



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, January 8, 2019

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 19-14](#) Ratifying the Appealed Special Tax Assessment for property at 1146 BREEN STREET. (File No. VB1904, Assessment No. 198803)

Sponsors: Bostrom

Approve the assessment. No one appeared.

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

- 2 [RLH TA 19-10](#) Ratifying the Appealed Special Tax Assessment for property at 647 CENTRAL AVENUE WEST. (File No. VB1905, Assessment No. 198804)

Sponsors: Thao

Jessica Connors, owner, appeared.

Supervisor Paula Seeley:
Cost: \$2127
Service Charge: \$157
Total Assessment: \$2284
Gold Card Returned by: JESSICA CONNORS
Type of Order/Fee: VB FEE
Comments: 4/11/17 CAT 2 VB FILE OPENED. BUILDING PERMIT OPENED.
History of Orders on Property:
04/26/2017 : SA Printed: 04/26/2017
05/10/2017 : 05/10/2017 Garbage Rubbish WO created: PA 17-037456
Remove improperly stored or accumulated refuse including: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. IN FRONT GARAGE
05/10/2017 : SA Printed: 05/10/2017
05/12/2017 : PA EC Printed: 05/12/2017
05/30/2017 : 05/30/2017 Tall Grass Complaint Received.
06/30/2017 : OFS Payment on 06-30-17

01/03/2018 : SA Printed: 01/03/2018
02/01/2018 : SA Printed: 02/01/2018
03/01/2018 : SA Printed: 03/01/2018
03/21/2018 Vicki Sheffer: RETURNED MAIL - VBRF 3/12/18 to Ollie Agnew at 1730 Graham Ave #152; USPS no forwarding address.
06/01/2018 : SA Printed: 06/01/2018
06/08/2018 : 06/08/2018 Tall Grass WO created: PA 18-070999
Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.
11/05/2018 Vicki Sheffer: RETURNED MAIL - VBRF 10/29/18 to Jessica Connors at 647 Central Ave W; USP no forwarding address.

Ms. Connors: it's 90% complete; final insp this week
-I got this letter but Fannie Mae didn't disclose any of this to me (found out a month ago); I came down to DSI & this fee has been assessed; went to my title company & they said that Fannie Mae was above the law & they didn't need to disclose it; as my title company, if you're working in St. Paul, you know that but didn't disclose it

Ms. Moermond: you're fixing it up & will live there; Fannie Mae doesn't disclose anything
-need to figure out what has & hasn't been paid as far as assessments; it appears to cover the time period of Apr 2018 thru Apr 2019 (8 out of 12 months) but I'm not sure

Ms. Connors: when I came down to the city, they told me that it was wrapped into my taxes so everything that was unpaid from last year, I'm going to end up paying in taxes

Ms. Moermond: I'm not 100% sure that we're talking about the same fee; it was billed & we got returned mail (?) then re-billed, returned, etc. I want to be sure that I'm not asking you to pay a fee that's already been covered in the closing; if this is the 2018-2019 bill, I can make it payable over 5 years
-we will email you & let you know what we find out

Ms. Connors: I think it's because of the returned mail; I changed my mail address because I was supposed to move in Dec but there've been a lot of surprises; I closed Sep 28, 2018

Ms. Moermond: I'll look into this
-it may be useful for you to contact your representative/senator about Fannie Mae not disclosing
-City Council Public Hearing Feb 20, 2019

Recommendation is forthcoming.

FOLLOW-UP: Vacant Building Fee for Apr 2017-Apr 2018 was assessed and shows on the 2018 Property Tax Statement for the property. This fee is for Apr 2018-Apr 2019. Still a Registered Vacant Building as of 1/22/19. Recommendation is approval of the assessment. Contacting appellant to see if it would be useful for this to be payable over several years. -MM

Referred to the City Council; due back on 2/20/2019

CENTRAL AVENUE WEST. (File No. VB1905, Assessment No. 198804) (Public Hearing continued to April 24, 2019)

Sponsors: Thao

Morgan Okney appeared o/b/o Nilva & Frisch P.A.

Supervisor Paula Seeley:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: NILVA & FRISCH P.A

Type of Order/Fee: VB FEE

Comments: CAT 2 VB FILE OPENED 10/21/15. MULTIPLE OPEN PERMITS

History of Orders on Property:

03/02/2016 : SA Printed: 03/02/2016

08/25/2017 : SA Printed: 08/25/2017

12/15/2017 : SA Printed: 12/15/2017

Mr. Okney: we've been working to restore the bldg from a very water devastated standpoint; we got the bldg as payment for nonpayment for attorney's fees; when we got possession, we found 3 feet of ice in the basement so, we had to rehab the entire home from a burst water main & it's taken us quite some time; we're at the point where the mechanicals are done; my understanding is that we're waiting for final inspection on 1 piece; we have negotiated & will be entering into an agreement to rent to own the property to a developer; we finished printing the contracts yesterday; we're going to enter into agreement within a month; waiting to get financing lined up on their end

Ms. Moermond: it can't be lived in until those permits are finalized

Mr. Okney: everyone is aware of that; it's in the agreement; the agreement calls for the purchaser to finish the building & upon finishing the bldg, they will take possession of the deed; basically, we don't want to have to pull new permits so we're negotiating a way for them to finish the construction under our permits

Ms. Moermond: are they using the same contractors?

*Mr. Okney: they are
-we'd like to not pay the VB fee*

Ms. Moermond: this VB fee covers Oct 21, 2018 thru Oct 21, 2019; if you have closed permits in a month, I could delete without blinking an eye but I'm hearing that they person buying home will be responsible & so we're in this at best less than 6 months out of the buildable year they'll be done (?)

-I'd like to prorate it

-if you folks can be done in 6 months, I can cut the VB bill in half; done with final compliance

Mr. Okney: so, we'd need a code compliance certificate issued by Apr 21, 2019 (?)

Ms. Moermond: Yes

Mr. Okney: I don't see why that would be a problem

Ms. Moermond: goes to Council Feb 20; on Feb 20, I'll ask them to continue this to Apr 24, 2019; at that time, I'll check the system; if it says that a Code Compliance Certificate has been issued, I'll ask Council to cut this in half

Continue City Council Public Hearing to April 24 to see if the assessment can be reduced by half.

Referred to the City Council; due back on 2/20/2019

4 [RLH TA 19-8](#)

 Ratifying the Appealed Special Tax Assessment for property at 418 MARYLAND AVENUE WEST. (File No. J1904B, Assessment No. 198103)

Sponsors: Brendmoen

Mike Mumaw, Maryland Apartments LLC, appeared.

Supervisor Paula Seeley:

Cost: \$265

Service Charge: \$162

Total Assessment: \$427

Gold Card Returned by: MARYLAND APARTMENTS LLC.

Type of Order/Fee: Emergency BOARDING

Nuisance: UNSECURED BUILDING

Date Work Done: 9/17/8 @ 4:45AM AT REQUEST OF SPPD.

Work Order #: 59079

Returned Mail?: No

Comments: POLICE REPORT HAS BEEN REQUESTED.

History of Orders on Property:

-police report attached

Ms. Moermond: there's nothing written in the public narrative except that it's a criminal sexual conduct investigation

-I'm not sure what got boarded on the building

Mr. Mumaw: that's what I'm trying to find out

Ms. Seeley: they put up clips to secure the door

Mr. Mumaw: I'm question why my maintenance that was on call that night claims that he did put a board up over the window

Ms. Moermond: this says, "One door secured with clips" - maybe a window was secured but not the door (?) I'm not sure

-there's no VIDEO; a private contractor gets called out to do the boarding

-the majority of this cost is a \$250 middle of the night call out fee for the company; the actual work is about \$15

Mr. Mumaw: we have an on-call maintenance company that would go out & take care of something like that in case of an emergency; I talked to the guy on-duty that night; he said that he did go board up everything that needed to be done; one of the residents called the emergency maintenance line that there was damage to the property, so he responded to the call; one window was broken & one of the doors was spidered (glass); so they boarded up both of them; he would have punched in &

punched out

Ms. Moermond: get a copy of that for me; then, I can use that documentation that your person was on site & took care of that

Recommendation is forthcoming pending documentation.

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

5 [RLH TA 19-13](#)

Ratifying the Appealed Special Tax Assessment for property at 852 OTTAWA AVENUE. (File No. VB1905, Assessment No. 198804)

Sponsors: Noecker

Alan Davis, owner, appeared.

Supervisor Paula Seeley:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: ALAN DAVIS

Type of Order/Fee: VB FEE

Comments: CAT 2 VB. FILE OPENED ON 10/6/17 (OPENED AS A FIRE EXEMPT). 3 PERMITS SIGNED OFF. PLUMBING REMAINS OPEN AS WELL AS BUILDING.

History of Orders on Property: NO ORDERS/WORK ORDERS SINCE VB FILE OPENED.

-covers period from Oct 9, 2017 to Oct 9, 2018

Supervisor Lisa Martin: Oct 9, 2017, there's a 90-day VB fee waiver due to fire; and again Dec 13, 2017, we did a continued fee waiver for an additional 90 days

*Ms. Moermond: so there was 180 days waived
-does it say that the first bill was assessed?*

Ms. Seeley: I don't see that

Mr. Davis: a company purchased the property after the fire; I bought it from them & I closed Oct 26, 2018; then, I received this in the mail

Ms. Moermond: I think this is the 2018-2019 fee but again, we can confirm that & get back to you

Ms. Seeley: it says assessed payment to previous owner

*Ms. Moermond: we're talking about from Oct 7, 2018 - Oct 6, 2019
-how far are you from being done?*

Mr. Davis: I purchased & moved in & it's completely finished

Ms. Moermond: I have 3 permits signed off & plumbing remains open as well as building; so, you have a couple of open permit to check off

Mr. Davis: how would I have known that; when I purchased it from whomever, as far as I knew, everything was clean; no permits or anything; so, I moved in & then I got this

Ms. Moermond: the people you bought it from didn't get their permits closed & they didn't disclose it to you; now, you have to go after them

Mr. Davis: I'm curious as to how I'm responsible for the work they didn't do?

Ms. Moermond: when you buy a property, you buy it's debts as well as its assets -you have to go after the previous owner for not disclosing & not paying their bills -I'd like to get these permits closed; hopefully, they finished the work -Jim Seeger's number is 651/266-9046 -I'll look at this again on Feb 5, 2019; if you have all permits done & signed off, I'll recommend deletion; if not, show up at 9 am on Feb 5, 2019 LH -City Council Public Hearing Feb 20, 2019

Recommendation is to delete if code compliance certificate is issued by February 5.

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

6 [RLH TA 19-12](#)

Ratifying the Appealed Special Tax Assessment for property at 1475 PACIFIC STREET. (File No. VB1905, Assessment No. 198804) (Public Hearing continued to April 17, 2019)

Sponsors: Prince

Denise Doty, owner & Robert Lind, purchaser, appeared.

Supervisor Paula Seeley:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: ROBERT LIND

Type of Order/Fee: VB FEE

Comments: 10/17/17 VB 2 FILE OPENED. CODE COMPLIANCE REPORT APPLIED FOR BUT NOT COMPLETED YET.

Vacant Code Compliance: \$469.00 - Paid in Full: Yes - Payment Type: Check - Payment Date: 12/18/2018

History of Orders on Property:

04/30/2018 Stephanie Harrington: I would like to report that the vacant home 1475 Pacific St., St. Paul, MN 55106 needs to be properly secured by the homeowner. This home has been vacant for about a year now after a kitchen fire and the renters vacated. The owner of the home has abandoned the up-keeping of the property and left it in shambles. The front screen door glass is completely shattered, There are multiple windows that are broken. The mailbox is completely destroyed and laying in the front yard along with a lot of refuse. This home is an eye sore on the block and I believe that it is attracting vagrants and trespassers. I also believe that the shape of this home is encouraging vandalism in our neighborhood. My home last night at 1461 Pacific St. had a concrete brick thrown through the front patio door causing over \$1400 dollars in damage. This was reported to the police and my insurance company. I am asking that the homeowner at the very least properly secure the windows and doors with wood boarding or replacement glass to dissuade potential trespassers and I would also like to see the front lawn of the property cleaned up.

05/24/2018 : SA Printed: 05/24/2018

06/07/2018 : 06/07/2018 Garbage Rubbish WO created: PA 18-070452

Remove improperly stored or accumulated refuse which may include: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from entire property including yard, boulevard, alley, and driveway. DISCARDED FURNITURE, SCRAP WOOD, FIRE DEBRIS THROUGHOUT YARD.
09/19/2018 : SA Printed: 09/19/2018

09/26/2018 : 09/26/2018 Garbage Rubbish WO created: PA 18-107868

Remove improperly stored or accumulated refuse which may include: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from entire property including yard, boulevard, alley, and driveway. TREE LIMBS AND BRUSH FRONT, SIDE YARD AND DRIVEWAY.

Ms. Moermond: you just ordered a code compliance insp report in Dec 2018 -did you just buy the building or ?

Mr. Lind: Denise Doty is the owner; I've known her dad for many years & through this process of me trying to buy the house from Denise, her dad passed away -I'm not sure why I'm getting all the mail for the house; we thought this was going to be an easy transaction; it turns out that there were some Contract for Deeds, etc, so Denise had to hire an attorney to get it all cleaned up; & it is all cleaned up now (title work)

Ms. Doty: it's taken over 1 year; there were 2 deaths; my father died in the winter - there was a fire & he apparently felt guilty

Mr. Lind: Ms. Doty's attorney said that we could close on or after Jan 16, 2019 -we're here to see if we can get the VB fee either waived or reduced or..... this was a very time consuming thing to go through (waiting for people to respond) -initially, I talked to Rich Singerhouse; I got the actual bldg permit but I did not pay for it because I didn't realize that it was so tangled up; the attorney that Ms. Doty hired has it all cleaned up; it's at the title company -I also talked to Jim Seeger; I paid \$469 for the code compliance inspection; I provided the lock box combination; I haven't heard from them yet; I'm trying to do the steps in order so that when we do close....

Ms. Moermond: how long do you think it'll take to fix the house up?

Mr. Lind: 3 months at the most; only the porch & a kitchen wall were burnt; so, I proposed to enlarge the kitchen, build a different entry way & add a bedroom, which would include frost footings

Ms. Moermond: if you can get the work done by Apr 17, 2019 (6 months into the billable year), I will cut the VB fee in half -will you be living there?

Mr. Lind: my daughter will be living there

Ms. Moermond: on Feb 20, I will ask the City Council to talk about this on Apr 17 instead of talking about it on Feb 20, 2019; & on Apr 17, I tell the Council that you have your Code Compliance Certificate & are ready to move in; I'll ask them to cut the VB fee in half

Continue City Council Public Hearing to April 17 to see if the assessment can be reduced by half.

Referred to the City Council; due back on 2/20/2019

7 [RLH TA 19-25](#)

Ratifying the Appealed Special Tax Assessment for property at 1475 PACIFIC STREET. (File No. J1904B, Assessment No. 198103)

Sponsors: Prince

Denise Doty, owner and Robert Lind, purchaser, appeared.

Cost: \$360

Service Charge: \$162

Total Assessment: \$522

Gold Card Returned by: Bob Lind & Denise Doty

Type of Order/Fee: Boarding Up

Nuisance: secure garage, door and windows on first floor

Date of Orders: 9/26/18

Date Work Done: 9/26/18

Work Order #: Inv # 59146

Returned Mail?: No

Comments: Category 1 opened on 10-17-17 due to fire

History of Orders on Property:

(The above info is from the Summary Sheet associated with this particular boarding file.)

Ms. Moermond: I'd like to know more about this boarding

Ms. Doty: why am I not getting any of this mail? I took the paperwork down to Ramsey County myself 2-3 months ago

Ms. Moermond: I don't know

Supervisor Lisa Martin: looked up ownership listed in Ramsey County: Denise Marie Doty, 6421 25th St N, Oakdale MN 55128-3708; the mail is also going to Brian L./Lisa M. Berthiaume, 15410 Silverod St NW, Andover, MN

Ms. Doty: I haven't lived there for 10 years; & I have gotten the forwarded mail from Oakdale & there was nothing about this house

*Ms. Moermond: Ramsey County still doesn't have your record straight
-pointed out that the city has been maintaining the property; you need to go & take care of business*

Ms. Seeley: this was an Emergency Boarding; it came from the Fire Dept; it happened Oct 13, 2018 at 2:45 for a cost of \$717 (This is another boarding, which took place on a different date; LH is forthcoming.)

*Ms. Moermond: Ms. Doty, your insurance should cover the boarding fee
-let's get a copy of the invoice from RESPRO; we'll send you a copy so you can give it to your insurance company
-I'll see you again on Jan 22 at LH to talk about the clean-up assessment*

Approve assessment.

Referred to the City Council; due back on 2/20/2019

- 8 [RLH TA 19-7](#) Ratifying the Appealed Special Tax Assessment for property at 949 PAYNE AVENUE. (File No. VB1904, Assessment No. 198803)

Sponsors: Bostrom

Approve the assessment. No one appeared.

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

- 9 [RLH TA 19-18](#) Ratifying the Appealed Special Tax Assessment for property at 399 THOMAS AVENUE. (File No. VB1905, Assessment No. 198804)

Sponsors: Thao

Approve the assessment. No one appeared.

Referred to the City Council; due back on 2/20/2019

- 10 **RLH TA 19-24** Ratifying the Appealed Special Tax Assessment for property at 1079 MARYLAND AVENUE EAST. (File No. VB1905, Assessment No. 198804)

George B. Stone, owner, appeared as did his realtor, Carol Crockett.

Supervisor Paula Seeley:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: George B. Stone

Type of Order/Fee: VB Fee

Nuisance: unpaid VB fee

Work Order #: 18-071546, Inv # 1375837

Returned Mail?: No

Comments: VB Category 2 on June 11, 2018 referral by Fire Inspection due to Revocation of C of O.

History of Orders on Property:

*-this VB fee is from 6-1-18 to 6-11-19; waive for 90 days as of 7-18-18 per LH Officer
-permits: I don't see any permits*

Supervisor Lisa Martin: I see a TISH completed 10-31-18; that's all I'm seeing

Mr. Stone: I inherited this home from my mother; I was living there with her before she passed to take care of her; she died in 1999; I stayed there until 2008 & found a house that I wanted in Oakdale; I made the mistake of leasing out this house; there weren't any violent/police calls but they just kept moving other people, dogs, cats, etc, in; by the time they left in 2016, the city had Revoked the Certificate of Occupancy; then, I just began to clean it up & bring it back to what it used to be; it didn't need any major work done; my parents loved that home but so much damage was done to the walls & floors; I had to take up carpets & hauled 11 loads of garbage out of that house; I put

in new fixtures, etc; I brought the house up to the point that it's presentable; I'm ready to sell it

Ms. Moermond: did you get a code compliance inspection report?

Mr. Stone: No

Ms. Moermond: you were supposed to & you didn't do it; a TISH is not the same thing & we talked about this; a code compliance inspection report is what's required for a Category 2 VB building; you don't have to bring the bldg up to 2018 codes, just to minimum standards

*-you aren't an owner occupier of the house & you didn't pull a permit to do that work; you can't do the electrical work; you need to hire a contractor under permit
-so, you can't sell this bldg until you get this code compliance issue addressed*

Mr. Stone: would that alleviate the Cat 2 because it's so detrimental if I can't sell the house for, at least, what I owe on it; I'm just coming out of radiation treatment for throat cancer & I'm just exhausted; I'm ready to sell the house because the market is good; I brought it up to a presentable level

Ms. Moermond: but you didn't do what you were legally obligated to do in getting the code compliance inspection report because with a Cat 2 VB, that can be used as your disclosure document

*-you can sell the property by going through a Sale Review process; all this would have been explained in the documents that you received about your VB status
-if you've cleaned it up & you've been doing work there.... I don't think it'll be a big deal to do the code compliance inspection; & addressing the items on that insp report will alleviate the Cat 2; you need to get your Certificate of Code Compliance*

Ms. Martin: according to the TISH Report, there are hazardous issues at the house, including mechanical & electrical; so, yes, it would need to be done

Mr. Stone: everything on the house is current; the mortgage is paid; the taxes are paid; the utilities are paid; it's being maintained; I'm there every day; the house has never been abandoned; I've got a letter of testimony from the neighbors that I'm there, I'm working, I'm taking care of the property; there are no complaints against the property; it's never been a problem property

Ms. Moermond: we talked about what would be required to get you out of the VB Program last summer so, I'm wondering why you didn't do those things

Mr. Stone: I didn't actually get a letter saying that

Ms. Moermond: every VB Registration Notice you get explains how to get out of the VB Program

Mr. Stone: I didn't get any; I didn't have anything in my hands

Ms. Crockett: I understand what you're saying; I visited with Mr. Stone & this house back in the 2017 right after the renters had gone; there was a lot of material in the house; I also met with Mr. Friel at that time; Mr. Friel had said at that time if he would just get it cleaned out & agree not to rent it again & get to this state & do a TISH, then sell it; it wasn't in the Vacant state or anything & I wasn't aware it was in the Vacant state until we went to do a TISH in Oct, when he called me & said that he was ready to

sell it; so, I don't know what transpired last summer

Ms. Moermond: so, you knew in Oct - you were clear that it was a Cat 2 Registered VB

Ms. Crockett: I asked him at that time if he was aware that it was a Cat 2 now?

Mr. Stone: I didn't know that

Ms. Moermond: when you have your Certificate Revoked, you're automatically a Cat 2 VB

Ms. Martin: the Fire inspector sent out a letter in Dec 2016 & it states clearly in #15: Permits are required for any work done on this property; it was Revoked & Vacated at that time; it became a Cat 2 VB on Jun 11, 2018

Ms. Moermond: it should have been put into a Cat 2 instantly; so, you did have a window

Ms. Crockett: at that point, I had asked Mr. Friel to see if there was any way to remove it as a Cat 2 VB; it affects the property in different ways; I'm just here to say that I saw the house when it was full to the top; Mr. Stone cleaned it all out, the yard & everything

-is there anything that he could do to get the Cat 2

Ms. Moermond: he can get his code compliance inspection report; it will probably be a very light weight one but I'm not inclined to change that; he's been informed on a number of occasions; & he didn't pull permits

Approve assessment.

Referred to the City Council; due back on 2/20/2019

11 RLH TA 19-21

Ratifying the Appealed Special Tax Assessment for property at 719 PREBLE STREET. (File No. VB1905, Assessment No. 198804)

Xeng Xiong (wife is Mai Yia Vang, owner), appeared.

Supervisor Paula Seeley:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Mai Yia Vang

Type of Order/Fee: Vacant Building Fee

Nuisance: unpaid VB fee

Work Order #: 11-290825, Inv # 1397513

Returned Mail?: No

Comments: VB Category 2 opened on 10-20-11/condemned by Paula Seeley of Code Enforcement; VB Folder closed 12-12-18

History of Orders on Property:

Ms. Seeley: this is not a VB; it got off the VB list

Mr. Xiong: we bought this house; it had been vacant for many years; we have paid a

lot of VB fees in the past; we fixed the house up

Ms. Moermond: when did this go in to the VB Program?

Supervisor Lisa Martin: Oct 20, 2011

Mr. Xiong: I got your letter from 12-11-18

-I got my Certificate of Occupancy 12-12-18; all inspections have been cleared out

Ms. Moermond: you were in the VB Program for less than 3 months for the 2018-2019 bill; I will recommend this assessment be deleted

Delete assessment.

Referred to the City Council; due back on 2/20/2019

12 [RLH TA 19-23](#)

Ratifying the Appealed Special Tax Assessment for property at 631 WESTERN AVENUE NORTH. (File No. VB1905, Assessment No. 198804)

Sponsors: Thao

Christian T. Krein, owner, appeared; also David Pinks, a neighbor.

Supervisor Paula Seeley:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Christian Krein

Type of Order/Fee: VB Fee

Nuisance: unpaid VB fee from 10-13-18 - 10-13-19

Work Order #: 17-204688, Inv # 1395970

Returned Mail?: No

Comments: VB Category 2, opened on 10-13-17 due to condemnation referral by Code Enforcement staff

History of Orders on Property:

Ms. Moermond: was there a code compliance on this?

Mr. Krein: yes

Supervisor Lisa Martin: don't see any permits

Mr. Krein: I don't think that I should have to pay the VB fee because first off, it was a rental property & I was an owner-occupant; they said that I had to have a licensed contractor do the work but there's no way that I can afford that anymore; I'm on disability retirement; I couldn't afford to have anybody come & do that work & it didn't need doing anyway; everything in the house works fine; I lived here but I don't own the house any more

Ms. Moermond: who owns the house now?

Mr. Krein: the bank

Ms. Moermond: have they started foreclosure proceedings?

Mr. Krein: the foreclosure's done

Ms. Moermond: so, the bank owns the fee now, not you

Ms. Martin: Ramsey County shows him still as the owner located at 1081 Thomas Ave, St. Paul

Mr. Krein: we had the sheriff's sale Nov 17, 2018

Ms. Moermond: OK; so, it will be about 6 months between that sheriff's sale & when this whole foreclosure process is done with; right now, you're in the middle; they give you that 6 months so that you might be able to redeem that mortgage

Mr. Krein: I'm not going to redeem the mortgage on a place I can't live in

Ms. Moermond: the assessments & the things that are happening right now will become the responsibility of the bank, if you're letting it go back to them

Mr. Pinks: the bank bought the house back from the sheriff's sale

Ms. Moermond: after that, a lot of paperwork gets put on the door; it takes 6 months before they, officially, have got the property

Mr. Pinks: can he be there from 8 am to 8 pm?

Ms. Moermond: yes; no problem; I don't know what the conversation is with the bank right now

-sometimes, you can talk to the bank & make an agreement to do a short sale, which might get some money out of it; asked if they've talked to a mortgage foreclosure counselor; provided the name of Michelle Vojacek, PED, 651/266-6599

Mr. Pinks: there are squatters living there now; SPPD let them go; they're littering the property

Ms. Moermond: that's not OK; I'll let the Vacant Building people know; I really want you to talk with Ms. Vojacek; she may be able to get you something to help you start fresh; she can tell you what resources are available

Mr. Pinks: that house is in a terrible neighborhood; his garage has been busted in every night; every time he leaves after 8 pm, he comes there the next day & the garage door has been kicked in; house door's lock has been changed by the vagrants; the windows have been busted by people trying to get in the house; so, he's had a lot of stuff stolen from him, as well; he was told that the police would be keeping an eye on that home; numerous reports have been called in & filed & nothing's been done yet people are still allowed to stay in this house when he can't; I don't understand that

Ms. Moermond: I will talk to who I can talk to & see what I can get done about that -have you been in the house in a while?

Mr. Pinks: at this point, that house is probably just trashed & urined out & defecated in -he hasn't been in the house since Nov, after it was sold back to the bank

Mr. Krein: I haven't been in there since I got jumped going in there

Ms. Martin: I contacted Matt Dornfeld, the VB Program Supervisor for the western half of the city

Ms. Moermond: I can't give you legal counsel but you can contact Southern Minnesota Regional Legal Services (SMRLS) 651/222-5863

Approve assessment.

Referred to the City Council; due back on 2/20/2019

10:00 a.m. Hearings

- 13** [RLH TA 18-623](#) Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J1901G, Assessment No. 198700; amend to File No. J1901G2, Assessment No. 198707) (Legislative Hearing on January 8, 2019; Public hearing to be continued to February 20, 2019)

Sponsors: Brendmoen

Rolando Aguilar Estrada, North Real Estate LLC, owner; and Simona Najera, Tenant, appeared.

Supervisor Paula Seeley:

Cost: \$200

Service Charge: \$162

Total Assessment: \$362

Gold Card Returned by: Simona Najera

Type of Order/Fee: Garbage Hauler

Nuisance: no garbage hauler

Date of Orders: City started service on June 7, 2018

Date Work Done: 6/7/18, 6/19/18, 6/13/18, 6/26/18

Work Order #: 18-070434, 18-072695, 18-070891, 18-074722

Returned Mail?: No

Comments: also has pending assessments J1902G, J1903G, J1904G

History of Orders on Property:

-I was the inspector; file has been open for about 6 months, 4 time periods

-Trash Hauler Summary Abatement Orders went to owner & occupant

-no one ever contacted me; I never saw any city containers; every time I looked over the gate, there was a city container with a bunch of garbage

Ms. Moermond: we combined these assessments so we could have a conversation about everything that was going on; there was a question about what was in your lease & what you were responsible for

Ms. Najera: it was explained to me that it was in my lease but at the time, I didn't understand that; I got it cleared up; we had service up until May 2018; I'm on a fixed income; my dad lives there with me & my 5 kids; I talked to city inspector yesterday; he told me that it's a city Ordinance that you have to have trash service; I figured that if

we hauled the trash ourselves, it would save us some money & that's what we were doing; I've lived here since Dec 2016

Ms. Moermond: asked them if there were any problems right now outside of this garbage situation that would make either one of them end their relationship as landlord & tenant?

Mr. Aguilar Estrada: the tenant is behind on the rent (this month, water bill, late fees); at the inspection in summer, there were a lot of items in the basement that were not organized; I asked the tenant to organize everything & throw some things away; I ordered a big trailer to her the tenant to get things cleared out on a weekend but it took close to a month for the tenant to finish putting all of their trash in the trailer; agreement was that I'd provide trailer; tenant would pay to get rid of the trash but tenant didn't have the money

-I'm constantly telling tenant to get things organized; I'm trying my best & the tenant is struggling financially

-I can't afford her to be in the house anymore

-the water bill hasn't been paid

-as much as I'd like to keep helping, I need to end the relationship

Ms. Moermond: it sounds like you'll be terminating the lease at some point

Mr. Aguilar Estrada: I had an inspection & need to comply by Jan 24 so, I need to go put up again the smoke detectors/CO & fix a lot of things that were OK; sounds like a lot of maintenance being required for me to keep up with the property with the current tenant

Ms. Moermond: I'm asking this because it makes a difference for what I can do right now

-you did put in the lease that the tenant is responsible for garbage hauling but the city holds the owner of the property accountable for making sure that happens; and the city is not responsible for enforcing your lease; if you have a private contract with somebody else, it's up to you to enforce that private contract, in this case, the lease

Supervisor Lisa Martin: there's a renewal Fire C of O inspection on Jan 24, 2019 at 1 pm

Mr. Aguilar Estrada: I need to have the cooperation from the tenant to again, organize all the basement; there is too much stuff

Ms. Moermond: asked Ms. Najera if she had garbage service any point during this time period

Ms. Najera: No; they picked up only once, I think, because I was still taking the trash away myself

Ms. Moermond: you're paying for city weekly service whether or not there's trash in the container

Amend to reduce from \$362 to \$200 and divide over two years; Public hearing continued to 2/20/2019.

Referred to the City Council due back on 2/20/2019

- 14 RLH TA 18-624 Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J1902G, Assessment No. 198701) (To be referred to Legislative Hearing on January 8, 2019; Council public hearing to be continued to February 20, 2019)

Sponsors: Brendmoen

Rolando Aguilar Estrada, North Real Estate LLC, owner; and Simona Najera, Tenant, appeared.

Supervisor Paula Seeley:

Cost: \$250

Service Charge: \$40

Total Assessment: \$290

Gold Card Returned by: Simona Najera

Type of Order/Fee: Garbage Hauler

Nuisance: no garbage hauler

Date of Orders: City started service on July 3, 2018

Date Work Done: 7/3/18, 7/10/18, 7/18/18, 7/24/18, 7/31/18

Work Order #: 18-077518, 18-080128, 18-082694, 18-085060, 18-087254

Returned Mail?: No

Comments: also has pending assessments J1903G, J1904G

History of Orders on Property

-I was the inspector; file has been open for about 6 months, 4 time periods

-Trash Hauler Summary Abatement Orders went to owner & occupant

-no one ever contacted me; I never saw any city containers; every time I looked over the gate, there was a city container with a bunch of garbage

Ms. Moermond: we combined these assessments so we could have a conversation about everything that was going on; there was a question about what was in your lease & what you were responsible for

Ms. Najera: it was explained to me that it was in my lease but at the time, I didn't understand that; I got it cleared up; we had service up until May 2018; I'm on a fixed income; my dad lives there with me & my 5 kids; I talked to city inspector yesterday; he told me that it's a city Ordinance that you have to have trash service; I figured that if we hauled the trash ourselves, it would save us some money & that's what we were doing; I've lived here since Dec 2016

Ms. Moermond: asked them if there were any problems right now outside of this garbage situation that would make either one of them end their relationship as landlord & tenant?

Mr. Aguilar Estrada: the tenant is behind on the rent (this month, water bill, late fees); at the inspection in summer, there were a lot of items in the basement that were not organized; I asked the tenant to organize everything & throw some things away; I ordered a big trailer to her the tenant to get things cleared out on a weekend but it took close to a month for the tenant to finish putting all of their trash in the trailer; agreement was that I'd provide trailer; tenant would pay to get rid of the trash but tenant didn't have the money

-I'm constantly telling tenant to get things organized; I'm trying my best & the tenant is struggling financially

-I can't afford her to be in the house anymore

-the water bill hasn't been paid
 -as much as I'd like to keep helping, I need to end the relationship

Ms. Moermond: it sounds like you'll be terminating the lease at some point

Mr. Aguilar Estrada: I had an inspection & need to comply by Jan 24 so, I need to go put up again the smoke detectors/CO & fix a lot of things that were OK; sounds like a lot of maintenance being required for me to keep up with the property with the current tenant

Ms. Moermond: I'm asking this because it makes a difference for what I can do right now

-you did put in the lease that the tenant is responsible for garbage hauling but the city holds the owner of the property accountable for making sure that happens; and the city is not responsible for enforcing your lease; if you have a private contract with somebody else, it's up to you to enforce that private contract, in this case, the lease

Supervisor Lisa Martin: there's a renewal Fire C of O inspection on Jan 24, 2019 at 1 pm

Mr. Aguilar Estrada: I need to have the cooperation from the tenant to again, organize all the basement; there is too much stuff

Ms. Moermond: asked Ms. Najera if she had garbage service any point during this time period

Ms. Najera: No; they picked up only once, I think, because I was still taking the trash away myself

Ms. Moermond: you're paying for city weekly service whether or not there's trash in the container

Reduce assessment to a total of \$128.

Referred to the City Council; due back on 2/20/2019

- 15 RLH TA 18-665** Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J1903G, Assessment No. 198702; amend to File No. J1903G1, Assessment No. 198708)

Sponsors: Brendmoen

Rolando Aguilar Estrada, North Real Estate LLC, owner; and Simona Najera, Tenant, appeared.

Supervisor Paula Seeley:

Cost: \$200

Service Charge: \$40

Total Assessment: \$240

Gold Card Returned by: Simona Najera

Type of Order/Fee: Garbage Hauler during August 2 to 31, 2018

Nuisance: no garbage hauler

Date of Orders: City started service on 8/7/18

Date Work Done: 8/7/18, 8/15/18, 8/22/18, 8/28/18

Work Order #: 18-089677, 18-092215, 18-094792, 18-097309

Returned Mail?: No

Comments: related assessments, J1901G, J1902G, J1904G

History of Orders on Property:

-I was the inspector; file has been open for about 6 months, 4 time periods
-Trash Hauler Summary Abatement Orders went to owner & occupant
-no one ever contacted me; I never saw any city containers; every time I looked over the gate, there was a city container with a bunch of garbage

Ms. Moermond: we combined these assessments so we could have a conversation about everything that was going on; there was a question about what was in your lease & what you were responsible for

Ms. Najera: it was explained to me that it was in my lease but at the time, I didn't understand that; I got it cleared up; we had service up until May 2018; I'm on a fixed income; my dad lives there with me & my 5 kids; I talked to city inspector yesterday; he told me that it's a city Ordinance that you have to have trash service; I figured that if we hauled the trash ourselves, it would save us some money & that's what we were doing; I've lived here since Dec 2016

Ms. Moermond: asked them if there were any problems right now outside of this garbage situation that would make either one of them end their relationship as landlord & tenant?

Mr. Aguilar Estrada: the tenant is behind on the rent (this month, water bill, late fees); at the inspection in summer, there were a lot of items in the basement that were not organized; I asked the tenant to organize everything & throw some things away; I ordered a big trailer to her the tenant to get things cleared out on a weekend but it took close to a month for the tenant to finish putting all of their trash in the trailer; agreement was that I'd provide trailer; tenant would pay to get rid of the trash but tenant didn't have the money
-I'm constantly telling tenant to get things organized; I'm trying my best & the tenant is struggling financially
-I can't afford her to be in the house anymore
-the water bill hasn't been paid
-as much as I'd like to keep helping, I need to end the relationship

Ms. Moermond: it sounds like you'll be terminating the lease at some point

Mr. Aguilar Estrada: I had an inspection & need to comply by Jan 24 so, I need to go put up again the smoke detectors/CO & fix a lot of things that were OK; sounds like a lot of maintenance being required for me to keep up with the property with the current tenant

Ms. Moermond: I'm asking this because it makes a difference for what I can do right now
-you did put in the lease that the tenant is responsible for garbage hauling but the city holds the owner of the property accountable for making sure that happens; and the city is not responsible for enforcing your lease; if you have a private contract with somebody else, it's up to you to enforce that private contract, in this case, the lease

Supervisor Lisa Martin: there's a renewal Fire C of O inspection on Jan 24, 2019 at 1 pm

Mr. Aguilar Estrada: I need to have the cooperation from the tenant to again, organize all the basement; there is too much stuff

Ms. Moermond: asked Ms. Najera if she had garbage service any point during this time period

Ms. Najera: No; they picked up only once, I think, because I was still taking the trash away myself

Ms. Moermond: you're paying for city weekly service whether or not there's trash in the container

Approve assessment and spread over two years.

Referred to the City Council due back on 2/20/2019

16 RLH TA 19-5

Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J1904G, Assessment No. 198703)

Sponsors: Brendmoen

Rolando Aguilar Estrada, North Real Estate LLC, owner; and Simona Najera, Tenant, appeared.

Supervisor Paula Seeley:

Cost: \$100

Service Charge: \$40

Total Assessment: \$140

Gold Card Returned by: Simona Najera

Type of Order/Fee: Garbage hauling

Nuisance: no garbage service from 9/5 to 9/28/18

Date of Orders: service done on 9/4/18; service end 9/6/18

Compliance Date: na

Re-Check Date: na

Date Work Done: 9/5/18 & 9/6/18

Work Order #: 18-099083; 18-101044

Returned Mail?: No

Comments:

History of Orders on Property:

-I was the inspector; file has been open for about 6 months, 4 time periods

-Trash Hauler Summary Abatement Orders went to owner & occupant

-no one ever contacted me; I never saw any city containers; every time I looked over the gate, there was a city container with a bunch of garbage

Ms. Moermond: we combined these assessments so we could have a conversation about everything that was going on; there was a question about what was in your lease & what you were responsible for

Ms. Najera: it was explained to me that it was in my lease but at the time, I didn't understand that; I got it cleared up; we had service up until May 2018; I'm on a fixed income; my dad lives there with me & my 5 kids; I talked to city inspector yesterday; he told me that it's a city Ordinance that you have to have trash service; I figured that if

we hauled the trash ourselves, it would save us some money & that's what we were doing; I've lived here since Dec 2016

Ms. Moermond: asked them if there were any problems right now outside of this garbage situation that would make either one of them end their relationship as landlord & tenant?

Mr. Aguilar Estrada: the tenant is behind on the rent (this month, water bill, late fees); at the inspection in summer, there were a lot of items in the basement that were not organized; I asked the tenant to organize everything & throw some things away; I ordered a big trailer to her the tenant to get things cleared out on a weekend but it took close to a month for the tenant to finish putting all of their trash in the trailer; agreement was that I'd provide trailer; tenant would pay to get rid of the trash but tenant didn't have the money

-I'm constantly telling tenant to get things organized; I'm trying my best & the tenant is struggling financially

-I can't afford her to be in the house anymore

-the water bill hasn't been paid

-as much as I'd like to keep helping, I need to end the relationship

Ms. Moermond: it sounds like you'll be terminating the lease at some point

Mr. Aguilar Estrada: I had an inspection & need to comply by Jan 24 so, I need to go put up again the smoke detectors/CO & fix a lot of things that were OK; sounds like a lot of maintenance being required for me to keep up with the property with the current tenant

Ms. Moermond: I'm asking this because it makes a difference for what I can do right now

-you did put in the lease that the tenant is responsible for garbage hauling but the city holds the owner of the property accountable for making sure that happens; and the city is not responsible for enforcing your lease; if you have a private contract with somebody else, it's up to you to enforce that private contract, in this case, the lease

Supervisor Lisa Martin: there's a renewal Fire C of O inspection on Jan 24, 2019 at 1 pm

Mr. Aguilar Estrada: I need to have the cooperation from the tenant to again, organize all the basement; there is too much stuff

Ms. Moermond: asked Ms. Najera if she had garbage service any point during this time period

Ms. Najera: No; they picked up only once, I think, because I was still taking the trash away myself

Ms. Moermond: you're paying for city weekly service whether or not there's trash in the container

Approve assessment and spread over two years.

Referred to the City Council; due back on 2/20/2019

DALE STREET NORTH. (File No. J1904E, Assessment No. 198303)
(Continue Legislative Hearing to February 5)

Sponsors: Brendmoen

Rescheduled to February 5

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: Shan Leroy John Fritz

Type of Order/Fee: Excessive Inspection during July 23 to August 21, 2018

Nuisance: Abandoned Vehicle and/or parked unapproved surface

Date of Orders: Correction Notice 5/24/18

Compliance Date: May 31, 2018

Re-Check Date: 8/1/18 - found one vehicle illegally parked in the alley row

Date Work Done: ongoing off and on

Work Order #: 16-090407, Inv # 1386798

Returned Mail?: No

Comments: Related assessments: J1903E and J1905E

History of Orders on Property: ongoing

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

- 18 [RLH TA 19-3](#) Ratifying the Appealed Special Tax Assessment for property at 158 FAIRVIEW AVENUE SOUTH. (File No. J1904E, Assessment No. 198303)

Sponsors: Tolbert

Approve the assessment. No one appeared.

Referred to the City Council; due back on 2/20/2019

- 19 [RLH TA 18-636](#) Ratifying the Appealed Special Tax Assessment for property at 1288 JESSIE STREET. (File No. CRT1902, Assessment No. 198201) (Public hearing continued from January 8, 2019)

Sponsors: Brendmoen

Approve the assessment. No one appeared.

Referred to the City Council; due back on 1/23/2019

- 20 **RLH TA 19-11** Ratifying the Appealed Special Tax Assessment for property at 865 LAWSON AVENUE EAST. (File No. J1904E, Assessment No. 198303)

Sponsors: Bostrom

Theresa Meissner, owner, & Tom Meissner, her son appeared along with Dave Seigler, a neighbor.

Supervisor Paula Seeley:

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: THERESA MEISSNER

Type of Order/Fee: EXCESSIVE CONSUMPTION

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY (tires in driveway)

Date of Orders: 7-11-18

Compliance Date: 7-23-18

Re-Check Date: 7-23-18

Date Work Done: NA

Work Order #: 18-079399

Returned Mail?: NO

Comments:

History of Orders on Property: OPEN FILE ORDERS SENT 11-30-18 ON IMPROPER STORAGE. STILL OPEN FILE AND FORTHCOMING PAEC FINE (excessive amount of exterior storage under tarps in the backyard)

Ms. Meissner: I became the sole owner of the property at 865 Lawson Ave E when my beloved husband, Scott, died Jan 16, 2016; we purchased the property from friends about 30 years ago & the house had extensive damage to it; we immediately began restoration of the property inside & out; (photos); due to my age & health issues, I'm no longer able to maintain my yard & garden as I used to; I have survived uterine cancer, breast cancer & thyroid cancer but I don't know if I can survive this active campaign that is being raged against me right now; I know I will not live for many more years; what I hope for now is to be left in peace with a little self- respect & dignity; starting the week after Scott died, the city sent me a Notice harassing me about my front steps; the police started showing up over & over again, stating that they were called about doing wellness checks; they wouldn't tell me who made those calls; now, the latest is complaints about my yard & we've even caught other people putting things into the yard; so, I have people around me who are deliberately ___ about this; find the people who are calling all the time & who are harassing me; I've never asked for anything; I've taken care of myself & others my entire adult life; I've continued the tradition of kindness that Scott & I established over 30 years ago; we worked hard at being the best possible neighbors to everyone, especially, the elderly; we were the ones everyone came to for help; now, I'm afraid of my neighbors; I don't trust anyone any more

-a city employee told me & a friend, who's here today & is helping me, that my house was no different than any of the others around me; he also has pictures to show; I was being harassed solely because someone had complained again; don't know who; how many times can you legitimately fine me for the exact same thing

-Minnesota, especially, St. Paul, has become known as the land of "You can't do that here"

Ms. Moermond: I trust that you have a lovely garden & that you have been taking care of your house

-today, I'm looking at the photo of a pile of tires; I don't know if they were your tires or somebody....

Mr. Meissner: that was my fault; I'm her son; those tires were dumped on the property

Ms. Moermond: the tires were still there on Jul 23 (compliance date) & because of that they sent a Parks crew to go pick up the tires

Ms. Meissner: I've had trouble with people throwing garbage into my yard for 30 years

Mr. Meissner: rather than just roll them down the alley like everybody else does, I've kept them in the yard & I take care of them; I just left the property just now & there's another tire there now

Ms. Moermond: so the tires were dumped on your property; they weren't your tires

Ms. Seeley: we sent the Orders Jul 11; then we go another complaint in Nov; so, I went out there & there were several areas in the backyard that were under tarps; I do not pull the tarps up but it's improper storage; it's got to be in sheds; I sent a Work Order & the crew went out there & said that it was tools; they went out there 3 times; the 3rd time, I went out there with them & I spoke with these 2 gentlemen & explained exactly what has to be removed; it is better but a 2nd PAEC went out due to the fact that Parks had to go out 3 times

Ms. Meissner: I received this Notice in Nov & I was given 4 days; my son was working in S.D.; I'm not physically able to do that

Mr. Meissner: all the stuff in the yard was kept behind the shed, neat & orderly; the problem was that there was this huge tree in the backyard that needed to come down; a third of the tree fell between the 2 houses & just missed the neighbor's house; since then, I've been trying to take the tree down; I couldn't leave the stuff underneath the tree; the tree's got to be dropped piece by piece; I moved the pile in between the 2 houses & covered it up; unfortunately, I had to go to work out of town for a month; by the time, I came back, all this arose; I got back as soon as I could

*Ms. Meissner: we have no garage; I don't have a place to store things; so, we've done the best we could to keep things put away
-we had a motion detector light but the nbrs complained about it so we turned it off*

Ms. Moermond:

Continue City Council Public Hearing to August 7 to see if the assessment can be deleted (no same or similar by that date).

Referred to the City Council; due back on 2/20/2019

21 [RLH TA 19-2](#)

Ratifying the Appealed Special Tax Assessment for property at 1152 MARION STREET. (File No. J1904E, Assessment No. 198303)

Sponsors: Brendmoen

Approve the assessment. No one appeared.

Referred to the City Council; due back on 2/20/2019

22 **RLH TA 19-1**

Ratifying the Appealed Special Tax Assessment for property at 1271 SEMINARY AVENUE. (File No. J1904E, Assessment No. 198303)

Sponsors: Noecker

Approve the assessment. No one appeared.

Referred to the City Council; due back on 2/20/2019

- 23 [RLH TA 19-4](#) Ratifying the Appealed Special Tax Assessment for property at 1049 THIRD STREET EAST. (File No. J1907A, Assessment No. 198506)

Sponsors: Prince

Approve the assessment. No one appeared.

Referred to the City Council; due back on 2/13/2019

- 24 **RLH TA 19-6** Deleting the Appealed Special Tax Assessment for property at 2121 UNIVERSITY AVENUE WEST. (File No. J1904P, Assessment No. 198403)

Sponsors: Jalali Nelson

Delete the assessment; waiver on file.

Referred to the City Council; due back on 2/20/2019

Special Tax Assessments - ROLLS

- 25 **RLH AR 19-1** Ratifying the assessments for Graffiti Removal services during September 24 to October 16, 2018. (File No. J1904P, Assessment No. 198403)

Sponsors: Brendmoen

Referred to the City Council; due back on 2/20/2019

- 26 **RLH AR 19-2** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during July 23 to August 21, 2018. (File No. J1904E, Assessment No. 198303)

Sponsors: Brendmoen

Referred to the City Council; due back on 2/20/2019

- 27 **RLH AR 19-3** Ratifying the assessments for Trash Hauling services during September 5 to 28, 2018. (File No. J1904G, Assessment No. 198703)

Sponsors: Brendmoen

Referred to the City Council; due back on 2/20/2019

- 28 **RLH AR 19-4** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during June 26 to August 6, 2018. (File No. CRT1904, Assessment No. 198203)

Sponsors: Brendmoen

Referred to the City Council; due back on 2/20/2019

- 29 **RLH AR 19-5** Ratifying the assessments for Collection of Vacant Building Registration fees billed during March 12 to September 21, 2018. (File No. VB1905, Assessment No. 198804)

Sponsors: Brendmoen

Referred to the City Council; due back on 2/20/2019

- 30 **RLH AR 19-6** Ratifying the assessments for Boarding and/or Securing services during September 2018. (File No. J1904B, Assessment No. 198103)

Sponsors: Brendmoen

Referred to the City Council; due back on 2/20/2019

11:00 a.m. Hearings

Summary Abatement Orders

- 31 [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: in our last conversation, we discussed that the original fabric has never been changed out

Mr. Kelly: we had Mr. Dobie look at it because one of the concerns was the safety of the structure; photos show a concrete based floor; structural reinforcement within; also, a boiler within

-Mr. Stadler uses it for a greenhouse & storage for garden equipment; you can see the foundation & footings used; Inspector Cassidy inspected this; we tried to contact him but he's retired; Mr. Cassidy was very aware of what was going on here;

-Mr. Stadler has had some health issues

-Mr. Dobie has told us that this is a well founded structure; it will hold the snow load

-we're at the mercy of the hearing officer & the inspector

-we understand that this is rather unique & Mr. Stadler has continually restored/rehabbed his property; he intends to try to adjust to the situation & move forward

Ms. Moermond: I laid this over so that the Dept of Administration decision on tent structures could be taken into account; that was a very small tent structure (10 x 20); their determination was that it didn't fall under the building code because it was under 900 sq.ft; so, they'd refer to the fire code; the problem with this building is that it's larger than that so, it would fall under the building code; currently being revised are city policies for handling permitting of this kind of structure so that we can be clear with people about what the expectations are; permitting would be necessary & perhaps, you might lose your boiler in this bldg because right now they're talking about not allowing

smoking inside of temporary structures

-I'd like to say that you must get this permitted under the new policy or it would need to come down; DSI should have something in writing in 4 months; so, I'll give you until Jun 1, 2019 to get it permitted

-attach the structural analysis, etc. to your permit application so that the person reviewing that application would know about it

Mr. Kelly: I think that's a good path; we will work with permitting on this (DSI); we have a Jun 1 deadline & hopefully, we won't have to come back here

Ms. Moermond: on the city's website, you can search for tent permit & find the right application for it

-the person who's in charge of fire inspections is working with the building official on this

-I'll give them a call

-Deadline: Jun 1 to get permitted or it must be down by Jul 1, 2019

-Lay Over to Jun 4, 2019 LH

Laid Over to the Legislative Hearings; due back on 6/4/2019

- 32** [RLH SAO 19-2](#) Appeal of John Lesch to a Vehicle Abatement Order at 1211 COMO BOULEVARD WEST.

Sponsors: Brendmoen

Laid over to Legislative Hearing of January 15

Laid Over to the Legislative Hearings; due back on 1/15/2019

Correction Orders

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 33** [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 and Carolyn Brown, Community Stabilization Project, appeared.

Ms. Moermond: what's your plan?

Ms. Brown: Ms. Ellis got an estimate from C & D Construction LLC & we do have an affidavit

Ms. Ellis: I have a letter from the Rental Rehab Program

Ms. Moermond: so you have a completed application in with the Rental Rehab Program to do some of this work, which is great; this estimate looks like it covers all of the outstanding work for \$11,000

Ms. Ellis: and some extra

Ms. Moermond: when will they be ready to do that work?

Ms. Ellis: he said, to be realistic, he would probably say Jun or Jul; could be earlier, if some other jobs back out

Ms. Moermond: the city will look for a 2nd estimate
-if that source of funding doesn't work out, you'll need to find another source
-OK; the work needs to be done by Jul 15 or the Certificate is Revoked & you'll need to have the place vacated; & this is the last extension

Property will be brought into compliance by July 15, 2019, or the property will be vacated.

Referred to the City Council; due back on 2/13/2019

34 [RLH VO 18-61](#)

Appeal of Roberto Rodriguez to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 602 BUSH AVENUE.

Sponsors: Bostrom

Roberto Rodriguez, owner, appeared.

Fire Supervisor Leanna Shaff: Inspector Niemeyer sent you photos; he abated some things on it but there are still 4 items; he added one due to the presence of rodents; there's the cracking stucco under the window frame (pictures); window screens; holes in the walls in north & south bedrooms; these were not repaired in a professional state of repair - the patching was still wet; doesn't look good; unfortunately, we were told that these things were done in the last hearing

Ms. Moermond: I have photos dated Jan 4, 2019 & an inspection report from that date -in reviewing the letter, I found that the property had deteriorated & not been consistently maintained or repaired adequately but I wasn't seeing something that rose to the level of Condemnation

Ms. Shaff: we're not seeing that either; deferred maintenance; we expect compliance much quicker; first inspection took place Sep 28, 2018

Ms. Moermond: you, Mr. Rodriguez received an updated letter?

Mr. Rodriguez: No; I did not receive an updated letter; I have the Dec 21 letter

Ms. Shaff: we did not send out an updated letter; there is a draft of a letter, left open for your determination here

Ms. Moermond: were you present when the inspector went thru?

Mr. Rodriguez: Yes, I was

Ms. Moermond: so you saw what he was observing & he talked to you about why these things were violations?

Mr. Rodriguez: the only thing he talked to me about was the holes in the walls, so, the

day before the inspection, I sent the handyman to make sure that everything had been done & he discovered 2 new holes in the wall, so he did it that day & the following day those holes were still wet

Ms. Shaff: Insp Niemeyer said he talked to you about the rodent issue

Mr. Rodriguez: he did; he told me that he saw a mouse; and I told him that even the ____ could come in the way that property was kept; the payment has been ____ so there is no one living in that property

Ms. Moermond: I see openings where mice can get in around the door, at the very least (photos); I see 7 holes in the interior bedrooms patched but sanded & not painted

Mr. Rodriguez: yes; there are 2 bedrooms that are full of holes

Ms. Moermond: I see the stucco crumbling; there's been some attempt to stabilized with cement (under a window); the holes aren't properly repaired

Mr. Rodriguez: I'm going to sell the property but I don't want the license to be Revoked, either; I want to comply with these 5 items; I will not rent it again; it was completely destroyed; the garbage in the house was 2 feet high - disgusting

Ms. Moermond: the house is a mess but there's also a lot of deferred maintenance

Ms. Shaff: looks like it was repaired improperly; patched over & over again

Ms. Moermond: this goes to City Council on Jan 23, 2019; if you can get your Fire C of O re-instated by Feb 8, 2019, you have a Fire C of O; if you can't, you're headed into the Vacant Building Program

-the exterior walls are giving me a bit of pause; I would expect a temporary fix could be in place by Feb 8 but I would be willing to grant an extension to Jun 30, 2019 to do a permanent repair if it doesn't go in the VB Program

Extension to February 8 for compliance with all orders with the exception of exterior walls, which should have a temporary fix by February 8 with a permanent repair by June 30.

Referred to the City Council; due back on 1/23/2019

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 35 [RLH FCO 19-2](#) Appeal of Sharon Bruestle, Total Freedom Realty, on behalf of Behram Enterprises LLC, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 758 JENKS AVENUE.

Sponsors: Bostrom

Sharon Bruestle, Total Freedom Realty, appeared o/b/o Behram Enterprises LLC.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Notice - 1 item - the

foundation (photos)
-Appellant is looking for more time
-the Inspector asked that an assessment be done immediately on the foundation

Ms. Moermond: I don't read that in the Orders here

Ms. Bruestle: it's done, actually; it took so long because it was a major thing; the owner applied for a low interest loan; contractors didn't want to come but....

Ms. Moermond: I see a finalized permit

Ms. Bruestle: I don't need any more time; there was another deadline - Jun 3 but all of that work is done, too; the rail work; it's been taken care of already

Ms. Moermond: OK; the work is done; permit is finalized for the foundation wall; the rail is taken care of; the inspector needs to take a look at the the ramp rail; when the inspector is done, let me know & we can consider the appeal Withdrawn

—
This matter is withdrawn; the orders are in compliance.

Withdrawn

36 [RLH FCO 19-3](#)

Appeal of Terry McDonough to a Fire Inspection Correction Notice at 1211 REANEY AVENUE.

Sponsors: Prince

Terry McDonough, SLAR LLC, owner, appeared.

Ms. Moermond: looks like we're talking about item #6 in the Orders

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Order issued by fire inspector James Thomas for 1211 Reaney Avenue; photos in file
-appealed is the 2nd floor bedrooms: it appears that the bedrooms pass thru other bedrooms; according to the Fire Code, "a bedroom cannot pass thru another sleep area or toilet room or area of higher hazard"
-in this case, it looks like a bedroom passes thru a bedroom, then passes thru another bedroom

Mr. McDonough: I've owned this bldg since 1985; it's been inspected numerous times by the city, including Insp Thomas but it hasn't been a problem until this year
-I understand that my chances of prevailing here are none; so, I'm wondering if we could talk about a compromise that I think may alleviate the fire safety issue

Ms. Moermond: it would help me if you'd sketch out a layout of the 2nd floor because it's hard to tell from the photos (Mr. McDonough came up to the front & sketched out the layout of the 2nd floor)

Mr. McDonough: I want to co-operate; I'm very concerned about fire issues; he explained the layout & answered Ms. Moermond's questions: "I think I can remove the door to this room, here & there's a partial wall - I could take it out completely so that this room could never be used as a bedroom; it would make a dandy walk-in closet; at the top of the steps, I think I could build a wall & install a door here that would make this bedroom private & separate; however, from this bedroom, you would then have to

go thru this bedroom to get to the bathroom;"

Ms. Moermond: is there a bathroom downstairs?

Mr. McDonough: no; there's a 3/4 in the basement but not on the main level

Mr. Neis: there's no code in fire safety that says you can't go from a bedroom thru another bedroom to access a bathroom

Ms. Moermond: perfect; you came in with a good plan

Mr. McDonough: can you give me 30 days to complete this? my contractor is involved with other projects

Ms. Moermond: I'd like to give you 60 days to make sure you have time if there is a snag with the contractor; I will grant 60 days from today; you'll get a new letter for an inspection after Mar 8, 2019

-this goes to Council Feb 6, 2019

—
Extension granted to March 31, 2019, to bring the property into compliance.

Referred to the City Council; due back on 2/6/2019

37 [RLH FCO 19-1](#)

Appeal of Juan & Prescila Moreno to a Correction Notice - Re-Inspection Complaint at 820 WESTERN AVENUE NORTH.

Sponsors: Thao

Juan D. and Prescila Moreno, owners, appeared.

Retaining wall issue.

Fire Supervisor A.J. Neis: the Order re: retaining wall was issued by fire inspector Brian Schmidt; what is in dispute is the ownership of the wall; photos in file; in addition, there's a site map of the properties involved but it's really hard to determine whose wall it is

-is that a logging operation or?

Mr. Moreno: a tree operation

Ms. Moermond: asked Ms. Racquel Naylor to pick up the aerial maps from the color copier

Mr. Moreno: brought up his photos to help explain; marked where the stakes are -all along, the neighbor's been saying that it's his wall -he has not hired a surveyor; didn't know that he had to -I'm at 822 Western Ave N; it's 1 building

Ms. Moermond: when I look at the 2 pictures, I don't have a sense of where the stakes are compared to "this stuff" -aerial photos came back

Mr. Moreno: I can understand; he explained where the stakes are

*Ms. Moermond: writing on the map "stakes estimated position"
-it looks like there's tree cover*

*Mr. Moreno: I bought the place in 2004; in 2008-09 I had a fire so, I put on a new roof; then, the nbr called the inspectors on me; he told them that I needed to divert the water spouts from here to there because he was going to build a wall
-the neighbor's business is a tree business; it's a mess; this past summer, there was an inspection there; they told me to clean all the trash; I told him that I couldn't do anything; it was his property, not mine; they made him clean the property*

*Mr. Neis: I'm looking at this a little further & I would agree that it's not Mr. Moreno's wall
-we can't legally divulge complainant information but I can read the gist of the complaint with your permission, Ms. Moermond (MM said: that would be good) - Wes Saunders-Pierce looked at the retaining wall & stated that property owner is a tree care person & the wall is actually trees stacked to make a "wall" & those trees are rotting due to run-off (complainant was concerned about water run-off); the diversion of water has been addressed
-the violation cited by the inspector was to fix the retaining wall; Mr. Moreno can't fix it because it's not his wall*

Ms. Moermond: the red lines on here are actually estimated boundaries from Ramsey County Taxation but it doesn't look like it's a close call; on the boundary, it looks like it's 1/4 to 1/5 of the way, which would make it at least 10 feet into the property; that's a 40-foot section

Mr. Neis: the inspector erred in citing you for the wall

Ms. Moermond: I'm going to grant your appeal

Mr. Moreno: re the water drainage, the inspector who inspected said that there's plenty of space for the water to drain without damaging anything; in 2008-9, I put those spouts into the street

Ms. Moermond: this wall is well into the neighbor's parcel

Appeal is granted.

Referred to the City Council due back on 2/13/2019

2:30 p.m. Hearings

Vacant Building Registrations - NONE

3:15 p.m. Hearings

Fire Certificates of Occupancy, Including Condemnation

38 [RLH VO 19-1](#) Appeal of Gaynelle Buckland to a Correction Notice - Complaint Inspection (condemned) at 779 CARROLL AVENUE.

Sponsors: Thao

Gaynelle Buckland appeared o/b/o Fannie M. Webb; Carolyn Brown, Community Stabilization Project, also appeared.

Fire Inspector James Perucca: I was called in by Fire Dept Engine 5, who was assisting the transport of the owner/occupant of the home to a local hospital for hypothermia; the concern of the Captain on scene was two fold: 1) that the furnace/boiler was out, which led to the conditions for hypothermia; and 2) the deteriorating structural stability of the house itself; it appears that the center support beam in the basement had either sunk in or had collapsed over time; the first floor of the house was sagging towards the middle of the building; there was substantial cracking on several bedroom walls on the 2nd & 3rd floors; it was concerning enough to Condemn the building & not allow habitation until those conditions would be corrected; there also seemed to be a lot of accumulation of materials; the Captain was also concerned about egress, particularly thru the basement of the bldg & some of the upper floors where there were a lot of combustible materials

Ms. Moermond: there has been a lot of clean out going on; I had asked Brian Karpen, the city's structural engineer to go take a look at it to make sure that it would be safe to be inside the house; Mr. Karpen found that the floor is deflecting significantly, especially evident on the first floor of the house; there is also extensive cracking in the wall finishes throughout the house, which is further evidence of settlement in the structure; he believes that the cause of the settlement in the main structure line is in the basement; however, the root cause is not immediately apparent; the deflection is centered above the main support posts in the house; the beam is not deflecting between support points & still bears fully on all the support points; no evidence of settlement in the slab of the basement either; at this point, it appears the structure is stable in it's current condition, though full occupancy should only be allowed after complete assessment by an engineer registered with the State of MN & any repairs are performed under their direction; I see the risk to those entering to begin clean up as minimal

-so, yes, it's OK to go in & out; no, it wouldn't be OK to move somebody in until it's been addressed

-we have a Condemned house; you're doing the clean out

Ms. Buckland: we've arranged for dumpsters with Lauren Lightner

-I don't think that Ms. Webb will be moving back into the house; I don't think it would be a good idea for her to do so

-I'm getting together tomorrow with staff at the The Estates at Bloomington, a transitional care facility, to talk about where she will be going next; she is improving but we don't know which place would be best for her

-the water has been turned off; I've contacted Capp Furnace about the heat

-a guy, who's helping with snow shoveling/yard work has his car parked in the garage & most of the things in the basement are his

Ms. Moermond: this will end up in the Vacant Building Program, which is there to monitor bldgs that are empty & have problems; this one has been Condemned for significant heavy-duty problems (lack of heat; structural problem; & fire load-excessive clutter); it's going to need a code compliance inspection, which can be used in lieu of a TISH; it costs \$469 & it's a list of things that need to be done to bring it into minimum code compliance & before it can be re-occupied; it will include an engineer, who will assess why the structural failure is happening & how to fix it

-the end game is to sell the property/rent it out

-the VB Program also has a fee of about \$2200/year; I can work with you on the fee

Ms. Buckland:

- my aunt has not mentioned the house*
- there's no mortgage*
- it's the only original house on the block*
- this is my aunt's 3rd medical thing that's happened*

*Ms. Moermond: you have House Calls helping with removing stuff
-provided Ms. Buckland with a code compliance inspection application*

*Ms. Brown: ___ reached out & spoke to an engineer & also to Re-Connect Rondo on
how we can work together to try to save the house*

*Ms. Moermond: I think that's a doable thing; you'll need the code compliance insp
report
-advised that she talk with a realtor about numbers & financial sense*

*Ms. Buckland: in the past, my aunt has had energy assistance; don't know if she had
it this year; she has an oil furnace & there's no programmable control
-my aunt & I have joint tenancy with right of survivorship (I own it with my aunt); in Jul
2016, we went to an eldercare attorney
-a dumpster is coming*

*Ms. Moermond: the Orders say you'll need a structural engineer, who needs to be a
MN certified engineer
-it will be in the VB Program
-you'll need to do a code compliance inspection
-the heating system will need to be repaired/replaced
-we'll keep it Condemned
-suggested she get a manager's tow to get rid of the car in the garage*

Appeal is denied.

Referred to the City Council due back on 1/23/2019