



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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651-266-8585

Tuesday, December 3, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 24-394** Ratifying the Appealed Special Tax Assessment for property at 1122 MARYLAND AVENUE EAST. (File No. J2502B, Assessment No. 258101)

Sponsors: Yang

Approve the assessment.

Angela Myers, owner, appeared via phone

Moermond: we talked almost two months ago about your boarding assessment. At that point, I don't know if I had the police report, I do have it now. You were looking for it to be reduced or eliminated because you were a victim of a crime?

Myers: absolutely. My house was struck by Jesse James Anderson. He should have to pay, not me. I pay my taxes, my mortgage. It shouldn't be an expense for me, the homeowner.

Moermond: I understand where you are coming from and I agree the person doing the damage should be paying on your behalf, but the City can't pursue that on your behalf. You would have to do that yourself. I'm going to recommend approval but you can talk to the Council about the situation. This is \$654 assessment with a Council Public Hearing on January 22. If they approve it, would you like it made payable over a number of years?

Myers: I don't like I'm being charged for something that isn't my fault. You're saying you understand but that is putting me further and further in debt for something that is not my fault. Just do whatever you need to do. I don't have energy to fight right now.

Moermond: we'll send a follow up email about how to testify. I don't have the ability to do that, the work was done.

Referred to the City Council due back on 1/22/2025

- 2 **RLH TA 24-441** Ratifying the Appealed Special Tax Assessment for property at 2117

MOHAWK AVENUE. (File No. VB2503, Assessment No. 258802)

Sponsors: Johnson

Reduce assessment from \$5,077 to \$2,538.

Lee Coulter, owner, appeared via phone

Moermond: calling you about your Vacant Building fee assessment. I believe Joanna Zimny reached out to you yesterday and said you were in the Vacant Building program from April 29 to November 25, 2024. My recommendation to Council was to reduce it by half, which is what I indicated when we previously talked. I understand you still wanted to talk.

Coulter: I've been told you have the authority to waive the entire fee. Prorate the fee. Or leave the fee complete.

Moermond: I personally don't have the authority but I make that recommendation to the Council, though the recommendations are generally not contested by Council.

Coulter: and you have decided I don't qualify for a full waiver.

Moermond: I wouldn't recommend it be deleted as you were in the program 6 out of the 12 months. That is not my practice.

Coulter: and what is the explanation for why you won't waive the entire fee?

Moermond: because you were in the program April 29 to November 25, which is half of the 12 months you were being billed for. It was for April 29, 2024 through April 28, 2025. We're halfway through that time period. After six months I recommend approval of the entire fee.

Coulter: I've been in your program how long?

Moermond: since 2010 it looks like.

Coulter: and there's been no complaints. I've met the financial burdens. It was my decision to leave these places vacant, and yet you're penalizing me and have been for an awful lot of money. Now that I've complied with the Certificate of Occupancy and met your obligations, you're still not willing to request a full waiver? I've been very adamant as far as paying everything. I've never had any complaints about the facilities and yet you've chosen I'm not worthy of having a full waiver at this particular time.

Moermond: you're putting a lot of value judgments on what you think I'm doing. Saying you aren't worth is not correct. You are saying you chose to leave it in the Vacant Building program for 15 years. Part of what the fee is to inspire completion of the project. The question is do you owe any of that Vacant Building fee for April 2024 through 2025. I do find you owe half. You can testify to Council, but I am not willing to recommend this is reduced further.

Coulter: when is that?

Moermond: it is in the notice you received; it is February 5. That notice has the details. We'll send you a reminder by email.

Referred to the City Council due back on 2/5/2025

- 3 **RLH TA 24-455** Ratifying the Appealed Special Tax Assessment for property at 1769 SAINT ANTHONY AVENUE. (File No. VB2503, Assessment No. 258802)

Sponsors: Jalali

Approve the assessment.

Roger Cheatham, owner, appeared via phone

Moermond: looks like we spoke previously, and you were given a waiver of the Vacant Building fee through July 1, 2024.

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is a Category 2 Vacant Building, the file was opened January 29, 2024 upon the revocation of the Fire Certificate of Occupancy. Been in the program almost the entire year. Total proposed assessment of \$2,618.

Moermond: tell me why you're appealing.

Cheatham: it is obvious it is not a Vacant Building. I don't want to waste time explaining that. I told you what was going to happen with it. My wife and grandson are living there. She's requiring home health aids 2 days a week, recovering from surgery. She is going to be there until she gets better or she dies and I don't know what to tell you. I tried to go along with your program of doing immediate repairs and replacing the water heater and it apparently didn't happen fast enough. I give up. It is an owner-occupied building and if you want to kick someone out of a home they own and pay for, I'll have to deal with the legal system in another way. I'm not sure what I can say that will change your mind. I think you're on a one-way track that ends in a dead end. I'm not interested in being a landlord in the City of St. Paul. She can't come home because we don't have any bedrooms on the first floor. That's where she'll be.

Moermond: all I can say is when we talked March 26 about your Vacant Building program appeal, there was accommodation made that if repairs were done in 3 months that would have saved you this. But those weren't done and now here we are. At that time the finding was it should be in the Vacant Building program. It doesn't have to do anymore whether it is a rental or owner-occupied property. My business today isn't about kicking anyone out. It is about the Vacant Building fee. I'm going to recommend approval of the entire fee. We're 10 out of 12 months in the program, which ties my hands. We dealt with the concerns you brought up and were given generous extensions to get the repairs done. You can definitely look for something different, but would it help to be made payable over a couple of years?

Cheatham: I'm not paying any fees if that's what you're asking me. You keep putting fees on my taxes. I'm objecting. I don't know what I can do except hire a lawyer and make it a federal case.

Referred to the City Council due back on 2/5/2025

- 4 **RLH TA 24-406** Ratifying the Appealed Special Tax Assessment for property at 916 UNIVERSITY AVENUE WEST (918 UNIVERSITY AVENUE WEST).

(File No. J2501C, Assessment No. 252000)

Sponsors: Bowie

Approve and make payable over 10 years.

Grace Vo, property rep and daughter of owner, appeared via phone

Moermond: we talked last month about the demolition assessment and at that point you were looking to get the invoice for how the charges broke down. I understand staff sent that to you the same day. Did you have any questions on that?

Vo: yes, we did receive that invoice and I sent it to my attorney and my realtor. I am going to be speaking with my realtor to get some additional information for my attorney and I and that will help us determine how we want to proceed with this. What I would like to ask is for an additional day or 2 and we can get back with you on a recommendation on how we'd like to proceed.

Moermond: I have to give the Council a recommendation on the assessment. The question of how you proceed is your ask of the City. This is a 91,000 assessment. Is it helpful to make hat payable over a period of time versus all at once. It can be divided up to 10 years.

Vo: hmmm. That's a good question. What we plan to do is sell it in the future for my mom. Of course it will be in her name and what we're trying to figure out is what is the value of the property. That's a discussion for the realtor this afternoon.

Moermond: that means you have less due up front, but it would be paid at point of sale and how you mange that with the buyer. I'll recommend this is payable over 10 years.

APPROVAL and PAYMENT OVER 10 years.

Referred to the City Council due back on 1/22/2025

5 [RLH TA 24-472](#)

Ratifying the Appealed Special Tax Assessment for property at 1055 FOURTH STREET EAST. (File No. J2505R, Assessment No. 258508)

Sponsors: Johnson

Layover to LH December 17, 2024 at 10 am. (Appellant is owner of 571 Earl Street which is also scheduled for that date).

No one appeared

Voicemail left at 9:52 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for cleanup at 1055 4th street. We'll try you back in a little bit.

Voicemail left at 9:56 am: this is Marcia Moermond from St. Paul City Council calling you again. I'm going to recommend this assessment is the Council approve it. I've reviewed the orders and photos and if you want to submit additional testimony or talk to Council you are more than welcome to do so.

[Note: PO called after hearing to appeal an assessment for 571 Earl, so this was laid over to go with that file - JZ

Laid Over to the Legislative Hearings due back on 12/17/2024

- 6 **RLH TA 24-474** Ratifying the Appealed Special Tax Assessment for property at 1264 PAYNE AVENUE. (File No. J2505R, Assessment No. 258508)

Sponsors: Kim

Delete the assessment.

No one appeared

Moermond: house was purchased by the current owner May 17 of 2023. A month later orders went out for work but the orders went to the previous owner, not current owner. I'll recommend this is deleted as they didn't receive proper notice.

Referred to the City Council due back on 2/12/2025

- 7 **RLH TA 24-462** Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2501V, Assessment No. 258000)

Sponsors: Yang

Reduce assessment from \$1,432 to \$1,184.

David Graves appeared via phone

[Moermond gives background of appeals process]

Graves: I think we can save you time on that. That was before our ownership, so we aren't contesting that.

Moermond: ok, I'll recommend approval, but we did find the service charge was too high, from \$412 to \$164, so that brings the total assessment down to \$1,184.

Referred to the City Council due back on 1/22/2025

- 8 **RLH TA 24-461** Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2502B, Assessment No. 258101)

Sponsors: Yang

Approve the assessment.

David Graves appeared via phone

[Moermond gives background of appeals process]

Moermond: we have a vehicle assessment, 3 boarding assessments, one cleanup assessment and 2 for Excessive Consumption of code enforcement services. This is for a boarding May.

Staff report by Supervisor Joe Yannarely: this was an emergency boarding that was done May 31, for a total cost of \$1734.

Graves: there were two boardings. Our company did acquire to renovate and sell. Between the time we acquired it and the occupants moved out, the City evicted and boarded it. Subsequently made it a Category 2 Vacant Building. We were working with the occupant to get them out, all these fees were a big surprise. It is what it is. We just wish it hadn't been boarded, we would have got in and got the work started.

Yannarely: this is one boarding fee and every window and door in the house was open to entry due to squatters. The Inspector went out with the police and the contractor to secure the house.

Moermond: so that's what happened in May. Emergency boarding. Notice isn't given on those. The neighbors were going bananas over this. Because it was an emergency and there wasn't the notice requirement I'm recommending approval.

Graves: the actual owner was living there and they were staying with him. These things all happened rather quickly and they weren't even aware we'd purchased at that time.

Yannarely: owner or not it was condemned and illegally occupied.

[discussion of what makes a building condemnable]

Referred to the City Council due back on 1/22/2025

9 RLH TA 24-464 Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2503B, Assessment No. 258102)

Sponsors: Yang

Reduce assessment from \$1,872 to \$1,692.

David Graves appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: 2 separate boardings in June that total 1872. All three were emergencies and were large, and one was just a re-secure in July.

Graves: why did it have to be re-boarded a month later. We were there regularly.

Moermond: June 3, June 5 they broke right back in, and then June 28.

Graves: that's \$970.

Moermond: that's them breaking off the boards and going in, which is common with squatters. They keep doing it.

Yannarely: there was no tolerance with the neighbors, they were calling immediately.

Graves: it is just unfortunate. He had stuff in there and was trying to get the stuff out. I don't know how we can contest but it just keeps getting piled on.

Moermond: all 3 boardings were emergencies. We're kind of caught flat-footed. The inspector went out and found it broken into again and got the contractor out to secure

it again. There is also that extra charge for it being an emergency.

I'll recommend that \$180 is deleted, which isn't a lot but it something. We're deleting the one from June 28 off the top. Down to \$1,692.

Graves: we saw it was boarded. We of course wanted to go in and make sure nothing was hazardous and the power was off, things like that. We did remove the front door boards on several occasions. There may have been once or twice we didn't put it back right away. This may have been one of those issues. As time progressed we started getting contractors through to get repairs, that could have been some of these later, smaller fees.

Yannarely: no issue at all with the owner doing what they want, but you can't leave it unsecured.

Graves: not open. The board would have been removed.

Moermond: June 3, the invoice says boarding of opening smaller than 4x8', which could be a door. Then we have on June 5 twelve openings smaller than 4x8'. That wasn't just the front door. That was open all over the place. That's the \$970.

Graves: 12 openings? I find that hard to believe. I never saw 12 boards removed ever. I was over there weekly.

Moermond: that was June 5. The inspector is out and confirms it.

Graves: I disagree with that one because I've looked at all these, they're all with the different head. I never saw any removed except the front door and a window when we started the clean out. Twelve being replaced I really question.

Yannarely: not necessarily replaced. Re-secured. Someone half rips them off, they'd use the same board. Happens all the time.

Graves: but that didn't happen. None of those boards were half removed or pried off or anything. We looked at them all the time to make sure. I'm just questioning that, it is a large amount. Twelve I just don't believe. I was there a lot.

Moermond: we're a little pressed for time, but we'll track down a neighbor complaint if we have one. We have the inspector being out there and his observations. The timing is such that if you have a June 3 boarding and another June 5 that's the breaking in to grab your stuff to get it out. Maybe some spite.

Yannarely: his notes say "received another complaint regarding squatters reappearing. Inspected property and viewed multiple areas where break ins had reoccurred. Sent emergency work order to Rest Pro to secure all first-floor windows and doors due to chronic illegal trespass and neighborhood safety." That's from June 5.

Moermond: so City got a complaint and investigated the same day.

Yannarely: sounds like they were in there again or whatever.

Graves: it certainly could be. I just don't see it.

Moermond: its one of those cat and mouse things. That's my assessment on the

boarding. We're deleting the one from June 28 and if you want a further reduction the Council would consider that. Right now its going down to \$1,692.

Referred to the City Council due back on 2/5/2025

- 10 RLH TA 24-465** Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2504B, Assessment No. 258103)

Sponsors: Yang

Delete the assessment.

David Graves appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannareilly:

Moermond: this was considered non emergency. No police report and no orders, therefore I am going to recommend this was deleted as you weren't given proper notice.

Referred to the City Council due back on 2/19/2025

- 11 RLH TA 24-469** Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2501R, Assessment No. 258500)

Sponsors: Yang

Approve the assessment.

David Graves appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannareilly: Summary Abatement Order was issued May 3 to remove scrap metal, cans, appliances, auto parts, tires, trash and miscellaneous debris from the entire property, driveway area, around the house and garage, utility trailer and pickup truck. Compliance date of May 7. Rechecked on May 7 and the work was done May 8 for a total assessment of \$1,272.

Graves: of course that was before we acquired it.

Moermond: just like the first one, you assume the debt of the property.

Referred to the City Council due back on 1/15/2025

- 12 RLH TA 24-473** Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2503R, Assessment No. 258502)

Sponsors: Yang

Delete the assessment.

David Graves appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is the one in the area overlapping ownerships. Summary Abatement Order to remove cut up hose, oil bottle, paint can, trailer axle, windows, screens, tires, totes, tools, jacks, scrap metal, trash and miscellaneous debris from around garage, driveway area, pick up truck bed, utility trailer and from entire yard. Total assessment of \$1,501.

Moermond: they closed May 22. That is six days after the orders were issued. It could very well be the former owner would have just received that at time of closing and reasonably couldn't have provided notice to the new owner, so in this case I'll recommend this one is deleted.

Referred to the City Council due back on 1/29/2025

- 13 RLH TA 24-467** Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2502E, Assessment No. 258301)

Sponsors: Yang

Approve the assessment.

David Graves appeared via phone

[Moermond gives background of appeals process]

Moermond: looks like these 3 were all under the previous owner. Do you want to address those? Or let it lie since it was previous owner?

Graves: previous owner, no reason to contest.

Referred to the City Council due back on 1/22/2025

- 14 RLH TA 24-468** Ratifying the Appealed Special Tax Assessment for property at 2023 MAGNOLIA AVENUE EAST. (File No. J2503E, Assessment No. 258301)

Sponsors: Yang

Approve the assessment.

David Graves appeared via phone

[Moermond gives background of appeals process]

Moermond: looks like these 3 were all under the previous owner. Do you want to address those? Or let it lie since it was previous owner?

Graves: previous owner, no reason to contest.

Referred to the City Council due back on 1/22/2025

10:00 a.m. Hearings

Special Tax Assessments

- 15 [RLH TA 24-484](#) Ratifying the Appealed Special Tax Assessment for property at 96 WHEELLOCK PARKWAY EAST. (File No. CRT2504, Assessment No.58203)

Sponsors: Kim

Rescheduled to December 17, 10 am per owner's request.

Moermond: we are rescheduling this to December 17.

Laid Over to the Legislative Hearings due back on 12/17/2024

- 16 **RLH TA 24-387** Ratifying the Appealed Special Tax Assessment for property at 869 CLARK STREET. (File No. J2502T, Assessment No. 258505)

Sponsors: Kim

Delete the assessment.

Thi Thu Ha Phan appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: 869 Clark was a Summary Abatement Order for tall grass and weeds. Orders sent May 23, compliance date May 27. Rechecked June 10, and the work wasn't done until June 13, 2024. Plenty of time to cut the grass. No returned mail. This is a vacant lot, grass was extremely long. Quite a history here. Total assessment of \$644.

875 Clark, same thing, same date, same charges and same history. Another assessment of \$644.

Moermond: why are you appealing?

Thi Thu Ha Phan: when we bought the lot the notice was sent to the old owner, the address in Minneapolis and I didn't receive the notice until August for the assessment payment. After that we took care of everything. This first one we never received notice until after it was done.

Moermond: Ramsey County has this listed as relative sale, so you bought from family and didn't say what is going on?

Thi Thu Ha Phan: it wasn't family. LLC.

Moermond: it says \$20,000 relative sale or related business. The LLC sold two lots to the agent, and the agent sold to the us. The title company and agent, he was in the middle. I don't know what they did.

Moermond: when you sign the closing document, the title company itself said this was

a warranty deed and buying from a relative. The title doesn't go through them, they manage the transaction. I guess I was curious why family didn't tell you about something going on, but I get it.

Thi Thu Ha Phan: we don't even know the LLC seller. Seller sold to the agent.

Moermond: that's not what your paperwork says.

Thi Thu Ha Phan: we didn't read through the paperwork. We just signed.

Moermond: the thing is, the sale was so much less than the value the County would have audited the sale except it was being sold from relative to relative which means it is ok to sell at significantly lower value.

Thi Thu Ha Phan: how much was the value?

Moermond: you bought for \$20,000 cash, and your 2025 proposed tax statement for ---

Thi Thu Ha Phan: we bought \$65,000 for two lots. The agent was in the middle.

Moermond: I'll recommend deletion of both of these assessments since you didn't receive notice during your period of ownership.

Referred to the City Council due back on 1/15/2025

17 RLH TA 24-388 Ratifying the Appealed Special Tax Assessment for property at 875 CLARK STREET. (File No. J2502T, Assessment No. 258505)

Sponsors: Kim

Delete the assessment.

Thi Thu Ha Phan appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: 869 Clark was a Summary Abatement Order for tall grass and weeds. Orders sent May 23, compliance date May 27. Rechecked June 10, and the work wasn't done until June 13, 2024. Plenty of time to cut the grass. No returned mail. This is a vacant lot, grass was extremely long. Quite a history here. Total assessment of \$644.

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Thi Thu Ha Phan: it wasn't family. LLC.

Moermond: it says \$20,000 relative sale or related business. The LLC sold two lots to the agent, and the agent sold to the us. The title company and agent, he was in the middle. I don't know what they did.

Moermond: when you sign the closing document, the title company itself said this was a warranty deed and buying from a relative. The title doesn't go through them, they manage the transaction. I guess I was curious why family didn't tell you about something going on, but I get it.

Thi Thu Ha Phan: we don't even know the LLC seller. Seller sold to the agent.

Moermond: that's not what your paperwork says.

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Thi Thu Ha Phan: how much was the value?

Moermond: you bought for \$20,000 cash, and your 2025 proposed tax statement for ---

Thi Thu Ha Phan: we bought \$65,000 for two lots. The agent was in the middle.

Moermond: I'll recommend deletion of both of these assessments since you didn't receive notice during your period of ownership.

Referred to the City Council due back on 1/15/2025

- 18 RLH TA 24-453** Ratifying the Appealed Special Tax Assessment for property at 714 ROSE AVENUE EAST. (File No. J2506R, Assessment No. 258509)

Sponsors: Yang

Approve the assessment.

Joan Chavez, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order issued June 17, 2024 compliance date of June 24 to remove Bagster and contents from rear of property. Photos attached. Not done, so work crew went out and total assessment of \$345. There is a history here.

The same for the next case, that was for July 26, 2024 for a Bagster and contents from boulevard by August 2. That wasn't removed either. August 5 we sent another crew out. Total assessment again of \$345.

Chavez: my son in law said he was taking care of it, he obviously didn't. I would like some time, I'm supposed to start getting social security in January. My son in law fills them up and then doesn't get them removed. No more Bagsters at my house. I know

the one in the front we had got a new sofa and we got the Bagster to put the packaging in it. We'd only had it 2 days and got a complaint. We had the sofa delivered and put the Bagster out to take care of the cardboard and it was there for not even 2 days and we got a notice. They must have seen it the day we put it out. I thought that was excessive. We were going to put more stuff in and it was gone.

Moermond: my guess is someone called in and complained about it.

Chavez: I know exactly who. She likes to walk the alleys and walk down the street. Little old ladies with nothing else to do.

Moermond: you have a long term history of Bagsters here. Your Council Public Hearing isn't until February 12 for both cases, so you wouldn't get an invoice until after that. I can recommend they make it payable over 2 years, so you'd have an initial invoice for half the amount in February, then the other half on your taxes for the following year.

Chavez: how much would it be? They just raise my mortgage then.

Moermond: the total assessments are \$690. You can pay part of the invoice when you get it and take time over the course of 2025 and pay it. I'll recommend approval.

Referred to the City Council due back on 2/12/2025

19 RLH TA 24-454 Ratifying the Appealed Special Tax Assessment for property at 714 ROSE AVENUE EAST. (File No. J2505R, Assessment No. 258508)

Sponsors: Yang

Approve the assessment.

Joan Chavez, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order issued June 17, 2024 compliance date of June 24 to remove Bagster and contents from rear of property. Photos attached. Not done, so work crew went out and total assessment of \$345. There is a history here.

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Referred to the City Council due back on 2/12/2025

- 20 [RLH TA 24-477](#) Ratifying the Appealed Special Tax Assessment for property at 564 BLAIR AVENUE. (File No. J2506R, Assessment No. 258509)

Sponsors: Bowie

Layover to LH December 17, 2024 at 10 am (unable to reach PO).

Voicemail left at 11:45 am: this is Marcia Moermond from St. Paul City Council calling Inho Chang about your appealed tax assessment at 564 Blair. We'll try back again in a few minutes.

Voicemail left at 12:01 pm: this is Marcia Moermond from St. Paul City Council calling you again. Your hearing was originally scheduled November 11 and asked a couple days later to appeal. We scheduled something for today. We'll give you one more chance December 17 to discuss this assessment.

Laid Over to the Legislative Hearings due back on 12/17/2024

- 21 [RLH TA 24-476](#) Ratifying the Appealed Special Tax Assessment for property at 1601 FREMONT AVENUE. (File No. J2503E, Assessment No. 258302)

Sponsors: Johnson

Layover to LH December 17, 2024 at 10 am (need spanish interpreter).

Voicemail left at 11:47 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment at 1601 Fremont for code enforcement services. We'll try you back in a few minutes. My question is, your answering service is in Spanish, so wondering if you need an interpreter.

Laid Over to the Legislative Hearings due back on 12/17/2024

- 22 **RLH TA 24-489** Ratifying the Appealed Special Tax Assessment for property at 676 THIRD STREET EAST. (File No. J2504E, Assessment No. 258303)

Sponsors: Johnson

Continue CPH to August 6, 2025 and if no same or similar violations, delete assessment. Otherwise, approve in full.

Maryan Adan, owner, appeared via phone

June 6, 2024 a Summary Abatement Order was issued to remove and dispose of a TV, tire, wood and miscellaneous debris from property. Compliance of June 13. We did recheck June 14, it wasn't done. They sent an Excessive Consumption for a total assessment of \$169. No returned mail, but a history here at the property.

Adan: I'm appealing because we received that letter and were new in the area and didn't know the rules. We have a camera installed and someone brought the TV there and we didn't know how to find the person. We thought maybe the garbage collector would pick it up. We didn't know we'd be charge. Once we got the letter we paid to remove it. The wood was ours and the rest wasn't ours.

Moermond: they want to bill you for the inspection they did and found it wasn't done. That was on June 14. They want to charge you for the trip.

Adan: we didn't see the letter they sent to us, but we saw the letter they checked and you didn't do it, so we will give you another deadline to clean. We didn't see the first letter. If we had we'd have already cleaned it.

Moermond: how long have you owned it?

Adan: May of 2022.

Moermond: when I look at the history on your property, in 2022 you had one issue with not removing the snow. You did take care of overhanging vegetation. I'm thinking that I'd like to set this up that if you don't have any violations for a period of time this gets deleted. Your Council Public Hearing is February 19. I'll ask the Council to continue your case to August 6. If you have violations between now and August 6, 2025 this assessment will be deleted.

Referred to the City Council due back on 2/19/2025

- 23 RLH TA 24-478** Ratifying the Appealed Special Tax Assessment for property at 1319 THOMAS AVENUE. (File No. J2504E, Assessment No. 258303)

Sponsors: Jalali

Approve the assessment.

Property owner unable to appear & sent in written letter

Moermond: the appeal on this property's Excessive Consumption assessment indicated the work was done when the crew showed up. That does appear to be the case, however this assessment is not for doing the mowing. This is because it wasn't done on deadline by which it was to have been done. Department of Safety & Inspections is charging a trip charge for the inspector to go out and send a work order. This seems like a valid charge, as orders went out May 20 and the inspector didn't go out until June 3. It was done June 10th when he went back. It took an extra week and that extra week cost \$169. I will recommend approval.

Referred to the City Council due back on 2/19/2025

Special Tax Assessments - ROLLS

- 24 RLH AR 24-109** Ratifying the assessment for Securing and/or Emergency Boarding services during July 2024. (File No. J2504B, Assessment No. 258103)
- Sponsors: Jalali
- Referred to the City Council due back on 2/19/2025**
- 25 RLH AR 24-110** Ratifying the assessment for Collection of Fire Certificate of Occupancy fees billed during June 26 to August 6, 2024. (File No. CRT2504, Assessment No. 258203)
- Sponsors: Jalali
- Referred to the City Council due back on 2/19/2025**
- 26 RLH AR 24-111** Ratifying the assessment for Excessive Use of Inspection or Abatement services billed during May 22 to June 20, 2024 (File No. J2504E, Assessment No. 258303)
- Sponsors: Jalali
- Referred to the City Council due back on 2/19/2025**
- 27 RLH AR 24-108** Ratifying the assessment for Collection of Vacant Building Registration fees billed during July 25, 2023 to June 19, 2024. (File No. VB2504, Assessment No. 258803)
- Sponsors: Jalali
- Referred to the City Council due back on 2/19/2025**
- 28 RLH AR 24-112** Ratifying the assessment for Graffiti Removal services during July 3 to 12, 2024 (File No. J2504P, Assessment No. 258403)
- Sponsors: Jalali
- Referred to the City Council due back on 2/19/2025**

11:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 29 [RLH SAO 24-68](#)** Making finding on the appealed of Philip Johnston to a nuisance abatement ordered for 470 GOODRICH AVENUE in Council File RLH SAO 24-58.
- Sponsors: Noecker
- The nuisance is abated and the matter resolved.*
- No one appeared*

Moermond: do we have this done?

Martin: it is in compliance and file is closed.

Referred to the City Council due back on 12/11/2024

1:00 p.m. Hearings

Vacant Building Registrations

30 RLH VBR Appeal of Kristina Schultz to a Vacant Building Registration Notice and
24-72 Order to Vacate at 150 & 152 PAGE STREET WEST.

Sponsors: Noecker

Grant appeal to be released from Vacant Building Program on condition of executing work plan by agreed deadlines: grant to January 24, 2025 for items 2 (door to garage) and 10 (basement wall separating units), and grant to July 1, 2025 for the remaining items in the November 8, 2024 orders.

Kristina Schultz, owner, appeared via phone

Moermond: we got your signed bid. We'll just walk through and touch on a couple of things then wrap this up.

Staff Update by Supervisor Shaff: I know Dalton talked about getting a general permit, which is great and it would be important the building inspector signs off on everything. The driveways, I don't know if because the Code says it should be a durable dustless surface that putting in an aggregate would be ok with the City. It would be a lot more money to do concrete. If there is a way to somehow fix what is there. I'm not sure, as it is pretty deteriorated.

Moermond: looking at the list, I have one question. The November 8 orders talk about basement wall separating units says penetrations through the wall. I was wondering how the fire separation fit together with a triplex turning into a duplex.

Shaff: the walkout basement basically to the front, then 2 floors above. That basement block wall separating the two units needs to have a 1 hour door, or a rated assembly, but there is also some holes in the block and maybe at one time there was wiring or something. We're talking about maintaining that. The agreement says installation of the fire rated doors and all penetration sealed with fire rated application so I don't now what that will look like. The building inspector would be the one signing off on that.

Moermond: that's the only item on the November 8 order that I felt was a higher priority.

Shaff: that, and the fire separation between the garage and the unit's interior.

Moermond: that's number 2 in the orders. Taking those 2 items with fire separation, it is in the list. I think we can do two different deadlines and then do a longer-term deadline for the other things. I am not sure how your contractor wants to work on them, but I'd like to separate it out so it didn't have to be done all at once. I'm thinking the fire separations I'd like done by the beginning of January.

Shaff: with holidays I think the third week in January.

Moermond: by Friday, January 24th lets have items 2 and 4???? And then to July 1, 2025 for balance of the orders.

Schultz: I think we were talking before about doing the separation with brick instead of a door?

Shaff: when Dalton mentioned that I said you may want to talk to a plan examiner. They're going to want to know where all the important mechanicals are in order to do that. They'll look at the whole project before saying yes.

I'd also speak to zoning about whether they will accept the driveway material you're using.

Moermond: he has class 2 but the City code only talks about class 5. The thing would be is that class 5 is durable and dustless, but I'm not even sure they would accept class 5 if its already concrete. Talk to them before you spend money on this.

Referred to the City Council due back on 1/8/2025

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 31 RLH VO 24-35** Appeal of James Swartwood to a Correction Notice-Reinspection Complaint (which includes condemnation) at 735 COOK AVENUE EAST.

Sponsors: Yang

Grant to October 31, 2025 for compliance (including installation of cross bracing per engineer's report) on condition building is only used for storage, no vehicle use.

*Cal Prince, property manager, appeared
James Swartwood, owner, appeared*

[Moermond reviews appeals process]

Staff report by Supervisor Leanna Shaff: we had a complaint about the garage doors and Inspector Chute went out and wrote orders that said garage appears to be leaning, doors don't close, cracked and chipped paint, brush pile next to it. He did ask me to go look at the garage. You can see in the photos it does appear to be leaning and possibly held up by a tree. I didn't have a level to see if it was plumb, but that's what I saw.

Moermond: you got an engineering report. The question would be, the order on the garage says "Garage appears to be leaning - doors are not secured closed - cracked, chipped, and peeling paint - doors are water damaged". So condemnation of the garage and we're talking about what the engineer said about that.

Prince: from what we did to resolve the doors have been trimmed so they match and close nicely. They've been repainted. The engineer's report is to testify to the structural integrity of the garage.

Swartwood: you'll see there are no cracks in the stucco. The 2x4's are 25% bigger than they are today.

Moermond: yeah, it is cracking.

Prince: the garage is just storage. No vehicle use. It isn't be used by the current tenant at all. Maintenance just has some stuff in there. The report does say we could add some bracing but its adequate as it is.

Moermond: what I'm wrestling with is limiting use to no vehicles to minimize wear and tear on the garage, but it also says maintenance should include additional cross bracing. So if I say put that a year out to have it taken care of so you have stabilized it as part of your regular maintenance of the garage. Let's say October 31, 2025 for the cross bracing. It can only be used for storage, not vehicles until that is done. Based on those conditions your appeal is granted.

Referred to the City Council due back on 12/18/2024