



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, February 6, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 24-76](#) Ratifying the Appealed Special Tax Assessment for property at 523 BEAUMONT STREET. (File No. J2402A4, Assessment No. 248521)

Sponsors: Noecker

Layover to LH February 20, 2024 at 9 am (unable to reach property rep).

No one appeared

Voicemail left at 9:11 AM: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for 523 Beaumont. I will try back in a little bit.

Voicemail left at 9:34 am: this is Marcia Moermond from St. Paul City Council calling you again about your appealed special tax assessment for 523 Beaumont. What I'm going to do is reschedule this to February 20th in the 9:00 time slot again.

Laid Over to the Legislative Hearings due back on 2/20/2024

- 2 **RLH TA 24-79** Ratifying the Appealed Special Tax Assessment for property at 171 GRANITE STREET. (File No. VB2401B, Assessment No. 248809)

Sponsors: Bowie

Delete the assessment.

Daniel Veesenmeyer appeared via phone

Moermond: calling about your assessment for the Vacant Building fee here. I'll cut to the chase here and say you spent 2 out of the billed 12 months in the Vacant Building program. Then you received your Code Compliance certificate. I'll recommend this is deleted. If I saw you in June and given you a 60-day extension, and would have treated it that way then, so do the same thing on this end.

Veesenmeyer: sounds great, thank you.

Referred to the City Council due back on 2/28/2024

- 3 **RLH TA 24-59** Ratifying the Appealed Special Tax Assessment for property at 566 HALL AVENUE. (File No. VB2404, Assessment No. 248803)
- Sponsors:** Noecker
- Approve assessment and make payable over 5 years.*
- Ruthelle West, owner, appeared via phone*
- [Moermond gives background of appeals process]*
- Staff report by Supervisor Joe Yannarely: this entered the Vacant Building program May 11, 2022 after a fire. It was given the 90-day automatic waiver, then other extensions. All permits were finalized January 18, 2024. It is rehabbed and presumably reoccupied. It was in the program 8 months after its anniversary date.*
- Moermond: a total of 20 months, but the first year is over, so the second year is 8 months out of 12. What are you looking for today Ms. West?*
- West: maybe a waiver because the last year I was sick and had 3 operations, so anything you can do to help I would appreciate. I think I talked to you last year and was hoping to finish in 3 months, and then I had surgery and developed other conditions. Being the General Contractor I couldn't do anything with my hands.*
- Moermond: that sounds hard. I can be of some assistance. I know you'd like a complete deletion, and I simply don't do that after the six-month point. This was 8. I can recommend this is made payable over 5 years. That's the best I can do I'm afraid, I know it isn't making it all go away.*
- Referred to the City Council due back on 2/28/2024**
- 4 [RLH TA 24-82](#) Ratifying the Appealed Special Tax Assessment for property at 571 VAN BUREN AVENUE. (File No. VB2401A, Assessment No. 248808)
- Sponsors:** Bowie
- Layover to LH Feb 20, 2024 at 9 am (PO unable to attend).*
- Moermond: we have this assessment and the owner cannot attend today, rescheduling this to February 20th, with no further layover.*
- Laid Over to the Legislative Hearings due back on 2/20/2024**
- 5 **RLH TA 24-67** Ratifying the Appealed Special Tax Assessment for property at 839 EDMUND AVENUE. (File No. CG2304A2, Assessment No. 230015)
- Sponsors:** Bowie
- Approve the assessment.*
- David Jacobowitch, owner, appeared*
- Staff report by Lydia Campbell: the property owner states they paid their bill on August 2. The bill was due July 25. The payment didn't cover the late fee of \$9.35.*
- Moermond: that is supposed to be 5% of the bill? That seems high. Is this a duplex?*

David Jacobowitch: no, it is a single-family home being remodeled so we have a lot of garbage.

Moermond: why are you appealing?

Jacobowitch: it is small potatoes. I paid over the phone and told them I'd pay everything due. They charged me for what they said was due. I didn't find out until months later this charge was there. They never informed me or sent an invoice. The first time I heard of this was when I got the City notice. I just question the procedure. IT is silly to do it that way. Why when I'm on the phone can't they just tell me about the late fee. It seems like such a trivial amount.

Campbell: there were 20 extra bags which constitutes the extra charges.

Moermond: would they normally send a letter about an incompletely paid bill?

Campbell: there would have been sent 2 or 3 notices of nonpayment sent, one every month.

Jacobowitch: I didn't receive them. I know the amount is trivial.

Moermond: are you appealing or not?

Jacobowitch: I'll appeal, you'll rule against me, and we'll be done.

Campbell: the letters show they were sent to 839 Edmund.

Jacobowitch: not sure why I didn't receive them.

Moermond: we'll get you copies of those letters.

Jacobowitch: fair enough. It is such a trivial amount—

Moermond: and we've spent more than \$10 talking about it now.

Referred to the City Council due back on 3/13/2024

6 RLH TA 24-66 Ratifying the Appealed Special Tax Assessment for property at 839 EDMUND AVENUE. (File No. VB2405, Assessment No. 248804)

Sponsors: Bowie

Approve the assessment and make payable over 5 years.

David Jacobowitch, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is the prospective fee covering June 2023 to June 2024. Code Compliance done October 2022. Final plumbing October, 2022. Open mechanical from October of 2022. No other permits on file. Total proposed assessment of \$5,075.

Moermond: this bill is June 9, 2023 through June 8, 2024. Mr. Jacobowitch, why are you appealing today?

Jacobowitch: my first question is, is this a fee for service or a fine?

Moermond: fee for service.

Jacobowitch: what service did they provide me with?

Moermond: this is the cost of running the Vacant Building program, spread over all the buildings in the program. Those in a long time have more costs.

Jacobowitch: with this billing in particular?

Moermond: you'd like an itemized bill. There isn't such a thing. This is the cost of running the program. Mr. Yannareilly?

Yannareilly: there was coordination with St. Paul Police Department to go clear the house, it has been illegally occupied and we had to send no Code Compliance letters. He appealed the initial opening. Inspector indicates the owner was hostile to him. It hasn't been an easy Vacant Building to handle.

Moermond: other questions? Why are you appealing?

Jacobowitch: I think my actions on the property have saved the City a considerable amount of money. The property is insured. My homeowner's insurance has more than doubled since this situation occurred. I am providing 24/7/365 security for the building. The City is not providing ANY security for the building.

Moermond: how you doing that?

Jacobowitch: someone is there 24/7/365. Either myself, or a family member, or a friend. Someone is constantly there watching it.

Moermond: and you understand this is illegal occupation?

Jacobowitch: if you want to prosecute that's fine, but I feel I have a right to protect my property. This property was burglarized at least seven times when it was vacant.

Moermond: do you have an alarm system?

*Jacobowitch: the City isn't going to do that. I held a lady at gunpoint in my living room, called up the police to come and pick her up for burglary. They never showed up and I had to let her go. What was I going to do? Shoot her? Seriously. The City isn't going to protect my property, they can't even protect the d*mn stoplights or streetlights. I'm the one doing that. The taxes are paid since the condemnation. The mortgage has been paid. I've been busting my butt to raise money to renovate this property and all I get from the City are \$5,000 bills. I just question the fairness of it. This property is a h*ll of a lot more improved than similar properties that were condemned two years ago that are completely boarded and abandoned and frozen and fire hazards and God knows what. I can point out at least 10 of those in the City. My property is a h*ll of a lot better than that and the only reason is because of what I've done. Yet you're going to take another \$5,000 from me other than I gave the inspector a hard time. Seems unfair.*

Moermond: we just explained how the bill came about. You asked what in particular about your property. My Yannareilly explained it has those services plus additional costs related to police escorts for inspectors.

Jacobowitch: ummmm. I'm only aware of one instance where the police accompanied inspectors.

Moermond: in terms of homeowners insurance---

Jacobowitch: as a matter of fact, that instance occurred prior to this past year that I'm being assessed \$5,000 for.

Moermond: no, you're not being assessed for that; you are being assessed for the cost of being in the registered Vacant Building program. That was my first answer, second and final answer to the question "what is the assessment for?". It doesn't even cover the entire cost of running the Vacant Building program, the fees collected cover about 75% of the costs of the program.

Jacobowitch: you're paying someone too much lady. Oh well, I know when I'm being robbed. Plain and simple. It is a theft. Law is on your side. You can legally steal from me on you want. I don't care. It is what you can do.

Moermond: would it be helpful to make this payable over a couple of years?

Jacobowitch: sure. That would be useful.

Moermond: I'll recommend it is made payable over 5 years.

Jacobowitch: that would be helpful, I'd be willing to do that. The thing is that they'll just keep assessing it every year. And the year after that, and the year after that....

Moermond: hopefully you're out of the Vacant Building program then.

Jacobowitch: to be quite honest ma'am this is 130-year-old house, and in spite of the fact I've spent over \$50,000 improving it over the last two years, I feel trapped. I don't see any way out.

Moermond: have you talked to housing counselors.

Jacobowitch: I can throw \$20,000 at it a year for the next how many years, but all I'm going to accrue are more fees, expenses, trouble. More everything. I'm trapped.

Moermond: every time I try to speak you interrupt me. Let me give this a shot. Have you tried to talk to housing counselors? Real estate professionals? Somebody about how to approach this. Financial advisor?

Jacobowitch: I don't know anyone to help me ma'am.

Moermond: ok. I don't know people personally but I'd be looking for advice from a few different places about how to approach this situation. Time is not your friend, as you know. I'd get advice and figure out your best path forward to protect your interests.

Jacobowitch: that's probably to sell it. The more I put into it the more I have to get out of it, which means my price has to be higher.

Moermond: or you're losing more. Part of this conversation needs to be how do I lose less money and what that looks like. Reach out and have those conversations sooner than later.

Jacobowitch: I just have so much bitterness and rage over this.

Moermond: I can tell. You've had it since I've known you.

Jacobowitch: the most honest thing I can tell you is I'm having extreme trouble controlling my rage over this issue. That's the most honest thing I can tell you.

Moermond: you should probably get assistance with that too.

Jacobowitch: shooting me in the head until I'm dead would have been a kindness compared to what you are doing to me.

Moermond: you need to talk to professionals about that.

Jacobowitch: I can't afford professionals.

Moermond: there are some that are for free.

Jacobowitch: oh yeah, yeah, yeah. Why don't you just commit me and throw me in jail for the rest of my life and have people---c'mon lady. I need a solution to this, I really do.

Moermond: and I don't have that for you. I can give you some referrals. I don't have time to be yelled at by you all day long.

Jacobowitch: I understand.

Moermond: I'll make that recommendation, payable over 5 years. You've been provided with the Excessive Consumption letters. In the House Calls brochure you will find information—

Jacobowitch: I've got about 50 of these.

Moermond: you may want to start making some calls.

Jacobowitch: you can hand it out to someone else because I've already had it with them. I just need someone who can say "here's what we can do, here's what we can't do" and "here's a way that may help you find a solution." I need to be connected to those kinds of people and no one has.

Moermond: the best I can do is the resources in that brochure and to make those phone calls. If you're having so much rage you're having trouble interacting with regular inspectors, here, I imagine that may be a problem when reaching out to those professionals. That means your first step may be working on that issue. This is all about you though. This isn't about what I can recommend best first steps and how to approach it are. Those are the only resources I'm aware of.

Jacobowitch: I don't want to take too much of your time, but on another note, I have to say since I last spoke with you I've been left alone to sort this out and I really appreciate having had that time. It hasn't solved the issues; they're still there. I am very grateful for having had that time.

Moermond: hopefully things more forward quickly to resolve issues.

Jacobowitch: I feel like a criminal in my own property right now.

Moermond: we're not going to go in circles on this Mr. Jacobowitch. I've made my recommendation. If you want to dispute that, which you are welcome to do—

Jacobowitch: that's actually better than I expected to get. Thank you for that.

Moermond: I wish you a good rest of the day and I hope you can connect with people who can give you good advice.

Jacobowitch: so do I, I just don't know where to go or what to do or who to talk to.

Moermond: and I can look at our conversations and tell you who we've referred you to and yet, I don't have time to do that.

Jacobowitch: I guess it is simply because I don't think any of those people would help.

Moermond: I wish you well, I really do. I'm not that advisor.

Jacobowitch: leave me alone, let me live in peace. That's really the kindest thing the City could do to me. Of course, they aren't going to do that.

Moermond: do take care of yourself.

Jacobowitch: you too Marcia. Hopefully I'll live long enough to dance on your grave—you never want anyone to tell you how evil the things you do are. We should sit down and I'd be happy to discuss that.

Referred to the City Council due back on 3/27/2024

10:00 a.m. Hearings

Special Tax Assessments

- 7 **RLH TA 24-65** Ratifying the Appealed Special Tax Assessment for property at 712 DELAWARE AVENUE. (File No. CRT2402, Assessment No. 248203)

Sponsors: Noecker

Reduce assessment from \$524 to \$396.

Tram Struve, Stronger Homes, LLC, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is for Fire Certificate of Occupancy fees on a single-family home. Appointment letters went out March 27, April 24, May 19 and July 24 of 2023. Correction letter August 31, 2023. Approved with corrections September 14, 2023. Original billing included the provisional fee, a Certificate of Occupancy fee and the \$89 no entry fee, nor the \$126. It should be reduced to just the Certificate of Occupancy fee but plus service charge, totaling \$396. All orders and billing were sent to prior property owner Felix Gill 6807 Balsam Lane in Maple Grove, MN.

Moermond: I think our math is off. \$524 minus \$126 brings us to \$398. Then subtract \$89, I get \$309.

Shaff: no, it is the \$239 Certificate of Occupancy fee plus the \$157 service charge.

Moermond: alright, weird math, but we've landed in the right place. Ms. Struve, why are you appealing?

Struve: all that happened before we closed. The bill happened o come after we closed, September 15. The seller promised to pay everything. We even have correspondence from them. We've been talking to the title company who didn't catch it. They've acknowledged it is their obligation but I'm unable to get them to pay it promptly. I've talked to both title companies and realtors.

Moermond: what are you looking for?

Struve: it isn't my bill. I shouldn't have to pay it.

Moermond: the bill attaches to the property, not the person. A private legal agreement with the seller is great, but the City has the statutory to attach it to the property to recoup the costs. Your Council Public Hearing is March 27, so it won't be assessed until then, at which point it would be invoiced. It wouldn't show up on the property taxes until 2025, so you have some time to resolve. But the taxpayers aren't responsible for enforcing your private contractual agreement. I know that's not the answer you wanted, but we don't involve ourselves in those questions.

Struve: understood.

Moermond: if there's any paperwork that would be helpful, we can certainly provide that.

Referred to the City Council due back on 3/27/2024

- 8** **RLH TA 24-74** Ratifying the Appealed Special Tax Assessment for property at 87 ACKER STREET EAST. (File No. J2405E, Assessment No. 248304)

Sponsors: Bowie

Delete the assessment.

No one appeared

Moermond: this was an Excessive Consumption tax assessment and an extension was granted. The Department seems to be asking for a deletion on this?

Supervisor Lisa Martin: yes, it was an error.

Referred to the City Council due back on 3/27/2024

- 9** [RLH TA 24-54](#) Ratifying the Appealed Special Tax Assessment for property at 703 BEDFORD STREET. (File No. J2404E, Assessment No. 248303)

Sponsors: Noecker

Layover to LH February 20, 2024 at 10 am (no contact number for PO).

No one appeared

Moermond: Ms. Vang, you reached out to the owner and couldn't get contact info?

Mai Vang: Heather sent an email saying she wanted to contest this, and it was close to the Public Hearing so I rescheduled her. It was missed on the January 9 Legislative Hearing agenda. Once I realized that I reached back to her and said, I missed your item so I will reschedule again but please provide a phone number. I told her the new hearing date of today, and I didn't get any response back with a number to call her.

Moermond: let's send one more email and try and conduct a hearing on February 20th. She didn't contact us on January 9th either.

Laid Over to the Legislative Hearings due back on 2/20/2024

- 10 RLH TA 24-81** Ratifying the Appealed Special Tax Assessment for property at 823 JUNO AVENUE. (File No. 2403T, Assessment No. 249002)

Sponsors: Noecker

Delete the assessment.

No one appeared

Moermond: we have a request from Forestry. It appears that this assessment was processed in error for 823 Juno and should have gone to an adjacent property. Our record is being created for that property so that discussion is forthcoming. The recommendation is to delete, consistent with the ask from Forestry.

Referred to the City Council due back on 3/27/2024

- 11 RLH TA 24-68** Ratifying the Appealed Special Tax Assessment for property at 1531 MARGARET STREET. (File No. J2402E, Assessment No. 248301)

Sponsors: Johnson

Delete the assessment.

No one appeared

Sonia Romero interpreted

Called at 10:31 am: went straight to Voicemail and Sonia Romero left a Voicemail in Spanish saying we'd try back in 15 minutes.

Called back at 10:50 am: went straight to Voicemail and Sonia Romero left a Voicemail saying the Department agrees with him and the orders were issued to the wrong property and will recommend this assessment is deleted. It goes to Council Public Hearing on February 28, but you shouldn't receive any further invoices on this matter. If he has any questions please call Sonia back (but she didn't leave her number).

Referred to the City Council due back on 2/28/2024

- 12 RLH TA 24-78** Ratifying the Appealed Special Tax Assessment for property at 1235 MINNEHAHA AVENUE EAST. (File No. J2404E, Assessment No. 248303)

Sponsors: Yang

Approve the assessment.

No one appeared

Moermond: this assessment is one of six having to do with exterior property maintenance during a rehab. the first three were deleted having to do with the invoicing on them. These next three I am recommending approval on since the matter had been resolved and nuisance abated by the time the first hearing was conducted. We had talked about all of them together. The owner could have participated today if he so chose. My recommendation is approval.

Referred to the City Council due back on 2/28/2024

13 RLH TA 24-58 Ratifying the Appealed Special Tax Assessment for property at 1220 SAINT CLAIR AVENUE. (File No. J2402A3, Assessment No. 248520)

Sponsors: Jost

Reduce assessment from \$506 to \$169.

Sanup Shrestha, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued May 31, 2023 to owner and occupant to remove and dispose of a Bagster and contents from boulevard. June 7 compliance date. June 9 rechecked and still there. Parks did the work on June 22 for a total proposed assessment of \$506. Some history at the property, couple snow and ice and one tall grass and weeds, all done by owner.

Shrestha: I purchased in the beginning of 2023 and was cleaning the weeds out of my yard. I left the Bagster on the boulevard. It took me a while to get the mail. I believe it was the second notice, and as soon as I got it I moved it back behind the house onto the property. I didn't dispose because I was still doing the yard work and waiting to fill it and schedule a pickup. The City picked it up after I'd moved it, which is why I'm appealing. It was never removed from the boulevard. I did see the video showing it was removed from the yard. I did move it from the boulevard.

Moermond: my first thought is that the order itself does say in all capital letters to remove it from the boulevard, which is slightly different from the language above it which says you need to remove it from the entire yard. I wish it were clearer and said you needed to remove the Bagster currently located on the boulevard from the property and that would have cleared things up and prevented the billing. At the same time, I'm looking at photograph on June 9th. The deadline was June 7. I want to credit the fact the language was open to interpretation but I also want to say it wasn't done on time. I'll recommend this is decreased to the amount an Excessive Consumption fee would be, basically a trip charge. If the work wasn't done on deadline and the crew showed up and found it gone, it would be a trip fee. I want to treat it that way. That's because it wasn't done on deadline. \$506 down to \$337. That will be my recommendation to Council. [Note: misstated during hearing, should be reduced to \$169, Excessive Consumption fee amount]

Referred to the City Council due back on 2/28/2024

14 RLH TA 24-64 Ratifying the Appealed Special Tax Assessment for property at 1617 UPPER AFTON ROAD. (File No. J2405E, Assessment No. 248304)

Sponsors: Johnson

Continue PH to September 13, 2024 and if no same or similar violations, reduce assessment from \$169 to \$50.

Anna Benatar, owner, appeared via phone

Leon Benatar, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order for tall grass and weeds went out on June 29th, compliance date of July 3. Rechecked July 7th and the work was not done. When the crew went out on July 24 the work was done by owner. Only history is August of 2022 there was a garbage Summary Abatement Order but it was done by owner.

Moermond: why are you appealing Ms. Benatar?

Anna Benatar: we did get the notice in the mail, unfortunately we didn't open the mail for a few days. I believe it said within 72 hours. It was probably five days later when we cut the grass. We never saw any inspection people come out or a crew show up. No evidence a crew had come.

Moermond: did you get a packet sent to you January 30th from Mai Vang?

Anna Benatar: yes.

Moermond: in that is a photograph taken July 7, did you have that in there?

Anna Benatar: I did see that.

Moermond: I am seeing that tall grass and weeds does exist on that date, I heard from staff the crew didn't have to do the work. They want to charge you because it wasn't done when they reinspected so they did dispatch a crew and there's a cost associated with that. Ms. Martin, what would the assessment have been if the crew did the work?

Martin: usually around \$350.

Moermond: how long have you lived here Ms. Benatar?

Anna Benatar: September of 2022. This is our first house. My husband is also on the line here.

Leon Benatar: why didn't the inspector just knock on the door instead of sending the bill? We work at night; we never saw a crew cut the grass.

Moermond: they didn't. They came and saw it was cut and moved on with their day. You are new at property ownership, I think you'll do great, I don't want to make your life harder but there is some responsibility. I'd like to see you get through September 13, 2024 and if you don't have any same or similar violations I'll reduce this from 169 to \$50. [Moermond explains examples of things that would constitute violations].

Referred to the City Council due back on 3/27/2024

Special Tax Assessments-ROLLS

- 15 **RLH AR 24-9** Ratifying the assessments for Collection of Vacant Building Registration fees billed during May 9 to August 14, 2023. (File No. VB2405, Assessment No. 248804)

 Sponsors: Jalali

 Referred to the City Council due back on 3/27/2024
- 16 **RLH AR 24-10** Ratifying the assessments for Securing and/or Emergency Boarding services during September 2023. (File No. J2405B, Assessment No. 248104)

 Sponsors: Jalali

 Referred to the City Council due back on 3/27/2024
- 17 **RLH AR 24-11** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during August 28 to September 19, 2023. (File No. CRT2404, Assessment No. 248203)

 Sponsors: Jalali

 Referred to the City Council due back on 3/27/2024
- 18 **RLH AR 24-12** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during July 24 to August 21, 2023. (File No. J2405E, Assessment No. 248304)

 Sponsors: Jalali

 Referred to the City Council due back on 3/27/2024
- 19 **RLH AR 24-13** Ratifying the assessments for Removal of Diseased and/or Dangerous Tree(s) services during October 2023. (File No. 2403T, Assessment No. 249002)

 Sponsors: Jalali

 Referred to the City Council due back on 3/27/2024

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 20 **RLH SAO 24-6** Appeal of Jeremy Plesha to a Summary Abatement Order at 1708 MARSHALL AVENUE.

 Sponsors: Jalali

 Deny the appeal noting the nuisance is abated and the matter resolved.

 Jeremy Plesha, owner, appeared via phone

Moermond: we're following up on your orders for 1708 Marshall. I think we have a fast report here.

Staff report by Supervisor Lisa Martin: inspector went by yesterday; it is nice and neat and looks fantastic.

Moermond: file will be closed. Have a good rest of your day.

Plesha: thank you.

Referred to the City Council due back on 2/21/2024

- 21 RLH TA 23-406** Ratifying the Appealed Special Tax Assessment for property at 1472 SHERBURNE AVENUE. (File No. J2410A, Assessment No. 248509)

Sponsors: Jalali

Approve the assessment (noting assessment has already been paid).

Referred to the City Council due back on 2/21/2024

- 22 RLH SAO 24-8** Appeal of Whitney Streeter to a Summary Abatement Order at 1472 SHERBURNE AVENUE.

Sponsors: Jalali

Grant to June 14, 2024 for orders related to fence (including installation under permit), and grant to February 23, 2024 for balance of the orders.

Whitney Streeter, owner, appeared via phone

Moermond: I have two things on the agenda for this property, one is resolved, one is new. The tax assessment has been paid and that is resolved.

Streeter: yes, the seller took care of it.

Moermond: glad to hear that. The other thing we have is some fencing.

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued January 18, 2024 to remove and dispose of the wood, fence debris, construction debris, chair, and garbage from rear of property. Compliance date of January 25. Photo is attached.

Streeter: the pile of construction debris is removed. It snowed so we couldn't remove it as quickly as we had wanted to. The fence we intended to fix this spring. It is perfectly good, not rubbish.

Moermond: what are you thinking timeline-wise for fence installation?

Streeter: it is February in Minnesota, and while it has been warm, pouring fence support isn't feasible.

Moermond: front won't leave reliably until mid-April. That's kind of my starting point here. Then I'd be thinking you'd be trying to dig fence posts in wet ground. I'd go so far to say we could push into mid-June. Is that something that sounds doable?

Streeter: that is the timeline we were thinking. We wanted to start around mother's day.

Martin: we must have a site plan reviewed and approved before that is installed.

Moermond: so a fence permit applied for. You can do that online. You can start that now, they're good for a year. We will say have the fence done by June 14, balance of the orders deadline February 23.

Referred to the City Council due back on 2/21/2024

- 23** [RLH SAO 23-53](#) Appeal of Thomas Nelson and Ranettia Alexander-Nelson to a Vehicle Abatement Order at 493 VAN BUREN AVENUE.

Sponsors: Balenger

Layover to LH February 20, 2024 at 11 am for further discussion.

Ranettia Alexander Nelson, owner, appeared via phone

Moermond: we were going to follow up on the vehicle situation. Ms. Martin has a couple of comments first.

Staff report by Supervisor Lisa Martin: we had a Vehicle Abatement Order on several vehicles, several had flat tires. They did file a site plan. Some of the vehicles had flat tires on January 27, photos in the file. Bag of leaves. Deteriorated fence. I did talk to Yaya Diatta in zoning. He is out until the 13th, so I couldn't discuss that with him.

Moermond: you would like more time for Yaya to review, Ms. Martin?

Martin: yes.

Moermond: why don't we talk on the 20th and give him a few days when he's back. Does that work for you Ms. Alexander-Nelson?

Alexander Nelson: yes. We do not have tires on the property. Not sure what that is about.

Laid Over to the Legislative Hearings due back on 2/20/2024

Correction Orders

- 24** **RLH CO 24-1** Appeal of Kelly Jelinek to a Correction Notice at 1818 IDAHO AVENUE EAST.

Sponsors: Yang

Grant to May 17, 2024 for compliance.

Kelly Jelenek appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order was issued to remove boat on the side yard. Compliance date of January 16, 2024.

Jelenek: we don't own the home, so the appeal was to do it at a later date since it is so muddy right now. We don't want to wreck the yard.

Moermond: I'm comfortable with doing an extension, between now and May 17 there should be enough drying of the soil that it could be sorted by then. Does that sound good?

Jelenek: absolutely, yes.

Referred to the City Council due back on 2/21/2024

1:00 p.m. Hearings

Vacant Building Registrations

- 25 [RLH VBR 24-10](#) Appeal of Justin Gaarder, Rondo Community Land Trust, to a Vacant Building Registration Requirement at 843 SELBY AVENUE.

Sponsors: Bowie

Layover to LH February 13, 2024 at 1 pm (unable to reach property rep).

Voicemail left at 1:19 pm: this is Marcia Moermond from St. Paul City Council calling you about your appealed Vacant Building registration for 843 Selby Avenue. We'll try back in a few minutes.

Voicemail left at 1:37 pm: this is Marcia Moermond from St. Paul City Council calling Mikeya Griffin again about your appealed Vacant Building registration at 843 Selby. We'll put you on the calendar next week, Tuesday, February 13 in the 1:00 time period.

Laid Over to the Legislative Hearings due back on 2/13/2024

- 26 [RLH VBR 24-8](#) Appeal of Paul Yang to a Vacant Building Registration Fee Warning Letter at 985 BRADLEY STREET.

Sponsors: Kim

Layover to LH February 13, 2024 at 1 pm (per owner's request).

No one appeared

Vang: this is being continued to 2/13 per the owner's request.

Laid Over to the Legislative Hearings due back on 2/13/2024

- 27 [RLH VBR 24-9](#) Appeal of Gary Jager to a Vacant Building Registration Renewal Notice at 1783 DAYTON AVENUE.

Sponsors: Jalali

Waive VB fee for 90 days (to April 25, 2024).

Gary Jager, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: went into the Vacant Building program after a fire January 23, 2023. We do have permits on file, rehab ongoing. This hasn't been a nuisance property, and no neighborhood complaints. We have given the Vacant Building fee waiver four times of 90 days. It is my understanding that last year's fee went to assessment and this year's new fee is now due. \$2,459.

Moermond: why are you appealing?

Jager: my contractor sent in a summation from his side. There was a fire, the Fire Department didn't want us in there for two weeks. 3 inches of water froze inside. When we finally got in it started melting when the heat was back on. It is an old building, we had to do substantial mitigation for asbestos and lead. Due to all the water it had to be torn down and sprayed to prevent mold and the smoke order from entering the house. During this time the roof was still open. There was trouble ordering trusses. We went to get the building permit and denied me because I wouldn't sign an affidavit I wouldn't sell the building. I asked if I could write on there I don't intend to sell, but if for financial reasons I needed to I could? They said no. Went back and forth a while. Finally got the permit. Had insurance money, also needed financing. Once we got into the building inspector made us change two things, which set us back. One was the stair drawing to the attic was approved but in one corner it was too close to the ceiling so we had to tear those out when he came to inspect. We had additional work on the HVAC. It was rescheduled and it all had to be done before we could get plumbing and electrical in. That kept pushing us back. I truly thought we'd be done before year-end. It didn't work out. I just talked to the contractor this morning. He said I could safely say by the end of next week everything would be done. He's in contact with Ryan Tessman for the Certificate of Occupancy. Don Wilkins has to do the final building inspection. They were sanding floors on Saturday. Finish work was being done. I'd like to avoid this fee because I'd like to get this done and back on the market.

Moermond: I can recommend a fee waiver for 90 days. If you aren't done then we'll be having a conversation about prorating it through the assessment office if you are done in under six months. That waiver takes you to April 25.

Referred to the City Council due back on 2/21/2024

- 28 RLH VBR 24-2** Appeal of Franklin Zou LLC to a Vacant Building Registration Renewal Notice at 540 RICE STREET.

Sponsors: Bowie

Waive VB fee for 90 days (to May 1, 2024).

Franklin Zou, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: made a Category 1 Vacant Building on February 1, 2023 after a fire. Our records show permits are on file and rehab is ongoing. The property owner did not request the 90-day waiver, rather it was paid by check originally. I assume we are here to discuss the fee coming due for the 2024-2025 period.

Moermond: why are you appealing?

Zou: we should be done in a couple of weeks. It is ready to go.

Moermond: I see a number of open permits. Warm air, mechanical, electric, plumbing, building. All are open.

Zou: everything is roughed in.

Moermond: we'll recommend a 90-day waiver of the Vacant Building fee. That takes you to May 1, 2024. Three months from the anniversary date. If you have your Certificate of Occupancy and permits closed before then there will be no fee.

Referred to the City Council due back on 2/21/2024

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 29 [RLH VO 24-5](#) Appeal of Occupant to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 421 THOMAS AVENUE #1.

Sponsors: Bowie

Layover to LH February 13, 2024 at 1:30 pm (per appellant's request).

Laid Over to the Legislative Hearings due back on 2/13/2024

- 30 [RLH VO 24-6](#) Appeal of Matt Hursh to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 264 LAFOND AVENUE.

Sponsors: Bowie

Layover to LH February 13, 2024 at 1:30 pm for update after February 12 inspection. Deny the appeal (unless updated conditions after inspection substantially change) and property must be vacated by February 16, 2024.

Matt Hursh, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: this is a one-unit residential property in the Fire Certificate of Occupancy program. This started based on referral from the St. Paul Police Department regarding sanitation issues with the house. Inspector Caballero tried an inspection, was refused access by the tenant, then set up an inspection with you and we met at the property. We found severe sanitation issues in the house. Plumbing concerns with sinks and toilets that were plugged and unusable. One working sink and one toilet in the home but the others were inoperable. Severe infestation issues from cockroaches. Nearly every surface had live insects on it which is another safety concern. Trash not disposed of. Cat feces not being cleaned up. It was condemned due to the sanitation and plumbing issues. The expectation was we couldn't give a realistic deadline for all the other repairs, but maybe could extend the deadline to keep it occupied if significant work was done with cleaning and pest control and plumbing operational. There were still a number of other repairs that would have to be done, but it isn't realistic until those other issues are tackled. The house does have a history of other sanitation issues, possibly not as bad. During the 2021 inspection it was also written up for sanitation issues.

Moermond: are there children living there?

Imbertson: 3 adults living there.

Hursh: I hadn't been in there in a long time. I talked to them about this. I don't blame the City for expressing how bad this is. I ordered a dumpster to get a lot of the trash out. It isn't full yet, but they've made progress. I told them to focus on the sanitation issues. We got the toilet that was clogged, it is pulled and capped. We'll have a plumber reinstall the toilet once he clears the stack. Sinks should be working. Just one bathroom now instead of two. That's a short-term fix. It wouldn't pass a fully inspection. We did contact a pest control company, but they couldn't come out before this hearing. That is scheduled. They come out every week if you still find bugs. They've cleaned out the garbage. The elderly mother passed away the end of 2023, they hadn't gone in there for emotional reasons. That was the one with the gross mattress and had cat poop in there. They cleaned and threw everything in the dumpster. They've made progress where at least it is to a state where it is at least sanitary. My hope is you say it is livable and let's get a punch list of those other items in a normal Certificate of Occupancy inspection. That's my hope, we can lift the condemnation, so they can stay. They don't have another place to go.

[short recess to review photos]

Moermond: Mr. Imbertson, when was the first time you were in there for a regular inspection and what rating did it get?

I: started in 2021 and approved March 8, 2022. Class C rating. It was due for renewal December 1, 2023. This was a complaint from a referral from St. Paul Police Department and have wrapped it into the Certificate of Occupancy renewal. If the immediate sanitation issues were addressed we'd still need a full inspection to recertify the Certificate of Occupancy.

Moermond: looking at the photos it looks better than the Fire Inspector's photos. I'm also aware of the fact that people don't take photos of things that still look bad. Some of the things I'm looking at, particularly with sanitation issues, tend to be tenant issues. Other things, whether they were created by the tenant or not, they land in the landlord's area. I see baseboard heaters without covers, that's a you thing. I think about materials leaving the house with infested materials, they certainly could scale a dumpster. You haven't been there in a while, what's up with that?

Hersch: they never called me with issues, and had been paying rent, so I hadn't come by.

Moermond: do you with the rest of your properties?

Hersch: yes. I hadn't had a reason to go by.

Moermond: was the police issue the death of the mother?

Imbertson: I wasn't told about the reason for the police call.

Moermond: I am not crazy about displacing people, but this needs a reset. Does the toilet capping need a permit?

Imbertson: generally not a permit, but a plumber would need to do the work.

Hersch: I have a plumber going over there anyway.

Moermond: people who have allowed a house to get to this state I wouldn't generally trust to do code complaint repairs.

Imbertson: the lack of smoke alarms was also a concern. One was installed at the time of inspection, but additional ones are needed.

Moermond: what is staffing capacity to get things reinspected in the near future? Like this week?

Imbertson: this week is challenging, but for something like this we can make it work.

Moermond: you gave a fast turnaround, so that says to me you are calling this as critical.

Imbertson: yes. We have concerns that if these are the same tenants with issues in the last cycle they don't have the capacity to keep it that way.

Hersch: originally they had hoped House Calls would get a dumpster out, but I thought that would take too long so I just ordered one. I think they will maybe call.

Moermond: you were waiting on plumbing until sanitation was taken care of?

Hersch: no, they're coming, just due to the short turnaround.

Imbertson: regarding the pest control, it was mentioned that pest control couldn't do a proper cleaning first.

Hersch: that's what I told them.

Moermond: let's get them in there now, and they can just keep coming back. I really hate the idea of more cockroaches being put in bags outside in the City. We clearly need a long-term housekeeping program here. There's a House Calls brochure next to you. It is something to look into for a repeat offender.

Hersch: I would like to hold them accountable too.

Moermond: extermination, plumbing. I'm going to send this to Council next Wednesday. I'm going to ask them to deny your appeal. Tuesday, I'm going to get a progress update from Mr. Imbertson, you, House Calls, whoever is appropriate and then I can amend that recommendation accordingly. I'm happy to do that but I feel like it is important to get it in front of Council with the most current info. If it is still a denial, I'll say a vacate date of February 16.

Imbertson: the February 2 orders includes all the Certificate of Occupancy items we could see, but with the sanitation issues we couldn't see everything. I'd expect more items to be added as access to more areas are seen and accessed.

Moermond: and the plumbing and extermination.

Referred to the City Council due back on 2/14/2024

3:00 p.m. Hearings

Special Tax Assessments-Garbage Hauling

- 31 RLH TA 24-84** Ratifying the Appealed Special Tax Assessment for property at 2024 REANEY AVENUE EAST (File No. CG2304A, Assessment No. 230115)
- Sponsors:** Johnson
- Delete the assessment.*
- No one appeared*
- Moermond: there's a note here to delete?*
- Staff report by Lydia Campbell: the property owner stated he had already paid his bill and provided proof of payment. The hauler, Republic, confirmed they had received payment and forwarded to the City in error.*
- Moermond: good thing he appealed.*
- Referred to the City Council due back on 3/13/2024**
- 32 RLH TA 24-86** Ratifying the Appealed Special Tax Assessment for property at 2106 MARSHALL AVENUE. (File No. CG2303A2, Assessment No. 230113)
- Sponsors:** Jalali
- Reduce assessment from \$133.87 to \$62.48.*
- Samuel Czaplewski, owner, appeared*
- [Moermond gives background of appeals process]*
- Staff report by Lydia Campbell: the property owner states that this property has been unoccupied since October 30, 2021 when he evicted the tenant. He states that he called Advanced Disposal on September 23, 2021 to place a service hold on the property and should not have been billed. He has been receiving the Assessment Notices, but states that he was paying them because it was easier than trying to contest them. He finally decided to contest because he is preparing to sell the property.*
- The property owner called the City January 19, 2024 requesting a service hold for the property. This was forwarded to the hauler. The City has no record of contact with the property owner or previous request for a service hold at the property. Waste Management states that they have not had contact with this property or property owner until the service hold request forwarded to them in January 2024. The account previously belonged to Advanced Disposal. Waste Management was able to find an old record of contact with Advanced Disposal on September 23, 2021. The notes from this interaction state, "Owner wants bill in tenants name due to having the [resident] pay it. Changed name at the owner's request." The property owner was not receiving garbage bills or notices of non-payment because they were being sent to the address of the previous tenant, however, the property owner was receiving the assessment notices. The garbage bill has gone to assessments for the following: 2023 (all quarters); 2022 (all quarters); 2021 (all quarters); 2020 (Quarter 4 - different property owner).*
- Moermond: so the bills used to go to a tenant. The assessment notices did go to the owner and sir, you were saying that no one has been there for a while putting*

garbage out?

Czaplewski: yeah, for 2 years. I just called because the same guy is picking it up. I am over there working on it and I talked to the guy and he said he knows he hasn't picked up trash for 2 years. I never received bills, then I would get the assessments and pay because I was scared the City would condemn it.

Moermond: I do see you passed a Certificate of Occupancy inspection on February of 2023 and it is a class A property. You have yourself a nice property there.

Czaplewski: yeah, I'm 78 years old. I'm a union carpenter. I'm planning to sell in the spring when interest rates go down. I think where the ball got thrown aside was when I called Advanced Disposal and asked them to send the bill to me, and they didn't do it. Those people left a \$850 garbage bill when I finally got them evicted after the mandate was lifted. I didn't get any rent during Covid. I could rent it easily but I have one floor to paint in the basement. I just put a new roof on it. Whatever you could do to help a disabled Veteran I would appreciate it, I'm probably losing \$8,000 to \$10,000 a year.

Moermond: I'd like to recommend these bills be brought down to the lowest level of service, as if you had the smallest cart, every other week.

Referred to the City Council due back on 3/13/2024

33 RLH TA 24-85

Ratifying the Appealed Special Tax Assessment for property at 2106 MARSHALL AVENUE. (File No. CG2304A1, Assessment No. 230114)

Sponsors: Jalali

Reduce assessment from \$133.87 to \$62.48.

Samuel Czaplewski, owner, appeared

[Moermond gives background of appeals process]

Staff report by Lydia Campbell: the property owner states that this property has been unoccupied since October 30, 2021 when he evicted the tenant. He states that he called Advanced Disposal on September 23, 2021 to place a service hold on the property and should not have been billed. He has been receiving the Assessment Notices, but states that he was paying them because it was easier than trying to contest them. He finally decided to contest because he is preparing to sell the property.

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Moermond: so the bills used to go to a tenant. The assessment notices did go to the owner and sir, you were saying that no one has been there for a while putting garbage out?

Czaplewski: yeah, for 2 years. I just called because the same guy is picking it up. I am over there working on it and I talked to the guy and he said he knows he hasn't picked up trash for 2 years. I never received bills, then I would get the assessments and pay because I was scared the City would condemn it.

Moermond: I do see you passed a Certificate of Occupancy inspection on February of 2023 and it is a class A property. You have yourself a nice property there.

Czaplewski: yeah, I'm 78 years old. I'm a union carpenter. I'm planning to sell in the spring when interest rates go down. I think where the ball got thrown aside was when I called Advanced Disposal and asked them to send the bill to me, and they didn't do it. Those people left a \$850 garbage bill when I finally got them evicted after the mandate was lifted. I didn't get any rent during Covid. I could rent it easily but I have one floor to paint in the basement. I just put a new roof on it. Whatever you could do to help a disabled Veteran I would appreciate it, I'm probably losing \$8,000 to \$10,000 a year.

Moermond: I'd like to recommend these bills be brought down to the lowest level of service, as if you had the smallest cart, every other week.

Referred to the City Council due back on 3/13/2024