



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Council Chambers - 3rd
Floor
651-266-8560

Minutes - Final

City Council

Council President Amy Brendmoen
Councilmember Mitra Jalali
Councilmember Rebecca Noecker
Councilmember Jane L. Prince
Councilmember Dai Thao
Councilmember Chris Tolbert
Councilmember Nelsie Yang

Wednesday, February 26, 2020

3:30 PM

Council Chambers - 3rd Floor

- 19 [RLH RR 19-29](#) Ordering the rehabilitation or razing and removal of the structures at 864 MARION STREET within fifteen (15) days after the December 18, 2019 City Council public hearing. (Amend to remove within 15 days) (Public hearing continued from December 18, 2019)

Sponsors: Thao

Legislative Hearing Officer Marcia Moermond gave a staff report. This issue originally came to her at the end of November, and at that time there was no code compliance or performance deposit, and the title was in the name of the previous owners, both of whom were deceased. The performance deposit was posted in December. The Code Compliance inspection was applied for, but the house was full and not ready to be inspected, and the owner didn't provide a lock box combination. Ms. Moermond had requested documentation of legal action to get the title in (appellant) Mr. Schilling's name. Mr. Schilling indicated had been in possession of the property since the mid-70s. Ms. Moermond said there hadn't been traction on those requested items, leading to her recommendation to order the building removed within 15 days. No permits could be issued to someone who didn't own the property. Ms. Moermond said she'd just been meeting with Mr. Schilling in the hallway and he indicated he was working with an attorney on the title work and had brought in a tax statement showing he was the taxpayer of record in the mid-1970s. Mr. Schilling had had a contractor look at the house; the contractor had provided a brief two-sentence statement. Given there had been some movement and the house was cleaned out and ready for inspection, she was hesitantly asking for this to be referred back to Legislative Hearing on March 10 for further review. She displayed a photo of the house.

Councilmember Thao asked how long the house had been vacant. Ms. Moermond said it had been a registered vacant building since 2009, and she didn't know if it was vacant for any length of time before that.

Robert Schilling (677 Sims) said the building in question was his residence at the time, and when the inspector came, a friend was living there and watching it for \$300 while he (Mr. Schilling) was working on another project. The inspector wanted to inspect for a Certificate of Occupancy, and the resident didn't let the inspector in so the inspector posted it as registered vacant. Mr. Schilling moved the friend out and moved back in himself, thinking that would take care of the issue. One day he came home and found the sheriff there, and everything go totally boarded up and shut off. He moved onto different things and it had been that way ever since because he'd had complications

with his health and with his business. The building was ready to be cleaned up and fixed up, and he had thousands of dollars worth of building materials in the building. Some of those materials were supposed to have been removed as part of the clean-up. The electricity hadn't been turned on and it was hard to get people to cooperate when the building was old and dark. There had been no complaints against the building, and it was a sound building but had been neglected and needed to be cleaned up. Mr. Schilling said he purchased it in 1975 and for some reason the title didn't get registered; now he had to go through the process through legal channels.

Council President Brendmoen asked Mr. Schilling whether he remembered receiving a property tax bill. Mr. Schilling said all the time. Ms. Moermond said Mr. Schilling had been the tax owner of record, possibly since the 1970s. In Legislative Hearing he stated he purchased the property on a contract for deed and paid it, but today he stated he owned it outright and always did.

Mr. Schilling said it was a cash sale when he purchased it and there was no mortgage. He had two reasons for wanting it done - he had been helping a long-time employee who'd had a stroke, and his daughter recently separated from her husband.

Councilmember Thao moved to close the public hearing. Yeas - 7 Nays - 0

Councilmember Thao said by any standard over ten years of a vacant building was hard to accept in an area that really needed development. He moved to refer the matter to Legislative Hearing on March 10. He said his Council office would contact him and bring in Ramsey County and other stakeholders to get this clarified and change the title.

Council President Brendmoen said she supported the layover but underscored what Councilmember Thao said about the impact of this type of property on an already challenged neighborhood.

Referred to Legislative Hearings on March 10