



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, November 5, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 24-441](#) Ratifying the Appealed Special Tax Assessment for property at 2117 MOHAWK AVENUE. (File No. VB2503, Assessment No. 258802)

Sponsors: Johnson

Layover to LH December 3, 2024 to see if CC certificate is issued. If issued, reduce assessment from \$5,077 to \$2,538.

Lee Coulter, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this covers May 27, 2024 through May 26, 2025. We're about 5 months in. Numerous finalized permits, he appears to be close to getting his Code Compliance certificate.

Coulter: yes, I am. The building inspection I am waiting for garage door installation, that is on backorder. Should be done this month. As a result, I am requesting that this may be prorated or dismissed. Miller Crest we decided to pay in full, so I'd like to request this entire fee be deleted.

Moermond: I won't make that recommendation.

Coulter: why not?

Moermond: you're a Category 3 Vacant Building and already 5 months into the year. I'd like to continue this a month and if you are done by then I'll recommend it is prorated. I'll push this to December 3 and we can check in then on permits. Sounds like you're close. If you want to disagree with what I'm recommending, that's fine also. Your Council Public Hearing isn't until February 5 so we have plenty of time. These are property specific. I can't conflate the two properties and delete this entire thing because you decided to pay the other one.

Coulter: I'm available December 3.

Moermond: sounds good, we'll talk then and if you're done it sounds like an easy case for proration.

Coulter: I was told if I got the whole packet in and gave it to Mai, and then when I didn't hear anything, I called and "Joan" and she told me I was good to go, and then I went to get the building permit—

Moermond: is this going to somehow relate to the Vacant Building fee? Because I have a lot of items on the agenda today.

Coulter: that's fine. December 3 works.

Laid Over to the Legislative Hearings due back on 12/3/2024

2 [RLH TA 24-423](#) Ratifying the Appealed Special Tax Assessment for property at 1528 HURON STREET. (File No. J2504T, Assessment No. 258507)

Sponsors: Kim

Layover to LH November 19, 2024 at 9 am (unable to reach PO).

Voicemail left at 9:38 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for 1528 Huron. We'll try you back in 10 or 15 minutes.

Voicemail left at 9:51 am: this is Marcia Moermond from St. Paul City Council calling you again about your appealed assessment for 1528 Huron. We tried calling a second go and got a strange connection and now it's going to Voicemail. I'm going to push this out a couple of weeks and we will visit with you November 19th.

Laid Over to the Legislative Hearings due back on 11/19/2024

3 [RLH TA 24-439](#) Ratifying the Appealed Special Tax Assessment for property at 2130 IVY AVENUE EAST. (File No. VB2503, Assessment No. 258802)

Sponsors: Yang

Recommendation forthcoming after further review of math by LHO.

Julie Walters-Lee, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is for the Vacant Building fee, per previous resolution the Hearing officer recommended if a Code Compliance certificate was issued by September 29, 2024 the Vacant Building fee would be reduced half. It was issued prior to that, September 12. The agreement was satisfied.

Walters-Lee: that's not really what it says. It literally says "if a Certificate of Code Compliance is not issued by June 29, the Council will direct the Department of Safety & Inspections to issue a bill for the time period of May 1 to December 28, estimated currently to be \$3,300. So that was an estimation. Then says "if an unpaid Vacant Building registration fee comes forward as a proposed assessment and is appealed, it will be reduced by 50%." So, the \$3,300 was supposed to be in the system, which it wasn't. Appealing it would drop that by 50%. I found the amount to be \$2,815, not \$3,300 since we purchased June 3, not May 1.

Moermond: I'm reading it an alternative way, which is that at that point in time it would have been \$3,300. I'm willing to look at that further. At best I see that as an alternative reading of it. I can get you an answer and if you object follow up more with the City Council.

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

- 4 RLH TA 24-413** Ratifying the Appealed Special Tax Assessment for property at 460 PRIOR AVENUE NORTH. (File No. J2503R, Assessment No. 258502)

Sponsors: Jalali

Approve the assessment.

No one appeared

Voicemail left at 9:55 am: this is Marcia Moermond from St. Paul City Council calling Ryan Scott about an appealed special tax assessment. I'm going to recommend this assessment is approved. The letter you received notified you about the Council Public Hearing and how to testify. We weren't able to reach you a couple of weeks ago either.

Referred to the Legislative Hearings due back on 1/29/2025

- 5 RLH TA 24-437** Ratifying the Appealed Special Tax Assessment for property at 981 SAINT ALBANS STREET NORTH, #102. (File No. J2503B, Assessment No. 258102)

Sponsors: Kim

Approve the assessment.

*Melanie Ebertz, o/b/o tenants of unit, appeared via phone
Juan Carlos Aguilar, tenant, appeared via phone*

Moermond: do we need an interpreter?

Ebertz: I think I can interpret okay.

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: June 16, 2024 St. Paul Fire Department requested an emergency boarding after a fire that occurred June 16, 2024 at 8:29 pm. Total proposed assessment of \$534.

Ebertz: I am just a private part of a small group that have sponsored this family to come from Honduras. We're just helping them out. That was father's day. They hadn't been here that long and weren't used to an electric stovetop. Mom came home from work, turned on the stove to heat something up, they decided to take dad out for pizza. They went out for pizza and left the stovetop on. Came home to all the windows broken out, so the building manager did charge them \$700 to replace the glace and repair the door. All the windows were broken. That was a hardship we helped with. The fire, \$500 we're contesting and asking for forgiveness to help them up. It is a financial hardship to pay and they were embarrassed and learned a hard lesson. Asking you to please help us help them to not impose this hardship. They did pay the landlord. It is a

family 5 and it has been a financial hardship to learn this hard lesson.

Moermond: forgiveness has maybe something more to do with enforcement. This isn't that. The Fire Department showed up and had to secure it before they left for safety reasons. It is them recouping costs they've already incurred. I understand this is a financial hardship. How long are you estimating the family will live at this property?

Ebertz: I don't see them going anywhere for at least a year since it is a low-income building.

Moermond: what I can do is make this payable over time so there is less of a bite associated with it. Ultimately the property owner is responsible for it. If its payable over time perhaps they can pay the property owner over time to make it more feasible. I am very sympathetic but at the same time I can't look at my sympathies because the City already paid the bill. The Council may see it differently than me. This is kind of between the landlord and tenant in this case.

Ebertz: they already paid the building \$700. It seemed like an excessive amount of windows broken. They already paid it even though I told them not too. I'm asking the City to reduce the charges given the fact this is a real hardship for them. They have no extra funds whatsoever. I don't really see the landlord working with them. Given the situation with the new arrival and learning the language and how to use the stove. We're back to forgiveness. The bill is paid to the landlord I'd like to see some of that money back. They took their food money and paid it. I was hoping for some flexibility from the Silver City of Saint Paul.

Moermond: it isn't like I'm pulling this number of a hat. It is a bill paid to a contractor to show up on an emergency basis. I'm struggling with that. I hate to be callous, but I can't as a matter of law, consider income as part of this. The Council may look at it differently. At this point I'm going to say I can't recommend it be decreased or deleted. It is awkward when the money has already gone out the door. The landlord has the money, not necessarily the City.

Ebertz: the family was gone for like an hour and a half. Can something be done about the service charge? Eight windows were broken which seemed excessive. The door is logical. It seemed excessive and there wasn't a fire, it was smoke.

Moermond: I'm going to have to say no. The service charge is connected to the cost of processing. The bulk of the boarding is being called out an emergency basis. It is instant and there's a premium for that.

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

6 [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

Layover to LH December 3, 2024 via phone between 9 and 11 am for further discussion.

Grace Vo, rep o/b/o deceased owner, appeared via phone

Moermond: looks like we have a demo assessment here. [Moermond gives

background of appeals process]
You are the rep for Tam Vo's estate?

Vo: correct.

Staff report by Supervisor Joe Yannarely: this is for the demolition and removal on an emergency basis of a severely fire damaged building. The first cost is bringing the building to the ground, second cost is debris removal and site restoration. Total assessment of \$91,952.

Vo: this belonged to my father who passed away June 2023. I was taking care of his property for a couple of months before the fire. After my dad passed the building belongs to my mother, she used to take care of it with my Dad. She suffered from a stroke in September 2020 and this affected her speech and memory so she can't work anymore. No income coming in. This building was going to be retirement for her. With the fire damage, \$92,000 is a significant cost. Shortly after the fire I learned my dad wasn't making insurance payments. We have a lot of costs to pay up front, taxes and demolition. My dad was also behind in utilities. Between water and electricity its \$20,000 he was behind. So, to come up with this money will be difficult for my mother. I did speak with our lawyer who is helping us and he would like to request an itemized bill for the demo.

Moermond: no problem, we can email that out to you. What is your ask today?

Vo: nothing really aside from that bill my lawyer wanted.

Moermond: let's talk again so I have a recommendation for you. He should have a chance to review over the next month, and we'll chat again December 3 and I'll lock in that recommendation.

Yannarely: is she aware the taxes stay with the property not the individual?

Vo: yes.

Laid Over to the Legislative Hearings due back on 12/3/2024

10:00 a.m. Hearings

Special Tax Assessments

- 7 RLH TA 24-346** Ratifying the Appealed Special Tax Assessment for property at 443 JOHNSON PARKWAY. (File No. J2501E, Assessment No. 258300)

Sponsors: Johnson

Approve the assessment.

Ed Brazman, owner, appeared via phone

Moermond: we talked a month ago and we were going to have a Supervisor go out and check the property line relative to the photos from the cleanup in March. Mr. Kedrowski, on the line, was out there with Supervisor Martin.

Staff report by Supervisor Kedrowski: the conclusion is the items were on his property.

Brazman: the garbage that's back there is not ours and was there when we bought the house. I can't argue a property line. That's really I can add. The Bagster and wheelchair lift are ours, but the debris on the side of the garage is not.

Moermond: it is your property though. We're all held accountable for maintaining our property. That's the rub for me. I can't say the property tax payers at large are responsible for picking up the tab for cleaning up next to your garage. Maybe you want to add something?

Brazman: realistically, it is inarguable then. It is the property line, regardless of it not being ours. I'd just ask for 30 days.

Moermond: this doesn't go in front of Council until January 8, 2025 and after that if it is ratified they will mail out an invoice. And if the invoice isn't paid it will show up on your 2026 property taxes. So, you have time to pay.

Brazman: then I guess my request would be, this is for \$135? Thereabouts?

Moermond: total assessment of \$169.

Brazman: I would ask for that fee to be removed for the simple fact that when it was issued I took this up the neighborhood inspector and didn't know the property line. Is it possible to lift that fee, and in the time you specified it will all be removed?

Moermond: I don't know what you mean by "it will all be removed"?

Brazman: the garbage on the side of garage.

Moermond: it isn't gone yet?

Brazman: correct.

Moermond: I thought you were asking how much time you had to pay the bill, not to clean it up.

Brazman: no, ma'am.

Moermond: the Department can continue writing you bills for it not being cleaned up now that we have squared away it is definitely your property. Do we know know—is there more than one bill out there?

Mai Vang: no, just this one.

Brazman: I guess that's my question, now we've established the property line and you've established that I have time to get it gone and remove it.

Moermond: no, we established the bill was payable over time. I didn't understand you were asking about removing the items. The deadline for that would have come and gone. Quite a long time ago.

Brazman: again, is it possible to lift that \$169 and I'll get it gone and you can revisit in 2 weeks with an inspector going by.

Moermond: I actually can't. This is something come and gone. I only have 10 days, two weeks max, to hear an appeal on an order. This went out in February originally. Mr. Kedrowski?

Kedrowski: knowing it hasn't been removed we would be reinspecting and assessing further fees for noncompliance.

Moermond: I think we're talking at cross purposes. Mr. Brazman I see in the file that you had things cleaned up by March 26. Now we have different items, but the original orders were taken care of. No current orders, even though things are at back. So, a word to the wise to get to it before orders are issued.

Brazman: this I understand. That's all well and good. My request is to remove the \$169 and not have that hanging over my head, and I'll remove the things back there.

Moermond: I'm not willing to make that recommendation. We have a history of other orders to clean up on the property. What we'd be talking about it terms of deletion, at best I'd look at no same or similar, but that's for someone with a clean record. This did happen again, even since March. I'm saying no, the Council may look at it differently. I'm recommending approval. January 8 is the Council Public Hearing.

Brazman: you're looking at a record of complaints and whether or not they were legitimate? Because the City made a mistake of hauling away a Bagster when the original complaint was for a completely different Bagster. I spoke with the City about this, and it was found they didn't charge me for it realizing from the photos they were two different Bagsters. People are penalizing us for cleaning up our yard. I don't think that premise is necessarily "fair" when looking at this incident. We were waiting for the establishment of a property line. I'm not going to remove garbage that isn't mine.

Moermond: while I appreciate that argument, I'm going to say no, you didn't appeal the original order because it was objected that it was on your property. I have five instances in 2022 and 2023 where there were orders written on your property. Four of them are beyond what was there. Those are basic things, and we still have another instance since March. I cannot look at this and be lenient. I think this is exactly why there are Excessive Consumption fees for Code Enforcement services. Again, the Council could look at it differently.

Brazman: you know we pay property taxes right?

Moermond: so do I, and my job isn't paying taxes for extra inspections for your property either.

Brazman: so, a problematic neighbor—

Moermond: no, you have a bad property.

Brazman: we've been trying to get this turned around as a harassment charge and no one is willing to collect information as we've been pinpointed by an unknown neighbor and we're being penalized for some record I find farcical at best. We don't run a junk yard. There's nothing going on that is above and beyond and there are plenty of other people that have refrigerators in the alley for months and yet we're here talking about trivial garbage that isn't the end of the world. Yeah I understand salaries cost money but uh, it seems a bit excessive despite a "record". This is a bit of an overstep.

Moermond: I don't think we're going to make progress on this. You are welcome to testify at the Council Public Hearing January 8.

Brazman: I'll be there.

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

- 8 **RLH TA 24-431** Ratifying the Appealed Special Tax Assessment for property at 1177 ALBEMARLE STREET. (File No. J2503E, Assessment No. 258302)

Sponsors: Kim

Delete the assessment.

No one appeared

Moermond: this is a deletion, the inspector said it was issued because David Smith said to the property owner he would delete the Excessive Consumption fee and it didn't happen. There's an email in the record saying he made a mistake and forgot to delete it. Recommend deletion.

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

- 9 **RLH TA 24-420** Ratifying the Appealed Special Tax Assessment for property at 515 BEAUMONT STREET. (File No. J2503E, Assessment No. 258302)

Sponsors: Noecker

Delete the assessment.

No one appeared

Moermond: this is one with an ongoing issue. The neighbor putting their cans in front of this house, he's getting written on their cans, and his pickup is around the corner. A weird situation, so recommend deletion again.

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

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

Sponsors: Kim

Layover to LH December 3, 2024 at 19 am (unable to reach PO).

Voicemail left at 11:05 am: this is Marcia Moermond from St. Paul City Council calling you about appealed special assessments for 869 and 875 Clark. We'll try you back in 10 to 15 minutes.

Voicemail left at 11:15 am: this is Marcia Moermond from St. Paul City Council calling again about the appealed assessments for 869 and 875 Clark. We'll reschedule your hearing, trying one more time, December 3.

Laid Over to the Legislative Hearings due back on 12/3/2024

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

Sponsors: Kim

Layover to LH December 3, 2024 at 19 am (unable to reach PO).

Voicemail left at 11:05 am: this is Marcia Moermond from St. Paul City Council calling you about appealed special assessments for 869 and 875 Clark. We'll try you back in 10 to 15 minutes.

Voicemail left at 11:15 am: this is Marcia Moermond from St. Paul City Council calling again about the appealed assessments for 869 and 875 Clark. We'll reschedule your hearing, trying one more time, December 3.

Laid Over to the Legislative Hearings due back on 12/3/2024

Special Tax Assessments-ROLLS

- 12 **RLH AR
24-100** Ratifying the assessment for Collection of Vacant Building Registration fees billed during November 8, 2023 to May 20, 2024. (File No. VB2503, Assessment No. 258802)

Sponsors: Jalali

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

- 13 **RLH AR
24-101** Ratifying the assessment for Securing and/or Emergency Boarding services during June 2024. (File No. J2503B, Assessment No. 258102)

Sponsors: Jalali

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

- 14 **RLH AR
24-102** Ratifying the assessment for Collection of Fire Certificate of Occupancy fees billed during May 27 to June 24, 2024. (File No. CRT2503, Assessment No. 258202)

Sponsors: Jalali

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

- 15 **RLH AR
24-103** Ratifying the assessment for Excessive Use of Inspection or Abatement services billed during April 22 to May 21, 2024. (File No. J2503E, Assessment No. 258302)

Sponsors: Jalali

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

- 16 **RLH AR
24-104** Ratifying the assessment for Graffiti Removal services during June 18 to 28, 2024. (File No. J2503P, Assessment No. 258402)

Sponsors: Jalali

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

11:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 17 [RLH SAO 24-67](#) Making finding on the appealed of Michael E. Corcoran to a nuisance abatement ordered for 1478 AMES AVENUE in Council File RLH SAO 24-51.

Sponsors: Yang

Layover to LH November 12, 2024 at 11 am for inspector update.

Moermond: we don't have a current inspection for this property so we'll lay this over to November 12 so the inspector can go out and see if one-third of the items have been abated.

Laid Over to the Legislative Hearings due back on 11/12/2024

- 18 [RLH SAO 24-70](#) Making finding on the appealed of Edward Albrecht to a nuisance abatement ordered for 1529 GRANTHAM STREET in Council File RLH SAO 24-52.

Sponsors: Jalali

The nuisance is abated and the matter resolved.

Moermond: nuisance is abated and the matter resolved.

Referred to the City Council due back on 11/13/2024

1:00 p.m. Hearings

Vacant Building Registrations

- 19 **RLH VBR 24-67** Appeal of Shai Leibovich, BP Homes 1 LLC, and Carolyn Brown, Community Stabilization Project, to a Vacant Building Registration Renewal Notice at 494 EDMUND AVENUE.

Sponsors: Bowie

Deny the appeal noting that CC certificate was issued 11/6/24.

Voicemail left at 1:10 for Carolyn Brown: Good afternoon Carolyn, this is Marcia Moermond from St. Paul City Council calling you about 494 Edmund and 1271 Marion. Edmund you got your Code Compliance certificate today, so no fee there. We'll try Shai to discuss 1271 Marion.

Referred to the City Council due back on 11/20/2024

- 20 **RLH VBR** Appeal of Shai Leibovich, BPH 3 LLC, and Carolyn Brown, Community
 24-66 Stabilization Project, to a Vacant Building Registration Fee Warning
 Letter at 1271 MARION STREET.

Sponsors: Kim

Grant a 90 day waiver (to January 5, 2025) and allow permits to be pulled.

Shai Leibovich, BPH Homes, appeared via phone

Moermond: speaking to Mr. Dornfeld, he didn't see an issue from the Department's perspective in giving a 90-day waiver, which would take you to January 5, 2025.

Shai: that sounds great. We should be done.

Referred to the City Council due back on 11/20/2024

3:00 p.m. Hearings

Water Bill Appeals

- 21 [RLH WB 24-1](#) Appeal of Tom Ryan to a Water Service Bill at 1369 WINDY RIDGE
 PLACE.

Withdrawn by appellant.

Moermond: there was an email this morning from Derek Olson who said the appeal was being withdrawn?

Mai Vang: yes.

Moermond: I think we need to confirm with the appellant that it is withdrawn. I want confirmation from us saying it is resolved, not just the Department.

Withdrawn