



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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651-266-8585

Tuesday, October 23, 2018

9:00 AM

Room 42 (Basement) City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 18-39](#) Ordering the rehabilitation or razing and removal of the structures at 1049 EDGERTON STREET within fifteen (15) days after the October 10, 2018 City Council public hearing. (Public hearing continued from October 10) (Amend to remove or raze the building within 15 days)

Sponsors: Brendmoen

No one appeared.

Steve Magner, Code Enforcement Manager:
-the bank wants to move forward with the demo

Ms. Moermond:

Remove the building within 15 days with no option for rehabilitation.

Referred to the City Council due back on 10/24/2018

- 2 [RLH RR 17-19](#) Ordering the rehabilitation or razing and removal of the structures at 412 GOODRICH AVENUE within fifteen (15) days after the July 19, 2017 City Council public hearing. (Public hearing continued from March 21) (To be referred to Legislative Hearing on October 23)

Sponsors: Noecker

Carol Carey, Historic Saint Paul, appeared.

Ms. Moermond: we've got to put this one to bed, ladies; how's it looking?

*Ms. Carey: the latest in the revised timeline: since we met last time -
-we've completed re-construction of the rear addition & the associated clean-up
-we are waiting for word on the MHFA application (\$50,000 request); the original
timeline indicated that there would be an Oct 19 decision but now it's going to the
board on Nov 1, 2018; the person I spoke with said that it was still under
consideration; staff hasn't given an inkling of what their recommendation will be*

-to date, we have raised just under \$50,000 in cash & in-kind services
-in the meantime, I'd also had conversations with HRA staff & Rebecca Noecker - the possibility of HRA participation in the gap in the 2019 budget; and I've received strong support that they would be supportive of a CDGB request for the 2019 budget to fill the gap if the MHFA application was not successful; so, I'm in the process of putting that request together; so, if that were the case, the intent would be to button it up this winter & start construction on the foundation in the spring as soon as it thaws
-with MHFA funding, there's likely not a lot of new compliance issues or items; there might be some compliance things that we need to be contentious about just to make sure that we meet the requirements of the state funding; with CDGB funding, there will likely be additional requirements and we'd have to put it out for a new round of bidding; so, I have those incorporated into the timeline this fall thru Jan

Ms. Moermond: do you have a copy of the MHFA application that you filed?

Ms. Carey: I think I gave that to you last time

Ms. Moermond: if you have an HRA application, you'd want to attach it to the record; have they given you any indication on how quickly they'd move on it?

Ms. Carey: the request would likely be for around \$50,000 & my sense from the conversation was that the turn around might be pretty quick on that

Ms. Moermond: and those dollars may be available before 2019, which would free us up to close this file

Ms. Carey: this is a bigger RFP process; the impression I got from the website says that they're going to be making funding decisions at their Nov 1 mtg

Ms. Moermond: do you have any questions, Mr. Magner?

Mr. Magner: no

Ms. Moermond: I'd like to schedule this in LH on Dec 11 when we'll be in the hearing room again; let me know what the situation is with the MHFA & I can do what I can to grease the skids at HRA to get that process more quickly

Ms. Carey: I think at this point Joe is waiting for something I'd put together

Ms. Moermond: LO to LH Dec 11, 2018

Laid Over to the Legislative Hearings due back on 12/11/2018

- 3 RLH RR 18-47** Ordering the rehabilitation or razing and removal of the structures at 235 MACKUBIN STREET within five (5) days after the November 28, 2018, City Council Public Hearing.

Sponsors: Thao

John Moroney, property owner, appeared.

Ms. Moermond: this is nuisance & dangerous structure following a fire; the Council typically issues Orders to Remove & make it a 15 day timeline in which the owner can act; their public hearing is Wed Nov 28, 2018

Mr. Moroney: it's in the process of being demolished

Steve Magner, Code Enforcement Manager:

-235 Mackubin is a two-story wood frame duplex with a detached two-stall garage on a lot of 7,405 sq.ft. According to our files, it has been a vacant building since March 27, 2017 due to a fire

-current property owners: John & Shiela Moroney per Amanda & Ramsey County Property records.

-On April 19, 2018, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed & photographs were taken. An Order to Abate a Nuisance Building was posted on Apr 25, 2018 with a compliance date of May 25, 2018. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$220,500 on the land & \$1000 on the building.

-Real Estate taxes are current.

-The Vacant Building registration fees were paid by check on Mar 21, 2018.

-As of Oct 22, 2018, a code Compliance Inspection has not been done.

-As of Oct 22, 2018, the \$5000 performance deposit has not been posted.

-There have been four (4) Summary Abatement Notices since 2017.

-There have been two (2) Work Orders issued for:

-Garbage/rubbish

-Emergency boarding/securing

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$200,000. The estimated cost to demolish exceeds \$25,000.

Christine Boulware, Historic Preservation Commission (HPC): this property is located within an Historic Preservation District; last year, HPC did review & approve demolition under a previous owner; within the last couple of months, Mr. Moroney has come to the HPC with plans for new construction that had been conditionally approved for new construction of the space; so, it's our understanding that we should expect that the demolition permit should be coming shortly & be able to be signed off on from staff; so, HPC has already directed that approval

Ms. Moermond: Mr. Moroney, what are your questions?

Mr. Moroney: are there actually some fines or fees that are due on the property?

Mr. Magner: no; a \$5000 performance deposit would be required if you decided that you wanted to re-build the current structure; if you're not doing that but simply moving forward with making application for a demo permit, then, it would just be the cost for the demolition permit & the other associated costs, whether that's a Right-of-Way permit or a sewer permit or whatever permits you will need, the contractor will take care of those

Mr. Moroney: I also understand that there were some filings or judgments or some expectations....

Mr. Magner: there were 2 Work Orders done by the city right around the time of the fire (Mar & Apr 2017)

Mr. Moroney: so, there are no outstanding issues (?)

Mr. Magner: from DSI, the outstanding issue is the nuisance that is the building;

based on the decision today, if you move forward & your contractor gets the permit(s) & moves forward with the demolition in a timely fashion, you're complying with our requirements

Mr. Moroney: would you know if my contractor has filed for permits?

Mr. Magner: there's a pending demolition permit for the accessory structure (garage) dated Oct 16, 2018; I don't see a demo permit for the primary structure

*Ms. Boulware: I've been on vacation for a while
-I do understand that the site has been complicated given that it was originally 1 lot; there's a duplex that occupies possibly a third of that lot & to access the back side of the structure, there's an easement that goes back there; I'm wondering whether it's just not entered into AMANDA because of other permits (ROW) or things like that - to be able to get to the site (?); it's a little complicated*

Mr. Magner: it's not uncommon that the Applicant hasn't submitted the application because there's a number of pre-items that have to be done first; in other words, your contractor could be doing the asbestos abatement

Mr. Moroney: that's done

Mr. Magner: then, he would have to do the; we have a sewer permit from May; apparently, there were some repairs to a shared sewer service out there; so, before the contractor comes in with a completed application, if they're experienced doing this, they'd do the sewer separation; all the electrical disconnects; the water disconnect; & they would also do ___ of the property; without those done, they can't get their application out; in this particular case, I would probably have made the application for the demolition of the house at the same time as the accessory structure because of the review process that has to happen

Ms. Boulware: on 10/16, it says that the contractor's bond was cancelled

Ms. Moermond: who's the demo contractor?

Mr. Magner: Max Steininger

Mr. Moroney: so, they've been told that there's a cancellation to the application?

Ms. Boulware: not the application

Mr. Magner: on 10/16, it says contractor's bond was cancelled 11/25/13; email also left messages to contractor via voice mail; in other words, to get a demolition contract in the City of Saint Paul, you have to be a licensed wrecking contractor; if they haven't wrecked anything in the city, they could have left their bond lapse; they just need to..... the quickest way to resolve this is for you to make a quick phone call to whichever Steininger you're working with & say that the city is telling you that they're not processing your demo applications because you don't have a wrecking license in St. Paul right now; can you get that fixed & send that piece of paper to DSI; however, it sounds like they may not have made application to demo the primary structure or they're waiting for something else; as of today, in the system, we don't have a sewer disconnect or a water disconnect & if they aren't done, they won't give you a permit anyway

Mr. Moroney: sounds like my contractor has some work to do in order to satisfy the city; I expected the demo to be done next week

Ms. Moermond: if things go to heck, the City Council will take a vote on Nov 28, 2018 & my recommendation to them will be to Order the building removed with no option for its rehabilitation; if things have gone that bad, I'm going to say 5 days; that means that your people have to pretty much have that permit pulled & be commencing action; at that point, you're not going to have a problem with that because you're going to be having the dept ____ before them

Mr. Moroney: you're saying 5 days from when the City Council

*Ms. Moermond: from Nov 28, 2018;
-typically, the way we handle fire damaged structures is if it's not resolved in the LH process & we don't have a path, we don't anticipate that we're going to have a path, so, we just authorize the dept to move forward with removal; sounds like you do have a path*

-Mr. Magner, what will you be looking for after Nov 28?

Mr. Magner: if they don't have their permit in place, we'd need communication from the owner that they have a signed contract with a licensed demolition or wrecking company in the City of St. Paul; in other words, they can either get their wrecking license or you can hire somebody else who has a wrecking license; we can provide you with a list; submit the contract to us & we will give you 30 days to wreck the structure; we will be looking for that demo permit to be pulled within 5 days of the Council vote; if not, we need that contract; if we don't have either of those, we will proceed to hire a contractor & wreck the building

Mr. Moroney: & if everything gets done before the meeting on Nov 28, then....

Mr. Magner: then, we close the file; it will go away

*Ms. Moermond: it will stay on the agenda for the record
-Joe Yannarely will have info on the other demo contractors*

Mr. Moroney: I expect my friend to do this job because he said that he would

Ms. Boulware: once the application is in, we will know that they have a bond to do this; then, you or DSI will call me & let me know the numbers, then, I can go in & attach the Resolution

Ms. Moermond: the HPC has reviewed this demolition & approved it; and made a determination that this does not constitute an adverse affect & CDBG funds can be used for this demolition (the fire was the determining factor)

Remove the building within 5 days with no option for repair.

Referred to the City Council due back on 11/28/2018

Remove/Repair Orders

10:00 a.m. Hearings

4 RLH RR 18-16 Making finding on the appealed nuisance abatement ordered for 1536 VAN BUREN AVENUE in Council File RLH RR 18-2.

Sponsors: Jalali Nelson

No one appeared.

Steve Magner, Code Enforcement Manager: update

-there was a Resolution in the past to grant 180 days for the rehabilitation & repair of this property; it was signed on Apr 11, 2018; 180 days has past; there are no permits; the \$5000 performance deposit has lapsed, ready to be forfeited; on Oct 8, 2018, a letter was sent by Mr. Jim Seeger, Dept of Safety & Inspections (DSI), advising them that the completion of the above mentioned property is required by Nov 8, 2018 or the \$5000 performance deposit will be forfeited; contact Mr. Seeger -a letter was also sent Oct 5, 2018 by Mai Vang to Patricia Hanratty, HomeLiberty; Inna Tobak, Neighborhood Assistance for Homeowners; (attached) to advise them that the work was to be completed per Council resolution. The measure of completion of the work & abatement of the nuisance/dangerous condition is the issuance of the Certificate of Code Compliance. In order to make findings for Council consideration of the completeness of the work and need for city abatement of the nuisance/dangerous building(s), as well as the status of the performance deposit, a legislative hearing is being scheduled on Tue, Oct 9, 2018 at 10 am in Room 330 City Hall -there was a subsequent letter was sent out, including Douglas Henneman, to indicate that the hearing was scheduled to Oct 23, 2018 at 10 am in Room 330 CH -there are signs at Room 330 that the hearing room is under construction & advising them that the hearing has been moved to Room 42, City Hall (basement)

Ms. Moermond: that letter & email that went from our office reminding the owner that the Council had scheduled a LH & not a City Council Public Hearing was sent late; and so, we continued this matter to today as it was originally scheduled at City Council tomorrow; now, it will be scheduled at City Council Nov 7, 2018 to accommodate; re: the letter forfeiting the bond to Jim Seeger, telling them they have until Nov 8 to complete the rehabilitation for the bond subject to be forfeited with Council considering it Nov 7, with no permits having been pulled, Ms. Vang & I will check the record on Nov 7 to make sure that there's nothing pulled and make a finding that it would be impossible for them to come into compliance within 24 hours; and I will ask the Council to take a vote that day to forfeit the bond & order DSI to move forward with abatement; if, for any reason, they come into compliance on Nov 8, 2018 & the Council has already voted, I will ask the Council to reconsider the matter

Mr. Magner: the forfeiture letter was sent to Douglas Henneman at PO Box 8214 & to HomeLiberty, 170 Branch St; the Notice of the Hearing was sent to Patricia Hanratty 170 Branch St & to Inna Tobak, 715 Florida Ave S, Ste 207-A and emailed to patricia.hanratty@home-liberty.com & to assistanceforhomeowners@gmail.com -was that letter ever sent to Douglas Henneman?

Ms. Moermond: it doesn't look like it

Ms. Mai Vang: was he at the hearing?

Ms. Moermond: yes; he was at the hearing

Mr. Magner: and he is still listed as the home owner; having said that, do you think it's appropriate to Lay this Over for 2 weeks?

Ms. Moermond: let's send it to Council Nov 14; and we'll hear it at LH on Nov 13, 2018; Ms. Vang will get a letter out today or tomorrow to Doug Henneman to make sure that he's aware of the dates

Recommendation is forthcoming, pending the Legislative hearing on November 13.

Referred to the City Council due back on 11/14/2018

11:00 a.m. Hearings

Summary Abatement Orders

5 [RLH SAO 18-72](#) Appeal of M.J. Johnson to a Summary Abatement Order at 1954 PALACE AVENUE.

Sponsors: Tolbert

M.J. Johnson, owner, appeared.

Supervisor Lisa Martin: we issued a Correction Notice on Jun 15, 2016, allowing time for Ms. Johnson to make repairs; the garage was in poor condition but we found it to be secured at that time; however, the last couple of years, the garage has continued to deteriorate with no progress toward repairs; on Oct 1, 2018, we sent a Summary Abatement Order; there's no phone number listed with the Water Dept in order to reach her; the SA Order was to remove the garage & its contents; I still had not heard from her until we received the appeal

Ms. Johnson: basically, I would just like a few more months time; I've planned to replace the garage for several years but I've had a few setbacks along the way; last spring I was out there trying to clear away some things so that I could get contractors in & I fell & injured myself; I couldn't do anything for the rest of the summer; this year was equally bad; I do have the funds set aside & I'm ready to go but I really don't want it torn down at this time because at that point, my back yard & the back of my house will be exposed; it will be impossible to take down the garage without also removing a portion of the fence; I'd feel very vulnerable, particularly because I'm being targeted; someone has been dumping yard waste & garbage in my yard; I believe that he has been taking pieces of siding off the corners of my garage; I have every intention of getting a new garage built

Ms. Moermond: what's different now than has been the case in the last 2 years?

Ms. Johnson: I'm hoping that I won't continue to have personal misfortunes as I have had during the past 2 years; I do know who the garage builders are & I've gotten bids in the past; I was ready to go a few years ago when my furnace blew & I had to replace it; I have not gotten recent bids

Ms. Martin: photos- garage is in very poor condition; it should be down sooner than later

Ms. Moermond: I am concerned about it; I understand that you may have a neighbor who is harassing you; I don't know anything about that; I'm looking at the structure of the garage & because the city's had existing Orders since 2016 on it; it's not unusual that the city should be following up on it now; in fact, I would have expected that there

would have been follow up earlier; I don't know if there's been communication with you or if the ball was dropped

Ms. Johnson: I had responded; I thought it was 2017

Ms. Moermond: there's a Corr Order dated Jun 15, 2016 that said Repair or Remove & you're going to need permits for either

Ms. Johnson: I had responded to that & I never heard anything back
-I did take steps to try to secure the garage at that time

Ms. Moermond: what's inside the garage?

Ms. Johnson: that's another story: I came outside last Thu morning to find a crew that was removing personal property from my garage & they were ready to tear it down

Ms. Moermond: Ms. Martin, what happened?

Ms. Martin: we were not aware of this hearing; there was some miscommunication there & they did not tear down the garage or remove any property

Ms. Johnson: they tried to; in fact they tried to steal some possessions; there were 3 items of great value in there: lawn mower, the snow blower & a Redwing crock; I immediately noticed that they moved my lawn mower out onto the grass along with some of the other smaller items; I walked into the garage - the door was still down as far as it will go & I immediately noticed that the crock was not there & there was a damp spot on the floor (you could tell that it had recently been moved) & I didn't see the snow blower; I immediately asked, "Where's the crock? the person who was apparently in charge lied to my face & pretended that he didn't know anything about it; the garage was trashed after they went thru it; I wasn't sure whether the snow blower was still under some of the debris so I didn't say anything about that but by the time that we sorted out that I had this hearing & they agreed they weren't going to tear it down, I was late for work; so, I needed to go even though I didn't feel very comfortable leaving knowing that some of my items were gone; he assured me that they would put everything back into the garage; when I came home that night & looked out into my yard; the first thing I noticed was that the service door on the garage & my gate to the alley were both left wide open; so, I immediately went out there; when I got to the gate at the alley, I looked over & saw that the overhead garage door was up as far as it would go & it appeared that they had used the bobcat to lift it because there's now a dent at the top of the steel door & right inside the garage on the opposite end of where those items had been stored, was a Redwing crock & my snow blower; I believe that they had every intension of making off with those items from my property; it left me with a very bad feeling about this whole process

Ms. Moermond: we need to look into that; I'm going to ask the dept to respond to your statements; that's not a problem; there should be a VIDEO record of what was in the garage when they arrived on the scene; that VIDEO record hasn't been uploaded; we just checked to see it; that would be useful for evaluating where we're at
-are you building a garage that's going to sit on the same foot print as your current garage?

Ms. Johnson: No; I plan to build something a bit bigger; the slab is cracked which is partly why the structure is tilting slightly

Ms. Moermond: it's out of plumb about 8 inches, I think; & you have a privacy fence that appears to run along the side of the rear yard

Ms. Johnson: I have a 6' privacy fence runs along the alley side; my nbrs have chain link on one side; then, I have a 4' picket fence on the other side of the property

Ms. Martin: her concern is for more time but once the garage is down, they can do cement work in the winter, as well

Ms. Moermond: my concern is with the bldg being out of plumb & it's ability to hold the snowload of any magnitude & the risk of collapse; that would involve property damage that you would experience; there's always a concern that someone would be inside the garage - & that's a public safety concern; because the garage is out of plumb, it sounds like it is impossible to properly secure it right now; so people who are homeless might take advantage of accessory structures like this to provide shelter & also to start fires to stay warm; I'm sympathetic to your situation but I'm concerned about the state of this structure; I think that you might end up doing your project in 2 phases instead of the demo following immediately by new construction (demo - gap - build); I'm going to have to recommend that the garage comes down sooner than later -the cost of removing the bldg itself will probably be between \$1000 - \$1500 -you will be concerned about storing what's inside the garage

-I will recommend removing the garage within 1 month, which will take us to Nov 16 & then the city would act beginning on Nov 19, 2018; actually, Nov 14 because I would like to make a finding on

-I'm going to put this in front of the City Council on Nov 14, 2018; at that point, I'm going to recommend that they deny your appeal; the Mayor will probably sign it in a couple of days if the Council goes with my recommendation and then the dept would authorize to act after that

-here's where I'm at: if I give an extension, the process we'd follow would be that I'd have to send staff back out to do a report about whether or not you have completed; that report would come back to me & go back to Council & then the Council would authorize them to act; that makes me want to draw the deadline; I'm not comfortable letting this go; if I gave you any length of extension, that would put us into Dec for it getting demolished; in the past if something was out of plumb, we had to send in engineers to shore the structure so it wouldn't fall; they were bigger structures than this; & so, I'm loathe to let it go deep into Nov

-I can send out the city structural engineer & get a 2nd opinion on this to see if he looks at this differently & if he would advise additional time

-at CCPH Nov 14 gives DSI time to act before Thanksgiving

-it gives you a couple of weeks to hire a contractor to demo the garage

Ms. Johnson: I've already removed a lot of the garage's contents based on my experience last Thu

Ms. Moermond: we'll be investigating that; that didn't go as it should have -my recommendation to the Council on Nov 14 will be a straight denial on your appeal which will trigger the demolition process; obviously, the Council can choose to act differently from my recommendation; in the interim, I'm going to find out what's going on & we'll get back to you about the Parks crew & what happened that day; if there's any documentation that they would share.....

Ms. Martin: it wasn't the Parks crew; they were private contractors

Ms. Moermond: Mr. Yannarely can look into what's going on with the private

contractor; we'll get a report

Ms. Johnson: I don't think that I mentioned that the snow blower is damaged

Ms. Moermond: you can file a claim with the city for the loss that you've incurred; claim forms are in Room 310; they are also on-line
-if the structural engineer comes back to me with the report that he thinks, with some degree of confidence, that this can go longer, I'm happy to look at that; now, it looks significantly out of plumb; there's an off-chance that the structural engineer could say that this is an emergency situation; if that's the case, I will call you right away & let you know; it can go either way with the structural engineer; typically, he plays things straight

Deny the appeal.

Referred to the City Council due back on 11/14/2018

1:30 p.m. Hearings

Fire Certificates of Occupancy

6 [RLH FCO](#) [18-180](#)

Appeal of Christina Harding, Harding Property Management, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 475 HATCH AVENUE.

Sponsors: Brendmoen

Recommendation is forthcoming, pending Supervisor AJ Neis's inspection.

Christina Harding, Harding Property Management, appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy re-inspection conducted by Fire Insp Efrayn Franquiz; it was previously appealed for some of the Orders; still multiple code violations

-appealed today: fence post rusted, broken, loose & disconnected; driveway apron is fine; why does a handrail need to run together?; question about a permit (photos taken Oct 10)

-fences & accessory structures have to be maintained

Ms. Harding: the fence was fixed when he came out; the round part on the pole was rusted & crooked so, we capped it

Mr. Neis: another option is you could remove that portion of the fence or cut down the top part with metal cutters

-looking at photos

Ms. Harding: we've been working with the police & mental health because the old man who lives next door keeps taking his .22 rifle & shoots at the siding; they're trying to get a warrant to go into his house to see if he has the gun that matches the bullets that are in the side of the house; it's an on-going situation

-this was about 10 pages of this to begin with so, we're getting down there but now, he's like nit-picking & that's what I'm getting frustrated with

Mr. Neis: I'm not seeing anything in these pictures that's nit-picking; the house is shot

up on the side

Ms. Moermond: has work been done on the apron? The picture does look different from the ones that were taken in May with crumbling asphalt; now, there's an asphalt patch

Ms. Harding: I'm trying to understand what's wrong with the apron on the driveway; the owner came out & did the work himself; we don't know what else to do with it; the inspector says that the entire apron must be re-done

Mr. Neis: I'll go out & take a look at the fence & the driveway

Ms. Harding: the owner has spent thousands of dollars on this inspection already; it's been awful

Ms. Moermond: it's a really crappy house

-Ms. Vang reviewed the Orders carefully & noted the items that have previously been appealed: #1, #2, #3 (email); you are wondering whether or not you'd be in compliance with the steps you've taken & we agreed that there isn't compliance with the house..

Ms. Harding: we painted & carpeted the entire interior of the house; we replaced doors, windows (didn't know we needed a permit; they were under \$500)

*Mr. Neis: re: windows - the value has to be the full valuation of the cost of the installation done by a licensed contractor including the cost of the windows; the windows are a means of egress so a permit is required; in addition, smoke/CO alarms must be installed in every bedroom
-the owner needs to go pull the permit
-the handrail has to run full length; you can't piecemeal it*

Ms. Harding: we installed all new carpet & the inspector is saying something about tucking it (?) - need clarification on that, too

Mr. Neis: I don't know; will take a look; I want to look at the steps, too

Ms. Moermond: I will Lay this Over for 2 weeks to give Mr. Neis a chance to go out & inspect & get current pictures

-have the owner pull a bldg permit for the windows & he can immediately ask for an inspection of the work; might be able to pull the permit on-line

Ms. Shaff: battery operated smoke/CO alarms are required in every room used for sleeping purposes when you replace windows

Ms. Moermond: LO to Nov 6, 2018 LH

Laid Over to the Legislative Hearings due back on 11/6/2018

7 [RLH FCO
18-181](#)

Appeal of Jinghan Qu to a Fire Inspection Correction Notice at 697 EUCLID STREET.

Sponsors: Prince

Jinghan Qu, owner, appeared with her realtor.

Ms. Moermond: I have a note for 697 Euclid Street: The owner called and wants to

cancel appeal. Owner stated inspector gave extension for the driveway and item 14 is resolved.

Fire Supervisor Leanna Shaff: we don't have an issue giving them extra time because a couple items are weather dependent, more or less; but #14 is that you can have only 4 unrelated adults but she has 5 unrelated adults; they told us that they reduced the number to 4 but we have been unable to verify that

Ms. Moermond: you tried to get 1 person to move out voluntarily but they told you that it was very difficult to find a new place because the school year has already started; so, you'll reduce a person when their lease ends on May 31, 2019
-have you always rented to 5 people?

(Ms. Qu doesn't speak very loudly & she is very difficult to understand)

Ms. Qu: I've owned the house since 2014; we've always had 5 college students but in the past this wasn't an issue because we had 2 sisters (related) so, we had only 4 unrelated adults

Ms. Moermond: how many bedrooms?

Ms. Qu: 5 bedrooms
-one girl told me that she wanted to move out but not until the end of Oct; she is gone already but her furniture is still there; now, we have only 4 unrelated adults

Ms. Moermond: do you want to re-rent that bedroom this year?

Ms. Qu: no

Ms. Moermond: we had inspection Oct 18, 2018

Mr. ___: her furniture is still there (I could not understand him, either); Inspector said we should appeal

Ms. Moermond: so, you are now in compliance & you don't need anything from us

Ms. Shaff: when we were told that 1 person was gone, I instructed Inspector Schmidt to go out to verify that; the furniture was still there

Ms. Moermond: I think it's reasonable to say that you'll be in compliance by Nov 16, 2018 - the person's furniture will be out & you'll be down to 4 & a re-inspection will occur
-all the other Orders have been taken care of
-what was the extension for?

Ms. Shaff: #11 - repair/replace driveway; an extension was given to Jun 1, 2019

Ms. Moermond:

Inspector gave an extension for the driveway until June 1, 2019; grant the appeal on the overcrowding issue as there are now only 4 unrelated adults.

Referred to the City Council due back on 11/28/2018

8 RLH FCO
18-182

Appeal of Eyob Gebrekristos to a Correction Notice-Complaint
Inspection at 275 ERIE STREET.

Sponsors: Noecker

Eyob T. Gebrekristos, owner & his son, Abel Gebrekristos, appeared.

Abel Gebrekristos: we own the property at 275 Erie Street & we rent it out to tenants

Fire Supervisor Leanna Shaff: this is a single family dwelling; on Sep 26, 2018, we got an anonymous complaint that 8-10 people were living at this address; on Sep 28, Inspector Pieczykolan went to the property; his notes say that even in Oct, he tried to contact - there was no one home; no one answers the door on his repeated attempts; there's 2 mailboxes on the property; he sent a letter to gain access to verify the complaint

Ms. Moermond: tell me about your appeal

*Eyob Gebrekristos: he brought up a sign that someone put on the door:
Attention:*

Ms. Moermond: who put this sign up?

Eyob: the person across the street; this lady lives there; Section 8; there's been too much complaining

Ms. Moermond: the people across the street at 275 Erie put this sign on your house; so, they're not happy with you; OK, & this is a lease agreement for the house for Robin Black; the lease allows for 6 people & one pet; tell me about who those people are (Mai scanned the lease & Lisa took a picture of the sign)

Eyob: a single lady & her kids (don't know their ages); the oldest must be about 13 years old

Abel: we've owned the property for about 2 years now; the lady across the street has said things to us & for some reason she hasn't liked us from the beginning; we've never had any complaints from our neighbors who live next to us; for some across the street to make a claim like this we think is kind of ridiculous; we love this city & we wanted to have a single family & she is a single lady with 5 kids; what the lady across the street is saying is false & it's unnecessary

Ms. Moermond: we have 7 bedrooms; five kids under 13

Ms. Shaff: this was a rehab house; it was 3 units that went back to a single family

Abel: there used to be 3 units; the upstairs used to be 2 units with 1 unit downstairs; now, there's 4 bedrooms on the main floor; the basement is not used except for storage; before, there were 3 bedrooms in the basement; now, it's storage

Ms. Shaff: there are 2 stories & a basement; do they have access to the basement?

Eyob: yes; because they have laundry & the rest they can use for storage; I've been

in the basement recently

*Ms. Shaff: some landlords don't do that very often; that's why I asked you
-in Nov 2017, Inspector Elvestad did a Certificate of Occupancy inspection & approved
it 12-11-17; no notes
-also, there was a referral in Sep 2017 about being over-occupied
-it would help a lot if you'd have just 1 mailbox*

Ms. Moermond: we need access to verify

*Eyob: brought up a picture & description of the house; bought house in 2015
-we took the kitchen out of the basement
-we don't mind giving the inspector access
-it is not fair that we get complaints*

*Abel: it's obviously the lady across the street; you could tell that she just didn't like us
from the beginning but we have nothing to hide*

Ms. Shaff: unfortunately, when we get a complaint, we have to go to check it out

*Ms. Moermond: instructed Ms. Shaff to go out & do just an over-occupancy insp walk
thru (do we have too many adults living there?); they've got a Certificate of Code
Compliance (new); they've got a C of O (new); we're going to pull 1 of the mailboxes so
that there's no misunderstanding with the neighbors
-the Zoning Code says you can't have more than 4 unrelated adults; these are all
related*

*Eyob: my son works for Concordia; can my son live there? we'd have to have
downstairs access though*

*Ms. Moermond: right now, it's a single family home & that would be treating it like a
duplex, though; & you'd need to get approval to do that unless your tenant decides that
she wants to add him on her lease (?); it's her house entirely*

Ms. Shaff: I'll walk thru to see if the basement bedrooms are legal bedrooms

*Ms. Moermond: OK
-they also talked about selling situations/possibilities (group homes, etc.)*

Recommendation is forthcoming, pending fire inspection on Monday, October 29.

Referred to the City Council due back on 11/28/2018

2:30 p.m. Hearings

Vacant Building Registrations

9 RLH VBR Appeal of John Morley to a Vacant Building Registration Notice at 1617
18-69 SUMMIT AVENUE.

Sponsors: Jalali Nelson

No one appeared.

*Supervisor Matt Dornfeld: good news! I inspected 1617 Summit today & John Morley has made significant progress on the removal of clutter
-still not perfect & I don't think in this case, it will ever be
-he & the animals looked healthy; house is clean; smelled fine; conditions were habitable; egress was not an issue
-he's not living with anyone; I think that he is anti-social service, anti-help
-house is in fair condition
-only issue is it's a Summit mansion & would not be surprised if he does have a hoarding issue but it doesn't constitute a fire safety
-think that he can get back to the hoarding
-house has minor code violations
-I'm OK with closing file*

Ms. Moermond:

Grant the appeal based on the result of the inspection on October 23. Vacant building file is closed.

Referred to the City Council due back on 11/28/2018

**10 RLH VBR
18-80**

Appeal of Victor N. Clement to a Vacant Building Registration Notice at 467 IVY AVENUE EAST.

Sponsors: Brendmoen

No one appeared.

Supervisor Matt Dornfeld: Inspector Friel confirmed that the utilities are back on; spoke with Xcel Energy & the property owner

Ms. Moermond:

Grant the appeal on the condemnation, order to vacate and vacant building registration as the utilities have been restored, but noting that the remaining items in the Order will be converted to a Correction Order.

Referred to the City Council due back on 11/28/2018