



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, May 16, 2023

9:00 AM

Room 330 City Hall & Court House

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 23-185** Ratifying the Appealed Special Tax Assessment for property at 1010 BUSH AVENUE. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: this is a deletion because orders were issued January 25, likely based on snow that fell January 19, 3.5". However, the crew didn't go out until February 13. Three weeks later, and additional snow fell in the interim. Impossible to tell whether a cleanup was done by the owner of the 3.5".

Referred to the City Council due back on 6/7/2023

- 2 **RLH TA 23-216** Ratifying the Appealed Special Tax Assessment for property at 1110 BUSH AVENUE. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Reduce assessment from \$322 to \$161.

Joel Liesener, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order to clean up the snow and ice on the public sidewalk. Orders issued January 25, compliance is 24 hours after postmark, rechecked January 30 and found in noncompliance. Parks did the abatement February 14 for a total assessment of \$322.

Moermond: why are you appealing Mr. Liesener?

Liesener: no doubt they did the cleanup. I actually got the notice, called the City, I don't have his name. Told him it took a bit to get the notice prior to the cleanup, called

and said I was going out there. He said not an issue, do you know how far behind we are on these. We'll never get to any of this. I asked why he sent it. Said they had to send them. Went out there and cleaned it up. My main concern is if you look at the snow between January 25 and Feb 14.

Moermond: 2.2" between orders issued January 25 and February 14 according to NOAH.

Liesener: we cleaned it up. I believe it snowed again. Then they cleaned up before we went out and cleaned again. The streets were so bad, I drive a Prius, I couldn't even get to the property after snowfalls. I had to leave my car at the end of the street to try and shovel it out on several occasions. We can't even keep the streets clear and we're worried about sidewalks we kept relatively clear at this property all winter. That's the issue I'm raising here. How do they account, you get the notice, you clean it up, there were two weeks here between the notice and cleanup. How do you know it isn't a newer snowfall?

Moermond: when I reviewed the tapes, January had 18.3" before the snow fell. I reviewed the videos knowing those 18" fell, plus an additional 2.2". trying to ascertain what snow was what. It wasn't shoveled side to side; it hadn't been done adequately preceding January 25. The 2.2" on top of it wasn't the crux of the matter here. Maybe a good faith effort, but a majority of the problem preceded that extra 2". I do see also, just as a note, there were a couple of orders in the past. One was abated by the owner, and a couple others were closed. That weighs more or less in your favor. I'll recommend this is reduced by half. It isn't everything, but it is something. My review of the video was there was sufficient documentation the 18" hadn't been adequately dealt with. You are welcome to dispute this further with the Council, the notice of today's hearing tells you about how to do that.

Liesener: I'm ok with that. It was a tough winter. The sidebar comment is that it is a bummer when the streets can't even get plowed and you can't even get to your property to clear and you're damaging your car because the roads are so bad. I had a flat tire in the snow. I appreciate your consideration.

Moermond: \$322 to \$161.

Referred to the City Council due back on 6/28/2023

3 RLH TA 23-198 Ratifying the Appealed Special Tax Assessment for property at 1012 BUSH AVENUE. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Approve the assessment.

Sawanda Smith, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: January 25, 2023 a Summary Abatement Order for snow and ice on the public sidewalk was issued. Compliance is 24 hours. Rechecked January 30, found in noncompliance. Work order issued and parks did the abatement for a total proposed assessment of \$322.

Moermond: Ms. Smith, why are you appealing?

Smith: I am a new homeowner in Saint Paul. I purchased September 2022. I will admit I am very surprised when I got the notice. I came from Maplewood and we didn't have these kinds of rules. Second, they take care of their streets so I wouldn't have had this issue anyway. I wasn't living in the house for a month and half. The people I hired to shovel couldn't get down the block to do so. The people who were working on the HVAC, the reason I was out of the home, got stuck trying to get down the street. I don't know why there was still so much ice. In the videos you can see we shoveled. The steps are shoveled. We made an effort. See how high the mounds are from the scraping from the street. That makes it difficult, especially if I wasn't there. I have receipts to show I wasn't there. We shoveled to the best of our ability. I haven't been happy since I moved here. My taxes have tripled. Yet, they're charging me for 8 feet of the sidewalk. I learned something new. I did the best I could, for a woman, and it got piled with the street and alley not being plowed. The people working on my home couldn't get to it. When they did, they got stuck. I have videos for that as well. I am asking that this be thrown up since I didn't need them to do this. Why are they stalking the street for this, when I just saw someone get robbed at gunpoint across the street. Yet my taxes have tripled. If you're going to show up with equipment you could have knocked on the door, however I wasn't there at the time. I did send people to shovel. I shoveled myself. My daughter shoveled. We did the best we could with this horrible winter. I don't feel like I should be punished.

Moermond: no question there was a lot of snow this winter. We all have responsibility in a neighborhood to keep the sidewalks clear for people with disabilities or people with children trying to make it to the bus stop, whatever it is. What I see is someone called in a complaint January 25. My guess that had to do with the snow accumulating earlier in January—

Smith: that was solid on the ground, and by the 30th it would have softened and you can look at the video—

Moermond: I did.

Smith: I'm not telling you to look at it. I'm saying you can tell we shoveled. The sidewalk is buckled from the tree. If you are riding a bike you'll soar to the heavens. It isn't flat anyway. My first winter I did the best I could. I'm 52, I've never experienced anything like this where I couldn't get down to the ground.

Moermond: what I was building up to, when the orders were issued to when the crew showed up 2.2" more of snow fell. Reviewing the video I weighed whether the snow was the recent 2.2" inches or an accumulation earlier than January 25. I think there was a lot more in play than 2.2" in that fell. It hadn't been cleared side to side. With respect to being 52 years old, I'm older than that. I get you shoveled, but it wasn't shoveled for this snow and I would say no.

Smith: I tried to tell you I wasn't living in the home.

Moermond: I'm going to recommend approval based on the circumstances I described. You can appeal this further, there is information on how to do that on the letter that told you about today's hearing. You can do it remote, or by phone.

Smith: you are saying I have to pay this whole thing despite what I told you?

Moermond: my recommendation is yes; however, it is just that, a recommendation.

You can speak to them further about it.

Smith: then I need to be reimbursed for the \$150 times two that the people I hired couldn't get there to get down the street. We should have been plowed hours before. I lost money for someone trying to get down the alley. Can I be reimbursed for those?

Moermond: you can file a claim against the City for sure. Alleys are private property responsibilities.

Smith: I don't know anything about that, do I knock on someone's door? Is there information online?

Moermond: each neighborhood is different.

Smith: the plow goes down our alley. My neighbors are my neighbors, I haven't talked to them. If it is appropriate I will knock and ask them.

Moermond: someone likely pays for that plow to go through. You know my recommendation and next steps. I wish you well.

Smith: where do I look for next steps?

Moermond: the same letter that told you about today's hearing.

Referred to the City Council due back on 6/28/2023

- 4** [RLH TA 23-168](#) Ratifying the Appealed Special Tax Assessment for property at 1783 DAYTON AVENUE. (File No. J2308B, Assessment No. 238107)

Sponsors: Jalali

Layover to LH June 6, 2023 at 9 am (unable to reach PO).

Voicemail left at x4307 at 9:33 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for 1783 Dayton Avenue. We'll try you back in 15 minutes or so.

Voicemail left at x4307 at 9:52 am: this is Marcia Moermond from St. Paul City Council calling you again about your appealed tax assessment for a boarding at 1783 Dayton. Unable to reach you this morning. We'll continue this to June 6 between 9 and 10 am.

Laid Over to the Legislative Hearings due back on 6/6/2023

- 5** **RLH TA 23-171** Ratifying the Appealed Special Tax Assessment for property at 602 LAWSON AVENUE WEST. (File No. J2317A, Assessment No. 238517)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Moermond: in reviewing materials submitted I'm recommending the Council delete this. the owner made a good faith effort to address the issue and the neighbor's landlord, Housing Hub, indicated they were taking care of it, which they didn't seem to do. We

will give her credit for trying.

Referred to the City Council due back on 6/7/2023

- 6 RLH TA 23-218** Ratifying the Appealed Special Tax Assessment for property at 16 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: snow and ice property cleanup. Orders sent January 11, rechecked January 12. Work was done by Parks February 11, 2023 for a total assessment of \$322.

Moermond: in reviewing the snowfall, between orders and the month later cleanup by the Parks crew, another 8.5" of snow fell so we have no way to determine which snow we're looking at.

Referred to the City Council due back on 6/28/2023

- 7 RLH TA 23-217** Ratifying the Appealed Special Tax Assessment for property at 379 MARYLAND AVE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 11, 2023, compliance of 24 hours. Rechecked on January 12, work was done by the Parks crew February 10 for a total assessment of \$322.

Moermond: between orders being issued and Parks going out an additional 8.5" fell. No way to tell which snow was cleaned up.

Referred to the City Council due back on 6/28/2023

- 8 RLH TA 23-199** Ratifying the Appealed Special Tax Assessment for property at 705 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 11, 2023, compliance of 24 hours. Rechecked on January 17, work was done by the Parks crew February 10 for a total assessment of \$322.

Moermond: again, a situation where Parks was one month behind and between orders and them going out it was 8.5" and video doesn't show what snow was cleaned, recommend deletion.

Referred to the City Council due back on 6/28/2023

- 9 RLH TA 23-204** Ratifying the Appealed Special Tax Assessment for property at 783 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 13, work was done by the Parks crew February 10 for a total assessment of \$322.

Moermond: the orders issued January 10 were about the 15 inches January 3 and 4. Another 8.5 inches fell before crew showed up, impossible to tell new snow from old. Recommend deletion.

Referred to the City Council due back on 6/28/2023

- 10 RLH TA 23-212** Ratifying the Appealed Special Tax Assessment for property at 795 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 13, work was done by the Parks crew February 10 for a total assessment of \$322.

Moermond: same situation as others today. A month before the crew showed up and an additional 8.5" of snow fell. No way of telling what snow they cleaned up. Recommend deletion.

Referred to the City Council due back on 6/28/2023

- 11 RLH TA 23-200** Ratifying the Appealed Special Tax Assessment for property at 1006 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 13, work was done by the Parks crew February 8 for a total assessment of \$322.

Moermond: it took a month for the crew to show up. In that period an additional 8.5" fell. We cannot tell if the snow removed was the original snow or not. Recommend deletion.

Referred to the City Council due back on 6/28/2023

- 12 RLH TA 23-221** Ratifying the Appealed Special Tax Assessment for property at 1602 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 13, work was done by the Parks crew February 8 for a total assessment of \$322.

Moermond: again, the orders January 10 were written about the 15" the week before. Between then and when the crew showed up an additional 7.3" of snow fell. Couldn't tell what snow was removed, recommend deletion.

Referred to the City Council due back on 6/28/2023

- 13 RLH TA 23-219** Ratifying the Appealed Special Tax Assessment for property at 1147 MARYLAND AVE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 12, work was done by the Parks crew February 9 for a total assessment of \$322.

Moermond: again, there was 15" of snow before orders were written, but a month passed an additional 8.5" of snow fell. Can't tell which snow was removed, recommend deletion.

Referred to the City Council due back on 6/28/2023

- 14 RLH TA 23-210** Ratifying the Appealed Special Tax Assessment for property at 1191 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 13, work was done by the Parks crew February 9 for a total assessment of \$322.

Moermond: the orders sent January 10 were about the 15" the week before. However, it took a month for the crew to show up and an additional 7.2" of snow fell. Can't tell what snow was what, delete the assessment.

Referred to the City Council due back on 6/28/2023

- 15 RLH TA 23-220** Ratifying the Appealed Special Tax Assessment for property at 910 MINNEHAHA AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Prince

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 13, work was done by the Parks crew February 4 for a total assessment of \$322.

Moermond: 15" of snow fell the week before orders were issued. Between January 10 and February 4 an additional 7.2 " of snow fell so we can't tell whether they addressed the original orders, must recommend deletion.

Referred to the City Council due back on 6/28/2023

- 16 RLH TA 23-223** Ratifying the Appealed Special Tax Assessment for property at 1155 MINNEHAHA AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 10, 2023, compliance of 24 hours. Rechecked on January 13, work was done by the Parks crew February 5 for a total assessment of \$322.

Moermond: the orders January 10 were written about the 15" prior, however another 7" fell in the 3 weeks before the Parks crew went out. Must recommend deletion.

Referred to the City Council due back on 6/28/2023

- 17 RLH TA 23-191** Ratifying the Appealed Special Tax Assessment for property at 1664 MINNEHAHA AVENUE EAST (File No. J2320A, Assessment No. 238523)

Sponsors: Prince

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 11, 2023, compliance of 24 hours. Rechecked on January 17, work was done by the Parks crew February 4 for a total assessment of \$322.

Moermond: orders issued January 11 for the 15" from the week before, however 3 weeks passed and an additional 7.2 inches fell. Impossible to tell whether the snow in original orders were abated. Delete the assessment.

Referred to the City Council due back on 6/28/2023

- 18 RLH TA 23-224** Ratifying the Appealed Special Tax Assessment for property at 1989 MINNEHAHA AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Prince

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order for snow and ice sent January 9, 2023, compliance of 24 hours. Rechecked on January 12, work was done by the Parks crew February 4 for a total assessment of \$322.

Moermond: orders January 9 were likely about the 15" of snow the previous week. Between orders and February 4 an additional 7" fell. Impossible to tell if they complied. Must recommend deletion.

Referred to the City Council due back on 6/28/2023

- 19 RLH TA 23-190** Ratifying the Appealed Special Tax Assessment for property at 2211 MINNEHAHA AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Prince

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: Summary Abatement Order to remove snow and ice from the public sidewalk sent January 10, 2023. 24 hours for compliance. Rechecked January 17, and the Parks crew did the abatement February 4, 2023 for a total proposed assessment of \$322.

Moermond: orders January 10 was about the 15" of snow the week before, however between then and when crew showed up Feb 4 an additional 7.2" of snow fell. Impossible to tell whether original snow was addressed, must recommend deletion.

Referred to the City Council due back on 6/28/2023

- 20 RLH TA 23-170 Ratifying the Appealed Special Tax Assessment for property at 381 RAMSEY STREET (0 RAMSEY STREET). (File No. J2319A, Assessment No. 238519)

Sponsors: Balenger

Refer back to LH June 20, 2023 for further discussion.

Robert Rulon-Miller, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: September 28, 2022 a Summary Abatement Order was issued to clean up tarps, trash, and tents from the southeast corner of the property. Compliance date of October 5, found in noncompliance. A work order was issued to remove the encampment and it was done October 24 for a total assessment of \$436.

Moermond: you're appealing, why?

Rulon-Miller: on two occasions, maybe even a third, I made phone calls to the St. Paul Police Department in the early morning hours complaining about these people and asking them to come and get them out. They were banging on a drum; this is 40 yards from my window. I'd wake up at 5 am to someone banging on a drum. I'm 71 years old, I'm not going to go shoo them away. I for sure did call twice, I think it may even be 3 times. Nothing ever happened. The tents stayed. I spoke on the phone with someone at the City, don't remember his name, we had several calls back and forth and he was very helpful. I gave him permission to take it away. I sort of feel the City has some responsibility here, I asked for help and none came. My proposal would be let's split it 50/50. I do realize it is my property, but I also asked for help that never arrived.

Moermond: to do due diligence I need to get the police call log and attach that to the record, as well as the inspector's record. Let's tentatively talk June 20th.

Yannarely: 400 summit sets back from Summit a bit, and behind that is the plot noted as 381 Ramsey, also known as 0 Ramsey. It is behind Irvine and Ramsey.

Moermond: if I lived at 400 Ramsey, I'd call it the parcel behind my house to the south, at the intersection of Ramsey and Irvine.

Referred to the City Council due back on 6/7/2023

- 21 RLH TA 23-189 Ratifying the Appealed Special Tax Assessment for property at 2084 REANEY AVENUE. (File No. J2320A, Assessment No. 238523)

Sponsors: Prince

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: Summary Abatement Order sent January 9, 2023 to remove snow and ice from the public sidewalk. 24 hours compliance. Rechecked January 12, and Parks did the abatement February 1, 2023 for a total

assessment of \$322.

Moermond: orders January 9 related to the 15" the week before, however before the crew showed up 3 weeks later an additional 7.2" fell. Impossible to tell whether the original snow was address, must recommend deletion.

Referred to the City Council due back on 6/28/2023

22 RLH TA 23-202 Ratifying the Appealed Special Tax Assessment for property at 1022 SAINT PAUL AVENUE. (File No. J2320A, Assessment No. 238523)

Sponsors: Tolbert

Approve the assessment.

Nick Ender, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: a Summary Abatement Order was issued to remove snow and ice from the public sidewalk on January 17, 2023. Compliance of 24 hours. Rechecked January 23 and found in noncompliance. Parks did the abatement February 2 for a total assessment of \$322.

Moermond: why are you appealing, Mr. Ender?

Ender: as a homeowner with a push snowblower, I had it as reasonably clear as I possibly could get it. My neighbor loaded a front-end loader to clear his sidewalk. I don't think that's a reasonable expectation for a homeowner to do. I spent an hour and a half snowplowing and I cleared a path so people could walk down it. Did I clear it 5 feet wide? No, I didn't. I assume my neighbor who I was helping clear off got one as well. I can't clear off 8 feet of snow. I imagine you got half of St. Paul Avenue on this, I cleared a path after a ridiculous amount of snow. I think I did as reasonable as you can expect from the homeowner.

Moermond: the letter just says the width of the sidewalk. I'm a homeowner in Saint Paul too, with a battery snow blower and a shovel, and my sidewalk was full width all winter. I'm looking at one snowblower width, I'm struggling with that. It isn't even two, which most people do. You get the letter, it says width of sidewalk, and this isn't even really close.

Ender: could people walk up and down it?

Moermond: Mr. Yannarely, what does the Department look at?

Yannarely: full width of sidewalk. Someone in a wheelchair couldn't get down it.

Moermond: two people couldn't pass each other. I have to say it's the narrowest shoveling I've seen in the 40 cases I am looking at today. One is so narrow. It is a little tunnel. It could have been better. I personally did better. I spent an inordinate of time out there this winter doing it. Is it not how I'd prefer to spend my time? True. You can hear I'm inclined to recommend approval of this. You can speak to the Council further about this, and they may see it differently as a good faith effort. That's your next stop.

Ender: ok. Thanks.

Referred to the City Council due back on 6/28/2023

- 23 **RLH TA 23-196** Ratifying the Appealed Special Tax Assessment for property at 2024 THIRD STREET EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Prince

Delete the assessment.

Bryan Henke, o/b/o Giving Group, appeared via phone

Moermond: I was just reviewing the file before calling you and noticed that the order to remove the snow went to the previous owner, not to you. I don't think you got proper legal notification so I'll recommend the Council delete this assessment.

Referred to the City Council due back on 6/28/2023

- 24 [RLH TA 23-222](#) Ratifying the Appealed Special Tax Assessment for property at 664/666 SEVENTH STREET WEST. (File No. J2320A, Assessment No. 238523)

Sponsors: Noecker

Layover to LH June 20, 2023 at 9 am for review of PO's photos and final recommendation.

Felix Aleynikov

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: Summary Abatement Order was issued January 31 to remove snow and ice full width. 24-hour compliance. Feb 3 it was rechecked. Inspector notes say Found packed snow and ice on the sidewalk on all three sides of the property including the ramps. No salt or sand present. Parks did the work February 12, 2023 for a total of \$322.

Moermond: why are you appealing?

Aleynikov: I'm not arguing about what happened. I spoke to one of the inspectors on the issue because I received the letter and wanted to confirm my area of responsibility. The problem was not the snow removal itself; it was the ice buildup. The snow from the road goes on the sidewalk. It wasn't regular snow; it was buildup from the plows. After I spoke with the person from the City, I couldn't find his name, I went out myself and threw a bunch of salt all over the sidewalk. We had that treacherous winter and it wasn't just snow, it was like six layers of ice built up. I tried to melt it, and it was really cold. I did my best; I went out several times. I have pictures of my progress. I'm not arguing about it, I knew the City did it, I just wanted to explain my side of the story. I didn't hire anyone, I tried to do this myself.

Moermond: you want it known it was cold and the salt wasn't working adequately. Looking at the weather records, it looks like some of the days were cold beginning February, but we had temps for 10 days running above freezing that would have assisted with that. You wanted more clarity on your areas of responsibility?

Yannarely: the sidewalk should be shoveled full width, including access to the bus stop.

Moermond: the entire sidewalk to the curb because it goes to the curb, but not the street. Nothing beyond the curb or the corner?

Yannarely: yes.

Moermond: does that help clarify?

Aleynikov: I think I spoke with Joe if I am no mistaken.

Moermond: probably not. He's a supervisor, I'm guessing it would have been someone in one of the teams.

Yannarely: I'd guess Richard Kedrowski.

Aleynikov: Richard, yes. I can send pictures if necessary. There was a huge pile of snow on the corner. I'm not arguing about the weather. The problem was the ice from snow melting and freezing repeatedly. I was dropping buckets of ice melt.

Moermond: that does make things hard, the melting and freezing cycle. Any other questions?

Aleynikov: just please take it into consideration. I tried to do it, but I couldn't figure out my area of responsibility. I wasn't sure if I spoke with Richard, but whoever it was told me it was the sidewalk. I was there several days that week trying to melt the snow. I do have photos of the progress.

Moermond: if you want to share them, that would be fine. Your Council Public Hearing isn't until June 28, so I can review those materials June 20th. Reply to the email you got from Joanna Zimny, send those items to her if you wanted.

Aleynikov: what are the next steps?

Moermond: I'll review those and see if I will recommend any sort of reduction based on those. We will talk to you briefly on June 20th.

Laid Over to the Legislative Hearings due back on 6/20/2023

25 RLH TA 23-203

Ratifying the Appealed Special Tax Assessment for property at 693 WESTERN AVENUE NORTH. (File No. J2320A, Assessment No. 238523)

Sponsors: Balenger

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: Summary Abatement Order sent January 26, 2023 for snow and ice on the public sidewalk. Compliance of 24 hours. Rechecked January 31, Parks did the abatement February 18, 2023 for a total assessment of \$322.

Moermond: orders issued January 26, an immense amount of snow in January, however additional snow fell before February 18 and it is impossible to tell which snow

was cleared and what wasn't, recommend deletion

Referred to the City Council due back on 6/28/2023

- 26 RLH TA 23-187** Ratifying the Appealed Special Tax Assessment for property at 1330 WHITE BEAR AVENUE NORTH. (File No. J2302A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

Larry Morrisette, owner, appeared via phone

[Moermond gives background of appeals process]

Moermond: when we review the video we think is this the result of not having touched it all winter, or 7" of snow. We think it was likely not the result of the orders written about. I know it is tricky to maintain the sidewalk on White Bear there. I'm going to recommend deletion of the assessment.

Referred to the City Council due back on 6/7/2023

- 27 RLH TA 23-211** Ratifying the Appealed Special Tax Assessment for property at 1066 WOODBRIDGE STREET. (File No. J2320A, Assessment No. 238523)

Sponsors: Brendmoen

Delete the assessment.

Lindi Barrett, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is snow and ice Summary Abatement Order issued January 24, 24 hours compliance, rechecked January 31 and Parks did the abatement February 18 for a total assessment of \$322.

Moermond: why are you appealing?

Barrett: got the notice, I remember getting it, and clearing it. Saw the video and saw it was mostly ice, which I know isn't still legal. I spent a long time chipping at it. My main reason for appealing is the fact is the City didn't actually clean it up. I saw tire tracks in the snow, I wondered why someone drove on the sidewalk. Someone probably tried to clear it, I finally figured it out after seeing the videos. Nothing changed in sidewalk height, it was just the tire tracks.

Moermond: scraping the ice, not even touching it. Reviewing the video, we recommend deletion of the assessment.

Barrett: I appreciate it. It was a good wakeup call. I totally get it; we'll stay on top of the ice. I hope next year isn't as hard.

Referred to the City Council due back on 6/28/2023

- 28 [RLH TA 23-139](#) Ratifying the Appealed Special Tax Assessment for property at 929 YORK AVENUE. (File No. VB2307, Assessment No. 238806)
- Sponsors:** Yang
- Approve the assessment.*
- Michael Meyer, owner, appeared via phone*
- Moermond: following up on your appealed assessment for the Vacant Building fee at 929 York. We were going to talk today and see if you had made progress to the point of getting your Code Compliance certificate or continued to be a Vacant Building. No permits have been pulled; did I see that right?*
- Meyer: correct, we'll be pulling them next week.*
- Moermond: we are six months in on this Vacant Building fee, it was opened November 7. When this hits Council tomorrow, I'll have to recommend approval since we're this far in.*
- Referred to the City Council due back on 5/17/2023**

- 29 **RLH TA 23-201** Ratifying the Appealed Special Tax Assessment for property at 402 UNIVERSITY AVENUE WEST. (File No. J2320A, Assessment No. 238523)
- Sponsors:** Balenger
- Delete the assessment.*
- Referred to the City Council due back on 6/28/2023**

10:00 a.m. Hearings

- 30 **RLH TA 23-209** Ratifying the Appealed Special Tax Assessment for property at 101 COMO AVENUE (583 PARK STREET). (File No. J2321A, Assessment No. 238524)
- Sponsors:** Balenger
- Delete the assessment.*
- No one appeared*
- Moermond: a good faith effort was made, recommend deletion.*
- Referred to the City Council due back on 6/28/2023**
- 31 **RLH TA 23-194** Ratifying the Appealed Special Tax Assessment for property at 918 GOODRICH AVENUE UNIT A. (File No. J2321A, Assessment No. 238524)
- Sponsors:** Noecker
- Delete the assessment.*

No one appeared

Moermond: here we have orders going out March 2, compliance date of March 6. Code has noted no photos or videos document this. Recommend deletion.

Referred to the City Council due back on 6/28/2023

32 RLH TA 23-213 Ratifying the Appealed Special Tax Assessment for property at 386 KENNARD STREET. (File No. J2318A, Assessment No. 238518)

Sponsors: Prince

Approve the assessment.

Steven Xiong, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 9, 2023 a notice to remove snow and ice from the sidewalk was sent. 24 hours for compliance. Rechecked January 11 and nothing was done. Work was done by parks January 31 for a total assessment of \$322.

Moermond: why are you appealing Mr. Xiong?

Xiong: I believe I got the letter around the 12th. I got someone out there a day or 2 later and what I believe is that the service on the property was done January 31. What happened was I did the service, and then more snow fell, so when the inspector came to do the service, I felt like I had done it after I got the notice. We got another snowfall. Then the City came to complete it, but there was already snow from a different time.

Moermond: in reviewing the video and photos and snowfall charts. When the letter went out January 9, it was likely because there was 15" the week before that hadn't been cleared. After January 9 an additional 7" of snow fell. My job in reviewing this is whether this is the result of 22" or 7" not having been dealt with. Honestly, if your guy went out there he did a bad job. It looked like nothing had been touched the entire winter. I don't know if you have photos or a check on the quality. It looks like it wasn't touched at all until the parks crew showed up. It was pretty bad. If you have more information, I'm happy to look at it.

Xiong: I don't have photos or videos that I hired a snow guy to come, but from my knowledge he did go out and clean. When the crew got out there I feel like maybe the snow was from the last snow fall, not the snow I received the notice for.

Moermond: I understand what you are saying, I just disagree. The Council may look at it differently, but my assessment is nothing happened all winter. There aren't even snowbanks on the side of the sidewalk. Some differentiation between sidewalk and yard. I just saw people having walked and no change in elevation of snow like if had been cleared. It wasn't higher on the edges at all.

Xiong: yeah, but when you receive so much snow, there's a fresh pile no matter what.

Martin: looking at the photos, there is a stop sign in the second photo, and if you look

past this sidewalk you can see clearly the neighbor have it shoveled down to pavement full width. There is no reason this sidewalk shouldn't look the same way, with access to the street for those that are handicapped.

Moermond: between January 9 and January 31 there was .7 inches on the 16th, 3.5" on the 19th, 0.7 on the 25th and 2.2 on the 27th. Little snowfalls totaling 7". I don't see evidence it was addressed in the month of January at all. Again, the Council could look at this differently than I do. You are more than welcome to submit additional information or testify. My recommendation is approval, but they could reduce or delete.

Xiong: even a reduction because he did go out? It may not have been to City standards, but he did go out.

Moermond: I understand. I'll leave it to you about the best course of action about talking to Council about it.

Referred to the City Council due back on 6/7/2023

33 [RLH TA 23-205](#)

Ratifying the Appealed Special Tax Assessment for property at 817 MARSHALL AVENUE. (File No. J2307E, Assessment No. 238306) (To refer back to June 6, 2023 Legislative Hearing; Public Hearing continued to June 14, 2023)

Sponsors: Yang

Refer back to LH June 6, 2023 (CPH June 14 with J2308E). Recommendation forthcoming.

Channa Pittman, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: we have a Vehicle Abatement Order issued October 31, 2022 for a red car with expired tabs, inoperable. Photos show flat tires. Compliance date of November 10th. We did two reinspections, total assessment of \$159. We came back 2 weeks later, November 29th, which gave us the second Excessive Consumption fees of \$159. There's four Excessive Consumption's total, but only two before us today.

Moermond: Ms. Pittman, why are you appealing?

Pittman: this isn't the first run in I've had with the City. It is disheartening to see me and my husband continue to have odd calls. The first one we received because the neighbor didn't like my son had parked and blocked her sidewalk. An officer came by and saw a toilet next to our house, I told them we were redoing our bathroom. The City stole the thing that went to my pool and charged us \$500. The neighborhood is changing, my husband and I have been subject to a lot of misbehavior by the new culture moving in. They throw dead squirrels in our yard. Steal flowers from our yard. Take dog poop out of the can and smear it on the can. This gentleman has 2 vans and when I call parking enforcement and they call him and ask him to move. I keep calling and asking why it is still there. Then all of a sudden the City comes again. The car has been there since 2019. Now we're disrupting the neighborhood? They're taking photos when we're cleaning things out before fall and saying the yard is messy. My yard is never messy. My husband tried calling the gentleman on the letter several times, and they said to cover it with a tarp, put air in tires and bring it up to date and I'll wash all

the assessments away. This was just verbal. I'm tired of harassment. I've lived here for 22 years and the first 5 years the St. Paul Police Department gave me a ticket for being too close to the sidewalk. I called his sergeant and then it finally stopped. He parks two vans and a trailer and never received a ticket. They always get calls to move it. Every time I call on something they don't do for anyone else who doesn't look like me. I want to know why they're picking on my yard when you can barely turn the corner, they have junk and vehicles in their yard, but you always harass me on the corner.

Moermond: and let me be clear, I don't know what is going on with their property, nor with parking enforcement. I will start with that, but I need you to focus on the vehicles in the driveway. The orders issued outline the concerns and how it violates City code. Have you dealt with that yet? It says it lacks current tabs, inoperable. Have you taken care of that now? Current tabs and full tires?

Pittman: my husband did all that. How does that bother the City?

Moermond: it violates City code to have a vehicle in that condition. The venue for dealing with that originally would have been appealing those orders. I'm looking here if is taken care of to look at possible reductions. Ms. Martin, what is the Code's perspective?

Pittman: I want to talk about abuse of power and being harassed. There is no reason the City needs to come by. These people don't like that I call the city on them—

Moermond: I hear you think its retribution--

Pittman: it is! It is abuse of power. His car is in the driveway minding his own business. Everything else in the neighborhood flies. You may not know about it personally, I've talked to the NAACP, attorneys. I want to know why my husband's car is being picked on and no one else does anything that gets tickets.

Martin: this isn't an abuse of power; we haven't really been out there. 2013 was the last time a cleanup was done at this property—

Pittman: you stole my--

Martin: as I was stating, the vehicle is a code violation to have a vehicle---there was garbage--

[Ms. Pittman keeps talking over Ms. Martin, impossible to decipher]

Moermond: please let one person speak at a time Ms. Pittman. Ms. Martin, please finish.

Martin: we have had five Excessive Consumptions that have done out, the last April 13, 2023. This still hasn't been compliance. You will continue to get those fines until it is resolved. Current tabs and air in tires. As far as parking enforcement, due to the flooding and tow lots being closed, they aren't currently towing vehicles. You can talk to the St. Paul Police Department about parking enforcement, we don't get records of being tagged. We do have a note May 15 vehicle wasn't removed as discussed with property owner. Excessive Consumption was sent out, he granted a few more days and if it is in compliance on May 19 he will remove that last Excessive Consumption fee. But there are still several others.

Moermond: we have one as recent as April 13. Ms. Pittman, I know you don't think it is legitimate orders were written on the vehicle but we do have City code saying vehicles need current tabs and appear operational. Where are you at with getting the vehicle that way so it doesn't get towed? That will help me out too.

Pittman: my husband has been talking to this man since the first letter. He wouldn't return calls. He finally got in touch with him after I appealed. Probably since he saw I appealed. He finally had a conversation, he put air in the tires and finally updated the tabs. Someone is abusing the power and I know it is because I am calling on these people, and I'll continue to do so.

Moermond: how recently did he get that done?

Pittman: I don't know. He said they were up; air has been in for about a week.

Moermond: I have two assessments in front of me today, it sounds like there are 3 more coming down the line. The first has a Council Public Hearing for tomorrow. I'm going to try and group these together if that is useful to deal with. Is that helpful for you?

Pittman: I thought that's what she was doing with this.

Moermond: that totally happened, but I heard from Ms. Martin another 3 are coming. We could deal with the 2 now and then cluster the next 3 together too, is that helpful?

Pittman: that's fine.

Moermond: Ms. Martin, can you send an inspector by to make sure it was addressed?

Martin: it says he was there yesterday and granted a few more days to May 19. It still isn't in compliance.

Pittman: why not? The tires have been filled last week, same with the tabs. I was in my yard all day yesterday; I didn't see anyone. And the tires aren't true. It is a lie. It has been in compliance since last week.

Moermond: we'll send someone by. You'll send in information. An email went out to you May 8th from Mai Vang, you can just reply to that with whatever attachments you want. We'll get current information from the inspector and we will put both of these on June 14th.

Mr. Pittman: Otis is the guy sending the letters. He told me he was going to cancel this as long as it was up to code, a couple weeks ago. If someone came out yesterday they aren't telling the truth.

Moermond: We will touch base with you June 6th.

Mr. Pittman: why are we being regulated for something in our driveway?

Pittman: he only called back after I appealed. The people you're sending by are telling lies. The City was out a year ago cutting down trees. The same vehicle was sitting there. No one did anything about it. But because I call on a white man with 2 vehicles or the van? Anytime I say anything to a Caucasian in the neighborhood they call their friends in the City.

Mr. Pittman: if he came yesterday it is a lie. I have insurance and current tabs. It isn't working but I have it for vandalism. I was told by Otis that we were just trying to get your attention but we will remove them if it is up to date. You can't even see the car from the street, there is a fence all around it.

Pittman: this is harassment.

Moermond: I understand. I need to wrap this up for today. Ms. Martin will check in with Otis Warner.

Mr. Pittman: I am going to call people about this as well. I know people too.

Referred to the City Council due back on 5/17/2023

34 [RLH TA 23-206](#)

Ratifying the Appealed Special Tax Assessment for property at 817 MARSHALL AVENUE. (File No. J2308E, Assessment No. 238307)

Sponsors: Yang

Layover to LH June 6, 2023. (CPH June 14) Recommendation forthcoming.

Channa Pittman, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: we have a Vehicle Abatement Order issued October 31, 2022 for a red car with expired tabs, inoperable. Photos show flat tires. Compliance date of November 10th. We did two reinspections, total assessment of \$159. We came back 2 weeks later, November 29th, which gave us the second Excessive Consumption fees of \$159. There's four Excessive Consumption's total, but only two before us today.

Moermond: Ms. Pittman, why are you appealing?

Pittman: this isn't the first run in I've had with the City. It is disheartening to see me and my husband continue to have odd calls. The first one we received because the neighbor didn't like my son had parked and blocked her sidewalk. An officer came by and saw a toilet next to our house, I told them we were redoing our bathroom. The City stole the thing that went to my pool and charged us \$500. The neighborhood is changing, my husband and I have been subject to a lot of misbehavior by the new culture moving in. They throw dead squirrels in our yard. Steal flowers from our yard. Take dog poop out of the can and smear it on the can. This gentleman has 2 vans and when I call parking enforcement and they call him and ask him to move. I keep calling and asking why it is still there. Then all of a sudden the City comes again. The car has been there since 2019. Now we're disrupting the neighborhood? They're taking photos when we're cleaning things out before fall and saying the yard is messy. My yard is never messy. My husband tried calling the gentleman on the letter several times, and they said to cover it with a tarp, put air in tires and bring it up to date and I'll wash all the assessments away. This was just verbal. I'm tired of harassment. I've lived here for 22 years and the first 5 years the St. Paul Police Department gave me a ticket for being too close to the sidewalk. I called his sergeant and then it finally stopped. He parks two vans and a trailer and never received a ticket. They always get calls to move it. Every time I call on something they don't do for anyone else who doesn't look like me. I want to know why they're picking on my yard when you can barely turn the corner,

they have junk and vehicles in their yard, but you always harass me on the corner.

Moermond: and let me be clear, I don't know what is going on with their property, nor with parking enforcement. I will start with that, but I need you to focus on the vehicles in the driveway. The orders issued outline the concerns and how it violates City code. Have you dealt with that yet? It says it lacks current tabs, inoperable. Have you taken care of that now? Current tabs and full tires?

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Pittman: I want to talk about abuse of power and being harassed. There is no reason the City needs to come by. These people don't like that I call the city on them—

Moermond: I hear you think its retribution--

Pittman: it is! It is abuse of power. His car is in the driveway minding his own business. Everything else in the neighborhood flies. You may not know about it personally, I've talked to the NAACP, attorneys. I want to know why my husband's car is being picked on and no one else does anything that gets tickets.

Martin: this isn't an abuse of power; we haven't really been out there. 2013 was the last time a cleanup was done at this property—

Pittman: you stole my--

Martin: as I was stating, the vehicle is a code violation to have a vehicle---there was garbage--

[Ms. Pittman keeps talking over Ms. Martin, impossible to decipher]

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Martin: we have had five Excessive Consumptions that have done out, the last April 13, 2023. This still hasn't been compliance. You will continue to get those fines until it is resolved. Current tabs and air in tires. As far as parking enforcement, due to the flooding and tow lots being closed, they aren't currently towing vehicles. You can talk to the St. Paul Police Department about parking enforcement, we don't get records of being tagged. We do have a note May 15 vehicle wasn't removed as discussed with property owner. Excessive Consumption was sent out, he granted a few more days and if it is in compliance on May 19 he will remove that last Excessive Consumption fee. But there are still several others.

Moermond: we have one as recent as April 13. Ms. Pittman, I know you don't think it is legitimate orders were written on the vehicle but we do have City code saying vehicles need current tabs and appear operational. Where are you at with getting the vehicle that way so it doesn't get towed? That will help me out too.

Pittman: my husband has been talking to this man since the first letter. He wouldn't

return calls. He finally got in touch with him after I appealed. Probably since he saw I appealed. He finally had a conversation, he put air in the tires and finally updated the tabs. Someone is abusing the power and I know it is because I am calling on these people, and I'll continue to do so.

Moermond: how recently did he get that done?

Pittman: I don't know. He said they were up; air has been in for about a week.

Moermond: I have two assessments in front of me today, it sounds like there are 3 more coming down the line. The first has a Council Public Hearing for tomorrow. I'm going to try and group these together if that is useful to deal with. Is that helpful for you?

Pittman: I thought that's what she was doing with this.

Moermond: that totally happened, but I heard from Ms. Martin another 3 are coming. We could deal with the 2 now and then cluster the next 3 together too, is that helpful?

Pittman: that's fine.

Moermond: Ms. Martin, can you send an inspector by to make sure it was addressed?

Martin: it says he was there yesterday and granted a few more days to May 19. It still isn't in compliance.

Pittman: why not? The tires have been filled last week, same with the tabs. I was in my yard all day yesterday; I didn't see anyone. And the tires aren't true. It is a lie. It has been in compliance since last week.

Moermond: we'll send someone by. You'll send in information. An email went out to you May 8th from Mai Vang, you can just reply to that with whatever attachments you want. We'll get current information from the inspector and we will put both of these on June 14th.

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Mr. Pittman: if he came yesterday it is a lie. I have insurance and current tabs. It isn't working but I have it for vandalism. I was told by Otis that we were just trying to get your attention but we will remove them if it is up to date. You can't even see the car from the street, there is a fence all around it.

Pittman: this is harassment.

Moermond: I understand. I need to wrap this up for today. Ms. Martin will check in with Otis Warner.

Mr. Pittman: I am going to call people about this as well. I know people too.

Laid Over to the Legislative Hearings due back on 6/6/2023

35 RLH TA 23-225 Ratifying the Appealed Special Tax Assessment for property at 1891 SEVENTH STREET EAST. (File No. J2321A, Assessment No. 238524)

Sponsors: Prince

Approve the assessment.

Ashray Gupta, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: this was a Summary Abatement Order sent February 16, 2023 to remove a table, cardboard, and trash bags from the rear of the property. Compliance date of February 23, rechecked February 28 and found in noncompliance. Work was done by the Parks crew March 8 for a total assessment of \$562.

Moermond: Mr. Gupta, why are you appealing?

Gupta: in this instance I'd like this dismissed because we weren't the owners at the time. I know it goes with the property; it was completely out of our control to go clean up someone else's property. In the future we will take full responsibility. We didn't own it at the time and couldn't be aware of it.

Moermond: when did you acquire the property?

Gupta: March 31. Closing was March 31, recorded at midnight.

Moermond: it isn't recorded with Ramsey County yet, sometimes they are that far behind. It doesn't affect this really. When you closed this would have shown as pending assessment for your title company. It was pending as of March 18, 2023. They would have seen that. I'm not sure how they dealt with that at the time of the closing. Legal responsibility is that the debt of the property is acquired with the property. The responsibility lying with the previous owner is a private argument between you and the seller. I'm not sure what your title company was doing. I would have thought it would have been a conversation. I'd follow up with your title company as well. I do recommend approval of the assessment. I know you couldn't fix it, but the previous owners did and it travels with the title. The seller should really give you money to cover this assessment. I'm not sure what happened there since the City wasn't party to that.

Gupta: sure.

Moermond: the orders and videos were sent yesterday. Talk to your title company about it. I am sorry we couldn't be more helpful today.

Gupta: I appreciate the information.

Referred to the City Council due back on 6/28/2023

- 36 RLH TA 23-180** Ratifying the Appealed Special Tax Assessment for property at 915 SHERBURNE AVE. (File No. J2318A, Assessment No. 238518)

Sponsors: Balenger

Reduce assessment from \$322 to \$100.

Eden Abbai, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 10, 2023 a notice to remove snow and ice from the sidewalk went to occupant and owner. You have 24 hours after every snowfall to shovel. We rechecked January 13, it wasn't done. The work was done January 30 for a total proposed assessment of \$322. No mail returned. Some garbage issues in April of 2023. The photos submitted with the case, all the neighbors are down to pavement and full width. Looks like there was an attempt, but not full width and no salt or sand.

Moermond: Ms. Abbai, why are you appealing?

Abbai: my neighbors don't shovel. Before I got to work it is all shoveled. I am at work at that time.

Moermond: it looks like you shoveled, but not the full width. Maybe 18" compared to your neighbors with 2.5 to 3 feet.

Abbai: I don't know. They charged me \$300 for 3 feet?

Moermond: the City had to send a crew out. Will you commit to me you will take care of your yard, mow the lawn, pick up the yard, and next year when you shovel you shovel the entire width of the sidewalk?

Abbai: ok.

Moermond: does that mean you will?

Abbai: yes I will.

Moermond: I will reduce this assessment based on that verbal commitment. If I see another assessment for work done I will not be sympathetic since we had this conversation. I will reduce this down to \$100. You take care of your yard and we won't have to worry about this type of thing again, right?

Abbai: ok.

Referred to the City Council due back on 6/7/2023

- 37 RLH TA 23-214** Ratifying the Appealed Special Tax Assessment for property at 902 THOMAS AVENUE. (File No. J2321A, Assessment No. 2385254)

Sponsors: Balenger

Delete the assessment.

No one appeared

Moermond: reviewed on May 10th and am recommending deletion as items removed were not same as items in order, inspector didn't cancel work order. Delete the assessment.

Referred to the City Council due back on 6/28/2023

- 38 RLH TA 23-215** Ratifying the Appealed Special Tax Assessment for property at 938 UNIVERSITY AVENUE WEST. (File No. J2318A, Assessment No. 238518)

Sponsors: Balenger

Approve the assessment.

David Iselewa, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 9, 2023 a notice went out to remove snow and ice from public sidewalk. Photos show very thick snow. We rechecked January 12. Crew went out January 18 for a total assessment of \$322.

Moermond: why are you appealing, Mr. Iselewa?

Iselewa: I have somebody doing the snow. I was being told the snow was being cleared. I don't know why the middle was singled out, that I didn't do it.

Moermond: I get you want others to have received orders, and Ms. Martin can talk about large commercial avenues. You said you have someone who takes care of it. I reviewed the videos and it had 5 or 6 inches of compacted snow and ice for a significant length. It made walking treacherous. Whoever did the work didn't do it well. The City had to go clear it still. Why shouldn't you be responsible for that work done?

Iselewa: the property on the corner after mine is the same way.

Moermond: when they go down University they check every address.

Martin: this winter was busy. We had 800 work orders sent. University being one of the main streets. We have so many disabled taking the bus and train there. We have to make sure it is cleared down to pavement 24 hours after every snowfall.

Moermond: do you review all the properties? If you're out at one, do you look east and west?

Martin: absolutely. We had many owners down to pavement, full width. Some people have a truck go by, but it isn't clear to pavement. Someone in a wheelchair couldn't get through safety.

Moermond: between when the orders were issued January 9 and January 18 when the crew went out there was only three-fourths of an inch that fell. Everything the crew did was based on snowfall the 3 through 5 of January. So, no adequate cleaning of

sidewalk for 2 weeks by the time the crew went out. That was a long time for your contractor to do it correctly. I'm recommending approval to the City Council. You're welcome to testify further, and they may look at it differently.

Lady in background: the property to the left and right is done by the same crew. Why are we being singled out?

Moermond: and you are welcome to share that with Council. I'm not looking at your neighbor's cases.

Referred to the City Council due back on 6/7/2023

Assessments Rolls

- 39 RLH AR 23-48** Ratifying the assessments for Property Clean Up services during January 18 to February 18, 2023. (File No. J2320A, Assessment No. 238523)

Sponsors: Brendmoen

Referred to the City Council due back on 6/28/2023

- 40 RLH AR 23-49** Ratifying the assessments for Property Clean Up services during March 1 to 8, 2023. (File No. J2321A, Assessment No. 238524)

Sponsors: Brendmoen

Referred to the City Council due back on 6/28/2023

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 41 [RLH SAO 23-20](#)** Appeal of Hope D. Glaser to a Summary Abatement Order at 711 BEDFORD STREET.

Sponsors: Noecker

Layover to LH May 22, 2023 (unable to conduct hearing due to length of am hearings).

Laid Over to the Legislative Hearings due back on 5/22/2023

1:00 p.m. Hearings

Vacant Building Registrations

- 42 RLH VBR 23-20** Appeal of Doug Grimm, Northern Value Group LLC, to a Vacant Building Registration Renewal Notice at 1501 CLARENCE STREET.

Sponsors: Yang

Waive the VB fee for 90 days (to August 4, 2023).

Doug Grimm o/b/o Northern Value Group and owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: was opened as a Category 2 Vacant Building May 2020, it was upgraded to a Category 3 Vacant Building in August 2022. Currently the Council has granted 180 days to rehab on January 20, 2023. All permits are on file. Rehab appears to be ongoing, and the site has been maintained. We're here to discuss the 4,918 Vacant Building fee now past due as of May 4.

Moermond: why are you appealing Mr. Grimm?

Grimm: can we find a way to balance the two interests. I'm aware of the work, time and resources used to manage these buildings, and I understand the basis for the fees. I'm also biased towards my position of trying to manage costs. I know that having permitted work underway doesn't make previous staff costs to go away, but I'm hoping we could abate this fee, or a portion of it, given we've been working hard to put it back together since we took title.

Moermond: January 18 the Council granted 180 days to rehab or remove. Are you going to be done in the 180 days granted?

Grimm: yes, we're nearly done.

Moermond: this is a legitimate registered Vacant Building, no question about that. It was one before you took title. I'm balancing that 180 days concludes July 18, 2023. If were to give you a 90-day waiver that takes us to August 4. We will put that waiver in the file, and if you have your Code Compliance certificate by then no fee will be forthcoming. If you don't, the Vacant Building fee will go through as an assessment, and it is our practice to reduce it proportionally for your time in the program. So cut in half if you're done in six months, should it take longer than what you expect. Right now, you have a fee waiver which carries you beyond your 180-day deadline. Does that work?

Grimm: I appreciate that.

Referred to the City Council due back on 6/7/2023

**43 RLH VBR
23-18**

Appeal of Tyler Olsen, Executive Director, on behalf of Victoria Theater Arts Center, to a Vacant Building Registration Fee at 825 UNIVERSITY AVENUE WEST.

Sponsors: Balenger

Deny the appeal, noting permits can still be pulled.

Tyler Olsen, Victoria Theater Arts Center, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor by Matt Dornfeld: this has been in the Vacant Building program since 2009, vacant secure and maintained the entire time. Vacant Building fee is past due as of 4/20/23 of \$4,918.

Moermond: it went into the program April 20?

Dornfeld: yes.

Moermond: my understanding is you have a significant rehab you'll be doing, north of 4 million dollars?

Olsen: yes.

Moermond: and you have a building permit application in, and plan review has sent it on to the HPC?

Olsen: yes.

Moermond: they've asked for more information. When I look at a Vacant Building fee I'm trying to figure if I did waiver for a certain period of time, are you likely to have the work done then. Is it even useful? Standard waiver is 90 days, which is July 20. If the building permit isn't even approved and it's a 4-million-dollar job you are likely not done by July 20?

Olsen: right, it will be a yearlong project.

Moermond: I talked to Claudia Klinkhammer yesterday, if the City takes possession, or HRA rather, if the assessment is ratified during HRA ownership it would be ratified on a tax-exempt property so it wouldn't be forthcoming. If it ratified while under ownership of VTAC it would be a lien on the property during the transaction that would have to be dealt with. I talked with her about it and the difficulty of a waiver on it.

Olsen: ok.

Moermond: you're not a great candidate for a waiver. I'll ask Mr. Dornfeld to flag the file and have it say there should be no impediment to pulling permits or plan review as it relates to nonpayment of the Vacant Building fee. I would suggest you let it ride, deal with it in the real estate transaction. That would be my best advice. We will recommend the appeal be denied, but it shouldn't affect you anyway and won't impede permits.

The other thing is I understand you were told you needed a Code Compliance Inspection and I don't think that was accurate. Your General Contractor submitted plans with a significant change in use, from storage to a theater. Assembly use with different requirements and they'll have to review a plan accordingly. Doing a Code Compliance Inspection isn't applicable really. You have all the other things going on.

Olsen: right. DSI was over there this morning. There's not much to be done because they have been there already.

Moermond: I wish you well. If you have any questions Claudia and I have been talking, reach out to us to get it sorted out.

Referred to the City Council due back on 6/7/2023

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

44 RLH VO 23-20 Appeal of John S. Jagiela to a Re-Inspection Fire Certificate of Occupancy With Deficiencies (which includes vacating 2 areas) at 134 MONTROSE PLACE.

Sponsors: Jalali

Grant to July 1, 2023 for compliance with items related to plumbing, temporary roof repairs (item 7), and hardwired smoke alarms (item 5), and refer back to LH July 11, 2023 at 1:30 p.m. to discuss deadline for balance of orders.

John Jagiela, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: residential triplex in the Certificate of Occupancy program. The current series of letters and inspections started November 2022 with Inspector Jacobse. At that time there were orders sent and notable was the basement and third floor were unoccupied and uncertified and needed approval prior to reoccupancy. In the time since we've had a number of reschedules and extension request. I've been told there were plans, but not sure we had plans to formally approve. But I see there is a plan submitted here which I am seeing for the first time. We were comfortable with some extensions but since it had been going on quite some time and there are concerns that even if the third floor and basement remain unoccupied the issues may affect the rest of the building. That would be the moisture and water damage

Moermond: it has infiltrated the main floor unit. I see 2018 and 2019 there were some inspections but it was incomplete.

Imbertson: that is correct, it looks like what happened was the last time this was approved was in 2016. A renewal process started in 2018 and at the time that inspector left DSI the file was unassigned in our system and didn't come back up until recently. In those years between 2018 and 2022 there was nothing specific the owner was being asked to do or follow thorough on, but there was a small amount of crossover with some items being noted back in the 2018 inspection.

Moermond: Certificate of Occupancy 2016, inspector leaves in 2018, file goes south with lack of staffing, 2023 it resurfaces. It has been six years, which it would have been six years same as if it had been a Class A building, which it isn't.

Jagiela: there are a number of deficiencies that can be corrected, but they have to be done in sequence. We had hail damage last May to the roof, it's a tile roof, so it was hard to find a contractor. I called the couple contractors I knew, who said they were booked but we could revisit in the sprint. Before I got them out there, I had to get it settled with insurance, the adjuster supposedly was out there last week. I haven't heard from him yet. The problem is the water is coming through the roof, which is causing plaster damage in the house. Have to fix the roof, then we can repair the plaster. There are some easy electrical things. I need an electrician out there to do that, but I have the hardwired alarms. There is a plumbing leak, I'll get Ryan plumbing out. Then I'll get the plaster guy out. I haven't figured out how to deal with the exterior of the building, the previous owner painted it, which you shouldn't do. I could have the paint removed so the white stucco shows, or I can have it re-stuccoed, which I'm going to look into. Or I can have it repainted, which isn't my first choice. I had a painting contractor out and they said there's a new breathable paint that would last 10 or 15 years. I assume

that's cheaper than stucco, but I don't know. This is a rental property so you hate to put a ton of money into it because you won't get it back out. Rent doesn't cover extraordinary expenses. It's a matter of timing, I'll get bids on the roof and get that repaired and then I can work on the stucco and exterior. We can't fix the exterior until we do the roof because some shingles are broken near the edge of the roof so water runs down the exterior of the house, not caught by the gutters.

Moermond: what kind of timing are you looking at?

Jagiela: I can't tell you that because they won't give dates unless you sign a contract, and even if you do they change it if there's bad weather.

Moermond: on number one in your document you say the hail was May 19, 2023, did you mean 2022?

Jagiela: yes, that is a typo.

Moermond: I have to throw a rope around this to allow the middle to continue to be occupied. I can't have an indefinite situation which is where we are at now. Insurance has taken a look at this. People who you want to work with but no specific bids and timing?

Jagiela: I could get electrical and Ryan plumbing work done now. I assume the next 60 days they could be out. The roof is going to hold up some of the other stuff. I saw Garlic French out doing the house across the street. Hopefully they could come out soon. Can I report back? I'll do plumbing and electric and then have a contract with roofer on timing, and give a status report? The fire inspector told me the consequence of not having it done is making the people live there move out. They've lived there 15 years or so. That makes it tricky.

Imbertson: we would classify it as a Vacant Building, with no timetable for repairs. When it is even partially occupied you are expected to maintain a Certificate of Occupancy.

Moermond: and we hate to hear that is what needs to happen. Balancing health and safety concerns for who is living there with some reasonableness for getting it done. Having consequences for failure to address the health and safety issues, and the consequence is vacating the building. Other consequences are criminal citations. Charing more for reinspections. These things aren't particularly effective at getting the job done which is getting it safe and habitable and keeping people there. We're all working towards the same end, but all they have is a hammer.

Jagiela: it is a real nice house. Enforcement is uneven throughout the City. You can see some houses and you're surprised anyone is living there. I can make progress on this and as soon as the roof is fixed, that stops the water infiltration. The exterior and the paint, that's not a safety hazards, but it does have to be addressed.

Moermond: are you intending to have the second level and basement fixed to be rented again? If you got more rental income it would support future maintenance.

Jagiela: I get it. I am going to fix it up. The lower floor unit needs a total renovation basically.

Moermond: right now, the main concern is maintaining habitably for the main unit, and

I'm hearing the water leaking is diminishing that.

Imbertson: last summer it wasn't an uncommon situation to hear contractors were far behind. Typically, they are familiar with concerns if water is continued to be allowed to into the property. So permanent fix was delayed, but there was a temporary repair to stop further damage and allow you to make additional repairs inside without waiting. I'm not claiming to know the challenges with your situation, but it is pretty common to take steps to control water on a roof repair that may take a few months.

Jagiela: that's a good suggestion.

Imbertson: and a complete remodel on the basement unit sounds like we'd do approval with corrections, leave the basement uncertified for cosmetic repairs that didn't affect the rest of the building. Mold and moisture issues, separation issues that affect the occupied areas. If we get a property that has a unit with a cosmetic overhaul that doesn't affect occupancy of the main floor, we have some options.

Moermond: we're all about keeping the main level habitable. Tarping to stop the water infiltration would be a big deal. A mitigation measure in place before formal repair is undertaken.

Imbertson: whatever repairs the roofing contractor may recommend.

Moermond: with respect to the basement level and second level, that aren't rented, there isn't much in the orders saying what the violations are, it just says it is uncertified and has to be certified before occupancy. So it is in a condition that you would expect needs a number of repairs?

Imbertson: that is correct. I believe the primary issues were plaster damage in walls and ceiling related to moisture issues. Sometimes when the unit is already empty it is noted like that so we aren't giving out a confusing list of specific items that are irrelevant if you're doing an overhaul on the unit regardless.

Moermond: we need some more specifics. I'd like to see bids and a schedule on organizing this work. Up front getting the contractor in to do the tarping or temporary repair. I would also say I'd put more forward on the list the plumbing contractor. If we have water issues related to the leaking pipe, let's get all the water things addressed so the things causing the greatest problem is addressed. Then figure out a schedule for the rest. Also doing the hardwired smoke alarms should be at the front of the line.

Jagiela: I think I can get a lot of this lined up in the next 30 days. At least have some dates.

Moermond: I'm going to send this to Council on a deadline for the temporary roof repair, plumbing and hardwired smoke detectors, let's say July 1. I'll have them refer it back to hearing and we can figure out deadlines for the balance of the orders. Then you can work more deeply with the insurance, roofer, and stucco.

Jagiela: I think that's fair.

Moermond: I'll send this to Council with that recommendation June 7. I'll ask them to send it back to hearing for us to talk July 11.

Referred to the City Council due back on 6/7/2023

45 RLH VO 23-21 Appeal of Wesley Gakuo to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 0 BUSH AVENUE, vacant lot (Parcel 27-29-22-43-0149).

Sponsors: Prince

Grant to June 16, 2023 to vacate the property. Grant to July 1, 2023 for compliance with items 2 and 3 of orders as it relates to loose material (including but not limited to tires, tarps, scrap metal, wood, vehicle parts, etc) and grant to September 1, 2023 for compliance with balance of the April 28, 2023 orders (item 4 including removing all vehicles/equipment).

*Wesley Gakuo, owner, appeared
Nicole Paradise, Ramsey County House Calls, appeared*

Moermond: we have three layers of issues with this particular situation. The first layer has to do with the order to vacate the trailer and property for living purposes because it lacks basic facilities. The second is the cleanup of the property, and the third layer of what is involved in building a house. I was trying to focus on that top layer of getting housing addressed. I was looking at putting a deadline in place for you to have vacated, and also one for getting the property cleaned up. You've met with Ms. Paradise, wondering what things are looking like for you. I spoke with Ms. Paradise briefly, what has your luck been in finding out more about those things?

Gakuo: she did tell me to look for apartments and help for first month rent. I did see one that would fit within our needs. My wife just started a new job, and there's a huge building nearby that participates in low-income housing. I did apply there and they said there was one 2 bedroom left and it was being held by someone who didn't show up, so they told us if we could come up with the money for a down payment we could hold it. We did do that and were told after checking credit we don't need down payment, and they'll put it to first month rent. He did tell me about income amount since my income isn't regular. I'll go there at 4 today. He said two weeks, 3 weeks max to move in. Beginning of next month.

Moermond: this sounds positive.

Gakuo: I had to take out a loan to do this. We still need furniture; nothing is transferable from camper to apartment. She did tell me about places with furniture.

Moermond: absolutely. Find out things with you can get free or cheaply, then worry about the rest.

Paradise: Bridging. I can help with that, there are a few other places. We talked about getting the emergency assistance application in but doing this just in case. They would cover damage deposit and first month's rent. We talked about a loan being an emergency since it can get people in financial trouble.

Gakuo: I was just worried you would say I had to be out tomorrow.

Moermond: no, I wanted to give you time to address things. I'm grateful that I don't have to push you. I'm thinking a realistic deadline is to be off the land June 16th. That would be the deadline for vacating.

Martin: this is wonderful, I'm glad they found some housing and they do have a lot of items at the property too.

Moermond: what would you consider a priority for removing to start with. It seems to me that the equipment and water containers and POD and trailer may be later, and the tires, tarps, scrap metal and things strewn about would be a first priority and make things look better sooner.

Martin: absolutely.

Moermond: given the remote nature of this property I'm going to give more time than we normally would. We'll say the loose items that aren't equipment, the POD or trailer should be removed by July 1. The other items, equipment, pods, water containers and so on, I'll say September 1 so you have a good length of time to figure out how you want to handle the equipment and so on.

Gakuo: I think I can meet those deadlines.

Moermond: if you can't, we'll have follow up meetings to see if you are done. If you haven't, we can talk that through then. We call those making-finding hearings. Making a finding of whether the nuisance was addressed. If it hasn't, then we can figure out a plan to get it taken care of. Update from you on issues you had. Regroup for there.

Gakuo: because of a medical issue, I may not meet some of the dates. They look reasonable enough now. I just wanted to mention that.

Moermond: getting you rehoused was top of the list. The rest we can figure out along the way. I wish you all the best.

Referred to the City Council due back on 6/7/2023

2:00 p.m. Hearings

Fire Certificates of Occupancy

- 46 [RLH FCO 23-26](#) Appeal of Christopher Petersen, Power-of-Attorney for Tony E. Petersen (father), to a Fire Inspection Correction Notice at 540 CHARLES AVENUE.

Sponsors: Balenger

Layover to LH June 13, 2023 at 2 pm for further discussion. Current recommendation is October 1, 2023 compliance for orders related to driveway and rear sidewalk.

Roger Anderson, attorney, appeared via phone

Chris Petersen, Power of Attorney for Tony E. Petersen, appeared via phone

[Moermond gives background of appeals process]

Anderson: did you say this is in Minneapolis?

Moermond: no, St Paul City Council.

Anderson: and your recommendation goes to the City Council

Moermond: correct.

Anderson: please proceed.

Staff report by Supervisor Mitch Imbertson: duplex in our Certificate of Occupancy program. Prior to this inspection cycle it was last inspected in 2017 and received an A rating, which is a 6-year cycle. The initial inspection was made April 5, 2023 with Hector Caballero. Five items on the report, all fairly typical, and primarily are maintenance related. Four of those were exterior maintenance. We have some photos on file, and nothing stands out as out of the ordinary here.

Moermond: I have your appeal form and letter Mr. Petersen. I also have an email that was sent at 1:22 today from Broker's Realty. Walk me through what you're looking for today.

Petersen: our home was built in 1880, which is a few years prior to the city even having streets or sidewalks. The retaining wall appears it has to be owned by the City, and requesting it is repaired but we believe it is owned by the City.

Moermond: what else?

Petersen: I put some case law in there too. The rear patio and sidewalk, we have contacted many people as you can see and received few bids back, and both are astronomical in cost. The timeline given was 30 days from the previous inspection and he said I'd have until June 1 when I spoke to the inspector. So that was concerning. The weather has been wishy-washy this year and we've been trying to get estimates constantly. It is a lot of leg work. It is a heavy burden if we are somehow found responsible for the retaining wall, it is expensive. I understand the safety factor, but it will take time because we haven't had a lot of luck to find someone to do the work. The cost is astronomical for the repairs.

Anderson: I concur with Mr. Petersen, the basis for the appeal stems from the two aspects that the retaining wall protects the City's items of sidewalk and road. It is a hardship and impossibility for the property owner to comply with.

Moermond: I have to say looking at the photo in April from the rear of the property, it is hard to tell what the most recent surfacing is of the driveway. It could have been asphalt. It is hard to say since its compromised over time. The hard surface has crumbled and given way. What was it, and what are you thinking about where you go to address it?

Petersen: are you referring to the driveway that we aren't appealing?

Moermond: I'm asking because I assumed it was included in your request for a longer deadline.

Petersen: the current driveway is gravel; we would like to replace that. If not, we'd remove and fill. We tried to do it but all the class 5 was frozen. That is being worked on now, we need gravel no matter what. Are we allowed to do gravel?

Moermond: I can't make a decision here about continued use of class 5. It wouldn't be a repair at this point, it is too degraded. You would be referred to zoning and site plan review. I can tell you my understanding of class 5 is that is essentially impervious as well, it doesn't soak in water really.

Imbertson: I would agree it isn't minor maintenance at this point, so we would defer to zoning on whether it could be a new class 5 surface.

Moermond: for today's purposes it is important to decide on some time to sort that out. Are you dealing with the back sidewalk at that time? It looks to be cement. The retaining wall is cement and you are contesting your responsibility for that. My thoughts on the retaining wall is that your first contention is this is in the City's right-of-way. I'm not sure there's a survey confirming that. I did put a request into Public Works to check on that. They'll be looking at that. The bridge engineer asked specifically whether the front yard was flat and held up by the retaining wall, or what the arrangement was. A flat front yard indicates the installation of the retaining wall is to hold the soils on the property. That is part of building code as well. You could regrade the property in the front, I see further down someone has done that. It also appears the retaining wall turns into your property at the stairway and the style with the stairs into the property is the same as the wall itself. That lends to the thinking that the retaining wall it connected to the ownership of the property. But again, I'd like to learn more from Public Works on their records. Your options when you talk to contractors wouldn't be just for rebuilding, but perhaps regrading. I don't see a large public safety problem here. I think we have time to sort this out.

Petersen: we're 5 feet from the edge of the retaining wall. Our property was built well before the streets. The purpose of the wall was to benefit the public and City. There is no way we can grade 5' down to 4'. Those stairs were replaced six years ago. As far as them being part of the wall--

Moermond: and I didn't mean to imply the stairs, I meant the wall that turns a corner at the stairs. I don't want to land the plane today but I don't agree with the position you are taking and a lot of this is assumptions about what the grade was historically and what actions were taken. You're explaining it's the public interest to put in a street, but if the original owner built on a hill, that's an interest too.

Imbertson: we weren't saying the stairs would have been part of the wall, you mentioned portion of the wall facing the stairs matches the style facing the streets, indicating it was put in by the property owner versus Public works. We can ask HPC for photos. Certainly, a survey. We have metal detectors for locating pins.

Petersen: we'll receive copies of this information?

Moermond: everything I do is of record and you will get copies, absolutely.

Anderson: how long would it take to get those records?

Moermond: I just spoke to him this morning and been in hearings all day. The interior issue we can tackle---

Petersen: that was closed on the 8th.

Moermond: perfect. So that leaves the exterior work. We can go to October 1 to figure out what you'll do with the driveway, work with plan review, same deadline for the sidewalk adjacent to the driveway. That leaves us with the retaining wall. I will send this to June 13 for us to talk again.

Imbertson: the retaining wall doesn't appear to be 4 feet high. The cap extends above ground level, I don't think it is out of the question you could make the slope work

without a retaining wall. You'd need to see what you can do around the porch foundation and we aren't sure how that was constructed.

Petersen: all the garage repairs were done. I was out a couple times when it was too windy to paint, but this week and next week the garage will be complete. I have some boards to replace before I paint the porch. That's why I said July 31 in my original letter.

Moermond: I think August 31 is a reasonable extension on those items and I'm happy to make that recommendation. We've got that locked in and we're down to retaining wall. We will talk again June 13th and trade information between now and then.

Laid Over to the Legislative Hearings due back on 6/13/2023