



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, December 17, 2019

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 19-933** Ratifying the Appealed Special Tax Assessment for property at 254 ARLINGTON AVENUE WEST. (File No. J2007A, Assessment No. 208506)

Sponsors: Brendmoen

Reduce assessment from \$450 to \$225. Continue PH to June 17, 2020, if no same or similar delete the assessment.

Steven Jones appeared

Staff report by Supervisor Paula Seeley: Summary Abatement Order for failure to cut overhanging vegetation. Orders sent September 4, compliance date of September 11, work was done September 12 for a cost of \$288, service charge of \$162 for a total assessment of \$450.

[video shown]

Moermond: what strikes me when the order was written it was for overhanging vegetation, but when I see the work the parks crew did, it was more like cutting tall grass and weeds.

Supervisor Lisa Martin: that would be considered bushes. It was about a foot into the alleyway.

Moermond: and no history at this property?

Seeley: no

Moermond: why are you appealing?

Jones: my neighbor put some black dirt out there, and stuff grows there like that. I get it down every year. I really don't know what else are you're looking for. I did have a property on 47 Hatch that was a rental for dumping, I almost thought you got that mixed up with this, I just sold it last year. I keep my property up.

Moermond: I'm looking at a minor infraction. There hasn't been anything else on the property. I'm thinking you got that volunteer weed growth, running the lawn mower by next year will help.

Jones: I typically just pull the stuff out. I'll make sure you don't get called again. If that's all we're looking for, my neighbor suggested spraying some weed killer, I may do that too. My neighbors all keep their property up.

Moermond: I definitely see that. I'm going to say, lets cut this in half, and then I'm going to say if you have no same or similar violation in 6 months we'll delete it entirely.

Jones: half of what?

Moermond: cutting the proposed assessment down to \$225 no matter what, and then when it goes to Council February 5, we'll continue it for 6 months to June 17, 2020, if there are no similar violations we'll recommend deleting the remaining \$225. Hopefully the result is no bill ever coming to you. You won't get an invoice, just be aware that we're monitoring that

Referred to the City Council due back on 2/5/2020

- 2 RLH TA 19-932** Ratifying the Appealed Special Tax Assessment for property at 1418 GALTIER STREET. (File No. J2007A, Assessment No. 208506)

Sponsors: Brendmoen

No one appeared. Approve the assessment.

Referred to the City Council due back on 2/5/2020

- 3 RLH TA 19-941** Ratifying the Appealed Special Tax Assessment for property at 192 GRANITE STREET. (File No. J2007A, Assessment No. 208506)

Sponsors: Brendmoen

Continue PH to April 8, 2020. Approve the assessment, made payable over 3 years.

Carl Pigg, owner, appeared

Candice Nobello, realtor, appeared

Staff report by Supervisor Lisa Martin: a Summary Abatement Order for removing furniture and debris on boulevard. Orders were sent September 4, compliance date of September 11, rechecked September 11 and the work was done September 12 for \$544. Orders sent to occupant and Sena Vang and Pao Her at 1756 Sims Ave.

[video shown]

Moermond: I asked Ms. Vang to print out the orders. When did you close?

Pigg: September 18.

Nobello: I didn't know when it happened, because at closing the title company's job is to get the assessment information so it gets paid at closing.

Moermond: it wasn't an assessment yet, it was only a week old at the time.

Nobello: he didn't own the property he shouldn't be assessed.

Moermond: correct, but assessments go with the property. Its clear that there wasn't a disclosure, or you would be getting that money from them, something would have happened to take that into the account. You're left holding the bag, and that doesn't seem fair either, but the position I'm in is that is this the responsibility of the previous owner or the taxpayers in the City? It looks like it was out there at least a week.

Pigg: longer than that.

Nobello: \$660 was paid to get rid of garbage, but we got the seller to pay that to get rid of what we were aware of.

Moermond: so he saw it when he looked at the property, it doesn't change where I'm at, but you did see it.

Pigg: yes.

Moermond: I can't help with the assessment, but we can give you a lot of information to go after the previous owner. They were addressed to occupant, and then the other two parties copied at the bottom. They also provided you with a copy of the pictures on the boulevard on the reinspection day, we can also get you a copy of the video cleanup too. Anything else we can do to hold them accountable for the mess they left you, let us know. Its legally their responsibility to tell you that this is something going on. As far as the assessment process itself, this goes to Council February 5, you would get invoiced after they ratify in a week or two. It can be paid or not paid, if its not paid it will go on your 2021 taxes, and I can recommend you can make payments, and I can also ask them to delay it's decision-making so you could maybe get that money from the seller. Another strategy is to divide payments over a couple years, that's at an interest rate of around 4%. If you do that, what I would say is that would be hedging your bets if you can't get money out of them.

Pigg: the thing is a money pit, the closer you look the more you find.

Supervisor Paula Seeley: I have the old phone number, 51-214-6708 that is for Pao Her on Simms avenue where the orders were sent.

Moermond: It might work to talk to the previous owner, and tell them I want to file a claim, or you can do the right thing and write me a check. Will you have completed that conversation by February 5? It might be useful to say we'll look at this April 8, then I'll say I recommend approval, with payments over 2 years?

Pigg: well I'd like to not pay.

Nobello: April 8 gives us time to get a resolution, worst case scenario is you can't get the funds, then April 8 the money would be due, do you want to pay a lump sum, or have it broken up? You'll get the money at some point.

Moermond: ok, we'll make it payable over 3 years.

Nobello: if he did get the money before April 8, he could just write the City the check for the whole amount?

Moermond: yes, there's no penalty for paying early.

Referred to the City Council due back on 2/5/2020

4 RLH TA 19-934 Ratifying the Appealed Special Tax Assessment for property at 1787 LAFOND AVENUE. (File No. J2007A, Assessment No. 208506)

Sponsors: Jalali

Continue PH to June 17, 2020, if no same or similar reduce assessment from \$450 to \$200.

Sean Roderick appeared

Staff report by Supervisor Paula Seeley: this is a summary abatement order for boulevard planting. Can't exceed 36 inches in height. Orders sent September 4, compliance date of September 11, work done September 12 for \$450. No mail returned, sent to occupant and Shawn Roderick at 1787 Lafond.

[video shown]

Moermond: I did notice it says boulevard plantings can't exceed 36 inches in height, its like you're noting that the requirement is 36" but the inspector didn't say you had to cut it down to 36 inches, he said it must get out of the right of way.

Seeley: I personally think the owner should have called him and asked.

Moermond: the City just removed what was growing into the right of way, it was definitely higher than 36 inches when they left. They just cut what was in the right of way.

Martin: yes, the rest looks like it needed to be addressed.

Moermond: you have a lot going on in your front yard and boulevard.

Roderick: it's a native perennial pollinator monarch refuse yard. There's a big slope leading to my yard. The whole front slope and boulevard consists of those things.

Moermond: tell me about getting the order to clear the right of way?

Roderick: nothing, I didn't see it. I was notified by them showing up at my property. I came out and talked to them, he informed me of the details about the overhang, that was clear. He mentioned the 36 inches on the boulevard and I was left confused. Essentially, he told me it was the overhang that was the real issue. I teach at the Brooklyn Music Factory in New York at the ends of the summers, so I'm not back in town until several days after that.

Moermond: it went to Kathleen Roderick as well.

Roderick: that's my mother who cosigned in the house. She lives in Brooklyn park. I'm just chilling at home and see a crew taking tools to my yard. I came out and asked them what they were doing, the lead guy said he felt bad people don't get notices, and suddenly there's an assessment. But here we are still.

Moermond: Absolutely here we are still. You are responsible for keeping the sidewalk clear. That includes the growth volunteering through the cracks between sidewalk and retaining wall and boulevard plants leaning into the sidewalk. I personally think that pollinator plants are great, if I have a kid on a trike going down the sidewalk who has allergies or more importantly going by and can't be seen because the plantings are over three feet in height and there are cars coming, that's what the problem is with the boulevard height. I get the crew told you they didn't think it was a big deal, but I do think it's a big deal and it has all to do with visibility of little people going on the sidewalk and vehicles in the street that is so close. The boulevard planting heights vary from 18 to 36 inches depending on where the property is, corners versus middle of the block and driveways. Choosing pollinator plants that grow less than 3 feet in height would be best. The City has the right to come and cut that down. They didn't do that. In terms of getting the orders, it sounds like you were busy.

Roderick: I start the week after SPPS starts with my own personal school. I bought this property in 2015 and the following summer I converted the front yard to the lawn to what I wanted it to be, essentially "bee" friendly. My dad is a career botany expert and he was advising me. I did that for the last 3 years. It seemed that over the last 3 years the status quo was ok, because there was never a problem, plus I was ignorant to the City law.

Moermond: and yet you got a letter. You were out of town, there's still an obligation to handle this sort of thing. If you can't take care of your property because you're out of town, you need to have someone take responsibility. You had one previous incident for shoveling, but it was taken care of. It tells me you took responsibility, I hear you were surprised and didn't know. How are you with changing out the boulevard area to less than 36 inch plants?

Roderick: I'm fine with that, it wouldn't be necessary to do that. I could do a grooming midway through the growing season.

Moermond: whatever works to keep it 36 inches or lower, I was just suggesting that because you seem to have a low maintenance thing going on. I did see a fair bit that needed to be cleared back.

Roderick: from the sidewalk?

Moermond: both, from the boulevard and the growing up through the cracks.

Roderick: that happened the last phase of the growing season.

Moermond: I'm going to recommend the Council on February 5 to cut it down contingent on no same or similar violations. If we push this out to June 17, and we'll get it down to \$200. You can go to Council to argue for less or for it to go away. I know you were out of town but there was a lot going on. February 5 you can talk to them, but I'll ask them to continue to June 17, we'll recommend reducing it to \$200 if no same or similar.

Referred to the City Council due back on 2/5/2020

- 5 RLH TA 19-755** Ratifying the Appealed Special Tax Assessment for property at 1079 MARYLAND AVENUE EAST. (File No. VB2002, Assessment No. 208801)

Sponsors: Busuri

Approve the assessment as code compliance certificate has not been issued.

No one appeared.

Moermond: it was laid over to today so we could see if a code compliance certificate had been issued, we are at the 6 month point in a 12 month billable year. There are open permits, and still some that need to be pulled, so I am going to recommend the full amount of \$2,284 assessed to the property.

Referred to the City Council due back on 1/15/2020

10:00 a.m. Hearings

- 6** [RLH TA 19-929](#) Ratifying the Appealed Special Tax Assessment for property at 1240 BURR STREET. (File No. J2008A, Assessment No. 208507)
- Sponsors:** Brendmoen
- rescheduled to LH January 21, 2020.*
- Laid Over to the Legislative Hearings due back on 1/21/2020**
- 7** **RLH TA 19-893** Ratifying the Appealed Special Tax Assessment for property at 1282 HAGUE AVENUE. (File No. J2002A, Assessment No. 208501)
- Sponsors:** Thao
- No one appeared, approve the assessment.*
- Referred to the City Council due back on 2/5/2020**
- 8** **RLH TA 19-874** Ratifying the Appealed Special Tax Assessment for property at 552 KENT STREET. (File No. J2006A, Assessment No. 208505)
- Sponsors:** Thao
- No one appeared, approve the assessment.*
- Referred to the City Council due back on 2/5/2020**
- 9** **RLH TA 19-872** Ratifying the Appealed Special Tax Assessment for property at 49 MARYLAND AVENUE EAST. (File No. J2006A, Assessment No. 208505)
- Sponsors:** Brendmoen
- Reduce assessment from \$478 to \$239. Continue PH to July 8, 2020. DSI to recheck property after July 1, 2020, if PO has replanted and removed brush and trees from along alley, delete the assessment.*
- Rosemary Kohr appeared*
- Staff report by Supervisor Paula Seeley: Summary Abatement Order for overhanging vegetation in the alley, orders sent August 13, compliance date August 20, work done*

August 26 for \$478. No history on the property except one snow and ice in 2016. Orders sent to Rosemary Kohr and Occupant.

[video shown]

Moermond: this looks similar to the last case, except they seem to be more well developed shrubs that are encroaching into the alley a little more. That's a hill there leading up to the yard.

Kohr: yes.

Moermond: similar to the one we just looked at.

Kohr: I'm laughing that they say "American dream", that's what they say in Africa. You work your butt off, when I bought my house, I cried tears of joy. I don't have any experience buying a house. I clean, how can I get this \$500 bill, my friend told me to come here and explain myself.

Moermond: here's what I notice, I noticed it wasn't going to stop a car from passing, it was probably going to obstruct vision a little bit. You still can't have things growing into the alley. Staff told me there were no other history of orders. The last thing I noticed was that is a steep hill from the alley elevation up to your yard and fence. I think, you probably need to have something planted to retain the soil, but at the same time, random plants probably aren't the best strategy to do that. I'm happy to do the same thing previously and cut it in half to \$239. What's your ability to replant that area so you don't have problems with soil sliding into alley? I'd like to give an incentive to do something between the fence and the alley. Could you reach out to a company like a landscaper, are you willing do that? Cut down what's there and get some advice. I'd much rather you put in some appropriate plants with that money and prevent future problems. Are you willing to do that?

Kohr: yes, I will try to do something about it.

Moermond: Are you guys comfortable in following up around July 1, 2020?

Seeley: I'd leave it and just cut it all down. There's stuff you can spend to prevent the stumps from regrowing.

Moermond: do you think there will be an erosion issue?

Supervisor Lisa Martin: maybe put some hostas in.

Moermond: that's what I was thinking. We're just trying to get rid of plants giving you trouble but also prevent erosion of dirt into the alley. Ms. Zimny can send you a letter summarizing the conversation if you sign in. If you make that effort, I will delete the rest of the assessment. You have until July 1 to address it. This goes in front of Council January 22, we'll recommend cutting it in half, and continue the conversation to July 8, if at that time you've followed through and cut down the trees and put in something that works to retain the soil, we'll recommend deleting the rest of the assessment.

Referred to the City Council due back on 1/22/2020

MINNEHAHA AVENUE EAST. (File No. J2008A, Assessment No. 208507)

Sponsors: Prince

Continue PH to July 8, 2020. If no same or similar reduce assessment from \$322 to \$161.

Xiong Yang, tenant, appeared

Staff report by Supervisor Paula Seeley: Summary abatement order for Tall Grass & Weeds. Orders were sent September 17, compliance date of September 24, rechecked September 24, work was done on September 30 for a cost of \$322.

[video shown]

Yang: I cut as much as I could. I couldn't cut it by the fence. I thought behind the shed was City property. By the side of the car, I already cut it down.

Moermond: no, it was more than 8 inches by the car. I just saw the video. Why are you appealing?

Yang: I just want to know why, I already did it. I didn't know I had to cut behind the shed. Isn't that City property?

Moermond: it's Mr. Vo's property. It says here, please cut and remove tall grass and weed specifically on west side near property lines, along the alley and around the shed and garage and along the fence on the east side. It sounds really specific about what the expectations were.

Yang: but I already did it.

Moermond: But not these parts.

Yang: I can't use a knife, I'm going to damage the fence.

Moermond: you and your landlord both got these orders. You didn't take care of it, I just saw the video.

Yang: you're saying my grass is all over 8 inches?

Moermond: I didn't say that, neither did these orders. I'm giving you the orders, it also shows who else these orders went to. This description is very specific, and it looks like the areas the City did. No one is saying they did the rest of the yard. You knew you were supposed to cut the grass, right?

Yang: and I did. I cut most of it.

Moermond: there were areas around the shed a lawn mower could have gotten in.

Yang: it died again. I tried to cut as much as I can. Most of the neighbors have the alley like that too so I thought it should be fine.

Moermond: but you got a letter telling you differently.

Yang: yeah. I didn't think that could be the property line. I cut by the car, and I used a knife on the long weeds.

Moermond: not all of it. I'm not hearing you make a good argument for yourself.

Yang: I don't want to argue I just want to know why they charged so much. I understand they did work. \$300 something is too much.

Moermond: the letter says its supposed to be taken care of. The Parks crew charge is \$160 and there's administrative fees on top of that. The crew leaving from the garage, every paperclip. Much easier to take care of it on your own.

Yang: absolutely and I tried my best.

Moermond: ok, we will recommend approval on this if you're not looking for more today. You can go to the Council and ask for something different. I'm wondering and I'm asking this because I have the ability to make this payment over a number of years. Are you staying in the property?

Yang: another year or so.

Moermond: I can set it up so half is one year and half is another, is that easier?

Yang: not really, it doesn't help. Its just too much for that small thing. That's all I'm saying. I can pay it, but its too much for a little thing.

Moermond: can you tell me about the recent vehicle order on the property?

Yang: it had expired tabs.

Seeley: per Magner, we won't tow for only one thing, they wont tow for just tabs because MNLARS was still having issues. Right now nothing on just tabs. So, we closed the file.

Yang: that means I can't park the car there?

Seeley: its fine on the pad, it needs current tabs. And it needs to be operable.

Yang: it needs an engine. It doesn't run.

Moermond: if a car is on private property with expired tabs, it can be up to 90 days before the City will do anything. Ms. Seeley was saying all they saw was the expired tabs, other things they check for would be it appearing inoperable, sitting on the grass, if they see that they will write orders for that too. I'm thinking the inspector in November thought it looked operable, so they just wrote on the tabs, what you're saying makes that car towable. Right now it doesn't look like a nuisance. Keep it that way and get the tabs taken care of. What are you willing to do to keep the grass down?

Yang: I do, my lawnmower died.

Moermond: and if that happens again what happens?

Yang: I'll fix it or pay someone else to do it.

Moermond: I'll cut this in half, if you have no same or similar violations by July 8, 2020.

Referred to the City Council due back on 2/5/2020

- 11 RLH TA 19-938** Ratifying the Appealed Special Tax Assessment for property at 1014-1016 PAYNE AVENUE. (File No. J2003P, Assessment No. 208402)

Sponsors: Busuri

Delete the assessment, graffiti waiver on file.

Referred to the City Council due back on 2/5/2020

- 12 RLH TA 19-939** Ratifying the Appealed Special Tax Assessment for property at 1802 ROSS AVENUE. (File No. J2008A, Assessment No. 208507)

Sponsors: Prince

No one appeared, approve the assessment.

Referred to the City Council due back on 2/5/2020

Special Tax Assessments-ROLLS

- 13 RLH AR 19-153** Ratifying the assessments for Property Clean Up services during September 3 to 12, 2019. (File No. J2007A, Assessment No. 208506)

Sponsors: Brendmoen

Referred to the City Council due back on 2/5/2020

- 14 RLH AR 19-154** Ratifying the assessments for Property Clean Up services during September 13 to 30, 2019. (File No. J2008A, Assessment No. 208507)

Sponsors: Brendmoen

Referred to the City Council due back on 2/5/2020

11:00 a.m. Hearings

Summary Abatement Orders

- 15 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 the commercial vehicle parking, conditioned on no business operations occurring at the property such as hauling and storing items. 2) Grant an extension on the repair of the parking surface to July 1, 2020.

Jeff Nottum appeared
Ben Spores, owner, appeared

Moermond: I was hearing from Ms. Martin there had been a discussion with zoning staff and a proposal to resolve this was developed.

Supervisor Lisa Martin: November 27, 2019 we did send a letter to Jeff Nottum at Stewart regarding this address, we granted the appeal on the commercial vehicle parking, we granted an extension on the parking surface to July 1, 2020, and zoning has a copy of that plan that is agreed upon, and now granting until July 1, 2020 to make the repairs. I will follow up after July 1, 2020.

Moermond: and this is what you expected and understood Mr. Nottum and Mr. Spores?

Spores: it is.

Nottum: yes.

Moermond: this will go to Council January 8.

Referred to the City Council due back on 1/8/2020

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 16 **RLH VO 19-50** Appeal of Jon Taylor to a Fire Certificate of Occupancy Deficiency List, including Condemnation, at 1333 RANDOLPH AVENUE

Sponsors: Tolbert

Recommendation forthcoming.

Referred to the City Council due back on 1/15/2020

- 17 **RLH VO 19-58** Appeal of Anthony Alina Cruz to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1818 FIFTH STREET EAST.

Sponsors: Prince

Need proof of power of attorney granting Anthony Cruz authority in property by January 17, 2020. Grant to January 17, 2020 for compliance with plumbing and electrical related orders. Work to be completed under licensed contractor as required and pull necessary permits. Grant to March 1 for all remaining items, and to July 1, 2020 for driveway repair.

*Anthony Cruz, mother is owner of property, appeared
Duane Carlson, Uncle of Anthony and current Responsible Party, appeared*

Staff report by Fire Supervisor Leanna Shaff: Fire Certificate of Occupancy, started out with Inspector Pettiford, who is still out on medical. George Niemeyer stepped in and took over, he noted quite a few deficiencies. Some are quite frightening, big life safety issues in the basement. Like an electrical outlet in the shower stall. Framing done without permit. Condensate line to furnace under cement. Uncapped sewer lines in the

basement, no plumbing permit for work in the basement. Multiple uncovered junction boxes, electrical hanging throughout basement. Exterior driveway is cracked, needs to take Landlord 101 and the permit for the emergency escape and rescue opening in basement needs to be finalized. The main floor seems to be ok, but the scope of the work being done in the basement needs to be done by a licensed contractor since its nonowner occupied.

Carlson: my son and his family live at the property.

Cruz: I'm taking over because she my mother, the owner, has health issues.

Moermond: she's going to give you Power of Attorney to make decisions about the property? If the owner wants to delegate the Certificate of Occupancy responsible party to a family member that's not an issue.

Shaff: correct. If there's a Power of Attorney its fine.

Moermond: the owner can always be the official representative with the City, often those with investment properties hire someone to manage and they represent the property and I wanted to confirm with Ms. Shaff that if this is the owner or the power of attorney and she said you are enough.

Carlson: my son, his cousin is living this house. Elijah. He did the outside work, landscaping. Alina was living there; my son is going through a divorce and she let him stay in the bedroom. She started making decisions we questioned as being sound. We're kind of worried about things, so she wanted to take that Landlord class, she was laid off and she doesn't have the income to do all the stuff. When Jill came in, she was wonderful, the house was built in 1917, Jill told me the codes have to be 1917. The basement was a decision that was made that we were like "we can't do this". I've been doing the work, some of the electrical stuff we've taken care of. We didn't know it was there until we took the ceiling down. The downstairs was never on the list of things to do except for the air conditioner line and the egress window. The people that were living there, they cut down the landscaping and did some unapproved changes in the house, and after 5 months of not paying rent, I saw they were taking advantage of her. I went over there, and she moved out and would float around to family members. They did a lot of damage in the house. The City evicted everyone out of the house. I met Jill and got all that done. The basement she wanted to turn into the duplex. Mr. Mackey is going to come out and inspect it. We don't want to make a duplex.

Cruz: its just going to be a basement.

Carlson: they had moved a toilet into the kitchen.

Moermond: there's a kitchen in the basement?

Carlson: it could be, there are lines there. If the City says no, then its no. We don't want problems. It's the only thing his mom has left.

Cruz: that's why I'm taking over, I'm trying to take care of it for her, my mom has now moved in with me.

Carlson: my son will move out in April, and mom will move back in. I did a lot of work outside to make it safe and its beautiful, we did some work, and Jill disappeared, and I didn't know we had a time limit. The basement wasn't the original orders, it was the

upstairs and it passed. We didn't know it would be an issue.

Moermond: so who is living there?

Carlson: my son and grandson. They live on the first floor.

Moermond: it sounds like this is going to be about pulling out framing and things like that.

Shaff: someone's been doing wiring, and plumbing, they weren't licensed. Just tearing out, it is going to need to meet the energy code on the outside walls.

[pictures shown]

Carlson: they did some shoddy work. They weren't supposed to be doing it. The toilet can stay? We're pulling the shower out. There doesn't need to be a shower down there.

Moermond: the work was done without permit. You may need a permit to even take it out.

Shaff: we'd like to see licensed contractors removing it. It may not need a permit for making it right.

Moermond: so they could just show a receipt from the electric company?

Shaff: some of this they messed it up so bad, they may need to do new wiring to get it to some semblance of correct. Missing smoke alarm. Add on electrical boxes and new wiring and how its drilled through the framing isn't anywhere near standard practice. Open sewer line in the floor. Condensate line from the furnace buried into the concrete, that can't happen. The hanging electrical with the framing under the stairs. More messed up electrical. New plumbing. The split door. A number 2 making it into a duplex. The rescue opening isn't finalized yet. And the driveway. The basement is all sorts of messed up scary. I don't know how it has compromised the upstairs when we've tapped into the same system.

Moermond: I notice that you didn't condemn the building. This is an order to take care of these things, and it has been a while so you're revoking for long term noncompliance. But as a supervisor if you re-wrote the orders you'd do it differently?

Shaff: yes, very.

Moermond: so I need to know were looking at serious violations and put it on a shorter leash. Do you gentleman have a plan? Is it written down?

Carlson: no, and there was never a plan for the basement. It was only upstairs things the City wanted.

Moermond: obviously. Have you figured out how you're going to fix the basement?

Carlson: all the lights, they shouldn't have been put up.

Moermond: I'd like to know some specifics about how you want to do this. They wrote a letter December 4, saying if it is done by December 9, you don't have to empty the property. That's a short turnaround. The appeal bought you a couple of weeks. But I

need to know fast how you will get contractors in to address the problem and put a deadline in place for it to be taken care of under permit. So I'm asking you if you've talked to anyone?

Carlson: we have 250 nieces and nephews are all in construction and licensed.

Moermond: what is the best outcome for you today?

Carlson: that my son can still stay upstairs. 30 days?

Cruz: 90 days?

Moermond: maybe with some of the items we can go that long. But not everything.

Cruz: does the basement need to be done, or just fix the items that are on the list?

Carlson: if he gets the licensed people there, and gets it taken care of, can the basement be used as a dayroom, or put a kitchen down there?

Moermond: it is possible to do an accessory dwelling unit, but that's its own thing and has its own requirements with it.

Carlson: we didn't try to minimize or hide anything. Jill has been so good with us, when she left, we stopped doing anything because I didn't know what direction to go. I appreciate George. I did the junction boxes and capped the sewer.

Shaff: you're digging yourself a hole. Jill has been out for over a year.

Moermond: new work went in, your mom moved out, you had a lot of transition and now I'm looking at it and thinking the plumbing and electrical work under permit is what is critical. I'm thinking 30 day max deadline.

Shaff: even though someone is living on the first floor, all the stuff messed up in the basement has effects on the first floor. Even though they physically look different. That's where I get worried about it.

Moermond: so today is December 17, on the City's website search for accessory dwelling unit, the regulations are there. You might also look at information on converting to a duplex. Look at those things and when you pull the plumbing and electrical permits, I am sure the contractors will want to know what you're looking for. We need to get rid of the hazard first, but you may have to split it apart and pay for an electrician twice. The building items are bad, but I don't see them as hazardous if no people are living downstairs.

Shaff: it is the basement and many people use that as part of their living areas, unfortunately there's a lot of things that happened and the sheetrock is probably going to have to come out. It is not insulated correctly. We absolutely can't have anyone sleeping down there.

Moermond: does your mom need anything interpreted her?

Cruz: yes.

MM: so translating it into Spanish would be helpful. We'll get one out in English, and

then get it translated to Spanish, where would we send her?

Cruz: send it to me 2258 third street east, St. Paul.

Moermond: ok we will send her letter in care of you. We can email you the letter. Does she need to see the orders translated as well?

Cruz: right now I'm here, we know what needs to be done.

Moermond: January 17 is your deadline for plumbing and electrical to come into compliance, that needs it need to be redone or removed so they are code compliant. Same with the plumbing. With a licensed contractor. Next deadline, March 1, 2020 for all the other items, except the driveway is July 1, 2019 extension. The alternative is your son and grandson have to move out.

Shaff: Right now Mr. Carlson is still listed as the responsible party.

Moermond: you're going to be taking over that job, what you need to do is have a letter written and have a power of attorney saying your mom is giving you authority to make decisions on the property and spend money on her behalf and it has to be notarized so we know it is your mom's signature on it. Lets have that in by January 17, 2019. When we send you a letter we will send you the form to fill out to be the responsible party.

Carlson: what about the class?

Shaff: yes, he needs to take it. And the mail will continue still going to you at Stillwater Mr. Carlson until we know differently.

Referred to the City Council due back on 1/15/2020

18 RLH VO 19-59

Appeal of Jeffrey Jenkins to a Revocation of the Fire Certificate of Occupancy at 504 SELBY AVENUE, UNIT 10.

Sponsors: Thao

Grant an extension to July 1, 2020, permits must be finalized by that date.

Kim Jenkins, building owner, appeared
Jeffrey Jenkins, condo owner, appeared

Staff report by Fire Supervisor Leanna Shaff: Fire Certificate of Occupancy inspection revocation by Laura Huseby, she has yet to gain access to the property, it sounds like there's some structural issues. Ms. Huseby basically say to give access to the property and item 2, unit 10 storage space has damage, appears water leaking into the space and steel beams are rusting. Standing water on floor and water dripping from ceiling, corroded pieces have fallen to the floor. Sounds like there was an engineer's report on it, but I haven't seen it.

Jeffrey Jenkins: we emailed it to her directly after, we do have the letter from the contractor which was the next step. There's an extension through my private entrance, there is a separate space external from the foundation and it is considered the storage unit.

Kim Jenkins: it is a 100-year-old building, it was kind of a cooler space.

Jeffrey Jenkins: it was never used, I've always put an exterior door to prevent moisture coming in through, her recommendation was to have the structural engineer look at it. He assessed it as putting together a list of recommendations which is further testing or filling it in. The association said I can do either of those things, and gave clearance to pay for everything and get it done. ConstructAll is working with the engineer and myself to coordinate. He's going to add a wall and fill sand to fill it in, and then landscape. We'd like to be done with it, it has been a pain for us too, we agree with the Fire Inspector. Things have taken longer with getting HOA approval and finding an engineer.

Moermond: ok, what kind of timeline are you looking at? Can it be done in the winter?

Jeffrey Jenkins: no, that's why I attached a letter. He's hoping to pull a permit June 1.

Moermond: Huseby mentions bringing the City structural engineer out there?

Shaff: there was an email from Karpen November 17 saying he doesn't see a need to go out there, from Brian Schmidt's description there doesn't seem to be any imminent danger, plans and building permit isn't unreasonable in 30 days.

Moermond: ok so we have the plan of December 11 attached. I think that asking for an extension is reasonable, the plan has steps that need to be taken. I'm going to say pull a permit no later than June 1 and close it no later than July 1, 2020. Permit signed off by July 1.

Referred to the City Council due back on 1/15/2020

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 19 [RLH FCO 19-126](#) Appeal of Kevin Roepe or Craig Mader to a Fire Inspection Correction Notice at 584 FAIRVIEW AVENUE NORTH. (Legislative Hearing on December 17)
- Sponsors:** Jalali
- Continue to LH February 11, 2020. Legislative Hearing Officer's recommendation is to grant the appeal for an extension with compliance in reducing the volume of chemicals stored, based on meeting the following conditions and deadlines:*
1. remove all flammables from the warehouse and place within the flammable storage room by January 3, 2020;
 2. submit an emergency management plan based on current warehouse conditions by January 3, 2020 and another plan based on improved conditions by May 15, 2020;
 3. isolate all Oxidizers into Oxidizer Storage Room and remove all combustible material from the Oxidizer Storage Room by January 3, 2020;
 4. reduce Class IIIB liquids to below Maximum Allowable Quantities in warehouse by January 20, 2020;
 5. submit permit for fire alarm system by January 20, 2020 - with upgrades completed by March 1, 2020; and
 6. prepare and submit for Fire Inspection staff review a scope of work for the final design for installation of spill containment improvements, fire separations, ventilation system improvements and other requirements by February 3, 2020; and the Legislative Hearing Officer recommends that the City Council refer to Legislative Hearing on

February 11, 2020 the matter of reviewing *Harcros Chemical proposals and developing a written alternative means of compliance with the Minnesota State Fire Code for the ongoing storage of the hazardous materials described in the September 5, 2019 and December 16, 2019 Summit Companies report - which shall include provisions addressing*

- 1. all physical building improvements, to include installation of spill containment improvements, fire separations, ventilation system improvements, means of egress and other requirements;*
- 2. proposed Maximum Allowable Quantities for each hazardous material storage classification and location;*
- 3. provide for review and comment all existing and updated HMIS, HMMP, Operating and emergency procedures, emergency plan, spill mitigation, accident procedures, and similar; and*
- 4. provide written plan for management of change of the documents in item 3 above; implement and follow stringent safety audit procedures*

Craig Mader, Harcros Chemicals, appeared
Chris Leaver, Summit Companies, appeared

Moermond: we had the basics put on the record about the MAQ's last time, the implications of that, the possibility of entertaining a proposal for an alternative means of compliance and this report from Summit provides some measure of an alternative means of compliance for the orders and dealing with the MAQ's.

Fire Supervisor Angie Wiese: we did receive two reports, the September 5 report, and December 16, and its important to review that December 16 in concert with the 5 because one doesn't make sense without the other. Summit lays out both the history of the property along with a mitigation plan and timing of implementation. It covers a lot of aspects of the hazardous materials part of the Fire Code, chapter 50. Really when we're talking about hazardous materials, we're mainly concerned about mitigating, if there were to be an incident there would be extreme measures, we want to reduce the risk of an incident. The December 16 report shows a fair amount of mitigation to prevent hazard at the property, both in notifying occupants and Fire Department, utilizing compartmentalization if something did happen. I didn't see the current and proposed ventilation in the building addressed. Do you want to talk about scheduled now? Or proposal?

Moermond: what struck me when reviewing this, looking at the September 5 report as a non-hazmat specialist, it was the types of codes that applied to have it be an H3, which seemed to be a highlight in the code sections rather than an evaluation of whether or not those aspects of the codes were met with this particular use. I'm looking at this proposal and wondering, to what extent are the items innumerate addressing parts of the code that would have been required regardless, so it's a matter of bringing it into compliance rather than augmenting what would otherwise be required but for lack of a sprinkler system. Would we have had to have these things anyway? The only thing I saw that went in excess of code requirements was the three-hour fire separation between the uses rather than two and one hour. On top of these measures, which were otherwise required by code, I need affirmation the sprinkler would have been on there as well. Is the proposal in excess of code in only one regard, from what I could tell? So as an alternative means of compliance, the alternative is to not meet the code and do?

Wiese: the other piece of this that is above is the Fire alarm system. And, depending on what the proposal is for detection and notification that is a significant upgrade.

Moermond: what is the requirement, are we talking about making this H3 in parts without a sprinkler?

Wiese: its more of an H4 in parts, without sprinkler. The separation requirements are above what is required. Once you become an H classification, you have to keep it away from specific things, but they are proposing putting it in their own room with no other combustibles. Even though the oxidizers went above the quantities, once they got in an H category, they didn't necessarily have to put it in its own room.

Moermond: so we have the oxidizers separated, that's been something we've talked about from the beginning. Is the space they are going into sprinkled or are we talking about improved safety because they are separated from the other chemicals in the warehouse?

Wiese: the latter.

Moermond: the simple separation is the measure, but otherwise sprinklers would be required.

Wiese: yes, as long as they are over the amounts, which I didn't see a reduction amount.

Leaver: the code requires, no matter what the hazard is, once you become an H, it's a straight line once you meet an H, it requires sprinklers. Because of the lack of sprinklers, were taking the flammable hazards and were trying to isolate that into the room that was already was permitted prior as sprinkler protection. Oxidizers because my theory is that oxidizers don't burn, they actually accelerate the burning, so we've tried to put it by itself to minimize. The majority are oils, which has a low flash point and keeping them below the MAQ and then segregating and keeping corrosives out in the main warehouse. Sprinklers do two functions, detect the fire and try to control the fire. We have the full detection alarm system, so at least the detection portion is there, since we don't have the suppression system. The compartmentalization by increasing and adding additional rooms we've tried to mitigate that. We know we're not going to exactly mimic sprinklers, but we're trying to segregate and up everything and prevent as best we can.

Wiese: I misspoke earlier, the fire alarm system isn't required when you have corrosives. It is required when you have oxidizers.

Moermond: for the whole facility?

Wiese: no, it just says room and they are proposing to do the whole building. I believe in here were also looking at an emergency alarm system, which is about the hazards, detection of the hazards. It's a distinct system specifically for the hazards to detect an incident.

Moermond: by converting the space we're setting aside the MAQ's and allow storage in excess of what would be allowed with an S1? That's ultimately the goal?

Wiese: yes, in some of the categories. That's why its important to look at the September one, that has the table.

Moermond: and those are the quantities provided by Harcros, not inventoried by

Summit?

Leaver: provided, correct. No reason to think they would be inaccurate. It isn't causing any triggers, they're well above in those areas.

Wiese : In the December report they plan on putting all of the flammables in the storage room. They are also proposing to dropping the class 3B liquids to below the limit, below 13,200 gallons.

Mader: is that per room, or per facility?

Weise: per control area.

Mader: a lot of our class 3B are food-grade products. A lot of it is considered combustible because there is no flash point identified, but its water-based food coloring and it's a large portion of what we have in our warehouse, but its considered Class 3B because of what its stored it and the lack of flash point testing. That's why I was asking, because if I had food-grade room I could put 13,200 gallons in that room and then the detergents and things like that in the other room.

Leaver: that's why we did separated control areas.

Wiese: it is important for us to know the amounts in each area.

Leaver: as a final proposal we'd submit details, storage plans, finalize HMIS. I agree with you. We can try to get those tested and they may not find a fire point. SCS sheets are not perfect, if they don't know they assume.

Wiese: the other isolation was the oxidizers. We have flammables all being in the flammable room, the oxidizers in the oxidizer room, and then getting the 3B's below the MAQ. So really you write flammables, you want to put the 2 and the 3A's would be in the same room?

Leaver: yes, the intent being anything with combustible or flammable would be under MAQ anywhere besides that room.

Wiese: so we're left with the corrosive liquids, corrosive solids and then the toxic liquids.

Inspector Mitch Imbertson: and we're working on continuing to address the exiting and the containment issues.

Mader: yes, containment and actually exiting we're progressing with already. That's being addressed.

Imbertson: exiting, per our report, we were inspecting for exiting compliant with an S1, which is vastly different than exiting from an H4.

Leaver: right, because of the non-sprinklers we're normally 175 and we leave an area within a more restrictive area so that without sprinklers we shorten the time. A lot of things we do increase in areas we thought best-factor like shorter distance to get out, so it takes less time. Earlier notification, you get more time, fire department gets responses, and then detection and compartmentalizing more-so. We tried to start with a plan that didn't affect too much of operations.

Imbertson: door swing, door hardware.

Leaver: its being addressed already. Early on we tried to do some of the quick things like split the hazards out, get the fire alarm in there early and then submit a full-blown plan on all the little upgrades like travel distance, wall constructions, and approval on those details. That was my hope if the plan is acceptable.

Moermond: shall we walk through the plan? Lets talk about what steps you proposed, pages 3, 4 and into 5, and a schedule on page 5. Ms. Wiese you've had a chance to look at the proposal. Number 1 the alarm system. You said this was in excess of what would be required for this use right now as proposed.

Wiese: correct.

Moermond: and the only alarm system that would be required right now is for the flammable liquid combustible storage area?

Wiese: and the oxidizers. Which area area-wise a very small part of this.

Moermond: Segregating storage and adjusting it?

Wiese: The question I had on there, there's a 3-hour wall shown and a 1 hour wall shown. Your proposing the 3-hour walls between the office and the rest of the warehouse, the flammable liquid storage room and the oxidizer storage room and the rest of the warehouse. Does red mean 3 hour and green mean one hour?

Leaver: correct. The intent was to separate the hazards from the other different H's and the people from all the H's. Food grade is more of an internal compartmentalization. It was more of a control area type separation vs. an occupancy separation. Those are distinct hazard changes we are trying to separate.

Wiese: number 3 is about segregating storage and minimizing risk with flammable combustible liquids and oxidizers. Is the room labeled oxidizers in the December 16 report, does it exist now?

Leaver: yes, it will probably need some upgrades. It is in the first report. Some of this is following some of the design we would have done before.

Wiese: are any HVAC changes necessary to that room? You mentioned spill control and making it 3-hour, but any ventilation changes required?

Leaver: yes, we'll have to update it. Our preference is rather than continuous ventilation, we'd have it on automatic based on detection of over LEL or 25% of LEL, and same with other areas.

Mader: it does have ventilation but its not active.

Leaver: There will be some upgrades needed on all this. We are hoping that detection and having it kick on, and having it give notification of any potential spill.

Wiese: and we've accepted that in the past with some trouble signals attached to that if something isn't working properly.

Moermond: so for number 3 you'd also like to see ventilation detection?

Wiese: detection to initiate ventilation when necessary. Number four is about the travel distance, maximum is travel distance is normally 175 feet, they've worked it out to not exceed 150 feet. It is worth noting that panic hardware and doors swinging direction of travel are things we'd be looking for. It looks like a lot of the doors swing out already.

Mader: the hardware is not compliant, but we have a contractor coming out, hopefully before year's end to change that out.

Wiese: number 5, spill control. Figure 1 December 16 report notes where spill control will be. I assume this is already in the liquid flammable room, but if its not it will be, same with the oxidizer room. And then an area designated for the corrosive liquids, and then they also note an area of tanks no longer used and area cleaned. Spill control is looking at containment curb, which is common, and no drains to storm or sanitary in that area to prevent anything from leaving the site. If there were an incident, their emergency plans include how to remediate and remove the product safely.

Moermond: Because the current H3 area in the northwest corner has spill control in both the flammable and oxidizers area.

Leaver: it would need to be added to the oxidizer room since its repurposed to get it to current standards. Fully liquid tight and sized correctly.

Mader: the rooms are naturally concave to pool in the middle, but there's no official curbing. We do have curbing at the flammable liquid room, just a bumper attached to the floor.

Wiese: a big part of spill control is there is a calculation for how much spill control you need.

Moermond: and that includes not only the chemicals being stored but also the sprinkler discharge?

Wiese: yes. In the flammable liquids room.

Leaver: and we haven't gone that far yet.

Imbertson: we have no way to do it at time of inspection, we do it with the assumption that it was done right at the time of installation.

Wiese: so it would be a reanalyzed.

Moermond: so the addition of boundary containment curb for the corrosives area and reviewing and improving the spill control and containment in the current H3 area.

Wiese: Number 6 is an emergency alarm system for the hazardous materials. We talked about oxidizers already, I was unclear what other areas you were looking to monitor for product?

Leaver: the emergency alarm requirement is really for all hazardous occupancy, so we have to come up with a design that makes some sense based on that. I have only seen it used in a single room in a building, so this will be more to notify people locally that we had a spill. We're doing it automatically and tie that in. The people in the room

should know and the people who might go in in the room. There's no exact way to design that, I used language to give you some leverage.

Wiese: Agreed. Number 7, provide code emergency standby power. That's a given and standard. There's no elevator or a fire pump, lighting and emergency systems would be on standby power.

Imbertson: there are batteries, no generator on site?

Mader: we do have battery powered emergency lights throughout the warehouse now, yes.

Wiese: number 8, container types. This caught my eye on the September report. It looks like they will be changing out the totes, switching to metallic totes.

Mader: we've discontinued that product line all together and discontinued that portion of the business. We will not be storing those classes in those kind of totes. We will still have non-metallic totes of food coloring and detergents, but at one time we were handling a paraffinic solvent that was used in degreasing and had a flash point of 130 degrees F and that was in a DOT approved plastic tote, and it was stored in the flammable room, but that business has ceased to exist and if we were to revisit that business we would have to do it in the metallic totes as per our agreement here.

Leaver: part of that is its not uncommon to go through a facility and while the DOT lets you transport them in the container, MN has a specific amendment that says you can't have those totes.

Wiese: number 9 is review for the updated HMIS, HMMP, operating emergency procedures, the emergency plans, spill mitigation, accident procedures and other similar processes. I think that's excellent, we'll probably have emergency management and fire department weigh in on that too, so everyone has good situational awareness and is on the same page. Number 10 is about auditing, which is above code regulations. There's nothing that would require us to have them do internal or third-party audits other than the items specified in 9. It prevents ballooning of products when products change or business processes change, it will be a good way to compare and contrast year to year what has changed at the property.

Moermond: ok, so looking at this list and the proposed schedule, it looks like we've collapsed it down to five action areas. The only one missing for me is the business procedures piece doesn't seem to be in the proposed schedule. Working that plan out with emergency management and when those would be taken up and implemented as part of all of this. Am I missing anything Ms. Wiese?

Wiese: I think once they get a better handle on the ventilation requirements, in item 5.

Leaver: yes, ventilation detection included in item 5. You are correct the procedures aren't noted, its suggested it ties into item 5, but maybe we can submit it in that 60-day window. Its reasonably flexible, but a bulk should start when its permitted and accepted in my opinion, but we're open to suggestions. Its not construction, its paperwork.

Moermond: when I think about emergency procedures it seems like they may be different today with the current configuration of the chemicals, versus a plan once all of these changes are implemented and we have a safer area. Maybe we need an interim

plan for how things are right now. As I look at this as a lay person, and I'm thinking I'm not thrilled, there's not enough water to run a sprinklers system, does that mean there's not enough water for a fire hose? So, I'd like some assurance that we're ready to deal with the situation at hand. I'm worried now, I'm less worried 6 months from now.

Wiese: you kind of lumped all the construction into one bucket in item 5, some might be able to be broken out sooner and more relevant sooner. Like spill containment, that gets finalized ahead of the nine months. It may take longer to get rooms in place, but spill containment could be a higher priority.

Leaver: it probably will be adjusted, but there is a containment curb in the area already that's liquid corrosives. Its not as big as they will end up needing, so there are some. We're open to some of that. I didn't want to make it too complicated of a schedule but just hit the key points. We're certainly open to suggestions.

Wiese: the other thing that Mr. Imbertson called my attention to, because this is an alternate means of compliance, I can see requesting something from Harcross saying what is the maximum you will have in here and see if that is something we are comfortable with, in all of the categories. We know they will be over on the corrosives, how much over? They are significantly over right now, but I hate to be back in here in future years talking about even more amounts than we're talking about right now.

Mader: do we see corrosives as being a fire hazard? I don't think of them that way.

Wiese: they are **a** hazard.

Leaver: you just want an upper limit, so we know where its going.

Moermond: building in an upper limit as an alternative means of compliance.

Wiese: I would strongly recommend that.

Moermond: I'd like to take a 5 min recess and come up with language for resolution in front of Council.

[recess]

Moermond: so my thinking is this, going back to the proposed schedule, the Council votes tomorrow, then day 1 is Thursday December 19 on your 15 and 30 days and so on. Item one, removing the flammables, 15 days to January 3. Reducing number 2, 30 days to February 3. Isolating the oxidizers, 15 days. Fire alarm system proposal, a 30 and 60 day markers- we'll check on the 30 day marker. Number 5, at the 30 day mark I'd love to have a more fleshed out proposal on what you're talking about, prioritizing spill containment and ventilation in particular and how that might be sooner than the other items like the separation walls. To have you parse that out and make suggestions about what that calendar will look like more specifically. I'd love it if you had that proposal on MAQ's, that staff could react to. So, if we're talking about alternative means of compliance and adding on that MAQ statement. What would those MAQ's look like with this set of safety measures in place? I don't imagine it's the stratosphere, what realistically could staff expect so when an audit comes in, how should they be interpreting that? At the 30 day mark if we could get that. In 15 days, lets have an emergency plan for the conditions that exist now. The **right now**, emergency plan. I'd like those on record. I think longer term we need an intermediate plan at the five-month mark to be shared with Fire inspections, and I'm comfortable

with a one-year mark for the long-term plan. Here's the rub, I can close the loop on about half the things we've talked about, but there are some things we're waiting for feedback on and I'd like them to vote on the first steps we've agreed on today, and then to have it come back to review the next part at the 30 day mark, so staff can look at that separately and more reflectively. I'll put it on my calendar on February 11, so everyone has a chance to talk. We can go to February 3, that is 45 days.

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

**20 RLH FCO
19-131**

Appeal of Isaac Aboagye/Rhodaline Arthur to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1029 GALTIER STREET.

Sponsors: Brendmoen

Recommendation forthcoming on garage repair timeline. Grant to July 1, 2020 on items 2, 3 and 4. Grant to January 24, 2020 for items 5 and 6. Must use a licensed contractor and pull all necessary permits.

Isaac Aboagye, owner, appeared

Moermond: we're also talking about an extension. Rhodaline Arthur is also on here?

Aboagye: that's my wife, she originally purchased it.

Staff report by Fire Supervisor James Perucca: most of the orders are exterior, there was a fire in the garage at one time that we're looking at. Building inspectors observed there must have been the need for structural evaluation. There had been some work done in the garage that wasn't done under permit. There's been some exterior gutters disconnected and parts missing, which don't provide for drainage away from the structure and infiltration into the basement. We also have chipping and peeling paint on the exterior and also maintaining tall weeds and grass.

Moermond: lets take that off the list at this point.

Perucca: missing cover plates in the kitchen for electrical, and permits were not pulled for work done on a basement outlet and some wiring on the second-floor bedrooms. It would appear there must be some new installation in some areas in the basement and bedrooms

Aboagye: it was just the basement.

Perucca: it was one electrical and one building for framing in a new bedroom.

Moermond: lets talk about the garage, how did the Inspector come to the conclusion work had occurred without permit?

Aboagye: I told Franquiz before we bought the building the garage was like that. We had the Occupancy permit already. So, it wasn't indicated to me that there was a fire, he said he suspected that, he came again with a building inspector and he said yes there was a fire and some work done, and he can't tell if its structurally sound or not so we need to bring in engineer to look. I told him that when we bought the building it was like that. I sent Franquiz an email asking how do I get the engineer, I don't know the process, he said I should find one. So, then I decided to appeal to get more time to understand what we're dealing with here. The house is an older house and the strike plate was missing on the door, so I instead of replacing the door he put in a new

section. That was how the door issue came about, because I'm trying to fix it. The gutters had exposed and broken spots, but when I got a contractor to look at it, it might be beneficial to replace the entire gutters instead of one small place. I sent an email to a gutter contractor, but then with the snow it depends on the snow and when they can get to it. I sent in the agreement with that contractor for the gutters. I called Mr. Sparky to come in and do the electrical. They have done work for me.

Mai Vang: yes they have a permit. There's a final permit regarding repair damaged mast and broken socket. I don't see any other current permits.

Aboagye: in my view, they said the work has been done and waiting for the permit.

Moermond: the exterior work, the gutters item 2, I can give to July 1, item 3 regarding paint, July 1, item four when you fix the shingles you want to trim the tree, the reason for the damage.

Aboagye: I called Xcel because there is a power line going through, they only cut trees pole to pole, not pole to house.

Moermond: I'm fine with July 1 on that. Number 2 can be done quickly. I'm concerned about the electrical permits and installation of the door frame, those items are more important to have done more quickly. I'm going to say January 24, 2020 on items 5 and 6. And lets take a minute and go back to number one, the garage. Was Mr. Karpen at the site?

Perucca: not that I know of, the building inspector was there but I'm unsure why.

Inspector Mitch Imbertson: you mentioned the inspector brought the building inspector because of his concerns initially.

Moermond: my question to the building inspector is, do we have questions of structural integrity right now that would necessitate this being dealt with in the short term or can we put a longer term deadline on it?

Perucca: I am reading the order as it may have been the intent of the inspector to have an engineer, that the homeowner got, to evaluate the structural integrity.

Moermond: and I don't need an engineering analysis, I just need to know whether it will fall down while we're waiting for an engineer. If there isn't, we can respect the Minnesota winter and give it some time. I'd like that follow up information from them on what we're looking at. If you want to fix or rebuild, you're going to have to get an engineer to look at it. And any plans have to address that. You can also knock it down, you need a demolition permit then. Inspector Franquiz will send out a letter with an appointment after January 24.

Referred to the City Council due back on 1/15/2020

2:30 p.m. Hearings (NONE)

Vacant Building Registrations