



Minutes - Final

Legislative Hearings

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

Tuesday, February 11, 2025

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 24-44](#) Ordering the rehabilitation or razing and removal of the structures at 925 MAGNOLIA AVENUE EAST within fifteen (15) days after the December 4, 2024, City Council Public Hearing. (amend to grant 180 days)

Sponsors: Yang

Grant 180 days to rehabilitate the property.

Moermond: the materials we needed to recommend a grant of time were received and reviewed by Department of Safety & Inspections staff and me. We both find them adequate and I'll recommend a grant of 180 days. Council Public Hearing will be February 26.

Referred to the City Council due back on 2/26/2025

Staff Reports

- 2 [SR 25-9](#) Review of a potential stay of enforcement of demolition for Tom Radio, representing Allstate BK Real Estate Holdings, Ltd. at 455 ROBERT STREET SOUTH.

Sponsors: Noecker

LH March 11, 2025 at 10 am. By COB February 28: new CCIR must be applied for, additional \$5,000 PD posted, work plan including bids and schedule, and evidence of financing must be submitted. Plans must be amended and approved no later than March 11, 2025. (CPH March 19, 2025)

Tom Radio, attorney o/b/o owner, appeared
Hye Young Shin, potential purchaser, appeared
Korean language line interpreter appeared via phone

Radio: we are here to discuss continuing the stay of demolition or ending the stay and two discuss a couple of things. one was a sixth amendment to the earnest money contract. This sixth amendment has been a subject of discussion for several weeks

and is finally agreed to and a copy provided to the Legislative Hearing officer.
Both parties have agreed to the terms. My client has signed it and it is ready to be signed by the buyer of the property.
The seller intends to commence the nuisance abatement plan within 30 days of the effective date of the amendment.
Before undertaking that nuisance abatement work my client would like the City to continue the stay. That's what we've accomplished since we last talked. In prior hearings the Legislative Hearing officer has provided a number of other items to be provided in an August 16, 2024 letter which includes six items.

Moermond: I'm going back to a concern I expressed back in September which is certain things being done BEFORE the Council grants time for rehabilitation. My main one was that nuisance abatement plan, which we discussed outside Council chambers

Radio: my client had concerns about undertaking though without agreeing with the purchaser on who is paying the costs. It is about \$35,000, so if it was going to be demolished it was a large unnecessary cost for it to be torn down. We have agreed to share costs and move ahead to a closing on the sale.

Shin: we decided to split it 50% and agreed in November.

Moermond: here is the thing. I'm under the impression this won't happen until Council grants time. At the same time, I think it is necessary to be done ahead of that approval. It is an article of good faith. It seems the buyer and seller are looking for the grant of time from Council and then wanting to pursue the rehab. If the Council approves that what guarantee there is it that it would happen in a timely fashion. Why would the City grant the time without the initial conditions being met?

Radio: what brought us here in the first place was a building that has been taken out of operation and became the subject of vandalism, trespass and theft. The City has been willing to work with us to find a buyer to take over the property and rehab it and become a net asset to the community. Ms. Shin is a successful businesswoman who can make it a benefit to the community. Our contractor has indicated 30 days to complete it from whatever that start day is.

Moermond: I'm also concerned that at no point a work plan was brought forward and I also have no proof financing. I do have information from Planning and Economic Development that they inquired about a bank loan to do the work. I question the capacity to do this based on their inability to meet the nuisance abatement requirements and not having the money and work plan together at this point.

Shin: for now, I'll just purchase with my own cash. The City and Bank have already agreed to it.

Moermond: so the bank disposed money for a building with a demolition order on it?

Shin: I was willing to buy it in its pre demolition state. I already discussed it with the people at the bank.

Moermond: is the intention to rehab the existing structure or demolish and build new?

Shin: I want to fix it up.

Moermond: is the Performance Deposit dealt with in the sixth amendment?

Radio: no.

Moermond: I need to see plans for the building's rehab. we need a new team inspection, it was certainly requested more than six months ago that it be done due to the additional damage. I don't see any new financing. I need to see that quickly to show they have the wherewithal to do the work. If they do, there would be additional conditions.

The conditions would be an additional \$5,000 Performance Deposit posted, for a total of 10. A failure to abate the nuisance abatement plan would cause \$5,000 to be forfeit and an additional \$5,000 posted. I'll put this on my calendar February 28. I'd like the work plan in my hands, which includes the fencing and alarms and evidence of the ability to finance this rehab. The team inspection should be ordered immediately.

I need to see the ability to finance it. I am indifferent as to the source.

Radio: I assume based on past practice you'll have this written so everyone is aware?

Moermond: yes.

Shin: I will be in Korea March 11, I cannot attend.

Moermond: if you have someone who can attend in your stead, that is fine. If you have the materials in ahead of time, that also works. I'm hesitant to give any additional time beyond that.

Shin: it is a business trip to Korea, it is urgent. It took me almost two years, I just started another business in Korea. That's why I have to go there.

Moermond: I'm not saying you shouldn't go. I'm saying the deadline needs to be met, regardless of your presence at the March 11 hearing.

Shin: if there is no delay of the hearing time, my brother should be able to attend.

Moermond: I'm not willing to accept a delay anymore. I need to see plans. Who you have attend is up to you. If the plans are turned in approved we can move forward and don't need to have a hearing. If the plans aren't adequate we'll be sending a letter identifying the shortcomings so they can be addressed.

Shin: I'll just ask my brother to attend.

Moermond: I'm focused on the plans more than who attends. The plans never came forward which is why we talked about the nuisance abatement plan. That was to get the time to pull the financing and plans together. It is ridiculous that there is a plan to rehab the building without having financing and a work plan together first.

Shin: I brought all the documents in October.

Moermond: that was only for redevelopment. It wasn't contracts with contractors and sub-contractors. We were clear in our letter that is what we were looking for.

Shin: I can do everything after March 23.

Moermond: that assumes it is correct when it is finally submitted. Why should I trust it will even be done then?

Shin: give me an email, I can follow up.

Moermond: let's proceed that way. If I don't have draft plans in 2 weeks we will revisit expectations.

Laid Over to the Legislative Hearings due back on 3/11/2025

10:00 a.m. Hearings

Making Finding on Substantial Nuisance Abatements

- 3** [RLH RR 25-2](#) Fifth Making finding on the appealed substantial abatement ordered for 939 CHARLES AVENUE in Council File RLH RR 24-6.
- Sponsors:** Bowie
- Continue CPH to February 19, 2025. If CC Certificate is issued nuisance is abated and matter resolved; otherwise continue additional week and forfeit \$1,000 of remaining \$5,000 PD each week until nuisance is abated.*
- Moermond left a Voicemail: Ms. Miller, we are following up. We got an email from you and we'll call back and send a letter in the near future.*
- Moermond: Mr. Hoffman you were out there yesterday and found what?*
- Hoffman: I sent a Summary Abatement Order for snow and ice on the sidewalk. Hadn't been touched. All neighbors shoveled.*
- Moermond: not good. Mr. Zane has a final inspection on Friday the 14th. Unfortunate since it goes to Council tomorrow. The only option I have given the situation is to have the Council to continue this to the 19th. If we don't have a Code Compliance certificate by Monday the 17th I'll recommend the Council forfeit another \$1,000 of the Performance Deposit.*
- Referred to the City Council due back on 2/12/2025**
- 4** **RLH RR 25-6** Second Making finding on the appealed substantial abatement ordered for 975 REANEY AVENUE in Council File RLH RR 24-28.
- Sponsors:** Yang
- The nuisance is abated and the matter resolved.*
- No one appeared*
- Moermond: nuisance is abated?*
- Supervisor Hoffman: Code Compliance was issued January 21, 2025.*
- Referred to the City Council due back on 3/5/2025**

11:00 a.m. Hearings**Summary & Vehicle Abatement Orders**

- 5 **RLH SAO** Appeal of Richard Howe to a Summary Abatement Order at 1670 YORK
25-15 AVENUE.

Sponsors: Yang

Grant to March 14, 2025 for compliance.

Richard Howe, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: we issued a Summary Abatement Order September 3, 2024 that was on hold waiting for permit approval. Nothing changed since September. I was advised by DD to send a new order, January 29, 2025 to remove or dispose of the collapsed garage and contents. Compliance February 6th. IT collapsed last July or August. Not a lot of change since then.

Howe: what is remaining is the walls, which won't take long to take down.

Moermond: what have you done so far?

Howe: the roof is gone. Now I am working on taking down the walls. I'll be getting a dumpster to remove a lot of content. I just lost my mom a bit ago.

Moermond: when did the roof come off?

Howe: the fall. I am doing a lot of things myself; I don't have anyone to help me. There's some wood I'd like to reuse for when I do build a new garage.

Moermond: do you have a place to store that?

Howe: yes.

Martin: no current permit for new garage or demolition of current garage.

Moermond: are the walls stable? Or in danger of falling on their own?

Martin: the September orders said it was a dangerous structure. Most of the walls have rotted and fallen out. There was barely a roof back then. There's no wall on one side. It has pretty much come down.

Howe: I took the roof and organized it so its stored safely. I think that was in the fall.

Moermond: the side with the vehicle doors does appear to be listing towards the alley.

Howe: I just need extra time to take the walls down and remove contents. It won't take long.

Moermond: the County has both you and your mom's name. They may not be caught up.

Howe: survivorship paperwork was done. That's in process.

Moermond: the taxes are unpaid last year. That may be part of what is holding things up.

Howe: no, I'm going to go pay it. It is in my pocket.

Moermond: what kind of time are you looking for?

Howe: two weeks.

Moermond: I was thinking longer, especially with subzero temps like today. Ms. Martin, with the scope of what needs to be done, I'm looking at March 14 so we can look at it again March 18th here. It seems like if it collapses it would be into the apron area.

Martin: we've had inspectors out there since October. He was to provide plans. He said he was going to put a new roof on. We probably need to get someone out there. It isn't repair at this point.

Howe: no, I've been demoing it myself.

Moermond: you should pull a demo permit. They have photos they can review in the case. Then they'd just confirm when it was down. Could you get that pulled this week?
Howe: yes.

Moermond: get that done by close of business the 14th. Then we'd say a month to get it down. I anticipate on the 17th staff will go by. We can figure out where to go from there.

Referred to the City Council due back on 2/26/2025

Making Finding on Nuisance Abatements

- 6** [RLH SAO 25-13](#) Making finding on the appealed nuisance abatement ordered for 1463 MIDWAY PARKWAY in Council File RLH SAO 25-6.

Sponsors: Jalali

The nuisance is abated and the matter resolved.

No one appeared

Supervisor Lisa Martin: the boat is gone.

Moermond: nuisance is abated and matter resolved.

Referred to the City Council due back on 2/19/2025

- 7** **RLH SAO 25-14** Making finding on the appealed nuisance abatement ordered for 801 PIERCE BUTLER ROUTE in Council File RLH SAO 25-4.

Sponsors: Bowie

The nuisance is not abated.

Mai Tran, owner, appeared via phone

Staff update by Supervisor Lisa Martin: Mr. Kedrowski was out this morning to take photos. Still a lot of items to take care of. I know Mr. Kedrowski has worked with the owner previously, sounds like there was an owner so he'd like more time to resolve the issue.

Tran: last week I moved one trailer and some items already. This morning Richard came over and took photos and I talked with him. He showed me what I needed to do. I got gout really bad; I couldn't work. I moved one trailer already. Can I have a bit more time to complete everything?

Moermond: let me be clear the deadline has come and gone. As soon as the Council looks at this Department of Safety & Inspections is authorized to go clean up the property and charge you for that. I'm not opposed to giving extra time. I'm going to send this to Council on Wednesday, February 26. Department of Safety & Inspections will stop by the day before, and then if it is done the matter is resolved. If it isn't, the Council will authorize the Department of Safety & Inspections to do the cleanup and charge you.

Referred to the City Council due back on 2/26/2025

1:00 p.m. Hearings

Vacant Building Registrations

- 8 RLH VBR 25-8** Appeal of Paul Yang to a Vacant Building Registration Requirement at 985 BRADLEY STREET.

Sponsors: Kim

Waive VB fee for 90 days (to April 22, 2025).

Paul Yang, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: Category 2 Vacant Building opened January 20, 2022. Vacant Building fee that is past due since January 21, 2025. We have a building only Code Compliance Inspection fee paid for today. We do have some open permits, as well as closed on file. Been maintained.

Yang: I spoke to Robert Humphrey and Clint Zane and they told me the Code Compliance Inspection Report was past due. So we're in process of getting it reinspected to see what needs to be done. The property is close to 100% complete based off previous compliance report. I just need to get that new report and close out permits. Get that final inspection. Having to pay the Vacant Building fee would set me back a bit in achieving that.

Moermond: you look like a good candidate for a 90-day waiver. That probably will get you across the finish line. That takes you April 22.

Yang: Robert told me today he got the application to Clint. I think it should be enough time.

Moermond: we can definitely let him know about this hearing and urge him along.

Referred to the City Council due back on 2/26/2025

2:00 p.m. Hearings

Fire Certificates of Occupancy

9 RLH FCO 25-1 Appeal of Casandra and Patrick Bradley to a Correction Notice-Complaint Inspection at 365 BATES AVENUE.

Sponsors: Johnson

Grant to March 3, 2025 to have mechanical permit finalized. Grant to April 4, 2025 to have interior corrections completed, or property must be vacated. Grant to June 30, 2025 for compliance with orders related to exterior.

Patrick Bradley, owner, appeared via phone

Cassandra Bradley, owner, appeared via phone

Staff update from Supervisor Mitchell Imbertson: a few corrections remaining. A plumbing permit for the water heater, last inspection was February 5 by Paul Zellmer. He noted there were corrections needed on the vent. Doesn't mention anything else, so it looks like that would be ready to be approved as soon as corrections are done. There's a mechanical permit pulled for the vent liner in the chimney, assigned to Inspector Havlicek. Hasn't been inspected yet. Not sure where the work stands on that. The rest are the extermination and patching exterior surfaces. Sounds like exterior patching will wait until critters are removed. December 11 invoice from Plunketts regarding pest control that would cover that. We would want confirmation that the visit from Plunketts went through and no additional issues were found and it was completed.

Moermond: let's revisit the pest issue. Remind me, did they seal the holes or what was the approach?

Cassandra Bradley: we called them out for an inspection and quotes. After we got the water heater we were saving up for that. The water heater is even more expensive. We've signed a contract with them for the trapping and fixing, we just have to wait until we can pay for it.

Moermond: when's that looking like?

Cassandra Bradley: we'll get our tax return by end of February.

Patrick Bradley: why all of these things being forced to do? We filed the appeal so we wouldn't have to. We're trying to sell the house as soon as the lease is up the end of March. The tenants won't be there by the time we can fix it. I'm confused why appealing it is forcing us to, when we filed the appeal so we didn't have to do it because we can't afford that.

Moermond: I would respond it is whether or not the condition exists, not an affordability issue. If Plunketts said there was no evidence of an infestation then we'd cross it off the list, you proved it. That's not what I'm hearing. I'm hearing it is expensive, not that they don't exist. I'm trying to work with you to make it easier to deal with things. I want to do that. That's why I'm asking about time and putting it together. The deadlines in the Fire Certificate of Occupancy orders, they were traditional in terms of turnaround. Now we're in February still talking, trying to throw a rope around it. If it is on the market do you need a Fire Certificate of Occupancy or do you mind if it gets revoked? That's something we can talk about it as well.

Cassandra Bradley: that Fire Certificate of Occupancy is just because we have renters, right?

Moermond: yes, if it isn't owner occupied you need one. The tenants are leaving end of March. You're putting it on the market. Can you sell this without a Certificate of Occupancy? You can. If the buyer wants to live it as a rental property they would need to have it reinstated. I need to figure out if things should be required regardless. Mr. Imbertson, are there things that can't be lived with until the end of March?

Imbertson: it is hard to say with the mechanical and plumbing work because I don't know what was completed or not with the vent, nor the condition it was left in. If it was a case where the vent liner was installed and just needed a final inspection I'm not sure Code would pursue that too far on an owner occupied property, but without an inspection we aren't sure whether its vented correctly at all. So, it may be a more immediate safety issue. It did previously have an improper slope on the vent. Not sure if there's any follow up on that? Installed but not inspected?

Moermond: is it the same contractor for water heater and venting?

Cassandra Bradley: we talked about venting briefly last time. I called the company to be proactive who fixed the chimney. They said oh yes, we'll get a permit for the work we did in June. They'll get that taken care of. He was supposed to be there when Paul was there. I'm hearing that's not even him? It's a mechanical guy named Aaron?

Moermond: mechanical inspector is Aaron Havlicek, and the plumbing inspector is Paul Zellmer. He has already been out last week on the 5th and issued a correction. I think you just need to get Aaron out to check the work. The company pulled the permit, but he needs to sign off on it. Whether the contractor is there or someone else, someone should be there with him.

By April 4 all of the corrections need to be done, or the house vacated. Sounds like it would be vacated by then anyway. That is conditioned upon you closing that mechanical permit by March 3. If it isn't done you lose your certificate and it has to be vacated, which sounds like what you're doing anyway.

Imbertson: Paul may not even have to go back out; he can probably approve it from the office once the venting is approved.

Moermond: Let's put a deadline for the exterior of June 30, 2025.

Referred to the City Council due back on 2/26/2025