



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final-revised

Legislative Hearings

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

Tuesday, February 5, 2019

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 19-8** Deleting the Appealed Special Tax Assessment for property at 418 MARYLAND AVENUE WEST. (File No. J1904B, Assessment No. 198103)

Sponsors: Brendmoen

Ms. Mai Vang: we should be getting official documentation from the Appellant but no documentation was submitted

Ms. Moermond: documentation of what?

Ms. Vang: that their person was on site & took care of the issue because that was their argument

Ms. Moermond: it's a criminal sexual conduct investigation

Supervisor Joe Yannarely: OK

Ms. Moermond: I'm going to recommend that this gets deleted; they did have somebody on site; I'm not thrilled with the fact that they didn't do both things but without a better police report documenting what was happening at the scene, I don't know that I have a lot of information to base approval of the assessment on; we'll go ahead and delete the assessment

—
Delete the assessment.

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

- 2 **RLH TA 19-84** Ratifying the Appealed Special Tax Assessment for property at 1805 COTTAGE AVENUE EAST. (File No. VB1906, Assessment No. 198805)

Approve; no show.

Referred to the City Council due back on 3/20/2019

- 3 **RLH TA 19-13** Deleting the Appealed Special Tax Assessment for property at 852 OTTAWA AVENUE. (File No. VB1905, Assessment No. 198804)

Sponsors: Noecker

Delete the assessment. All permits are finalized.

Referred to the City Council due back on 2/20/2018

- 4 **RLH TA 19-80** Deleting the Appealed Special Tax Assessment for property at 174 PAGE STREET WEST. (File No. VB1906, Assessment No. 198805)

Sponsors: Noecker

Robert Bier, owner, appeared.

Supervisor Joe Yannarely, Vacant Buildings: Inspector Matt Dornfeld told me that he talked to you; & the fee was going to be deleted: there was a fire; the rehab was completed & an extension was granted by Matt Dornfeld that should have covered the additional time

-we recommend deleting the fee

Ms. Moermond: I will recommend to the Council that they delete the VB fee

DSI recommends deleting the assessment. There was a fire and extension was given but the fee went to assessment.

Referred to the City Council due back on 3/20/2019.

- 5 **RLH TA 19-56** Deleting the Appealed Special Tax Assessment for property at 2079 RANDOLPH AVENUE. (File No. VB1905, Assessment No. 198804)

Sponsors: Tolbert

Delete the assessment. Vacant building fee was waived due to a fire but was completed and closed when waiver ended but it went to assessment.

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

- 6 **RLH TA 19-79** Ratifying the Appealed Special Tax Assessment for property at 1168 ROSE AVENUE EAST. (File No. VB1906, Assessment No. 198805)

Mark Mason, Mason Home Company, owner, appeared.

Supervisor Joe Yannarely, Vacant Buildings: a VB file was opened on Nov 4, 2016 - a little over 3 months past the anniversary

-all permits are finalized except for Seeger's overall final inspection, which is slated for 11:40 am today

Mr. Mason: I thought this bldg permit was finalized a long time ago; I didn't know that it wasn't until I got this letter; it was an oversight by the previous project manager; the property has been on the market since Oct 2018; all the work's been done for months; we're closing in 2 weeks

Ms. Moermond: let's get you past this inspection; this goes to City Council on May 20, 2019
-if you get your Certificate of Code Compliance by Mar 13, I'll recommend this fee be deleted

If Certificate of Code Compliance received by March 13, will delete the assessment.

Referred to the City Council due back on 3/20/2019

7 RLH TA 19-86 Ratifying the Appealed Special Tax Assessment for property at 839 VAN BUREN AVENUE. (File No. VB1906, Assessment No. 198805)

Sponsors: Thao

Hector Mach, owner, appeared.

Supervisor Joe Yannarely, Vacant Buildings: this is a Category 2 VB; was condemned by Code Supervisor Lisa Martin & sent over to VB in Jul 2018
-per LHO, a 90-day VB fee waiver was granted
-on Nov 13, 2018, there's a follow-up VB fee to go to assessment; property owner is to appeal assessment & Ms. Moermond will consider prorating fee; allow all permits to be pulled immediately

Ms. Moermond: so we got the code compliance inspection; permits were allowed; we had a 90-day waiver
-is this still a VB?

Mr. Yannarely: Yes; I see there's an electrical permit (re-opened Nov 15, 2018) & a plumbing permit (Jan 22)

Ms. Moermond: what are you looking for today?

Mr. Mach: it's too cold to do the roof; asking for more time

Ms. Moermond: right now, we are 7 months into the year (that bill covers 12 months) & you got a 90-day waiver to start with
-when will you be done?

Mr. Mach: contractor says Mar or Apr & I'll be moving back in

Ms. Moermond: this goes to City Council on Mar 20, 2019 & I will recommend approval of this assessment; I can spread the assessment over 5 years if that would work better for you
-you will need to go to the Council meeting if you want a reduction

Mr. Mach: I didn't realize that it would cost so much after receiving the code compliance inspection report

Approve.

Referred to the City Council due back on 3/20/2019

- 8 **RLH TA 19-31** Deleting the Appealed Special Tax Assessment for property at 894 WESTMINSTER STREET. (File No. VB1905, Assessment No. 198804)

Sponsors: Brendmoen

Trinia Shannon, responsible party, appeared.

Supervisor Joe Yannarely, Vacant Buildings: this Category 1 VB was opened on Sep 16, 2018 due to a water shut-off

Ms. Shannon: the house wasn't vacant; my 25-year old was staying there & he didn't tell me that the water was shut-off; he was supposed to pay the utilities & didn't; we just turned the water back on a few days later

Mr. Yannarely: is somebody occupying it now?

Ms. Shannon: someone bought it Jan 7, 2019

Mr. Yannarely: the VB file is still open; contact the inspector & tell him...

Ms. Shannon: I contacted a couple of inspectors

Ms. Moermond: why don't you just close that VB file after you make a call to Water

Mr. Yannarely: I'll just email Tom Friel to close it

*Ms. Moermond: we'll double check to see if the water has been paid-turned back on & someone is living there;
-it sounds pretty straight forward to get this deleted*

Ms. Shannon: OK; we already paid this fee when we closed

Ms. Moermond: Ms. Vang, you can talk with Real Estate & they will process a refund check to whoever paid it

—
Delete the assessment.

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

10:00 a.m. Hearings

- 9 **RLH TA 19-50** Ratifying the Appealed Special Tax Assessment for property at 969 BEECH STREET. (File No. CRT1905, Assessment No. 198204)

Sponsors: Prince

Fire Supervisor Leanna Shaff:

Cost: \$242

Service Charge: \$157

Total Assessment: \$399

Gold Card Returned by: phone, Peter Theobald

Type of Order/Fee: FC of O, duplex

Nuisance: Unpaid FC of O fees

Date of Orders:

Compliance Date:
Re-Check Date:
Date Work Done:
Work Order #: 06-020423, Inv # 1404166
Returned Mail?: No
Comments:
History of Orders on Property: RECOMMEND DELETE THE SERVICE FEES.
COMMUNICATION ERROR BETWEEN INSPECTOR AND PROPERTY OWNER.

Ms. Moermond:

Reduce from \$399 to \$242.

Referred to the City Council due back on 3/20/2019

- 10 RLH TA 19-58** Deleting the Appealed Special Tax Assessment for property at 735 BELLOWS STREET. (File No. J1905P, Assessment No. 198404)

Sponsors: Noecker

Delete; graffiti waiver on file.

Referred to the City Council due back on 3/20/2019

- 11 RLH TA 19-16** Ratifying the Appealed Special Tax Assessment for property at 1141 DALE STREET NORTH. (File No. J1904E, Assessment No. 198303) (Public hearing continued to August 7, 2019)

Sponsors: Brendmoen

Shan LeRoy John Fritz, owner, appeared.

Supervisor Paula Seeley:

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; Jun, Jul & Jul created the 3 Ex Con fines

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

-I believe there are 4 Ex Consumptions; there are 3 on the agenda today

Ms. Moermond: how have things been the last couple of months?

Ms. Seeley: Insp Westenhofer said that it's been fine; no violations

Ms. Moermond: I remember that we had some communication back & forth; I asked if you had documentation of whether you owned the vehicles or not & the timing of that & you weren't able to get that

*Mr. Fritz: I did; I sent it to Ms. Mai Vang via email
-I had to go to the DMV here in St. Paul; I paid \$10 per copy of full vehicle history for all the vehicles that were in the pictures*

Ms. Moermond: OK; you were going to move the vehicles out of town

Mr. Fritz: I did; they're gone

Ms. Moermond: and there haven't been any violations since we started our conversation on this (?)

Ms. Seeley: No

Ms. Moermond: here's what I'm thinking: your oldest EC fine is the one we talked about last time for \$366; 2 since then for \$122 & \$279; what I'd like to tell the City Council is for the first one (\$366), I will tell them, Approve it & make it payable over 2 years; for the other two, I want to say, "He's had a clean record; I expect he'll continue to have a clean record; if he doesn't have any additional vehicle violations for 6 months, let's just delete those entirely"

Mr. Fritz: I'd just rather pay it now then

Ms. Moermond: you'll get the bill for \$366 within a week or two of Feb 20, 2019; it comes pretty quickly; the other 2, I'll continue out 6 months

Ms. Mai Vang: there are 2 pending EC's

Ms. Moermond: we'll deal with those when we come to them

Public hearing continued to August 7, 2019 and if no same or similar violation(s), will delete.

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

12 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, owner, appeared.

Supervisor Paula Seeley:

Cost: \$366

Service Charge: \$35

Total Assessment: \$401

Gold Card Returned by: Shan Fritz called

Type of Order/Fee: Excessive Inspection During June 22 to 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 complts in 2016, 1 in 2017, 2 in 2018,

-I believe there are 4 Ex Consumptions; there are 3 on the agenda today

Ms. Moermond: how have things been the last couple of months?

Ms. Seeley: Insp Westenhofer said that it's been fine; no violations

Ms. Moermond: I remember that we had some communication back & forth; I asked if you had documentation of whether you owned the vehicles or not & the timing of that & you weren't able to get that to this day

Mr. Fritz: I did; I sent it to Ms. Mai Vang via email
-I had to go to the DMV here in St. Paul; I paid \$10 per copy of full vehicle history for all the vehicles that were in the pictures

Ms. Moermond: OK; you were going to move the vehicles out of town

Mr. Fritz: I did; they're gone

Ms. Moermond: and there haven't been any violations since we started our conversation on this (?)

Ms. Seeley: No

Ms. Moermond: here's what I'm thinking: your oldest EC fine is the one we talked about last time for \$366; 2 since then for \$122 & \$279; what I'd like to tell the City Council is for the first one (\$366), I will tell them, Approve it & make it payable over 2 years; for the other two, I want to say, "He's had a clean record; I expect he'll continue to have a clean record; if he doesn't have any additional vehicle violations for 6 months, let's just delete those entirely"

Mr. Fritz: I'd just rather pay it now then

Ms. Moermond: you'll get the bill for \$366 within a week or two of Feb 20, 2019; it comes pretty quickly; the other 2, I'll continue out 6 months

Ms. Mai Vang: there are 2 pending EC's

Ms. Moermond: we'll deal with those when we come to them

Approve the assessment.

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

13 RLH TA 19-17

Ratifying the Appealed Special Tax Assessment for property at 1141 DALE STREET NORTH. (File No. J1905E, Assessment No. 198304)

Sponsors: Brendmoen

Shan LeRoy John Fritz, owner, appeared.

Supervisor Paula Seeley:

Cost: \$244

Service Charge: \$35

Total Assessment: \$279

Gold Card Returned by: Shan Leroy John Fritz

Type of Order/Fee: Excessive Inspection during Augu 22 to Sept 21, 2018

Nuisance: Abandoned Vehicle and/or parked unapproved surface

Date of Orders: Correction Notice started back on 5/24/18

Compliance Date: ongoing

Re-Check Date: 9/4/18 & 9/18/18 -vehicle illegally parked in the alley row

Date Work Done: ongoing off and on

Work Order #: 16-090407 Inv # 1394070 & 1397110

Returned Mail?: No

Comments: Related assessments: J1903E and J1904E and more pending unscheduled assessments

History of Orders on Property: ongoing

-I believe there are 4 Ex Consumptions; there are 3 on the agenda today

Ms. Moermond: how have things been the last couple of months?

Ms. Seeley: Insp Westenhofer said that it's been fine; no violations

Ms. Moermond: I remember that we had some communication back & forth; I asked if you had documentation of whether you owned the vehicles or not & the timing of that & you weren't able to get that to this day

Mr. Fritz: I did; I sent it to Ms. Mai Vang via email

-I had to go to the DMV here in St. Paul; I paid \$10 per copy of full vehicle history for all the vehicles that were in the pictures

Ms. Moermond: OK; you were going to move the vehicles out of town

Mr. Fritz: I did; they're gone

Ms. Moermond: and there haven't been any violations since we started our conversation on this (?)

Ms. Seeley: No

Ms. Moermond: here's what I'm thinking: your oldest EC fine is the one we talked about last time for \$366; 2 since then for \$122 & \$279; what I'd like to tell the City Council is for the first one (\$366), I will tell them, Approve it & make it payable over 2 years; for the other two, I want to say, "He's had a clean record; I expect he'll continue to have a clean record; if he doesn't have any additional vehicle violations for 6 months, let's just delete those entirely"

Mr. Fritz: I'd just rather pay it now then

Ms. Moermond: you'll get the bill for \$366 within a week or two of Feb 20, 2019; it comes pretty quickly; the other 2, I'll continue out 6 months

Ms. Mai Vang: there are 2 pending EC's

Ms. Moermond: we'll deal with those when we come to them

Public hearing continued to August 7, 2019 and if no same or similar violation(s), will delete.

Referred to the City Council due back on 3/20/2019

- 14 RLH TA 19-55** Deleting the Appealed Special Tax Assessment for property at 725 DAYTON AVENUE. (File No. J1905E, Assessment No. 198304)

Sponsors: Thao

Joseph Mosher, owner, appeared.

Supervisor Paula Seeley:

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: JOSEPH MOSHER

Type of Order/Fee: PAEC BILL

Nuisance: FAILURE TO CLEAN UP PROPERTY BY COMPLIANCE DATE (remove wood & material from the driveway area)

Date of Orders: 8-17-18

Compliance Date: 8-24-18

Re-Check Date: 8-24-18

Date Work Done: NA - DONE BY OWNER

Work Order #: 18-095672

Returned Mail?: NO

Comments:

History of Orders on Property: NO

-the crew went by the property on Aug 27, 2018

Mr. Mosher: Sean Westenhofer was the inspector

Ms. Moermond: sometime between Aug 24 & Aug 27, you did the work

Mr. Mosher: there's a big screw-up here; I've been back & forth on the phone with the permit office; somehow the 725 pin got attached to my residence; that is not our property; I'm at 723 Dayton Ave; I have pictures to show you of my backyard; it's all fenced in

-this is the neighbor's property; we don't have a parking area in the back

-after talking to everybody, somehow the 725 pin got attached to our address

-introduced an aerial shot

Ms. Moermond: photos were scanned

Mr. Mosher: I talked to staff but they said that they could do nothing about it; I had to come here

Ms. Moermond: we'll talk with our Real Estate folks to see if we can get it squared away

-we'll email you with follow-up info

Forthcoming.

Update: Real Estate Office staff confirmed that 723 and 725 Dayton used to be on the same PIN 02-28-23-11-0038. They have since archived 725 Dayton address as of January 2019 so now there is only 723 Dayton. Ms. Moermond will recommend that this fee be deleted.

Referred to the City Council due back on 3/20/2019

15 RLH TA 19-61 Deleting the Appealed Special Tax Assessment for property at 396 EDMUND AVENUE. (File No. J1905E, Assessment No. 198304)

Sponsors: Thao

Chauder Xiong & May Moua Xiong, owners, appeared. (Mai Vang interpreted.)

Supervisor Paula Seeley:

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: CHAUDER XIONG

Type of Order/Fee: EC FEE

Nuisance: FAILURE TO REMOVE VEHICLE PARKED ON UNAPPROVED SURFACE

Date of Orders: 8-30-18 AND AGAIN 9-7-18

Compliance Date: 9-6-18

Re-Check Date: 9-13-18

Date Work Done: NA

Work Order #: 18-099273

Returned Mail?: NO

Comments:

History of Orders on Property: ORDER ON 4-24-18 TO NOT PARK THERE

-the Excessive Consumption was sent 9-14-18

-we sent 2 Orders to discontinue parking somewhere; the 2nd time, we sent an Ex Con for noncompliance

Ms. Moermond: but there are 3 different Orders

Ms. Xiong: that area is not our property; it belongs to the city

Ms. Moermond: OK

Ms. Vang: I asked her who reads their mail?

Ms. Xiong: my daughter-in-law reads our mail & she will call the inspector to ask questions, if need be; my daughter-in-law called the inspector to let them know that it wasn't their property

Ms. Seeley brought up her lap top to show an aerial photo; Appellants also came up to look, too

Ms. Moermond: where do you guys park?

Ms. Xiong: she pointed out where on the aerial map; shows a vacant lot

*Ms. Moermond: the purple line is the boundary
-I will recommend deletion; they know not to park there; clearly, it's the neighboring property, the vacant parcel; it belongs to Twin Cities Community Land Bank LLC; people on the other side park there; Sean Westenhofer was the inspector*

Delete the assessment.

Referred to the City Council due back on 3/20/2019

16 RLH TA 19-52 Deleting the Appealed Special Tax Assessment for property at 977 FREMONT AVENUE. (File No. J1910A, Assessment No. 198509)

Sponsors: Prince

No one appeared. Written statement sent

Ms. Moermond: we were waiting on a written statement

Ms. Mai Vang: we did get that; I sent him the Video & the Orders; he said that he never got it

Ms. Moermond: let's start with the staff report on the clean-up

Supervisor Paula Seeley:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: TAYLOR JOHNSON

Type of Order/Fee: SUMMARY ABATEMENT

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY (overflowing garbage containers; garbage/rubbish on the ground near alley)

Date of Orders: 10-5-18

Compliance Date: 10-11-18

Re-Check Date: 10-12-18

Date Work Done: 10-16-18

Work Order #: 18-112821

Returned Mail?: NO

Comments:

History of Orders on Property: NO

Ms. Mai Vang: he said that he never received Orders

-the Order went to 3 different places: Occupant, 977 Fremont St, St. Paul, MN; Taylor Johnson, 726 W Wilson St Unit C, Costa Mesa CA 92627-5927; and Taylor M Johnson, 726 W Wilson St Unit C, Costa Mesa CA 92627-5927

-Ramsey County has: 726 W Wilson Ave, Costa Mesa CA 92627-5927

-he said that he lives at Wilson St Unit C

Ms. Moermond: but one of the Notices went to that address

Ms. Vang: he didn't even get the Notice of the assessment because it went to Wilson Ave W, Costa Mesa

Ms. Moermond: the actual SA quite clearly does go to the address he mentions & the

others so, the city did meet it's requirement of sending it via first class mail
-he also sent a photo

VIDEO - crew emptied overflowing garbage containers

Ms. Seeley: this was right when we started the trash service

Ms. Moermond: the Order went out on a Fri, Oct 5; compliance date was Oct 11, which is a Thu; the re-check happened on Fri, Oct 12 (a week); work was done on Oct 16, a Tue; the containers look like they were on the alley; that's exactly where they should be for the hauler to pick them up; so, while they were over-full, I would think that would be an extra charge from the hauler, not from the city
-setting aside his arguments, which I don't find very plausible, I think that the city shouldn't have emptied those garbage containers; that would have been the hauler's responsibility & the hauler would have charged extra for over-full containers

Ms. Seeley: I agree

Ms. Moermond: so, I'll recommend deletion

Delete the assessment.

Referred to the City Council due back on 3/6/2019

- 17** [RLH TA 19-54](#) Deleting the Appealed Special Tax Assessment for property at 500 JACKSON STREET. (File No. J1905P, Assessment No. 198404)
Sponsors: Noecker
Delete the assessment; waiver on file.
Referred to the City Council due back on 3/6/2019
- 18** [RLH TA 19-28](#) Ratifying the Appealed Special Tax Assessment for property at 1888 LACROSSE AVENUE. (File No. J1901G1, Assessment No. 198706)
Approve; tenant no show.
Tenant emailed to reschedule. Rescheduled to Feb. 19.
Laid Over to the Legislative Hearings due back on 2/19/2019
- 19** [RLH TA 19-29](#) Ratifying the Appealed Special Tax Assessment for property at 1888 LACROSSE AVENUE. (File No. J1905A4, Assessment No. 198524)
Approve; tenant no show.
Tenant emailed to reschedule. Rescheduled to Feb. 19.
Laid Over to the Legislative Hearings due back on 2/19/2019
- 20** [RLH TA 19-59](#) Ratifying the Appealed Special Tax Assessment for property at 1888 LACROSSE AVENUE. (File No. J1906A4, Assessment No. 198528)
Approve; tenant no show.

Tenant emailed to reschedule. Rescheduled to Feb. 19.

Laid Over to the Legislative Hearings due back on 2/19/2019

21 [RLH TA 19-15](#)

Ratifying the Appealed Special Tax Assessment for property at 507 MINNEHAHA AVENUE EAST. (File No. J1907A, Assessment No. 198506) (Public hearing continued to September 4, 2019)

Sponsors: Brendmoen

Charles Belcher, owner, appeared.

Supervisor Lisa Martin:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Charles Belcher

Type of Order/Fee: Summary Abatement Order

Nuisance: Box of Garbage from Front & Side of Building near Dumpster

Date Of Orders: 8-30-18

Compliance Date: 9-5-18

Re-Check Date: 9-6-18

Date Work Done: 9-10-18

Work Order #: 18-101191

Returned Mail?: No

Comments:

History of Orders on Property: 4 in 2016 for garbage & TGW; 2 in 2017 for exterior & Garbage; 1/2/18-exterior; 4/30-18-garbage

VIDEO - crew removed garbage, boxes from side & dumpster area

Mr. Belcher: it wasn't our trash; that's the main reason why I'm appealing; he brought up videos & photos on his phone; Ms. Martin & Ms. Moermond viewed them -I received a letter that talked about a box in the front yard; there's the box in our front yard (video); those are our 2 trash cans there; you can see the dumpster at this time sitting here & that's in front of the neighbor's yard; the box with trash in it overflowing

Ms. Moermond: do you have a way to show me when that video was taken?

Mr. Belcher: I walked to the back & I see these items; people dump stuff in the alley all the time, so, I picked those up

Ms. Moermond: I don't see anything in the order that says the back

Mr. Belcher: I put that box on the back of my truck (photo); so I wasn't aware.....

Ms. Moermond: date of video: time stamped Sep 21, 2018 at 2:19 pm; OK -the city VIDEO we just saw was from Sep 10, 2018; so, that's a different Order or stuff..

Mr. Belcher: it may be; I don't know but... irrelevant of that VIDEO, that area does not belong to us; our 2 trash cans are in front of our bldg & I monitor them constantly

Ms. Moermond: so, we've got 1 box that was abutting your bldg

Mr. Belcher: looks like somebody had purposely set that there at that time

Ms. Moermond: the box abutting your bldg is your property - touching your bldg -you showed me a video from 11 days later when you had a different box that you did remove

Mr. Belcher: I wanted to demonstrate to you that the dumpster with trash all around it in your VIDEO is the dumpster that belongs to the neighbor; our 2 trash cans are in front of the house that I constantly monitor to keep me out of this room; when I was here last in Nov, you told me that if I wouldn't have a same/similar, you would delete that assessment; so, I've been constantly monitoring; this incident isn't due to my negligence on my part as a landlord; I pick up all the dumping; you can clearly see in the VIDEO that trash was on the side of my property - the area that is used where the nbr.....

Ms. Moermond: I'm going to disagree with you on that because the box that I saw was very much towards the front of the property & the dumpster that your neighbor uses is very much at the end of the drive; so, I don't think that's the same -I see an Order issued for this; I see the crew showing up & taking this away -have there been any recent Orders? anything since Sep 2018?

Ms. Seeley: No

Ms. Moermond: let's take another swing at no same/similar by Sep 4, 2019 -City Council Public Hearing will be Feb 13, 2019; I'll ask them to continue this matter to Sep 4, 2019

Mr. Belcher: so, if somebody comes & dumps trash along that alley & you guys send a letter for that, is that going to count against me?

Ms. Moermond: normally, we would say, "Yes" that it would; have you been experiencing dumping over the last several months?

Mr. Belcher: all my life as a property owner; during the last few months, I'm sure I have; people dump couches, beds, etc., I don't see how that would help with people dumping couches or.....

-I think the type of people that are dumping this type of thing won't even be aware of any new changes that are available

-I'm OK with what you're offering me but if it's going to kick me off of that because somebody dumps, I don't think that's very fair; it's not something that me or my tenants caused; so, if you would just keep an open mind to that

Ms. Moermond: OK; I will keep an open mind to that & at the same time, it's property maintenance; we have to keep the property maintained

Public hearing continued to September 4, 2019 and if no same or similar violation(s), will delete.

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

22 RLH TA 19-77

Deleting the Appealed Special Tax Assessment for property at 1720 MINNEHAHA AVENUE WEST. (File No. J1905E, Assessment No. 198304)

Sponsors: Jalali Nelson

Delete; issued to wrong address. (Supervisor Lisa Martin)

Referred to the City Council due back on 3/20/2019

- 23 RLH TA 19-51** Deleting the Appealed Special Tax Assessment for property at 883 PAYNE AVENUE. (File No. J1910A, Assessment No. 198509)

Jessica Cervantes, property manager, appeared.

Supervisor Paula Seeley:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: JESSICA CERVANTES

Type of Order/Fee: SUMMARY ABATEMENT

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY (remove refrigerator & other debris from the parking lot by the alley)

Date of Orders: 10-10-18

Compliance Date: 10-15-18

Re-Check Date: 10-25-18

Date Work Done: 10-26-18

Work Order #: 18-117083

Returned Mail?: NO

Comments:

History of Orders on Property: 3-5-18 AND 4-3-18 SUMMARY ABATEMENTS

VIDEO - crew removed a couch

Ms. Moermond: I'm not seeing a refrigerator & I wouldn't call a couch "debris" so, I'm not sure that the couch was there when the Order was written; I kind of think the couch arrived afterward

Ms. Seeley: there's dumping in that alley

Ms. Moermond: in this particular situation, it looks like the couch showed up in between... I'm going to recommend deletion

Delete assessment.

Referred to the City Council due back on 3/6/2019

- 24 RLH TA 19-72** Ratifying the Appealed Special Tax Assessment for property at 1286 RICE STREET. (File No. J1905E, Assessment No. 198304)

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 3/20/2019

- 25 RLH TA 19-78** Deleting the Appealed Special Tax Assessment for property at 1033 SEVENTH STREET WEST. (File No. J1905P, Assessment No. 198404)

Sponsors: Noecker

Delete as the work was done at 1044 Seventh St E., across the street. (Supervisor Lisa Martin)

Referred to the City Council due back on 3/20/2019

- 26 RLH TA 19-81** Ratifying the Appealed Special Tax Assessment for property at 496 THOMAS AVENUE. (File No. J1905E, Assessment No. 198304)

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 3/20/2019

- 27 RLH TA 19-76** Deleting the Appealed Special Tax Assessment for property at 1825-1827 UNIVERSITY AVENUE WEST. (File No. J1905P, Assessment No. 198404)

Sponsors: Jalali Nelson

Delete; graffiti waiver on file.

Referred to the City Council due back on 3/20/2019

- 28 RLH TA 19-85** Ratifying the Appealed Special Tax Assessment for property at 819 AURORA AVENUE. (File No. CRT1905, Assessment No. 198204)

Sponsors: Thao

Abbie Finger, owner, appeared.

Fire Supervisor Leanna Shaff:

Cost: \$ 242

Service Charge: \$ 157

Total Assessment: \$ 399

Gold Card Returned by: NONE

Type of Order/Fee: FC of O, duplex

Nuisance: Unpaid FC of O fees

Date of Orders: Appointment letters 4-9, 6-28 and 7-16-18.

Compliance Date: 8-15-18

Billing Dates: 8-17 and 9-17-18

Returned Mail?: No

Comments: Folder comments: 4/23/18 Property for sale. 6/26/18 property sold, sent appointment letter to new owner.

History of Orders on Property: First appointment letter went to previous owner. All others sent to Abbie Finger 5305 26th Ave S MPLS MN 55417-1923. One no entry fee (\$74) for 7/16 has already been removed. Cannot assess No Entry fees.

Ms. Finger: I sent a check for \$242 on 9-20; I brought copies of that check; I'm not appealing that portion of the bill; the city sent me a letter that they hadn't received it & it would be going onto my taxes, so I came in here & paid it; they said that they never received that check; I sent these 2 checks but money wasn't taken out of my account for either one of them; so, when I was here with the Sewer people, I asked them if they

saw any other pending assessments; they said, "No; we don't see anything"

Ms. Shaff: we never got any checks

Ms. Moermond: but the invoice you sent out was for \$316 because it included a No Entry fee on top of the regular duplex charge (?)

Ms. Shaff: it only went out for \$242; somewhere there was a removal

Ms. Moermond: you got the bill in Aug & you got a reminder in Sep

Ms. Finger: I wrote the check in Sep

Ms. Moermond: when was this sent thru as an assessment?

Ms. Shaff: Oct 24, 2018

Ms. Moermond: there was fully a month between writing the check & it being processed as an assessment

-I'm going to split the administrative service fee in half; I think there could have been better follow up

-I will get you down to \$315

-City Council Public Hearing on Mar 20, 2019

Reduce from \$399 to \$315.

Referred to the City Council due back on 3/20/2019

Special Tax Assessments - ROLLS

- 29 RLH AR 19-9** Ratifying the assessments for Boarding and/or Securing services during October 2018. (File No. J1905B, Assessment No. 198104)
- Sponsors: Brendmoen
- Referred to the City Council due back on 3/20/2019**
- 30 RLH AR 19-10** Ratifying the assessments for Collection of Vacant Building Registration fees billed during March 13 to October 15, 2018. (File No. VB1906, Assessment No. 198805)
- Sponsors: Brendmoen
- Referred to the City Council due back on 2/20/2019**
- 31 RLH AR 19-11** Ratifying the assessments for Demolition services from October to November 2018. (File No. J1905C, Assessment No. 192004)
- Sponsors: Brendmoen
- Referred to the City Council due back on 3/20/2019**
- 32 RLH AR 19-12** Ratifying the assessments for Collection of Fire Certificate of Occupancy

fees billed during August 10 to September 8, 2018. (File No. CRT1905, Assessment No. 198204)

Sponsors: Brendmoen

Referred to the City Council due back on 3/20/2019

- 33 RLH AR 19-13 Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during August 22 to September 21, 2018. (File No. J1905E, Assessment No. 198304)

Sponsors: Brendmoen

Referred to the City Council due back on 3/20/2019

- 34 RLH AR 19-14 Ratifying the assessments for Graffiti Removal services during October 24 to November 20, 2018. (File No. J1905P, Assessment No. 198404)

Sponsors: Brendmoen

Referred to the City Council due back on 3/20/2019

11:00 a.m. Hearings

Summary Abatement Orders

- 35 RLH SAO 19-5 Appeal of Eileen Ciuraru to a Summary Abatement Order at 1616 MINNEAHAHA AVENUE EAST.

Sponsors: Prince

Eileen Ciuraru, owner, appeared.

Ms. Ciuraru arrived late.

Ms. Moermond: do you have some place else that you can store these items on the porch & in the yard?

Ms. Ciuraru: yes; in the basement

Ms. Ciuraru: some items are frozen now

Ms. Moermond: I can do an extension on those that are frozen; the weather is not great right now; let's get that porch cleaned out in 4 weeks; I'll grant to March 8 for the porch clean out; the interior items should not be stored outside; the kitchen table should be stored someplace else

Ms. Ciuraru: if I get it enclosed, can I have them there?

Ms. Moermond: you mean like installing windows?

Ms. Ciuraru: that's always been my intention; the windows were damaged & so I had to take them down & I've put plastic up for the last several years

Ms. Moermond: let's get this cleaned out & then, we can revisit it; if it's an inside room, the concern would be if it's blocking you from getting out in case of a fire; and can you pass through it? this has a path, which is much better
-we'll go to Mar 8 with the exterior stuff; an inspector will swing by on Mar 11
-I'm thinking that over the the course of the month, we'll probably have a thaw to be able to get out that bag & that waste wood; if we don't have a thaw, I can give more extension on that
-are you sure you want 5 weeks?

Ms. Ciuraru: how ever long I can get

Ms. Moermond: let's go to March 15 as your deadline instead of March 8; you'll get a letter; & we do have an email address

Grant to March 15, 2019 to remove all the interior items from the porch area, waste wood adjacent to steps and bag of leaves from the frozen ground.

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

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 36 [RLH FCO 19-15](#) Appeal of Brad Cheney to a Fire Inspection Correction Notice at 20 EXCHANGE STREET EAST.

Sponsors: Noecker

Brad Cheney appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Inspection Correction Notice -1 item is being appealed: main entry door; the front entry has a vestibule with dual sliding doors; Appellant has photos; essentially, there's 2 sliding doors for the vestibule; somebody walks in the vestibule; the door opens; they stand in there; there's a delay; the door closes behind them & then, it opens again & they enter the building - the interlock that he installed is used for temperature control, to avoid getting extremely cold temperatures in the lobby; very similar to our revolving doors here in the court house; the intent is the same
-the problem that the inspector identified is the "getting out" aspect; when you walk in, you should be able to walk right up to the door, the door opens, you get out, etc; however, since the door closes & there's a slight delay, the door opens again

Ms. Moermond: how long is this?

Mr. Neis: it's about 5 seconds; however, looking at this.... it might not be a problem because these are sliding doors, which I didn't realize until I saw the photographs; because of that, they have break-aways on them; so, the sliding doors are designed (technically, you can't have a sliding door as a means of egress) or it has to be in the swing of the direction of travel, which these do; they push on the door, the door swings open; if that is the case & the doors swing open under normal pressure, we may no longer have a code violation

Mr. Cheney provided photographs

Mr. Neis: even with the interlock, it still may be acceptable

-the 2nd one is blocked by the sign explaining but if that's the case & they do push to open immediately, that shouldn't negate the issue; I would like Supervisor Shaff to test it

-he has paperwork; he said that when the inspector was there, there was too much force applied, so he had the doors re-adjusted (he has documentation)

-I would like the supervisor to go out & look

Ms. Moermond: that makes perfect sense

Layover to February 19. Inspector will test the sliding door entry to ensure doors push to open in emergency.

Laid Over to the Legislative Hearings due back on 2/19/2019

2:30 p.m. Hearings

Vacant Building Registrations

- 37 **RLH VBR 19-5** Appeal of Zoltan Pusenyak to a Vacant Building Registration Notice at 1024 MINNEHAHA AVENUE EAST.

Sponsors: Brendmoen

No one appeared.

Ms. Moermond: has anyone heard from Mr. Pusenyak?

Supervisor Matt Dornfeld, Vacant Buildings: I have not

Ms. Moermond: I did hear from Maria Weatherall, Veterans Services with Ramsey County; one of the occupants, Mr. Pusenyak, is a veteran; he, his wife & his 2 children live there, I think; my understanding is that they intend to move but I don't know what's going on

-I have a Revoked C of O

Supervisor A.J. Neis: there's not a lot of work to do; it was Revoked for long term non-compliance

-the owner alleges that Renters Warehouse didn't notify him to be responsive; but on the flip side, he makes the appeal & isn't here right now

Ms. Moermond: although this appeal was filed Jan 8, he went off to Peru & was gone for several weeks & unable to come in for a hearing so, some accommodation has already been made for his schedule

-if he can get his C of O re-instated by Mar 1, 2019, he can get out of the VB Program; if he can't, he'll be in the VB Program

-let's put it in front of Council on Feb 27, 2019

-on the letter, let's copy Maria Weatherall

Mr. Neis: James Thomas is the inspector

Supervisor Matt Dornfeld, Vacant Buildings: we have a VB fee that is 3-4 days past due

-would you like to change from a Cat 2 to a Cat 1 during this process; Insp Thomas likes to have these Cat 1's before he re-inspects them

Ms. Moermond: are there more recent Orders than Nov 28, 2018 Orders? He said he was going to re-inspect on Dec 12 (?)

Mr. Neis: there may have been a "no show" ----- and we have issues with leaky pipes; unsanitary condition of the basement; I'm not worried about the peeling paint; carpet needs to be replaced; no plumbing permit; some mold in the basement; not a huge list; there are 5 items

Ms. Moermond: we can push the exterior deadline to Jun 1, 2019

-let's leave it as a Cat 2 VB & grant a 90-day VB fee waiver

-Mr. Thomas will inspect

Grant to March 1, 2019 to get Fire C of O reinstated with exception of exterior items which is granted to June 1, 2019; waive VB fee for 90 days.

Referred to the City Council due back on 3/6/2019

38 RLH VBR
19-10

Appeal of Margorie Pitz to a Vacant Building Registration Renewal Notice at 664 PLUM STREET.

Sponsors: Prince

Margorie Pitz appeared.

Supervisor Matt Dornfeld, Vacant Buildings:

-this has been in the VB Program since Dec 2015; it was upgraded to a Category 1 VB in Feb 2018; Ms. Pitz has been in to appeal a couple of times; last year, a 180 day VB fee extension was granted by you, Ms. Moermond; then, in Sep, 2018, we talked about that VB fee going to assessment & then possibly re-visiting it if all of the trades permits were finalized

-it looks like all trades permits are on file but remain open as of today

-2019-2020 VB fee is now due

Ms. Moermond: how are things looking?

Ms. Pitz: we were moving really fast; it's a total gut job - a lot of work; we've had structural issues

-we have a rough-in ready to go as soon as the heating/air conditioning contractor finishes the duct work; the electrician has everything done except he'll be hooking into the new furnace; then, he can get his rough-in approved; they're waiting on this heating contractor

Ms. Moermond: how long have you been waiting on him?

Ms. Pitz: maybe 3 weeks; it's not horrible at this point but it's not good either; Nellis Builders is our general contractor

Ms. Moermond: what does the finish line for this project look like?

Ms. Pitz: we had a 6-month contract; we're supposed to be done in Apr

Ms. Moermond: here's what I'd like to do: a 90-day VB fee waiver will get you to Apr 17; so, I'll ask City Council to put in place a 120-day VB fee waiver on it, which will take you to May 17, 2019; if you haven't met that deadline, it will be processed as an assessment & you'll need to appeal that assessment if you want it prorated; after the fact, I can't do anything; the proration will depend on getting those permits finalized -when those permits get finalized; you'll get the Certificate of Code Compliance or Certificate of Occupancy

Mr. Dornfeld: OK; a waiver thru May 17; it's in place

Ms. Moermond:

Waive VB fee until May 17, 2019.

Referred to the City Council due back on 3/6/2019