



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Joanna Zimny, Executive Assistant*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

---

Tuesday, November 26, 2019

9:00 AM

Room 330 City Hall & Court House

---

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

##### Remove/Repair Orders

- 1 [RLH RR 19-23](#) Ordering the rehabilitation or razing and removal of the structures at 1179 SEVENTH STREET EAST within fifteen (15) days after the September 11, 2019 City Council public hearing. (Public hearing continued from September 11) (To be referred back to Legislative Hearing on November 26)

Sponsors: Busuri

*Layover to LH January 14, 2020. Must provide a revised fundraising contract incorporating specific benchmarks and deadlines for fundraising activities, provide a written letter describing the use of tax credits, grant applications and any necessary details and timelines of applications, and property must also continue to be maintained.*

*Dennis Kroll, architect from Kroll and Associates*  
*Olufemi Badejo, elder from church, appeared*  
*Michael Aderinkomi, manager and general partner Amazing Homes LLC*  
*Appeared*

*Moermond: I know we communicated with you about the notification on this order to abate a nuisance building. What happened is the contract for deed seller wasn't notified of the original action, so we need to make sure Amazing Homes was included in the conversation moving forward. I know you got a packet of materials from the previous meetings, but for the record I'm going to have Mr. Yannarely put the staff report on and I will highlight the steps discussed so far and where we are moving forward. Is the contract for deed payments being made and in good order?*

*Aderinkomi: yes.*

*Staff report by Supervisor Joe Yannarely: The building is a two-story, wood frame and brick, commercial building on a lot of 4,792 square feet. According to our files, it has been a vacant building since April 25, 2016. The current property owner is Apostolic Church Minnesota Assembly per AMANDA and Ramsey County Property records; the current fee owner is listed as Amazing Homes Ecclesia LLC per AMANDA and Ramsey County Property records. On April 23, 2019, an inspection of the building was*

conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on May 17, 2019 with a compliance date of June 16, 2019. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$98,800 on the land and \$101,200 on the building. The property is a church and is exempt from real estate taxes. All special assessment for 2019 have been paid.

The Vacant Building registration fees were paid by assessment on June 3, 2019. A Team Inspection was done on April 1, 2019. The \$5,000 performance deposit was posted on September 24, 2019. There have been twenty summary abatement notices since 2016. There have been eight work orders issued for garbage/rubbish, boarding/Securing, tall grass/weeds and snow/ice. Code Enforcement Officers estimate the cost to repair this structure is \$100,000 to \$150,000. The estimated cost to demolish exceeds \$30,000.

Christine Boulware, HPC, staff report: after the first legislative hearing it was given to HPC to review and make comment and provide comment and recommendation to the Legislative Hearing officer and Council. The HPC did look at photos and made a recommendation that they felt it was worth giving time to rehabilitate versus demolishing. They saw it as a historic resource as well as a catalyst for rehabilitation in the neighborhood.

Moermond: we talked, and it was going to be about a \$500,000 job and you were doing fundraising for the money. We met a couple of times and talked about needing some more specific information, original idea was to fundraise and work at the same time, and we talked about how that wasn't going to work, it has to be in place before hammers can start swinging because of the nature of nuisance properties. To the best of my knowledge there's been no money raised for this property all. I did just review the letter from the fundraiser Randy Mortensen, I was hoping for a revised contract with specific benchmarks for fundraising activities. I got a letter with a nice background, but I'm lacking any specifics from him outside that he has assigned a person to it and the only dollar amount mention is that Kenneth and his team have invested more than \$60,000 on the building. That tells me nothing.

Kroll: I agree, its fallen short. The pastor has had some issues, the fundraiser has fallen short of investing because of time. He wants to pick it up from here, this is the most critical time for fundraising, there should be feet on the ground, he has come up with a plan of putting this person in place. I've never met her, but the pastor has, or at least spoken to her. The church has started a GoFundMe site, and they have raised about \$500 in the first few weeks, we were looking into applying for a preservation grant which has a deadline of January 10th, 2020 and I think that's one of the prongs we can approach.

Moermond: I was asking written letter for grant application and timelines and deadline, so you're describing work but I don't have anything in writing.

Kroll: that's outside my activities. But I think we don't have a written statement because of that.

Moermond: because he isn't here? And didn't provide one in advance? Its been two months since I made that ask, that's why I'm pushing. I need to see that you're in this too, these things describing active steps as a demonstration of commitment. The performance deposit was posted, and that's great, and Mr. Kroll you yourself mentioned you'd know in January whether this could be greenlighted or some other plans

developed. I think that's where you come in Mr. Aderinkomi, you're getting caught up and looking at materials, what's your perspective?

*Aderinkomi: I have a bachelor's degree in finance and masters in banking and finance, I was appointed by governor in 1997-2001 as a member of MN Board of Nursing. I've been in the cities for many years. Amazing Home Ecclesia is to help the community. My wife and I decided this is what we're going to do to help our community here. This is not the only church we finance, we want to support religious groups. You may remember Church of Living Stone, they are working on it, that's so our community can survive, where finance isn't readily available. We are only using our good credit rating to help our community. I have a letter from US bank, that is only what we can use to help, our credit score is 834. That is what we take to the bank to borrow and help our community.*

*Moermond: in the other churches you worked with did you play the same role? You acquired the building and sell on a contract for deed to a congregation?*

*Aderinkomi: yes, to help them start up. I did the same thing for a church in Minneapolis, for \$500,000 within 10 years they paid it off. They bought a new church, and that time the bank extended credit because of their track record with the City. We put our own credit rating online for them. If the City destroys the property, I would owe the bank, it would destroy my family's life. Everyone knows it needs improvement, it has been there for ages. I want the City to work with us, my wife and I are sacrificing for this. We have the same problem at 871 Payne. I went to celebrate their anniversary last Sunday. Their income depends on offering of the church, you can't estimate how much you will get and receive. If you can give us time, I will work with them as an investor to make sure they rehabilitate that building. That is my only appeal. Anything you do here, you aren't hurting them, you are hurting my family.*

*Moermond: to be clear, you do have financial options as a contract for deed holder. The options are different than the purchaser's. I assume you have legal counsel about what your options are, and there are legal clauses in the contract giving you the ability to pursue other investors. I assume your loss won't be the same as their loss. If it is done right now, they are out whatever you have been paid, but you have a building with orders on it but also a way to deal with it.*

*Aderinkomi: I understand that, but the initial purpose of doing this is defeated if I do that right now. The purpose was to give them the ability to create the church. It will defeat my fate too, we need to do everything we can do to see that they are successful. I came this morning to appeal to you to work with us, and them.*

*Moermond: have you met to come up with plans as to what that will look like?*

*Aderinkomi: yes. They sent me the GoFundMe to contribute.*

*Moermond: there's \$500 raised on a \$500,000 project, so that's why I'm sober. At that rate it will be 100 years before this is financed. We want everyone's goals met and the building up and running, if that can't happen I want to mitigate the loss to the greatest extent possible. That will mean saving the building so the capital isn't lost. I want to think in that way, and that will preserve the interest of the congregation as purchaser, and for you. If this isn't the right place for them, then what is the next step in January? That's the kind of thing I'm struggling with. I don't want to ram this down the road, we started this conversation months ago and were continuing in hopes it can be resolved. I can have Mr. Yannarely speak to what some of the building conditions were in the*

*past were. Why this order at this time?*

*Yannarely: the flooding in the basement. Main water line and sprinkler system broken, 1-2" of water in the basement and most of the building has been gutted.*

*Moermond: so we have a compromised foundation. What's going on with summary abatement orders?*

*Yannarely: we have had no issues since July of this year.*

*Moermond: I love that.*

*Badejo: I go there every day. The go fund me has over \$2,000 and was just started a few days ago.*

*Moermond: I would love it if I could get the letters that I asked for about what specific kinds of fundraising, what your applying for and what's going on. What is the deadline for the state grant, who you're working with, what's happening there? The GoFundMe page is a relevant detail. This November 22 letter I wouldn't consider a revised contract incorporating specific benchmarks. This letter doesn't modify anything in the contract you provided earlier. It doesn't say you'll do something by a certain day. That was my issue, it lacks specifics, which I still don't have. What is the plan? I don't have anything in writing outside of this nice letter. I need to know why you're different and provide those documents to the world, that explain you're really in it, so when someone asks why I didn't do the same thing for them, I need those to demonstrate that extensions are justified. That's from the perspective of the general public with taxpayer dollars. I would like to get a better sense of how you guys are interacting too. You said when you got the letter your reached out to Mr. Udoibok and church leadership, tell me more about that.*

*Aderinkomi: they are very good payers. The pastor's office is close to me so I go over there, admittedly, when I got this, I called him and I also called the real estate person and all of us met. I asked what his plan was, it's a lot of money, I walked through before the flood, I told them I'm supporting you. We insured the building for \$600,000. It's a good protection if anything happens to the building. Badejo brought out the \$300,000 estimate for two phases, they asked me if we could help finance. I said I don't want to take the risk as my age, I stop the financing at the property where it is now, but I'll talk to a bank who can assist you. I called the bank and they reviewed and said they can't refinance it, the income isn't enough to justify payment after they pay the rent. I am working with them and other financers, I asked my son who is a venture capitalist, they went there and said the cost would be close to \$500,000 so they can't invest it. That is when pastor told me they are doing fundraising. We are working in it, they don't have financial ability to assess fault to our financial system. That is all I can tell you, I am working with them, but this isn't my first experience. If you give us time, you want a definite date of completion and what we're doing month by month to achieve that goal.*

*Moermond: I need you to understand that I asked two months ago for a few things to happen, two happened, two didn't. The performance deposit was posted and the property has been maintained. The revised contract and a plan on how to finance it, neither happened. When we talk about moving forward, I have nothing in my hands to show that you guys are in this if you don't help. If you're applying for grant in January, tell me when it happens, tell me when the decision making happens.*

*Badejo: the pastor has been working on that.*

*Moermond: he got this letter two months ago. Even though he's not here, its not an excuse because he isn't here.*

*Kroll: we did come up with a work plan. There is roughly \$70,000 invested by them in the game.*

*Moermond: I guess I'm taking acquisition of the property off the table. That's money that's already gone, its not for fixing the property. Having \$70,000 doesn't bring us down to \$430,000.*

*Kroll: I said that because there's investment in architectural, in the fundraising, and the \$5,000 of good faith money. It is something beyond what they have put in to invest in the property to begin with.*

*Aderinkomi: can I work with them to get you the missing things?*

*Moermond: I want you to work together, and to be familiar with the other's positions. I'd like to have those plans for review no later than January 14 and I'm comfortable with the work plan piece of it. Its all about paying the bills right now.*

*Kroll: it is, and we have people that are running low on work that could be working in December. I don't want to push them into anything.*

*Moermond: right, I don't want to be an electrician hanging a mechanics lien on a building that might be demolished.*

*Kroll: there's no reason a permit couldn't be issued right now, most of it is repair work. There's a lot that could be done. The sprinkler system and the big systems need major work, which of course needs a permit. But there's so much that could be done, and its not a good idea to send people in if the financing might change. If we need to get another partner involved so it is acceptable to a bank, I am not sure what's going to happen. The people that are working, the subcontractors, they need to put food on their table too, and I can't just send them in and say we think you'll be able to be paid in a month.*

*Moermond: we're all on the same page on that. The uncertainty of financing and removing it is one of the main things we look at here. We don't want to get \$200,000 into a project and realize it will never get done. Send the letter in draft form, so we can let you know if of any questions, and you can use that feedback to talk to the fundraiser. I'm happy to do that. But I'm really serious that in January we need to have a significant conversation about how this comes together financially.*

**Laid Over to the Legislative Hearings due back on 1/14/2020**

**2 RLH RR 19-29**

Ordering the rehabilitation or razing and removal of the structures at 864 MARION STREET within fifteen (15) days after the December 18, 2019, City Council Public Hearing.

**Sponsors:** Thao

*\$5,000 performance deposit must be posted and code compliance inspection ordered by December 17, 2019. If completed, continue PH and refer to LH January 28, 2020. At January hearing PO must have code compliance inspection completed, provide bids*

from contractors, proof of financing and property must continue to be maintained.

Robert Schilling, owner, appeared

Moermond: I also see Melba and William Daley on the property. What's your interest and what's theirs?

Schilling: they are fee holders. I never registered the property when I purchased it. I own it free and clear, I'm searching for the paperwork. I assume that my deed is wrapped with that, but I don't have they key to the safety deposit back. I have to get them to cut it open, so we can get the property to transfer. I've owned the property for 30 or 40 years.

Moermond: they are listed at the Marion address. Do you know where they actually are?

Schilling: No, or whether they are even alive.

Moermond: we have returned mail?

Supervisor Joe Yannarely: yes. There's nothing listed for personal service listed though.

Moermond: I would like it if you could have staff do some homework on trying to find Melba and William Daley.

Zimny: William appears to be deceased in 2015.

Staff report by Supervisor Joe Yannarely: The building is a two-story, wood frame, duplex with a detached, two-stall garage on a lot of 4,792 square feet. According to our files, it has been a vacant building since May 14, 2010. The current property owners listed for this property are Melba and William Daley per AMANDA and Ramsey County Property records. The alternate taxpayer listed for this property is Robert E. Schilling per Ramsey County Property records. On September 13, 2019, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on September 19, 2019 with a compliance date of October 19, 2019. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$11,000 on the land and \$86,700 on the building. Real estate taxes are current. The Vacant Building registration fees were paid by assessment on June 3, 2019. As of November 25, 2019, a Code Compliance Inspection has not been done. As of November 25, 2019, the \$5,000 performance deposit has not been posted. There have been five summary abatement notices since 2010. There have been two work orders issued for Boarding/Securing. Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish exceeds \$20,000.

Moermond: what I notice when I hear that is that we don't have a code compliance inspection yet, no performance deposit yet, the City hasn't had to do much to maintain the property. Its been a vacant building for 9.5 years, which is a long time. It looks like we have a revocation of a Fire Certificate of Occupancy from May 2010, and it looked like there had been long-term noncompliance. They had sent a lot of letters and not gotten, in, and they revoked the certificate. I am seeing in the orders that they were asking for access to the interior and didn't get it. The Fire inspector was Lisa Martin at

*that time. What do you want to do with the property?*

*Schilling: I am doing repairs now. I fixed the roof.*

*Moermond: you don't have a code compliance. When will you have that?*

*Schilling: I want to get it done.*

*Moermond: you give me \$5,000 in a performance deposit by December 17, and I'd like to see the code compliance inspection ordered by then. You'll need to be ready by the December 18 for the inspectors to do the walkthrough, and get the list so you can give it to contractors so you can make informed decisions about how you want to proceed with the property. You up for that?*

*Schilling: yes.*

*Moermond: do you have the finances to do the rehab? They're saying its at least a \$75,000 job.*

*Schilling: I own it.*

*Moermond: but you don't have clear title.*

*Schilling: I have my homestead in St. Paul, with clear title.*

*Moermond: you do those two things I'll ask them to continue it to legislative hearing January 28. You'll have the inspection report in your hands and have talked to contractors at that point. I'll need a work plan, demonstration of financing to execute the work plan. You can't pull permits until Council greenlights the property. Any work done must be work that can be done without a permit. I'd consider what you're investing money into, throwing good money after bad.*

*Schilling: if I want to replace windows?*

*Moermond: it will be one big building permit. Get the code compliance inspection taken care of, you'll be pulling a building permit which includes taking care of the windows. They will be inspected.*

*Yannarely: I have an email from Vicki Scheffer that Melba is deceased also.*

**Referred to the City Council due back on 12/18/2019**

- 3 RLH RR 19-30** Ordering the rehabilitation or razing and removal of the structures at 1904 PRINCETON AVENUE within fifteen (15) days after the December 18, 2019, City Council Public Hearing.

**Sponsors:** Tolbert

*\$5,000 performance deposit must be posted by December 17, 2019. If completed, continue PH and refer to LH January 14, 2020. By January 14 PO must have code compliance inspection ordered and have update on property cleanout.*

*John Kattar  
Mary Jo Durand Kattar  
appeared*

*Moermond: So Ramsey County has your name spelled wrong in the property tax records. Ms. Vang can send an email. About that.*

*Mai Vang: do you want Mary Jo's Durand? last name changed?*

*Mary Jo Kattar: it has been like that 40 years.*

*Moermond: I didn't attach the old record, I assumed your life circumstances were different. We can change that if you want, let us know. This is a different conversation from 2006 and the order to vacate. This is a case where the administration of the City has made a declaration this a dangerous or nuisance property, and if it wasn't fixed it would be asking the Council to remove or repair the building because it's a nuisance or dangerous structure. In the normal course of events, most of my conversations is around whether you want to demolish or if you want to do rehabilitation and those details. You have no doubt gathered from the previous case that inspections, work plans, financing, are all a piece of what we're talking about, a performance deposit is required and maintaining the property.*

*John Kattar: it says you may pay it, it is not mandatory.*

*Moermond: code says it is if you want to rehabilitate the structure. If you complete the work within the time given, you get the money back with interest.*

*John Kattar: what kind of time periods do you allow?*

*Moermond: City code says 180 days. Mostly that's sufficient, this time of year I know there are some things you can't do because they are weather related. We have ways to deal with that. I will also tell you if you are more than halfway done at the six month mark, we will have another hearing and talk about the progress, I typically ask the Council to continue the performance deposit, and have faith it will get done. I'm trying to set you up to succeed.*

*Staff report by Supervisor Joe Yannarely: The building is a one-and-one-half story, wood frame, single-family dwelling, with a detached two-stall garage, on a lot of 6,098 square feet. According to our files, it has been a vacant building since July 12, 2007. The current property owner is John F. Katter and Mary Jo Durand per AMANDA and Ramsey County Property records. On September 18, 2019, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on September 23, 2019 with a compliance date of October 23, 2019. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$145,500 on the land and \$141,500 on the building. Real estate taxes are current. The Vacant Building registration fees were paid by assessment on August 1, 2019. As of November 25, 2019, a Code Compliance Inspection has not been done. As of November 25, 2019, the \$5,000 performance deposit has not been posted. There have been two summary abatement notices since 2007; no work orders have been issued. Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$20,000*

*Moermond: ok, let me tell you what I hear in that, you guys have been paying the vacant building registration fees for a dozen years. You've been maintaining the*



*property, I noticed a code compliance inspection hasn't been ordered, that would be where the team of four trades goes through and writes up what needs to be done to hit minimum code compliance. We just talked about the performance deposit. I'm looking at estimated repairs from years ago, what it might cost. Your house is what we might call a hoarded house, that would have affected your ability to get an inspector in to look at it. If it is that way now, step one is to get a plan to get the house cleaned out. How are things now?*

*Mary Jo Kattar: we need some time.*

*John Kattar: I'm concerned about the list of deficiencies. Were these just guesses?*

*Moermond: they would have been based on the condemnation order to vacate and any other observations of the structure.*

*John Kattar: lack of electricity? Gas service? These have never been off.*

*Moermond: we will look into why that's in the orders. We'll see what happened with Xcel. I want to get us back to a place to getting to the house inspected. The list was the list included in the order to abate a nuisance building. I know that because it was a hoarded house that is still full.*

*John Kattar: it is not full. It was at the time, we went through this already with the courts.*

*Moermond: if you were here, it went to Council, and you were represented by Mr. John Kerts, and it goes to court of appeals. I'm going to try and bring us back to, getting some of these things ticked off so we can get out of this circumstance.*

*John Kattar: absolutely but I need more details.*

*Moermond: and that's what I want to get to. But that means we need a team of inspectors in there and they need to be able to see the walls and ceiling and venting. That's the basic punch list. I'm hearing between the lines the conditions aren't as bad as you think they are Ma'am. That's great. I'm happy to look at numbers that are less than this estimate. Your going to need to do the cleanout, apply for the inspection, get the inspectors through, get a lock box on the door so the inspectors can visit, and then you will have something you can use to talk to contractors. You'll have an idea of the cost of fixing it. We'll look at making sure that money is available and posting the performance deposit. I know we're in winter so the exterior stuff will wait, and I'm happy to look at work plan that shows that. Where are you with what I'm saying?*

*John Katter: I agree with most of it. My plans were much bigger than what you'd like. But, at the time we were last into this a dozen years ago, we were at a low point in our life. Recession, I lost my job for 4.5 years. Nothing was good. You said at the time more than 10 percent of the city was in the same condition. Today I'm a couple years from retirement, I have 40 years in the industry. I'm in a good place. So, I'm happy, I want to stay that way. This house is not a happy point for me. I love the house. I've lived in St. Paul since I went to college. The people around me have loved it, my neighbors, my friends, they love it. They wanted us to stick around. But, the orders, the condemnation, the lack of anyone working with me or giving me a chance to do what I needed to do wasn't there back then. It felt like "Take care of it or out of the city". Since then I've married off four kids, two have master's degrees, all have college degrees. They had friends and neighbors they loved, but they won't come back. They*

*don't believe in the City anymore. I loved it when I was there in college. But it changed in a big way, especially just prior to this a dozen years ago. Since we had that house, the minute you put it as a vacant house within a week it was attacked and broken into. They stole everything they could find. It cost me over \$100,000 to have to live away from that house. Instead, I was ejected from the city. That \$100,000 would have made a nice fixup.*

*Moermond: and I'm happy to hear this, but I don't want to engage in a debate about what happened 12 years ago. There were 1,000 vacant buildings and then there were 2,000 in the City. It was a hard time. I want to ask you pointedly, today, are you intending to rehab, or do you want to fix it to sell, what are your goals?*

*John Kattar: at this point, I have a lot of options, I can fix it, I can have it demolished, I can sell it to a flipper.*

*Moermond: you can't, but we'll come back to that.*

*John Kattar: the last I left this environment, I was told there was no way I was ever going to receive a Certificate of Occupancy until every single code was complied with. This was told by the inspectors at the time. You think I was going to spend that kind of money on the house. I want the house to be improved.*

*Moermond: I can tell you that 12 years ago and today we're talking about minimum code compliance. No one is making you rewire a wall unless its open and exposed. Right now, say what you want to do.*

*John Kattar: I want to fix it and get the best value I can out of the house.*

*Moermond: will be? Or is?*

*John Kattar: it depends on what other people say to me, a contractor, how much it costs to make the improvements. I've already lost \$100,000.*

*Moermond: so, lets talk about what it looks like now. Things are out of the house, but there are still things that need to come out of the house. I need an inspection to happen, they need to have clear views of what they look at. So, lets figure out a basic list of what needs to be done and talk to a contractor. I understand you have some work to do before inspectors can come in, how much time do you think you need?*

*Mary Jo Kattar: what does cleaned out mean?*

*Moermond: like how this table is in the middle of the room, you need distance from the walls, but if things are stored and packed neatly in the middle that would work. Rubbermaid containers stacked to the ceiling isn't going to work. Give me a timeline, I'm thinking a month.*

*Mary Jo Kattar: I'm a caregiver for my father, I'm taking care of him basically all day. Day to day I can't guarantee what I can accomplish, he will have appointments or have to go to the ER. I'd like more than a month. I'm working on in 4-5 days a week right now, devoting my time, I can't be there after dark.*

*John Kattar: and I work 5 days a week and am on call 24/7.*

*Moermond: so you might need to get some help with it.*

*Mary Jo Kattar: after it got ransacked, its all mixed up. I'm making progress.*

*John Kattar: even if I got her help, I'm talking \$5,000 to \$10,000.*

*Moermond: you may not qualify for free services, but I would suggest reaching out to Ramsey County House Calls. They have experience and contacts and contracts with professional organizers that may be more affordable. Lauren Lightner is the supervisor of the program, she may have some ideas. We'll get you the brochure and a business card.*

*Joe Yannarely: there's also the MN hoarding task force.*

*Moermond: this goes to council December 18, what I'd like to do is put a pin in this and ask them to give you time to get it cleaned out and the inspection applied for and conducted. I want to ask them to continue it to give you time to do those things, you need at least 3 months. The hardest is the cleanout of the property. I want to get you as much support as we can.*

*Mary Jo Kattar: his mom is also in his 90's. If its not the house its that.*

*Moermond: Lauren Lightner will be a great contact for a number of reasons. She knows what kinds of things work and can be affordable. I'd like you to put the \$5,000 performance deposit in place by December 18, and then we'll continue this.*

*John Kattar: I'd rather put that down when I have the plan.*

*Moermond: if you decide not to move forward, or the Council doesn't give you time, you can request the money back, period. It gives me the ability to show you are in and are committed while we work on the other things. If you do that, I'll ask them to continue this to Legislative Hearing February 11, 2020.*

*Mary Jo Kattar: if a parent passes away are we allowed extra time? How much stress? I'm waiting for the phone call every day.*

*Moermond: I get it, I have parents too. You need to reach out to the resources, because the road we're on, this is something that's a concern for a long period of time.*

*Mary Jo Kattar: last time I had help it was a fraud person.*

*Moermond: she works with Ramsey county public health, she works with people in housing crisis.*

*Mary Jo Kattar: for 20 years people have been telling me I'm in crisis and that I'm going to go crazy. The tumor in my spine was a crisis.*

*Joe Yannarely: I assume you have been looking at doing this for a long time, look at this as an impetus to getting this done. This house is a good asset for you. Lauren Lightner won't give you a rip off person.*

*Moermond: I'm going to give Lauren Lightner a call, and I want you to reach out to her as well. Let's check in January 14, at that point I want to know where we're at with the cleanout, I'd like to see the code compliance inspection ordered at that point.*

*John Kattar: I want to know why there's lies on here. Waters on. Everything is on.*

*Moermond: and we will look into that. I will continue to work with you. You can ask for that performance deposit back if you want to pull the pin. The next step is getting the inspection reports and the bids.*

*John Kattar: the flippers? You were going to discuss this?*

*Moermond: when you have a remove or repair on a property, the title can't transfer until the work is done and signed off. You could create a contract with someone who would do the work, which we'd review. But it isn't as easy as just sitting down and selling it. The City tightly regulates the sale of houses that have been declared nuisance structures. It is complicated.*

**Referred to the City Council due back on 12/18/2019**

## 10:00 a.m. Hearings

- 4 RLH RR 19-31** Making finding on the appealed substantial abatement ordered for 412 HOLLY AVENUE in Council File RLH RR 19-15.

**Sponsors:** Thao

*Continue performance deposit and allow 180 to finish rehab. PO to provide updated timeline by December 14, 2020.*

*Erik Stadstad appeared*

*Mary Wagers, daughter of owner, appeared*

*Moermond: we are at the six-month juncture, and the work isn't done yet, but we kind of expected we'd be here at this point because of the scope of the project. This isn't a surprise, we all knew we'd be sitting here talking about what happens in the next six months.*

*Supervisor Joe Yannarely: I talked to Mr. Seeger and Mr. Bruin he said they are 70 to 80% done, making good progress, looking to be done with the full project in March.*

*Stadstad: Mr. Seeger gave us a shorter list to focus on to get us out of the condemned status, and that should move significantly quicker. The full project in March, but as far as getting a temporary partial Certificate of Occupancy. There are some permits that were pulled in addition to the required stuff. The list he gave us is not bad, I hope we can have that done significantly sooner.*

*Moermond: I am looking at a statement you created, a project timeline with completion by December but I know that was optimistic. Can you give me a revised statement like the one you originally did? Mr. Seeger is also going to be retiring, so I don't know what's happening with the communication between and him and the new person, and different people like to manage files differently. I can tell you that management at DSI can sometimes be touchy about the idea of a temporary certificate on a Category 3 major rehab, as opposed to the real finish line. I'm just putting that out there, he's managed this for years and has a way of doing this, but with the change. When I go to Council, I want to say two things, I have a revised timeline and he's showing he can finish in six months. That puts us in Mid-June. I'd ask them December 14 to give you*

*six months to finish and continue the performance deposit. Because you're well past the halfway mark, I'm not going to ask for an additional one.*

**Referred to the City Council due back on 12/11/2019**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 5 [RLH SAO 19-58](#) Appeal of Jeff Nottum to a Vehicle Abatement and Correction Order at 790 STEWART AVENUE.

**Sponsors:** Noecker

*1. Recommend granting the appeal on commercial vehicle parking, conditioned on no business operations occurring at property such as hauling and storing items. 2. Grant an extension on the repair or replacement of the parking surface to July 1, 2020. 3. Grant appeal to allow repair of Class V surface (versus replacement with another surface type), but require zoning staff review of plan to ensure parking is at least 4 feet from the property line and clearly separated from the yard with landscaping.*

*Jeff Nottum, appellant, appeared  
Christine Osman, neighbor, appeared*

*Nottum: the property is owned by Ben Spores, he's my cousin.*

*Moermond: your appealing on his behalf.*

*Nottum: he had a chance to work today and he took that. I'm a 30-year retired firefighter so I have the time.*

*Osman: I also have a letter from Judy Nelson in support of Jeff.*

*Nottum: everything in the yard is gone. Its done and never going to happen again.*

*Staff report by Supervisor Lisa Martin: I have two, the first is a vehicle abatement order issued November 19, 2019 to Benjamin Spores, we have two vehicles, one is a commercial vehicle parked in a residential neighborhood which is not allowed. The other vehicle lacked current license tabs and was parked on an unapproved surface. I also issued on the same day, a correction notice regarding the parking. There were multiple vehicles parked on an unapproved surface at the rear of the property, they would need zoning approval to establish the approved parking area, we ask that they submitted a site plan for approval and discontinue parking on those areas that aren't paved or approved.*

*Moermond: when I look at the aerial, I'm looking for a clean delineation between parking and the rest of the yard. I'm guessing this compacted class 5 that has sort of migrated through the yard.*

*Nottum: that's exactly right.*

*Moermond: we have a commercial vehicle.*

*Nottum: that's mine. When I was active working in the department, I had that vehicle, I*

left it there. Its been there for 18 years. I used it to plow the alleys and taken care of people's stuff when people dumped it, they dump in the alley. It was convenient for me to haul things. It kind of hurt when I felt like I was breaking rules, I had no idea that was a problem. Its not a huge vehicle, it's a bit bigger than a pickup. The driveway surface, I know its class five because my father with Ben's father put the slab in in the 60's. Its been maintained a bit, but not the degree it should be. Where they park in the back, they do that because, Stewart Street is higher than the house, there is 20 stairs to get down to the house, so everyone parks there in the back. The parking surface has gotten chewed down, it always was parking though. As a financial thing he can put more class 5 down, but I know he doesn't have money to put in concrete or asphalt. Its been there for 40 years as class 5.

Moermond: I don't see a correction order about the parking surface itself.

Nottum: the old pickup, he's working on getting someone to get it out of there. Someone will give him \$75 to tow it out. I do know that his girlfriend, Lynn, parks her van and has a handicapped sticker. Ben works but has leg issues, he's been sober four years, he has a partial blockage on his leg from his knee down and has profusion. Its hard for everyone to go up and down.

Osman: Jeff and his truck have been a real blessing in the neighborhood, we'd like to see him stay. We didn't know the issues and what the problems were. You want parking places set up, what would make that work?

Moermond: when I see what happened on the November 19 orders, I saw the yard full of scrap metal, random things, plastic barrels and buckets, and the inspector is going to say I'm looking at all of this plus the parking issues and I have to write orders on that as long as I'm here, and the driveway as long as I'm here. That's why it was a collection of things. You go the big thing done. Was this a complaint-based inspection?

Martin: yes

Osman: can we know who called?

Moermond: no, by state law.

Osman: Jeff is the most outstanding person I know and he'd never intentionally do anything, and the neighbors would like the truck to stay as its beneficial to the neighbors. He's never charged.

Moermond: do you use it as part of a business?

Nottum: I do get people who call, and I charge them for hauling it.

Moermond: and its because of the big metal dump body on it?

Nottum: yes, you don't have to handle stuff twice.

Moermond: and you need a commercial plate on it to do that?

Nottum: yes, it ts getting close to being a collector. I have had it there all those years, I didn't believe I was harming or doing something wrong.

Moermond: I just had a case about a guy with a skid steer, but he uses it for plowing the sidewalk, and does the whole block, as long as it is its only purpose and it is not commercial in its use. Yours is a blend. I'd like to look at that more before I give you an answer.

Nottum: its winter now, I'm going to have a tough time finding a place to put it.

Moermond: this will be long term. Now lets look at the driveway, it's a free for all about where things are going in the back yard. This is a borderline situation as to whether it can be repaired or require to be repaved. If you can get ahead of the ball and establish the boundaries of where the class five will be, maybe plant some grass, so that it's a defined space. If you have a dirt in the backyard and are parking everywhere that's not a stretch that zoning would have some concerns.

Martin: that's why I said in the letter to talk to zoning and look at the original site plan.

Moermond: I'm concerned if they talk to zoning that they're going to make them pave it. I'm seeing its migrated, but there's no grass growing through it.

Martin: we can set up a time and I can meet with you and speak to zoning together.

Nottum: that would be great.

Moermond: lets lay this over to December 17 so I can do some homework about the truck, if it has to be removed, I can put a decent extension on it so you can handle the logistics of that. If at the end of this you're ok with my recommendation to Council about the drive and the vehicle, you are done. You can always go speak to them at the public hearing. Lets do more homework and reconvene on December 17th and you speak to zoning.

Nottum: can they park there over the winter? It is almost impossible for Lynn to park up and walk those stairs.

Moermond: enforcement is stayed for now.

**Laid Over to the Legislative Hearings due back on 12/17/2019**

**6 RLH VO 19-53**

Appeal of Timothy McClellan & Kimberly Hafics to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1549 HAZEL STREET NORTH.

Sponsors: Busuri

Deny the appeal. Property is condemned and a Category 2 vacant building.

Timothy McClellan and Kimberly Hafics, occupants, appeared  
John Hafner, owner, appeared

Moermond: this is an order to vacate, sometimes we allow continued occupancy and in this case we determined on Friday occupancy is not allowed. Enforcement wasn't stayed during this appeal. Mr. Haffner you are listed as living at the property, but the appeal document you list an address in Fridley?

Hafner: I don't live there.

*Staff report by Supervisor Lisa Martin: November 21, 2019 we issued a notice of condemnation to John Hafner at 1549 Hazel Street N. Looks like the condemnation specifically states material endangerment, owner tampering and illegally installing own electrical service to the property and at the pole in the alley. We also have disconnected service, tampering with the meter, issues with deck and stairs, extension cords, exterior sanitation and some issues with vehicles. We have not been inside to do an actual inspection but due to the electrical issues it was an immediate condemnation. This is a category 2 vacant building and we are asking for a code compliance for the interior.*

*Senior electrical inspector Dan Moynihan: Xcel contacted me because they were having issues disconnecting the power to the property. They disconnected it at the meter, then they realized power was still being used, and they realized the meter was tampered with, so they disconnected at the pole, and then Xcel came out to see and they had taken jumper cables from a car to reenergize the property. Then Xcel disconnected from house to pole, then someone had ran new wires from house to pole. They were out the 21st and removed, I had an electrical inspector go out and they noted the meter was damaged from tampering and its missing a required conductor from the meter to the head.*

*Moermond: so because of that and the tampering, what would be required for the power to be turned back on? We have billing issues and physical issues.*

*Moyinhan: Todd Erie from Xcel said they would have to contact their credit department to clear up the bill, and then on our end and Xcel's the meter has to be replaced by a licensed electrician, under permit and inspection. We would then check the panel to make sure that is safe and grounded properly, as we haven't seen it. If we saw any serious hazards it would need to be abated prior to energizing the service.*

*Moermond: pay the bill, pull a permit, interior inspection and possible repair as well. Ms. Martin is saying condemned based on the conditions and a full code compliance required and those need to be addressed before it can be re-occupied. We also have a non-owner occupied property that is not in the Fire C of O program. A bunch of things going on here, and it sounds like a desperate act and extremely dangerous, not only for the occupants, the person doing it, but also the neighbors in the surrounding area. I also understand police needed to accompany.*

*Moynihan: Xcel had police go with twice*

*Martin: Westenhoffer had police go with too.*

*McClellan: There was a dog in the yard, that's why they brought the police. We didn't let the dog out, it was just in the yard. We could have taken it in. We weren't asked to bring the dog in, when they came and knocked on the door the last time, the police officer asked who I was and asked about the dog and the dog wasn't there, and I said it was fine, come on in. We've never like, let the dog out into the yard when Xcel was there to harm anybody. The time before that when Xcel showed up and asked about the dog we kept her in the house, she's not a vicious dog by any means but if they don't want a dog in the yard then we don't put her in the yard.*

*Moermond: Ok, so Mr. Mcllellan, Ms. Hafics, Mr. Hafner, what's the plan? What do you want to do?*



*McClellan: We're waiting for a help from RAP, waiting to hear from them. We collected some money already, we owe about \$4,000.*

*Moermond: How long have you been there?*

*McClellan: six or seven years.*

*Hafner: Five years.*

*Moermond: So that's a lot of non or short payment.*

*McClellan: it was about a year.*

*Moermond: Mr. Hafner, you own the property and the physical things we are talking about wouldn't be things that renters would be responsible for dealing with, replacement of meter, service panel and so on. Those physical parts fall on you.*

*Hafner: I called Bright Light Electric and they are going to be there today, to do whatever needs to be done.*

*Moermond: are they planning on pulling a permit to do that?*

*Hafner: I would believe so, they are licensed electricians.*

*Moermond: here's the thing, I think Xcel needs to be at the table and on board with whatever the plan is, because I don't want the City put in a position of issuing a permit for work to be done and the work being hijacked and tampered with or used to steal electricity. All the bad things we've seen happen three times in a row. If repair just continues the cycle.*

*Hafner: it won't.*

*Moermond: I don't trust that. Please understand. I don't know where Mr. Moynihan is at. The first thing Xcel wants done is the bill to be paid. I would sure be hesitant, this has gotten to an extreme level.*

*Hafner: the first I had heard about this was on Thursday.*

*McClellan: neither of them knew about this, I did it. We have a cat and dog they were getting cold.*

*Moynihan: I'd hate to allow something to be approved to have it tampered with it again. We'd need a letter from Xcel saying it can be hooked up.*

*McClellan: They are saying it has to be a bypass meter paid in full and the inspection done.*

*Martin: for 5 years we don't have a C of O on this.*

*McClellan: do you have other rental properties?*

*Hafner: I do have one in South St. Paul and I have a license.*

*Moermond: it doesn't look good you don't have one for St. Paul.*

*Haffner: I can go do whatever I have to do.*

*Moermond: if there had been a C of O inspection, I'd have a good idea of what the interior was like and could approach this conversation much more informed and confident. Right now, I have no idea what's going on inside the house, I approach this cautiously, because the tampering and lack of C of O make me want to go by the book on this.*

*Hafner: fair enough.*

*Moermond: I want to be empathetic about housing, its very dangerous. I get it was a desperate act.*

*Hafner: it does have a brand-new furnace.*

*Moynihan: there hasn't been any permits since 2000.*

*Vang: there as a mechanical permit finaled August 23, 2016 for AC. There's a warm air finaled for the furnace May 31, 2016. There was a second mechanical permit finaled June 1, 2016 for the furnace.*

*Moermond: ok, that's good. I'm going to recommend the Council denies your appeal. The circumstances, I still have the other issues inside the house I don't know about, even if the electrical is turned on. The code compliance inspection list could be short. I can't predict what it will show. Its promising you had permits pulled in 2016, that speak well to your approach. Not having a Fire C of O doesn't. You need to apply for a code compliance inspection. We'll give you that application, the other form is the Fire C of O application for the provisional C of O. If you continue to use this as a rental, you'll need one.*

*Hafner: I did call them. They are waiting for a permit, and they wanted an electrician to go out and fix it. I'm not paying their bill.*

*Moermond: you should probably speak to Mr. Moynihan about what steps need to be involved for the permit to be issued.*

*Hafner: so, they have to move?*

*Moermond: you can't live here.*

*Hafner: do I need to get an unlawful detainer?*

*Moermond: I cant give you legal advice. You can only be in there from 8 am to 8 pm, not for living, just for picking up, repairing things, moving out. This will go in front of Council December 11. You can ask them for a different decision, but for now you can't have anyone living in the property. I'll give you brochure on House Calls which has some housing resources.*

**Referred to the City Council due back on 12/11/2019**

## Correction Orders

**7 RLH CO 19-17 Appeal of Kristin Sobota to a Correction Notice at 924 ELEANOR**

AVENUE.

Sponsors: Noecker

Grant the appeal.

No one appeared

*Moermond: we have a downspout system that discharges in the direction of the sidewalk. It appears that the grading of the yard is away from the foundation, but water flows to the right of way. The spouts are at least a yard away from the right of way, not encroaching. This was written as a correction order under section 34.08, but there is no nuisance here, without ice accumulation which would be a nuisance. Grant appeal on order as written now.*

**Referred to the City Council due back on 12/11/2019**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 8 **RLH FCO** Appeal of Kevin Roede or Craig Mader to a Fire Inspection Correction  
**19-126** Notice at 584 FAIRVIEW AVENUE NORTH.

Sponsors: Jalali Nelson

*PO must submit proposal(s) for alternative means of compliance for review by December 17, 2019 for compliance. LH December 17, 2019, Council PH December 18, 2019.*

*Kevin Roepe, Harcros, appeared  
Craig Mader, Harcros, appeared*

*Staff report by Fire Supervisor James Perucca: November 12 Inspector Mitch Imbertson and AJ Neis were out to do a C of O inspection. Looks like there is about 5 items, I'm guessing the reason we are here is reducing and maintaining hazardous items. This issue was actually brought up by them to our inspectors, so thank you for being straightforward in addressing. The issues are mostly the occupancy type for this building is S1 storage, we do have some hazardous occupancies, H3 flammable materials, and a business occupancy, low rise, also in this building. Harcros did provide a hazardous material analysis from Summit Companies which is helpful, its straightforward in analyzing the existing conditions and deficiencies that are at this facility and lays out the remedies for that also. Maximum allowable quantities (MAQ's) for sprinkled and unsprinkled buildings. This building is partially sprinkled, where the flammable liquids are, but the rest is not. The amount is twice the amount of MAQs. Some things are seven to eight times over the allowable amount. Across the board from corrosive liquids, roughly twenty four times over the MAQ. We'll agree we're over the quantities. This is about a 42,000 square foot building. Most of the corrosives are in the storage area. Only the H3 corner on the document here is sprinkled. Summit Companies did a good job on analyzing and giving remedies to become compliant. Adding sprinkling throughout the building, spill containment, containing runoff. The low cost remedy would be to reduce quantities to under the MAQ's set forth in fire code. One other thing to note is the low water pressure in that area of the City. Costs would be higher because of that; further study should be done to see if water pressure is as*

low as they found it to be. When they did their calculations, the flow wouldn't be adequate enough to give water for sprinkler coverage for this type of occupancy. I guess the bottom line is, I'd like to have an idea of what they are proposing to do, if you're invested enough to make corrections or reduce quantities or move elsewhere.

Roepe: we own the building. As far as the deficiencies, 1, 2 4 and 5 we have no problem and will complete those within the 30 days. Number 3 is the one we're concerned with. One, we need more time to try and figure out how as a company we will pay for it and what that costs is and gather data to see where we're at. As far as the water data, especially. We'd requested the City to do a test in that area, they also found it in adequate. They did a test on the main on Fairview, the flow is better but the pressure is questionable. So, we're asking for more time to put together detailed costs on this, that's part one. Part two, is we'd like to know if the City is amendable to an alternate protection plan. We know this will be expensive, the sprinklers itself is minimum \$350,000 with a fire pump. If we have to include a tank that's another \$100,000. Ventilation and requirements with an H4 occupancy. So, is there somewhere in the middle to meet to protect our facility, but look at some alternatives. We are a chemical distribution facility. We store a lot of corrosives, that's just the business. Reducing quantities wouldn't work. We've been in there since 1971, our business has been consistent since then, we've reduced in the last couple years so it's just packaged materials. The facility has gone through a couple different owners through the years, the current company took over in 2001. Its been under various names, but the business entities have changed but the business hasn't since 1971. We've had this S1 occupancy and a third-party audit which is what prompted this analysis. It happened our annual inspection was due, so that coincided. So yes, we need more time to figure out what we can actually do, and two, to see if there's somewhere in the middle.

Moermond: It seems to me that Summit Companies or someone like that would be the ones to craft a proposal that they would believe to be a good alternative means of compliance. You believe the sprinkler system is going to be too expensive because of the low water pressure?

Roepe: yes. Its not as simple as putting in sprinklers.

Perucca: the current flammable control room is H3, but because of the quantities it meets the H4. The bulk of the building is S1.

Moermond: so the occupancy and use are not in alignment right now. You are asking for time to look at costs, what have you done so far since September?

Roepe: after we got the report, we wanted to verify some of the data. We did conduct the flow test, then we tried to figure out within the company how we were going to pursue. And then we did approach the City and requested some sort of meeting, and that's when our annual inspection was coming up so it was deferred to come up through the normal occupancy inspection, that happened November 12. Since then we've done the second flow test as well. We have put together some rough cost estimates to meet criteria. That's where were at today.

Moermond: have you talked to Summit or another company about ideas for alternative compliance?

Roepe: just high level.

*Moermond: the City will always look at a proposal. Will I commit that the City meet you halfway? I don't know.*

*Reope: now we have an understanding there's a decent supply off Fairview, the sprinkler in the building is becoming more achievable and we're looking at that closer. Maybe having a better alarm system, improving that, or fire walls. One of the big issues we foresee with a large portion of the cost is ventilation requirements, we have to heat for the sprinkler system, so the heating costs plus ventilation, there's some challenges we haven't fully captured. A sprinkler system with an improved alarm system, if that would be an approved fire protection scheme, not necessarily putting in a ventilation system.*

*Moermond: that would be the kind of thing that would be in a proposal. What I would do, if it comes into hearing, I'd send it to the fire engineer and ask her to look at it with Mr. Perucca, so they could review and let you know if there's deficiencies in the proposal and what those were. I'd want that input, they have to be at the table with this conversation. I'm going to task you with putting something together like that. The problem is the ongoing condition of the excessive storage while the plans are under development, and how long is the City willing to allow that to continue. I can tell you I'm not interested in talking four to six months, I want a solution.*

*Reope: I think we can have a solution in a couple months, but installation and construction will take a few months. We'd anticipate it would be several months.*

*Perucca: keep in mind your facility borders on a residential neighborhood. If you were out in Podunk county, and the chances if something bad happening your facility not affecting more than the wildlife, then my heartburn would be minimal. But, given the location, and the fact that we're not just fuzzy amounts over MAQs, were big time over. I am very hesitant in looking at extending this too far and allowing those kind of conditions, which I applaud you for bringing it forward, and allowing it to continue without proper protections. So far, you've been lucky, but that shouldn't be the first bullet point on your safety plans.*

*Mader: we've had training and spill training and have been open with the local fire inspector.*

*Moermond: and you have that history, but now we have that specific information on how overcapacity the facility is.*

*Reope: I see it as putting together a plan, and implementation of that plan.*

*Moermond: and three, you mitigate the issue now while you're working on that plan. If you know something goes wrong, this is bad.*

*Reope: reducing levels to under S1 is putting us out of business. That's why were asking for a reasonable time. We've never hid anything. Just because its been done in the past doesn't make it right, I know that, but we also have a solid history and would like a reasonable amount of time.*

*Mader: we have done a lot of the footwork already.*

*Reope: I imagine Summit would need about 30 days, reasonably. And then we have implementation, which could be several months.*

*Mader: we do not package or handle open containers of chemicals. Everything that comes in and goes out in the exact same container. At no time are there open containers of chemicals. Its not a production facility anymore.*

*Moermond: this goes to council December 18. I'm hoping by December 17 you can give me some plans. What I need to do is get more and better info from the fire engineer and honestly, I need to have better information to take to the Council on this one. This is pretty significant. If we could involve her, right now your deadline in orders is December 12, in the normal course of events they may give you more time, and I won't try and short circuit that, so you talk to Summit and your people and have something, we'll involve Angie Weise. December 18 I'd like to be able to recommend to send it back to Legislative Hearing. I won't have a good handle on that until I speak with her. I'm going to let you guys drive on what an alternative means of compliance would be.*

**Referred to the City Council due back on 12/18/2019**

## 2:00 p.m. Hearings

### Vacant Building Registrations

- 9 RLH VBR** Appeal of Jay Mitchell, Universal Construction, to a Vacant Building  
**19-86** Registration Notice and Summary Abatement Order at 1191  
MINNEHAHA AVENUE EAST.

**Sponsors:** Prince

*Fire C of O must be reinstated by December 20, 2019 or property must be vacated by January 20, 2020. If C of O is reinstated grant an extension to June 1, 2020 on exterior painting.*

*Jay Mitchell, contractor for Quality Residences, appeared*

*Moermond: This is a Danmark owned property, managed by Quality Residences, we have a couple of abatement orders and a fire certificate of occupancy revocation and a registered vacant building.*

*Staff report by Supervisor Leanna Shaff: appt letters started May 20, 2019, no entry June 12, July 3, and July 22, also August 12 that's where we were pending revocation, finally gained access in August. August 23, again pending revocation, September 25 and we finally revoked on October 31, 2019.*

*Moermond: I'm looking at a letter that says Revocation of the Certificate of occupancy dated August 23.*

*Shaff: Yes, that was the first time we were able to gain entry.*

*Moermond: but, it was revoked in this order?*

*Shaff: it was revoked prior to that for four no entries.*

*Moermond: so we're walking in with the revocation. So when you say in October you finally revoked it?*

Shaff: October we finally enforced the revocation. I would characterize these orders as deferred maintenance.

Moermond: is the property occupied?

Mitchell: yes

Moermond: Quality Residences appears to be anything but, in terms of showing up and responding and even hiring you. you're the contractor.

Supervisor Rich Singerhouse: there were orders for refuse at the property, a tire and miscellaneous things that have been removed. We opened this as a referral October 31, 2019 when the C of O was revoked, Ross we opened it November 13, 2019 both properties are Category 2 vacant buildings.

Moermond: you said in the appeal that the repairs are completed?

Mitchell: the repairs I was given in the sheet. It said there was a smoke detector affidavit and another item? When I brought in the paperwork I was given that stated the items.

Shaff: the orders are extension cords in the downstairs unit, secure the toilet to the floor in the downstairs unit, remove the fan from one of the emergency escape windows in the rear bedroom, exterior paint, and then in the upper unit clean and sanitary condition.

Moermond: that doesn't sound like there's carpentry work.

Shaff: No.

Moermond: so the repairs are completed but these things were just listed but those aren't things you are normally responsible for.

Mitchell: when they give me a list, there are usually items that I know are flag items, screens, cords, smokes. I tell them these are the things I think Fire and Safety is going to want because its not done. I read they didn't get an entrance. I was just trying to be ahead of the curve. All the items except the paint. We scraped and sealed what was on there.

Moermond: and it sounds like none of that is called out in the most recent set of orders.

Shaff: that is the most recent set. The most recent are September 25, 2019.

Moermond: ok, we need to add a copy of that to the record.

Shaff: what is difficult for fire safety inspections, is that Mr. Mitchell is a contractor, but we waste an incredible amount of time keeping going back. Here we are, something that should have been vacated. Their offices have horrible communication.

Moermond: for the record, as I look at this, I think to myself, I'd like to give them another bite of the apple to not displace tenants, at the same time they have been completely irresponsible. I've got to put this in front of Council on December 18, if it isn't vacated by that date, it puts the City in the place of vacating someone right after

*the holidays. I know you're here and doing work, and that's great, but they're not here. The Council looks at it December 18, and if the C of O is reinstated by December 20, then were good and I give an extension to June 1, 2020 on the painting, and if its not reinstated by that date it must be vacated by January 20.*

*Mitchell: can I make sure I have the right orders?*

*Shaff: we have had such difficulty with Quality Residences that a couple months ago we told them we would only call the main line and we weren't going to send orders all over kingdom come. You and quality residences you need to figure the act out. If they aren't giving you the orders, your relationship is with them.*

*Mitchell: I was just trying to take the bull by the horns.*

*Shaff: we can get you the orders, or you can call Thomas and request them, but at the same time, going forward—or backwards—you and Quality need to figure this out.*

*Moermond: the ones you brought along, there's nothing new added onto your list that show up the following month. Items 3,6,7,8 and 11 were the ones not completed from August list and show up in September List.*

**Referred to the City Council due back on 12/18/2019**

**10 RLH VBR  
19-85**

**Appeal of Jay Mitchell, Universal Construction, to a Vacant Building Registration Notice at 1127 ROSS AVENUE.**

**Sponsors:** Busuri

*Fire C of O must be reinstated by December 20, 2019 or property must be vacated by January 20, 2020.*

*Jay Mitchell, contractor for Quality Residences, appeared*

*Staff report by Supervisor Leanna Shaff: done by Inspector Thomas, we have no entry on September 9 and September 25, pending revocation on October 15, and a revoked on October 31, 2019. And by the way, it says repairs are completed, but we've never gained entry.*

*Staff report by Supervisor Rich Singerhouse: no abatement orders on that one. Opened November 13, 2019 as a category 2 vacant building.*

*Mitchell: they sent it to me, I'm the one who gets the heat. I don't know what happened internally. I get the checklist and complete it. They said it was in revocation and I file the appeal. I just know I did my part, I'm not making excuses.*

*Moermond: it's the same circumstances as the previous case, except they never even showed up for an inspector. They maybe made a list on their own, the City hasn't ever been out to inspect.*

*Shaff: Appointment letter August 26, September 9 and September 25. Fourth time no show.*

*Moermond: Certificate of Occupancy by December 20, 2019 or vacate by Jan 20, 2020.*

**Referred to the City Council due back on 12/18/2019**