



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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

Tuesday, September 4, 2018

9:00 AM

Room 330 City Hall & Court House

Special Tax Assessments

9:00 a.m. Hearings

- 1 [RLH TA 18-452](#) Ratifying the Appealed Special Tax Assessment for property at 1051 ARKWRIGHT STREET. (File No. VB1813, Assessment No. 188821) (Public hearing to be continued to October 17)

Sponsors: Brendmoen

Public hearing continued to October 17 and if owner receives certificate of code compliance, will reduce from \$2284 to \$1142.

MINUTES PENDING

Referred to the City Council due back on 9/19/2018

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

Sponsors: Thao

Benjamin Roberts appeared.

Lisa Martin:

Cost: \$508

Service Charge: \$162

Total Assessment: \$670

Gold Card Returned by: Benjamin Roberts

Type of Order/Fee: SA Letter

Nuisance: Discarded furniture from backside of 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 #: 18-050674

Returned Mail?: No

Comments:

History of Orders on Property: couch in backyard 5/19/17 (No WO), 2 in 2015,

Mr. Roberts:

*-on the day the crew showed up, I called Sean Westenhofer to ask for an extension and there were some discussion on whether that was on April 9 or 10.
-stated that it must be on April 9 when he talked to Sean Westenhofer.
-stated Sean Westenhofer gave him an extension and that although the work order was sent, he will try to stop it.*

Lisa Martin:

-according to note in STAMP, on April 9th, work order was sent, Owner called and Sean spoke with the owner. Told owner Sean would try to get the Work Crew to hold off on cleaning up the property. Left a voicemail for Mike Heyer asking to hold off on the clean up at this property. Owner called back on 4/11/18 and stated someone cleaned up the property. He told the owner he would call the clean up crew to see what happened. Spoke with Brady Sinn who stated they got the message and called back but it went to voicemail and didn't try calling the inspector back again. Per Mr. Sinn if it was clean up that there was nothing they could do at this point. Called owner back to explain he would need to file an appeal because the clean up was already completed.

Ms. Moermond asks that Lisa Martin contact Sean Westenhofer to find out what the communication was.

Lisa Martin:

-Per Sean Westenhofer, no commitment that the work order was stoppable but he would try and although he may have mentioned Mr. Roberts can appeal, there was no representation that the cost would be decreased or deleted.

Ms. Moermond:

*-based on this, recommends approval.
-there were other means available but Mr. Roberts didn't take advantage of the appeals.*

Approve assessment

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

- 3 RLH TA 18-493** Ratifying the Appealed Special Tax Assessment for property at 1047 FOURTH STREET EAST. (File No. J1814A, Assessment No. 188543)

Sponsors: Prince

Written appeal was not submitted. Approve the assessment.

Referred to the City Council due back on 10/3/2018

- 4 RLH TA 18-504** Ratifying the Appealed Special Tax Assessment for property at 565 JEFFERSON AVENUE. (File No. VB1816, Assessment No. 188825)

Sponsors: Noecker

Joe Osterbauer, Property Owner, appeared.

Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: JOE OSTERBAUER

Type of Order/Fee: VB FEE

Nuisance: 11/21/2017: *Recheck - Opening a VB1-fire exempt file per a referral from SPFD, see SPFD's fire incident report for more information

Comments: OWNER STATES THAT REHAB DELAYED BY INSURANCE.

History of Orders on Property:

Mr. Osterbauer: Fire on 11/17. Hired Ultimate Restorations on 11/22. They have been fighting with the insurance company. It was resolved in July or August. Ultimate Restorations timeline is to be done at the end of October. I am asking that you give me three more months. I think the problem was when they got in there they found old charring from a previous fire but ultimately, they paid everything.

Ms. Moermond: you mean the insurance company paid for the work?

Mr. Osterbauer: Correct. Had to involve the City Engineer to convince the insurance company that trusses had to be replaced. I don't have coverage for lost rent. It's been empty for a year. It was paying me \$1400 a month.

Ms. Moermond: Property has been in the vacant building program a little over 9 months of the billable year. The year being November of 2017 to November of 2018.

Mr. Osterbauer: I don't know what else I can do. I don't want to be stuck with \$2200-2300 bill.

Ms. Moermond: The insurance company should really be paying this.

Mr. Osterbauer: The insurance company had to get in there and do their job. I am glad they agreed to pay it, otherwise I would have to litigate it or pay out of my pocket to fix it.

Ms. Moermond: Again I am looking at you being in the vacant building program for basically the entire year.

Mr. Osterbauer: So push me forward to October 31.

Ms. Moermond: And then you will be in the vacant building program for 11 months and one week out of the 12 month billable year.

Mr. Osterbauer: And it will be done at that point. I don't understand why I am being penalized with this property. You guys have given me assessments, boarding up for \$900. I just write a check, I am not fighting it. \$500 for this, I don't know why.

Ms. Moermond: I don't have that in front of me today. I am just looking at the vacant building fee. You got a couple of waivers. I have sympathy that you had the fire. I know that insurance companies are responsible for paying. I see all the time that they do pay these. If you were giving me next week, I would look at cutting it in half. But you are not giving me that, you are looking at the entire year in the vacant building program. I can make it payable over 5 years but making the payments smaller will cause an interest charge. I don't feel I have a lot of latitude in your case. I feel the insurance company should be responsible for it.

Mr. Osterbauer: Problem is, the policy is maxed. It's just me. Is there an appeal process?

Ms. Moermond: *The next step is the City Council. Your public hearing is October 17.*

Mr. Osterbauer: *All right.*

Ms. Moermond: *Would it be useful for me to recommend payments over 5 years?*

Mr. Osterbauer: *No. I would write the check. I just don't want to. I like my money.*

Ms. Moermond: *Don't we all, sir.*

Mr. Osterbauer: *Thank you.*

Approve the assessment.

Referred to the City Council due back on 10/17/2018

5 RLH TA 18-499 Ratifying the Appealed Special Tax Assessment for property at 578 LAFOND AVENUE. (File No. VB1816, Assessment No. 188825)

Sponsors: Thao

Judy Carvalho, appearing on behalf of Brent Johnson, property owner.

Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by:

Type of Order/Fee: VB FEE

Comments: FIRE EXEMPT VB FILE OPENED ON 11/17/2017. SEVERAL OPEN PERMITS. OWNER HAS ISSUES WITH INSURANCE COMPANY.

History of Orders on Property: SA Printed: 05/21/2018, SA Printed: 07/19/2018 and SA Printed: 07/27/2018

Ms. Moermond: *Can you tell me why he's appealing?*

Ms. Carvalho: *I could be misunderstanding this. I decided to send in the yellow card anyway. The letter said the purpose is to consider the vacant building status from August 29 to November 21, 2017. When I saw August 29, I was thinking 2017.*

Ms. Moermond: *Can you show me the letter?*

Ms. Carvalho: *Yes.*

Ms. Moermond: *On November 17, 2017, you guys entered the vacant building program. The bill would have gone out right before the end of the time period for billing. That's why you are in that grouping.*

Ms. Carvalho: *It is almost like a carbon copy. The fire started November 16. I met the two guys from the City the next day. My insurance company decided to go after the renters insurance company and stand on a statute that is only two years old. It got complicated because the renters insurance company decided that by December, they were going to allow for the extra funds and they were going to proceed with the rehab. I*

had to go out of state, when I got back, the attorneys for my insurance company informed me that the second company has formally reneged and now everything is going to court. I want to be prepared for the possibility of a second year of vacant building. We did hire a restoration company to do the initial demolition but we stopped because of the negotiation between the two insurance companies in the middle of the summer. I am hoping that between now and November, I can get dollar amounts squared away and can approach a construction company because I have halfway the amount. What is the benefit to me of the vacant building.

Ms. Moermond: You want to know how you benefit from being in the vacant building program?

Ms. Carvalho: For the second year. I know how I benefitted from the first year.

Ms. Moermond: It's the same exact deal.

Mr. Yannarely: The vacant building program costs cover monitoring the property, making sure it's secure, taking care of any garbage, tall grass. I told you last November that you would probably be exempt from this since you were going to get it rehabbed right away, as most people do. When insurance companies decide to change their minds, it gets long. That's when the vacant building program comes in. If you get done quicker, Ms. Moermond might not ask you to pay the whole fee.

Ms. Carvalho: I want to make sure I am not overlapping work the City is doing. When we get the construction company hired, permits will be pulled and there will be inspectors out.

Ms. Moermond: The department had to issue nuisance abatement orders on May 21, July 19, and again on July 27. When the vacant building inspectors have gone out, they have found that conditions have been bad.

Mr. Yannarely: Yes. They found tall grass and weeds and a need to board over something.

Ms. Moermond: You have vacant building inspectors going out every three weeks to make sure everything is secured. There are three instances in the recent past where it hasn't been. A building inspector going to inspect proper installation of a porch is not going to check whether all your doors and windows are secured. In your case, it appears that has been a problem and I don't know if that will be alleviated by the fact you have a contractor going there. If history is an indicator, you do need to be in the vacant building program.

Ms. Carvalho: I had to settle will and trust issues in Hawaii and was there for a month. My disabled husband came out for two weeks and we had our mail delivered to a PO box. I called the inspector right away once I received the mail. I hired a public adjuster to deal with this. When the fire department came, they had to break two windows. I was told to leave it so the evidence was there for the insurance companies.

Ms. Moermond: I want to break us back to the issue. It looks like you are going to be in the vacant building program a second year. When would the bill be coming out?

Mr. Yannarely: It would come out a month before, in October.

Ms. Moermond: If you think you will be done in three months time, I would waive the

building fee for 90 days. If you will take six months, I will prorate it by half. I am happy to work with you on that. Put it in the mix of things to be covered in your discussion with the insurance company. Do you want to make it payable over five years?

Ms. Carvalho: I usually run this by [inaudible].

Ms. Moremond: You can get back to us later. I will be interested in prorating the fee for next year if you can get it done sooner.

Approve the assessment, unless Appellant call to request that the fee be spread over number of years.

9/18: Update - Owner called and don't want to spread over number of years. She is fine with making the one time payment. -MV

Referred to the City Council due back on 10/17/2018

- 6 [RLH TA 18-492](#) Ratifying the Appealed Special Tax Assessment for property at 855 LEXINGTON PARKWAY SOUTH. (File No. J1807C, Assessment No. 182007; Amended to File No. J1807C1, Assessment No. 182008)

Sponsors: Tolbert

Gary Johnson, property owner; Edward Pardee, attorney for property owner.

Joe Yannarely:

Cost: \$13512.79

Service Charge: \$1118.89

Total Assessment: \$14,631.68

Gold Card Returned by: Emeritus Investments LLC appeared at CC

Type of Order/Fee: Demolition of VB Structure from Dec to Jan 2018

Nuisance: Razing & removal of structure

Date of Orders:

Compliance Date:

Re-Check Date:

Date Work Done:

Work Order #:

Returned Mail?:

Comments: LH STAFF: PULL RLH RR 17-11: Order for Substantial Abatement for this LH

Ms. Moermond: Can you tell me why you are appealing the assessment?

Mr. Pardee: Gary tried to rehab this building. In July of last year, we were here on an improvement plan. That required a \$5000 deposit which Gary made. It turned out it couldn't be done because of the condition of the building and as a result, the building was torn down. The \$5000 was kept by the City and not applied to the teardown. That's the focus today.

Ms. Moermond: Can you check to see if that was forfeit?

Mr. Yannarely: Yes, it was forfeit. Did you have discussion with Mr. Soley about that?

Mr. Johnson: I asked him about it since it was torn down six months before the two

year term expired. There wasn't anything else we could do but tear it down. We spent \$16,000 trying to get the mold taken out, get the trash out, get the demolition done and it just got worse.

Ms. Moermond: Can you confirm when that was forfeit?

Mr. Johnson: I paid the \$13,000 assessment.

Ms. Moermond: If you are disputing it, why did you pay it?

Mr. Pardee: My client paid it. I was thinking that the \$5000 was applied. It was forfeit in March of last year. He couldn't get permits because of the mold and the City tore it down before he could get his contractor to do it. The \$5000 should have been applied or returned.

Mr. Yannarely: I have an authorization to adjust. Please forfeit the \$5000 that was submitted 7-18-17 the required repairs were not completed and it is signed Reid Soley, dated 5-14-18.

Ms. Moermond: The letter about the assessment went out 6 weeks ago at most. You paid the whole thing?

Mr. Yannarely: Jim Seeger wrote you a note on March 15 letting you know the deposit was forfeit because the rehabilitation wasn't completed.

Mr. Johnson: But the building was torn down six months ago.

Ms. Moermond: They wait six months to forfeit the performance deposit. The problem with paying the assessment means that you agree with the assessment. I agree with you but I am trying to unring a bell that you guys rung. I will ask Ms. Vang to speak with the Real Estate office to see if payments can be sorted out. We can handle this via email in the future.

Follow up: We contacted DSI and they will apply the \$5,000 performance deposit to the demolition cost so the amount will be ratified and reduced from \$14631.68 to \$9631.68. NOTE: Since owner has paid the fee, once Council adopts the resolution, Real Estate Assessments would do the refund.

Referred to the City Council due back on 9/19/2018

- 7 [RLH TA 18-519](#) Ratifying the Appealed Special Tax Assessment for property at 685-687 MARYLAND AVENUE EAST. (File No. VB1815, Assessment No. 188824)

Sponsors: Bostrom

Destia Bedasso appeared.

Mr. Yannarely:

Cost: \$2127

Service Charge: \$162

Total Assessment: \$2284

Gold Card Returned by: Destia Bedasso appeared

Type of Order/Fee: Vacant Building Fee

Nuisance: unpaid vacant building fee
Date of Orders: Renewal Ltr sent 2/21/18 & Warning Ltr sent 6/18/18
Compliance Date: NA
Re-Check Date: NA
Date Work Done: NA
Work Order #: 16-020707 INv # 1356211
Returned Mail?: No
Comments: VB Category 2, Multi-family dwelling opened 3/23/16 condemned and referred by Fire inspections, 90 day fee waiver was given on March 20, 2018 which ended June 18, 2018.
History of Orders on Property: Dozen of Orders and WO on property

Ms. Moermond: Was a waiver granted?

Mr. Yannarely: On March 20, a 90 day waiver was granted by inspector.

Ms. Moermond: Where are you in fixing this up?

Mr. Pedeso: I was already done.

Ms. Moermond: Do we have a final on this one?

Mr. Yannarely: When did you get it closed, sir?

Mr. Pedeso: Last week, Thursday.

Mr. Yannarely: Is there another address?

Mr. Pedeso: 685

Mr. Yannarely: It's still open. It looks like the permits are finalized. Seeger just needs to send the letter. I will email him right now and ask.

Ms. Moermond: I am going to assume that everything is kosher and cut the bill in half. Do you want to spread over a number of years?

Mr. Pedeso: Cut in half and spread over three years.

Ms. Moermond: That is easy since you are six months into the program and spread over three years. If there is any problem with issuance of the code compliance certificate, we will let you know.

Laid over to October 2 to confirm if code compliance certificate is issued; if so will reduce from \$2284 to \$1142 and made payable in 3 years.

Laid Over to the Legislative Hearings due back on 10/2/2018

8 [RLH TA 18-517](#)

Ratifying the Appealed Special Tax Assessment for property at 663 YORK AVENUE. (File No. J1812A, Assessment No. 188532)

Sponsors: Bostrom

Approve; no show.

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

Assessment Rolls

- 9 **RLH AR 18-67** Ratifying the assessments for Boarding and/or Securing services during May 2018. (File No. J1812B, Assessment No. 188114)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 10 **RLH AR 18-68** Ratifying the assessments for Collection of Vacant Building Registration fees billed during February 15 to May 23, 2018. (File No. VB1815, Assessment No. 188824)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 11 **RLH AR 18-69** Ratifying the assessments for Collection of Vacant Building Registration fees billed during August 29 to November 21, 2017. (File No. VB1816, Assessment No. 188825)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

10:00 a.m. Hearings

- 12 **RLH TA 18-502** Deleting the Appealed Special Tax Assessment for property at 894 BEECH STREET. (File No. J1812E, Assessment No. 188324)

Sponsors: Prince

Joe Yannarely:

..Tax Assessment Worksheet

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: Colleen Press

Type of Order/Fee: Correction Notice

Nuisance: Garbage/Rubbish

Date of Orders: 4-17-18

Compliance Date: 4-24-18

Re-Check Date: NA

Date Work Done: 4/26/18 (done by owner)

Work Order #: 18-052944 Inv # 1365790

Returned Mail?: No

*Comments: RECOMMEND DELETION DUE TO THE NOTICE BEING BLANK.
COMPUTER ISSUE.*

History of Orders on Property:

DSI recommends to the Legislative Hearing Officer that the assessment be deleted due to the Correction Notice being blank. There was computer issue.

Referred to the City Council due back on 10/17/2018

- 13 [RLH TA 18-509](#) Ratifying the Appealed Special Tax Assessment for property at 557 DAYTON AVENUE. (File No. J1812E, Assessment No. 188324)

Sponsors: Thao

Approve; no show.

9/19/18: Owner called and stated he missed hearing. Rescheduled to Oct 2 @ 10 a.m.

Laid Over to the Legislative Hearings due back on 10/2/2018

- 14 [RLH TA 18-500](#) Ratifying the Appealed Special Tax Assessment for property at 365 FULLER AVE. (File No. J1811E, Assessment No. 188323)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 9/19/2018

- 15 [RLH TA 18-506](#) Deleting the Appealed Special Tax Assessment for property at 1062 FULLER AVE. (File No. J1807V, Assessment No. 188011)

Sponsors: Thao

Joe Yannarely:

..Tax Assessment Worksheet

Cost: \$310

Service Charge: \$162

Total Assessment: \$472

Gold Card Returned by: Jin Zou

Type of Order/Fee: Vehicle Abatement

Nuisance: Failure to remove inoperable vehicle.

Date of Orders: 1-31-18

Compliance Date: 2-7-18

Re-Check Date: 2-7-17

Date Work Done: 2-7-18

Work Order #: 8368

Returned Mail?: No

Comments: This address is a duplex with separate owners. Unit A and Unit B. This was charged to Unit A, but should have been charged to Unit B.

History of Orders on Property:

Ms. Moermond: Will you be going back and charging Unit B?

Ms. Martin: I don't know if we will be able to do that. There was a gold card sent in by Jin Zou. He called to explain the situation. Unit B was not issued a summary abatement because Amanda doesn't break it up into A and B.

Mr. Yannarely: So they weren't notified.

Ms. Moermond: Who owns the building?

Ms. Martin: It's a duplex, side by side.

Ms. Moermond: Is it a condo?

Ms. Martin: According to Ramsey County, each side has its own ownership. Unit B is owned by a Curt Walker but 1062 Fuller is owned by Jin Zou. It doesn't say Unit A so that is who was issued the summary abatement.

Ms. Moermond: So I guess the Amanda system will be fixed. Or there's notes. Or maybe an email to Quan to fix that. That's worth \$472 right now. We don't have a choice but to delete this and we can't rebill because of the notification problem but it seems that we might have future problems here and we should make sure we can collect that \$500 in the future.

Delete.

Staff to correct data in Amanda system.

Referred to the City Council due back on 10/17/2018

16 RLH TA 18-505 Ratifying the Appealed Special Tax Assessment for property at 546 HAZEL ST N. (File No. J1807V, Assessment No. 188011)

Sponsors: Prince

Unidentified man in black, Andrew Gerlach appearing.

Lisa Martin:

Cost: \$865

Service Charge: \$284

Total Assessment: \$1,149

Gold Card Returned by: Andrew Gerlach

Type of Order/Fee: Vehicle Abatement

Nuisance: Failure to remove inoperable vehicles

Date of Orders: 11-16-17

Compliance Date: 12-6-17

Re-Check Date: 12-6-17

Date Work Done: 1-9-18

Work Order #: 8343 and 8344

Returned Mail?: No

Comments: Excessive consumption letters sent on 12/6/17 and 12/28/17 to gain compliance prior to being towed.

History of Orders on Property:

Unidentified Man wearing black: Saturday. They came on Wednesday. My wife ran to get the tabs but by the time she got back, they said they were not waiting anymore. Both cars ran and every now and again I would move them. One car was on a slab on the side on the garage, on the property. I didn't understand why they would tow that. My wife's car was back there and they towed it down the street out of the way to get to the other. I felt the officer involved was involved with the guy across the street. I

agree we should pay money but it needs to be reduced. We were involved in a fatal accident not too long ago, almost lost my grandson. Life's been a nightmare. I'm asking for a little help from the City of St Paul. I've never been in trouble in my life.

Ms. Moermond: Looks like there was a lot of extra time given. The actual order was November 16 but the tow trucks didn't arrive until January 9.

Unidentified Man in black: I agree with that. I was pissed at him and I could have helped him in November but then we got laid off and we had a three week waiting period and everything hit that second week. My wife borrowed money and ran to get the tabs and the cars were towed. We don't have the money to get them back. And they are worth getting back. The paper said they would be towed by the sixth but they came two days before. I thought I had until Saturday. And they would come up with the money. I wasn't going to come up with the money. I have been paying everything for these kids and it was time for him to do something on his own. Maybe it wasn't.

Ms. Moermond: Who lives at the property?

Unidentified Man in black: He owns the house. When my house burned down on over Western, I was caught up in chaos with the mortgage so he had to buy the house.

Ms. Moermond: Your son Andrew Gerlach owns and lives at this house.

Unidentified Man in black: We live downstairs, they live upstairs.

Gerlach: We were in the process of getting the title for the black car, my girlfriend's car. It was in her grandpa's name but he passed away and we were having trouble getting the title. That car was operable. We were going to scrap it because we were having so much trouble with the title. The officer gave us one more week but he came on a Saturday and he was back by Wednesday and we thought we had until Thursday when we were going to get the money. It was a matter of one day.

Unidentified Man in black: It's not the greatest neighborhood. I can show you four cars in the alley that don't have tabs. Why us? She parked her car on the city street in front of that neighbor's house and he's a friend of the St Paul cops.

Gerlach: And he parked on her bumper.

Ms. Moermond: I don't know what people's motivations are when they call. I see 2016 tabs so it had gone a while before you dealt with it. It's not a police officer who wrote the orders. It's an inspector who goes and writes the order. It's not until they tow it that the Parking Inspector is involved.

Unidentified Man in black: I believe that but they are called out by neighbors.

Gerlach: It starts with complaints.

Ms. Moermond: It could have been all the cars were called in. It could have been just you. There was a documented violation in your case and we all agree there was. Ms. Martin, what do you have for the history at this property.

Ms. Martin: Inspector Williams made some great notes. Nov 16 he sent the orders. On Dec 27, left his business card on the vehicles trying to get a call back. He spoke with a resident, Sadie, on the week of Dec 4. She told them she was waiting on title

for both vehicles. He sent in two excessive consumptions. He called numerous times and a different person answered the phone each time. Had no response to phone calls since the week of Dec 4. So the work order was sent. The history is: Junk vehicles in driveway Feb 16 and June 16; garbage June 14; vehicles 11-16; garbage 12-6-17 and that went to Parks on Dec 15.

Unidentified Man in black: We have video?

Ms. Moermond: All that's in front of us is the vehicle situation.

Gerlach: The garbage situation was both the day before the trash man came.

Ms. Moermond: I asked about the history so I understand how you guys have been maintaining the property and where I can be sympathetic.

Unidentified Man in black: It's the best house on the block right now.

Ms. Moermond: It doesn't sound like that from all the cars in the driveway and the garbage.

Unidentified Man: I didn't like the cars there and part of me was happy when they were towed. We can't afford to get them out. Now they're trying to give me a \$1200 bill.

Ms Moermond: Whose cars were they?

Gerlach: It was my car and my girlfriend's car. My car was operable, it just needed tabs. My girlfriend's car needed tabs and the title, too.

Ms. Moermond: When did you start working on the titles? It sounds like it was last minute because of money concerns?

Gerlach: Yes. I was laid off Nov 23. Money was a major issue with tabs and title. We started having more issues and I had to put the money towards other things. They were harrasing us repeatedly about it. I went to Florida, forgot about it, came back, and that's when it all happened. The guy gave us one week on Saturday. I was going to get it down Thursday and they came on Wednesday, only four days later.

Ms. Moermond: It all starts Nov 16 and they were towed Jan 9. There was a huge length of time to deal with this situation. There was communication in between.

Unidentified Man in black: We are not arguing that. The money situation was bad. I don't think either one of us was employable at that time. We lost our jobs first place because we lost our other house. We weren't right. We found out there was no insurance on the house because they would re-insure me because there wasn't a roof so they cancelled me that month. Everything snowballed. I agree with everything you have down there. I'm asking the City of St Paul to do something for a man that's paid his taxes all his life and never been in trouble in St Paul. We are not disagreeing with anything you have on the paper.

Ms Moermond: One thing I can do is divide this over five years. If there's a period of time over which you don't have violations, I could see my way to decreasing this. I am goind to ask the City Council to look at this on January 9. On January 9, if you haven't had any more violations written up, I can knock off \$300. Regardless of any more violations, payments will be divided over five years.

Man: *That's fair.*

Public hearing continued to January 9, 2019 and if no same or similar violation(s), will reduce from \$1149 to \$849 and spread payments over 5 years.

Referred to the City Council due back on 10/17/2018

- 17 [RLH TA 18-454](#) Ratifying the Appealed Special Tax Assessment for property at 1152 LANE PLACE. (File No. J1811E, Assessment No. 188323)

Sponsors: Bostrom

Maxine Copeman, Matthew Copeman (son), appearing.

Joe Yannarely and Lisa Martin:

..Tax Assessment Worksheet

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: MAXINE COPEMAN

Type of Order/Fee: EXCESSIVE CONSUMPTION OF CITY SERVICES

*Nuisance: 03/01/2018: *Recheck - Found vehicle illegally parked in the alley right-of-way - photo taken for \$122 EC Code N.*

Date of Orders: ORIGINAL ORDERS JANUARY 25, 2018

Compliance Date: JANUARY 31, 2018

*01/25/2018: *Recheck - Found vehicle illegally parked in the alley right-of-way - send CN. Property is clean.*

Garbage/Rubbish (Recheck)

*01/31/2018: *Recheck - Vehicle has been removed from the alley right-of-way and the property.*

*03/01/2018: *Recheck - Found vehicle illegally parked in the alley right-of-way - photo taken for \$122 EC Code N.*

Garbage/Rubbish (Recheck)

*03/08/2018: *Recheck - Vehicle is GOA.*

*05/09/2018: *Compliance Recheck - Found vehicle in alley right-of-way - send CN.*

Closed out new compliant regarding lack of ground cover in the backyard - send CN.

Comments:

History of Orders on Property: Extensive 2014-2018, mostly garbage and scrapping.

03/31/2017 Garbage Rubbish WO created: PA 17-024970

Remove dog feces, garbage bags, rubbish, wood, etc., from the yard. Parks Crew: be advised that you may want to have SPPD officers meet you at the property for the cleanup.

PA EC Printed: 04/07/2017

SA's Printed: 04/18/2017, 01/02/2018, 04/27/2018 and 07/09/2018

Ms. Moermond: Can you tell me why you are appealing this?

Ms. Copeman: I am appealing this because the car parked back there was the neighbor's car; it wasn't our car.

Mr. Copeman: They keep parking their cars right where we are supposed to park our cars. We get no place to park.

Ms. Moermond: It looks like it's a white pickup?

Mr. Copeman: We've had two white pickups there. One Ford and one Chevy.

Ms. Moermond: And these are not your vehicles?

Mr. Copeman: They were scrapped a long time ago by another neighbor. They had issues with [inaudible].

Ms. Moermond: That one of the issues. Is this the first excessive consumption bill for this time period?

Ms. Martin: Yes. Everything else has been sent to the Works crew.

Ms. Moermond: You listed out six different orders in that 12 month time period?

Mr. Yannarelli: Just looking at the stamps, there's 5-7, 4-26, 4-13, 1-26-18, 12-29-17, 7-21-17, 5-26-17, 5-23-17, 5-15-17, 5-8-17.

Ms. Moermond: What was happening on those dates?

Mr. Yanarelli: Exterior complaints, plywood fence. Multiple things. Want me to go through again?

Ms. Moermond: This is the first excessive consumption you're charging?

Mr. Yannarelli: Yes.

Ms. Moermond: So you guys, it's not just the pickup truck beside the garage.

Mr. Copeman: We have a dog next door.

Ms. Copeman: We have dogs that attack our dogs and go through the garbage. We are working hard to do the cleaning.

Mr. Copeman: We are fixing the house up. And the yard.

Ms. Moermond: It looks as though the City had to tell you to do this.

Mr. Copeman: When we got it, the people before us had trashed it.

Ms. Moermond: When did you move in.

Ms. Copeman: 2013.

Ms. Moermond: That's water under the bridge by many years. I am looking at a pretty extensive history in the 12 month period and I am thinking I am going to approve this. If you can turn it around and if there's no excessive consumption charge in six months, I would be more willing to work with you if you get another charge.

Ms. Copeman: We feel picked on. One of the orders we got was in February to plant grass. I called the inspector, Ed Smith, to say we can't do this order because they don't sell grass seed or sod until June.

Ms. Moermond: It sounds as though that was a carry-over order from previous months. Nobody is going to write that order in that time period.

Mr. Yannarelli: It was dated 11-17-16 with compliance due 6-1-17. Inspector says there was no ground cover.

Ms. Moermond: So it was a seven month interval. I am not feeling like that's a bad thing. That's an erosion problem come the melt.

Approve the assessment.

Referred to the City Council due back on 9/19/2018

- 18** [RLH TA 18-467](#) Deleting the Appealed Special Tax Assessment for property at 45 LAWSON AVENUE WEST. (File No. J1811G, Assessment No. 188533)

Sponsors: Brendmoen

Lyrenice Thomas, occupant, appeared.

Supervisor Lisa Martin:

Cost: \$100 (drop off & pick up)

Service Charge: \$162

Total Assessment: \$262

Gold Card Returned by: Jessica Williams

Type of Order/Fee: Garbage Hauler from 4/4 to 4/25/18

Nuisance: Weekly garbage

Date of Orders: SA letter sent 4/11; Garbage Hauler letter sent 4/19

Compliance Date: NA

Re-Check Date: NA

Date Work Done: 4/20/18 & 4/25/18

Work Order #: 18-053713 & 18-054301

Returned Mail?: No; only SA to Jessica Williams, 45 Lawson Ave W was returned on 4/12 marked "Return to Sender"

Comments: 5/2/18 PO has provided their own trash service. City cans to be removed
History of Orders on Property:

Ms. Thomas: I talked to somebody. They sent a letter out to Teresa Little and Jessics Williams. I don't know these people. I got the gold card in April.

Ms. Moermond: Ms. Martin, what can you tell me about these two garbage hauling assessments and the one Summary Abatement?

Ms. Thomas: I only know of one.

Ms Martin: There's a drop-off and pick-up of \$100 and a service charge of \$162 which totals \$262 from Apr 4 to Apr 25, 2018, 3 weeks service.

Mr. Yannarelli: They restored service May 2, 2018

Ms. Moermond: OK. Who with? Doesn't matter.

Ms. Martin: Summary Abatement was sent to Jessica Williams, 45 Lawson Ave W; it was returned on April 12, 2018 marked "Return to Sender." On May 2, property owner has provided their own trash service; city cans were to be removed.

Ms. Moermond: I'm not understanding the assessment J1811G. It looks like a drop-off. So the first assessment is drop off, pick-up and three weeks of service, basically for the month of April. When I look at J1812G, it's got another drop-off and pick-up but no service. I am wondering what happened with that.

Ms. Martin: It shows a drop-off and pick-up for \$100 and a service charge of \$140 for garbage hauling from May 2 to May 29, 2018.

Ms. Moermond: I just want to get clear so I understand what the charges are that we're talking about. The second one is confusing to me. Then, there's a third one that looks like a clean-up. That's a Summary Abatement assessment. Looks like it happened in April.

Ms. Moermond: Who's Jessica Williams?

Ms. Thomas: I don't know who that is.

Ms. Moermond: Are you a renter?

Ms. Thomas: Yes.

Ms. Moermond: Who is the landlord?

Ms. Thomas: David Busch is our landlord. We got a letter and the gold card in June saying that we needed to clean up. We have seven kids in that house and everything. I have paperwork stating that I had garbage service in April. Ms. Vang informed me that she'd scheduled all three today. I have my garbage service is paid up until September, 2018. When I talked to the inspector, I explained the situation what my garbage company told me.

Mr. Yannarely: There was a Summary Abatement order issued at the same time that the garbage hauler was issued. That was April 11, 2018.

Ms. Moermond: Was Jessica Williams buying it on a Contract for Deed from Mr. Busch? Is that how her name pops up. She's clearly listed as the owner of record with Ramsey County.

Ms. Thomas: I've never met this person in my entire life.

Ms. Moermond: I'm assuming that the contract for deed was cancelled but Mr. Busch did not provide the information to the county.

Fire Supervisor Leanna Shaff: There is no Fire Certificate of Occupancy. I will give him the opportunity to apply for one.

Ms. Moermond: I don't know what kind of lease you have but the city will say that the owner is responsible for providing garbage service and making sure that the property is maintained

Ms. Thomas: My roommate told me that we are supposed to be responsible for garbage service. When I talked to someone, they told me the City of St. Paul picked-up in April, in May, and in June. I'm trying to figure it out. I paid for garbage so, what's really going on?

Ms. Moermond: It looks like we had a problem in April. A clean-up needed to happen. The inspector didn't see any sort of garbage can from a trash service at your place so they sent out City service. Garbage service is required under City code. I'd like to look at the VIDEO for the clean-up that started the whole thing.

VIDEO - The crew removed the garbage and bags in the rear of the property near the alley and emptied all two garbage containers and one recycling container.

Ms. Moermond: Who is your garbage service?

Ms. Thomas: Advanced Disposal. I thought the containers were from Advanced Disposal but somebody told me the black container is the City's. I paid my bill and I've got the bills right here [entered into the record]. Advanced Disposal told me I was paid up until September, 2018.

Ms. Moermond: Can I see that?

Ms. Thomas: We had to get a bigger container. I was told to put it on the curb for pick-up. I didn't know that you couldn't just put garbage on the curb. It had to be in a container.

Ms. Moermond: Looking at those invoices, it's apparent to me that you had garbage service for that time period and I don't know what was going on. The cans were a little overfull and there was garbage on the ground. I'm going to recommend that both garbage hauler assessments get deleted (J1811G & J1812G). So those two are gone; there was garbage service paid for. Concerning the garbage bags that were in the snowbanks, it not the worst but it's not good either. I'll divide the clean-up assessment in half and spread the payments over two years. That's \$253 over two years which is \$127 a year.

Ms. Thomas: Can I pay it now.

Ms. Moermond: It will be invoiced September 12. The bill will go to Mr. Busch. If you go to the Real Estate office in two weeks, you could pay it then.

*Delete both garbage hauler assessments.
Clean up assessment--divide in half and spread over 2 years.*

Referred to the City Council due back on 9/19/2018

- 19 RLH TA 18-466** Ratifying the Appealed Special Tax Assessment for property at 45 LAWSON AVENUE WEST. (File No. J1812G, Assessment No. 188713)

Sponsors: Brendmoen

Lyrenice Thomas, occupant, appeared.

Ms. Moermond: 2 garbage hauling assessments & 1 Summary Abatement for 45 Lawson Ave W (different time periods)

*Supervisor Lisa Martin:
Cost: \$100 (drop off & pick up)
Service Charge: \$40*

Total Assessment: \$140
Gold Card Returned by: Jessica Williams
Type of Order/Fee: Garbage Hauler from 5/2 to 5/29
Nuisance: Weekly garbage
Date of Orders: SA letter sent 4/11; Garbage Hauler letter sent 4/19
Compliance Date: NA
Re-Check Date: NA
Date Work Done: 5/2/18 & 5/4/18
Work Order #: 18-055707 & 18-058082
Returned Mail?: No; only SA to Jessica Williams, 45 Lawson Ave W was returned on 4/12 marked "Return to Sender"
Comments: 5/2/18 PO has provided their own trash service. City can to be removed
History of Orders on Property:

Ms. Thomas: when I talked to someone, they sent a letter to Theresa Little & Jessica ____; I don't know who these people are; also, I got my gold card in Apr, I believe;

Ms. Moermond: what can you tell me about these 2 garbage hauling assessments and 1 Summary Abatement?

Ms. Thomas: I only know of 1

Supervisor Lisa Martin: well, there's a drop-off & pick-up (\$100) + service chg (\$162) = \$262 from Apr 4 - Apr 25, 2018 (3 weeks service)

Supervisor Joe Yannarely: they restored service May 2, 2018

Ms. Moermond: OK; who with?

Ms. Martin: Summary Abatement was sent to a Jessica Williams, 45 Lawson Ave W; it was returned on Apr 12, 2018 marked "Return to Sender"
-on May 2, 2018, property owner had provided their own trash service; city cans were to be removed

Ms. Moermond: I'm not understanding the assessment J1811G - looks like a drop-off, pick-up & 3 weeks of service
-when I look at J1812G, it's got another drop-off & pick-up but no service; wondering what happened with that

Ms. Martin: it shows a drop-off, pick-up for \$100 + service chg of \$140 from garbage hauling from May 2- May 29, 2018

Ms. Moermond: I just want to get clear for my sake - so I understand what the charges are that we're talking about; the 2nd one is confusing to me; then, there's a 3rd one that looks like a clean-up (?) a Summary Abatement (looks like it happened in Apr)
-who's Jessica Williams?

Ms. Thomas: I don't know

Ms. Moermond: Who is the landlord?

Ms. Thomas: David Busch is our landlord
-we got a letter & the gold card in Jun saying that we needed to clean up; we have 7 kids in that house; I have paperwork stating that I had garbage service in Apr; Ms.

Vang informed me that she'd scheduled all 3 today; my garbage service is paid up until Sep 2018; when I talked to the inspector, I explained the situation that my garbage company told me

Mr. Yannarely: there was a SA issued at the same time that the garbage hauler was issued (Apr 11, 2018)

Ms. Moermond: was Jessica Williams buying this property on a Contract for Deed from Mr. Busch? Is that how her name pops in because she's clearly listed as the owner of record with Ramsey County (I'm assuming) and that the contract was cancelled but that info wasn't provided to the county

Fire Supervisor Leanna Shaff: there is no Fire Certificate of Occupancy; it needs one; I will call

Ms. Moermond: I don't know what kind of lease you have but the city will say that the owner is responsible for providing garbage service & making sure that the property's maintained

Ms. Thomas: my roommate told me that we are supposed to be responsible for providing garbage service; when I talked to someone, they told me that the City of St. Paul picked-up in Apr, in May & in Jun; I'm trying to figure it out - I paid garbage so, what's really going on?

Ms. Moermond: looks like we had a problem in Apr; a clean-up needed to happen; the inspector didn't see any sort of garbage can from a trash service at your place so, they sent city garbage service.....

-I'd like to look at the VIDEO for the clean-up that started the whole thing

VIDEO - crew removed the garbage & bags in the rear of the property near alley; emptied all 3 (2 garbage containers & 1 recycling container)

Ms. Moermond: who is your garbage service?

Ms. Thomas: Advanced Disposal. I paid my bill & I've got the bills right here (entered into the record); Advanced Disposal told me I was paid up until Sep 2018

Ms. Moermond: looking at those invoices, it's apparent to me that you had garbage service for that time period & I don't know what was going on; the cans were a little over full & there was garbage on the ground; I'm going to recommend that both garbage hauler assessments get deleted (J1811G & J1812G)

-re: garbage bags that were in the snow banks - not the worst & not good, either; so, I'll divide the clean-up assessment in half & spread the payments over 2 years (\$253 over 2 years which is \$127, basically a year)

Delete the assessment.

Referred to the City Council due back on 10/17/2018

20 [RLH TA 18-468](#)

Ratifying the Appealed Special Tax Assessment for property at 45 LAWSON AVENUE WEST. (File No. J1813A, Assessment No. 188533)

Sponsors: Brendmoen

Lyrenice Thomas, occupant, appeared.

Ms. Moermond: 2 garbage hauling assessments & 1 Summary Abatement for 45 Lawson Ave W (different time periods)

Cost: \$344

Service Charge: \$162

Total Assessment: \$506

Gold Card Returned by: Jessica Williams

Type of Order/Fee: SA

Nuisance: Garbage/Hauler

Date of Orders: 4/11/18

Compliance Date: 4/18/18

Re-Check Date: 4/18/18

Date Work Done: 4/19/18

Work Order #: 18-053712

Returned Mail?: SA to Jessica Williams, 45 Lawson Ave W, St Paul, MN 55117-4942 was returned on 4/12/18 marked "Return to Sender".

Comments: DID NOT LOCATE PHOTOS REGARDING GARBAGE AND BAGS

History of Orders on Property:

Ms. Thomas: when I talked to someone, they sent a letter to Theresa Little & Jessica ____; I don't know who these people are; also, I got my gold card in Apr, I believe;

Ms. Moermond: what can you tell me about these 2 garbage hauling assessments and 1 Summary Abatement?

Ms. Thomas: I only know of 1

Supervisor Lisa Martin: well, there's a drop-off & pick-up (\$100) + service chg (\$162) = \$262 from Apr 4 - Apr 25, 2018 (3 weeks service)

Supervisor Joe Yannarely: they restored service May 2, 2018

Ms. Moermond: OK; who with?

Ms. Martin: Summary Abatement was sent to a Jessica Williams, 45 Lawson Ave W; it was returned on Apr 12, 2018 marked "Return to Sender"

-on May 2, 2018, property owner had provided their own trash service; city cans were to be removed

Ms. Moermond: I'm not understanding the assessment J1811G - looks like a drop-off, pick-up & 3 weeks of service

-when I look at J1812G, it's got another drop-off & pick-up but no service; wondering what happened with that

Ms. Martin: it shows a drop-off, pick-up for \$100 + service chg of \$140 from garbage hauling from May 2- May 29, 2018

Ms. Moermond: I just want to get clear for my sake - so I understand what the charges are that we're talking about; the 2nd one is confusing to me; then, there's a 3rd one that looks like a clean-up (?) a Summary Abatement (looks like it happened in Apr) -who's Jessica Williams?

Ms. Thomas: I don't know

Ms. Moermond: Who is the landlord?

Ms. Thomas: David Busch is our landlord

-we got a letter & the gold card in Jun saying that we needed to clean up; we have 7 kids in that house; I have paperwork stating that I had garbage service in Apr; Ms. Vang informed me that she'd scheduled all 3 today; my garbage service is paid up until Sep 2018; when I talked to the inspector, I explained the situation that my garbage company told me

Mr. Yannarely: there was a SA issued at the same time that the garbage hauler was issued (Apr 11, 2018)

Ms. Moermond: was Jessica Williams buying this property on a Contract for Deed from Mr. Busch? Is that how her name pops in because she's clearly listed as the owner of record with Ramsey County (I'm assuming) and that the contract was cancelled but that info wasn't provided to the county

Fire Supervisor Leanna Shaff: there is no Fire Certificate of Occupancy; it needs one; I will call

Ms. Moermond: I don't know what kind of lease you have but the city will say that the owner is responsible for providing garbage service & making sure that the property's maintained

Ms. Thomas: my roommate told me that we are supposed to be responsible for providing garbage service; when I talked to someone, they told me that the City of St. Paul picked-up in Apr, in May & in Jun; I'm trying to figure it out - I paid garbage so, what's really going on?

Ms. Moermond: looks like we had a problem in Apr; a clean-up needed to happen; the inspector didn't see any sort of garbage can from a trash service at your place so, they sent city garbage service.....

-I'd like to look at the VIDEO for the clean-up that started the whole thing

VIDEO - crew removed the garbage & bags in the rear of the property near alley; emptied all 3 (2 garbage containers & 1 recycling container)

Ms. Moermond: who is your garbage service?

Ms. Thomas: Advanced Disposal. I paid my bill & I've got the bills right here (entered into the record); Advanced Disposal told me I was paid up until Sep 2018

Ms. Moermond: looking at those invoices, it's apparent to me that you had garbage service for that time period & I don't know what was going on; the cans were a little over full & there was garbage on the ground; I'm going to recommend that both garbage hauler assessments get deleted (J1811G & J1812G)

-re: garbage bags that were in the snow banks - not the worst & not good, either; so, I'll divide the clean-up assessment in half & spread the payments over 2 years (\$253 over 2 years which is \$127, basically a year)

Reduce from \$506 to \$253 and spread over 2 years.

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

- 21 RLH TA 18-512 Ratifying the Appealed Special Tax Assessment for property at 594 LAWSON AVENUE WEST. (File No. 1802T, Assessment No. 189004)

Sponsors: Brendmoen

Tom Gallagher, appearing.

Karl Mueller:

..Tax Assessment Worksheet

Cost: \$1,100.00

Service Charge: \$232.28

Total Assessment: \$1,332.28

Gold Card Returned by: Tom Gallagher

Type of Order/Fee: Notice

Nuisance: Dangerous Trees

Date of Orders: March 30, 2018

Compliance Date: April 13, 2018

Re-Check Date: April 13, 2018

Date Work Done: May 4, 2018

Work Order #: Contract #18-1141

Returned Mail?: No

Comments:

History of Orders on Property:

Ms Moermond: So you sent it to the contractor when?

Mr. Mueller: On April 25. I got the invoice on May 4, work was done either on or before May 4.

Ms. Moermond: Why are you appealing?

Mr. Gallagher: I called Forestry Department to see if the trees had to be cut down. They said no but the branches were in the pedestrian right-of-way and touching a vehicle. I have pictures of my tree guy going out to trim May 7. The elm was removed but the boxelder wasn't. So he trimmed it.

Ms. Moermond: The order says the tree is dangerous and requiring removal. Of the entire tree.

Mr. Gallagher: You missed four words.

Ms. Moermond: Or a portion thereof?

Mr. Mueller: If it was branches or a trim, the DBH would have specified.

Mr. Gallagher: My understanding was that they needed to be trimmed. That's what I got from the Forestry Department. Targets include pedestrians on sidewalk or vehicles in street. They didn't say anything about removing the tree. The second part said "or portion thereof."

Mr. Mueller: What date did you call the Forestry Department?

Mr. Gallagher: Right when I received it. My guy was scheduled April 18 but we had snow so he pushed it back. I have the text from him May 7 or May 8. With him saying the elm tree was cut down some time ago.

Mr. Mueller: Could I take a look at those pictures.

Ms. Moermond: If you could describe them verbally for the record, Mr. Mueller.

Mr. Mueller: This is a boulevard tree

Mr. Gallagher: It was bad. There was lots of branches hanging down in the public sidewalk.

Mr. Mueller: I think your guy was confused because it looks like he trimmed a boulevard tree. It was actually the

Ms. Moermond: Would you share your stuff so Mr Gallagher can see those photos?

Mr. Gallagher: I sent him in on May 10.

Mr. Mueller: The bill came in May 4 so the work was already done. This is between the sidewalk and the street. It looks like a honeylocust tree. He probably trimmed a city tree.

Mr. Gallagher: He said an 18" elm tree and a 25" box-elder tree. He said \$50 to shave up and take branches off and you'll never have to be called back again.

Mr. Mueller: It's a different tree.

Ms. Moermond: What's the date on that.

Mr. Mueller: May 10.

Ms. Moermond: So that's after the fact. And the photographs are of the trees in question?

Mr. Mueller: Yes. Just off the sidewalk, on the private property side.

Ms. Moermond: So that's the box-elder and the American elm.

Mr. Mueller: Growing directly together. The box-elder had severely dead branches over the sidewalk and the street. This tree was almost completely dead. There's a broken branch over the neighbor's yard but what was most concerning was the people walking by and the vehicles.

Mr. Gallagher: Right. It would be interesting to know why they told me to trim them up and why this wasn't said in here. I've gotten hundreds of these and they always say "remove tree."

Mr. Mueller: Do you know what date you called in to Forestry Office?

Mr. Gallagher: Early April. I don't have the exact date. It was a woman I talked to. She went on the computer I assume and told me both had to be trimmed up.

Mr. Mueller: Both were removed by our contractor. Those two trees growing together were removed between April 25 and May 4.

Ms. Moermond: I'd like some documentation of the phone call. The second piece sounds like the texts between you and your contractor were after the compliance deadline of April 13. The species of trees that were removed were different than the boulevard tree.

Mr. Mueller: Yes, that was a honeylocust.

Ms. Moermond: Could you provide a report back in two weeks. Just email it in and we can share it with Mr. Gallagher. We can communicate that way.

Mr. Gallagher: If they did the work, I have no problem paying. I would be grateful if you could reduce some of the cost.

Ms. Moermond: I don't think that's too bad, actually.

Mr. Gallagher: It's high.

Mr. Mueller: We had two contractors bid on it. The other was significantly higher.

Ms. Moermond: We will have the information. You can see where I am coming from with the texts and your arborist would have seen it was a different kind of tree.

Mr. Mueller: Your arborist trimmed a City tree. That requires a permit. We will take care of any boulevard tree.

Recommendation is forthcoming. Forestry to provide information on calls from property owner.

MINUTES PENDING

Follow-Up 9/7/18: Reviewing the dates of the texts between Mr. Gallagher and his contractor and noting they came after the deadline and abatement, noting the species of tree mentioned by the contractor, versus those listed in the order and the lack of documentation of earlier communication with Forestry, recommend approval of the assessment.

Referred to the City Council due back on 10/17/2018

- 22 RLH TA 18-520** Ratifying the Appealed Special Tax Assessment for property at 110 MANITOBA AVENUE. (File No. J1812E, Assessment No. 188324)

Sponsors: Thao

Gilmer Leon and Brian Leon, appearing.

Mr. Yannarely:

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: Gilmer Leon

Type of Order/Fee: Excessive Consumption

*Nuisance: Garbage
Date of Orders: 3/19/18
Compliance Date: 3/26/18
Re-Check Date: 3/26/18
Date Work Done: 3/27/18 - done by owner
Work Order #: 18-041043 Inv # 1361900
Returned Mail?: No
Comments:
History of Orders on Property: Some but were abated by owner*

Public hearing continued to January 9, 2019 and if no same or similar violation(s), will delete the assessment.

Referred to the City Council due back on 10/17/2018

23 Ratifying the Appealed Special Tax Assessment for property at 1171 MINNEHAHA AVENUE W. (File No. J1812E, Assessment No. 188324)

Approve; no show.

Referred to the City Council due back on 10/17/2018

24 [RLH TA 18-440](#) Ratifying the Appealed Special Tax Assessment for property at 65 MONTANA AVENUE WEST. (File No. CRT1812, Assessment No. 188215)

Sponsors: Brendmoen

Lang Lang Guo, property owner appearing.

*Leanna Shaff:
Tax Assessment Worksheet
Cost: \$412
Service Charge: \$157
Total Assessment: \$569
Gold Card Returned by: Lang Lang Guo, property owner
Type of Order/Fee: FC of O, SFD
Nuisance: Unpaid inspection fees
Date of Orders: Appointment letter 10/31/17. Correction letters 12/21/17, 1/19/18, and 2/5/18.
Compliance Date: Approved with corrections 2/23/18
Billing Dates: 2/23/18 and 3/26/18
Returned Mail?: No
Comments: All mail sent to property owner Lang Lang Guo 733 Aurora Ave. St Paul MN 55104
History of Orders on Property:*

Ms. Moermond: Can you tell me why you are appealing this?

Mr. Guo: When the Fire Inspector, I think it was Ethan, first came out, he gave us a list. My dad got everything done and we sent it back. Then when he went back to check, he found something else. He had to go back again and he charged us that

service fee. I was hoping we could get a little bit of a reduction. He added more things.

Ms. Shaff: The first set had 12 items, dated november 22. Front steps had corner broken. Unvented heating appliance in garage. Exterior door, interior door, missing cover on electrical. Duct support bracket. Treads on basement stairs, handrails crooked. Gasoline powered moped in building. On January 19, the front steps, garage, all that still the same.

Mr. Guo: Was the first list the same as the second?

Ms. Shaff: Yes. There's a whole lot that wasn't completed. There are some new items.

Ms. Moermond: It does sound like items were continued. Also, it looks like the certificate was approved with corrections in February. Which means that things weren't completely done and probably weather dependent.

Ms. Shaff: Down to four in February.

Ms. Moermond: If you would give us your email, there's quite a bit of information. There was legitimate stuff that continued within the cycle. I could make it payable over longer period of time.

Mr. Guo: No need.

Approve the assessment.

Referred to the City Council due back on 9/19/2018

- 25 [RLH TA 18-507](#) Ratifying the Appealed Special Tax Assessment for property at 298 ONEIDA STREET. (File No. J1812E, Assessment No. 188324)

Sponsors: Noecker

Approve; no show.

9/5/18: owner missed hearing; rescheduled to Oct. 2, 2018 @ 10 a.m.

Laid Over to the Legislative Hearings due back on 10/2/2018

- 26 [RLH TA 18-469](#) Ratifying the Appealed Special Tax Assessment for property at 790 SEVENTH STREET EAST. (File No. CRT1812, Assessment No. 188215)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 9/19/2018

- 27 [RLH TA 18-508](#) Ratifying the Appealed Special Tax Assessment for property at 652 SMITH AVENUE SOUTH. (File No. J1812E, Assessment No. 188324)

Sponsors: Noecker

Joseph Card, appearing.

Joe Yannarely:

..Tax Assessment Worksheet

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: JOSEPH CARD

Type of Order/Fee: EXCESSIVE CONSUMPTION OF CITY SERVICES.

Nuisance: 3 OR MORE VIOLATIONS WITHIN 12 MONTH PERIOD.

Date of Orders: MARCH 22ND, 2018

Compliance Date: APRIL 2, 2018

Re-Check Date: 4/11/18 ABATED

Comments: LATEST COMPLAINT WAS TGW ON 6/21/18

History of Orders on Property:

Ms. Moermond: Can you tell me why you are appealing this assessment.

Mr. Card: I can't hear him very well.

Mr. Yannarely: If the City is out more than three times and founded complaints, they assess a \$122 excessive services fee. There were four founded complaints within a year.

Mr. Card: The renter was a very bad tenant. Took me a number of times to get them out of there. Every time there was a complaint, I did something. I towed the cars. The guy went to jail. It took a month to get them evicted.

Ms. Moermond: What would you like today.

Mr. Card: I would like to get the fee removed. I didn't create the problems. I tried to remedy them.

Ms. Moermond: Your tenant.

Mr. Card: The sheriff quit counting at 13 people.

Ms. Moermond: I'm going to approve this assessment. It sounds like a big problem for the neighbors. You can appeal to the City Council. This is a modest fee to remind you to not have these problems in the future.

Mr. Card: They destroyed the house.

Ms. Moermond: This fee is for code enforcement problems. I don't think there is any questions that there were code enforcement problems during that time. I'm sorry.

Mr. Card: I don't know why you aren't assessing the tenants.

Ms. Moermond: You had the contract with them, not the City. You can go after them.

Mr. Card: I wouldn't get a penny out of them.

Ms. Moermond: Spending a lot of taxpayer money at that property.

Approve the assessment.

Referred to the City Council due back on 10/17/2018

- 28 RLH TA 18-496** Ratifying the Appealed Special Tax Assessment for property at 1179 WHITE BEAR AVENUE NORTH. (File No. J1809V, Assessment No. 188013)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 10/17/2018

Assessment Rolls

- 29 RLH AR 18-70** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during March 30 to April 9, 2018. (File No. CRT1813, Assessment No. 188216)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 30 RLH AR 18-71** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during March 22 to April 20, 2018. (File No. J1812E, Assessment No. 188324)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 31 RLH AR 18-72** Ratifying the assessments for Trash Hauling services during May 2 to 29, 2018. (File No. J1812G, Assessment No. 188713)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 32 RLH AR 18-73** Ratifying the assessments for Graffiti Removal services during May 23 to June 20, 2018. (File No. J1810P, Assessment No. 188410)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 33 RLH AR 18-74** Ratifying the assessments for Tree Removal services from May 2018. (File No. 1802T, Assessment No. 189004)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 34 **RLH AR 18-75** Ratifying the assessments for Towing of Abandoned Vehicle services billed during January to March 2018. (File No. J1807V, Assessment No. 188011)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 35 **RLH AR 18-76** Ratifying the assessments for Towing of Abandoned Vehicle services during June 2016 at 554 University Ave W. (File No. J1808V, Assessment No. 188012)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

- 36 **RLH AR 18-77** Ratifying the assessments for Towing of Abandoned Vehicle services during April and May 2018. (File No. J1809V, Assessment No. 188013)

Sponsors: Brendmoen

Referred to the City Council due back on 10/17/2018

11:00 a.m. Hearings

Summary Abatement Orders

- 37 [RLH SAO 18-60](#) Appeal of Jose Flores to a Summary Abatement Order at 802 MOUND STREET.

Sponsors: Prince

Jose Flores, owner, appeared.

Lisa Martin:

..Date/Time of 1st LH: Tuesday, September 4, 2018, 11:00 a.m.

..Purpose of Appeal: Need more time to get a duster and help picking up. Thanks.

..Date of Order(s) Under Appeal: August 28, 2018

..Inspector/Key Staff: Tom Friel

..Legislative Hearing Staff Comments: Looks like VB issued orders, but was scheduled for 11.

Ms. Moermond: What is the issue?

MS. Martin: A Summary Abatement Order was issued on Aug 28, 2018 to remove brush, refuse, rubbish and household items from the yard. Compliance date is Aug 30. A second Order issued to immediately discontinue illegal occupancy. This is a vacant building and board all first floor doors and windows to prevent any further illegal occupancy. That is for a compliance of Aug 28, 2018.

Ms. Moermond: How long has it been a registered vacant building?

Mr. Yannarely: 8-24-18.

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

Mr. Flores: *I just moved back to my house three months ago and my nephew was living there with my Ex. I already cleaned the first part two months ago, a month ago. I complied with what the City wanted. I am cleaning the basement. I need more time to get a dumpster.*

Ms. Moermond: *What are your plans for the house?*

Mr. Flores: *I want to keep it. The only problem is that there's no light.*

Ms. Moermond: *So there's no power to the house? Are you going to rent it?*

Mr. Flores: *I may be renting to somebody. For now, I plan to fix it and find someone to help pay the bills. Who used to live there destroyed the house.*

Ms. Moermond: *You said your ex-wife and your nephew used to live there. Is that who destroyed the house.*

Mr. Flores: *My ex and nephew used to live there.*

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

Mr. Flores: *I need more time to clean up and pay the bill for the light.*

Ms. Moermond: *It looks like staff only took the appeal on the SA. They didn't take an appeal on the vacant building registration. That might be a mistake on our part--at the front desk, that they didn't see that. The appeal was filed August 29, which would have been well within the 10 days that he could have had to appeal the vacant building registration.*

Mr. Yannarely: *Yes. Just looking at note that the inspector wrote. It was sent over as Condemned/Vacate referred by Code Enforcement to VB Program*

Ms. Vang: *The Registration letter was sent Aug 27 and he appealed the SA on Aug 29. He probably hadn't received the VB registration letter yet at the time he appealed. It's a Cat 1 VB; he can still appeal the VB registration letter.*

Ms. Moermond: *How long before you can get the yard cleaned up?*

Mr. Flores: *I need to come up with the money. I wanted to get a dumpster but I lost my job last Friday; I'm struggling with how to get money to pay bills, for the kids. As much time as you can give me.*

Ms. Moermond: *There's a couple things going on: one is the clean-up Order on yard. Your house is condemned because there's no power and you've been put into the VB Program because the house is condemned. How much is the Xcel bill?*

Mr. Flores: *\$2400-\$2500. It's in my name.*

Ms. Moermond: *That's a pretty tall order. They probably want to see half of that and*

then a payment plan for the rest.

Mr. Flores: I offered them \$700 but she said no. Then, I offered them \$900 and she say no. I've been a customer for 10 years, almost 30 years. Now, I have to go downtown, Kellogg, and to a couple other places.

Ms. Moermond: I'm wondering if the House Calls Program could help out with a dumpster and identify energy assistance money. Do you live someplace else?

Mr. Flores: Now, no. I stay on the porch or drive around because someone broke in two days ago and stole my stereo, my TV, most of the value stuff.

Mr. Yannarely: It looks like they had some squatter issues. Broke in, we've had to secure the building--board it up. There's a note in here that the inspector for VB has tried to contact Mr. Flores. He keeps getting a full voicemail box.

Ms. Moermond: You have to empty out your mailbox on your phone.

Mr. Flores: They took my phone so I just had to replace my phone last week.

Ms. Moermond: So the voicemail has been cleared out so someone can leave a message?

Mr. Yannarely: Inspector was out there August 30. Said that there's all kind of refuse piled up. He would send a Work Order, but he held off because of this appeal.

Ms. Moermond: Are you going to live here when you're able to? You said maybe you would rent it back to your ex-wife. If you were to live here, there's one set of options available; if you're not going to live here, it takes a lot of those options away. Where does she live?

Mr. Flores: My Ex lives in West St. Paul.

Ms. Moermond: So she's got a place. But you don't.

Mr. Flores: Yes.

Ms. Moermond: I'm willing to lay this over for one week if you meet with our House Calls Program. What do you think?

Mr. Yannarely: He still has garbage and refuse laying in the yard. Do you want to leave that there for another week?

Ms. Moermond: Garbage? No.

Ms. Martin: In the Orders, mentioned "discontinue illegal occupancy,"

Ms. Moermond: I know; the illegal occupancy is because of the power being out but we don't have other things going on.

Mr. Yannarely: They thought squatters broke in.

Ms. Moermond: It appears to be Mr. Flores himself. When was the Condemnation?

Mr. Yannarely: Dated August 13. Ordered vacated August 15.

Ms. Moermond: I need you to get the yard cleaned up. I imagine some of these things are wet now if they're still out there. I also see garbage bags, which is not OK to continue to be there; so, I'm going to give you a deadline--by the end of this week, that garbage has to be gone. I'm going to recommend that you file an appeal of the VB Registration and we can take that without a charge because it kind of goes with all of this and came out about the same time of mailing. Mr. Yannarely said you are on the night check program which means inspectors will be coming by at night to make sure nobody is staying there and that the house is secured. I would like to talk to you about the vacant building. That's going to be around the fee and what it takes for you to move in again. Next week Tue at 2:30 pm. I will put this garbage issue before the City Council on Wed, Sept 12, 2018. On Tue Sep 11, we'll talk about the VB Registration. That's a big deal because it's \$2200 to register as a vacant building. We can tell you under what circumstances you or somebody else can move back into the house.

Mr. Flores: I'm sorry.

Ms. Moermond: I don't think you want to tell me anymore than what you've said. They will be checking it and they can write you a criminal citation.

Grant an extension to September 7 to comply with the garbage in the yard. (NOTE: Owner filed an appeal on the VB Registration Notice which is scheduled for 9/11 @ 2:30.)

Legislative Hearing Officer modified recommendation after hearing to indicate appeal is denied.

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

Correction Orders

38 RLH CO 18-35 Appeal of Betty Gruber to a Correction Notice at 671 HAWTHORNE AVENUE EAST.

Sponsors: Bostrom

Richard and Betty Gruber, owners, appeared.

Ms. Moermond: we've heard Orders on this property many times before; what's going on right now?

Supervisor Joe Yannarely: Inspector Ed Smith issued Orders on Aug 24, 2018. During a re-check; he found a tarp, mattress, sleeping bag, etc, on the upper rear landing. He found an appliance, household items, discarded furniture, rug, etc, in the back yard. Kitchen in lower unit has strong cat urine and feces odor and cluttered combustibles near the stove. There's clutter throughout the bedroom, living room and dining room. Photos were taken for the correction notice. The upstairs unit is vacated; the appeal is for cleaning up the lower unit.

Mr. Gruber: The tarp hasn't been there. There's a character running around who might have done it. We both are living in the lower unit right now.

Ms. Moermond: I'm seeing a lot of stuff in that apartment. It's overfull.

Ms. Gruber: I'm wondering if we could use the upstairs for, not live there, just put possessions there.

Mr. Gruber: Well, we don't go up there.

Ms. Moermond: You own the house; so, yea; I can't tell you that you can't use that. I can tell you the apartment looks like you're a hoarder. It's got that much stuff in it. I'm particularly concerned because staff are telling me that there's a urine and feces odor there now; do you have pets? Are they just going in the clothing and stuff?

Mr. Gruber: Yes; there's two litter boxes and I clean the litter boxes every day. They go only in the litter boxes.

Ms. Gruber: He said it was in the back hall. That's where he's emptying the litter boxes. The garbage is by the back door.

Ms. Moermond: This doesn't look like it's safe to live in.

Mr. Gruber: Oh yes it is.

Ms. Gruber: They said the couch was covered up. I cleared it out.

Ms. Moermond: Do you have a social worker, Mr. Gruber? Albert Mack, maybe.

Mr. Gruber: Yes; Albert Mack. He talks to me but I don't see him.

Ms. Moermond: Ms. Martin, do you know what's going on social service-wise? In terms of a person assigned to work with them.

Ms. Gruber: Mr. Mack is the investigator.

Fire Supervisor Leanna Shaff: Mr. Mack is investigating.

Ms. Moermond: The role of the investigator is to find out what is going on, not to provide long-term services.

Ms. Gruber: Somebody came over to check the place and they opened up the refrigerator to see if we had food. The couch was OK then. I take all the newspapers off the couch.

Ms. Moermond: You own 2 houses. You used to live in the house at 1576 Griggs, and you lived on the first floor of 671 Hawthorne. Terry Olson used to live, now and then, in the 2nd floor of 671 Hawthorne. And you rented out the property next door at 675 Hawthorne? That's a rental property that belongs to you. And then you also own a rental property on West 7th? So there's four properties. You're both living on the first floor of 671 Hawthorne

Mr. Gruber: I'm selling the one on Griggs

Ms. Moermond: So, is that part of the reason why you have a mess going on at 671 Hawthorne?

Ms. Gruber: Yes; we are moving things out of Griggs and needed some place to put it. We could use more storage.

Mr. Yannarely: We can set up an appointment with Ed so he can go through it. I'm guessing he took these pictures through the windows.

Ms. Moermond: No, these are interior shots.

Ms. Gruber: I wasn't there. When he came.

Mr. Gruber: What are we talking about?

Ms. Moermond: Can you check the record on 1576 Griggs?

Ms. Martin: I Condemned Griggs a month ago. It was a hoarding. It was a gross unsanitary house. It went to Vacant Buildings July 26.

Ms. Gruber: We had two cats that were sick. They are gone now. I'd like to contact that person. It's all cleaned up now. Scrubbed the floors. Cats are gone.

Mr. Yannarely: In order to sell Griggs, you need a Code Compliance Inspection and go through a Sale Review process because right now, it's a Category 2 VB. I'll give you Reid Soley's number.

Ms. Gruber: I need to contact him. It's all cleaned up and nobody's living there. I still have oxygen there I need to get out. Medical equipment and oxygen.

Mr. Gruber: She has this COPD.

Ms. Moermond: Can Mr. Smith get out there quickly to do an inspection?

Mr. Yannarely: Sure. Do you want to give them a couple days to get it cleaned up?

Ms. Moermond: I'd like to see 671 inspected this week. I want to see it cleaned-up. The photos from August 24 show stuff piled up around the stove which is a problem. There's pathways to the windows and doors are all blocked. I'm concerned when they say strong odor of urine and feces. Maybe that's something that came from your house on Griggs. Maybe things need to be washed. All that needs to be dealt with.

Ms. Gruber: I think we need to put the garbage can outside instead of leaving it in the house.

Mr. Yannarely: This is the number you need to talk to about selling Griggs. This is the inspector for the property we are talking about at Hawthorne. You need to call him to arrange for him to go through it.

Ms. Moermond: When are you home.

Mr. Gruber: All the time.

Ms. Moermond: Do you have access to Mr. Smith's calendar.

Mr. Yannarely: No, but I can email him.

Ms. Moermond: I know that Mr. Gruber has a very short memory. And if they are there all the time. So if we said Friday morning, would you guys be there?

Ms. Gruber: I won't be there. Thursday would be a better day for me. In the afternoon.

Ms. Moermond: OK, 2 PM Thursday afternoon, Sep 6, 2018, the inspector will come to take a look. I want you to be there, Ms. Gruber. If you don't meet with the inspector, I will recommend to the City Council on Wed that the house be vacated by Friday, Sep 7, 2018. I think there are ways that we can solve this without you guys running out of housing but we have to keep one of those units livable. You can't hoard both of those units. One has to be clear and livable. Seems like the first floor is the way to go because Mr. Gruber has limited mobility.

Ms. Moermond: This hearing will be continued to Tue, Sep 11, 2018 at 11 am re: 671 Hawthorne.

Layover to September 11. In the interim, inspector to inspect the property on Thursday, September 6 to determine if the items in the Correction Notice are in compliance.

F/U from Inspector Ed Smith: I met SPPD Officers Dean Koehnen and Chris Hansen at the property yesterday. We were joined by Leanna Shaff and personnel from Ramsey County Adult Protection.

The exterior of the property has been cleaned up. The interior clutter has been removed from every room in the lower unit and the combustible items have been removed that were near the oven. There is still a strong cat urine/feces odor inside the lower unit. I advised Betty and Richard Gruber to continue to work on eradicating the odor.

Laid Over to the Legislative Hearings due back on 9/11/2018

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 39** [RLH VO 18-47](#) Appeal of Zulema Contreras to a Correction Notice-Complaint Inspection (which includes condemnation) at 594 BRUNSON STREET.

Sponsors: Brendmoen

Zulema Contreras, appearing.

Fire Supervisor Leanne Shaff:

..Date/Time of 1st LH: Tuesday, September 4, 2018, 11:30 a.m.

..Purpose of Appeal: Need more time for help from other agency to help me pay this Xcel bill owing \$3,946.13 My power got cut off.

..Date of Order(s) Under Appeal: August 24, 2018

..Inspector/Key Staff: George Niemeyer

..Legislative Hearing Staff Comments: Appellant told staff that her brother lives at the property, and there are no children living there anymore. Electricity is the power that is

shut off. Staff told appellant to put the condemnation sign back on the property door.
-rrn

While inspector was conducting inspection at 496 North, he noticed an extension cord running from 496 North to 594 Brunson #2. The cord was unhooked by 496. He contacted Excel and they verified that the electric was turned off. He knocked on the door twice but no one came to the door. He posted a condemnation placard. When he went out to take a picture of the extension cord, it had been removed completely. So, Number 2 is condemned for an electric shut-off. And also he noticed a broken window, second floor, north side.

Ms. Moermond: You are the person living in unit 2.

Ms. Contreras: Yes.

Ms. Moermond: Tell me what are you looking for.

Ms. Contreras: I'm looking for more time for agencies to help out. Like the neighborhood is helping out, Like I just took my brother over to Syndicate to get help.

Ms. Moermond: Who lives there.

Ms. Contreras: Me, my brother, my son.

Ms. Moermond: How old is your son?

Ms. Contreras: 19 and my brother's 50. And I work. I've been working for 18 years.

Ms. Moermond: How long has the power been out.

Ms. Contreras: They cut it off on the 23rd.

Ms. Moermond: August 23?

Ms. Contreras: Yes and the bill is high. \$3946.13 and my ex-husband owed the bill for that place but he got incarcerated and deported to Guatemala. Now they combined that bill into my new bill. I've been living there for about six years. I need a little bit more time. Public Health will pay \$500, Emergency Assistance \$800, and 12 from my brother. I'm going to take my son to [inaudible] so they can help out with for another \$800. Neighborhood Housing on the west side is trying to help me out, too. And I go back to work tomorrow because I'm on vacation. I've been on vacation going here and there to get help.

Ms. Moermond: What are you doing with your food in the refrigerator?

Ms. Contreras: I had to clean the refrigerator. We've been eating fast food.

Ms. Moermond: What about smoke detectors? Have you got fresh batteries in them? Probably not.

Ms. Contreras: [inaudible]

Ms. Moermond: You have one smoke detector in the house that has back-up into the electric and that's not going to work right now. So the inspector wrote the order on

August 24 and said they want the place emptied by September 4. I'm willing to give you a little bit of time to figure this out. It sounds like you are working with some agencies. But we need to get some fresh batteries in those smoke detectors and I need you not to run an extension cord. That's really unsafe to do that.

Ms. Contreras: Ok. Yeah.

Ms. Moermond: What you are doing is urban camping. Only you will have the battery backup on the smoke detectors. If it isn't sorted out, you will have to find someplace else to live. Unfortunately, when the power is cut, that bill goes with you and you will have to solve that.

Ms. Contreras: I'm trying to. I've got to put money in myself for the bill, too. This is my brother.

Ms. Moermond: So do you think by October 1, you will have this fixed?

Ms. Contreras: It'll be complete.

Ms. Moermond: Fresh batteries for the smokes. Anything else you think we need? You can't use candles. Candles are out. That means flashlights.

Ms. Contreras: I got battery operated lights from the dollar store.

Ms. Moermond: That's ok. Batteries are ok. What other criteria would you put on that.

Ms. Shaff: No campstoves or anything like that. No open flame in the house. No power cord to the neighbor's house or downstairs. Are you looking for the inspector to verify the batteries? By what date?

Ms. Moermond: I want batteries in two days. The inspector should be able to stop by. You can do that today, right?

Ms. Contreras: Yeah.

Ms. Shaff: The inspector can reach you at this 763 number?

Ms. Contreras: Yes.

Ms. Moermond: If power is not back on by Oct 1, you guys are out of there. That will be the guidepost. As condition of doing the extension: no extension cords to other residences, new batteries. It's not just you, it's a duplex. Ms. Shaff, you will have somebody checking that?

Ms. Shaff: I'm sending an email right now.

Ms. Moermond: You will be contacted by someone coming to check the smoke detectors.

Ms. Contreras: Thanks.

Ms. Moermond: Take care. Good luck with this.

Ms. Contreras: *It's getting there. Thank you.*

Grant to October 1, 2018 to restore the power or the property must be vacated. (No open flames in the house, no extension cord running from the neighbor and must have working smoke detectors with fresh batteries).

Referred to the City Council due back on 9/19/2018

40 [RLH VO 18-46](#)

Appeal of Dan Harms to a Fire Certificate of Occupancy Inspection
Correction Notice at 309-313 LAWSON AVENUE EAST.

Sponsors: Brendmoen

Dan Harms, appearing.

Fire Supervisor Leanne Shaff:

..Date/Time of 1st LH: Sept. 4, 2018 at 1:30

..Purpose of Appeal: 309/313 Lawson is a duplex. 309 is rental and compliant with a A rating. 313 is being remodeled with permits from St. Paul. Fire inspector condemned property and put an undoable date for completion in opposition to tiime frame allowed by permit.

..Date of Order(s) Under Appeal: August 15, 2018

..Inspector/Key Staff: Jacob Sheeler

..Legislative Hearing Staff Comments: Please provide photos

Ms. Shaff: Fire Certificate of Inspection by Inspector Wheeler for 309. He has condemned unit 313, currently unoccupied. It is being extensively remodeled, he put an notice that all permits have to be finalized and the property inspected before occupancy. Quite the remodel going on there. And it has been for some time.

Ms. Moermond: Is this a side by side.

Mr. Harms: Correct. Side by side duplex. 309 side was completely remodeled a year and a half ago. That's rented out. The 313 side, I'm doing all the work on it so it's a complete remodel, with new kitchen, bathrooms and new flooring. We took out a lot of water damage problems. We updated electrical, plumbing. We have permits on all of the projects. The part that I am appealing is the timeframe of having those permits closed by the 15th of October.

Ms. Scaff: It looks like the remodel permit was opened in March, 2016. There's an open plumbing permit from May of 2016, ventilation from May of 2016. Electric has been finaled. So there's over two years going on that permit.

Mr. Harms: I've talked to the City of St Paul Building Division and as long as I continue to work on it and have an inspection every 180 days, they're willing to leave that permit open.

Ms. Shaff: That's correct.

Mr. Harms: And so that's basically what we have been doing. And we've made sure we fall within the parameters of the project.

Ms. Moermond: So if Mr. Harms doesn't comply with the order to close by October 15,

what would you take as enforcement action?

Ms. Shaff: We are looking for some kind of plan. It's kind of hard for years and years to have half of the building occupied and a fire certificate of occupancy. Condemnation process is to make she he knows he can't occupy it until the permits are signed off and we've inspected it. It's coverage for both parties that he's been informed.

Mr. Harms: I don't have any problem with that. The problem is that 309, which we have remodeled, just scored an A+, whatever the top rating is,

Ms. Moermod: They don't have pluses.

Ms. Shaff: It doesn't change the grade to have one side in condemnation.

Ms. Moermond: So you've got one side doing great, the other side you're working on.

Mr. Harms: Correct. The problem is that what the inspector told me because it's one tax ID number, is that when they condemn half of it, it condemns the entire building. I have it in voicemail. I can't afford to have the tenants kicked out because I am legally under construction.

Ms. Moermond: We can clear that up. When do you imagine you will be done with the 313 side.

Mr. Harms: I am hoping by the first of April.

Ms. Shaff: What we would do in that case is approve with deficiency. It still retains its A grade. It would need to be inspected by us and all the permits would need to be closed.

Ms. Moermond: I will recommend that the Council maintains the condemnation on the 313 side and note that the 309 side is not condemned, is inhabitable, and has a Fire Certificate of Occupancy. You can't rent out 313 until you have a Fire Inspection of Occupancy. We will have it clear in the language that it can be both things, Class a here and condemned here. I'm going to lift the deadline entirely. The only thing is the smoke detector affidavit.

Mr. Harms: He tested all of them.

Ms. Moermond: I would like to see it done sooner than later. You are the one that's losing the rental income by being extended. I would lift the deadline.

Ms. Shaff: We do require the written copy of the smoke alarm affidavit.

Mr. Harms: If I haven't provided it, I will.

Ms. Moermond: I think Ms. Vang has a copy that you can fill out. I think in your case, we are just cleaning up the records.

Deny the appeal and maintain the condemnation in Unit 313. Unit 309 has its Fire C of O and is habitable.

Referred to the City Council due back on 9/19/2018

- 41 [RLH VO 18-45](#) Appeal of My Lam, Proton Investments, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 989 MINNEHAHA AVENUE EAST.

Sponsors: Prince

My Lam, appearing.

Fire Supervisor Leanne Shaff:

..Date/Time of 1st LH: September 4, 2018, 11:30 a.m.

..Purpose of Appeal: Copy of posting

..Date of Order(s) Under Appeal: August 15, 2018

..Inspector/Key Staff: James Thomas

..Legislative Hearing Staff Comments: Staff found the paperwork to go along with the copy of the door notice. Staff sent the smoke and carbon monoxide affidavit to DSI via interoffice mail.

Ms. Shaff: Attempts to inspect by Inspector James Thomas. Initial letter went out in April. No entry on 5-14, no entry on 6-4. He says he knocked on both doors, no answer on 6-4. On 6-27, he called, left message. No return calls. Was also at the property. On 8-15, the owner called. States one unit was empty and the tenant was waiting, Did not hear me knock but watched me post the building. We just haven't been able to gain access or anybody to meet us at the building. Code requires it in order to maintain the Certificate of Occupancy. That includes inspection and correction of noted deficiencies.

Ms. Moermond: When was the last Certificate of Occupancy?

Ms. Shaff: It was approved 4-21-16.

Ms. Moermond: Mr. Lam, you are appealing this revocation. What's going on?

Mr. Lam: Yes. Before August 15, I didn't have any contact with the City of St Paul. Either a phone call or in the mail. I did get the notice July 27 from Mr. Thomas and responded with an email on August 15 at 9:30AM. Emailed him again August 16 at 12:50PM. Both emails, he was unresponsive. On the day of the appointment.

Ms. Moermond: August 15, the date you sent the email, is the date of the notice. Is your address 5402 Parkdale Drive #101 in St Louis Park?

Mr. Lam: It is.

Ms. Moermond: The letters have been going to that address. Are you saying you haven't gotten them?

Mr. Lam: I got the one on July 27.

Ms Moermond: And the phone call that was made on June 27?

Mr. Lam: On June 27, I did not receive any missed calls.

Ms. Shaff: We have a 612-644-2757 telephone number.

Mr. Lam: No. It's 612-703-8035.

Ms. Shaff: We don't have that on record.

Ms. Moermond: Tell me more. There's a lot of missed inspections here. And what's going on with the mail?

Mr. Lam: I've received all the other mails. From City of Minneapolis. Others from properties in St Paul. I couldn't tell you exactly. If it was a phone call, I would be responsive.

Ms. Shaff: We didn't have the current phone number.

Ms. Moermond: So what kind of shape is the property in?

Mr. Lam: Upstairs is almost remodeled since the tenant moved out. We don't intend to rerack it because we are selling it. First floor--we have three work orders. Trying to get in contact with the tenant. She changed her phone number so I couldn't get in contact with her so I could have the inspector show up. She told me he didn't knock on the door; he posted something on the door, but didn't knock. He told me he doesn't knock on doors, he doesn't walk around the property. He expects someone to meet him. I didn't know that. I apologize for that. If he wants to go tomorrow, I can tell the tenant.

Ms. Moermond: So it's not your practice to meet with the inspector?

Mr. Lam: I always try to. But I've got one person doing 50 properties. Someone is always there. Either myself or my supervisor. [inaudible] every single appointment.

Ms. Moermond: Would Mr. Thomas be willing to give this guy one last chance in the next two weeks? Does he have any appointments?

Ms. Shaff: I don't believe the calendar is up to date.

Ms. Moermond: He put a vacate date of September 3 on this. Let's push this to October 3. And I think you shouldn't have a problem getting an inspection appointment before then. It's your responsibility to fill out that registration form correctly and provide the right information to them. I am holding you responsible for some parts. Sounds like you have the place in decent shape. That will help.

Ms. Shaff: When are your tenants' lease up.

Mr. Lam: At the end of this month, but we are going month to month.

Ms. Shaff: And your notice period?

Mr. Lam: Notice to vacate?

Ms. Shaff: What's the notice period if you decided you didn't want them as tenants. What does it say in their lease.

Mr. Lam: 60 days.

Ms. Moermond: Mr. Thomas should be able to accommodate you. Call him right away so if there's any follow-up work that needs to be done there's still time to deal with it before October 3.

Ms. Shaff: Could you fill out that form before you leave.

Grant to October 3, 2018 to comply with the Order or the property must be vacated.

Referred to the City Council due back on 9/19/2018

1:30 p.m. Hearings

Fire Certificates of Occupancy

42 RLH FCO Appeal of Wayne Young to a Correction Notice-Reinspection Complaint
18-106 at 949 FOREST STREET.

Sponsors: Bostrom

Wayne Young, appearing.

Mr. A.G. Nies:

..Date/Time of 1st LH: Tuesday, July 10, 2018, 1:30 p.m.

..Purpose of Appeal: My mother, Dolores Dunkel, has been in ill-health over the past two years. This property was originally owned by her husband, Richard Dunkel, from 1962 until his death in 2007. This property has had no renters since 2007 and has been only occupied by myself (son) and my now grown children (grandchildren) when they were younger. The issues surrounding the property has been very upsetting to her, as health is a continuing concern and she has indicated, periodically, a desire to sell as there is not enough family money to address the issues in this order.

..Date of Order(s) Under Appeal: June 27, 2018

..Inspector/Key Staff: George Niemeyer

..Legislative Hearing Staff Comments: Need further explanation on why entire section of code pertaining to revocation, etc., as well as requirement for C of O copied into orders. Is there an implicit warning that there will be a revocation if they don't fill out the provisional form? -MM

Ms. Moermond: Your mother has been in ill health and she has not been in the home?

Mr. Young: She has not been in the home. No.

Ms. Moermond: Is it just her name on the house?

Mr. Young: Just her name.

Ms. Moermond: So you've been there. It's not going to go to your name. You guys are going to sell it. You've got your TISH report and you've talked to a realtor?

Mr. Young: Yes. I'm going with Dennis Debrovander from Keller Williams. Sent in the listing agreement Friday. The "For Sale" sign went up last Wednesday. The lock box went up Wednesday. There's already been two people through. Before it went on MLS on Friday. Dennis did a comparative value of the properties that sold in the last year in the area. He is listing it at \$154,900.

Ms. Moermond: How does that feel for you guys?

Mr. Young: It feels pretty good. It also alleviates my mom's worries that we were going to get somebody going through with cash for houses. Dennis checks out whole cred. He's been in communication with me, texting me about things. It's been a great relationship so far.

Ms. Moermond: Keller Williams is a solid company. I'm sure that they will do right by you.

Mr. Young: My neighbor on Sims, he put his house up with Keller Williams and it went in a day for \$169,900. But that's in better shape. It has a better roof. And the interior is better. His thing is if someone doesn't like the price, counteroffer. He will go through any counteroffer with me. That's where we are at.

Ms. Moermond: Very good. The action was you needed a Certificate of Occupancy in order to live there. You are not going to get the Certificate. You are selling it. How long is your listing agreement for?

Mr. Young: It's a six month agreement. He feels that it should go within a month but you never can tell.

Ms. Moermond: I'm trying to think how long the City Council gives you to get this done. I want to be liberal. I will say that you need to have sold or gotten your Certificate of Occupancy by March 1, 2019.

Mr. Young: That's fair. Should I report back?

Ms. Moermond: We will know.

Mr. Young: He feels that it will be an investor coming in.

Ms. Moermond: An investor will know what needs to be done if they want to flip it or turn it into a rental property. I wish you luck.

Mr. Young: My mom feels relieved.

Grant an extension to March 1, 2019 to have the property sold or have its Fire Certificate of Occupancy.

Referred to the City Council due back on 10/10/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 43** [RLH SAO 18-59](#) Appeal of Ronald Staeheli to a Summary Abatement Order at 358 ARBOR STREET.

Sponsors: Noecker

Ronald Staeheli, appearing.

Mr. Matt Dornfeld:

..Date/Time of 1st LH: Tuesday, September 4, 2018, 2:30 p.m.

..Purpose of Appeal: No one lives in the garage, no one has ever lived in the garage. Someone rents this garage, stores household items in the garage, and sometimes visits the garage late night and early in the morning. Everyone who has access to the garage has other accommodations. Garage is always locked and secured.

I am also asking that the fee be waived as I am low income. I hold out no hope that request will be granted and will pay after hearing if as I suspect I am turned down.

..Date of Order(s) Under Appeal: August 23, 2018

..Inspector/Key Staff: Matt Dornfeld

..Legislative Hearing Staff Comments: \$25 fee paid on 9-4-18. -rrm

Mr. Dornfeld: Mr. Staeheli is appealing a summary abatement to vacate and secure his garage. The DSI has received chronic, consistent complaints starting in early April that state: people sleeping in garage; person sleeping in garage; please do a safety check; possible drugs happening with person sleeping in garage; tall larger man sleeping in garage, might need police backup, man seems angry; angry individual sleeping in garage.

Mr. Staeheli: Is it the same person.

Ms. Moermond: I don't think he can say.

Mr. Dornfeld: So, I've been there during the day and I've been there in the evening. I have not been there past 8PM and the garage is locked and the windows are covered. I can't 100% confirm that someone is occupying that premise.

Ms. Moermond: I think we heard the appeal six months ago. Was that your staff?

Mr. Nies: Correct. This was an appeal made by, I believe, a Mr. Ellerman who had been renting out the garage from the property owner. He indicated he was using the garage for his personal use but he was not living there. He was using it as a storage facility only. However, the only address he had was to the shelter.

Ms. Moermond: He was living at the Union Gospel.

Mr. Nies: The Union Gospel Mission. He was storing his belongings there at the garage.

Ms. Moermond: Didn't he say he might have fallen asleep there on some occasion?

Mr. Nies: I don't recall but we did find items for living and sleeping purposes, i.e. food, toothbrush. Very much set up where someone would possibly be living there. To be quite frank, if it looks like a duck and quacks like a duck, a lot of times it's safe to assume it's a duck. Not saying that's the case all the time but in regards to what we find and the fact he doesn't have a permanent residence, things just don't seem to pass the sniff test with our office.

Ms. Moermond: He said he was leaving town for a while to work. Mr. Staeheli, chronic complaints coming in from the neighbors?

Mr. Staeheli: It's coming in from the downstairs tenant who is mad at me because I am raising her rent. The woman who lives downstairs has a brain injury. I was charging below market rent. She has this thing where about every six months she has

to fight with somebody. I haven't thrown her out because I feel bad for her. There's no way she will find a place that's acceptable for her. She thinks that if she's near a cell phone, she gets horrible headaches. She has a lot of mental health issues, including hoarding. About two years ago, I asked her to leave the garage because she had it full, stacked with stuff and was renting it for \$50 a month and I knew I could get more. I had her get all her stuff out of there and rented it to this guy. She is the only one who's made any complaints.

Ms. Moermond: This is a duplex?

Mr. Staeheli: This is a duplex. My wife lives upstairs, owns the house. Vicky Christenson lives downstairs. Starting in April, we asked her to pay more market rent. She agreed but thought Section 8 was going to pick it up and now she's not willing to pay the extra rent so she's starting to make complaints. She was supposed to be out in July, in August, but she writes me and says she can't find another place and is staying another month. She doesn't understand the way it works for rental. She's the only person who has made a complaint. She admits it to me. I have talked to Tom several times. I have gone into the garage. I would like to see pictures of what they say in the garage.

Ms. Moermond: He was here. He admitted those things were there.

Mr. Staeheli: My question is what is living in a garage look like? What's the difference between living there and storing stuff.

Mr. Nies: Sleeping, watching TV.

Mr. Staeheli: Lots of people watch TV in their garage.

Mr. Nies: But they don't rent it as a storage facility to watch TV in.

Mr. Staeheli: So they can't watch TV in a storage facility?

Ms. Moermond: I think we are talking about the collection of leisure activities, sleeping, preparing food, eating food. Those things taken together constitute living.

Mr. Staeheli: I agree. But I have not seen any evidence of him doing, nor have I been presented here with any evidence of him doing those things. I don't know what to tell him to stop doing in order to stop this happening. Maybe I have to throw Vicky out. But she's going to be under a brick because she can't live with anybody else because she has such issues.

Mr. Nies: Ms. Moermond, I have a solution. This is a duplex, correct? So there's a two car garage and an apron with one space in front. You've got three off-street parking spaces?

Mr. Staeheli: The boulevard has a double wide cutout.

Ms. Moermond: That's ROW. That doesn't count as parking.

Mr. Nies: He can't be there anymore. The zoning code requires a duplex to have three off-street parking places. The garage accounts for two of them. With him renting that garage out, the duplex no longer has the off-street parking required by code.

Mr. Staeheli: It would be grandfathered.

Ms. Moermond: You can't go backwards. If three spaces were provided and there were three, you can't subtract from that and say you are grandfathered. That logic doesn't apply. What I am going to do today is we don't have concrete evidence that somebody is sleeping in the garage. So I will grant the appeal. But the DSI is considering doing enforcement on the fact that the garage is not being used for parking purposes and you need the parking associated with the rental. I'm not going to deal with that right now.

Mr. Nies: So where we are going with this, Ms. Moermond, it was legal and conforming until he took away the parking. There's no grandfathering. You are required to maintain what you have. I will send the complaint to Zoning to have the garage vacated.

Grant the appeal.

Referred to the City Council due back on 10/10/2018

**44 RLH VBR
18-61**

Appeal of Shirzad Raimi to a Vacant Building Registration Requirement at 370 BATES AVENUE.

Sponsors: Prince

Shirzad Raimi, appearing.

Mr. Dornfeldt

..Date/Time of 1st LH: September 4, 2018

..Purpose of Appeal: Needs one more month to finish everything they were waiting for: HPC department

..Date of Order(s) Under Appeal: August 13, 2018

..Inspector/Key Staff: Tom Friel

Property was made a Category II vacant building August 11, 2016. Ramos Const LLC went through sale review process and was approved March 12, 2018. They do have a current code compliance. All trades permits are on file. Property has not been a nuisance. I am guessing we are here today for the Vacant Building Fee that was due August 12, 2018.

Ms. Moermond: How close are you?

Mr. Raimi: I was waiting for the HPC department for the approval. We were going to replace the existing with vinyl. I met with George Gause of the HPC and he gave us some recommendations to avoid getting the new siding because that could take up to two months for approval. Then about 10 days ago, we came to an agreement that we would just fix the siding and save the front windows. We are 90% done. Now we are doing the painting.

Ms. Moermond: You've just got a little bit of window work to do and repair of your siding and you are ready for your signoff.

Mr. Raimi: Exactly.

Ms. Moermond: Ms. Boulware, you are here. Take the mic. Ms. Christine Boulware is

staff at the Heritage Preservation Commission.

Ms. Boulware: 371 Bates is in the Dayton's Bluff Preservation District. Unfortunately had a bit of a rocky start where some work had been completed without HPC review and approval. When those things happen, it can take longer because we have to go back and see what's been done. My supervisor, George Gause, has issued the HPC approval. They do have the Certificate of Approval from HPC to complete the exterior work.

Ms. Moermond: How long will it take you to get done?

Mr. Raimi: October 1

Ms. Moermond: Would a 90 day waiver of the Vacant Building Fee work for you?

Mr. Raimi: Yes.

Ms. Moermond: That would take us to November 23.

Mr. Raimi: For sure I'll be done by then.

Ms. Moermond: All right. The Vacant Building Fee is waived that long.

Mr. Raimi: Thank you very much.

Ms. Moermond: If for any reason it goes longer, you will get a letter in the mail. It will be for an assessment of the Vacant Building Fee. Appeal that and I can work with you to prorate it.

Waive the VB fee for 90 days.

Referred to the City Council due back on 10/10/2018

- 45 [RLH VBR 18-59](#) Appeal of John Kellermann Jr. to a Vacant Building Registration Notice at 1349 EDGERTON STREET.

Sponsors: Brendmoen

John Kellermann, Jr., appearing.

Mr. Matt Dornfeld:

..Date/Time of 1st LH: August 28, 2018 at 2:30

..Purpose of Appeal: Power is back on.

..Date of Order(s) Under Appeal: August 16, 2018

..Inspector/Key Staff: Tom Friel

..Legislative Hearing Staff Comments:

Mr. Dornfeld: Inspector Friel stated conditions were clean and that there were no life safety issues. Appellant intends to owner-occupy if the Category II status was dropped.

Ms. Moermond: That's what we were looking for. I guess we can grant that appeal.

Grant the appeal.

Referred to the City Council due back on 10/10/2018

- 46 [RLH VBR 18-60](#) Appeal of Jason Anderson, Eden Builders, to a Vacant Building Registration Fee at 700 FOURTH STREET EAST.

Sponsors: Prince

Appeal of Jason Anderson, Eden Builders, to a Vacant Building Registration Fee at 700 FOURTH STREET EAST.

..Date/Time of 1st LH: Tuesday, September 4, 2018, 2:30 p.m.

..Purpose of Appeal: Project almost completed - one week from receiving final occupancy.

..Date of Order(s) Under Appeal: August 15, 2018

..Inspector/Key Staff: Tom Friel

..Legislative Hearing Staff Comments: \$25 fee will be mailed

Mr. Dornfeld: They have received their Certificate of Code Compliance and they have withdrawn their appeal.

Ms. Moermond: I take it you are cancelling the bill in house then.

Mr. Dornfeld: Yes. We closed the Vacant Building File. So they're good.

Ms. Moermond: So we can put in our notes, withdrawn by staff, Code Compliance Certificate issued.

DSI has closed the VB file as owner has received their code compliance certificate.

Withdrawn

- 47 **RLH VBR 18-62** Appeal of Marjorie Pitz to a Vacant Building Registration Fee Warning Letter at 664 PLUM STREET.

Sponsors: Prince

Marjorie Pitz, appearing.

Mr. Dornfeld:

..Date/Time of 1st LH: September 4, 2018, 2:30 p.m.

..Purpose of Appeal: We have a contractor in final negotiations to proceed with over \$100,000 of work, including structural leveling, all new plumbing, electrical, heat, 2 kitchens, and 2 baths.

..Date of Order(s) Under Appeal: August 16, 2018

..Inspector/Key Staff: Rick Gavin

..Legislative Hearing Staff Comments: After taking this appeal, staff found that there was an appeal filed earlier in the year on a vacant building fee. -rrn

Mai, Can you print the appeal record for VBR 18-11 to attach? Thank you. -MM

Mr. Dornfeld: 664 Plum was made a preliminary vacant building by Inspector Tom Friel in December, 2015. From our understanding, it remains vacant as of today. In October, 2016, the home was upgraded to a Category I by Inspector Friel. There are

minor code violations documented: defective screens, grass and weeds, unsecure garage service door. From what I can tell, everything looks to be maintained and it's not a nuisance. We haven't received any recent complaints. I think we are here today to discuss a Vacant Building Fee.

Ms. Moermond: You wrote here we have a contractor and plan to proceed with over \$100,000 of work including structural leveling, all new plumbing, electrical, heat, two kitchens and two baths. Oh my goodness.

Ms. Pitz: It's a duplex. It's a big job.

Ms. Moermond: Yes. It entered the Vacant Building Program in 2016.

Mr. Dornfelt: Right. We've been monitoring it since 2015 but it entered officially in 2016.

Ms. Moermond: As a Category I?

Mr. Dornfelt: Right. It maintains this category status.

Ms. Moermond: When did you buy it?

Ms. Pitz: We bought it at a Sheriff's auction. Then waited [inaudible]. I think we [inaudible]

Ms. Moermond: You haven't started yet?

Ms. Pitz: Well, we've done a lot of work on our own. We've done a lot of demolition and uncovered all the rotten plumbing, opened up all the electrical. Just to get the plumbing, electrical and general contractor all from one company to go through it. They have proposals. We are really close but we haven't actually signed that contract. They are really busy, too, so I am not even sure whether they would start in a month.

Ms. Moermond: Is there any exterior work being done?

Ms. Pitz: It would be all new windows. [inaudible] roofing and siding. I guess we have a deck and new doors.

Ms. Moermond: I'm going to invite a few comments from Ms. Boulware as long as she's here.

Ms. Boulware: Your property is in the Dayton's Bluff Heritage Preservation District so exterior work requires review and approval from HPC prior to work commencing.

Ms. Pitz: I don't think we are.

Ms. Boulware: I checked in Amanda. We can check again.

Ms. Pitz: We are on the other side of the freeway from the Dayton's Bluff.

Ms. Boulware: Which number? What's your address?

Ms. Pitz: 664 Plum. We are in the Mound's Park neighborhood.

Ms. Boulware: *It starts in the 700s. I am sorry for causing any panic.*

Ms. Moermond: *So you are in negotiations with Nilles. How long to they estimate? Are you probably going to go with them?*

Ms. Pitz: *Yes, we probably are.*

Ms. Moermond: *How long do they think they are going to be working on it?*

Ms. Pitz: *I need to get that answer. I think it's potentially a year. Just from all the different trades. When we did our house, it took nine months and it wasn't as extensive as this. I don't know.*

Ms. Moermond: *You are going to be in the Vacant Bulding Program for the foreseeable future. Until this can be occupied again. So, what do we do with that fee. It sounds like this will be the last fee that you may have to deal with. Next year, when it gets billed, you'll probably have it all done. For this year, the bill is for August, 2018, through August, 2019, and it sounds like you will be spending a lot of that year in the Vacant Building Program.*

Ms. Pitz: *It has been categorized as that?*

Ms. Moermond: *It is a Category I vacant building. I'm not sure why it's still a Category I and not a Category II because after 12 months, they are supposed to roll over to be a Category II. I'm not going to make this any more bureaucratic than what you are already dealing with. I want to make the fee easier for you but I don't have a ton of options. Do you think there's any chance you will be complete in six months?*

Ms. Pitz: *It's possible.*

Ms. Moermond: *What you heard me say in the last case is at the end of three months, it will go into assessment. What that means is the City will take that unpaid bill and impose it as a special assessment on taxes. That will take time to get that paperwork to come through and that assessment is also appealable. I could let you have six months to get the job done and cut the fee in half at that point. I could make the fee payable over a number of years. It sounds like if I gave you a three month waiver, you are not going to get it done in three months. But you might be there in six months time. I'm thinking that solution might work for you, to let it go to assessment and then appeal it.*

Ms. Pitz: *Assessment?*

Ms. Moermond: *This is an unpaid bill. Let's talk about it as an assessment. You will appeal that. You will get a letter in the mail saying this is an assessment. It will come with a gold postcard. Return the gold postcard saying you want to appear. Come on down to the hearing. I can cut the assessment if you can get it done. So let it ride for today and what I'm going to ask Mr. Dornfelt to do is make sure that permits should be given even though the fee hasn't been paid yet. Is that ok with you, Mr. Dornfelt?*

Mr. Downfeldt: *Yes.*

Ms. Moermond: *I think you are going to be ok. Let the fee ride and use it as a carrot to get you there sooner.*

Ms. Pitz: How long before I get it?

Ms. Moermond: Six to eight weeks and the hearing will be a month after that. Then I can continue it a little bit to get you closer to the six months. This is a tall order you've got going on. Good luck to you.

Ms. Pitz: Thank you.

Deny the appeal, but will allow permits to be pulled.

Referred to the City Council due back on 10/10/2018

48 [RLH VBR 18-63](#) Appeal of Christopher Weltzien to a Vacant Building Registration Renewal Notice at 1960 ROME AVENUE.

Sponsors: Tolbert

Christopher Weltzien, Property Owner, appearing.

Mr. Matt Dornfeld:

..Date/Time of 1st LH: Sept. 4, 2018 at 2:30

..Purpose of Appeal: Wants extension, see Comments on application.

..Date of Order(s) Under Appeal: August 13, 2018

..Inspector/Key Staff: Matt Dornfeld

..Legislative Hearing Staff Comments: Looks like this building was removed to the foundation? Can staff advise on this aspect of situation, in addition to usual? Thanks, Marcia

Mr. Dornfeld: This was made a Category II vacant building Sept 9, 2015. Mr. Weltzien went through our sale review process and was approved Nov 30, 2016. Currently there is code compliance and all trade permits on file. The 2017 fee was paid by check. We are here today to discuss the 2018-2019 fee.

Ms. Moermond: Can you tell me a little about where you are?

Mr. Weltzien: I need an extension that we could finish the work.

Ms. Moermond: How close are you?

Mr. Weltzien: We are very close. We tore it down to basically the basement and the first floor. Built two stories back on top of it.

Ms. Moermond: Took off the top of the house?

Mr. Weltzien: Yes. It will be a beauty. This is what it looks like now. So most of the work is done inside. There's just trim

Ms. Moermond: We had a little Cape Cod, rambler type house. You built pretty much a new two-story house. Looks like a lot more square footage. Lovely kitchen.

Mr. Weltzien: There's stair railing, carpentry work and carpet's got to go in yet. For

code compliance, we need a concrete pad for off-street parking.

Ms. Moermond: Think you will be done in three month's time?

Mr. Weltzien: That's what I was going to ask for.

Ms. Moermond: You got it. Good luck.

Waive the VB fee for 90 days.

Referred to the City Council due back on 10/10/2018