



# 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*

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Tuesday, December 5, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

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

##### Special Tax Assessments

- 1     **RLH TA 23-375**     Ratifying the Appealed Special Tax Assessment for property at 1008 CARROLL AVENUE. (File No. VB2402, Assessment No. 248801)

**Sponsors:**         Balenger

*Approve the assessment.*

*Dominique Stryker, property manager, appeared via phone*

*Stryker: they sent me a copy of the canceled check and then it said returned. How do we get it taken care of?*

*Moermond: right now, it can be paid online through the City's assessment page on the website. Otherwise, you can wait and it would go on the 2025 taxes. It would accrue interest. We can send you an email with the link to pay.*

*Stryker: that would be great.*

*Moermond: thanks for doing that homework, it made things easier.*

**Referred to the City Council due back on 1/24/2024**

- 2     **RLH TA 23-342**     Ratifying the Appealed Special Tax Assessment for property at 276 EXCHANGE STREET SOUTH. (File No. VB2401, Assessment No. 248800)

**Sponsors:**         Noecker

*Approve the assessment.*

*Voicemail left at 9:22 am: this is Marcia Moermond from St. Paul City Council following you about your Vacant Building fee for 276 S. Exchange. We'll try you again in a little while to conclude our conversation from October 3.*

*Voicemail left at 9:32 am: this is Marcia Moermond from St. Paul City Council calling you again about the Vacant Building assessment for this property. I'm going to*

*recommend approval for the time period July 2022 through April 2023. We're still not out of the Vacant Building program, your permits are not finalized. I believe Vacant Building staff will be following up with you about expectations to get out of the Vacant Building program. I know you've been a Category 1 Vacant Building to date, and I believe the timing is such you roll into being a Category 2 under the code. You should reach out to Matt Dornfeld at 651-266-1902.*

**Referred to the City Council due back on 1/10/2024**

- 3 RLH TA 23-389** Ratifying of the Appealed Special Tax Assessment for property at 410 VAN DYKE STREET adopted by Council under File No. RLH AR 20-152. (File No. J2102B1, Assessment No. 218107)

**Sponsors:** Prince

*Approve the assessment.*

*No one appeared*

*Moermond: this is unusual as we have a boarding assessment for work that occurred in 2020. It was appealed but didn't get pulled for separate considering from real estate. We are wanting to conduct a hearing and give the owner an opportunity to be heard. The appellant at the time was Dana at Halverson Blaser and staff has tried multiple times to get a hold of her, as well as using the general number. I have costs that appear legitimately occurred by the City in paying the contractor to secure the building at 11:00 at night. This is the Sheraton at 410 Van Dyke. I'll recommend approval of this assessment. We'll send it to Council January 24, 2024.*

**Referred to the City Council due back on 1/17/2024**

- 4 RLH TA 23-348** Ratifying the Appealed Special Tax Assessment for property at 46 FRONT AVENUE. (File No. VB2403, Assessment No. 248802)

**Sponsors:** Balenger

*Delete the assessment.*

*No one appeared*

*Moermond: we have done follow-up on this and determined that for this bill, which covers July 2023 to 2024, this was only in the program for 7 weeks, therefore recommend deletion of the assessment.*

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

- 5 RLH TA 23-396** Ratifying the Appealed Special Tax Assessment for property at 1470 KENT STREET. (File No. VB2402, Assessment No. 248801)

**Sponsors:** Brendmoen

*Delete the assessment.*

*No one appeared*

*Moermond: this assessment is being recommended for deletion. I would like to note that for some reason Department of Safety & Inspections didn't actually bill this*

*Vacant Building fee, when the bill should have gone out since the anniversary date was January 22, 2020. The normal practice is it would go out by December 22 of 2022. That would cover January 2023 through 2024. Recommend for deletion.*

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

- 6 [RLH TA 23-387](#) Ratifying the Appealed Special Tax Assessment for property at 344 WABASHA STREET NORTH. (File No. J2402B, Assessment No. 248101)

**Sponsors:** Noecker

*Layover to LH January 9, 2023 at 9 am for further discussion. Staff to follow up with SPPD. Current rec is to remove admin charges and reduce to \$824.*

*Mikeal Tekeste, o/b/o Red Sea Market, appeared via phone*

*Moermond: my understanding is you are the owner/operator of the Red Sea Market within the Victory Ramp, and they are the property owner of the structure?*

*Tekeste: yes.*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: the St. Paul Police Department recorded a break in of the window on two occasions overnight, June 7 and June 23, 2023. The cost of boarding and resecuring is a total assessment of \$968. The first one happened at 4:50 am and at 1:45 am on the 23rd.*

*Moermond: I'm looking at one small reduction off the bat, and we have two administrative charges connected as Department of Safety & Inspections, but one for real estate and attorney office. That brings us down to \$824. Mr. Tekeste, why are you appealing?*

*Tekeste: I feel like I could have boarded it, there is 24-hour security so they could have called me. No one called me. If I would have known I would have done it myself. When they put the wood on, they just hammered into the border and they did a lot of damage and it cost me over \$10,000 because the frame was damaged. It is the same boarding; I don't know why they had to charge me more. It comes out of my pocket. If they could give me some grace, I'll go with your assessment.*

*Moermond: I was thinking the same thing. This is a ramp with 24-hour security. If the police are there at 4 am, how would they get a hold of security? Just go to the booth and hitting a button?*

*Tekeste: yes, they are right behind me 24 hours.*

*Moermond: that's what is puzzling to me. I'm guessing that your lease talks about having 24 hour security?*

*Tekeste: yes, you are right.*

*Moermond: normally whether it is a residential or commercial situation, when we're talking to a tenant we try to unpack what the responsibility is in the lease agreement you have and I'm not sure what your lease says about security. What we did on our end*

*is pull the police reports associated with the boarding company being called. What we wouldn't tell from those reports is whether or not they went 20 yards away from your shop to the booth to try and reach security. If this is a business in a lot of cases, it may not be there is someone handy regardless of a number being posted. In this case the ramp is under operation 24 hours, and the expectation of you of your landlord would be different. I'm going to see if we can follow-up with the St. Paul Police officers to see if they can remember if they went to the booth or not. It may be helpful. I feel like this is something where it is different than other kinds of boarding because security is so close. I struggle with this. Is the landlord wanting you to pay for this?*

*Tekeste: yes, in my lease they said they are not liable for windows.*

*Moermond: they aren't liable for the windows per your lease?*

*Tekeste: yes ma'am.*

*Moermond: any expectations around security in the lease?*

*Tekeste: no, they don't say anything. I guess the first time he called the wrong number. I guess the second time it happened as they were closing up the skyway. It was the same guy. They arrested him and then let him go, after I investigated myself. That's why it is so frustrating.*

*Moermond: would it be possible to get us some of the information you shared with the police? Sounds like you have some background. Is that something you could share?*

*Tekeste: no, Thomas Mueller gave me his card since I was communicating with them. That's how I got him arrested.*

*Moermond: who got arrested, do you have the name?*

*Tekeste: yes.*

*Moermond: if you want to share that with us, we can connect with you. Who did you deal with again?*

*Tekeste: Commander Mueller.*

*Moermond: and you gave him the name?*

*Tekeste: no, I was chasing the guy and every time I called 911 they wouldn't send someone out. Finally, I called him directly and he dispatched a cop right away.*

*Moermond: we'll do some follow up on this. this doesn't have a Council Public Hearing until January 24. We'll send you any follow up information we receive. We'll talk January 9th.*

**Laid Over to the Legislative Hearings due back on 1/9/2024**

### **Making Finding on Substantial Nuisance Abatements**

- 7      [RLH RR 23-59](#)      Second Making finding on the appealed substantial abatement ordered for 1457 THIRD STREET EAST in Council File RLH RR 23-19. (Public hearing continued to December 20, 2023)

**Sponsors:** Prince

*Continue PH to December 20, 2023.*

*Moermond: we are doing follow-up on this. This has a Council Public Hearing tomorrow, December 6 and this is a follow up on the second grant of 180 days to complete the rehabilitation or removal of the property. It has a bunch of open permits, so this isn't yet done. However, I did talk with the owner's nephew and want to give him a chance to finish. Mr. Yannarely, where are we at with permits?*

*Supervisor Yannarely: 3 open permits, one closed mechanical. No problems at the property.*

*Moermond: that's good. I'll recommend this is continued to December 20th. We'll email Mr. Savasten and let him know this but he's got a lot of open permits to close or I'll recommend we start docking the Performance Deposit.*

**Referred to the City Council due back on 12/6/2023**

## 10:00 a.m. Hearings

### Special Tax Assessments

- 8 RLH TA 23-392** Ratifying the Appealed Special Tax Assessment for property at 751 OAKDALE AVENUE. (File No. J2403E, Assessment No. 248302)

**Sponsors:** Noecker

*Approve the assessment.*

*Taylor Phillips, owner, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: a Vehicle Abatement Order was issued May 16, 2023. It went to Jose Bustamante & occupant. A couple of inoperable vehicles. They weren't moved. Excessive Consumption fees for us visiting to gain compliance. EC sent on 6/1/23; 6/14/23-not compliance, Excessive Consumption fee sent on 6/14/23. 5 Excessive Consumptions issued before compliance August 9. No returned mail.*

*Phillips: I closed in August and have been going through a lot of this with the previous owner, not paying bills and taxes, electricity bills. I did reach out to my title company already and they told me I'm covered under insurance so if I have an invoice I should send it to them.*

*Moermond: the first of three assessments is what we're looking at here. This goes to Council Public Hearing February 14. There are two more for the same thing, which aren't scheduled yet. Your first bill should be third week in February, March, and April respectively. Look for those invoices after the Council Public Hearing.*

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

- 9 RLH TA 23-395** Ratifying the Appealed Special Tax Assessment for property at 437

STRYKER AVENUE. (File No. J2402E, Assessment No. 248301)

Sponsors: Noecker

*Delete the assessment.*

*No one appeared*

*Moermond: we have a deletion, Ms. Martin?*

*Supervisor Lisa Martin: error in processing the Excessive Consumption, it didn't have the specific violation listed. We will be deleting that fee.*

**Referred to the City Council due back on 1/24/2024**

10 RLH TA 23-376 Ratifying the Appealed Special Tax Assessment for property at 892 FOURTH STREET EAST. (File No. CRT2401, Assessment No. 248200)

Sponsors: Prince

*Approve the assessment.*

*Bruce Currier, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Leanna Shaff: this is a duplex; the total assessment is \$695. Appointment letters on October 17, November 1 and December 30, 2022. Revocation letters on January 25, February 8 and March 8 of 2023. Approved with deficiencies on March 21, 2023. Billed on April 4 and May 4, 2023. No returned mail. All mail sent to property owner at 3606 E 50th St. Minneapolis, MN. Prior to assessment three \$82 no entry fees were removed.*

*Moermond: so, the bills April and May include those fees, but when processed as an assessment those are removed?*

*Shaff: yes, his original bill amount was \$784.*

*Moermond: why are you appealing?*

*Currier: I've owned that building for 35 years. Never once have I missed an inspection notice, or not paid my bill. My taxes, water, garbage, no problem. The same inspector looked at it 2 and 5 years ago and there was never an address problem. That's all I have to say as far as receiving it in the mail. Looking at the Fire Certificate of Occupancy invoice, November 1 they set up an appointment where they notify you by mail and if you don't get the mail you won't know to meet the inspector. That didn't happen. November 21 they came out, no mail received. December 30 I received no mail on that. The first mail I received was January 25, 2023. The first time I met with the inspector was February 8. What I understood was the \$269 for the first inspection includes the license, the first inspection, and one reinspection. That's how I understand it. Then we go to March 8, reinspection, and \$134.50 was added on. I did call him and he told me it is because I missed 3 previously. Everything was fine in the apartment except the renter had too many furnishings, so that one I assume I would be paying for. I think the inspector wasn't happy with the first 3 being missed. But I never received mail. I've never missed any payments or inspection. I know the three \$82 were removed. I think one of the \$134.50 I'm responsible for, but I think he went hard on me*

*because of the missed appointments.*

*Moermond: Ms. Shaff, my understanding of the Code is that the original \$269 fee includes one reinspection. You would issue orders, and the first time visiting would be considered part of the \$269 and any subsequent inspections are charged?*

*Shaff: yes.*

*Moermond: I've got a bunch of appointment letters addressed to the same location.*

*Shaff: after 3 no entries, we had it pending revocation on January 25 for failure to allow entry.*

*Currier: what really gets me, is I have my Certificate of Occupancy on my door with the name, address, and phone number on it. If he went three times you'd think he'd call or something. People were burning garbage in the alley, I had Matt Brown with the Fire Department, David Randall from the Police Department called me, they got through to me. I don't understand why someone wouldn't give a call. In Minneapolis when you set up an appointment, they send a letter for you to call them to make the appointment.*

*Moermond: if you've been doing this for 35 years you know how St. Paul operates. I do think looking at the record and the orders they are legitimate charges, noting the three no entry fees were actually deleted. I understand you have a difference of opinion on one of the \$134.50 charges. I don't agree. You are welcome to testify further at Council. I look at the revised charge and I think that is an accurate representation of the costs incurred.*

*Currier: if you could ask Ms. Shaff why I never got one free inspection off that original \$269? That's the one I'm complaining about. I didn't get any. February 8 is when I finally met, and March 8.*

*Moermond: I am counting four instances in my calculation. I'm counting January 25; you aren't.*

*Currier: that's the first time I got a letter, January 25.*

*Moermond: and an appointment did go out in advance of that.*

*Currier: I never got that one. Ok.*

**Referred to the City Council due back on 1/24/2024**

**11 RLH TA 23-390** Ratifying the Appealed Special Tax Assessment for property at 1340 PAYNE AVENUE. (File No. CRT2401, Assessment No. 248200)

**Sponsors:** Brendmoen

*Approve the assessment.*

*Sadiq Alnabi, owner of grocery store, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Leanna Shaff: this is Fire Certificate of Occupancy for a grocery store. Total assessment of \$385. Appointment letter went out March 15.*

Deficiency letter went out April 10 and appointment letter May 4. Approved with deficiencies June 8. Billing dates June 12 and July 12. No returned mail. First appointment letter and correction letter sent to: SADIQ ALNABI 1631 Camelot Lane, NE. Fridley MN 55432-5217. Correction letter, second appointment letter, approval with deficiencies letter, and bills sent to: NARJIS LLC EAST SIDE GROCERY 1340 PAYNE AVE UNIT B ST PAUL MN 55130.

Moermond: Mr. Alnabi, why are you appealing?

Alnabi: I was out of the country for two months. I don't have anyone to check my mail. When I came back I had a lot of mail so I didn't check anything. I was surprised when the bill had a late fee more than the statement. I'm trying to ask you if you can reduce or remove the late fee charge.

Moermond: because you were out of the country and not opening mail?

Alnabi: I can show you my travel ticket.

Moermond: that doesn't really matter to me. I need to look at whether the City legitimately occurred the cost. Two bills were sent and then it was the process to be sent to the property taxes. That includes staff time in the Certificate of Occupancy office and the tax assessment office. I would say yes, it is a legitimate cost incurred by the City in sending it forward as an assessment. If it was paid in a timely fashion that wouldn't have happened. Who should be paying the added cost? The private property owner is responsible for the Certificate of Occupancy. The Council could look at it differently. My recommendation is approval.

Alnabi: what do I do now? Wait for the City to see if they can reduce it?

[Moermond explains the Council Public Hearing testifying process again]

**Referred to the City Council due back on 1/24/2024**

**12 RLH TA 23-394** Ratifying the Appealed Special Tax Assessment for property at 261 SIDNEY STREET EAST. (File No. CRT2401, Assessment No. 248200)

Sponsors: Noecker

Approve the assessment.

Trisha Hammond, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy for a single-family home. Total assessment of \$515.50. There were appointment letters January 27, February 16, and March 20, 2023. Deficiency letters April 13 and May 12, 2023. Compliance date June 13. Billing dates June 15 and July 17. No returned mail. Appointment and correction letters sent to the Responsible Party, Renter's Warehouse 6101 Baker Rd Suite 200 Minnetonka, MN 55345. property owner met with inspector on 6/13 and updated their address. Bills were sent to property owner Rebekah Olayiwola 261 Sidney St E. St Paul, MN 55107. Original bill included one \$89 no entry penalty fee, removed prior to sending to assessments.

Moermond: Ms. Hammond, it looks like you closed July 5, 2023?



*Hammond: that is correct.*

*Moermond: tell me what you've been experiencing.*

*Hammond: I'm not sure what I'm supposed to provide at this point.*

*Moermond: I'm guessing the seller didn't disclose this bill at the time you purchased?*

*Hammond: that is correct.*

*Moermond: do you have copies of the bill they received?*

*Hammond: no.*

*Moermond: we'll get that to you. Here's the rub, the assessment goes with the property, not the people. They knew when they closed there was this cost, one being the correction orders that go to the property manager say there will be a bill, plus the bills themselves. They initialed the closing documents saying they told you everything, it appears they didn't. They owe you that money. We're you represented in closing by a realtor?*

*Hammond: yes.*

*Moermond: we'll send you the information we have and I suggest you reach out to your realtor and say this came to me after the fact, they didn't tell me though they knew, can you help me make them pay. Your title company may also be of assistance. I know it is a pain to have to do. I'd like to be as helpful as we can. When we send you the fire orders there's a paragraph in there saying the Department is authorized to collect fees and there is a schedule. I think the problem may lie with Renter's Warehouse, as they were the property manager. They showed up to inspections, but then the property owner changed it to their name before you bought it. The bill actually went to them. It isn't like that went to the property manager. They had the bill and knew to switch the Responsible Party to themselves.*

**Referred to the City Council due back on 1/24/2024**

**Special Tax Assessments-Rolls**

**13 RLH AR** Ratifying the assessments for Collection of Vacant Building Fees from February - June 2023. (File No. VB2403, Assessment No. 248802)

**23-100**

Sponsors: Brendmoen

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

**14 RLH AR** Ratifying the assessments for Collection of Securing and/or Emergency Boarding Fees from June 2023. (File No. J2403B, Assessment No. 248102)

**23-102**

Sponsors: Brendmoen

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

- 15    **RLH AR**  
      **23-103**            Ratifying the assessments for Collection of Certificate of Occupancy Fees from June 28 to July 23 2023. (File No. CRT2402, Assessment No. 248201)
- Sponsors:        Brendmoen
- Referred to the City Council due back on 2/14/2024**
- 16    **RLH AR**  
      **23-104**            Ratifying the assessments for Collection of Excessive Use of Inspection or Abatement services billed during May 22, 2023 to June 21, 2023. (File No. J2403E, Assessment No. 248302)
- Sponsors:        Brendmoen
- Referred to the City Council due back on 2/14/2024**
- 17    **RLH AR**  
      **23-105**            Ratifying the assessments for Collection of Graffiti Removal services during June 6 to August 10, 2023. (File No. J2403P, Assessment No. 248402)
- Sponsors:        Brendmoen
- Referred to the City Council due back on 2/14/2024**

## 11:00 a.m. Hearings

### Summary & Vehicle Abatement Orders

- 18    **RLH SAO**  
      **23-46**            Appeal of Tojsiab Lee to a Vehicle Abatement Order at 879 THOMAS AVENUE.
- Sponsors:        Balenger
- Grant the appeal as it relates to vehicle parking location, noting all other items in orders are in compliance.*
- Tojsiab Lee, owner, appeared via phone*
- [Moermond gives background of appeals process]*
- Staff report by Supervisor Lisa Martin: a Vehicle Abatement Order was issued November 21, 2023 to owner and occupant. A jeep and Toyota both with expired tabs. One appeared undrivable and the other in violation of the side-yard setback, within 4 feet of property line. Orders were sent, appeal was filed, and photos are in the file.*
- Moermond: Mr. Lee, sounds like you have some tackled. What is going on?*
- Lee: the two vehicle violations have been corrected. The tenant who owned the white car has moved out, so parking won't be a situation anymore. I am appealing because when I talked to the inspector he started to limit me to one parking space at the property. I submitted more photos for consideration for that. That's my appeal.*
- Moermond: it does appear the lot is wide enough that two vehicles could be parked*

side by side there. Pavement is flush with the garage. Ms. Martin, your take?

Martin: they'd need to be parked closer to the garage. The photo from December 3 shows the neighboring fence sets out a couple of feet. As long as the vehicles are operable I really don't think it is an issue.

Moermond: as long as tabs are dealt with, they are drivable, in terms of the setback we'll grant the appeal. Keep it on the pavement, running and with tabs. I'll recommend your appeal is granted.

Lee: if I get another one in the future, how do I have proof that it has been granted?

Moermond: good question. We'll do two things; first thing is we'll send you a letter confirming today's recommendation. More importantly, your appeal still goes to the City Council, they will vote. There's going to be a resolution voted on that grants your appeal and the City Council records exist for 170 years so far, it will be there if there's any question in the long run.

**Referred to the City Council due back on 12/20/2023**

## 1:00 p.m. Hearings

### Vacant Building Registrations

- 19 RLH VBR** Appeal of Carolyn Brown, Community Stabilization Project, and Shai Leibovich to a Vacant Building Registration Notice and Summary Abatement Order at 494 EDMUND AVENUE.

**Sponsors:** Balenger

*Deny the appeal of the VB registration. Waive the VB fee for 60 days (to January 21, 2024).*

*Shai Leibovich, owner, appeared via phone  
Carolyn Brown, property manager, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Mitch Imbertson: one-unit residential building in our Fire Certificate of Occupancy program. Up for renewal. Initial appointment letter September 12 for October 12. Not met. Second attempt made November 16. Inspector got in and found it unoccupied. Garage was unsound and creating a hazard. House was also unsound due to plumbing leak on second floor. AT that point it was referred to the Vacant Building program.*

*Moermond: Inspector Caballero was met for the second appointment?*

*Imbertson: yes, he got in the property.*

*Staff report by Supervisor Matt Dornfeld: was made a Category 2 Vacant Building by me on November 20, 2023 per the fire inspection condemnation referral. I did issue a Summary Abatement Order at that time for the garage, as stated by Supervisor Imbertson, it does have a tremendous lean and is being braced by the electrical pole. There are current photos for your viewing pleasure. Currently there are some*

*mattresses and junk laying around the garage. I haven't issued a Summary Abatement Order yet due to this appeal. From what I can tell it appears vacant and secure, other than the things mentioned the yard is ok.*

*Moermond: you've appealed the Summary Abatement Order and the Vacant Building registration, tell me about that.*

*Leibovich: this tenant was evicted 3 days before the inspection. She's the one that didn't want to let anyone in. we have possession of the house now, we're asking for a few weeks to fix everything up, including the plumbing. Get our Certificate of Occupancy back.*

*Moermond: tell me about the garage.*

*Leibovich: if we can fix it we will, otherwise we'll tear it down. we'll assess it.*

*Moermond: do you have an ask for those orders?*

*Leibovich: I'd like a Category 1 or no category and let us fix it and put it back as a rental.*

*Moermond: with respect to the Summary Abatement Order on the garage, you were saying you want to repair it if possible. Are you looking for anything on that order?*

*B: we need enough time to do an assessment to see if can be repaired, otherwise we'll have it removed.*

*Moermond: so, it sounds like you are ok with the order?*

*Leibovich: yes.*

*Moermond: I see such a range of violations in this condemnation, I'm struggling. It seems like we have some deep issues here. I'm not comfortable considering the significance of the violations saying it shouldn't have a Code Compliance Inspection. It seems it should have one. It merits further evaluation with regard to the structure. I'm inclined to have the Council deny your appeal and have it be a Category 2 Vacant Building, it pretty much meets the definition under chapter 43. Condemned, unoccupied, major code violations. The Council may see it differently, but I do think it should be a Vacant Building. I would be willing to do a modest fee waiver. I don't think things got this way overnight nor do I think they'll be fixed overnight. I'll recommend a 60-day waiver of the Vacant Building fee. That brings you to January 21, 2024.*

*Brown: what does that mean as far as permits?*

*Moermond: with a Category 2 Vacant Building you need a Code Compliance Inspection Report before you pull permits. With the fee waiver it means you don't have to have the fee paid before you pull permits, however.*

**Referred to the City Council due back on 12/20/2023**

**1:30 p.m. Hearings**

**Orders To Vacate - Fire Certificate of Occupancy**

- 20 **RLH VO 23-38** Appeal of Leon E. Mastel to a Re-Inspection Fire Certificate of Occupancy With Deficiencies (which includes condemnation) at 1120 BEECH STREET.

**Sponsors:** Prince

*Deny the appeal, noting that the violations have all been addressed and the Certificate of Occupancy has been reinstated, allowing for reoccupation.*

*Leon Mastel, tenant, appeared via phone*

*Staff update by Supervisor Mitch Imbertson: a reinspection of the lower unit was done yesterday with me and Inspector Thomas. We saw the cleaning was done to the level we were comfortable lifting the condemnation. Thomas sent a confirmation letter yesterday about lifting the condemnation. At this point we're just dealing with exterior issues on the garage. No vacate order because of that and our intention would be to extend some seasonably appropriate work and address that with the owner.*

*Moermond: the Certificate of Occupancy was reinstated for this unit and condemnation lifted. Nothing outstanding for this unit.*

*Imbertson: correct.*

*Moermond: based on that my recommendation is that the Council deny the appeal, noting that the violations have all been addressed and the Certificate of Occupancy has been reinstated, allowing for reoccupation. The conditions did exist, but they're gone now. That means you get to be there Mr. Mastel. Any questions?*

*Mastel: can I take the condemnation off my front door?*

*Imbertson: I believe it was removed yesterday.*

*Mastel: oh, it was? I didn't even look. Great.*

**Referred to the City Council due back on 12/20/2023**

- 21 **[RLH VO 23-39](#)** Appeal of Ted Wagor, Attorney from Felhaber Larson, on behalf of 1596 Hewitt Avenue LLC, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1596 HEWITT AVENUE.

**Sponsors:** Jalali

*Layover to December 12, 2023 at 1:30 pm (rescheduled per appellant request).*

*No one appeared*

*Moermond: the attorney has asked for this to be rescheduled, so it will be continued to next Tuesday, the 12th.*

**Laid Over to the Legislative Hearings due back on 12/12/2023**