



# 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**

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Tuesday, December 4, 2018

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Special Tax Assessments

- 1 [RLH TA 18-664](#) Deleting the Appealed Special Tax Assessment for property at 754 BLAIR AVENUE. (File No. VB1904, Assessment No. 198803)  
  
**Sponsors:** Thao  
  
*Delete the assessment. It was referred to vacant building while the vacate order was still under appeal.*  
  
**Referred to the City Council due back on 1/16/2019**
  
- 2 [RLH TA 18-638](#) Ratifying the Appealed Special Tax Assessment for property at 1082 SUBURBAN AVENUE. (File No. J1902B, Assessment No. 198101) (To be referred to Legislative Hearing on January 8, 2019)  
  
**Sponsors:** Prince  
  
*No one appeared. Appellant's letter was read.*  
  
*Ms. Moermond: a letter was addressed to Mai Vang; she cannot attend today's hearing -at the Council meeting she said that the information available was kind of sketchy of the boarding; she confirms that the boarding was related to a fire and may be covered by insurance*  
*-she says, "Little did I know that when I was gifted an attic fire by a lightening strike that my life would be put on hold; the trauma of the fire relocation is overwhelming; many thanks to St. Paul Fire Dept for saving the structure; no knowledge of ramifications of what would follow; this is adding more drama to the trauma; shocked at assessment calculation of board up; I'm sure, due to the guidelines/\_\_\_ for Ramsey County; if this information is of any benefit to this incident.. wait.. I guess.. till invoice.....survives."*  
*Homeowner*  
  
*-According to the fire report, she wasn't home; crews were dispatched on a fire; looked like lightening had struck the roof; there were a number of lightening strikes in the area; it happened at 6:30 in the morning; owner had recorded there were no problems with the electrical; when they arrived, they noted that several circuit breakers were in the tripped position and the damage was about \$15,000 between property damage &*

*contents damage*

*-I'm inclined to recommend approval of the assessment if the Fire Dept was out there & had no way of securing the structure; she wasn't there; but I'm not sure what that securement looked like*

*Supervisor Joe Yannarely: they put up 6 boards smaller than 4 x 8*

*Ms. Moermond: Ms. Vang, could you follow up with Ms. Erickson & ask her if it would be useful for this assessment to be divided over time & if she's talked to her insurance company about how they were going to handle this*  
*-I'll Lay this Over for 4 weeks to get that report.*

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*Referred back to Legislative Hearing on January 8, 2019.*

*12/18/18: i contacted Corrine Erickson on 12/6 to see if she wants to spread the payments over number of years. She stated she will confirm with her insurance company to see if they will pay the assessment. She left a message with Ms. Vang that the insurance co. is going to pay the assessment. Ms. Vang left a message that if the insurance co is fine with paying the fee, we will not spread the payments over number of years and approve the assessment as is.*

**Referred to the City Council due back on 1/2/2019**

**3**      [RLH TA 18-668](#)

Ratifying the Appealed Special Tax Assessment for property at 197 CESAR CHAVEZ STREET. (File No. VB1904, Assessment No. 198803) (Public hearing continued to March 20, 2019)

**Sponsors:**            Noecker

*Ramiro Hernandez Marquez, owner & Israel Bravo, contractor, appeared.*

*Supervisor Joe Yannarely:*

*Cost: \$2127.00*

*Service Charge: \$157.00*

*Total Assessment: \$2284.00*

*Gold Card Returned by: RAMIRO HERNANDEZ MARQUEZ*

*Type of Order/Fee: VB FEE*

*Nuisance: VB FEE*

*Comments: CAT 2 COMMERCIAL VB FILE OPENED ON 9/13/17.*

*History of Orders on Property:*

*2 SA'S IN LAST YEAR. NO WORK ORDERS*

*-code compliance inspection report dated Jun 25, 2018*

*-3 active building permits - commercial remodel*

*Mr. Bravo: I turned in the structural engineering report*

*-I was contracted by Mr. Marquez to help restore the bldg*

*Mr. Marquez: Mr. Bravo will be helping me; he knows what's going on with the bldg; he can speak better*

*-I don't need an interpreter*

*Ms. Moermond: the VB fee covers from Sep 13, 2018 - Sep 12, 2019; we are a few months into the year*

*Mr. Marquez: I believe that the electrician & plumber have pulled permits*

*Mr. Yannarely: I don't see elect or plumbing permits; just building permits*

*Ms. Moermond: your electric & plumbing contractors need to pull permits*

*Mr. Bravo: I was a witness to pulling the plumbing permit; the check he submitted came back so they held back the permit; but as far as I know, that's already been taken care of*

*Mr. Yannarely: that hasn't been taken care of*

*Mr. Marquez: I have the contract*

*Ms. Moermond: call your contractors & make sure that they take care of their permits & get their work inspected*

*Mr. Bravo: we've been going at this for 3 years & there's one thing after another; a year ago, I had a torn ligament in my shoulder*

*-I wasn't aware of the permit problem*

*-Mr. Marquez will take care of this fee*

*Ms. Moermond: I'm confident that you'll take care of it*

*-I can prorate the VB fee if you're out of the VB Program in 6 months or fewer; I can cut it down if done by mid-Mar; or I can make your payments divisible over a number of years at a low interest rate*

*-this goes to City Council on Jan 16, 2019; at that time, I will ask the Council to continue it to Mar 21, 2019; on Mar 21, we'll check to see if you have all of your permits finalized; if you have all your permits finalized, I will recommend the VB fee is cut in half*

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*Public hearing continued to March 20, 2019 (date changed from March 21, 2019 after the hearing); if permits are finalized and certificate of code compliance is issued, will reduce the vacant building fee from \$2284 to \$1142.*

**Referred to the City Council due back on 1/16/2019**

## **10:00 a.m. Hearings**

- 4**      [RLH TA 18-665](#)      Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J1903G, Assessment No. 198702) (Legislative Hearing continued to January 8, 2019)

**Sponsors:**              Brendmoen

*Layover to Legislative Hearing on January 8, 2019.*

*(A man & woman came but the hearing was continued to Jan 8, 2019 to discuss all of their assessments because 2 more are coming (4 total).)*

**Laid Over to the Legislative Hearings due back on 1/8/2019**

- 5 [RLH TA 18-663](#) Ratifying the Appealed Special Tax Assessment for property at 1141 DALE STREET NORTH. (File No. J1903E, Assessment No. 198302)
- Sponsors:** Brendmoen
- Shan LeRoy John Fritz appeared.*
- Ms. Moermond: there are 2 pending Excessive Consumptions*
- Mr. Fritz: I called a few days ago to update the record.*
- Supervisor Paula Seeley:*  
*-It looks like Supervisor Yannareilly added 3 Ex Con together; we have an invoice for 3 Excessive Consumptions for a total of \$401*
- Cost: \$366*  
*Service Charge: \$35*  
*Total Assessment: \$401*  
*Gold Card Returned by: Shan Fritz called*  
*Type of Order/Fee: Excessive Inspection During June 22 thru July 20, 2018*  
*Nuisance: Vehicle*  
*Date of Orders: CN 5/24/18*  
*Compliance Date: CN 5/31/18*  
*Re-Check Date: 6/22/18, 7/9/18, 7/16/18*  
*Date Work Done: ongoing*  
*Work Order #: 16-090407, Inv Nos. 1378286, 1381328, 1382972*  
*Returned Mail?: No*  
*Comments: PENDING FILES. 1904E, J1905E*  
*History of Orders on Property: 6 complaints in 2016, 1 in 2017, 2 in 2018 all re: vehicles*
- apparently, the vehicles didn't belong to the house so inspectors are concerned that it's illegal car repair; it's always different cars coming back & forth; Inspector Westenhofer probably had the plates run with DMV & none of them came up*
- Ms. Moermond: what's up; who's Delaney Rose?*
- Mr. Fritz: that's my mother; she passed away quite a while ago*  
*-all the cars that are at my house, I own; so, it's surprising that they didn't come up at DMV*  
*-I recently purchased a Jeep & a 2001 Hyundai Sonata & a 2011 Ford Fusion; DMV must have been slow because I don't see any other reason why they didn't come up in my name*  
*-the only reason 1 vehicle was tarped is because it was missing a door but it was drivable; I replaced the door*
- Ms. Seeley: we initially got a complaint in Oct 2016 re: mattresses, auto debris, junk cars, garbage in carport, overflowing garbage cans, vehicles with flat tires; we got another call about junk cars in carport along the alley; recently, we got a call about somebody living in the attic & I believe there was an attic fire on Nov 26, 2018; the inspector has been Ed Smith for all this time; Insp Westenhofer just went out because Ed was out of the office; it's just on-going & we still haven't gotten access to the garage or the upstairs to see if someone's living up there*
- Mr. Fritz: Ed Smith actually did go up there with 2 officers about 4 months ago*

Ms. Seeley: OK; it says 10-17; Insp Westenhofer drove by  
-Fire Report: garage fire; photos; Correction Notice dated 11-26 states: Please repair/replace & cover the damaged roof; remove all fire debris from inside the garage & air out the inside of garage  
-another complaint on 11-30: mattress, trash & debris in backyard & all around garage; a Summary Abatement Order was sent from Insp Sean Westenhofer a couple of days later

Mr. Fritz: the trash & debris around the garage was from the fire; the mattress & the yard was from my family member moving out & leaving it in my yard like a (jerk)

Ms. Seeley: you drive all those---- 4 or 5 that you have in your name?

Mr. Fritz: I have 11 vehicles; I store them at my other property in Rochester; I have 2 boats, trailers, too -- grown-up toys

Ms. Seeley: what does the Zoning Ordinance say? I think it's 5

Ms. Moermond: I'm seeing a picture of a Mustang; a tarped vehicle; a blue vehicle  
-Hyundai Sonata  
-on another occasion, I see a Chevy Tahoe; a gray Jeep

Ms. Seeley: do you repair these, refurbish them & sell them?

Mr. Fritz: I used to

Ms. Moermond: it notes here: Remove vehicles illegally parked in the alley right-of-way; that's the 2nd piece of it; looks like you did move a couple vehicles but then you replaced them with a couple other vehicles (?)

Mr. Fritz: I don't know what that's about because---- I usually wake up around 7 am - then, start my day; when I come home, my parking spots are empty because my girlfriend's gone to work; I'll also do not parked in the driveway but I don't like parking on the side of my garage --- you see the picture on the side of my garage; I usually open up my garage, parking right behind the door & load my stuff into the garage; I get home around 10 am after my errands & Ed Smith, for some reason, has the same schedule as me when I get to my house; I was getting out of my car (twice), Ed Smith drove by, my car was still on; I said, OK .....

Ms. Moermond: I see pictures taken Jun 22, Jul 9 & Jul 16 that show vehicles illegally parked in the same spot

Mr. Fritz: that's when I talked to Ed Smith

Ms. Moermond: the letter issued in May told you not to park there, so you're kind of blowing it off; the letter is telling you what not to do & then you did it & then you got those bills & ..... if you disagreed with your right to park there, then, you should appeal this thing saying, "Don't park there" & appeal, "Don't do auto repair" unless it's your own car

-from you, I need paperwork - titles, when you applied for the titles, when they were changed into your names - receipts from the transactions acquiring these vehicles; right now, I'm looking at vehicles that were not in your name & vehicles parked incorrectly on a number of occasions

*-you can fax the information*

*Mr. Fritz: which vehicles do you have questions about?*

*Ms. Seeley: your garage apron is about 3 feet & you're parked 4 feet in the alley*

*Ms. Moermond: regardless, you still have the problem of parking in the alley  
-do you have vehicles in your garage, too?*

*Mr. Fritz: yes; I have a Fusion in there*

*Ms. Moermond: why did Mr. Smith issue Correction Notices instead of Vehicle  
Abatement Orders?*

*Ms. Seeley: because we can't vehicle abate anymore for expired tabs or.....*

*Ms. Moermond: for parking in the right-of-way?*

*Ms. Seeley: that would be Parking Enforcement*

*Ms. Moermond: OK*

*Ms. Seeley: I think we should take the VIN numbers; plates are not always accurate  
-I can see there's 2 garages back there; they have a hard time, especially in the snow,  
getting out of there*

*Ms. Moermond: get me the information; I'm going to think about it; you've got to figure  
out what to about this because you're driving the neighbors absolutely nuts & I need to  
hold you accountable for not doing car repair*

*Mr. Fritz: I used to sell them; I don't sell cars ever since my mom died; I ended up  
with so many cars because I stopped selling; at my property right now, I have 4 cars;  
I'm not over-storing; I don't have any that don't work; they all work & drive - are  
functional & road worthy*

*Ms. Moermond: I'd love to use this as an incentive to get you to stop misbehaving but  
at the same time, it's like.....*

*Mr. Fritz: I will definitely stop; ever since my garage fire, I can't use my garage until  
the electrical is re-installed, etc. so, you're not going to see any trouble from me  
forever, I think; the electrical fire scared me; I had all my collectibles in there, too,  
sorted & in totes; so, I can't have a heater in there; so, I'm thinking about getting a  
different property that's probably out in the country to store all my stuff*

*Ms. Moermond: get me some additional info & I will make a decision on Jan 8, 2019; I  
will Lay this Over to Jan 8, 2019 LH; you can come on Jan 8 or you can just let me put  
the decision on the record*

*Ms. Vang: there are 2 pending (19-04E & 19-05E)*

*Mr. Fritz: also, I don't know where the title to the Tahoe is so I'll stop at DMV today to  
see if I can get a registration copy*

*Ms. Moermond: you can do that but that will tell me that you did not own it at the time*

*that you were written up for having vehicles on your property that you didn't own; I'm looking for the time lag - you actually did own it but it wasn't officially registered; that's what you described to me; that's what I'm looking for verification of*

*Mr. Fritz: everything has been in my name the entire time*

*Ms. Moermond: I'm going to change what I'm going to do: you have 2 others coming down the pike for Excessive Consumption; one of those is scheduled for Jan 8, 2019; another case for another fee that will be here Feb 5, 2019; I'm going to put everything on for Feb 5, 2019 LH; we'll talk about all 3 assessments on Feb 5*

*-I'm looking at 3 photos of you parked halfway in the alley (Mr. Fritz asked to view the photos; that vehicle is not mine & it's not on my property; it's my nbrs)*

*Mr. Fritz: just for clarification, do you want receipts of this stuff?*

*Ms. Moermond: you told me that you own the vehicles but \_\_\_ wasn't up to speed yet at the time your Orders were written in May & Jun, so you need to prove that to me - that you actually did own those vehicles at the time the Orders were written*

*\_\_\_\_\_*  
*Forthcoming recommendation. (Owner to provide proof of documents that the vehicles belong to him.)*

**Laid Over to the Legislative Hearings due back on 2/5/2019**

- 6      [RLH TA 18-670](#)      Ratifying the Appealed Special Tax Assessment for property at 940 EDGERTON STREET. (File No. J1903E, Assessment No. 198302)
- Sponsors:**      Bostrom
- Approve; no show.*
- Referred to the City Council due back on 1/16/2019**
- 7      [RLH TA 18-669](#)      Deleting the Appealed Special Tax Assessment for property at 2022 FREMONT AVENUE. (File No. J1903P, Assessment No. 198402)
- Sponsors:**      Prince
- Delete; graffiti waiver on file.*
- Referred to the City Council due back on 1/16/2019**
- 8      [RLH TA 18-666](#)      Deleting the Appealed Special Tax Assessment for property at 2333 HAMPTON AVENUE. (File No. J1903P, Assessment No. 198402)
- Sponsors:**      Jalali Nelson
- Delete; waiver on file and it was on the wrong address.*
- Referred to the City Council due back on 1/16/2019**
- 9      [RLH TA 18-558](#)      Deleting the Appealed Special Tax Assessment for property at 877 JEFFERSON AVENUE. (File No. J1901E, Assessment No. 198300)

**Sponsors:** Noecker

*Delete the assessment; property is brought into compliance. (update from October 2 hearing)*

**Referred to the City Council due back on 1/9/2019**

- 10     [RLH TA 18-671](#)     Ratifying the Appealed Special Tax Assessment for property at 1668 NEVADA AVENUE EAST. (File No. J1903E, Assessment No. 198302)

**Sponsors:** Bostrom

*Approve; no show.*

**Referred to the City Council due back on 1/16/2019**

- 11     [RLH TA 18-667](#)     Ratifying the Appealed Special Tax Assessment for property at 1324 PAYNE AVENUE. (File No. CRT1903, Assessment No. 198202)

**Sponsors:** Bostrom

*Approve; no show.*

**Referred to the City Council due back on 1/16/2019**

- 12     [RLH TA 18-637](#)     Ratifying the Appealed Special Tax Assessment for property at 753 SIMS AVENUE. (File No. J1906A, Assessment No. 198505)

**Sponsors:** Bostrom

*No one appeared. Letter was submitted.*

*Cost: \$80*

*Service Charge: \$162*

*Total Assessment: \$242*

*Gold Card Returned by: MARY STEFAN*

*Type of Order/Fee: TGW ORDER*

*Nuisance: FAILURE TO CUT GRASS*

*Date of Orders: 8-23-18*

*Compliance Date: 8-27-18*

*Re-Check Date: 8-27-18*

*Date Work Done: 8-29-18*

*Work Order #: 18-098408*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: NO*

*Ms. Moermond: reviewed letter from Mary C. Stefan, owner of 753 Sims Avenue -she got Notice to cut grass on Aug 25, 2018, it was dated Aug 23, 2018; she was gone that weekend; it rained Mon & Tue (Aug 27 & 28, 2018); on Wed, Aug 29, 2018, she was awaked by the city crew cutting the grass; she spoke to the guy in charge; he said that the city usually gives a 1 week Notice; she says that she did not get a week's Notice; the city proceeded to cut the front & back yards; the tall grass in her driveway was taken care of by herself on Thu Aug 30, 2018 -she thinks giving a 4-day Notice during the summer is unfair; people are gone/have*



*busy schedules*

*-she is on Disability & really can't afford to pay the fee; it was her intention to cut her own lawn on Wed, Aug 29, 2018 when the weather cleared up but she wasn't given the chance*

*VIDEO - city crew cut front, back & blvd*

*Supervisor Paula Seeley: I didn't see them cut near garage/alley areas where it was 3 feet tall*

*Ms. Moermond: the letter did have a deadline on it: Aug 27; crew came Aug 29  
-there's no history*

*Public hearing continued to July 10, 2019 and if no same or similar violation(s), will delete assessment.*

**Referred to the City Council due back on 1/9/2019**

**13**      [RLH TA 18-605](#)

Deleting the Appealed Special Tax Assessment for property at 377 STINSON STREET. (File No. J1903E, Assessment No. 198302)

**Sponsors:**          Thao

*Delete assessment. DSI made an error and sent work order too soon.*

**Referred to the City Council due back on 1/16/2019**

**14**      **RLH TA 18-674**

Ratifying the Appealed Special Tax Assessment for property at 878 FULLER AVENUE. (File No. J1903E, Assessment No. 198302)

**Sponsors:**          Thao

*Abdi Gedi, Warfa Real Estate LLC, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$122*

*Service Charge: \$35*

*Total Assessment: \$157*

*Gold Card Returned by: Abdi Gedi*

*Type of Order/Fee: EC inspection during 6/22 to 7/20/18*

*Nuisance: TGW*

*Date of Orders: 6/12/18*

*Compliance Date: 6/16/18*

*Re-Check Date: 6/20/18*

*Date Work Done: NA done by owner 6/22/18*

*Work Order #: 18-071853, Inv # 1378353*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: pending dumping 9-24-18 - referred to PW, garbage 5/24/27, vehicle 4/28/17, tgw 7/21/16 (all abated by owner)*

*Mr. Abdi: I'm not disputing; I'm just trying to understand how this works; that's why I'm here; I don't know why that person showed up; I think I was sick; this is my first time; that neighborhood used to be a garbage neighborhood; it has improved; like, the*

*inspectors have become aggressive; I remember that used to be crack heads & prostitutes when we got that house; now, I got sick & was not able to cut the grass & \$157*

*Ms. Moermond: they are not charging you for cutting the grass; you did that yourself; they are charging you because you didn't have it done by the deadline of Jun16; the city crew went out with the lawnmowers & the lawn had already been cut; they are charging you for driving out there with all their crew & equipment*

*Mr. Abdi: can you waive this fee since I cut my own grass?*

*Ms. Moermond: Ms. Seeley, what's the history?*

*Ms. Seely: pending dumping 9-24-8 - referred to PW; garbage complaint/SA 5/24/27, vehicle 4/28/17, tgw 7/21/16 (all abated by owner)*

*Ms. Moermond: this goes to Council Jan 16, 2019; I'm going to ask them to continue it to Jul 10, 2019 & if there's no same/similar violation(s), I will Delete this assessment -you have a good record*

*Public hearing continued to July 10, 2019 and if no same or similar violation(s), will delete.*

**Referred to the City Council due back on 1/16/2019**

**15**      [RLH TA 18-675](#)

**Ratifying the Appealed Special Tax Assessment for property at 899 GERMAIN STREET. (File No. VB1904, Assessment No. 198803)**

**Sponsors:**          Bostrom

*James Patrick O'Sullivan, owner, appeared.*

*Supervisor Joe Yannarely:*

*Cost: \$2127*

*Service Charge: \$157*

*Total Assessment: \$2284*

*Gold Card Returned by: James Osullivan*

*Type of Order/Fee: VB Fee*

*Nuisance: unpaid VB fee*

*Date of Orders: renewal letter sent 8/16/18 and warning letter sent 9/17/18*

*Work Order #: 17-079911, Inv # 1389970*

*Returned Mail?: No*

*Comments: CATEGORY 2, SINGLE FAMILY OPENED 9/15/17 - ACTIVE PERMITS BACK IN 2013*

*History of Orders on Property: 4 Summary Abatement Orders in last year; 1 Excessive Consumption; 1 Work Order*

*-this has been changed to a Cat 3 VB as of Sep 4, 2018 (nothing posted yet)*

*-recent code compliance inspection report dated Nov 2, 2018*

*-note from Nov 21, 2018: permits cannot be issued without VB staff approval*

*-6 reports of illegal occupancy at the bldg (3 in Jul; 3 in Aug)*

*-night inspection by VB Inspector Singerhouse showed the owner living there; he was instructed not to do that*

*-the Order to Abate was issued Oct 3, 2018; compliance date of Nov 3, 2018*

*-no public hearing notice has been sent yet*

*Mr. O'Sullivan: the code compliance report is asking for electrical & plumbing inspection & the electrical & plumbing inspections were done 2 years ago by the contractor that was recommended to me by the city*

*Ms. Moermond: the city does not recommend contractors; who did?*

*Mr. O'Sullivan: Singerhouse; he said, "There's somebody we work with"*

*Ms. Moermond: the city doesn't contract electrical & plumbing contractors*

*Mr. O'Sullivan: he didn't say contractor; he said this is a guy that we work with - we recommend*

*Ms. Moermond: I'm very troubled that you would say that but I don't know*

*Mr. O'Sullivan: well, I'm not going to make it up*

*Ms. Moermond: I'm wondering who the contractor was*

*Mr. O'Sullivan: Nellis*

*Ms. Moermond: I'm not aware of any contract that the city has with Nellis*

*Mr. O'Sullivan: he said, "This is somebody we worked with in the past"*

*Ms. Moermond: as you saying that they did work but they didn't pull permits?*

*Mr. O'Sullivan: they had to have pulled permits*

*Supervisor Paula Seeley: in 2013, Nellis pulled plumbing & electrical permits; they were finaled*

*Mr. O'Sullivan: there's been no change in the plumbing & electrical; it's the same as it was*

*Mr. Yannarely: it was a Cat 1 at that time in 2013; no code compl insp was done*

*Ms. Moermond: so, they were not operating from an inspection report; electrical & plumbing was done; permits were pulled & finaled in 2013; but that was not a requirement of the city; you did not have a specific list from the city to make your property minimally code compliant  
-we need a fresh comprehensive inspection report to list what needs to be repaired*

*Mr. Yannarely: there's not a lot of the plumbing fixes in the latest report & there's not a lot of heating fixes either; there are a good number of building items (Seeger)*

*Ms. Moermond: Mr. O'Sullivan, have you seen the Nov code compl insp report?*

*Mr. O'Sullivan: yes; I have not yet talked with a contractor; I'm generating the funds first; I made a couple of loan applications - I'm waiting to hear  
-I'm looking for approval on 5 year old plumbing & electrical items  
-the house was cleaned out; I will be able to do the kitchen floor myself*

*Ms. Moermond: I can't do anything about the list; you're going to have to hire a contractor to complete the list*  
*-you're waiting to hear about your loan*  
*-this will be your 2nd VB fee; I don't know how long it will take you to get thru this rehab process*

*Mr. O'Sullivan: some of the work is stucco, which can't be done in winter*

*Ms. Moermond: sometimes, Mr. Seeger may issue a code compliance certificate that will allow you to move back in & finish the exterior stuff when weather permits*  
*-probably 6 months before you're done*  
*-I can divide the fee over 5 years but I can't make it go away*  
*-this will go to Council on Jan 16, 2019; if you want to object to my recommendation, you can go there to talk about it; if you're OK with my recommendation, they will just go with it*

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*Approve and spread payments over 5 years.*

**Referred to the City Council due back on 1/16/2019**

## **Assessment Rolls**

- |           |                          |   |
|-----------|--------------------------|---|
| <b>16</b> | <b>RLH AR<br/>18-102</b> | <p>Ratifying the assessments for Boarding and/or Securing services during August 2018. (File No. J1903B, Assessment No. 198102)</p> <p><u><b>Sponsors:</b></u> Brendmoen</p> <p><b>Referred to the City Council due back on 1/16/2019</b></p>   |
| <b>17</b> | <b>RLH AR<br/>18-103</b> | <p>Ratifying the assessments for Collection of Vacant Building Registration fees billed during February 28 to August 22, 2018. (File No. VB1904, Assessment No. 198803)</p> <p><u><b>Sponsors:</b></u> Brendmoen</p> <p><b>Referred to the City Council due back on 1/16/2019</b></p> |
| <b>18</b> | <b>RLH AR<br/>18-104</b> | <p>Ratifying the assessments for Demolition services during August 2018. (File No. J1903C, Assessment No. 192002)</p> <p><u><b>Sponsors:</b></u> Brendmoen</p> <p><b>Referred to the City Council due back on 1/16/2019</b></p>   |
| <b>19</b> | <b>RLH AR<br/>18-105</b> | <p>Ratifying the assessments for Demolition services during September 2018. (File No. J1904C, Assessment No. 192003)</p> <p><u><b>Sponsors:</b></u> Brendmoen</p> <p><b>Referred to the City Council due back on 1/16/2019</b></p>  |

- 20 RLH AR 18-106** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during June 12 to July 16, 2018. (File No. CRT1903, Assessment No. 198202)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 1/16/2019**
- 21 RLH AR 18-107** Ratifying the assessments for Trash Hauling services during August 2 to 31, 2018. (File No. J1903G, Assessment No. 198702)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 1/16/2019**
- 22 RLH AR 18-108** Ratifying the assessments for Excessive Use of Inspection o Abatement services during June 22 to July 20, 2018. (File No. J1903E, Assessment No. 198302)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 1/16/2019**
- 23 RLH AR 18-109** Ratifying the assessments for Graffiti Removal services during August 20 to September 27, 2018. (File No. J1903P, Assessment No. 198402)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 1/16/2019**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 24 [RLH SAO 18-56](#)** Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 18-47.
- Sponsors:** Brendmoen
- Patrick Kelly, Attorney, Kelly & Lemmons, PA; Roger W. Stadler, owner; & Brian Dobie, engineer, appeared.*
- Ms. Moermond: this is follow-up on the temporary structure; looking for manufacture specs or something to make sure that it was safely installed for permanent use*
- Supervisor Paula Seeley: Inspector Kedrowski went out yesterday & took a photo; it is still standing*
- Ms. Moermond: did you guys follow up with Brian Karpen?*
- Mr. Kelly: entered Exhibit 1; one issue we have is the medical condition of Mr. Stadler; in late Jul-Aug, he had additional surgery; then, an open-heart surgery; I just want to show you that this is a real situation*

*Ms. Moermond: I'll hand back the medical documentation; we'll scan the rest*

*Mr. Kelly: you suggested that we take another look at the structural analysis; we asked Mr. Dobie about the structural integrity yesterday & he wrote a letter; this structure was placed there in 1999; it's a heavy membrane material; within a booklet, you can see the development of flooring, which has a class 5 base; then, a heated floor; a boiler; I provided photographs of the structural integrity of this; asked Mr. Dobie to continue to explain*

*Mr. Dobie: the green house structure is tubular; has a steel frame & it has tie-downs at each column to make sure that the wind can't do anything to the structure; even the steel doorways, etc, have timber framing - it's a substantial building*

*Ms. Moermond: so you're satisfied with the tie-downs being sufficient; can you describe them?*

*Mr. Dobie: the tie-downs have screw-in anchors that extend down 3 feet & they have a steel cable attachment to the structural steel framing; so, it will not blow away or collapse or anything like that; it can easily take a 6-7 inch snow fall; it's of low height so you can take a brush broom type thing & remove the snow; I'd say that it can easily take 20 psf snow load; I know that a structure has to be able to take 40 psf but that's if you don't remove any snow from it throughout the year; but this is an easily maintained bldg*

*-the building is used for storing tools & garden equipment; also, for storing plants & growing young stock in the spring; it's not a commercial green house*

*Ms. Moermond: do you believe that this is compliant with the building code?*

*Mr. Dobie: yes, I think it is*

*-I would not regard it as a temporary structure; with the heating plant inside of it & very little insulation; there's no opportunity to have & maintain it like a 40 psf snow load because the snow would just melt off; that's the beauty of it*

*Mr. Kelly: it has been there since 1999 & it's never had a problem with snow & we've had some pretty serious storms; & the structure has no signs of movement or damage; I think that the bldg speaks for itself*

*Mr. Dobie: the structure has no tears & no damage to it at all*

*Ms. Moermond: this structure makes me want to do follow-up on it, periodically, to make sure that it's still sound, which makes it different from my garage*

*Mr. Dobie: that material is good for 10-20 years; then, it should be replaced*

*Ms. Moermond: it's been up for about 20 years; is that the first set of vinyl sheathing?*

*Mr. Dobie: I think it is; certainly in 5 years from now, it should be replaced; it was commercially built; it wasn't just thrown together by an individual; it's manufactured; I'd say that it's good for another 5,6,7 years*

*Ms. Moermond: we don't have a foundation; we have anchors; that sounds more like a long-term temporary structure rather than a.....*

*Mr. Dobie: it will not stand up a long as your garage will stand up; the vinyl can be removed & new vinyl put on - pretty easily within 1 1/2 days, perhaps*

*Ms. Moermond: I'm going to talk with the building official about this; I have another temporary structure case that's been sent back from the State Department of Administration & I want to make sure that I'm looking at this one consistently with that one; nothing needs to change for right now; I'll look at this again on Jan 8, 2019 -if it's a decision that you won't be happy with, I'll give you an opportunity to put more on the record*

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*Recommendation is forthcoming.*

**Laid Over to the Legislative Hearings due back on 1/8/2019**

- 25**      [RLH SAO 18-71](#)      Making finding on the appealed nuisance abatement ordered for 1352 SEVENTH STREET WEST in Council File RLH SAO 18-69.

**Sponsors:**              Noecker

*No one appeared.*

*Ms. Moermond: the vehicle was still there  
-this is scheduled to go to City Council Dec 12, 2018  
-we did a 2-week extension*

*Ms. Mai Vang: checked for an email on this; found nothing*

*Supervisor Paula Seeley: Inspector Martin just said, "Inspector Mark Kaisersatt went out there yesterday & took photos & said that it's totaled - no way it's drivable; hood is partially jarred up; a window's missing... & so much debris on the seats; you can't drive it"*

*Ms. Moermond: for all of those reasons, the vehicle is not in compliance; I will recommend that Council make a finding that the nuisance hasn't been abated; if they adopt that, then, on Thu Dec 13, 2018, DSI can take enforcement action to remove it*

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*Nuisance is not abated.*

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

## **11:30 a.m. Hearings**

### **Orders To Vacate, Condemnations and Revocations**

- 26**      [RLH VO 18-58](#)      Appeal of Charlnitta Ellis to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 801 AURORA AVENUE.

**Sponsors:**              Thao

*Charlnitta Ellis, owner, appeared.*

*Fire Supervisor A.J. Neis: Revocation of the Fire Certificate of Occupancy/Order to*

*Vacate; repairs were not done per last hearing*

*Ms. Moermond: there have been 2 extensions given on this in the past*

*Ms. Ellis: the last time, the contractor took my money & skipped; I called another company, Sela; I've had a couple different people come, who said that there was absolutely no way they could get the concrete work done at this time of the year; from the time the contractor did not follow thru with what he had said, I was coming down to the City Council Office to let them know the situation; I was coming down to see my City Council member but I found out recently that the councilmembers have regular jobs & that they're not here all the time; so, I was never able to see my councilmember but I was able to talk with his assistant a couple times; they kept saying that I was going to hear from them but I never heard from them; I do want to take responsibility for what didn't get done; the people next door have finally moved out; I was never going to have quality tenants live there with all that was going on with all the police calls; my brother has been living there & he called the police for next door frequently; I was never making money off the house but the grass was always cut & the snow was always shoveled; the house inside was spotless; just recently, I had plumbing work done; it's a beautiful strong house that's been in my family; I would love to bring the house up to code; hoping that the situation with the management company next door is straightened out because half the people in the neighborhood are elderly & the other half are renters; I've had that retaining wall repaired twice; the people next door took a hammer to it & broke it; I've maintained it but they keep damaging it*

*Ms. Moermond: I'm going to translate what you're saying - you weren't getting rent so you didn't fix it*

*Ms. Ellis: No; that's not what I was saying at all; I still would have fixed it....*

*Ms. Moermond: you didn't though*

*Ms. Ellis: No; I did not fix it; I won't say that money wasn't a factor but I that's not why I didn't fix it; I don't have a problem if you say, "You cannot rent the house until the work is done & we're not going to give you a rental certificate".. but if my brother lives there....*

*Ms. Moermond: it's not an owner-occupant unless you put him on the title*

*Ms. Ellis: he doesn't want to go on the title; he's a senior citizen who has a fixed income & it's not good for him to go on the title; it's make adjustments to his....*

*Ms. Moermond: this is about the place not owner-occupied; that's what the deal is with the C of O Program; it's not whether you have it on the open market as a rental property; you, the owner, aren't living there & so, it falls into the category of needing a Fire C of O*

*-is he dependent upon you financially or physically? does he have any ailments where you provide care?*

*Ms. Ellis: I wouldn't want to discuss his personal medical situation here*

*Ms. Moermond: it's kind of a "yes" / "no;" it's about some level of independence*

*Ms. Ellis: it's a situation where the sign on the door causes him to.... he has anxiety & he's very sensitive about his situation; he is able to care for himself*



*Fire Supervisor A.J. Neis: this has been appealed multiple times & one of the options that Ms. Ellis has been aware of is that she can make this her residence*

*Ms. Ellis: and, I basically did; I just didn't do it legally; my people at 367 E. 43rd Street will tell you, "She doesn't live here; we never see her;" but I didn't change my address; I own my house in Mpls; I'm a part of an association; I didn't know what the situation was here - the rules, etc - a lot of stuff that I don't really consider myself super knowledgeable about but I have been staying at 801; I don't live there but I've been staying there; I don't get my mail there; my brother is the person who actually lives at 801 but I've been staying there; especially since that sign went up on the door but I didn't want anybody & their family move into that house with what I knew was going on next door; it was not safe; shootings & guns, etc; all of us have bullet holes in our houses; I want to do the right thing; I love that neighborhood; I grew up in that neighborhood; I've talked with Nieta Presley a couple of times; I made an attempt; I hired a contractor; he took my money; I can show you the contract, the cancelled check; I can bring that down to you; I want to be in compliance; I do have a lot of stuff going on, personally, but that's not an excuse; I understand that you're frustrated that the work hasn't been done*

*Ms. Moermond: Mr. Neis, can you tell me a little bit about the billing for these inspections?*

*Mr. Neis: certainly; currently, the Fire C of O fee is \$242 + 2 Fire re-inspection fees of \$74 each (\$148) - that bill was off the previous C of O Inspection that was approved with corrections back in 2016; we've been waiting, literally, on the wall; they did not do a full interior inspection so they didn't charge the full \$100+ re-inspection fee because they could just drive by to see if the wall had been built  
-we have more than the wall; we have the parking space; the accessory structure*

*Ms. Ellis: when you came out, I'm sure you saw that he busted up the driveway & left all the bags of concrete sitting out; did you see that, Mr. Neis?*

*Mr. Neis: I have not been out there; Mr. Smith has*

*Ms. Moermond: the re-inspection fees were for which dates?*

*Mr. Neis: Jun 4; then, it was appealed; most recent one - Nov 20; the \$242 is for Revoking the C of O; the 2 \$74 are for reinspection fees (Jun 4 & Nov 20, 2018)*

*Ms. Moermond: I'm feeling like I want to grab an Excessive Consumption tool on this to have some repercussion that is less than the Revocation but still something*

*Mr. Neis: it's been 3 years*

*Ms. Ellis: how bad is this compared the neighbor?*

*Ms. Moermond: we're talking about you right now; & I'm fed up with it*

*Ms. Ellis: I don't mean to irritate you or anything..... I ..*

*Ms. Moermond: I want to know how I can put an end game on this; I need to have faith that you're actually going to do something; the past track record says that you're not going to do something - that you'll show up in appeal again - that you're going to go to*

*the Ward Office - that you're going to talk to Nieta Presley but you're not going to actually do it; show me that you've talked to a contractor - that you've got the cancelled check - that is telling me that you've done some action; I want to see that & I want to see forward movement; perhaps you'd be a good candidate for a rental rehab loan; you have enough work going on here - look into it*

*Ms. Ellis: we talked about that last time; I called & I spoke to the people there at the office; they were going to help me, so I came down to see somebody - they cancelled; they were going to get back with me; I even tried to talk to PPL - they told me that I could go on the list for the following year but..... they were doing it for rental properties, too*

*-I gave that contractor the deficiency list & he gave me a very good price (\$4600); I said, "Absolutely; do this"*

*-I understand that you're frustrated but I did follow thru; I got a contractor with a contract; I put money down (\$1000) & that was back in Aug; based on the quality of work he did on the church over on Marshall, I wanted him to do my work; it was absolutely gorgeous but he took my money & took off; I can bring all that information; his name is Christopher \_\_\_\_; he claims to know you so well, Mr. Neis*

*Ms. Moermond: I'm going to continue this for 2 weeks to give you a chance to get me the information; I also want to know what you're going to do in terms of other kinds of financing to finish the job (completed applications; documentation of a program - PPL); I need something tangible if I'm going to put it in front of City Council & ask them for another 6-7 months extension to, realistically, deal with paint & masonry work*

*Ms. Ellis: if you want all that, is it at all possible to give me a little more than 2 weeks?; I'm in the grant process with the MN Dept of Health & that's very time consuming*

*Ms. Moermond: I'll go out to Jan 8, 2019 LH layover; put together a Work Plan; if you have sufficient funds, OK - possibly \$10,000*

*Ms. Ellis: I called Sela but the cost was a lot more; he said, "We're a year out; good luck; contractors are so backed up; there's not enough workers out there to get all the work done"*

*-and, can I take the sign off the door?*

*Ms. Moermond: I think you can take the sign off the door for the time being*

*Layover to January 8. Hearing officer is looking for a work plan and financing to complete ordered repairs.*

**Laid Over to the Legislative Hearings due back on 1/8/2019**

27 [RLH FCO  
18-198](#)

Appeal of McKenna Dubois to a Correction Notice - Complaint Inspection, including Revocation at 2165 SELBY AVENUE.

**Sponsors:** Jalali Nelson

*McKenna DeBois, Appellant and Bobbi Brendefur, tenants of 2165 Selby Avenue, appeared.*

*Ms. Moermond: we saw the landlord for this property a couple of weeks ago -asked Mai Vang to check if Mr. Kvasnik had filed an application with the BZA*

*Fire Supervisor A.J. Neis: update: we received an over-occupancy complaint that there were 6 people living in the home, which I had previously investigated; on my inspection, I found that there were, in fact, 6 people living in the home, which was admitted to me by one of the occupants (not of these two who are here today); at the time, those occupants told to me that the property owner was well aware of there being 6 people living there; the owner, however, said that he had no idea there were 6 people living in the home*

*-based on that information, I gave them the Orders to Vacate and told them that they had the right to appeal; going under the false pretense, I even had one of our inspectors go above & beyond and drop off a Tenant's Right Hand Book*

*-I did have the opportunity to speak with the Appellant today & I do appreciate their honesty knowing that the information that I received from the other occupants was false & that the owner did not have the knowledge that it was the occupants here who put the other 2 students in the home, which has given me reconsideration on re-instating or abating to allow the owner to continue his Student Housing Registration; currently, because of the assumption & previous testimony from the other occupants, I took the Student Housing Registration away, not allowing him to occupy.....*

*Ms. Moermond: and, I understand that he's already filed an appeal with the BZA, so he's out that application fee.....*

*Mr. Neis: which has cost him, potentially, thousands of dollars; I wish... so, after the hearing, I'll most likely be making some phone calls*

*-at this point, the occupants are asking to stay until they are finished with their finals, which I had no problem with under the assumption that the owner.....*

*Ms. Moermond: if he filed an application with the BZA by yesterday, he had an extension on the Vacate Order thru Feb 1, 2019; so, because he met that first condition, you tenants would automatically, have to Feb 1, 2019; so, I think you're covered by the previous appeal*

*Ms. DeBois: all six of us have somewhere to move in the beginning of Jan 2019; everyone's on the basketball team, so it's kind of chaotic right now*

*Ms. Moermond: you have thru that time; I don't have the authority to say if 6 people get to live there; I have authority to say that the city is not going to Vacate that house thru the beginning of Feb 2019; I would think that if you have given Notice to the landlord, it's very unlikely that the landlord would do any sort of private action because it's resolved & because he's going to have to pay to do that*

*Mr. Neis: I'm going to recommend that Mr. Kvasnik's Student Housing Registration be re-instated*

*Ms. Brendefur: everything seems really fine with Mr. Kvasnik; he knows what's going on*

*Ms. Moermond: it's the owner's responsibility to make sure that he's code compliant & how he does that is thru the private contract/lease that you have; the city is not going to insert itself into that; the city will hold him accountable for having 4 people; we will give him a compliance deadline; already, we gave him a compliance deadline of Feb 1, 2019; I think there's no reason to change that*

*Mr. Neis: It's quite possible that Mr. Kvasnik might allow the 4 of you to stay*

*Ms. DeBois: he has*

*Ms. Brendefur: he made that very clear that he would like that to happen*

*Ms. DeBois: we already had planned to move into one of our roommate's uncle's house, who's a landlord down the street*

*Ms. Moermond: that's all between you guys*

*Mr. Neis: I appreciate your honesty; this incident could have cost him possibly, over \$100,000; I don't know if you realize that*

*Ms. Moermond:*

*Grant to February 1, 2019 to reduce the number of tenants to 4 or the property must be vacated.*

**Referred to the City Council due back on 12/19/2018**

## **1:30 p.m. Hearings**

### **Fire Certificates of Occupancy**

**28**

[RLH FCO  
18-192](#)

Appeal of Ronald Miller to a Correction Notice - Complaint Inspection at 670 DESOTO STREET.

**Sponsors:** Brendmoen

*Ronald Miller, owner, and Ms. Lynn Grote, tenant, appeared.*

*Fire Supervisor A.J. Neis: Inspector Niemeyer conducted a full Certificate of Occupancy inspection on Nov 29, 2018 at the request of the Legislative Hearing Officer; a couple violations were added to the previous 16 violations indicated at the Nov 6 complaint inspection; basically, nothing has changed since then*

*Ms. Moermond: when we last spoke, you said that you were in the process of evicting the tenant*

*Mr. Miller: I tried but I lost; she's still there; the court said that as soon as she pays me all the money that she owes me (\$4040), she can stay there; I think the deadline was today (he looked for the deadline date but couldn't find it)  
-if she doesn't pay me, she will probably have to move; the court didn't say that for sure*

*Ms. Moermond: what kind of deadline do you want to finish the repairs?*

*Mr. Miller: I need 4-6 weeks, at least*

*Ms. Moermond: we already talked about one item that will need to wait until spring*

*Mr. Miller: a couple can wait to spring, actually*

*Ms. Grote: I been there for 7 years; on the 29th, I was not properly informed about*

that inspection; Mr. Miller told me that he would not give me proper notice & if I didn't like it, I could get out; I've asked for the water heater to be replaced but he is refusing to fix anything in my unit until I'm out - so the tenants upstairs can move in downstairs -we go to trial tomorrow for eviction

-I have friends who are related to the people upstairs

-I have taken care of his property; I've put in tenants upstairs for him

-back at the end of Jul, he stated that he was considering raising my rent; I told him that would be fine as long as all the windows in the unit would open & I'd get new carpet; he told me that it was a threat to ask for new carpet; then, 3 weeks later, I was given a demand letter for all the back rent & in the 2nd paragraph of that letter he states that the last person who had requested new carpet, he evicted; so, this is a common thing with Mr. Miller; he gets violations & he waits 'till the tenants are basically forced to move out before he does corrections to it and he's constantly asking for extensions; I'm still using a pair of pliers to use my shower and he's known about that for over 2 months

Mrr. Miller: she said she got the tenant upstairs, which I agree with and she's just made it very difficult for that tenant; she cuts back on the heat; she is a bully; it's a difficult situation; she is acting like this is her bldg, telling the tenants that they could not contact me - that they'd have to put up with her

Ms. Grote: I'm not the troubled tenant here; the tenant upstairs has been the only problem

-since I've stopped maintaining his property, the sidewalk & stairs have not been shoveled properly; I've almost fallen twice now since snow is on the stairs

Ms. Moermond: my goal for this conversation is to come up with a deadline about these repairs; in a situation like this, I want you to be aware that I don't want the city's set of Orders to act as a substitute for you doing eviction action

Mr. Miller: there are 2 exterior items: the stucco & the handrail; I will have my handyman set to get to work this week

Ms. Moermond: I don't see the handrail on the list but it's still a repair that you need to be doing

-the tenants do have power under MN law to petition the court to withhold rent; the court can allow for that & tenants can file Tenant Remedy Actions; they usually do that with Legal Aid to get the repairs done

-I'm concerned that things aren't going to be done & so Fire C of O staff would be in a position of needing to Revoke the certificate because the work isn't done; then, you have a defacto emptying of the bldg (would be at least 90 days before something like that would happen)

Mr. Neis: let's run thru the list one more time:

-the water heater needs to be replaced

-tenant in Unit #1 - the burning of incense behind the door could start a fire (Tenant said she took care of that)

-windows; shower handle needs to be replaced; some fuse issues; bathroom floor, holes/cracks in walls;

-it's a fairly standard Correction Notice list

Ms. Moermond: let's set up a re-inspection for after a Jan 14, 2019 deadline; a new appointment letter will go out

Mr. Neis: added that this property has had a clean inspection history since Nov 2012

*(couple sofas in yard & mice & sheet rock issues), except for 1 complaint in Mar for overflowing junk  
-the last C or O was done in May 2016 & it was approved & certified  
-anywhere from 4-8 weeks for repairs is not unreasonable*

---

*Ms. Moermond is granting the following deadlines from the December 3, 2018 inspection list:*

- 1) grant an extension to January 2, 2019 for Items 7, 9, 10, 12, 13, 15, 16, & 17;*
- 2) grant an extension to March 1, 2019 for the remaining items provided the January 2nd deadline is met; and*
- 3) grant to July 1, 2019 for the damaged stucco (Item 18).*

**Referred to the City Council due back on 1/2/2019**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 29     [RLH VBR 18-92](#)     Appeal of Ben Bump to a Vacant Building Registration Notice at 941 BEECH STREET.

**Sponsors:**     Prince

*Ben Bump appeared o/b/o Alicia Said, owner.*

*Fire Supervisor A.J. Neis: has the gas been turned back on?*

*Mr. Bump: yes; everything's on & the work has been completed*

*Ms. Moermond: was the lack of heat #5 related to the water problem?*

*Mr. Neis: there was no gas service; there was no hot water because of the gas*

*Ms. Moermond: the gas has been restored for the hot water*

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*Grant the appeal.*

**Referred to the City Council due back on 1/2/2019**

- 30     [RLH VBR 18-90](#)     Appeal of Dustin Nguyen to a Registered Vacant Building Requiring a Code Compliance Inspection and Summary Abatement Order at 1128 BEECH STREET.

**Sponsors:**     Prince

*Dustin Nguyen, owner, appeared.*

*Ms. Moermond: we were going to get a follow-up fire inspection on this one*

*Fire Supervisor A.J. Nguyen: on Nov 28, 2018, Inspector James Thomas conducted an inspection; there were 11 code violations identified: vacuum behind dryer;*

*doors/windows in good condition; caulk around basement bathtub; secure toilet to the floor; bedroom window rotted; provide an approved gate for the fenced area; repair all door knobs; smoke detector affidavit; steps next to the garage; dog's license; dryer vent*

*Ms. Moermond: none of those things is giving me pause - not seeing anything that would lead to Condemnation; now, we need to put a deadline on the work -is there a Summary Abatement Order on the garbage that we talked about last time?*

*Supervisor Matt Dornfeld: that was addressed; Insp Frie's notes state that the property is now acceptable*

*Ms. Moermond: how much time would you like to finish this work?*

*Mr. Nguyen: Mr. Thomas has scheduled an inspection on Dec 28, 2018; we should be able to complete the work much sooner than that; so, we'll notify him as soon as the work is completed*

*Mr. Dornfeld: a 30-day VB fee waiver was put into place on Nov 21, 2018*

*Ms. Moermond: let's start by granting his appeal by getting him out of the VB Program -then we have the Fire Orders with an inspection on Dec 28 so, officially, we'll give you until Feb 1, 2019 to deal with the repairs if something comes up on Dec 28; if we need to Vacate the property, that won't be until Mar 1, 2019*

---

*Grant the appeal and owner is released from the Vacant Building Program; grant to February 1, 2019 for compliance of the Fire Revocation and Order to Vacate Order . If not in compliance, will grant to March 1, 2019 for the property to be vacated.*

**Referred to the City Council due back on 1/2/2019**

**31      RLH SAO  
18-75**

Appeal of Tracey Brown, RDS Investments, to a Registered Vacant Building Requiring a Code Compliance Inspection and Summary Abatement Order at 1130 FOREST STREET.

**Sponsors:**          Bostrom

*Rescheduled to December 11, 2018.*

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

**32      [RLH VBR 18-85](#)**

Appeal of Jay Mitchell to a Vacant Building Registration Notice, Revocation of Fire Certificate of Occupancy and Order to Vacate and a Summary Abatement Order at 1130 BUSH AVENUE.

**Sponsors:**          Prince

*Jay Mitchell, contractor for Quality Residences LLC, owner, appeared.*

*Fire Supervisor A.J. Neis: permits were pulled; one has been finaled -re-inspection was held yesterday; I don't see any notes that there was an inspection yesterday*

*Mr. Mitchell: it took place at 1 pm & I was there*

*Mr. Neis: all interior stuff is done because I see that the kitchen sink permit was finalized*

*-exterior walls with chipped/peeling paint*

*-window sash in upstairs bathroom was abated*

*Ms. Moermond: I see sections here & there on the walls that could use paint; let's go with Jun 1, 2019*

*Mr. Mitchell: as soon as it's warm enough, I'll do it*

*Ms. Moermond: I will recommend that you're out of the VB Program; permits are finalized; the rest of the Orders were taken care of as of yesterday*

*Supervisor Matt Dornfeld, Vacant Buildings: we put a 30-day waiver on the VB fee*

*Grant the appeal on the Fire Certificate of Occupancy and Order to Vacate and owner is released from the Vacant Building Program. Note, owner is in compliance with the Summary Abatement Order.*

**Referred to the City Council due back on 1/2/2019**

**33**      [RLH VBR 18-94](#)

Appeal of Jay Mitchell to a Revocation of Fire Certificate of Occupancy and Order to Vacate plus Vacant Building Notice attached to Building at 1124 MINNEHAHA AVENUE EAST.

**Sponsors:**          Prince

*Jay Mitchell, contractor, Quality Residences LLC, owner, appeared.*

*Ms. Moermond: this case is kind of odd because there's a Vacant Building Registration placard on the house but then, we waited like 24 hours to see if a VB file got opened & when Racquel Naylor was looking, she did not find one had been opened so, we put it on this part of the Agenda knowing both things were going on but not knowing where you were at with your records  
-I'm looking at a Revocation from Oct 12, 2018*

*Fire Supervisor A.J. Neis: the roof permit has been finalized; water heater permit was finalized in 2016 (was replaced 2 years ago); some ceiling & wall work done in both upstairs/downstairs apartments; all permits were closed out*

*Ms. Moermond: I don't know why the water heater was called out 2 years after the permit was finalized; Mr. Mitchell, do you know why the inspector called out the water heater?*

*Mr. Mitchell: he called out the permit; he said that the permit wasn't closed out; I wasn't aware that the plumbing inspector hadn't closed out the permit; Steve Fernland said that it may have been a mishap*

*Ms. Moermond: how did this end up in the VB Registration Program?  
-Supervisor Shaff said the Revocation occurred on Nov 14; there was no Re-inspection when it was originally scheduled to happen on Oct 24, 2018*

*Supervisor Matt Dornfeld: I have nothing to add to Insp Neis' report; we opened a*



*Category 1 VB per Insp James Thomas' Revocation referral*

*Ms. Moermond: then, we just have the sidewalk & the sidewalk walkway stairs (?) do you have any additional information on that?  
-looks like new cement (photos)*

*Mr. Neis: there's not any photos for me to reference from our inspector*

*Ms. Moermond: I have Nov 28, 2018 VB photos  
-where are you at with the interior?*

*Mr. Mitchell: it was done beforehand; Insp James asked us to do both units but both units were occupied; we fixed all the cracks with mud, tape, plaster & bonding agent; then, we primed the walls; Insp James said that he thought that it all should be painted; I told him that I thought it was unreasonable because people were living there; since then, I painted both units with people living there; everything was done before this; so, I don't understand; showed photos to both Mr. Neis & Ms. Moermond (before & after)*

*Ms. Moermond: I will recommend that your appeal is granted  
-I'm not sure what's going on with Mr. Thomas in terms of his re-inspection*

*Mr. Neis: I'll discuss this with his supervisor, Ms. Shaff*

*Ms. Moermond: I'm going to assume that these Orders are abated and  
I'm going to recommend granting the appeal on the Revocation & granting the appeal on the Vacant Building Registration*

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*Grant the appeals.*

**Referred to the City Council due back on 1/2/2019**

**34      [RLH VBR 18-87](#)**

**Appeal of Marcos Bekuto to a Vacant Building Registration Notice and Fire Certificate of Occupancy Revocation and Order to Vacate at 421 UNIVERSITY AVENUE WEST.**

**Sponsors:**            Thao

*No one appeared.*

*Supervisor Matt Dornfeld, Vacant Buildings: I have a closed out Vacant Building; in compliance*

*Fire Supervisor A.J. Neis: I know that Inspector Huseby was up there again yesterday; not all the work has been completed but we were giving him additional time; he was to open up the wall in areas that were used as bedrooms as was previously discussed when he said that he took care of it; he did not take care of it in a manner that would have been considered acceptable; therefore, more work needs to be done*

*Ms. Moermond: so, he needs a timeline for coming into compliance for the Fire C of O  
-we'll give him an extension rather than granting the appeal for the Fire C of O  
-we will grant his Vacant Building Registration appeal  
-are there any notes in the system? Mai Vang is checking*

*Mr. Neis: there's no updated report*

*Ms. Vang is pulling up the photos*

*Mr. Neis: the photos are of the walls he opened up but they are not opened up 50%  
-the last time we spoke, it wasn't vacant*

*Ms. Moermond: I don't have the benefit of knowing what Ms. Huseby is suggesting as  
an extension or a re-inspect date but I'm going to put 6 weeks compliance on this*

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*Grant the appeal on the vacant building registration notice; grant to January 14, 2019  
for compliance on the Fire Revocation and Order to Vacate Order.*

**Referred to the City Council due back on 1/2/2019**