the property

Nhia Vang: I will reduce the snow assessment by half (\$161) and approve the full one for the clean-up

—
Reduce from \$760 to \$599.

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

21 [RLH TA 18-379](#)

Ratifying the Appealed Special Tax Assessment for property at 391 SHERBURNE AVENUE. (File No. J1811A, Assessment No. 188525)

Sponsors: Thao

Lori Ann & Nathan Harrington, owners, appeared.

Supervisor Paula Seeley:

Cost: \$344

Service Charge: \$162
Total Assessment: \$506
Gold Card Returned by: Lori Ann Harrington
Type of Order/Fee: SA (Remove discarded pallets from alley side of garage)
Nuisance: Garbage/Rubbish
Date of Orders: 2/23/18
Compliance Date: 3/2/18
Re-Check Date: 3/2/18
Date Work Done: 3/7/18
Work Order #: 18-033765
Returned Mail?: No
Comments:
History of Orders on Property: VAO 2/10/17 (WO), Door/Frame front of garage (WO) 3/7/18, mattress by alley (abated by owner) 3/28/17, SA 9/26/17 & 10/3/17 (abated by owner), Snow Ltr 12/26/17 (abated by owner)

VIDEO - crew removed pallets from alley side of garage

Mr. Harrington: I'm looking for a stay of this assessment of some sort; the pallets were on the outside of the alley; we've been diligent for picking up dumping - which the alley is notorious for; it's right next to a vacant lot; dumping is constant; we try to keep up with property maintenance; I moved those pallets from the alley side to the inside so I could take care of it; since we purchased the property, we've made every effort to keep it clean

Nhia Vang: did you call the city to ask for an extension

Mr. Harrington: no; I did not understand that the inside of the yard was also fair game

Ms. Seeley: just a little history

Mr. Harrington: when I get those notices, I go & try to keep it clean; it's a rental

Nhia Vang: tough one for me; in the past, he has abated

Mr. Yannarely: it's a tough neighborhood

Mr. Harrington: virtually impossible to keep up with all the dumping in that alley way, particularly on that corner lot - vacant

Nhia Vang: willing to reduce; will cut in half

Reduce from \$506 to \$253.

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

22 [RLH TA 18-380](#)

Ratifying the Appealed Special Tax Assessment for property at 40 STEVENS STREET EAST. (File No. J1811A, Assessment No. 188525)

Sponsors: Noecker

Peter H. Kramer, owner, appeared.

Supervisor Paula Seeley:

Cost: \$160
Service Charge: \$162
Total Assessment: \$322
Gold Card Returned by: Peter Kramer
Type of Order/Fee: SA
Nuisance: SnowWalk Ltr
Date of Orders: 2/26/18
Compliance Date: 48 hours
Re-Check Date: 3/1/18
Date Work Done: 3/5/18
Work Order #: 18-033245
Returned Mail?: No
Comments:
History of Orders on Property: 3/3/17 VAO abated by owner, some in 2016

VIDEO - crew salted/sanded sidewalk & ramp full width;

Mr. Kramer: I filed the appeal so I could find out what is the process for deciding that the sidewalk is not adequately done?

Mr. Seeley: shoveled full width & cleared to the concrete; ramps need to be cleared, as well

Mr. Kramer: this was a particularly bad winter; we hired a man to do this; as soon as we were notified, we told him to go do it; does the inspector go around looking for these situations or are they a complaint?

Ms. Seeley: both can happen; mostly, it's a complaint

Mr. Kramer: I'm not appealing the decision or the exorbitant cost; but with complaints, you may have a neighbor who is unhappy & will complain for whatever reason; it's problematic

Ms. Seeley: we sit on a complaint for 3 days; you had quite a bit of time; the Ordinance says 48 hours

Ms. Nhia Vang:

Approve the assessment.

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

- 23 [RLH TA 18-418](#) Ratifying the Appealed Special Tax Assessment for property at 981 VICTORIA STREET NORTH. (File No. J1812A, Assessment No. 188532) (Public hearing to be continued to October 17)

Sponsors: Brendmoen

Khadidiatou Aidara, owner, appeared.

Supervisor Paula Seeley:
Cost: \$372
Service Charge: \$162
Total Assessment: \$534
Gold Card Returned by: KHADIDIATOU RURIMWISHIGA

Type of Order/Fee: SUMMARY ABATEMENT (Remove table, couch, furniture, pallet & misc trash from rear yard.)

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY

Date of Orders: 3-29-18

Compliance Date: 4-5-18

Re-Check Date: 4-5-18

Date Work Done: 4-6-18

Work Order #: 18-049716

Returned Mail?: NO

Comments:

History of Orders on Property: 3-30-17 ORDERS ON TRASH

VIDEO - it doesn't work

Ms. Nhia Vang: looked at photo of violation along with Ms. Aidara

Ms. Aidara: I don't know where to start; you think when you have your own house, you can do what you want; since I see a lot of people, they want to sit outside since I don't have much room in the house; since my husband left, it's been hard for me; and the couch was there outside since he left & I never had a problem; so, when I got this citation, I tried to call the guy but it was late; so, one day I called & explained that the couch had been there a long time; he said that the couch had to be gone; since I know now, I said, give me a day & I'll call my company to come & get it; the next day, it was all gone; when I received the bill, it shocked me; I'm living paycheck to paycheck

Ms. Nhia Vang: asked if there was a note in the file from the inspector about a call

Ms. Seeley: no; Mr. Kedrowski was the inspector & there's no note about a call

Ms. Aidara: I don't know what is right & what is wrong; my son said to try to call that guy & explain that you need a little time; I left a message but I wanted to talk to someone; the next day, it was gone

Ms. Seeley: history: garbage on Mar 17, 2017; snow walk in Feb, 2017; now, we have overhanging vegetation on sidewalk & alley

-noted that any indoor furniture is not to be outdoors; any sort of cloth that absorbs moisture is not allowed outside; it will mold; outdoor furniture is readily available

Ms. Aidara: I have one son; he drives from Mankato every 2 weeks to help me because I cannot do everything by myself; the problem is that the inspector didn't give me the time I asked for

-if I have to pay, can some of it be waived?

Ms. Nhia Vang: I don't have a VIDEO & I'll not make a recommendation today

Public hearing to October 17, 2018 and if no same or similar violation(s), will delete the assessment.

Referred to the City Council due back on 9/12/2018

Assessment Roll

- 24 [RLH AR 18-56](#) Ratifying the assessments for Property Clean Up services during April 2 to 13, 2018. (File No. J1812A, Assessment No. 188532)

Sponsors: Brendmoen

Referred to the City Council due back on 9/12/2018

10:00 a.m. Hearings

Remove/Repair Orders

- 25 [RLH RR 18-34](#) Making finding on the appealed nuisance abatement ordered for 675 AURORA AVENUE in Council File Nos. RLH RR 17-18 & RLH RR 18-34.

Sponsors: Thao

Nuisance condition has been abated and the matter is resolved.

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

Special Tax Assessments

- 26 [RLH TA 18-409](#) Deleting the Appealed Special Tax Assessment for property at 100 GEORGE STEET EAST (File No. J1813A, Assessment No. 188533)

Sponsors: Noecker

John Pelzer, owner, appeared.

Supervisor Paula Seeley:

Cost: \$344

Service Charge: \$162

Total Assessment: \$506

Gold Card Returned by: JOHN PELZER

Type of Order/Fee: SUMMARY ABATEMENT (old furniture, scrap lumber, misc rubbish on front porch)

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY

Date of Orders: 4-11-18

Compliance Date: 4-19-18

Re-Check Date: 4-19-18

Date Work Done: 4-23-18

Work Order #: 18-054246

Returned Mail?: NO

Comments:

History of Orders on Property: 1-18-17 AND 7-21-18 ORDERS ON RUBBISH

VIDEO - crew removed old wooden table & chairs, scrap lumber, etc, on open front porch; improperly stored

Ms. Mai Vang: that furniture doesn't belong outside

Mr. Pelzer: it's not stored; it's being used; all of it is protected by a roof - it's not in the weather; I understand the city is going bankrupt; Kaisersatt is the problem; he sent me a thing because I had trash cans on the sidewalk in front of my house; Mr. Kaisersatt came out & all of a sudden, he's in a rage

Ms. Nhia Vang: we're not talking about trash cans today

Mr. Pelzer: give me a little leeway

Ms. Seeley: I don't see anything about trash cans in your record

Supervisor Joe Yannarely: there's no record of trash cans on front sidewalk but I do see another furniture complaint from a year ago - stored on front porch; an open porch is considered "outside"

Ms. Nhia Vang: how did this furniture complaint come to your attention?

Ms. Seeley: it came from a called-in complaint

Mr. Yannarely: someone called in a complaint & Mr. Kaisersatt is required to address it

Ms. Nhia Vang: to avoid this, please understand, that kind of furniture is not for the outdoors; it belongs inside; I'm going to recommend that we delete this assessment but please understand that you cannot put "indoor" furniture on your open front porch

Delete the assessment.

Referred to the City Council due back on 9/12/2018

27 [RLH TA 18-433](#)

Ratifying the Appealed Special Tax Assessment for property at 671 JESSAMINE AVENUE EAST. (File No. J1811A, Assessment No. 188525)

Sponsors: Bostrom

Ahmad Kian, owner, appeared.

Supervisor Paula Seeley:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: Ahmad Kian

Type of Order/Fee: SA (Trash on Blvd)

Nuisance: Garbage/Rubbish

Date of Orders: 3/23/18

Compliance Date: 3/27/18

Re-Check Date: 3/27/18

Date Work Done: 3/28/18

Work Order #: 18-046829

Returned Mail?: No

Comments:

History of Orders on Property: Abandoned vehicle 5/24/17 (No WO); trash 1/26/16 (no

WO)

VIDEO - crew removed trash on blvd

Mr. Kian: I'm stunned

Ms. Seeley: I wrote the Order; that was a mess

Mr. Kian: there were items there & we sent a crew & it was cleaned up (major items on the sidewalk & foam & boxes, etc. that someone dumped); I talked to the inspector & told him that we had cleaned it up; this was different stuff

Ms. Seeley: maybe you're thinking about a different Order

Mr. Kian: that's the only one I received on that property; this one I did not receive; if I had received this Order, I would have cleaned it up

Nhia Vang: there was no returned mail; will recommend approval

—

Approve the assessment.

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

28 [RLH TA 18-395](#)

Deleting the Appealed Special Tax Assessment for property at 1148 LAWSON AVENUE EAST. (File No. J1811A, Assessment No. 188525)

Sponsors: Bostrom

Phillip Engelstad, tenant, appeared.

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Phillip Engelstad, 651-431-5682

Type of Order/Fee: SA

Nuisance: SnowWalk

Date of Orders: 3/2/18

Compliance Date: 48 hours

Re-Check Date: 3/5/18

Date Work Done: 3/8/18

Work Order #: 18-034337

Returned Mail?: No

Comments:

History of Orders on Property: No history at all

VIDEO - crew removed snow/ice full width; salted/sanded

Mr. Engelstad: I shoveled it twice; the first time I did it my self; then, the following day, I had some high school ROTC students from Johnson High School shoveled; unfortunately, we didn't know the parameters; they just made a more suitable path for people; I live alone at that property & am somewhat limited in physical ability; I call in the services; my kids are buying me a snow blower this fall

Nhia Vang:

Delete the assessment.

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

- 29 [RLH TA 18-429](#) Ratifying the Appealed Special Tax Assessment for property at 1738 SHERWOOD AVENUE. (File No. J1813A, Assessment No. 188533)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 9/12/2018

Assessment Roll

- 30 [RLH AR 18-57](#) Ratifying the assessments for Property Clean Up services during April 18 to 30, 2018. (File No. J1813A, Assessment No. 188533)

Sponsors: Brendmoen

Referred to the City Council due back on 9/12/2018

11:00 a.m. Hearings

Summary Abatement Orders

- 31 [RLH SAO 18-48](#) Appeal of Chris Zepeda to a Summary Abatement Order and Correction Notice at 1846 CHELTON AVENUE.

Sponsors: Henningson

Deny the appeal (no one appeared)

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

- 32 [RLH SAO 18-40](#) Appeal of Carolyn J. Brandt to a Summary Abatement Order and Correction Notice at 1940 FAIRMOUNT AVENUE.

Sponsors: Henningson

Carolyn J. Brandt, owner, appeared.

Summary Abatement Order & a Correction Notice

Supervisor Paula Seeley: complaint came in Jun 11 re: a boarded up 2nd story door on the back of the house; buckets, dirt, weeds, mud strewn around brick, stuff in driveway, piles of refuse; Supervisor Lisa Martin went out on Jun 28, sent a Summary Abatement Order to cut all the rank weeds/plants in the yard & alley area; & to remove improperly stored accumulated refuse which includes scrap wood, metal, recycling materials, household items, building materials, bricks, buckets, broken flower pots, buckets of standing water, tree branches, etc; compliance date Jul 9

-she also sent a Correction Notice on the yard for ground cover & exterior walls of the house; history here goes back 10 years

Ms. Brandt: I would like more time & I need clarification of the problem
-first of all, I'd like to ___ what this woman said because I have a next door neighbor who was calling & complaining about my yard before the construction even started; a couple years ago, the city came out after I had mowed with a hand mower - someone else came out & moved the lawn even though it didn't need it; I called the city & asked, "What's going on?" Tell me what the complaints are so I can correct them; in the meantime, I'm trying to keep the bushes trimmed; now, I'm trying to drill holes in them & applying vinegar & salt to kill them; I asked an inspector to come out to tell me why I'm getting these letters; he said, "you have netting over your vegetable garden;"

-a balcony is being put in; I have permits; steps were put in Aug-Sep 2017; they did a really bad job so, it has to be removed & I lost money; I'm putting in new steps - there was a delay; I've been waiting for 4 months; the delay is causing people to complain -my mother just died a couple weeks ago; she had been in & out of the hospital for months; & I just can't take it any more

-I'm trying to put brick in my garden; I hired someone to clean out my gutters; I hired a person to weed whack the back yard; I tried covering the weeds with a black cloth; someone complained; I had drainage tile put in the back; can't mow it & on & on & on; Xcel will bury my wires; there was construction going on all last year; now, I have to have the decks put in again; all these things going on & people complain; I have a neighbor who is anal retentive; & I have ADD so I talk & talk & talk

Nhia Vang: there's a lot here; how much time do you need? Give me a time frame

Ms. Brandt: they keep giving me a further out time; they can't put in the balcony until the steps have been put in; construction companies are notorious for delays; I'm hoping to have the steps removed by the end of Jul; balcony put in Aug; underground wires in Sep

Nhia Vang: I have 2 different Orders before me; I'll take this piece by piece
-SA - cut & remove all grass, weeds, rank plant growth from yard, blvd & alley; comply before Jul 9, 2018

Ms. Brandt: when the back is under construction, it shouldn't even be an issue; when I call & ask the city what I needed to do, they have no idea - no specifics

Ms. Seeley: we received several complaints

Nhia Vang: where's the progress?

Ms. Brandt: there's no refuse except for the pails that I use for the weeds that I pull

Nhia Vang: how much more time do you need?

Ms. Seeley: it's not our job to come out & discern between weeds & flowers

Ms. Brandt: I just want to know what to do
-I won't be completely done by Oct; contractors just don't know; I don't have control over my contractors; I wanted it done last year so that I could continue with my landscaping

Nhia Vang:

Grant to August 6, 2018 for the SAO and grant to August 6 for Items 1 & 2 in the Correction Notice; grant to October 15, 2018 for Item 3; grant to August 23 for Item 4.

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

33 [RLH SAO 18-50](#) Appeal of Marilu LaVoie to an Emergency Summary Abatement Order at 1541 MARGARET STREET.

Sponsors: Prince

Marilu N. LaVoie, owner, appeared.

Inspector Stephan Suon: we got a complaint about a pool without a fence on Jul 5 - considered an emergency; I went out there the same day & posted an emergency abatement placard, which required the property owner to drain the pool; I re-checked it the next day, Jul 6, 2018; the water was sufficiently drained; at that point, it's no longer an emergency; but the pool was still there, so, I sent a Summary Abatement Order to remove the pool; I went back out on Jul 17, which is the same day that she filed the Appeal; I cancelled the SA Order the next day

Nhia Vang: why are you appealing?

Ms. LaVoie: there's no Ordinance saying that I can't have a pool; our pool does not hold 5000+ gallons; ____ agreed with me that there was no Ordinance that I was not in compliance with; they also told me on Jul 6 that I could keep the pool up because I was appealing but I still had to drain the pool; there is no reason that I was ever given why I had to drain the pool

Supervisor Paula Seeley: I wasn't really involved; I was down at the front counter for a little while in the morning but....

Ms. LaVoie: you were talking with me

Ms. Seeley: not for very long... anyway, we told you the new Ordinance; you found the old Ordinance; our Deputy Director has taken the old one off the website; we are going by Chap 34 - 1000 gallons of water & only 24 inches deep is allowed without being fenced in

Ms. LaVoie: when we put up this pool, we went by the Ordinance that was on the website; no one has shown me any reason why we couldn't have the pool up; they, in fact, printed out the Ordinance for me right in the office - it was 5000+ gallons; I printed out all the things that they gave me; I gave a copy to you

Ms. Seeley: Nhia, do you have a copy of the new Ordinance?

Nhia Vang: I do - Chap; 34.09

Ms. LaVoie: I asked for it & no one provided me with the new Ordinance

Mr. Suon: I went out there & I gave you a copy &

Ms. LaVoie: no; you didn't; not to me; maybe to my daughter; you came out Jul 6 at 11 o'clock & you agreed with me that you didn't see any reason why I should have to

drain the pool

Ms. Seeley: I can't see him saying that; he asked me; I'm his supervisor & I said, "No;" you can put up a fence

Ms. LaVoie: now, in the middle of Jul, you tell me I have to have a fence; that's not fair; I don't have the money now; I will put one up next year

Nhia Vang: the water's been drained but the pool is still there; under the current Ordinance, the pool can't be there

Ms. LaVoie: I was told I could do an appeal to refill my pool

Nhia Vang: you filed an appeal to Stay the Order, it doesn't allow you to fill the pool again; enforcement is stayed

Ms. LaVoie: I put up my pool in Jun & was within the Ordinance; now, in the middle of summer you're telling me that you changed the Ord & I have to take my pool down; that's not fair; I spent all kinds of money on the pool

Nhia Vang: the Ordinance was passed retroactively

Ms. LaVoie: my granddaughter has special needs; this is her only form of therapy in the summer; we called city inspections at the beginning of the year &

Nhia Vang: so, you would like to refill the pool & to use it (?)

Ms. LaVoie: yes

Ms. Seeley: if she calls the Call Center, staff is going to go by the old code; they're not going to know.... the Building Official, Steve Ubl, just put this in & told us to get that old one out

*Nhia Vang: our current Ordinance does not allow you to refill the pool & use it; & standing there without any fencing is a nuisance
-I'm not comfortable making a recommendation on this; I will consult with our City Attorney*

The Legislative Hearing Officer Marcia Moermond reviewed your appeal and finds that your argument about the Zoning Code is not relevant to the Property Maintenance Code; therefore, she is recommending denial of your appeal.

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

34 [RLH SAO 18-46](#) Appeal of John Lavik to a Notice to Cut Tall Grass and/or Weeds at 1881 PRINCETON AVENUE.

Sponsors: Tolbert

John Lavik, owner, appeared.

(Audio tape is muffled.)

Supervisor Paula Seeley: we received a tall grass/weeds complaint for this address;

we sent a Notice on Jul 10, 2018; compliance date Jul 14, 2018; an appeal was filed; John showed me that he hired Prairie Restorations Inc for \$3000 (entered document: Proposal to Create a Native Landscape at the Lavik Residence, St. Paul, MN); it's a mixture of wildflowers & prairie grass; it's very tall; he says that he's willing to cut the blvd; included in the proposal is an estimate for 3 years of Establishment Period Vegetation Management that will be done for him; (site mowing-2-3 mowings as needed, optimum cutting height 4-6 inches); in 2019 Integrated Plant Management services: to control annual, biennial & perennial weed species, spot herbicide spraying, spot mowing, herbicide wicking or hand weeding; 2020: a prescribed burning may be recommended to stimulate native species to grow more robustly; or when not burned, a Spring Dormant Mowing can be used to clean up previous year's growth

Mr. Lavik: I pay for the maintenance service; they've done 1 mowing after I filed the appeal, so it's a little shorter in front; the prairie grasses will take over - the target height will be 4 ft; there are wildflowers

Ms. Moermond: right now, based on the plan that you presented (I can see that you're invested in it), I would be happy to grant your appeal; I & one of the city attorneys are working on an ordinance that's going to talk about prairie/native plantings; your plan may be just fine with the new ordinance in place; it may need a little tweeking; I'm not sure; so, I'm going to go ahead & recommend that your appeal is granted & let you know that something's coming down the pike that may affect you next year

Mr. Lavik: will this protect me from complaints?

Ms. Seeley: we'll put a note in the file that if staff gets complaints, have them talk with Inspector Seeley

Ms. Moermond:

Grant the appeal.

Referred to the City Council due back on 8/22/2018

Correction Orders

- 35 [RLH CO 18-28](#) Appeal of Jennie Schwartz to a Code Enforcement correction notice for 1131 MAGNOLIA AVENUE EAST.

Sponsors: Bostrom

No one appeared.

Owner worked with the Department of Safety & Inspections (DSI) & the inspector agreed to modify the Order to give until the end of Aug for compliance.

Ms. Moermond:

Grant until August 31, 2018 to comply with the Order.

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

Ms. Moermond: we'll focus on the 5 unrelated adults; you brought up that in the past inspection, this hasn't shown up on the Orders to be rectified; therefore, you are saying that it isn't a problem or because....

Ms. Geistfeld: no; I'm not saying that it's not a problem; if I can't have a variance I would ask for an extension to May 31, 2019 to comply because that's when their current lease is up; the house is not over-crowded; it has 5 bedrooms; there's plenty of room for the 5 individuals to live there comfortably; if would be a hardship for those living there & I'm not sure that they'd be able to secure housing at this point; most of them based their student loans on whether they are living on/off campus; & it would be a financial burden for me to have only 4 people living in the house; so, I'm asking for an extension to May 31, 2019

Mr. Neis: I completely understand; however, my concern with that is if the extension were granted, it could set a precedent for other landlords

Ms. Geistfeld: As a mother of an out-of-state college student, if my daughter were displaced, it would be a challenge, 3 weeks before school starts, to find different housing

-if I have to displace one of the students, are there resources available to find housing before school begins?

Ms. Moermond: no; the city doesn't have resources for that

-I can't grant a variance; this is a Zoning matter where no more than 4 unrelated adults is called out in the Zoning Code; the Fire Certificate of Occupancy is a tool for enforcement; if you wanted a variance to allow 5 unrelated adults, it would be thru the Board of Zoning Appeals, I believe; what I do have control about is when the enforcement date ends for this & also whether I believe or not that this is the situation that exists and in this case, it does; we have 5 unrelated adults

-I concur with Mr. Neis' assessment that allowing this to go for almost a full year is not a possibility; I think it is a bad precedent to set

-the city is enforcing the ordinance but they don't have resources to help you come into compliance

-I can give you a short extension

Grant until September 1, 2018 to reduce the number of occupants to 4 unrelated adults.

Referred to the City Council due back on 8/22/2018

38 [RLH FCO
18-118](#)

Appeal of Kristen Hansen, Markham Company, to an Updated Fire Inspection Correction Notice at 408 SAINT PETER STREET, SUITE 425.

Sponsors: Noecker

Appeal withdrawn by Appellant. (Owner contacted the front desk and said that she talked to someone about codes and they said everything was ok)

Withdrawn

39 [RLH FCO
18-116](#)

Appeal of Jennifer Fredricks to a Fire Certificate of Occupancy Inspection Correction Notice at 835 THIRD STREET EAST.

Sponsors: Prince

Jennifer Fredricks, manager, Riesco Inc, appeared.

Ms. Fredricks: Debara Zahn is the owner of Riesco Inc & she is my aunt.

*Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Notice issued by Fire Insp James Thomas
-appealed is #1 - dryer is located directly in front of the electrical panel; the Fire Code is clear: you need 36 inches of clearance from an electrical panel in order for the panel to be readily accessible if a breaker pops*

Ms. Moermond: viewing the photo - it looks like the dryer is half in front of the panel; the other half is not; you need 36 inches in kind of a half moon shape

*Mr. Neis: correct; however, this dryer/venting has been properly installed under permit (May 26, 2011); that was an opportune time for the city to say, "No, you're blocking this or that;" but that didn't happen; that permit was finalized by the inspector
-this is a code violation; however, this panel could still be accessed if it had to be; there is nothing on top of the dryer to obscure the electrical panel; and the challenge here is that the panel is close to the wall*

Ms. Moermond: this photograph doesn't give us an entire picture of the electrical panel itself

Mr. Neis: I have a photo taken from a different angle

Ms. Moermond: so, that's really close to the wall

Mr. Neis: if granted, I would condition it on nothing being placed on top of the washer/dryer

Ms. Moermond: I don't know what's on the other side of the sink (dryer, washer, sinks) then what?

Ms. Fredricks: it's almost right on the wall, a wall with not much space in between; there is access to reach the panel, if needed; this is a group home; they have a routine; they don't put the basket on top of the dryer; they put it on the floor

Ms. Moermond: reflective tape & signage can be used in some way so firefighters would be able to identify the electrical panel

Mr. Neis: something like that would be a very cheap way of addressing it; a hardware store has reflective letters & numbers; could put ELEC PANEL on the cover

Ms. Moermond: I'd like to see the electrical panel with those reflective letters put on the box with some reflective tape outlining the rectangle box itself

Mr. Neis: I think just the letters on the electrical panel would suffice & no storage on top of the dryer

Ms. Moermond: OK; what is your ability to put up a shelf for your detergent, bleach, softener, etc; so that they don't end up on the dryer or on the floor

Ms. Fredricks: yes, along this wall - that's not a problem

*Ms. Moermond: how you manage that is up to you
-taking into account that Mr. Gary Reisberg did approve the dryer venting & assessed the situation, I will grant the appeal on the conditions that reflective letters be placed onto the electrical panel cover & no storage on dryer, floor*

Grant the appeal on conditions that reflective letters be placed onto the electrical panel cover; and there be no storage on top of the dryer or on the floor near the dryer.

Referred to the City Council due back on 8/22/2018

40 [RLH FCO
18-102](#)

Appeal of Kristyn Secaur, on behalf of Court International LLC, to a Fire Inspection Correction Notice at 2550 UNIVERSITY AVENUE WEST.

Sponsors: Henningson

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 8/14/2018

2:30 p.m. Hearings

Vacant Building Registrations

41 [RLH VBR 18-28](#)

Appeal of Ryan Kempenich to a Vacant Building Registration Notice at 1464 MINNEHAHA AVENUE WEST.

Sponsors: Henningson

Ryan Kempenich, owner, appeared.

Fire Supervisor A.J. Neis: update - from a Fire C of O standpoint, there's not much to update except we were waiting on progress; it looks like there have been multiple strides taken; every single permit is finalized with the exception of 1 electrical permit re: meter replacement; it's a Category 2 Vacant Building and we did allow occupancy on the condition that only Mr. Kempenich & his immediate family lived there; I believe that you had given him the time to establish the zoning or convert to single family

Ms. Moermond: you have the place for sale as a single family home?

Mr. Kempenich: yep; Truth in Sale of Housing (TISH) people are supposed to come next week

Mr. Neis: is your property currently listed

Mr. Kempenich: yes

Ms. Moermond: you realize that's a violation of city code; you need your TISH before you can market it & you don't have a Code Compliance Certificate either

Mr. Neis: I'm looking at the pictures that are listed & I'm seeing on the 3rd floor: a refrigerator, kitchen cutlery, etc, that indicates that it's again,.. & the way that the

bedrooms are set up with the sinks & the refrigerators; it's still set up as a rooming/boarding house

Mr. Kempenich: I've been there with the kids & busy fixing & landscaping & painting, etc.

Mr. Neis: from a fire standpoint, it's an illegal occupancy; the pictures look wonderful; the work is done but I also see I know that it's not occupied ... it appears staged

Mr. Kempenich: I'm having a garage sale - getting rid of everything

Ms. Moermond: so you've got the kitchen on the 2nd floor; is there a kitchen on the 3rd floor too?

Mr. Kempenich: there's just a bar on the 3rd floor

Ms. Moermond: 6 months from now, am I going to be looking at someone who says, "I don't know why I couldn't use this as a triplex; there were 3 kitchens in it;" and clearly the city signed off on all of that; when you & I had a conversation months ago where your mom was sitting right there saying that you were going to convert this to be a single family home & get rid of all that other kitchen stuff - and that has not happened

Mr. Kempenich: we can do it then; what do you want me to do?

Ms. Moermond: I want you to do what you committed to do

Mr. Kempenich: when we bought this house all of those sinks & all of those bedrooms & kitchens..... and then you guys told me to go buy bathroom sinks; so, I just.....

Ms. Moermond: I don't think I ever said that; I said nothing about different kinds of sinks

*Mr. Kempenich: everyone thinks the house is big & beautiful; the biggest & best house in the neighborhood
-I'm telling everyone to go talk to Karen Zacho first because they all want to do different things with the house*

Mr. Neis: you've been caught twice with an illegal occupancy; with all that stuff still there, how do we know that there won't be a 3rd time or you go to sell it & they're going to continue with an illegal occupancy because they think that they can because that's how the house is set up

Recess taken for a few minutes

*Ms. Moermond: back in Nov 2017, you appealed the Vacate Order & at that time I recommended that the Council grant you to May 7, 2018 to comply with the balance of the Orders & allow you to continue to occupy the property; in that time period, part of those Orders was to take away the other kitchens beyond the main floor kitchen; you did not comply with that; the Vacant Building registration came about as a result of non compliance with those Orders; after the deadline of May 7, 2018, you continued to not comply with that & to di-convert & remove those kitchens; you've been completely aware that those were requirements to comply with the Orders
-in the Jun 6, 2018 LH, I gave you a chance to work to get the zoning changed; & I said, if you're not going to get a pass from the BZA, the next thing is that I want those*

kitchens completely out of there; I want the gas line capped; I want the appliances gone; I want the cabinets to be gone - all of it; & you got 6 weeks to sort out the zoning; those 6 weeks have come & gone; and the zoning continues to be a single family home; because of the repeat violations, I would not recommend that the Council allow the continued existence of those additional kitchens, wet bars, whatever you want to call them - they are gone; & you are not allowed to occupy this house until there is compliance with those Orders; the property should be Vacated by Aug 20, 2018

Mr. Kempenich: otherwise, I can go with a duplex?

Ms. Moermond: you were given that chance----- if you can get thru that

Mr. Kempenich: that's 60 days & DSI said, 90 days; I'm trying to sell it

Ms. Moermond: we had this conversation last year & we're still having it now; I'm done; it you want to go do that, it's on your own time; it's not on this time; you've been stringing this out; I've given you a lot of opportunities to go & talk to the Board of Zoning Appeals (BZA); you haven't done that - you haven't filed to appeal

Mr. Kempenich: they said that they're not going to grant me anything until the permits are closed; now, you want me to pull the sinks

Mr. Neis: not the sinks in the individual bedrooms; we're talking about the refrigerators in the bedrooms; the sinks can be there; the 2nd floor galley kitchen refrigerator needs to go; the plumbing; the gas; cabinetry

Mr. Kempenich: the cabinetry can be used for storage

Ms. Moermond: those kitchens go or you'll need to vacate

Grant until August 20 to remove the full sinks, fridge, cabinets from the 2nd and 3rd floor and plumbing must be capped under permit or the property must be vacated.

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

42 [RLH VBR 18-44](#) Appeal of Scott Beck to a Vacant Building Registration Notice at 945 BEECH STREET.

Sponsors: Prince

Scott Beck, Director of Operations, Havenbrook Homes, LLC, responsible party, appeared. (Muffled tape recording)

Fire Supervisor A.J. Neis: Condemnation by Fire Inspector James Thomas due to a water shut-off; the property must have basic facilities; Insp Thomas contacted St. Paul Regional Water Services to verify that the water was shut-off; he referred it to the Vacant Building Program as a Category 1 VB

Supervisor Matt Dornfeld, Vacant Buildings: on Jun 29, 2018, Inspector Tom Friel opened a Cat 1 VB per Fire Inspector Thomas' recommendation; his notes read as follows: 1 1/2 story wood frame single family dwelling appears to be vacant, secure, no answer at the door, cannot see inside; referred Revoked C of O by Insp Thomas; house appeared to be in fair condition with a few defective screens, etc; tall grass/weeds, some bags of refuse in the side porch; small wood shed is secure; opened a Cat 1; issued a Summary Abatement Order for refuse & TGW; in

compliance as of Jul 10, 2018

Mr. Beck: the water was turned off for non-payment by the resident; it was issued on the 9th; received on the 12th; we paid it on the 12th; I went over there myself

Ms. Moermond: of what month?

Mr. Beck: April; so, by the time the mail was at our office in the morning, by that afternoon, the water was on; & the inspector was informed; I requested a re-inspection & nothing's been scheduled (Insp. James Thomas)

Mr. Neis: I'm calling for verification

Ms. Beck: the Revocation was all because of the water shut-off & the water was taken care of 3 days afterward

Ms. Moermond: we will fix the record according to what we figure out here -we'll take another case while you call for verification, Mr. Neis

Ms. Moermond: I will recommend that Council grant your appeal on the VB Registration Notice; and I'm gathering that without even having the appeal in front of me that DSI is going to lift it's Condemnation of the property & seek to, perhaps, reinspect it (?)

Mr. Neis: yes; one thing to check: this C of O was approved in Jul 2017 by Inspector Thomas & was given a Class B grade, which would put the next inspection due in Jul 2019; so, if I lift the Revocation, there's going to be a C of O fee generated of \$206 to re-instate the C of O

Ms. Moermond: the water was off for 2-3 days; my recommendation to DSI (I can't make this decision on your behalf) would be to waive the re-instatement fee on the C of O because of the inappropriate referral, which came, by my calculation, 2 1/2 months after the situation had already resolved itself

Grant the appeal on the VB Registration and lift the condemnation. (Fire inspection fee is waived by LHO.)

Referred to the City Council due back on 8/22/2018

43 [RLH VBR 18-45](#) Appeal of Hai Truong to a Vacant Building Registration Fee at 711 FULLER AVENUE.

Sponsors: Thao

Hai Truong, owner, appeared. (Muffled tape recording)

Supervisor Matt Dornfeld, Vacant Buildings: this was referred to us on Jan 9, 2018 by the Saint Paul Fire Department due to severe fire damage at the property; I inspected & found the building vacant, already boarded-up by Restoration Professionals; I entered the 90-day VB fee waiver for fire exempt properties; time had passed to mid-Apr & I spoke with property owner Mr. Truong on the telephone; he mentioned that he was in the process of starting to clean out & rehab, etc. so, I granted a 2nd 90-day

VB fee waiver to help in dealing with the insurance company; as of today, the rehab is slow & the VB fee waiver is coming due; Mr. Truong has been trying to pull permits & has been denied

Ms. Moermond: didn't we straighten that out last week?

Mr. Dornfeld: he does have the electrical, mechanical, bldg already on file; it's the whole restoration permit; so that we're all on the same page, we decided that we were going to discuss that today, so I did not..... Marie, DSI, has all the paperwork; she said that until she can get the go ahead, she can't enter that in the system & this is a severely burned property

Ms. Moermond: what permits are we missing? plumbing?

Mr. Dornfeld: correct

Mr. Truong: I received the Apr 10 letter & I called & said, "Hey, Permits have been pulled..." & I think he found the permits & I said, "OK" I misunderstood - I started activity; so, at that point, they started ripping things out; then, we needed engineering for the roof to make sure that it's safe; so, we had to wait for that; I didn't get my assessment for the whole structural part because it was ____; I didn't get that estimate until May; & I didn't get a check to even be able to hire any restoration work until the middle of May; at that point, trying to hire a contractor - it's late & Aug was their time table; so, the contractor is scheduled to start next week if he can get permits; everything is lined up as far as a roofer, windows, siding, with the plans; we had to do architectural drawings, which have all been submitted; all set to go; contract, deposit paid

Ms. Moermond: I'll split this into a couple of pieces; you've got the permit piece & I do not want to see you slowed down any more than insurance company is slowing you down & so, Mr. Dornfeld, let's green light all permits; they can head out the door right now; the unpaid VB fee is not going to slow you down; we'll set that aside; I'm guessing that you're 3-6 months out before you complete the project

Mr. Truong: we need to be completed by Nov; we are at the top of our limits as far as money available for reconstruction

Ms. Moermond: VB fees are usually covered by fire insurance; you can file for compensation from them

Mr. Truong: we are maxed out; I think the bill is \$265,000 & we're at \$261,000+

Ms. Moermond: is this an investment property or your home?

Mr. Truong: I live at 712 Aurora; 711 Fuller (this house) is just behind me; I used it for my art work; space to visit; we paid \$40,000 for it; & I'm not not going to sell it; I built a garage behind it years back for storage, cars, etc; my plan is not to rent it unless I need the money

Ms. Moermond: I'm pondering the next step if we go with an unpaid VB fee; the next step would be for the city to ask for it to be assessed onto your property taxes & you're nearly there; that assessment & it's ratification would be a very distinct kind of bill that you could present to the insurance company if you don't reach your max on that; if you have reached your max, when it comes forward, I can say that I think the payment

should be divided over 5 years; you went into the VB Program Jan 9, 2018, so if you finish by Nov 1, 2018, that's 10 months out of the year being in the VB Program & the VB fee will be assessed onto your property taxes; I will ask DSI to allow issuance of permits; we will put that into the Resolution that will go before the City Council on Aug 22, 2018; we'll let the VB fee go to assessments; a letter with a yellow postcard will come in the mail about the assessment; return that yellow postcard & come & talk to me about it; we can figure a plan of action at that point

Deny the appeal but will allow permits to be pulled.

Referred to the City Council due back on 8/22/2018

44 [RLH VBR 18-46](#) Appeal of Hector Mach to a Vacant Building Registration Notice at 839 VAN BUREN AVENUE.

Sponsors: Thao

Hector Tuanhung Mach, owner, appeared. (Tried to use Language Line for Vietnamese interpreter; after a number of trial interpreters, Mr. Mach said that he didn't think he needed one.)

(Muffled tape recording)

Ms. Moermond: Mr. Mach is appealing the Condemnation/Order Vacated & being put into the Vacant Building Program; general dilapidation of the property
-Mr. Mach, why do you have an address in Burnsville?

Mr. Mach: because I'm living with my sister now

Supervisor Matt Dornfeld: this property was inspected by Code Enforcement Inspector Lisa Martin on Jul 10, 2018; her notes: the owner is living in the home; these were expired C of O Orders; this VB file was closed in error; previously, there were a lot of items on the deficiency list; the bathroom is gutted, no permits; missing smoke/CO alarms; the dryer vent does not meet code; smells like mildew; the basement light in shower does not meet code; venting to furnace is rusted out; exterior stairs & walkway are not safe & do not meet code; missing window screens; missing permanent grounding connection; severe peeling paint on exterior of garage

Mr. Mach: I'm just wondering why I have to pay this VB fee; I have been working on the house; I already hired an electrician to do the grounding & the sidewalk is being worked on & the bathroom-I took off all the tile; I want to paint it; I haven't lived there since Nov 2017; I talked to the contractor about the ____; he said maybe 4-6 weeks he could come

Ms. Moermond: I'm seeing significant violations in pretty much all of the trades areas - old time fuse box; open electrical; gutted bathroom - plumbing; boiler with problems, dryer venting; etc, which would trigger a code compliance inspection

Mr. Dornfeld: this is a Category 2 Vacant Building; just entered the program Jul 12, 2018

Ms. Moermond: let's do a 90-day VB fee waiver; Mr. Mach, you will need to get a code compliance inspection report; that list will be much more detailed than the Condemnation list from Lisa Martin

Mr. Mach: I already hired an electrician & he came to take a look already; yesterday, he said that he's going to talk to Lisa to see what she wants done

*Ms. Moermond: Ms. Martin isn't an electrical inspector; your going to need to get a code compliance inspection; gave him a code compl application form; that inspection will cost \$459; you'll need a lock box combination so the inspectors can go in & out when they are available; after you get that report, your contractors will be able to pull permits; focus on the interior first (elect, plumb, mech & bldg)
-is money a concern for you? the sidewalk will cost about \$2500; the electrician about \$2000
-the 90-day VB fee waiver is in place; after those 90 days, you'll get a bill; you can pay the bill or let it go to assessment; if you have your permits pulled, let it go to assessment & you can appeal it; then, you & I can talk about dividing that payment over a number of years*

Deny the appeal and owner is required to apply for a code compliance inspection but LHO will waive the VB fee for 90 days.

Referred to the City Council due back on 8/22/2018