



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
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Tuesday, February 3, 2026

9:00 AM

Room 330 City Hall & Court House/Remote

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#### 9:00 a.m. Hearings

##### Special Tax Assessments

- 1 [RLH TA 25-358](#) Ratifying the Appealed Special Tax Assessment for property at 1760 WILSON AVENUE. (File No. J2525R1, Assessment No. 258589) (Amend to delete)

**Sponsors:** Johnson

*Delete the assessment.*

*Moermond: this is a trip charge assessment. We don't have access to the orders or reinspects associated with that. I would recommend the Council delete the assessment.*

**Referred to the City Council due back on 2/18/2026**

##### Special Tax Assessments-ROLL

- 2 [RLH AR 26-7](#) Ratifying the assessment for Removal of Diseased and/or Dangerous Tree(s) at 837 PEDERSEN STREET. (File No. 2602T, Assessment No. 269001)

**Sponsors:** Noecker

*Layover to LH March 3, 2026 at 9 am.*

*Moermond: this is being laid over because the assessment office hasn't set out notices yet.*

**Laid Over to the Legislative Hearings due back on 3/3/2026**

#### 11:00 a.m. Hearings

##### Summary & Vehicle Abatement Orders

- 3 **RLH SAO 26-8** Appeal of Armand McCoy, on behalf of Andrew Eisenhart, to a

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**Summary Abatement Order at 708 HAWTHORNE AVENUE EAST.**

**Sponsors:** Yang

*Grant to February 21, 2026 for compliance with the sofa, chairs and recliner; grant to May 1, 2026 for planting use of the bathtub.*

*Armand McCoy, occupant, appeared via phone  
Andrew Eisenhart, owner/landlord, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Richard Kedrowski: December 30, 2025 a Summary Abatement Order was sent to the property to remove and properly dispose of a bathtub, sofa, chairs and recliner from the rear yard.*

*McCoy: the bathtub was removed for a new bathroom, but I want the tub to be a raised bed. I'm going to be painting it. I bought a masonry bit to do holes for drainage. It will be turned into a flower bed. There is a fire pit, so the furniture is stuff left on the boulevard around the City and I took them, that is our yard furniture. That was repurposed considering it was thrown away by other people. I gave it a home. I don't see filling a landfill being ideal either. We've had that there for probably a year or two. No one has complained. I do talk to my neighbors. It hasn't been causing any problems.*

*Eisenhart: I've owned the house since winter of 2020. Armand uses that tub to plant in, it has been there 5 years without issue. We do keep the house up. I support his use of it for a planter. Hoping we can come to an agreement on him keeping it.*

*Moermond: I support reuse and I can understand the want to do that. What I don't think I can get behind is the use of indoor furniture for outdoor use. It wasn't built to be used that way. It does turn into rodent harborage. Gets wet and causes mold and mildew. It is always the case that for interior furniture with stuffing, that has to go. I'm not sure where it goes but I can't be stored outside.*

*I don't happen to have a photo showing the bathtub. Is it an old cast iron tub?*

*Eisenhart: yes, it is actually beautiful. Unique to the property. I approve it being there. It is also close to the house. It is a nice piece.*

*Moermond: oh, I do see it now. I'm comfortable with that. Just make sure it continues to be used like that in a decorative fashion. I have seen things like that become trash barrels and that's not what we want. Keep it in use for its planting purpose.*

*There may not have been complaints in the past, but now there is. The City responds on a complaint-based system. It is a pretty clean: yes, it is a violation. In terms of timing to take care of exterior storage. Is there a shed or garage?*

*McCoy: there is, but there's no room inside.*

*Moermond: you can get one bulky item picked up once a month through the City's hauling program. What I'd be looking for is you to find a place to store the other items until they can be picked up one at a time until they're gone. Couch in February, another in March, and so on. You get a free pick-up but you have to figure out short-term storage.*

*McCoy: I can do that.*

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Referred to the City Council due back on 2/18/2026

## 1:30 p.m. Hearings

### Orders To Vacate - Fire Certificate of Occupancy

- 4      **RLH VO 26-5**      Appeal of Robert Jennrich to a Correction Notice, which includes condemnation, at 873 FRONT AVENUE.

Sponsors:      Kim

*Grant to July 17, 2026 for compliance for the balance of the orders, as the life safety items were addressed. Note, property owner working with probate attorney, probate process anticipated to be completed early July 2026.*

*Heather Mediola, SMRLS attorney o/b/o owner, appeared  
Robert Jennrich, owner, appeared*

*Staff update by Supervisor Keith Demarest: we had an inspection on January 22nd, during the course of that inspection a handful of items were found in the house. Main level bedroom couldn't access a window. Upstairs bedroom had an AC in the window blocking egress. That needs to be removed. In the back yard there is a pickup with a camper attached with an adult male and dog living inside that was declared unfit for occupancy and needs to be immediately vacated. Fire standards for the house: main level smoke alarm in living room was older than 10 years. New one was provided. Main level living room needed a carbon monoxide detector, a new one was given. Upstairs there were 2 school aged males sharing a room with an expired smoke alarm and I provided 2 new smoke alarms for upstairs. On the front porch entering there were heavy content that needs to be minimized. Currently an extension cord running from a basement light socket powering a space heater in the main level bedroom. That extension cord needs to be removed and space heater needs to be plugged directly into the wall. Exhaust duct for dryer in basement is of accordion style and needs to be changed to the approved smooth metal to prevent lint buildup. I just spoke with Ramsey County and no ownership changes have been made and there are still \$6,600 in delinquent taxes on the property.*

*Moermond: I heard you say one upstairs window was blocked by AC, but was another blocked by furniture?*

*Demarest: yes, the main level bedroom there is a dresser blocking half the window that needs to be moved. These are all on a report, which I sent to multiple recipients, the property owner of record and also occupant at 873 Front.*

*Mendiola: I'm delighted to report we have secured an attorney to represent pro bono in the probate matter. He expects to get going on that the end of the month and to have a hearing in March or April and conclusion of that hopefully sometime in May or June. Should happen fairly quickly. Mr. Jennrich did a great job reaching out to my office to get some resources. As for the safety issues, I did receive a copy of that report. We've talked about those things and he speedily checked all of those off and took it very seriously. We can happily represent all of those items listed were addressed. We welcome the City to come back out to verify that.*

*Moermond: tell me about the camper, the man, and the dog.*

*Jennrich: he's inside the house now. He is moving up north and redoing his camper.*

Once it is done he can move on. He's in the house now. Smoke detectors are up. Laundry is taken care of. Extension cord taken care of. Everything on the list is done.

Moermond: you're in arrears \$6,600 in taxes. Between now and May there will be another bill. Are you going to be ready to have those taken care of so when you conclude probate the County can officially change title?

Jennrich: I just got my tax return so I'm going to take care of it.

Moermond: I would like to get a follow up inspection done so we can officially conclude the matter of the orders. For clarity, when looking at January 5th orders, one item was illegal occupancy, was that around the number of people? Or ownership?

Demarest: it was for the need for the Certificate of Occupancy.

Mendiola: if it was number of occupants, I assume it would have been in the new order.

Moermond: it didn't sound like we had square footage problems last time, so I wanted to confirm it was based on owner-occupancy.

Demarest: yes, correct. The need for a Fire Certificate of Occupancy and the second was property ownership must be established. Parallel to what we were talking about here. Space and number of occupants is not an issue.

Moermond: hopeful probate will conclude in June?

Mendiola: yes, barring any snags we can't anticipate.

Moermond: I'm satisfied to let this play out. I'll recommend the Council give you through July 17th. I'll put that buffer in there so Ramsey County has time to update on their end as well if there's any lag time. With respect to the items called out, what I would like to do is send this to Council February 25 and say based on the fact the immediate safety items have been addressed and you have an attorney working on probate, I'd like Fire to sign off on the work that's been done before February 25th. Everyone is in agreement before Council and has had eyes on.

**Referred to the City Council due back on 2/25/2026**

**5**      [RLH VO 26-6](#)

Appeal of Terry Vasquez to a Fire Inspection Correction Notice, which includes condemnation, at 51 ROBIE STREET WEST.

**Sponsors:**      Noecker

Forthcoming, pending inspection on February 5, 2026 @ 11 or 11:30 a.m.

Terry Vasquez, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Keith Demarest: single-family home owner is Mary Vasquez with an address in Georgia. January 3, 2026 the initial complaint was received from St. Paul Police Department stating there was no power. Officer states: I responded and the heat wasn't on and there was a lot of items at the house, officers could barely walk through. January 5 I went to the property and met with Mr. Vasquez and did an inspection. The following items were noted: no Certificate of Occupancy.

*Structure unfit for occupancy due to concern about safety and livability of the house. The furnace was completely disassembled, leaving no heating for the home. A space heater was spliced into wiring in the basement. Need for smoke and carbons installed. Blocked egress routes and heavy fire load throughout house. I did ask to continue my inspection upstairs, he was uncomfortable with that and I ended my inspection on the main level. January 5 the Code Enforcement team advised the owner's daughter was staying at the property with a history of complaints. January 29 appeal received by Legislative Hearing officer.*

*Moermond: your mother owns the property?*

*Vasquez: yes. She's in Georgia. I live in this house with 2 of my friends.*

*Moermond: they are there currently? It was cold.*

*Vasquez: the furnace was out but we had another one coming but the other guy never came. That's why it was taken out. The reason for the heat splicing is so pipes didn't freeze like they did last year.*

*Moermond: your mom is in Georgia. Is that her permanent residence?*

*Vasquez: yes. She wanted to sell and we decided to take it over. My dad was a pack rat and we were getting stuff out. Moved a lot upstairs. People were coming in when we weren't there and threw stuff around. I don't work and my girl gets SSDI. She's the only one with income. I'm here just to ask for more time so we can address the stuff done.*

*Moermond: what is going on with the heat?*

*Vasquez: we're looking for a furnace. We don't have the money. We have space heaters in our rooms. The furnace guy said it was \$3,000 to fix our old one and would be better to get a new one, that was like \$8,000. I don't have the best credit. We're trying to find a used one.*

*Moermond: have you talked to any community action programs? They're programs that historically have helped with situations like this. I'd reach out to them and find out if this is something you'd qualify for. That would be repair or replace to keep things going. You need that, obviously. I'm thinking it would be really useful for your mom to not be the only one on the title. The City looks for \*a\* responsible party for the house. You're showing up and talking about taking care of business but we need someone official representing the property. We can do this as a rental property, where your mom would say in writing that you are the designated Responsible Party. Or, she could make you a percentage owner in the property. We want to make sure there is some evidence you have a legitimate claim to be living there and making decisions. I'm concerned about how much your father left there. The volume of items.*

*Vasquez: there were a lot of clothes. We have a dog and he chews a lot of stuff up. We're trying to get it all out. We put it in boxes and we just need to get it out.*

*Moermond: how are you set up in other areas of your life?*

*Vasquez: I'm looking for work.*

*Moermond: what about food?*

*Vasquez: we're good.*

*Moermond: just trying to get you some referrals if needed. You want more time. What is your top priority?*

*Demarest: life safety. Furnace. Wiring. Detectors.*

*Vasquez: we got some. Where do they need to go?*

*Demarest: perhaps we can do a secondary safety inspection and then come come up with a game plan to discuss future dates.*

*Moermond: I'm VERY worried about fire here. We have lots of stuff. We have space heaters. We have spliced wires. This is going to be a trust exercise and need you to show up. You know this, and this is why you appealed. That means you're going to be homeless; I would approach the agencies you're working with with that level of importance. Name that. I want to give you time to figure this out but I am worried. Would you be able to get an inspection in priority to do this next Tuesday?*

*Demarest: absolutely. I can probably get out there February 5th at 11?*

*Vasquez: yes.*

*Moermond: the thing with space heaters is they're intended to be used temporarily. The longer they're used the more the risk increases. We need to get this addressed or figure out alternative housing. You have to get on the furnace communication. Call them before you leave the building.*

*Demarest: space heaters need to be plugged directly into a socket in the wall so they will trip how they're designed. How it is wired now is a big no-no.*

**Laid Over to the Legislative Hearings due back on 2/10/2026**

**6**      [RLH VO 26-7](#)

Appeal of Minister Scarlet Rose to a Fire Inspection Report, which includes condemnation, at 787 HOWELL STREET NORTH.

**Sponsors:**      Coleman

*Temporarily allow occupancy of the property, as Xcel has restored gas and electrical services as of the morning of February 3, 2026 pending an interior and exterior inspection of the property to ensure hazards related to the 1) 500 pound propane tank; 2) operation of 2 generators in an accessory structure and extension cord wiring providing electrical service to the house; 3) sanitation and high fire load/excess accumulation of flammable materials as reported by the Fire Department; and other critical life safety issues which may be identified in the course of an inspection of the interior of the premise; the Department of Safety & Inspections be authorized to vacate the property on an emergency basis through Tuesday February 10, 2026, should they deem it's necessary to take this emergency action, which would be reviewed in Legislative Hearing February 10, 2026 to determine if the vacate order should remain in place*

*Florence Cherry Kimmel, property owner, appeared.*

*Der Vue, DSI-Fire appeared*

*Keith Demarest, DSI-Fire appeared.*

*[Moermond gives background process]*

*Staff report by Supervisor Der Vue: this is a single family-dwelling and on record with*

Ramsey County, own by Florence Cherry Kimmel. On January 27 the Dept of Safety and Inspection received a referral from the Fire Dept. The referral states a response to a call medical emergency. The house has no heat, was powered by generators located outside. Referral also noted that the house was unkept and had little to no space to move around. Based on Ramsey County record, DSI Code Enforcement (CE) responded to the initial complaint with attempt to inspect on January 29. CE reported the following to fire safety. There is a 500 lb. propane tank at the rear yard with a line exposed on the ground running from the tank to the house. There is generator noise coming from an enclosed metal shed in the rear yard with multiple extension cords running into the house from the rear window. There is no permit on file pulled for the propane tank. It was confirmed with Xcel Energy on Jan. 10th that there was no gas or electric provided to the home and hasn't been since May 28, 2025. St. Paul Regional Water Services (SPRWS) confirmed there is an active account and active meter on their end. At that time CE did post a notice to vacate for Feb 2nd. CE inspector at that time received a call from an occupant, Scarlet Rose, who states that she resides at the property and identify herself as a family member of the property owner. At this time, it was believed property was to be a non-owner occupy property and referred to our fire safety division. With this information provided and possible property being non owner occupy I, myself, took the lead. Myself and our area fire commercial inspector Brian Schmidt who specializes in hazardous materials that include propane tanks and generators, attempted an inspection on Friday Jan 30th. As we were unable to make contact with the occupant and entry to the property, short orders were issued for access to the property and property condemned due to lack of utilities.

Moermond: can you describe what short orders are.

Vue: Short orders are where the fire safety division will issue for a quick turnaround typically 24-48 hours depending on the reasons behind the orders, that turnaround and a solution to it is required within that time frames. The order was posted on the storm door in the front of the property. Please note the location of the propane tank and generator is in the rear yard and enclosed with a fence approximately 6 to 7 feet tall. Shortly after our attempt inspection, I received a call from Ministry Scarlet Rose who states she, among others including the property owner, reside at the property. She did confirm there is no heat and utility provided by Xcel Energy. I stated concerns due to the use of the propane tank and no permit on file and the generator, including multiple extension cords running from the shed at the window to the house. At that time Ministry Rose said they wish to have no contract with Xcel Energy and share that the plan was to have electricity and heat with the propane tank and solar panels in the future but that she understood our safety concerns. My conversation with Ministry Rose was that we agreed to an inspection Monday Feb 2nd as per my short orders was issued and she was given an explanation of her appeal rights. I was unable to move forward with the inspection as appeal was submitted Monday morning.

Moermond: before we go too much down the line, there are 2 divisions who does residential down at DSI. One was CE and the other was fire inspections and sounds like CE and fire inspection was there. Traditionally, you deal with non-owner occupy, but I have seen you in owner occupy situation when there was a fire hazard concern, so you are working and communicating with Code Enforcement.

Vue: Yes. CE handles and manages owner occupy and non-owner occupy are handled and managed by our fire safety division. In this case based on the information by Ramsey County, CE responded and thought to be an owner occupy property but when talking to Ministry Rose, she stated she was occupant of the bldg. but didn't reference the owner lives there. So, he assumed it might not be an owner

occupy property and refer to our fire safety division.

Moermond: So, CE made a finding of the propane tank and generator, cords and so on. Would that be something they consult with fire inspections on and about permitting and so on.

Vue: yes with ourselves including any of our trade inspectors such as mechanical which would require a permit for the installation of the size of the tank in St. Paul.

Moermond: you are face with this order telling that you need to vacate this house until things are taken care of. Scarlet Rose said need proper time to review and respond to allegation, unfounded. What are you looking for today.

Kimmel: I have a question about the mechanical requirement.

Vue: Do you have a specific question about the mechanical.

Kimmel: installation.

Vue: installation of a propane tank would need a permit and needs to be pulled by a mechanical contractor. Once completed by the licensed contractor then a city inspector specifically a mechanical inspector would conduct an inspection to confirm the installation was done accordingly and safely.

Moermond; why are you appealing?

Kimmel: we are appealing because a lot of the information we didn't have. There had been attempts to set up service with Xcel Energy under the trust but at this point I am being advised not to really dealt too much into the trust because it hasn't conveyed to the county and that was the biggest barrier that led to this. The ministry doesn't have any funds at this point because of my own situation and still listed as the owner of property. Today by the Grace of God, truly the Lord, Xcel turned the power on this morning.

Moermond: oh ok, umm. Tell me.

Kimmel: they were refusing to work with us for months and there is a lot of documentation to support that, but I believed the barrier was that they needed me to go to the county for help to continue to take it on. They weren't cooperative and because it got so behind, energy assistance was willing to help and the power is on.

Moermond: sounds like you were able to get energy assistance, that there is a very large bill own to Xcel Energy and some arrangement was made to get the power on again.

Kimmel: it's on.

Moermond: what about the gas?

Kimmel: it's on. It's Xcel Energy.

Moermond: you got a propane tank in the back yard, and we got this furnace that most operate off natural gas, and Xcel Energy got you shut off I understood it's for gas and electric. What is the situation with how the furnace is running?

Kimmel: the furnace runs. It was never connected. We were waiting to see what we



would going to do, see if there is a short or long term option so it was not connected to the house ever. We have been told that under Section 55.09 for city code that we may be exempted for the tank, not for hook up but for temporary placement of the tank. There is an exemption in the code.

Moermond: the fire people said there is no such exception made.

Vue: what code were you referencing?

Kimmel: it's just for replacement, not for hook up. 55.09.

Moermond: I don't know what code you are in. Legislative Code in Chapter 55 part of the fire code specifically but 55.05 is penalty. 55.09 is permit for using temporary gas petroleum. I think we need to talk about what is temporary means.

Kimmel: only been there 2-3 weeks but not use.

Moermond: equally explosive.

Kimmel: We were still exploring options. Thought we were in compliance because it was only temporary. We were looking for solar for the long term and looking at options if it would be a wood burning stove or charging the propane tank permanent installation and how much it would cost. The biggest barrier that we were facing was the getting the conveyance recorded but at this point, that is much lower priority because of the situation now. Today was about cleaning up the extension cords and being removed. Extension cords have been removed, and Xcel Energy is back on. The tank is not being used, and it's secured, and the aspect of the situation has been resolved. Part of the appeal was not only time to review rights and be able to respond to those concerns and being able to understand if we thought that we were in compliance. I was not able to find a previous law that we couldn't use a generator; however, there was email sent from you and those items were reviewed and read through and seems the city did have a basis for concern, not necessary generators but others that it's not ok. we were going to work with the removal of those. Now it's removed, but we were really blessed today that it's on.

Moermond: how quickly are you able to get verification.

Vue: It was just verified that gas and electric with Xcel Energy has been reconnected to the property. I would like to point out, Ms. Kimmel, you referred to Section 55.09. even with temp propane tank, it still would require a permit for a temporary use. This is same for a festival or a parade of that sort. I am not an expert on this code. We do have the commercial supervisor Mitch Imbertson that can speak to that and can assist with this.

Moermond: we are talking about the hazardous due to the 500 lb. tank and hook up is complicated factor, too. The code applies to the tank and the hook up applies to other permitted work.

Vue: Correct, other permitted and licensed work and right certification and permit that requires a mechanical trade to come out.

Moermond: even if it sits there unused it's still a concern.

Vue: absolutely.

Moermond: I want to check in about other things and can talk more about. Got lifted

*up again because of the medical emergency last week and I see you're here. Was that you, are you ok.*

*Kimmel: It's my mother.*

*Moermond: who else is in the house with you. how many adults and kids?*

*Kimmel: we have my mother who has her own place. We all come together here as part of a religious ministry. I have my 2 children. I want to say in the last 6-7 months there has been other EMT personnel and fire fighters inside the home, who did not have significant concerns.*

*Moermond: when fire fighters, paramedics and police officer enter, their primary concern is medical need. Everything else is secondary to dealing with those medical needs. Depending on the call volume they will make decisions to make referral as they can. I do see in police and fire. They can walk there 2-3 times and not say anything. Is there findings out there when they are there, and is it valid, yes, I do see them in Form 4 referral form. I take this seriously. It wasn't called out earlier, I don't know. What do we have as members in the house.*

*Kimmel: 3-4 adults and 2 children. And pets which is why the change besides extra cords and the living room was being blocked because we are assisting with the adoption of a husky who was trying to urinate at the living room carpet and that is why it's being blocked off. There is a scheduled procedure for the dog. Right now, we are trying some alternatives such as trying to retrain him with diapers to stop the behaviors instead of moving to surgery which might not resolve the issue. That is why that area is blocked off. He is a husky, and he can jump. It was stacking along the walkway to prevent from the living room from damages.*

*Moermond: doesn't take me to where it's going. The exit needs to clear of blocking in case of fire situation. The way the referral written makes me think there was more stuff beyond the blockage, and they talked about sanitation issues.*

*Vue: excessive content and home unkept.*

*Moermond: we have more going than that and no inspector inside.*

*Kimmel: my cleaning lady did not come that week.*

*Moermond: you didn't get call in for sanitation just because she didn't come that week*

*Kimmel: with the pet, they need to come minimal every week. We can't afford. I am on social security disability. She normally comes but that particular week she did not come.*

*Moermond: does any of the adult household participate in chores.*

*Kimmel: one person. So, we can remove the items now that we have diapers for the dogs. And can open up that space. That was actually an idea from manager at Petco. We postponed the surgery from Jan 21 to Feb 23.*

*Moermond: what source of fuel for your furnace?*

*Kimmel: natural gas.*

*Moermond: but I understand the natural gas was turned off. Was it back on again or*

*off the whole time.*

*Kimmel: without electricity it wasn't able to operate.*

*Moermond: How are you keeping the house warm?*

*Kimmel: with the generator and space heaters.*

*Moermond: operating with.*

*Kimmel: with gasoline. At least 20 ft from the home and contain in a shed door open facing away from the home. The cords were able to come underneath through a window sealed with specialized plastic and taped securely.*

*Mm: does the cord go to the utility room?*

*Kimmel: no never. I am not understanding. The extension cord is no different as if you have a RV and have brand-new high-quality cord that is plugged into the generator, and that you used at a camp site. We had brand new power strip with shut off. The generator has auto shut off and solar device for the lights just where the gas needed to be changed, and all the lights and internet wouldn't go out and gas solar also has safety features.*

*Moermond: if the furnace is not working to keep the house warm, what is keeping the house warm?*

*Kimmel: it was powering the deep freezer and fridge. There are limited load and it was constantly evaluated to not overload the generator and space heaters and home being an older home. The home has always used more electrical ever since the day I bought the house and rely on electrical for heat because no central heat and furnace don't work so great in older home. Not upgraded central heat, but the furnace themselves we used supplement heater such as space heaters in older home as many people do in St Paul. That was no significant in change. But yes not having the furnace was a challenge but that is all now resolved.*

*Moermond: do you have plan with Xcel? In order to meet with the weather, shut off rule, in this state whether you use energy assistance, there has to be a payment plan with them and perhaps this energy assistance agency is monitoring that for you. They would agree upon with Xcel and accommodate income. If it's on right now, what is moving forward. Is there a payment plan or are you working with the agency.*

*Kimmel: that would be the powers on program. Xcel Energy assistance paid I think \$1100. So, if we could please just able to communicate with Mitchell and the appropriate person to find out what we need to do with the propane and property secured and not being used and have time to address that.*

*Moermond: and the interior conditions?*

*Kimmel: if we can be allowed 30 days to do spring cleaning although it's still winter. That would be reasonable time frame if you are looking for a spot less home.*

*Vue: I am happy the gas and elect been restored. We want the home to be safe including the neighbors. I know it will be Ms. Moermond' decision moving forward with her recommendation. I want to be clear even with the restoration of the electric and gas, we are still concern with the 500 lb. propane tank even if not used. CE stated there was a cord running from the tank with line exposed to the ground to the house.*

*Whether it stopped being used, it was used.*

*Kimmel: It was to the generator. There are 2 generators.*

*Vue: I can't confirm that because we weren't able to access inside the house or the rear yard. On the fire safety point and safety of the occupants and the entire neighborhood, I will mention that there was a tank explosion in Bemidji, MN where there were two fatalities. And due to this dense area and its community members my concern is that it's a 500 lb. tank whether in use or not, we need to inspect that tank. The tank itself, the generators and whether the lines are being used or not to the point that the fire dept had a concern with the interior and we need to inspect sooner than later from the fire stand point.*

*Moermond: I am seeing tank installed without a permit and run 2 generators to provide electrical to the house and cords running and no permits and this is unsafe use in the past. I am hearing space heaters and extension cords running from outside with exposed wiring and this makes me nervous. I need to feel better about the interior, space heaters, wiring, extension cords and what's going on to the house.*

*Kimmel: I am sorry, but we tried to work with Xcel*

*Moermond: I get you are trying to work with them, but I need to look at right now and what is the hazard in this case and what do we need to do now. Is it safe enough for people live there and is safe for the neighbors who live next door. I have a laundry list of unsafe conditions that brings us to the present place and the good thing is gas and electric appears to be back on again. The bad things are I don't know what all of the hangover we have. The way you were powering and warming your home before. I need these guys to look, and I am not comfortable having heard heavy contents and the sanitation concerns. I can't tell you how bad it is when a house that has so much materials and it burns. It burns so hot and burns so long and you are in that room, you are stuck in that room. Having seen the wreckage of those fires, I don't want to see in that for you or your family. I really need these guys in there asap. Not looking for white glove, but basic safety. Are the smoke and co working, do we have looking entrances I can't value your words based on unsafe circumstances. I need their eyes on this. I want inspection right away to see if this continues to be a safe place to live and if not what exactly needed to be addressed so we can look at longer time to address that aren't of immediate concerns.*

*Demarest: were you here for the first hearing.*

*Kimmel: I missed it*

*Demarest: we have safety concerns for the house. With agreement we are able to get invited to the house and do inspection and report with Ms. Moermond of findings and come up with a list to be done. that list would be complied and sent to you and Ms. Moermond and we come with game plan after that.*

*Kimmel: you know I am concern with everything going on and the initial complaint to have those concerns is one thing but then an email that came over the weekend started mentioning exterior paint in the middle of winter when there is people dying in the street. 2 weeks ago, I had to call into the police and other things going on.*

*Moermond: you are right, but we do push those into the future. Those are things not a January concern. We need to make a plan that make sense for safety done first and other things related to exterior issue can be down the line. I understand the way they generate those letters. I was not there. I want you not focus on that.*

*Kimmel: that seems out of really with a sick mom in the hospital. I got little sleep and trying to call up law firms and get legal representation to find what is going on here. We went to talking about heat and safety to peeling paint and sounds like fishing expedition. Even the way this was approached from a simple conversation to you need to get out of your house sounds like someone just rip a rug from underneath you. I agreed if the propane tank is issue we can get that out but peeling paint, I don't understand. So, in situation where is the advocacy or third party to make sure there is not other things going on. To make sure someone is being treated as you know the person who is making the decision is going to be treated. Maybe someone is dealing with poverty is not going to have as many nice things.*

*Moermond: want inspections in and deal with the red flag issues right now. There is medium- and longer-term things and make that list and figure out what makes sense, and we will be able to incorporate in assistance such as Habitat who can be of assistance. I don't want this to be everything all at once and it has been a crisis mode because of the level of safety. Only thing closer to being ok is now the gas and electric is back on. The paint stuff I get it. I can push out those out. Removing the gas tank permanently would be the best. I know there are some codes you rely, having solar or not connected to the grid. Can you pull the off and on the grid.*

*Vue: yes*

*Demarest: Thursday at 8:30*

*Vue: we are not available tomorrow, but Keith can conduct the inspection on Thursday.*

*Kimmel: Anything after 10 or 11.*

*Moermond: I am trying to put the process and code issue with timing. I have you set up at tomorrow public hearing at 3:30. We can continue to allow occupancy if some basic safety requirements are met, and an inspection can occur on Thursday to make an assessment of that. And get a report to me on Friday. Focus on safety concerns. Based on the report you may have to vacate. If hazard, they can that emergency action to immediate vacate but I can still hear on that. I will ask City Council to look at a 2nd time at a week from tomorrow. Have a plan in place on how to approach. Fire inspections can help if they are outdated or smoke detectors don't work.*

*Demarest: I have those with me when and if needed. I can put in right away.*

*Moermond: list out the things to look at. Who are going to the inspection.*

*Vue: The tank required a fire safety inspector from residential and hazardous fire safety inspector, in this case with the tank we will have a mechanical inspector even it not uses. The 3 inspectors will be there.*

*Moermond: if there are other concerns with the generators they will be able to address them.*

*Vue: yes. On the interior, for immediate fire life safety hazard, we need to confirm smoke and carbon monoxide detectors and make sure it's installed correctly and operable. Also to confirm if any excessive content, the exits and emergency escape and rescue opening, including doors and windows and sleeping rooms and make sure carbon monoxide and smoke detectors are located in the right location. Make sure exits are not blocking the doors and window.*

*Demarest: I can send you a copy of the report right away.*

*Moermond: could you make a recommendation to see if immediate vacate is needed within 24-36 hours.*

*Demarest: yes. You will hear again next week.*

*Moermond: I will review the report on Friday.*

*Kimmel: I may not be available at 3:30 tomorrow*

*Moermond: can someone come on your behalf. Will look at in a week. Right now, just for the life safety things. Delaying a decision on the vacate date based on those being done. If you are ok with the short-term measure ok not to testify tomorrow and can testify down the line.*

*Demarest: Thursday morning at 10:00*

**Referred to the City Council due back on 2/4/2026**

### **3:00 p.m. Hearings**

#### **Water Bill Appeals**

- 7      RLH WB 26-1**      Appeal of Mulugeta Mosazghi, Muler Auto Repair LLC, to a Water Service Bill at 1200 SEVENTH STREET WEST.
- Deny the appeal, but spread payments over 4 quarters.*
- Muguleta Mosazghi, owner, appeared*  
*Michael, friend/interpreter, appeared*
- [Moermond gives background of appeals process]*
- Mosazghi: I work in that house for 7 years as an employee but I rented two years ago, at that time when the meter was changed they said it was leaking. I asked if they charged me, they said no, but they sent me a bill.*
- Moermond: would it be helpful to have an interpreter?*
- Mosazghi: I have someone here to help me.*
- Moermond: I want to make sure you are getting everything we are saying, and you are expressing yourself fully.*  
*Staff report by Derek Olson: we got a call the meter was leaking in December. Set meter staff out. They found the bottom of the meter was blown out. In the photos I sent you there is a photo and you can see the damage. That happens when it is too cold and meters freeze. The feedback we got from staff was it was cold in there. It is a repair shop, so it makes sense. Everything lines up. Based on code 88(10). The responsibility to keep the meter in a safe condition is the responsibility of the homeowner/repair shop. There is a charge we assess to the account: \$294.12. That fee is what they're disputing. There's the meter and the register. The register was fine, so they weren't charged for that. It is only for the body of the meter.*

*Moermond: the physical piece of equipment or does it include labor for replacing?*

*Olson: just the meter equipment.*

*Joe Tronson, Meter Supervisor: the meters are designed to break on the bottom to save the plumbing system. It is designed to be the weakest part of the system.*

*Michael: he was told he wouldn't be charged. Then they sent him the bill.*

*Moermond: when was that conversation?*

*Olson: I believe December 17th we had staff there and they said this is a billable charge according to staff. This has always been standard practice.*

*Moermond: what is provided in writing in this circumstance?*

*Olson: I believe there is a letter. Part of the packet I sent you. Frozen meter body notice is sent after we get the information.*

*Moermond: that is sent before? After?*

*Tronson: it is mailed the day after the frozen meter is changed.*

*Olson: it was mailed the 18th, the following day.*

*Michael: the guy said we wouldn't charge you this time, just the next time something went wrong. That's why he was confused.*

*Moermond: who went out there?*

*Tronson: Joe Schmidt, he's a plumber.*

*Moermond: what may he have been thinking about?*

*Tronson: I work closely with him every day. Only thing I can think about is sometimes people ask if there's a charge for this, and typically I say it will be included in the next bill. Money doesn't change hands on site. That's the only thing I can think of.*

*Olson: if we have a frozen service, not just the meter, we would go thaw it one time. The second time we have to go out there's a charge for thawing. This is completely different. I don't see any notes about frozen service. We do it once for free, that's the only thing I can think of. But these are two different things.*

*[Brief recess to review code]*

*Moermond: your observance was the service was not frozen, Mr. Olson?*

*Olson: any time the meter freezes, there is a charge. If the line is frozen, there isn't. Every time these happen there's a frozen meter charge applied to the account. We've had services freeze in the last couple of weeks, that we will fix once. That's the actual service out to the street, not the meter in the property.*

*Tronson: anything from public right-of-way is thawed free the first time. Inside the property is responsibility of the property owner as well.*

*Moermond: I think the code is crystal clear on this that there will be a charge. The*

*fact there was confusing or incorrect communication is the only thing that may change that. What I'm stuck with is it is here in the code. You're basically saying someone told me it was free. Does it change the fact that you have this bill if someone misspoke or something was misunderstood?*

*Mosazghi: the meter was old, it was supposed to be changed?*

*Tronson: they were all changed in 2009 and 2010. 15 years ago. They're about halfway through their life-span.*

*Olson: this was installed in November 2010.*

*Michael: he wasn't there in 2010.*

*Tronson: the meter stays with the property.*

*Michael: he's confused because the employee said there was no charge.*

*Moermond: I'm going to recommend the charge goes through as written. No labor was charged. For that reason I understand there may have been miscommunication, I don't know the genesis of it. I do know the law is clear about the charge. Would this be easier to deal with if it was made dividable over a couple of bills? Spread over some quarters?*

*Mosazghi: half we could pay.*

*Moermond: I'm stuck.*

*Mosazghi: I've worked that shop 7 years. I've never had any problems. I don't know what is going on, I don't have enough work right now. I pay a lot of rent.*

*Moermond: can this be divided over the next four quarters?*

*Olson: we are never opposed to working out an arrangement.*

*Moermond: spread over a year, no single bill.*

*Olson: no interest on that.*

**Referred to the Board of Water Commissioners due back on 3/3/2026**