



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Joanna Zimny, Executive Assistant
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, September 6, 2022

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 22-318** Ratifying the Appealed Special Tax Assessment for property at 1610 BLAIR AVENUE. (File No. J2213B, Assessment No. 228118)

Sponsors: Jalali

Approve the assessment.

Joanne Johnson-Goertz, owner, appeared via phone

[Moermond gives background of appeals process]

Johnson-Goertz: I think this is resolved. I own a duplex, my daughter lives on the same floor. At the same time as the fire it got boarded. I had just gotten out of the hospital. I paid to have it boarded twice more. So maybe someone stole the boards or something. Of course the City paid to board it, it is just my misfortune that someone opened it up again. And I had to pay for it to be boarded two more times. That was my issue. I do owe it.

Moermond: Mai Vang sent you the fire reports and you have that information for insurance.

Johnson-Goertz: this occurred in May and I was reimbursed \$25,000 to rebuild the garage. My tenant started the fire and it took his insurance a while. The contractor that was recommended was blowing me off all summer, but he's supposed to pull a permit today.

Referred to the City Council due back on 10/12/2022

- CPH** [RLH TA 22-295](#) Deleting the Appealed Special Tax Assessment for property at 1444 COMO BOULEVARD EAST. (File No. VB2212, Assessment No. 228818)

9/142

Sponsors: Brendmoen

Delete the assessment.

Mike Anderson, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: the Certificate of Occupancy was revoked and sent to Vacant Building program on February 18, 2022. The total proposed assessment of 2616.

Moermond: the notes in the file given to me indicate the Fire Certificate of Occupancy was revoked in 2017?

Yannarely: yes, and they didn't send it over until this year.

Moermond: what is going on Mr. Anderson?

Anderson: I inherited the property from my father. My kids were out west this winter skiing. You couldn't collect rent during Covid so I didn't put it out for rent. They were out skiing and were coming back early May. They came and the house got broken into May 5th. They cut some pipes in the basement, I haven't fixed it yet, so they haven't moved in.

Moermond: they took the copper?

Anderson: yup. That and anything valuable.

Moermond: what are your plans?

Anderson: to put it up for sale by end of the year. I have to do some work first.

Yannarely: only notes from Fire is excessive storage on the interior.

Anderson: I've removed a lot of stuff since they were last in there in 2017. I'm moving stuff out now. I don't have much free time. I've paid the taxes on time.

Moermond: you weren't in the Vacant Building program for all the time it was vacant so that's a blessing there. It looks like it was revoked back then because they simply weren't able to gain access.

Anderson: not to my knowledge. If I got a call or a letter I would let them in to see.

Moermond: this building is borderline whether it meets definition of a registered Vacant Building. It is secured by normal means. I didn't hear it was a problem. In these cases we'd normally give you a year to sort this out. I'm going to ask them to close the file and look at it again in February and if it is occupied by then you'll have no fee.

Referred to the City Council due back on 9/14/2022

- 3** [RLH TA 22-317](#) Ratifying the Appealed Special Tax Assessment for property at 329 LAWSON AVENUE WEST. (File No. VB2213, Assessment No. 228821)

Sponsors: Brendmoen

Layover to LH September 20, 2022 at 9 am for further discussion. Staff to follow up with DSI on building permits.

Kenneth Barnett, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is a Vacant Building fee. Vacant Building file opened February 9, 2021 after a fire. Been in the program since then. They appealed this February 1 for the Vacant Building fee; you waived that fee until May 9. Project was completed July 7. Total fee of \$2,284.

Barnett: you gave me until May 9. It took 2.5 weeks to even get a permit. Everything was done in April. I don't know why Virgil didn't do his. He got back to us Thursday the 12th and said the HVAC wasn't done so I called up Galaxy and talked to Jon and they said they made a mistake. He came back next Thursday, I called Friday to talk to Virgil. Another six days he comes back and said the plumbing wasn't done. I said I was there when the inspector was there. So that's a question mark. Why didn't he say that 2 weeks ago? The lady comes out Monday or Tuesday and said she remembered being there. It was done. I moved into this house May 9. It was all done. Why Virgil kept holding us back I don't know. No calls from him. Then we called Monday and he was on vacation. Virgil could have done the inspection in April. The only mistake was Galaxy forgot to have the AC inspected. All that time was taken away from me. He called on the sixth and he didn't get back until the 12th.

Moermond: this wasn't closed until July. What about those 2 months?

*Barnett: that must be your fault. I call Virgil every g*d d*mn week. He took his sweet time. I don't know why it took you so long to ok it. But I was living here on May 9. Everything was done. It was just your guys' permit process. Why he came in June, he says July, I don't know. My wife moved in on the 20th. I brought my stuff on the 7th or 8th. It had nothing to do with me. It was your inspector Virgil.*

Moermond: I asked the Council to give you a waiver. You got a favor walking in the door. You said you didn't even call him until May 6, and your deadline was May 9. So you weren't on top of it until May 8. Your plumbing wasn't finalized until May 22 and mechanical May 25. I'm happy to investigate the building permit. Let's talk again in 2 weeks when we have more information on that. You calling on Friday about a Monday deadline and wanting immediate service doesn't garner much sympathy from me.

Laid Over to the Legislative Hearings due back on 9/20/2022

4 [RLH TA 22-301](#)

Deleting the Appealed Special Tax Assessment for property at 232 MARIA AVENUE. (File No. J2212B, Assessment No. 228116)

Sponsors: Prince

Delete the assessment.

No one appeared

Moermond: we have a securing of a building after a welfare check was conducted. In these cases we recommend deletion because we don't want there to be any disincentive to call in these circumstances.

Referred to the City Council due back on 9/14/2022

- 5 [RLH TA 22-297](#) Ratifying the Appealed Special Tax Assessment for property at 733 THOMAS AVENUE. (File No. J2212B, Assessment No. 228116) (To refer to September 20, 2022 Legislative Hearings)

Sponsors: Balenger

Refer back to LH September 20, 2022 at 9 am (PO unable to be reached).

Voicemail at 10:19 am: this is Marcia Moermond from St. Paul City Council calling Inho Chang about boardings at 733 Thomas. We'll try you back in 10 to 15 minutes.

Voicemail at 10:41 am: this is Marcia Moermond from St. Paul City Council calling you about boarding and securing. We will try you again in 2 weeks to discuss. Tuesday September 20th between 9 and 10:30 am.

Tried calling x3738 at 10:44 am: no voicemail left.

[Note: there were 2 different voicemails at the numbers voicemails were on; so one wasn't correct but unsure which]

Referred to the City Council due back on 9/14/2022

- 6 [RLH TA 22-298](#) Ratifying the Appealed Special Tax Assessment for property at 733 THOMAS AVENUE. (File No. J2213B, Assessment No. 228118)

Sponsors: Balenger

Layover to LH September 20, 2022 at 9 am (PO unable to be reached).

Voicemail at 10:19 am: this is Marcia Moermond from St. Paul City Council calling Inho Chang about boardings at 733 Thomas. We'll try you back in 10 to 15 minutes.

Voicemail at 10:41 am: this is Marcia Moermond from St. Paul City Council calling you about boarding and securing. We will try you again in 2 weeks to discuss. Tuesday September 20th between 9 and 10:30 am.

Tried calling x3738 at 10:44 am: no voicemail left.

[Note: there were 2 different voicemails at the numbers voicemails were on; so one wasn't correct but unsure which]

Laid Over to the Legislative Hearings due back on 9/20/2022

10:00 a.m. Hearings

Special Tax Assessments

- 7 **RLH TA 22-327** Ratifying the Appealed Special Tax Assessment for property at 1931 CLEAR AVENUE. (File No. CRT2210, Assessment No. 228211)

Sponsors: Yang

Approve the assessment.

Paoze Her, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy bill for a single-family home. The total proposed assessment is \$363. Mr. Her called to appeal. We sent appointment letters on December 13, 2021 and January 6, 2022. Letter was sent January 26, 2022 and was approved on February 25, 2022. Billing sent March 1 and March 31, 2022. No returned mail. Letters sent to 9110 Edinburgh Lane in Woodbury. Owner stated he received the first invoice, sent in payment with Credit Card information but DSI called to say it didn't go through.

Her: what she said is accurate. I am appealing because I sent in the payment and they weren't able to process it. I did receive another letter but I forgot about it. I was just hoping to see if the administrative fee could be waived. I'm happy to pay the Certificate of Occupancy cost.

Moermond: the did have to process it as an assessment. There was some extra cost. Ms. Shaff, when would Mr. Her expect his next inspection based on his classification?

Her: I think in four years. I have a class A.

Moermond: I have a renewal date of 2028. That is six years. So you won't have any bills for the next six years as a reward for being in good condition. They did have cost processing this bill and I think it is fair the City recoups that. So I'll recommend approval of this assessment. I do appreciate this building was in great shape.

Referred to the Legislative Hearings due back on 10/12/2022

8 RLH TA 22-323 Ratifying the Appealed Special Tax Assessment for property at 797 PARK STREET. (File No. J2213E, Assessment No. 228321)

Sponsors: Balenger

Approve the assessment.

Doug Anderson, owner, appeared via phone

Staff report by Supervisor Lisa Martin: Summary Abatement Order on February 15 to remove improperly stored or accumulated refuse which may include: garbage, rubbish. Rechecked four times, but only one Excessive Consumption fee.

Anderson: there has been a lot of activity on the property. People always throw their garbage. I wanted the date I got the orders to clean up.

Moermond: February 15 the letter was mailed.

Anderson: I went out to clean it up. It was a pile of stuff on the corner. It has 2 alleys, one on the south side and one on the west side. The stuff was in the corner where the alleys intersect on the SW corner. People plow their snow on my property. It covers the garbage. There was some melting so I could take the top items on but the ice had frozen it. I called Otis saying I picked up what I could. I asked if we could wait until the snow melts. He said that is fine. I called him when I got it picked up and he said he'd come out to inspect. He was on vacation and his boss inspected. In the interim someone dumped 2 couches on the southeast corner of the lot. The boss inspects it

and says we've been putting too much effort in getting this guy to get stuff off the lot. I am very diligent about it. He said I'm tired of me not doing what I needed to do and he fined me. When I got that I looked and found more couches. I called Otis and I said I cleaned it and you were supposed to inspect. He said he'd take care of it, he tried to, but it couldn't. He talked to his boss who said I just can pay the fine.

Moermond: I feel sympathetic. You got a lot of it done but not everything. The brush was still there. What was good was the City didn't actually do the cleanup, so you didn't pay that charge. I'm seeing there was 2 months to get it done. I get it was winter, but that is quite a long time.

Anderson: March 29 is just barely thawed. People plowed snow on it all winter. I had to wait until the ice went away unless I used an ax to bust it out. As soon as it was warm enough that it melted I could get it out of the pile. The brush wasn't gone. I didn't even cut the tree down. They put it in a pile on top of the stuff on the corner. It was a big mess and a lot of work. It just seems unfair. I work hard to keep the lot as clean as I can.

Moermond: March 8 you asked for an extension. He gave you to the 23. His boss went on the 29th and gave you a fee due to the extra inspection. When he went back on the 12th it was cleaned up. I'm afraid given the number of extensions I'm going to recommend the Council approve this one. They gave extensions and didn't do a cleanup. It was a significant amount of brush and it was expected to be done. You can definitely contest at Council further.

Referred to the City Council due back on 10/12/2022

- 29 RLH TA 22-326** Ratifying the Appealed Special Tax Assessment for property at 1146 ROSS AVENUE. (File No. J2213E, Assessment No. 228321)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: you are recommending deletion because notices went to previous owner during current owner's ownership. Sale was January 13, 2022. County was behind at least 90 days in updating the tax records.

Mai Vang: it didn't change until May.

Moermond: so four months to get ownership changed. So the City has to eat the cost because they're so far behind.

Referred to the City Council due back on 10/12/2022

Special Tax Assessments-ROLLS

- 10 RLH AR 22-81** Ratifying the assessments for Collection of Vacant Building Registration fees billed during January 10 to April 18, 2022. (File No. VB2213, Assessment No. 228821)

Sponsors: Brendmoen

Referred to the City Council due back on 10/12/2022

- 11 RLH AR 22-82 Ratifying the assessments for Securing and/or Emergency Boarding services during May 2022. (File No. J2213B, Assessment No. 228118)

Sponsors: Brendmoen

Referred to the City Council due back on 10/12/2022

- 12 RLH AR 22-83 Ratifying the assessments for Demolition services from May to June 2022 (C.D.B.G. Funds). (File No. J2207C, Assessment No. 222006)

Sponsors: Brendmoen

Referred to the City Council due back on 10/12/2022

- 13 RLH AR 22-84 Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during February 28 to April 23, 2022. (File No. CRT2210, Assessment No. 228211)

Sponsors: Brendmoen

Referred to the City Council due back on 10/12/2022

- 14 RLH AR 22-85 Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during January 4 to April 21, 2022. (File No. J2213E, Assessment No. 228321)

Sponsors: Brendmoen

Referred to the City Council due back on 10/12/2022

- 15 RLH AR 22-86 Ratifying the assessments for Graffiti Removal services during May 31 to June 22, 2022. (File No. J2209P, Assessment No. 228408)

Sponsors: Brendmoen

Referred to the City Council due back on 10/12/2022

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- CPH RLH SAO Appeal of Daniel Fix to a Summary Abatement Order at 319 FULLER
916 22-42 AVENUE.

Sponsors: Balenger

Grant to October 4, 2022 for compliance.

Daniel Fix, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: August 10, 2022 we issued a Summary Abatement Order to remove and dispose of plastic barrels, tarps, nightstand, and scattered trash. Compliance date of August 22. There are photographs.

Moermond: what are you looking for today?

Fix: I'm working on it. This is the first time I've been through this process. I have done quite a lot of removal already, but it is going to take me longer than the order allowed.

Moermond: what are you thinking?

Fix: another month?

Moermond: how did it get this bad?

Fix: Covid. I accumulated and didn't get rid of stuff. I tried to sell stuff and it didn't sell. I was laying low due to exposures. Things got out of hand.

Moermond: looks like it did.

Fix: I've already sold a dozen boats. Six or eight loads of brush has gone to the yard waste site. I sent a dumpster bag to the dump, started another one. Donated 5 or 10 loads of debris. I'm getting to the point where I have stuff going out. I also have a flower bed I'm trying to reclaim from the weeds. I have the weeds covered with a tarp; do I have to remove that too? I'm sorting through to remove it. Going to have a garage sale in the next couple of weeks too.

Moermond: I'll recommend you get to October 4. If there are things leftover the department is authorized to clean up the rest, just so you know.

Referred to the City Council due back on 9/21/2022

Correction Orders

- 17 **RLH CO 22-9** Appeal of Dawn Keller to a Correction Notice at 415 CLARENCE STREET.

Sponsors: Prince

Grant to September 30, 2022 for compliance.

Dawn Keller, owner, appeared via phone

Moermond: I understand since last we spoke Ms. Martin and our Senior building inspector have been out to look at the garage.

Staff update by Supervisor Lisa Martin: the garage itself Mr. Bruhn has stated it needs repair or removal. Any repairs need to be submitted by an engineer. There is considerable soil pressure on the garage. The neighbor's shed or runoff didn't contribute to the problem. The coop is small enough it doesn't fall under building code. It does need to be removed but the concern is the wall behind the garage.

Moermond: Ms. Keller you had someone there with you?

Keller: she was my County worker here for moral support

Moermond: should we be copying her on communication?

Keller: no, not necessary.

Moermond: findings aren't great. The building inspector was suggesting a stronger type of order than what Ms. Martin's team issued. I know that isn't the direction you wanted to go with this. I heard you say you didn't want to fix it until something changed with the neighbor's property but the inspector is saying it isn't their problem. You need an engineer to look at this on your behalf.

Keller: and how do I do that?

Moermond: call a building contractor and get an idea of what their opinion is on whether it is more cost effective to fix or remove it. I don't know if money is an issue.

Keller: it definitely is. I am on disability. I'm barely getting by as it is.

Moermond: I know there is some emergency repair money. I think the cap is \$25,000. We can send you information on that. Another tool in the inspector's kit is to write another, stronger, order. Given what the building inspector found I think that is the route they will be going.

Martin: correct.

Moermond: so this first deadline is the deadline on the initial letter. You'll get another order because I don't think you'll meet this deadline. We can give you information about Dayton's Bluff. Have you contacted House Calls at all?

Keller: no.

Moermond: we'll send those resources as well. I'm going to recommend you get until September 30th. You'll get stronger orders after that and we can continue this conversation if you appeal. The building inspector didn't make a judgment on whether the neighbor's coop is too close to the property line.

Martin: we already issued orders for the neighbor to move it away from the property line.

Moermond: know that if worse comes to worst and it is removed we can make payments over up to 10 years. Hopefully we can figure out something else, but I wanted to let you know it wouldn't be one big blow.

Referred to the City Council due back on 9/21/2022

1:00 p.m. Hearings

Vacant Building Registrations

- 18 [RLH VBR 22-41](#) Appeal of Nick Hubers to a Vacant Building Registration Requirement at 40 MAGNOLIA AVENUE WEST.

Sponsors: Brendmoen

Layover to LH September 20, 2022 at 1 pm (Prop Rep not reached).

Voicemail at 1:14 PM: this is Marcia Moermond from St. Paul City Council calling you about your appeal of the Vacant Building registration notice. I'll try you again in five minutes

Voicemail at 1:22 pm: this is Marcia Moermond from St. Paul City Council calling you again. We'll lay this over to September 20th between 1:00 and 2:30

Laid Over to the Legislative Hearings due back on 9/20/2022

1:30 p.m. Hearings (NONE)

Orders To Vacate - Fire Certificate of Occupancy

2:00 p.m. Hearings

Fire Certificates of Occupancy

- 19** [RLH FCO 22-74](#) Appeal of Mary Callander to a Fire Inspection Correction Notice at 1378 LINCOLN AVENUE.

Sponsors: Tolbert

Layover to LH on September 20, 2022 at 2 pm (PO unable to complete hearing during call on 9/6).

Mary Callander, owner appeared via phone

Moermond: last time we spoke we were going to have a fire inspector and building inspector go through at the same time, with the building inspector having a special eye towards the decorative beams in the living room.

Callender: my dryer is being installed; can I call you back? He said he was coming back out September 23.

Moermond: we'll have to reschedule. That September 23 appointment will be reschedule because that should happen after you and I have resolved the appeal. Which it isn't. We'll have a hearing September 20 at 2 PM between 2 and 3 pm.

Laid Over to the Legislative Hearings due back on 9/20/2022