



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, April 15, 2025

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 25-155** Ratifying the Appealed Special Tax Assessment for property at 133 MAGNOLIA AVENUE EAST. (File No. J2513R, Assessment No. 258524)

Sponsors: Kim

Continue CPH to October 1, 2025 and if no same or similar violations delete the assessment.

Micheal Spafford, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin:

Spafford: I never received the mail about the chairs. I've been good about taking care of things promptly when we do have issues like this. I do take care of my property. I never received that piece of mail or it would have been taken care of; I don't think I should be on the hook for that \$389.

Moermond: three letters went to your house. A fair bit of mail. Some of the items were removed by the reinspection. Can you tell me what was going on with not removing the chair?

Spafford: I assume stuff removed was probably taken by the neighbors.

Moermond: one of the chairs and maybe some plastic outdoor toys were gone, just the gray chair left.

Spafford: usually we take these quite seriously when we get these letters.

Moermond: I understand mail issues, but it is harder to believe when 3 letters go astray. I see in the past you've abated things in time. Also, the chair moved from where it was to beside the can, had you made arrangements with the hauler?

Spafford: it was so long ago I'm unsure. My garbage pickup is on Fridays.

Moermond: I'd like there to be no more orders. If you have no further violations through September 30th, 2025 this will get deleted. If you do, then it won't be deleted.

Spafford: works for me.

Referred to the City Council due back on 5/7/2025

2 RLH TA 25-195 Ratifying the Appealed Special Tax Assessment for property at 650 BLAIR AVENUE. (File No. J2517R, Assessment No. 258530)

Sponsors: Bowie

Approve the assessment.

Anh Pham, property owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January, 6 2024 a Summary Abatement Order was issued to owner and occupant to remove of a sofa chair and office chair from rear of property by January 13. The office chair was still there on reinspect. The crew picked up the remaining chair on January 15.

Pham: I go the letter and talked to my tenants, texted them, and he said he missed one because it wasn't his chair. Some neighbor brought it up over there. I said this is from the City and he moved that one into the garage. The problem is the letter has one picture of the chair, so he only took care of that chair. He didn't notice the office chair part. I texted him back and said it is also the office chair. I told him to help because it will cost \$440 which is a lot. I charge him \$1,200 a month and with property tax it costs too much money. Anyway, can you help for that? I don't know what to do now.

Moermond: when I look at your text communication back and forth you only sent the tenant the lower half of the orders.

Pham: I asked him if he removed the chair, and he said yes. I said chair not chairs. He didn't know about the office chair and I didn't know about the office chair also because we just looked at the photo. We misunderstood about the 1 chair.

Moermond: the order is clear when you read the ALL CAPITAL letters. The photo itself says above it "may not show all areas that need to be abated", and if you only sent the picture of the photo in the orders it is ultimately on you. I look at the history and other letters have had to be written to take care of things at your property. I understand this isn't cheap but I also don't understand how the City taxpayers should be subsidizing your rental situation. Why should they be paying for it and not you?

Pham: they don't speak English well, I don't either. Even sometimes I have to bring it over there and I have to clean up myself. For this situation I talked to them and they said sorry I can't afford this money they cost me. I know I misunderstood when I talked him.

Moermond: orders did go out, 2 to you and 1 to the occupant. The text in the letter does indicate specifically an office chair. You are telling me your tenant isn't rich and can't afford this. It seems to me you'd be in a better position of subsidizing this for

your tenant than the taxpayers at large. If you don't want to do that, then it is between you and your tenant. I'm going to recommend approval of the assessment. You are more than welcome to speak to Council about a different outcome.

Referred to the City Council due back on 6/4/2025

3 RLH TA 25-194 Ratifying the Appealed Special Tax Assessment for property at 1313 FIFTH STREET EAST. (File No. J2518R, Assessment No. 258534)

Sponsors: Johnson

Approve and make payable over 5 years.

Anna Nolan, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 9, 2025 a Summary Abatement Order was issued to remove and properly dispose of the trash and miscellaneous debris from the trailer and property. Compliance date was January 15, rechecked on January 30th. Work still wasn't done so work order was completed February 5, 2025 for a total assessment of \$734.

Nolan: I did call and had a hard time getting a hold of the inspector. I did finally get a hold of him the last day and he gave me an extension. I was renting my garage to a family member and it's been a nightmare for me. He can't be in my garage and can't store anything. I finally got him off the property and should be resolved by now.

Moermond: it does look like you got an extension, your original deadline was January 15 but the crew didn't show until February 5, so you did get a 2-week extension. When I look at the before photos from the contractor, I still see a fair bit. Some is cleaned up, yes, but the crew did still have a fair bit to do. I'm struggling.

Nolan: they didn't move anything but move the picnic table, take a picture, and then move it back. You see what I was saying? If you look at the photos you can see I was finishing up the cleaning of the property. It is asinine for them to say they did all that work. All that stuff is still sitting on my property.

Moermond: I am seeing the trailer was emptied. I see the scattered debris in the yard was removed. The plastic picnic table isn't a problem, but other things shouldn't be outside. I see a card table. Scrap wood. Something between the shed and a log in the yard. Not sure what that is. Looks like a table. I see cardboard.

Nolan: are you talking about the green container?

Moermond: it is probably green.

Nolan: that is an outdoor storage container.

Moermond: it is full of cardboard.

Nolan: oh, I was in the process of cleaning up. But you wouldn't see it today.

Moermond: that's great, but we aren't looking at compliance at the end. The thing is this is the cost of what it was to send a contractor out to clean up. Was work done?

Yes. Is this the cost the City paid the contractor? Yes. You working on it made the bill smaller which helped you.

Nolan: I was under the impression I was still under the extension.

Moermond: Ms. Martin, anything you can help with?

Nolan: you can see it was GREATLY cleaned up if you look at the photos. All that stuff in the trailer was gone.

Moermond: I don't see that. I see a photo of there being wood in the trailer as well as some green and blue plastic. Ms. Martin?

Martin: this goes back to 2017. We've been here so many times that any founded complaint will be assessed fees. We don't manage properties. It is the owner's responsibility to keep things clean and orderly. This is one of many orders. This isn't a surprise.

Nolan: some was waiting for the trash man; they'd take a photo and it would be gone that afternoon.

Moermond: I'm looking at the cleanup and the associated costs. The only thing I can ask at this juncture is if it would be helpful to make this payable over several years?

Nolan: I can't really afford it at all. I want to move and you can deal with the person who lives there after me.

Moermond: I'll recommend this is approved and made payable over 5 years.

Nolan: it is a financial burden to pay it at all.

Referred to the City Council due back on 6/4/2025

- 4 RLH TA 25-200** Ratifying the Appealed Special Tax Assessment for property at 1440 SNELLING AVENUE NORTH. (File No. J2517R, Assessment No. 258530)

Sponsors: Jost

Continue CPH to October 1, 2025 and if no same or similar violations reduce assessment from \$444 to \$150.

John Rentschler, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 3, 2025 a Summary Abatement Order was issued to remove and properly disclose of the furniture, playpen, tarp and scattered trash and debris from around garage and driveway. Compliance of January 10. Reinspected and not done, work was done by crew January 23, 2025. Total assessment of \$444. Really no history at this property, very clean.

Rentschler: we did receive the orders and thought we resolved the issue but after the packet was sent to me I saw there was some other items and I know the Summary Abatement Order says may not show all items. I guess I just would have expected a

follow up on the reinspect.

Moermond: I'd like to give some credit that work was done and you have a good history of maintaining the property. I will recommend the Council reduce this assessment to \$150 if you don't have any other founded orders between now and September 30th.

Rentschler: that sounds wonderful, I appreciate that.

Referred to the City Council due back on 6/4/2025

Staff Reports

- 5 [SR 25-61](#) Review Request of Ratifying the Appealed Special Tax Assessment for property at 956 PAYNE AVENUE adopted by Council on May 15, 2024 under File RLH AR 24-25. (File No. VB2407, Assessment No. 248806)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: we are looking at the Vacant Building fee November 16, 2023 through November 15, 2024. It appears we do have a Fire Certificate of Occupancy issued BEFORE the renewal date. Therefore, I'm not clear about the failure in communication between Fire and Vacant Building teams. There was a failure though, and I'll recommend this is deleted.

Received and Filed

10:00 a.m. Hearings

Special Tax Assessments

- 6 **RLH TA 25-187** Ratifying the Appealed Special Tax Assessment for property at 81 MAGNOLIA AVENUE WEST. (File No. 2503T, Assessment No. 259002)

Sponsors: Kim

Approve assessment (waiting to hear from PO if they want to make it payable over 10 years).

Voicemail left for Shoua Yang at 10:11 am: this is Marcia Moermond from St. Paul City Council calling Shoua Yang for assessment at Tree removal at 81 W. Magnolia. Wondering if you're looking for payments to be made over a period of time. We can go up to 10 years. If that's it, call back the team at 266-8585.

Voicemail left for Yang Yang at 10:14 am: [Mai Vang left Voicemail in Hmong]

Referred to the City Council due back on 5/14/2025

- 7 **RLH TA 25-163** Ratifying the Appealed Special Tax Assessment for property at 952

FOURTH STREET EAST. (File No. J2516R, Assessment No. 258527)

Sponsors: Johnson

Approve the assessment.

Tried calling at 10:28 am – connected but no said anything. Disconnected and tried again.

Voicemail left at 10:29 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for 952 4th St. We'll try you back in a bit to talk about this assessment.

Voicemail left at 11:04 am: this is Marcia Moermond from St. Paul City Council calling you again, we'll try you again 1 more time this am.

Voicemail left at 11:20 am: this is Marcia Moermond from St. Paul City Council calling you again Mr. Carter. We've tried a number of times March 18 and today to discuss this. I'm going to recommend approval of this assessment. We'll send you an email confirming that recommendation and if you have additional information you think the Council should consider, a written statement or photos, whatever it is, reply to that email.

Referred to the City Council due back on 5/7/2025

8 RLH TA 25-152 Ratifying the Appealed Special Tax Assessment for property at 1453 PAYNE AVENUE. (File No. J2515R, Assessment No. 258526)

Sponsors: Kim

Approve the assessment.

Christy Lamoreaux, owner, appeared via phone

Lamoreaux: I appreciate it, you got my name perfectly right!

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: November 1, 2024 a Summary Abatement Order was issued to remove and dispose of tires, electronics, litter, trash bags and other garbage/rubbish from driveway, rear porch and throughout property. Compliance date of November 8. Reinspected November 15 and November 22, sent to work order. The crew went out December 11, 2024. This is a Category 1 Vacant Building. Total assessment of \$826.

Lamoreaux: I work for an LLC, we purchased December 27, 2024. Unfortunately, we have found the title company didn't gather any past due amounts. We may have to take them to court for this lack of information. We are currently in the process of getting the property up and running to rent it. It has been taking tons of money to do it, because it was a foreclosure---I'm appealing because I'm begging for forgiveness due to the amount of money owed. This isn't even the biggest portion we have; we also have a Vacant Building fee. Just asking if there's any way to help or forgive---anything to mitigate the amount. I agree it had to be done. Had we known we would have had the title company hold back that money. It isn't your fault; it is the fault of the title company but they also claim they didn't see any pending assessments at the time they pulled the report. That's really what this is about. Can it be reduced?

Moermond: what I'm seeing the work would have occurred prior to your ownership, for orders sent to the previous owner's period of ownership. That was December. Those invoices don't turn into pending assessments until January 2. You would have been in ownership during assessment. Often title companies only look at pending assessments, which is half the story. The other thing is the orders that should be disclosed at closing. If the owner was paying attention they would have known about this and they should have been telling the purchaser during closing. Clearly that didn't happen. As best I can see you have four pending assessments currently including sewer and a delinquent garbage bill. The cleanup I don't know if I can be of much assistance. But I may be able to help with the Vacant Building fee. That's why I was asking about the timeline.

I'd like to ask the Council to decrease this Vacant Building fee. This house went into the Vacant Building program November 1, 2024. The previous owner would have received 2 letters about this, both before you closed. May 1 is six months into the billable year.

Referred to the City Council due back on 5/7/2025

- 9 [RLH TA 25-204](#) Ratifying the Appealed Special Tax Assessment for property at 886 / 892 ARCADE STREET. (File No. J2518R, Assessment No. 258534)

Sponsors: Yang

Layover to LH May 6, 2025 at 10 am (unable to reach appellant/tenant).

Voicemail left at 11:07 am: this is Marcia Moermond from St. Paul City Council calling Bona Ku about the assessment for 886/892 Arcade. We'll try you back in a bit.

Voicemail left at 11:22 am: this is Marcia Moermond from St. Paul City Council trying to reach you again. I'm going to reschedule this to May 6th between 10 and noon.

Laid Over to the Legislative Hearings due back on 5/6/2025

- 10 [RLH TA 25-215](#) Ratifying the Appealed Special Tax Assessment for property at 984 AND 988 MINNEHAHA AVENUE EAST. (File No. J2518R, Assessment No. 258534)

Sponsors: Johnson

Approve the assessment.

Masud Ali, tenant, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: two Summary Abatement Orders were issued January 10, 2025. One to remove/dispose of cardboard, trash, and miscellaneous debris from property; second was to remove/dispose of furniture from property. Compliance date January 17 for both orders. Rechecked January 29 and January 31. Work order completed February 3 for an assessment of \$903. No returned mail. There is a little history here at the property, nothing since 2022 though.

Ali: we took possession of the property January 3, 2025. We are tenants and not the

owners. The previous tenants, the oxford house, were college students renting it and left all this trash on the property. We didn't receive any notice. The agent said they sent Waste Management out to take care of it, but they never did. We never received any mail, it was sent to Florida, to the owner. He was playing hard ball with us and saying he didn't care and we're going to be in violation of our lease even though we don't rent the lot next door. I see on the document sent to me that a majority of the trash was on the lot, not the property. I was trying to get something that clarifies that so I can send it to the owner. We already paid the fine because he threatened legal action and didn't give us any time, but it doesn't make any sense to us. We have paid \$5,500/month since January. We have photos from the day we moved in, showing the trash there, he doesn't care. I just want something that clears it up. I just want the timelines to be fixed so I can show the photos the trash was already there. Then I have documentation to move forward with.

Moermond: it does look like 984 and 988 are considered together, they have the same owner. They show up together. I'm assuming you only rent the part with the buildings, I don't know. When the City sends out orders is whether it goes to the owner of record with Ramsey County Taxation. Which it did here, G Dynasty in Tallahassee. That was January 10th. As the owner they'd be responsible for the assessment, but I don't know the lease agreement between you guys. They likely go the order and didn't communicate that to you so you could fix it. The government would say you didn't have a fair chance to clean it up, but G Dynasty did have a fair chance to clean it up. They didn't, and didn't give you a fair chance to do it. Ultimately it is between you and the landlord. I'm kind of stuck with it there. We sent you all the information associated with this file. The dates are what is important to note. We will send you a summary of the assessment situation so you have all the same paperwork we do. I'm really sorry you are in this position.

Referred to the City Council due back on 6/4/2025

- 11 **RLH TA 25-197** Ratifying the Appealed Special Tax Assessment for property at 1570 PACIFIC STREET. (File No. J2518R, Assessment No. 258534)

Sponsors: Johnson

Delete the assessment.

No one appeared

Moermond: I am going to recommend deletion to the Council. A couple of things going on here, one thing is this is a Category 1 Vacant Building and what is written in the orders are items that are ok for exterior storage. The second piece is there was definite good faith effort to reorganize the exterior storage neatly. We lack any photos from the Vacant Building staff to show where things were at. I'm going to recommend deletion.

Supervisor Lisa Martin: typically, a lawn mower and grill and swing set are considered outdoor items, so unless they are in disrepair they're fine. Typically, we wouldn't take them.

Referred to the City Council due back on 6/4/2025

Staff Reports

- 12 [SR 25-57](#) Review Request of Ratifying the Appealed Special Tax Assessment for property at 967 SAINT ANTHONY AVENUE adopted by Council on February 19, 2025 under File RLH AR 24-114. (File No. J2506T, Assessment No. 258511)

Sponsors: Bowie

Reduce assessment from \$624 to \$324.

Craig Cooper, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order was issued July 1, 2024 for tall grass and weeds. Compliance date of July 9 and it wasn't done. Work order was sent and work was done July 18, 2024 for a total assessment of \$324. There is a history at the property. No returned mail.

Moermond: you had adjusted because the assessment letter and bill would have been for the \$624 amount?

Martin: yes.

Moermond: so, a reduction out of the gate. Why are you appealing?

Cooper: it's a double bill. For the same thing, same time period. That's what I was questioning.

Moermond: there are two different assessments. That was for tall grass and weeds. The other one I have is for overhanging vegetation. A different crew on a different day.

Martin: July 2, 2024 another Summary Abatement Order was to cut and remove overhanging vegetation to a height of 7' and alley up to 14'. Compliance of July 9. No returned mail. Total assessment of \$424. Original assessment was \$624. We did reduce this one as well.

Moermond: Your question was about being double billed, and it looks like two different things going on.

Cooper: we did a lot of cleanup over the fall, I don't know what they would have cut back.

Moermond: we'll recommend deletion of the overhanging vegetation one, I am not impressed with the work the crew did. It was minimal at best.

Received and Filed

- 13 [SR 25-58](#) Review Request of Ratifying the Appealed Special Tax Assessment for property at 967 SAINT ANTHONY AVENUE adopted by Council on February 26, 2025 under File RLH AR 24-99. (File No. J2504T, Assessment No. 258507)

Sponsors: Bowie

Delete the assessment.

Craig Cooper, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order was issued July 1, 2024 for tall grass and weeds. Compliance date of July 9 and it wasn't done. Work order was sent and work was done July 18, 2024 for a total assessment of \$324. There is a history at the property. No returned mail.

Moermond: you had adjusted because the assessment letter and bill would have been for the \$624 amount?

Martin: yes.

Moermond: so, a reduction out of the gate. Why are you appealing?

Cooper: it's a double bill. For the same thing, same time period. That's what I was questioning.

Moermond: there are two different assessments. That was for tall grass and weeds. The other one I have is for overhanging vegetation. A different crew on a different day.

Martin: July 2, 2024 another Summary Abatement Order was to cut and remove overhanging vegetation to a height of 7' and alley up to 14'. Compliance of July 9. No returned mail. Total assessment of \$424. Original assessment was \$624. We did reduce this one as well.

Moermond: Your question was about being double billed, and it looks like two different things going on.

Cooper: we did a lot of cleanup over the fall, I don't know what they would have cut back.

Moermond: we'll recommend deletion of the overhanging vegetation one, I am not impressed with the work the crew did. It was minimal at best.

Received and Filed

Special Tax Assessments-Rolls

- 14 RLH AR 25-41** Ratifying the assessment for Rubbish and Garbage Clean Up services during January 13 to 23, 2025. (File No. J2517R, Assessment No. 258530)

Sponsors: Noecker

Referred to the City Council due back on 6/4/2025

- 15 RLH AR 25-42** Ratifying the assessment for Snow and Ice Removal services during January 24 to 31, 2025. (File No. J2501S, Assessment No. 258533)

Sponsors: Noecker

Referred to the City Council due back on 6/4/2025

- 16 RLH AR 25-43 Ratifying the assessment for Rubbish and Garbage Clean Up services during January 27 to February 7, 2025. (File No. J2518R, Assessment No. 258534)

Sponsors: Noecker

Referred to the City Council due back on 6/4/2025

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 17 RLH SAO
25-37 Appeal of Stephanie Engebrecht to a Summary Abatement Order at 681 VIRGINIA STREET.

Sponsors: Bowie

Grant to May 16, 2025 for compliance.

Brian & Stephanie Engebrecht, owners, appeared via phone

[Moermond gives background of appeals process]

Moermond: April 7 a Summary Abatement Order was issued to remove a Bagster and contents as well as scattered brush piles around the home. Compliance date of April 14. Photos in the file.

Engebrecht: the biggest thing is we just need some extra time. We completely understand the way the City wants to keep things clean. A couple of mitigating factors have prevented us from working on the back yard. The back yard is buckthorn piles, an invasive species, we wanted to burn it and can take them to the dump. The issue with the dump is the vehicle next to the Bagster is inoperable and we are just able to take it to the shop. That's a flatbed that could carry the brush to the yard waste site.

Stephanie: we want to burn it, so trying to be responsible because taking it to compost just spreads it. We were working on it last fall. Still working on that.

Brian: as far as the Bagster—the truck was inoperable and preventing it being picked up, and we have a friend living in the basement and will be moving in the next couple months and we will need the Bagster to finish up some projects so my sister-in-law can move in.

Stephanie: it isn't filled yet and we're not quite done yet.

Martin: usually with Bagsters if you have permits on file it is fine but once it is overflowing we want them gone otherwise neighbors start dumping as well. Are there egress windows in the basement?

Stephanie: that's a project we're working on. We just bought it 2 years ago this August. The basement room was an emergency situation, we're helping them out since they have nowhere else to go. They're getting their own place soon. My sister won't move in

until it is a legal bedroom. That's one of the projects we'll be doing this summer.

Martin: when is your friend moving out?

Stephanie: the next month or 2.

Martin: we'll be sending you a letter for an appointment and we'd give them 7 days for alternative housing

Moermond: or an alternative space in the house. It is a matter of the basement being condemned. Fire deaths are often in the basement. I'll recommend the Council goes to May 16 for the Bagster and brush removal.

Referred to the City Council due back on 5/7/2025

Making Finding on Nuisance Abatements

- 18** [RLH SAO 25-9](#) Making finding on the appealed of Michael E. Corcoran to a nuisance abatement ordered for 1478 AMES AVENUE in Council File SAO 24-51.

Sponsors: Yang

Nuisance is abated related to the April 1, 2025 deadline.

Michael Corcoran, owner, appeared via phone

Moermond: we're checking in today about the deadline you just had for an additional 1/3 progress. You did 1/3 and are looking for the second third. I will get that report and I do see we got emails from you a bit ago.

Supervisor Lisa Martin: I was there yesterday and there were vehicles all over the yard. I met with the owner yesterday, he was going to move all of that yesterday, and I did reinspect at 6:30 this morning. The cars were still in the yard, but now I see photos showing the vehicles are moved. He does have a dumpster on site. We do have complete cleaning of the yard. The next deadline is July 1 for the balance of the orders. All of the cars need to meet code if brought back. Operable, approved surface, current tabs. Any permitted work needs to be inspected and approved and project completed by July 1.

Moermond: you met your April 1 deadline, so now its July 1 to finish everything else.

Referred to the City Council due back on 4/23/2025

- 19** [RLH SAO 25-30](#) Making finding on the appealed nuisance abatement ordered for 724 CASE AVENUE in Council File RLH SAO 25-17.

Sponsors: Yang

The nuisance is not abated. The Department is authorized to take action to abate the nuisance April 24, 2025.

Shang Yang, owner, appeared via phone

Kong Vang, family friend, appeared via phone

Moermond: we are following up on the previous appeal for the vehicles in the back. You had a deadline of April 14 by Council to come into compliance. That was yesterday.

Staff update by Supervisor Lisa Martin: I went back by, there was no site plan filed for the additional parking. Boat is still in the yard, vehicle still inoperable with 2011 tabs. They are not in compliance.

Vang: I'm working to get the vehicles out. I have one vehicle and the boat yet. I'm in the process of having the vehicle towed and the boat will be removed too. That's the 14th and today is the 15th. Isn't there like a grace period or something?

Moermond: that would be the extension from Council, the extra time. That's what we are following up today. The original orders were written back in January. You have it partially done. This has a Council Public Hearing again next Wednesday, April 23. I will tell the Council the nuisance isn't abated and staff will recheck next Tuesday. If it's taken care of nothing will happen, otherwise if it isn't the vehicles will be towed. Any questions?

Vang: there is one vehicle left. The other two are gone. I just told the auto shop to come get the car, that's it.

Moermond: if it is taken care of then that's great, otherwise its subject to removal.

Yang: we shouldn't have to pay \$139.

Moermond: is there an Excessive Consumption bill on this?

Martin: 2 Excessive Consumptions on it, 3 have been assessed.

Vang: we can go to small claims court on that. See what the judge has to say.

Moermond: you have upcoming hearings on those. 1 assessed April 9, and 2 more coming up. Those are appealable. The next stop is district court, as I'm sure you're aware.

Vang: what hearing are we talking about? I don't understand.

Moermond: when the family gets the assessment letter there is an appeal process explained in that.

Vang: I thought the appeal was done already?

Moermond: there are also delinquent garbage bills, which will be additional assessments on the property.

Vang: what are you talking about garbage bills?!

Moermond: bills were sent and they didn't get paid.

Vang: we'll see you in Court then.

Moermond: ok good bye.

Referred to the City Council due back on 4/23/2025

1:30 p.m. Hearings**Orders To Vacate - Fire Certificate of Occupancy**

- 20 [RLH VO 25-7](#) Appeal of Josh Kirchert to a Condemnation and Order to Vacate at 1009 MAGNOLIA AVENUE EAST.

Sponsors: Yang

Continue LH to May 6, 2025 at 1:30 p.m.

Josh Kirchert, co-owner, appeared

Moermond: are you one of the owners who lives on Fulton?

Kirchert: one of the owners yes.

Shaff: there is no Certificate of Occupancy.

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: October 15, 2024 we got two different complaints of no Fire Certificate of Occupancy on file and they need to apply for provisional. No hot water and no heat. Inspector Chute called the complainant, went to property, we take no water and heat seriously. No access. Heat was at 66 degrees. Verified with Xcel that gas service was active. Talked to property owner who had just left the property who had lit the pilot light and turned the heat on. Later in the day Inspector Chute found there is no Fire Certificate of Occupancy on the property. Called the property owner who doesn't reside there and confirmed a mailing address and advised he'd be issuing orders to apply for a provisional Certificate of Occupancy. November 20, no provisional. December 20 still no provisional applied for. January 28 Chute left a Voicemail for the property owner to call back. No call back. March 12 he finally got ahold of the property owner who said the tenant will be leaving in the next ten to fourteen days and the property will be vacant and put on the market for sale. Reissued properties to show it was vacant. April 9 the property wasn't secured. Front door was open. Living room glass was missing. No one onsite. Dwelling was unoccupied. With no Certificate of Occupancy and long-term noncompliance, as well as the state it was in, it was condemned and referred to Vacant Building program. Mailed a copy and posted it at the property. Emailed the Vacant Building program for further follow up. April 11, two days later, I can see on apartments.com that 1009 Magnolia Avenue East was listed for rent for \$1,950.

Moermond: tell me what is going on here? April 10 you appealed. April 9 it was condemned and posted an order to vacate. April 11 the Vacant Building file was opened.

Kirchert: no one was living there.

Moermond: I see the owner is Kirchert, LLC. Is this your only property?

Kirchert: we own a couple of them, 2 in St. Paul as well. New to the Section 8 program.

We were going to sell when we first redid and decided to rent it since rates were low. They have a lengthy inspection process, did that and got approved and here we are now realizing she's destroying the place. It is disgusting now, but we're actively working to put it back together before it hits the market. She left the 2nd, and before that I didn't know the window was broken. She finally left, and I started getting bids right away to get it ready to sell. I wasn't going to get a TISH when work is done. I know we need one before it hits the MLS. They have been working the last 10 days and should be finished this weekend, at least a majority.

They're doing 3 new doors, all broken glass fixed, floors, paint. I submitted the actual bid from the Contractor. Replacing some tiles. Ceiling lights, GFCI's, fix garage door, replace interior doors, patching holes in drywall and ceiling. Our goal is to pass a FHA appraisal. Due to its location and price range first time home buyers are common.

I also submitted the yearly review with the St. Paul Housing Agency, showing I was compliant. This was all things I had to do again last year. Then she just wrecked it. That's why we decided we weren't doing it again and got a contractor in place to start.

Shaff: I'm concerned the appellant talks about it being for sale but I'm looking at this for rent.

Kirchert: is there a number on there? I have zero intentions to re-rent it.

Shaff: Friday at 10:38 am it said it was up for 2 weeks, 30 photos that are similar to what you submitted. I'll talk to SPPH about lack of Certificate of Occupancy but I'm also wondering why after the appellant was told numerous times ignored the requirement to have a Fire Certificate of Occupancy? If they own other properties I'd like to make sure those have one as well.

Moermond: as I reviewed the items in the bid, the electrical work looks like it would require a permit.

Shaff: not a permit but required to be a licensed electrician.

Moermond: we've got \$22,000 being spent, which rises to the level of permits. The only one that gives me heartburn is the windows.

Shaff: replacing glass is considered maintenance, but when I see things like "Demo kitchen" and "drywall and tile in bathroom" it makes me wonder what is being drywalled. The amount is definitely over \$500 which would require a permit. Opening the exterior envelope would require more.

Kirchert: the backsplash of the kitchen, some are coming off. Need to scrape it. One wall in the kitchen and one in bathroom needs new drywall. They're falling off the wall.

Shaff: how often did you visit the property?

Kirchert: I was over there with Pest Control because she'd leave trash all over, or replacing smoke detectors, things like that. Five to ten times a year all in all.

Shaff: I'm surprised it got this bad if you were there this often.

Kirchert: the tenant wasn't easy to deal with, so it got to the point where we knew she was leaving and we just figured we'd do it after she left. There was another list, that was

just as lengthy, the year prior and we did all the work. Almost the same issues. Fixed it and gave her another chance. Did that and when I got this inspection back I was appalled. I didn't realize the damage she'd done again. Once I got this list back it was full steam ahead to moving her out when her lease was up April 1.

Shaff: in July you had all sorts of refuse. There's a Summary Abatement Order for accumulated refuse.

Moermond: you purchased December 21, 2022. You bought it as a flip and decided to rent instead. Immediately went into the business of trying to get section 8 eligible. I'm guessing that was the start of 23 when you moved someone in. Was that same party there the entire time?

Kirchert: yes.

Moermond: you didn't get a fire Certificate of Occupancy in 2023 when you put a tenant in. What was going on with that?

Kirchert: I thought the St. Paul public housing inspection was enough, it said St. Paul right on there. I thought we were approved and didn't know.

Moermond: you started getting letters in July telling you that you did.

Shaff: October.

Kirchert: the first couple of times it would show up on my phone as a spam risk and I would ignore it, left voicemails, we played phone tag. The last conversation I had with him—was I putting him off? Yes, because in my head we were going to be selling this and it wouldn't be a rental anymore. Was that the right approach? No. That was the last conversation I had with the gentleman, was yeah, we're going to be selling this and will be vacant April 1. He said ok, sounds good, I will let you know what I want to do. I figured he'd call me back.

Moermond: to be fair, you're talking about the phone calls, but you're actually getting physical letters telling you all of this. You got official notice. You also found your way to meet the inspector for PHA January 16, but not the Fire Certificate of Occupancy inspector in January. All of this tells me about how you manage your business but I'm going to focus moving forward, if this is listed on apartments.com, I'm concerned. I get you don't want to do Section 8 anymore. You ARE in the Vacant Building program. What are you looking for today?

Kirchert: to get the condemned status off so I can sell it.

Moermond: you can sell a condemned building.

Kirchert: obviously that is much harder and I don't truly believe it is in any condition that would suffice condemnation. I could live there; anyone could live there. If it can pass an FHA appraisal, then odds are it is livable because they're pretty strict. I haven't used apartments.com in years. I use a new program called Buildium, and I have been, so I mean—I've had people list homes I've been affiliated with that have been on the MLS—and they're getting rental scams trying to get deposits. They're everywhere. It can't be me; I haven't used that site in so long. I didn't even get people that way when I did use it years ago.

Moermond: the inspector has no way of knowing what was actually going on inside the house without being part of the Fire Certificate of Occupancy program, outside of these complaints. There was a lot on the exterior that was written anyway. You were given many chances to have these inspections and you blew it off and pushed it to the future in hopes you would never have to deal with it. Now you're seeing there are financial consequences for the bad decisions you've made. I don't even know if you've received the Vacant Building registrations yet, but there's \$2,600 fee there. That's impactful. [explains the different categories of Vacant Buildings]

Kirchert: what is that \$2,600 fee?

Moermond: the annual registration fee. That letter would have gone out pretty recently. Ms. Shaff, you sent me the listing, dated two weeks ago?

Shaff: yes, listed two weeks ago.

Kirchert: does it have a number to call?

Zimny: there's no contact information on the listening at all.

Kirchert: I wish there was so we could.

Moermond: I hear you.

Kirchert: I have emails and texts well before that date saying we're going to be selling. Obviously yes I did terribly by pushing this off but the re-rental thing, I just don't understand. It is not our intention at all. I understand actions have consequences.

Shaff: we have a lot of time invested in this.

Moermond: let's get an interior inspection.

Shaff: start over but with a provisional on file.

Moermond: I think that's reasonable.

Shaff: I don't foresee we could get someone out for at least 10 days.

Moermond: I'm going to continue this case 3 weeks, to May 6. In the meantime, let's get that interior inspection in, and they will do that AFTER they get the provisional Certificate of Occupancy application in.

Laid Over to the Legislative Hearings due back on 5/6/2025

2:45 p.m. Hearings

Water Bill Appeals

- 21 [RLH WB 25-2](#) Appeal of Suleiman Awl Isse to a Water Service Bill at 97 BATTLE CREEK PLACE.

Layover to LH June 3, 2025 at 3 pm for further discussion. PO to apply to Water Works for financial assistance.

Suleiman Awl Isse, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Derek Olson: single-family home we obtain readings oct, January and April, every 3 months. We noticed in October the usage went higher and sent out a high usage letter. We didn't hear anything back. Then we read the meter in January and it was really high. 26 units in July to 40 in October and 313 in January. The meter techs reached out and had an onsite visit to talk about the high usage. From there we created their bill and there's a large balance still owing and under appeal.

Joe Tronson, meter tech supervisor: I looked and data logged the meter. A couple toilets looked in rough shape, but nothing appeared to be failing at that exact moment. It is still semi sporadic; they flush and the toilets run for hours or minutes until the handle is jiggled.

Olson: the data log is in the packet. When we read the meter in January there was an intermittent leak still on January 17th. That's why Joe's crew had him on a leak report. It was above 50 units and is a single-family home.

Moermond: it is exponential. It stabilized November 13 moving forward, until January then jumped again?

Olson: the jump November 13, it looks like it starts coming down dec 21 but if you compare December to November 3-11, it doesn't match their historic usage.

Moermond: I saw consistent 35-40 units the last 10 years. It looks from the numbers like a toilet leak?

Tronson: yes. If you go to the hourly log, February 4 at 11 pm, 23:54 military time. 18/64 cubic feet x 7.48 to get gallons, that's 139.4 gallons per hour, that's 2.3 gallons a minute.

Moermond: a read at 21:54 of 8.39 and then you get to the 22 and its 17.49.

Tronson: what happens is that the 54 is programmed into the meter. Sometime during 9 o'clock hour they flushed the toilet, it ran the entire 10 and 11 o'clock hour, then at midnight it started to slow. That means likely someone came and used the restroom again. The spike to 18.54 means someone is using the water as well as the toilet running. Washing hands, getting a drink, etc.

Moermond: and no leak likely occurring before this.

Tronson: if you look at the bar graph there's no purple coloring? That means there is no current leak.

Moermond: so, the big leak started November 12. Tell me about what is going on.

Isse: I bought the house in 2015. I have always expected 215 in every bill. He said they sent a bill in October? When was the \$3,000 bill?

Olson: January

Isse: I didn't see that previous letter you said you sent, I'm a truck driver and my kids sometimes misplace things. I didn't believe it having seen it and lived here 10 years. The only time I fixed something with water was a year ago, I fixed the fill valve. When we say leak I think inside of the house. I didn't see any difference there. I'm just shocked, as anyone would be going from a \$210 bill to a \$3,000 bill. The day before he came I called and asked if I had a leak. Tronson looked around and said he didn't see a leak. He advised me to do a test.

Tronson: the CSR told you to put food coloring in the toilet, typically.

Isse: we didn't have it so we didn't do that. If there's a leak it is invisible to us. We still run water the same way. No changes in the way we use water.

Moermond: there are base charges in the bill that are calculated once a year and those apply through the rest of the year, for example the sewer charge. Can you walk through that?

Derek: the sewer base charge is they take your first bill of the year, the 313 units and figure out in a 91-day period. That sets a max for the rest of the year. If you still had this leak and you laid sod or ran the hose it wouldn't bill you more than that cap in sewer. If you fix this leak however they would only bill you for what you used.

Moermond: the bill dated January 29 has a sanitary sewer volume charge based on 313 units because this is the first bill of the year and when people are typically using the lowest amount. That charge stays the same. It feels like we pinned that at the very highest it could be by virtue of when it came through, but decreasing moving forward. What does that look like?

Olson: You go back to October, the 40 units, you're going to pay \$87.21, but January you just got charged \$1,768. You make a fix to your home, call us with a reading, we verify there's no longer a leak. We can change it moving forward. This current bill has to remain the way it is. We just can't go back and change anything that's already billed, per Public Works rules. It isn't our rule.

Moermond: the bill January 2024 I'm looking at a sewer volume at 17 units. Moving forward to the next bill it is again 17 units, the April 2024 bill.

Tronson: the important part is the water charge. The 17 sticks with him the hole year.

Moermond: that's my understanding, I just want to come to a space where but-for this is calculated I January, the sewer charge would have been at 17.

Olson: if it was a year ago, you see January 18, 2024 17 units 91 days. The next bill 23 units but was only charged 17. It calculates off the first bill of the year. Public Works sets those days. We just take what they set and put it in place. The reason we have a lot of hearings this first quarter is you get dinged for water and sewer combined, and they wouldn't look at this because they have to pay Met Council for what went down the drain. I don't know how Met Council bills them, but that's there take. Phi Pham is who we work with now at Public Works.

Moermond: this feels like a place where the sewer base charge could be recalculated. I get where its coming from and would involve a conversation with Public Works. That would be purview of the City Council regardless I believe under the Legislative Code. That may be another way to give YOU a break.

Olson: it is the CEILING, the max charge. If he's using less, he would be charged less. It is the maximum, not that you'd be charged that every month. If it dropped back to 17 he'd have that charged.

Tronson: he can have that sewer base charge reset through us too.

Moermond: what changed at the house to make it go down then?

Isse: it was a surprise because it has been consistent 10 years. We've never had a water repair in my house. The only thing changed was the flush a year ago. I have 7 kids, but 4 are in college so it should have been lower since they moved out. I can't really see anything changed.

Moermond: it really does sound like a toilet leak.

Tronson: I couldn't get the toilet to reproduce it when I went there February 7.

Moermond: did you pull and test the meter?

Tronson: no.

Moermond: is that normal procedure?

Tronson: no, there's a \$35 fee for that.

Moermond: was that offered to you?

Tronson: no.

Isse: I asked if there could be a matter with the meter, but I was told the meter can never go wrong.

Tronson: the digital display on the meter, if any of the digital signals puts out an error code, in my shop we test 2,500 meters a year and I've never seen one over register in 15 years. They do fail but that's by under-registering. Similar to a car, it gets 35/gallon when its new but 33/gallon a few years down the road due to age and inefficiencies.

We test 3M four times a year because we don't want them to under-register.

Moermond: we went through this a few years ago, and we can get that information to you. That being said it isn't likely to be the meter that's at fault.

Tronson: that meter has been there since May 29, 2012.

Olson: it's a great question but statistically speaking its much more likely to stop or under-register.

Moermond: what would he need to do to apply for assistance?

Olson: he has to apply through CAP, he has to income qualify. It doesn't look at the balance of the bill, just the income and if you pass you can receive up to \$300.

Moermond: and that's household income based on family size too.

Isse: I haven't worked since May last year. I had a truck accident.

Moermond: let's take a beat here and are you ready to keep up with bills moving forward?

Isse: absolutely.

Moermond: I'd like to keep you on that program, caught up except for this one bill. I'd like you to check out financial assistance through CAP and give you time to do that and react. I will ask them not to charge interest while we work this out.

Laid Over to the Legislative Hearings due back on 6/3/2025

3:00 p.m. Hearings

Water Bill Appeals

22 [RLH WB 25-3](#) Appeal of Brandon Hunter to a Water Service Bill at 1829 DAYTON AVENUE.

Layover to LH June 3, 2025 at 3 pm. PO to apply to Water Works for financial assistance.

Brandon Hunter, owner, appeared

Staff report by Supervisor Derek Olson, SPRWS: January 12 we took the first meter reading of the year, for the first bill. It was extremely high compared to the usage history. 180 units. Sent out the bill, and it calculates the sewer in the first bill of the year which makes the bill that much worse to deal with because it was so high. Looks like the high usage may have started last August. We sent a high usage notice at that time. November usage went even higher. Then February's reading, which we just talked about, went extremely high. We don't show the meter showing a leak, which tells me typically it is something like a toilet that happens intermittently. It is only triggered if it is showing the leak at the time we read the meter. If its leaking for a week, we come out on the 10th day and it hasn't leaked for 3 days, we wouldn't be notified. A perfect snowball of not getting that information. Customer states he didn't get the letter in August. We didn't send anything in November because we didn't see a leak. Then February rolled around and saw there was absolutely something wrong. I spoke with the customer and that's why we are here today.

Moermond: one thing I noticed in reviewing the past bills, its normally between 6 and 10 units.

Olson: typically, yes, with a couple blips.

Moermond: what happened here is the bill that went out May 14, 2024, regular bill. Next bill August 22, 2024 it triples the water use from 10 to 32 units. Started to show then. I heard you say the leak probably presented in August?

Olson: it could have happened anytime. For example, if you hear a toilet leaking and jiggle the handle and it stops, but if you flush it and run out the door or are on vacation, then come back and jiggle it and it stops. A lot of people start planting grass and trees late in the summer into November.

Moermond: 10 units to 36 units in August, and then 3 more months and 80 units. Doubling and tripling. Then we get to the bill we're talking about today it is 10.5 times normal consumption. 180 units.

Olson: yes.

Moermond: and similar situation with the sewer charge.

Olson: it is the time of year for these. That's why you see me more in the spring on appeals.

Moermond: you have as part of your water bill connection charges, fees calculated as part of base use and then the actual water itself. When we were talking about the sewer charge, they pick a number once a year to use as your base amount for the sewer charge. They pick January because its typically the lowest usage time. Yours isn't, and it won't be repeated because it has been fixed, yes?

Hunter: yes.

Moermond: that's taken care of, but it really does a jump the same as your water use does. Tell me what is going on? This is steep.

Hunter: when I got this high-water usage alert in February, then the bill a week and a half later, March 8. I was shocked. I've lived there six years, never had an issue with something like this. Always paid my bills. My concern is part of my job is to make people aware of their circumstances and give them a fair chance of fixing it, this to me wasn't a fair chance. I literally got the bill a week later. If I would have known I would have just turned off the water. We have three bathrooms added a couple of years ago. I turned it all off and had my buddy come over and we replaced a couple things and that was it. \$50 to have someone come do it. I feel like if I would have been notified what was going on I would have addressed it right away. But this is the only letter I got. When they sent me this packet they're saying they sent on in August but it is one piece of mail. Three months later I get another piece of mail. Once I actually see, then a week later the bill I see. This isn't just about the money; it is about the environment as well. I think a call or email would be sufficient, something more than just one letter a week before I get a \$1,900 bill. Especially when I'd have just turned it off until I got it fixed, which is pretty much what I did once I did get notified. I don't feel like I had a chance to address it before I was sent this bill and it was this high.

Moermond: you said in the appeal that you were told SWRWS was working on a faster way to alert people. I think I know the answer, but Mr. Olson, can you speak to that?

Olson: we're installing AMI meters which means we can read your meter from our desks. It is a long project; they're scheduled to be done in 2030. Which would alert us to a leak immediately, basically. We haven't hit everyone yet. It is expensive, needs more collectors installed with agreements in place. We need to find places to put them, then we move through the areas putting meters in.

Tronson: I have 22 antennas up now; it will take about 75. They're \$30,000 apiece. Each home is a couple hundred dollars for all the equipment. Then you have to install everything. My staff does the registered changes, 95,000. Antennas are being installed by a contractor. The software doesn't filter out false positives. It takes time and staff and for your home example, we'd get a reading that day, send our letters out that day.

The letter generated and on that list there was a list of 30 to 60 homes every day. One-third get a letter.

Moermond: I understand there was a switch underway to go from a quarterly bill to monthly.

Olson: that won't be happening until we get 98% of customers on the meter reading.

Moermond: so, 2030.

Olson: yeah.

Moermond: coming, but 5 years out. And because this is a residential property it has a quarterly reading, not monthly.

Olson: correct.

Moermond: we have a huge bill, and you do have a great history of paying your bill on time. When I was reviewing this I was surprised because we have bills going step by step up and you were paying them and I was thinking that I would have had a heart attack if I saw my bills escalating like that. Do you have autopay?

Hunter: I just call or pay on the website. I didn't know if the increases were for a reason, like my 6-year-old now likes to be outside and play in the water. I'm not trying to avoid a bill; I just don't think I was given a chance. I just thought it was higher than normal because we just did sod in the backyard and new plantings, so maybe it was supposed to be that high.

Moermond: based on what you're telling me, I don't know if you'd income qualify for bill assistance through Water Works. That is something that's an option. I do have a bill where the meter recorded that many units going through. Did you check the meter in this case?

Tronson: I was never inside the property, no.

Olson: we took the data log March 4. You and I spoke the 4th, Joe went out the same day that we had that conversation and data logged the meter and it looked like there was nothing leaking.

Moermond: and we have the high-water alert going out in August and February. Data log was run March 4 and it looked fine then. You had got in right away to do repairs and had that covered. I'm feeling really bad. This is definitely a one-off situation. You clearly are not an abuser of any system. The billing is simply water passing through the meter, so I struggle. The likelihood of it over-reading is nil. I'm stuck with this huge bill. You are stuck with it too. We can maybe see if we can get out from under some of it with CAP, maybe a payment plan. I'm not seeing a way to get out from it based on the data log. I don't want to push you into this space of \$2,000. We can figure this out. Let's get that information emailed to you and give you a chance to fill it out and them to review it. Based on that we can figure out how to move forward with the balance of it.

Laid Over to the Legislative Hearings due back on 6/3/2025